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CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

SECOND SESSION

OF THE

SIXTY-FIFTH CONGRESS

OF

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OF AMERICA

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PROCEEDINGS AND DEBATES OF THE SIXTY-FIFTH CONGRESS SECOND SESSION.

SENATE.

MONDAY, *December 3, 1917.*

The first Monday of December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the second session of the Sixty-fifth Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

The VICE PRESIDENT (THOMAS R. MARSHALL, of Indiana) called the Senate to order at 12 o'clock noon.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we worship Thee. We know no sovereign will but Thine. Thy law is supreme in our lives and in our land. We have come together facing the mightiest task that has ever confronted any generation of men. As we stand in the light of Thy Word we thank Thee for the assurance that we have taken our place upon Thy side.

We pray Thy blessing upon all in authority in our land, that they may have a supreme passion for our highest ideals of national life. We pray Thy blessing upon all the people, that they may have a vision splendid of the task that Thou hast committed to us, and that they may count it a glad surrender of anything, a price not too high to pay for the establishment of the end that Thou hast in view—peace among men and the brotherhood of nations. We ask for Christ's sake. Amen.

CALLING OF THE ROLL.

The VICE PRESIDENT. Senators, the day designated by the Constitution of the United States and the hour adopted by custom for the convening of the Congress of the United States having arrived, the Secretary will call the roll of the duly elected, qualified, and acting Senators of the United States for the purpose of determining whether a quorum of the Senate is present.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	New	Smith, Ariz.
Bankhead	Goff	Newlands	Smith, Ga.
Beckham	Gore	Norris	Smith, Md.
Borah	Gronna	Overman	Smith, Mich.
Brady	Hale	Owen	Smith, S. C.
Brandegee	Hardwick	Page	Smoot
Calder	Hitchcock	Penrose	Sterling
Chamberlain	Hollis	Pittman	Stone
Colt	James	Pomerene	Sutherland
Culberson	Johnson, S. Dak.	Ransdell	Swanson
Cummins	Kellogg	Reed	Tillman
Curtis	Kirby	Robinson	Trammell
Dillingham	La Follette	Saulsbury	Underwood
Fernald	Lodge	Shafroth	Vardaman
Fletcher	McLean	Sheppard	Wadsworth
France	Martin	Shields	Warren
Frelinghuysen	Nelson	Simmons	Williams

Mr. SMITH of Michigan. I desire to announce the unavoidable absence of my colleague [Mr. TOWNSEND] on account of sickness in his family.

Mr. HOLLIS. I was requested to announce that the Senator from Montana [Mr. WALSH] is absent because of illness.

I also desire to announce that the senior Senator from Illinois [Mr. LEWIS] is detained on important public business.

Mr. SAULSBURY. I regret to announce that my colleague [Mr. WOLCOTT] is too ill to attend the session of the Senate to-day.

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of illness.

Mr. SHIELDS. I wish to announce the absence of my colleague [Mr. MCKELLAR] on account of illness.

Mr. FRELINGHUYSEN. I desire to announce the unavoidable absence of my colleague [Mr. HUGHES] on account of illness.

Mr. ASHURST. I have been requested to announce that the Senator from Montana [Mr. MYERS], the Senator from Washington [Mr. POINDEXTER], the Senator from Kansas [Mr. THOMPSON], and the Senator from Utah [Mr. KING] are necessarily absent from the Senate because of official business.

Mr. CHAMBERLAIN. I desire to state that my colleague [Mr. MCNARY] is unavoidably detained for a few days. He will be here the latter part of the week.

The VICE PRESIDENT. Sixty-eight Senators have answered to the roll call. There is a constitutional quorum of the Senate of the United States present.

LIST OF SENATORS.

The list of Senators by States is as follows:

Alabama—John H. Bankhead and Oscar W. Underwood.
Arizona—Henry F. Ashurst and Marcus A. Smith.
Arkansas—Joseph T. Robinson and William F. Kirby.
California—James D. Phelan and Hiram W. Johnson.
Colorado—Charles S. Thomas and John F. Shafroth.
Connecticut—Frank B. Brandegee and George P. McLean.
Delaware—Willard Saulsbury and Josiah O. Wolcott.
Florida—Duncan U. Fletcher and Park Trammell.
Georgia—Hoke Smith and Thomas W. Hardwick.
Idaho—William E. Borah and James H. Brady.
Illinois—Jas. Hamilton Lewis and Lawrence Y. Sherman.
Indiana—James E. Watson and Harry S. New.
Iowa—Albert B. Cummins and William S. Kenyon.
Kansas—William H. Thompson and Charles Curtis.
Kentucky—Ollie M. James and J. C. W. Beckham.
Louisiana—Joseph E. Ransdell and Robert F. Broussard.
Maine—Bert M. Fernald and Frederick Hale.
Maryland—John Walter Smith and Joseph I. France.
Massachusetts—Henry Cabot Lodge and John W. Weeks.
Michigan—William Alden Smith and Charles E. Townsend.
Minnesota—Knute Nelson and Frank B. Kellogg.
Mississippi—John Sharp Williams and James K. Vardaman.
Missouri—William J. Stone and James A. Reed.
Montana—Henry L. Myers and Thomas J. Walsh.
Nebraska—Gilbert M. Hitchcock and George W. Norris.
Nevada—Francis G. Newlands and Key Pittman.
New Hampshire—Jacob H. Gallinger and Henry F. Hollis.
New Jersey—William Hughes and Joseph S. Freylinghuysen.
New Mexico—Albert B. Fall and Andrieus A. Jones.
New York—James W. Wadsworth, jr., and William M. Calder.
North Carolina—Furnifold M. Simmons and Lee S. Overman.
North Dakota—Porter J. McCumber and Asle J. Gronna.
Ohio—Atlee Pomerene and Warren G. Harding.
Oklahoma—Thomas P. Gore and Robert L. Owen.
Oregon—George E. Chamberlain.
Pennsylvania—Boies Penrose and Philander C. Knox.
Rhode Island—LeBaron B. Colt and Peter G. Gerry.
South Carolina—Benjamin R. Tillman and Ellison D. Smith.
South Dakota—Thomas Sterling and Edwin S. Johnson.
Tennessee—John K. Shields and Kenneth D. McKellar.
Texas—Charles A. Culberson and Morris Sheppard.
Utah—Reed Smoot and William H. King.
Vermont—William P. Dillingham and Carroll S. Page.
Virginia—Thomas S. Martin and Claude A. Swanson.
Washington—Wesley L. Jones and Miles Poindexter.
West Virginia—Nathan Goff and Howard Sutherland.
Wisconsin—Robert M. La Follette.
Wyoming—Francis E. Warren and John B. Kendrick.

NOTIFICATION TO THE HOUSE.

Mr. MARTIN submitted the following resolution (S. Res. 152), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

NOTIFICATION TO THE PRESIDENT.

Mr. MARTIN submitted the following resolution (S. Res. 153), which was read, considered by unanimous consent, and agreed to.

Resolved, That a committee consisting of two Senators be appointed to join such a committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that Congress is ready to receive any communication he may be pleased to make.

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The VICE PRESIDENT appointed as the committee Mr. MARTIN and Mr. GALLINGER.

HOUR OF DAILY MEETING.

Mr. MARTIN submitted the following resolution (S. Res. 154), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

DEATH OF SENATOR PAUL O. HUSTING.

Mr. LA FOLLETTE. Mr. President, with great personal sorrow, shared, I am certain, by the Members of this body, it becomes my sad duty to formally announce the death of my late colleague, Senator PAUL O. HUSTING. He died in Wisconsin under tragic circumstances, without precedent and parallel, I believe, in the history of this body.

The present time and occasion do not admit of a suitable testimonial to my late colleague, but hereafter and during the present session I shall ask the Senate to set apart a day when appropriate tribute may be paid to his memory.

Mr. President, I send the following resolutions to the desk and ask for their adoption.

The VICE PRESIDENT. The Secretary will read the resolutions.

The resolutions (S. Res. 155) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. PAUL O. HUSTING, late a Senator from the State of Wisconsin.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. LA FOLLETTE. Mr. President, as a further mark of respect to Senator HUSTING's memory, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 4, 1917, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 3, 1917.*

This being the day designated by the Constitution for the annual meeting of Congress, the Members of the House of Representatives assembled in their Hall for the second session of the Sixty-fifth Congress, and at 12 o'clock noon were called to order by the Speaker, who on taking the chair was greeted with general applause.

PRAYER.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, infinite in all Thine attributes, in whom we put our trust, out of the deeps of the soul we cry unto Thee for wisdom, strength, courage, to uphold, sustain and guide us in this, the darkest hour in human history. Help us as a people, from the least to the greatest, to appreciate the gravity of the situation, and unite us in the bonds of patriotism, that we may throw all our intellectual, moral, and physical strength into the contest, with a grim determination to win or perish; that the ideals enunciated by the Master may find their full fruition in liberty, justice and equal rights for all mankind; to the honor and glory of Thy holy name.

Impress each and every Member of the Congress now convened to take up the stupendous tasks which wait upon them, with the great responsibility resting upon them, that with persistent energy and consummate skill they may provide ways and means for a speedy and successful prosecution of the war which has been thrust upon us.

Let Thy blessing descend copiously upon our President and his advisers. Keep him in health, strength, and vigor, and imbue him with wisdom from above, that he may administer the affairs of state with justice and equity to all; and direct our soldiers and sailors in the prosecution of our just cause.

Be graciously near to the men who are called to the colors, that they may speak more eloquently than words, in deeds of heroism and valor, that Old Glory may float on in triumph, and make the world a better and a safer place for men to dwell in. And Thine be the praise, through Him who died that liberty, truth, justice and righteousness might live forever. Amen.

ROLL CALL BY STATES.

The SPEAKER. The Clerk will call the roll by States, to ascertain the presence of a quorum.

The Clerk proceeded to call the roll by States, when the following Members were ascertained to be present:

S. Hubert Dent, jr.
Henry B. Steagall.
Fred L. Blackmon.
J. Thomas Heflin.

Thaddeus H. Caraway.
William A. Oldfield.
John N. Tillman.

Clarence F. Lea.
John E. Raker.
John I. Nolan.
Denver S. Church.

Charles B. Timberlake.

Augustine Lonergan.
Richard P. Freeman.

Herbert J. Drane.

James W. Overstreet.
Frank Park.
Charles R. Crisp.
William C. Adamson.
James W. Wise.

Addison T. Smith.

Martin B. Madden.
William W. Wilson.
Adolph J. Sabath.
James McAndrews.
Niels Juul.
George E. Foss.
Ira C. Copley.
Charles E. Fuller.
John C. McKenzie.
William J. Graham.

William E. Cox.
Lincoln Dixon.
Everett Sanders.
Richard N. Elliott.
Merrill Moores.
Albert H. Vestal.

Charles A. Kennedy.
Harry E. Hull.
Burton E. Sweet.
James W. Good.
C. William Ramseyer.

Daniel R. Anthony, jr.
Edward C. Little.
Philip P. Campbell.

Alben W. Barkley.
David H. Kincheloe.
Robert Y. Thomas, jr.
Ben Johnson.
Arthur B. Rouse.

Albert Estopinal.
H. Garland Dupré.
Whitmell P. Martin.
John T. Watkins.

Wallace H. White, jr.
John A. Peters.

Jesse D. Price.
J. Fred. C. Talbott.
Charles P. Coady.

Frederick H. Gillett.
Calvin D. Paige.
Samuel E. Winslow.
Michael F. Phelan.
Frederick W. Dallinger.

Frank E. Doremus.
Mark R. Bacon.
John M. C. Smith.
Carl E. Mapes.
Patrick H. Kelley.
Louis C. Cramton.

Sydney Anderson.
Franklin F. Ellsworth.
Charles R. Davis.
Carl C. Van Dyke.
Harold Knutson.

ALABAMA.
William B. Oliver.
Edward B. Almon.
George Huddleston.
William B. Bankhead.

ARIZONA.
Carl Hayden.

ARKANSAS.
Otis Wingo.
Samuel M. Taylor.
William S. Goodwin.

CALIFORNIA.
Charles H. Randall.
Henry Z. Osborne.
William Kettner.

COLORADO.
Edward Keating.

CONNECTICUT.
John Q. Tilson.
James P. Glynn.

DELAWARE.
Albert F. Polk.

FLORIDA.
Frank Clark.

GEORGIA.
Gordon Lee.
Charles H. Brand.
Carl Vinson.
William W. Larsen.

IDAHO.
Burton L. French.

ILLINOIS.
Clifford Ireland.
John A. Sterling.
Joseph G. Cannon.
William B. McKinley.
Henry T. Rainey.
Loren E. Wheeler.
William A. Rodenberg.
Martin D. Foster.
Thomas S. Williams.

AT LARGE.
William E. Mason.

INDIANA.
Fred S. Purnell.
William R. Wood.
Milton Kraus.
Louis W. Fairfield.
Henry A. Barnhart.

IOWA.
Cassius C. Dowell.
Horace M. Towner.
William R. Green.
Frank P. Woods.
George C. Scott.

KANSAS.
Dudley Doolittle.
Jouett Shouse.
William A. Ayres.

KENTUCKY.
James C. Cantrill.
William J. Fields.
John W. Langley.
Caleb Powers.

LOUISIANA.
Riley J. Wilson.
Jared Y. Sanders.
Ladislas Lazaro.
James B. Aswell.

MAINE.
Ira G. Hersey.

MARYLAND.
J. Charles Linthicum.
Frederick N. Zihlman.

MASSACHUSETTS.
Alvan T. Fuller.
James A. Gallivan.
Richard Olney, 2d.
William S. Greene.
Joseph Walsh.

MICHIGAN.
Joseph W. Fordney.
Gilbert A. Currie.
Frank D. Scott.
W. Frank James.
Charles A. Nichols.

MINNESOTA.
Andrew J. Volstead.
Clarence B. Miller.
Halvor Steenerson.
Thomas D. Schall.

MISSISSIPPI.

Ezekiel S. Candler.
Percy E. Quin.
James W. Collier.

MISSOURI.

Milton A. Romjue.
Joshua W. Alexander.
Charles F. Booher.
William P. Borland.
Clement C. Dickinson.
Courtney W. Hamlin.
Dorsey W. Shackleford.
Champ Clark.
William L. Igoe.
Leonidas C. Dyer.
Walter L. Hensley.
Joseph J. Russell.
Thomas L. Rubey.

MONTANA.

AT LARGE.

John M. Evans.
Miss Jeannette Rankin.

NEBRASKA.

Charles O. Lobeck.
Ashton C. Shallenberger.
Moses P. Kinkaid.

NEVADA.

AT LARGE.

E. E. Roberts.

NEW HAMPSHIRE.

Edward H. Wason.

NEW JERSEY.

William J. Browning.
Isaac Bacharach.
John R. Ramsey.
Edward W. Gray.
Frederick R. Lehlbach.
John J. Eagan.
James A. Hamill.

NEW MEXICO.

William B. Walton.

NEW YORK.

Chas. Pope Caldwell.
Harry H. Dale.
James P. Maher.
Frederick W. Rowe.
John J. Fitzgerald.
Daniel J. Griffin.
Oscar Wm. Swift.
Reuben L. Haskell.
Daniel J. Riordan.
Meyer London.
Christopher D. Sullivan.
Thomas F. Smith.
Peter J. Dooling.
John F. Carew.
George B. Francis.
Walter M. Chandler.
Isaac Siegel.
Henry Bruckner.
Daniel C. Oliver.
Benjamin L. Fairchild.
Charles B. Ward.
Rollin B. Sanford.
George R. Lunn.
Bertrand H. Snell.
Luther W. Mott.
Homer P. Snyder.
Walter W. Magee.
Norman J. Gould.
Thomas B. Dunn.
Archie D. Sanders.
William F. Waldow.
Charles M. Hamilton.

NORTH CAROLINA.

Claude Kitchin.
George E. Hood.
Edward W. Pou.
Charles M. Stedman.
Hannibal L. Godwin.
Robert L. Doughton.
Edwin Y. Webb.
Zeb Weaver.

OHIO.

Warren Gard.
John S. Snook.
Simeon D. Fess.
John A. Key.
Isaac R. Sherwood.
Horatio C. Claypool.
Clement Brumbaugh.
Arthur W. Overmyer.
George White.
David A. Hollingsworth.
John G. Cooper.
Robert Crosser.
Henry I. Emerson.

OKLAHOMA.

Thomas A. Chandler.
William W. Hastings.
Charles D. Carter.
Tom D. McKeown.
Joseph B. Thompson.
Scott Ferris.
Dick T. Morgan.

OREGON.

Willis C. Hawley.
Nicholas J. Sinnott.
Clifton N. McArthur.

PENNSYLVANIA.

William S. Vare.
J. Hampton Moore.
George W. Edmonds.
George P. Darrow.
Thomas S. Butler.
Henry W. Watson.
John R. Farr.
Thomas W. Templeton.
Robert D. Heaton.
Arthur G. Dewalt.
Louis T. McFadden.
Edgar R. Kiess.
Aaron S. Kreider.
John M. Rose.
Andrew R. Brodbeck.
Edward E. Robbins.
Bruce F. Sterling.
Henry A. Clark.
Nathan L. Strong.
Stephen G. Porter.
M. Clyde Kelly.
John M. Morin.
Guy E. Campbell.
Thomas S. Crago.
Mahlon M. Garland.
Joseph McLaughlin.

RHODE ISLAND.

Walter R. Stiness.

SOUTH CAROLINA.

Richard S. Whaley.
James F. Byrnes.
Fred H. Dominick.
William F. Stevenson.
Asbury F. Lever.

SOUTH DAKOTA.

Charles H. Dillon.
Royal C. Johnson.
Harry L. Gandy.

TENNESSEE.

Sam R. Sells.
John A. Moon.
Cordell Hull.
William C. Houston.
Joseph W. Byrns.
Lemuel P. Padgett.
Thetus W. Sims.
Finis J. Garrett.
Hubert F. Fisher.

TEXAS.

Eugene Black.
Sam Rayburn.
Hatton W. Sumners.
Rufus Hardy.
Joseph J. Mansfield.
James P. Buchanan.
Tom Connally.
Marvin Jones.
James L. Slayden.
John N. Garner.
Thomas L. Blanton.
Jeff: McLemore.
Daniel E. Garrett.

UTAH.

Milton H. Welling.
James H. Mays.

VERMONT.

Frank L. Greene.

VIRGINIA.

William A. Jones.
Edward E. Holland.
Andrew J. Montague.
Edward W. Saunders.
Carter Glass.
Thomas W. Harrison.
Charles C. Carlin.
C. Bascom Slemp.
Henry D. Flood.

WASHINGTON.

John F. Miller.
Lindley H. Hadley.
Albert Johnson.
William L. La Follette.
C. C. Dill.

WEST VIRGINIA.

M. M. Neely.
Stuart F. Reed.
Harry C. Woodyard.
Edward Cooper.
Adam B. Littlepage.

WISCONSIN.

Henry Allen Cooper.
Edward Voigt.
William J. Cary.
William H. Stafford.
James H. Davidson.
David G. Classon.
Irvine L. Lenroot.

The SPEAKER. On this roll call 324 Members have answered to their names, a quorum.

COMMITTEE TO WAIT UPON THE PRESIDENT.

Mr. KITCHIN. Mr. Speaker, I move the immediate consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will read it.

The Clerk read as follows:

House resolution 174.

Resolved, That a committee of three Members be appointed on the part of the House to join the committee appointed by the Senate to wait upon the President and inform him that a quorum of the two Houses has assembled, and that Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to; and the Speaker appointed as the committee on the part of the House Mr. KITCHIN, Mr. FITZGERALD, and Mr. GILLETT.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. WALDORF, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

And that in compliance of the foregoing resolution the Vice President had appointed as said committee Mr. MARTIN and Mr. GALLINGER.

Also the following resolution:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

Also the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. PAUL O. HUSTING, late a Senator from the State of Wisconsin.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

LEAVE OF ABSENCE.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask leave of absence for an indefinite time for my colleague [Mr. NELSON] on account of important business.

The SPEAKER. The gentleman from Wisconsin asks indefinite leave of absence for his colleague [Mr. NELSON]. Is there objection?

There was no objection.

NOTIFICATION OF THE SENATE.

Mr. FITZGERALD. Mr. Speaker, I offer the following resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 175.

Resolved, That the Clerk of the House inform the Senate that a quorum of the House of Representatives has appeared and that the House is ready to proceed to business.

The resolution was agreed to.

HOUR OF DAILY MEETING.

Mr. POU. Mr. Speaker, I offer the resolution which I send to the Clerk's desk, and ask for the immediate consideration thereof.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 176.

Resolved, That until otherwise ordered the hour of daily meeting of the House of Representatives shall be 12 o'clock m.

The resolution was agreed to.

SWEARING IN OF MEMBERS ELECT.

Mr. GILLETT. Mr. Speaker, I ask that Mr. WILLFRED W. LUFKIN, Member elect from the sixth district of Massachusetts, be sworn in.

The SPEAKER. The gentleman from Massachusetts will bring the Member elect to the bar of the House.

Mr. TILSON. I ask that the Member elect from the fourth district of Connecticut, Mr. SCHUYLER MERRITT, be sworn in.

The SPEAKER. The gentleman from Connecticut will bring his colleague to the bar of the House. The Chair has examined the credentials of these two gentlemen and finds them correct.

Mr. LUFKIN and Mr. MERRITT appeared at the bar of the House and took the oath of office prescribed by law.

Mr. STERLING of Pennsylvania. Mr. Speaker, the Hon. E. H. BESHLIN, Member elect from the twenty-eighth district of Pennsylvania, is present and would like to be sworn in as a Member at this time. He holds a certificate from the canvassing board of the congressional district, as is provided by the law of the State, and by this congressional canvassing board a certification is made to the State department of the State of Pennsylvania. This certification has been made, but the State department has not yet issued a certificate. Upon the primary evidence which the Member elect holds that certificate is issued. I take it that the entire membership of the House from Pennsylvania will concur in the statement that there is no doubt about the election of Representative BESHLIN, and I ask unanimous consent that he be sworn in at this time, on the primary evidence of his election that he holds.

Mr. MADDEN. Mr. Speaker, I shall have to object to that. I do not believe it is wise to establish the precedent of swearing in a man as a Member of the House until the proper authorities have issued a certificate of his election.

Mr. FITZGERALD. Mr. Speaker, it has been the uniform practice of the House for a number of years to swear in Members if the statement is made that there is no question of the election.

Mr. SIMS. If there is no contest.

Mr. FITZGERALD. It has been done on both sides of the House, and is the practice unless there is some extraordinary reason why it should not be done.

Mr. MADDEN. There is no reason further than the necessary precaution that I believe ought to be taken not to make a man a Member of the House by swearing him in until the certificate of his election has been issued by the proper authorities of his State. I do not remember during my membership of the House of any man being sworn in here until his credentials were furnished.

Mr. FITZGERALD. Let me call the gentleman's attention to the fact that the gentleman from California [Mr. OSBORNE], on that side of the House, was sworn in in the absence of a certificate on the mere statement made here. That has been the universal custom of the House.

Mr. KITCHIN. I think that the gentleman from Ohio [Mr. FESS] and the gentleman from West Virginia [Mr. BOWERS] were both sworn in without a certificate.

Mr. FITZGERALD. And especially when the statement is made that there is no controversy over the election.

Mr. MADDEN. I would like to inquire of the gentleman from Pennsylvania who makes the request, whether the men at the front—the soldiers in the camps—who voted in this case have had their votes counted?

Mr. STERLING of Pennsylvania. In reply to the question by the gentleman from Illinois, the act of the Assembly of Pennsylvania requires a certificate primarily from the canvassing board of the district. The canvassing board counted the entire vote, including the soldiers' vote, and made the certification last Friday to the State department, but the State department has not yet issued the certificate, which it must under the law, based upon the statement of the canvassing board which the gentleman holds. As to there being any doubt about this result, I will say to the gentleman from Illinois that our friends on both sides of the House from Pennsylvania are always on guard as to their rights, and there is no doubt in this case as to the election.

Mr. MADDEN. I have no doubt about the election myself.

Mr. BUTLER. What was the majority?

Mr. STERLING of Pennsylvania. About seventeen hundred.

Mr. MADDEN. I have not any doubt about the election. My only anxiety was to prevent the establishment of a precedent. However, if precedents have already been established and similar cases have been before the House, which I did not recall, and no harm is to come from granting the request made by the gentleman from Pennsylvania, of course I am not captious about my attitude and do not intend to object. I think it well enough to know the facts in the case, and as those facts have been stated by the gentleman from Pennsylvania I withdraw my objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BESHLIN then appeared at the bar of the House and took the oath required by law.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HICKS, for one week, on account of absence in Europe;

To Mr. BATHRICK, indefinitely, on account of important business;

To Mr. GREGG, for one day, having missed connections;

To Mr. DENISON, for one week, on account of important business;

To Mr. GALLIVAN, for two weeks, on account of important business;

To Mr. PARKER of New Jersey, for one week, on account of absence in Europe;

To Mr. DALE of Vermont, for one week, on account of absence in Europe; and

To Mr. LUNDEEN, on account of absence in the Hawaiian Islands on Government business.

Mr. WALSH. Mr. Speaker, I ask indefinite leave of absence for my colleague, Mr. TINKHAM, on account of absence in Europe.

The SPEAKER. Is there objection?

There was no objection.

Mr. NOLAN. Mr. Speaker, I make the same request for my colleague, Mr. CURRY, on account of sickness.

The SPEAKER. Is there objection?

There was no objection.

RECESS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the House stand in recess until 1 o'clock and 35 minutes p. m.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House stand in recess until 1 o'clock and 35 minutes p. m. Is there objection?

There was no objection.

Accordingly the House stood in recess until 1 o'clock and 35 minutes p. m.

AFTER THE RECESS.

The recess having expired, the House was called to order at 1 o'clock and 35 minutes p. m.

NOTIFICATION OF THE PRESIDENT.

Mr. KITCHIN. Mr. Speaker, your committee appointed to wait upon the President and inform him that a quorum of the two Houses had assembled and that Congress was ready to receive any communication he might wish to make, with a like committee on the part of the Senate, has performed that duty, and the President wishes us to inform the House that he will be pleased to deliver his message in person at a joint session of the two Houses at 12 o'clock and 30 minutes p. m. to-morrow. I send the following resolution to the desk and ask its immediate consideration.

The Clerk read as follows:

House concurrent resolution 28.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 4th day of December, 1917, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The resolution was agreed to.

DEATH OF REPRESENTATIVE MARTIN, OF ILLINOIS.

Mr. RAINEY. Mr. Speaker, it is with profound regret that I announce the death of my colleague, the Hon. CHARLES MARTIN, of Illinois. I send to the Clerk's desk a resolution and ask for its present consideration, after which I shall move that the House adjourn out of respect to his memory. At some convenient time in the future I shall ask that a day be set apart for the delivery of eulogies in this House.

The Clerk read as follows:

House resolution 185.

Resolved, That the House has heard with profound sorrow of the death of the Hon. CHARLES MARTIN, late a Representative from the State of Illinois.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased this House do now adjourn.

The SPEAKER. The question is on agreeing to the resolutions.

The resolutions were agreed to.

ADJOURNMENT.

Accordingly, in accordance with the resolution heretofore adopted, at 1 o'clock and 38 minutes p. m. the House adjourned until to-morrow, Tuesday, December 4, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting tentative draft of bill to increase the number of midshipmen at the United States Naval Academy (H. Doc. No. 388); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the Secretary of the Interior, transmitting a statement of expenditures on account of the Indian Service for the fiscal year ended June 30, 1917, from the appropriation "Industrial work and care of timber" (H. Doc. No. 389); to the Committee on Expenditures in the Interior Department and ordered to be printed.

3. A letter from the Secretary of the Interior, transmitting report of expenditures made for the purchase of cattle for the benefit of Indians on the Standing Rock Reservation in North Dakota and South Dakota for fiscal year ended June 30, 1917 (H. Doc. No. 390); to the Committee on Expenditures in the Interior Department and ordered to be printed.

4. A letter from the Secretary of the Interior, transmitting cost account showing the moneys expended on each Indian irrigation project during the fiscal year 1917 and the total expenditures on each such project as computed to June 30, 1917 (H. Doc. No. 391); to the Committee on Expenditures in the Interior Department and ordered to be printed.

5. A letter from the Secretary of the Navy, transmitting tentative draft of bill to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes (H. Doc. No. 392); to the Committee on Naval Affairs and ordered to be printed.

6. A letter from the Secretary of Commerce, transmitting communication from the Commissioner of Fisheries relating to the remarkable results of the rescue work for fishes in the overflowed lands of the Mississippi River Basin (H. Doc. No. 393); to the Committee on the Merchant Marine and Fisheries and ordered to be printed.

7. A letter from the chairman of the Shipping Board, transmitting first annual report of the United States Shipping Board, covering the period of its existence to and including October 31, 1917 (H. Doc. No. 394); to the Committee on the Merchant Marine and Fisheries and ordered to be printed.

8. A letter from the Clerk of the House of Representatives, transmitting a list of reports to be made to Congress by the public officers during the Sixty-fifth Congress (H. Doc. No. 395); to the Committee on Accounts and ordered to be printed.

9. A letter from the Clerk of the House of Representatives, transmitting report of names and time employed of all the clerks and other employees of the House of Representatives and a detailed statement of the items and the manner in which the contingent fund of the House has been expended (H. Doc. No. 387); to the Committee on Accounts and ordered to be printed.

10. A letter from the secretary of the Territory of Hawaii, transmitting a copy of the Journal of the Senate of the Territory of Hawaii for the ninth regular session of the legislature (H. Doc. No. 396); to the Committee on the Territories.

11. A letter from the Acting Postmaster General, transmitting a report of the public property in the Post Office Department on November 1, 1917 (H. Doc. No. 397); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

12. A letter from the Secretary of the Interior, transmitting a statement of the fiscal affairs of all Indian tribes for whose benefit expenditures from public or tribal funds were made during the fiscal year ended June 30, 1917 (H. Doc. No. 398); to the Committee on Expenditures in the Interior Department and ordered to be printed.

13. A letter from the Secretary of the Interior, transmitting detailed statement of expenditures from the tribal funds of the Chippewa Indians of Minnesota for the fiscal year ended June 30, 1917 (H. Doc. No. 399); to the Committee on Expenditures in the Interior Department and ordered to be printed.

14. A letter from the Secretary of the Interior, transmitting detailed report of expenditures made for the purpose of encouraging industry among Indians at various Indian reservations during the fiscal year ended June 30, 1917 (H. Doc. No. 400); to the Committee on Expenditures in the Interior Department and ordered to be printed.

15. A letter from the Secretary of the Interior, transmitting detailed report of the expenditures made for the purpose of encouraging industry among the various Indians of the reservations during the fiscal year ended June 30, 1917 (H. Doc. No. 401); to the Committee on Expenditures in the Interior Department and ordered to be printed.

16. A letter from the Secretary of the Interior, transmitting a report for the fiscal year ended June 30, 1917, relating to the appropriation "Indian schools, support, 1917" (H. Doc. No. 402); to the Committee on Expenditures in the Interior Department and ordered to be printed.

17. A letter from the Secretary of the Interior, transmitting a report for the fiscal year 1917, showing the amounts expended at each school and agency from the appropriation for construction, lease, purchase, repair, and improvement of school and agency buildings (H. Doc. No. 403); to the Committee on Expenditures in the Interior Department and ordered to be printed.

18. A letter from the Secretary of the Interior, transmitting a report showing no hostilities occurred with any tribe of Indians with which the United States had treaty stipulations, since the last report (H. Doc. No. 404); to the Committee on Indian Affairs and ordered to be printed.

19. A letter from the Secretary of the Interior, transmitting detailed report of expenditures made for the purpose of encouraging industry and self-support among the Indians on the Tongue River Reservation, in Montana, during the fiscal year ended June 30, 1917 (H. Doc. No. 405); to the Committee on Expenditures in the Interior Department and ordered to be printed.

20. A letter from the Secretary of the Interior, transmitting report of expenditures from the permanent fund of the Sioux Indians during the fiscal year ended June 30, 1917 (H. Doc. No. 406); to the Committee on Expenditures in the Interior Department and ordered to be printed.

21. A letter from the Secretary of the Interior, transmitting a statement of the cost of all survey and allotment work on Indian reservations for the fiscal year ended June 30, 1917 (H. Doc. No. 407); to the Committee on Expenditures in the Interior Department and ordered to be printed.

22. A letter from the Secretary of the Interior, transmitting a detailed report of expenditures for the fiscal year ending June 30, 1917, from the appropriation for the relief of distress and prevention of disease among Indians, on account of the construction of hospitals (H. Doc. No. 408); to the Committee on Expenditures in the Interior Department and ordered to be printed.

23. A letter from the Secretary of the Interior, transmitting a report of all moneys collected and deposited during the fiscal year ended June 30, 1917, under the appropriation, "Determining heirs of deceased Indian allottees, 1917" (H. Doc. No. 409); to the Committee on Indian Affairs and ordered to be printed.

24. A letter from the Secretary of the Interior, transmitting a detailed report of the expenditures made in making per capita payments to the Apache, Kiowa, and Comanche Indians during the fiscal year ended June 30, 1917 (H. Doc. No. 410); to the Committee on Expenditures in the Interior Department and ordered to be printed.

25. A letter from the Secretary of the Interior, transmitting report that no diversion of expenditures were made during the fiscal year ended June 30, 1917, under the provisions of the act of March 1, 1907 (H. Doc. No. 411); to the Committee on Indian Affairs and ordered to be printed.

26. A letter from the Secretary of the Interior, transmitting detailed report of the expenditures made from the tribal funds of the Confederated Bands of Utes for the fiscal year ended June 30, 1917 (H. Doc. No. 412); to the Committee on Expenditures in the Interior Department and ordered to be printed.

27. A letter from the Secretary of the Interior, transmitting statement of expenditures from the tribal funds of the Blackfeet Indians of Montana for the fiscal year ended June 30, 1917 (H. Doc. No. 413); to the Committee on Expenditures in the Interior Department and ordered to be printed.

28. A letter from the Secretary of the Interior, transmitting statement of expenditures for the fiscal year ended June 30, 1917, of money carried on the books of this department under the caption "Indian money, proceeds of labor" (H. Doc. No. 414); to the Committee on Expenditures in the Interior Department and ordered to be printed.

29. A letter from the Secretary of the Interior, transmitting detailed statement of receipts and expenditures on account of pay patients for the fiscal year ended June 30, 1917, at Freedmen's Hospital (H. Doc. No. 415); to the Committee on Expenditures in the Interior Department and ordered to be printed.

30. A letter from the Secretary of the Interior, transmitting detailed report of expenditures made for the purchase of cattle for the Northern Cheyenne Indians on the Tongue River Reservation, Mont., for the fiscal year ended June 30, 1917 (H. Doc. No. 416); to the Committee on Expenditures in the Interior Department and ordered to be printed.

31. A letter from the Secretary of the Interior, transmitting report showing the diversion of appropriations for the pay of specified employees in the Indian Service for the fiscal year ended June 30, 1917 (H. Doc. No. 417); to the Committee on Expenditures in the Interior Department and ordered to be printed.

32. A letter from the chairman of the Interstate Commerce Commission, transmitting report showing, as to each exchange of typewriters the period of its use and price, including exchange value (H. Doc. No. 418); to the Committee on Appropriations and ordered to be printed.

33. A letter from the Secretary of the Smithsonian Institution, transmitting information regarding the purchase of typewriters and exchange thereof (H. Doc. 419); to the Committee on Appropriations and ordered to be printed.

34. A letter from the chairman of the Interstate Commerce Commission, transmitting a statement showing the travel of all officials and employees (other than special agents, inspectors, or employees who in the discharge of their regular duties are required to travel constantly) (H. Doc. No. 420); to the Committee on Appropriations and ordered to be printed.

35. A letter from the chairman of the Interstate Commerce Commission, transmitting detailed report of the commission's employees subject to increased rates of compensation for the fiscal year ending June 30, 1918 (H. Doc. No. 421); to the Committee on Appropriations and ordered to be printed.

36. A letter from the Public Printer, transmitting detailed report showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation provided for therein (H. Doc. No. 422); to the Committee on Appropriations and ordered to be printed.

37. A letter from the Secretary of the Interior, transmitting a copy of a letter from Dr. William A. White, superintendent of St. Elizabeths Hospital, transmitting a financial report (H. Doc. No. 423); to the Committee on Appropriations and ordered to be printed.

38. A letter from the Secretary of the Navy, transmitting a detailed report showing the number of persons, the grades or character of position, the original rates of compensation, and the increased rates of compensation of employees provided for in legislative, executive, and judicial appropriation act of March 3, 1917 (H. Doc. No. 424); to the Committee on Naval Affairs and ordered to be printed.

39. A letter from the Acting Postmaster General, transmitting a statement showing the required information regarding typewriters purchased and exchanged by the Post Office Department during the period from July 1, 1916, to June 30, 1917 (H. Doc. No. 425); to the Committee on Appropriations and ordered to be printed.

40. A letter from the Attorney General, transmitting detailed report required by the various acts of Congress providing for a percentage increase in compensation for personal services (H. Doc. No. 426); to the Committee on Appropriations and ordered to be printed.

41. A letter from the Secretary of the Interior, transmitting a statement showing the documents received and distributed during the fiscal year ended June 30, 1917 (H. Doc. No. 427); to the Committee on Printing and ordered to be printed.

42. A letter from the chairman of the Federal Trade Commission, transmitting report of typewriters, adding machines, and other similar labor-saving devices exchanged during the fiscal year ended June 30, 1917 (H. Doc. No. 428); to the Committee on Appropriations and ordered to be printed.

43. A letter from the Clerk of the House of Representatives, transmitting a detailed report of the operation of the 5 per cent and 10 per cent increase in the appropriation for salaries of officers and employees of the House of Representatives (H. Doc. No. 429); to the Committee on Appropriations and ordered to be printed.

44. A letter from the Secretary of the Interior, transmitting a report for the fiscal year ending June 30, 1917, showing exchanges made by that department and its several bureaus and offices of typewriters, adding machines, and other similar labor-saving devices (H. Doc. No. 430); to the Committee on Appropriations and ordered to be printed.

45. A letter from the Secretary of the United States Senate, transmitting a detailed report showing the number of persons employed and paid by the Senate of the United States, the grades and character of their positions, the original rates of compensation as provided by the act approved March 3, 1917 (H. Doc, No. 431); to the Committee on Appropriations and ordered to be printed.

46. A letter from the chairman of the Interstate Commerce Commission, transmitting a statement showing the employment under appropriation for the valuation of carriers for the fiscal year ended June 30, 1917 (H. Doc. No. 432); to the Committee on Appropriations and ordered to be printed.

47. A letter from the Secretary of War, transmitting a detailed statement showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation provided for employees (H. Doc. No. 433); to the Committee on Military Affairs and ordered to be printed.

48. A letter from the Secretary of the Smithsonian Institution, transmitting detailed statement of expenditures for the fiscal year ended June 30, 1917 (H. Doc. No. 434); to the Committee on Appropriations and ordered to be printed.

49. A letter from the Secretary of the Smithsonian Institution, transmitting a statement showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation paid for the quarter ending September 30, 1917 (H. Doc. No. 435); to the Committee on Appropriations and ordered to be printed.

50. A letter from the Secretary of the Smithsonian Institution, transmitting statement showing in detail what officers or employees of the branches of the Government service under the direction of the Smithsonian Institution have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1917 (H. Doc. No. 436); to the Committee on Appropriations and ordered to be printed.

51. A letter from the chief clerk of the Court of Claims, transmitting statement of all judgments rendered by the Court of Claims for the year ended December 1, 1917 (H. Doc. No. 437); to the Committee on the Judiciary and ordered to be printed.

52. A letter from the Secretary of the Navy, transmitting lists of papers that have accumulated in the files of navy yards, naval stations, and other offices of the Naval Establishment, which were not needed or useful in the transaction of current business (H. Doc. No. 438); to the Committee on the Disposition of Useless Executive Papers and ordered to be printed.

53. A letter from the Acting Postmaster General, transmitting statement showing what officers or employees (other than special agents, inspectors, or employees who in the discharge of their regular duties are required to constantly travel) have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1917 (H. Doc. No. 439); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

54. A letter from the Acting Postmaster General, transmitting a report of the finances of the department for the preceding year, amount expended in the department for the preceding year, also report of increased compensation for three months ending September 30, 1917, additional to salaries (H. Doc. No. 440); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

55. A letter from the Assistant Secretary of Labor, transmitting itemized report of expenditures during the fiscal year 1917 from appropriations Bureau of Naturalization, 1916 and 1917 (H. Doc. No. 441); to the Committee on Expenditures in the Department of Labor and ordered to be printed.

56. A letter from the Secretary of the Interior, transmitting letter from surgeon in chief of the Freedmen's Hospital transmitting detailed statement of expenses for professional and other services (H. Doc. No. 442); to the Committee on Appropriations and ordered to be printed.

57. A letter from the Secretary of the Interior, transmitting statement showing what officers or employees of the department have traveled on official business outside of the District of Columbia (H. Doc. No. 443); to the Committee on Expenditures in the Interior Department and ordered to be printed.

58. A letter from the Secretary of the Treasury, transmitting report of the contingent expenses of the Treasury Department for the fiscal year ended June 30, 1917 (H. Doc. No. 444); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

59. A letter from the Attorney General, transmitting a statement of the expenditures of the appropriations for the United States Court of Customs Appeals for the fiscal year ended June 30, 1917, as furnished by the presiding judge of that court (H. Doc. No. 445); to the Committee on Expenditures in the Department of Justice and ordered to be printed.

60. A letter from the Postmaster General, transmitting a memorandum of allowances granted payable from the appropriation for unusual conditions for the fiscal year 1917 (H. Doc. No.

446); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

61. A letter from the president of the United States Civil Service Commission, transmitting statement showing what officers and employees of the commission have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1917 (H. Doc. No. 447); to the Committee on Appropriations and ordered to be printed.

62. A letter from the Secretary of the Interior, transmitting letter from the Assistant Commissioner of the General Land Office, giving detailed statement of traveling expenses of clerks detailed from the office of one Surveyor General to another during the fiscal year ended June 30, 1917 (H. Doc. No. 448); to the Committee on Appropriations and ordered to be printed.

63. A letter from the secretary of the Commission of Fine Arts, transmitting statement bearing on appropriation, "Increase of compensation, Commission of Fine Arts, 1918" (H. Doc. No. 449); to the Committee on Appropriations and ordered to be printed.

64. A letter from the president of the Board of Commissioners, District of Columbia, transmitting a report of the official doings of the government of the District of Columbia for the fiscal year ended June 30, 1917 (H. Doc. No. 584); to the Committee on the District of Columbia and ordered to be printed.

65. A letter from the president of the Board of Commissioners, District of Columbia, transmitting a detailed report showing number of persons, the grades or character of positions, the original rates of compensation, and increased rates of compensation of the employees for the District of Columbia for the fiscal year ending June 30, 1917 (H. Doc. No. 450); to the Committee on Appropriations and ordered to be printed.

66. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Winsor B. French *v.* The United States (H. Doc. No. 451); to the Committee on War Claims and ordered to be printed.

67. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Thomas T. Munhall *v.* The United States (H. Doc. No. 452); to the Committee on War Claims and ordered to be printed.

68. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Charles W. Haskins, son of Philo J. Haskins, deceased, *v.* The United States (H. Doc. No. 453); to the Committee on War Claims and ordered to be printed.

69. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Henry E. Davies, son of Henry E. Davies, deceased, *v.* The United States (H. Doc. No. 454); to the Committee on War Claims and ordered to be printed.

70. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of William E. Ludlow *v.* The United States (H. Doc. No. 455); to the Committee on War Claims and ordered to be printed.

71. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Emily J. Smith, widow (remarried) of Alexander Dockery, deceased, *v.* The United States (H. Doc. No. 456); to the Committee on War Claims and ordered to be printed.

72. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Seth M. Hinman *v.* The United States (H. Doc. No. 457); to the Committee on War Claims and ordered to be printed.

73. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Samuel Fallows *v.* The United States (H. Doc. 458); to the Committee on War Claims and ordered to be printed.

74. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Clyde C. Westover, administrator of the estate of John W. Westover, deceased, *v.* The United States (H. Doc. No. 459); to the Committee on War Claims and ordered to be printed.

75. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of W. D. Wiley and J. T. Wiley, sons and sole heirs of John T. C. Wiley, deceased, *v.* The United States (H. Doc. No. 460); to the Committee on War Claims and ordered to be printed.

76. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Hiram Argersinger *v.* The United States (H. Doc. No. 461); to the Committee on War Claims and ordered to be printed.

77. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Phebe A. Brewer, widow of Andrew J. H. Brewer, deceased, *v.* The United States (H. Doc. No. 462); to the Committee on War Claims and ordered to be printed.

78. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Solomon N. Isaminger, son and one of the heirs of James Isaminger, deceased, *v.* The United States (H. Doc. No. 463); to the Committee on War Claims and ordered to be printed.

79. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Zerilda Brodie, widow of Robert Brodie, deceased, *v.* The United States (H. Doc. No. 464); to the Committee on War Claims and ordered to be printed.

80. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Samuel W. Mann *v.* The United States (H. Doc. No. 465); to the Committee on War Claims and ordered to be printed.

81. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Ella H. Candy, widow of Charles Candy, deceased, *v.* The United States (H. Doc. No. 466); to the Committee on War Claims and ordered to be printed.

82. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Absalom C. Phillips *v.* The United States (H. Doc. No. 467); to the Committee on War Claims and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 4582) to correct the military record of Charles Engle, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LUNN: A bill (H. R. 6512) to amend an act entitled "An act to increase the revenue, and for other purposes," approved October 3, 1917; to the Committee on the Post Office and Post Roads.

By Mr. SIMS: A bill (H. R. 6513) to erect a post-office building in the city of McKenzie, State of Tennessee; to the Committee on Public Buildings and Grounds.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 6514) making an appropriation for the improvement of the Pawtucket River, R. I.; to the Committee on Rivers and Harbors.

By Mr. BROWNING: A bill (H. R. 6515) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico," approved May 11, 1912, as amended March 3, 1913; to the Committee on Invalid Pensions.

By Mr. CARAWAY: A bill (H. R. 6516) to authorize and direct the Secretary of War to accept as a substantial compliance with an act of Congress the bridge across St. Francis River at St. Francis, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY of Pennsylvania: A bill (H. R. 6517) to provide an increase in compensation for employees in the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. SIMS: A bill (H. R. 6518) to provide for the appointment of postmasters of all classes by the Postmaster General, and for other purposes; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 6519) to provide for a road to the Shiloh National Military Park; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 6520) to prevent interstate commerce in commodities produced by labor employed more than eight hours a day without added compensation; to the Committee on Labor.

By Mr. SIMS: A bill (H. R. 6521) to erect a post-office building in the city of Lexington, State of Tennessee; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6522) to erect a post-office building in the city of Huntingdon, State of Tennessee; to the Committee on Public Buildings and Grounds.

Also (by request), a bill (H. R. 6523) to prevent the nullification of State antigambling laws by international or interstate transmission of race-gambling bets or of racing odds; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 6524) to refund the cotton tax realized to the Government under the various acts of Congress; to the Committee on War Claims.

Also, a bill (H. R. 6525) declaring the carrying openly or concealed about the person any pistol, bowie knife, dirk or dirk knife, blackjack, dagger, sword cane, slung shot, brass or other metal knuckle in the District of Columbia a felony; to the Committee on the District of Columbia.

Also (by request), a bill (H. R. 6526) to prevent the nullification of State antigambling laws by international or interstate transmission of race-gambling bets or of racing odds; to the Committee on Interstate and Foreign Commerce.

Also (by request), a bill (H. R. 6527) to prevent the nullification of State antigambling laws by international or interstate transmission of race-gambling bets or of racing odds; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 6528) to provide that the United States shall construct rural post roads between the county seats of the several States; to the Committee on the Post Office and Post Roads.

By Mr. BLANTON: A bill (H. R. 6529) to provide for the common defense and general welfare by conserving and increasing the production of food, leather, and clothing through furnishing immediate needed relief to drought-stricken portions of the States of Texas, Colorado, and New Mexico; preventing by the immediate advancement for necessary feed the impending starvation of several million head of cattle and other valuable live stock; and by advancing needed means for supplies, feed for teams, and seeds for planting, thus making provision for the cultivation of thousands of productive farms, which otherwise would be uncultivated and nonproductive in 1918; and appropriating therefor money, hereafter reimbursable; to the Committee on Appropriations.

By Mr. SIMS: A bill (H. R. 6530) declaring the selling, exchanging, or giving away any pistol, bowie knife, dirk or dirk knife, blackjack, dagger, sword cane, slung shot, brass or other metal knuckle in the District of Columbia a misdemeanor; to the Committee on the District of Columbia.

Also, a bill (H. R. 6531) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: A bill (H. R. 6532) to increase pensions of certain soldiers and sailors of the Civil War; to the Committee on Invalid Pensions.

By Mr. BRITTEN: A bill (H. R. 6533) to establish a supreme council of national defense; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 6534) to amend the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. COOPER of Ohio: A bill (H. R. 6535) amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. RANDALL: A bill (H. R. 6536) to prohibit the sale, manufacture, transportation, or importation of alcohol or alcoholic beverages during the term of the present war, except for certain purposes, and to provide for the commandeering of all distilled liquors for governmental purposes; to the Committee on the Judiciary.

By Mr. IGOE: A bill (H. R. 6537) to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis within the States of Illinois and Missouri; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: A bill (H. R. 6538) to increase pensions of Army nurses; to the Committee on Pensions.

By Mr. COOPER of Ohio: A bill (H. R. 6539) to amend an act entitled "An act to incorporate the National McKinley Birthplace Memorial Association," approved March 4, 1911; to the Committee on the Judiciary.

By Mr. ASWELL: A bill (H. R. 6540) to repeal the internal-revenue taxes upon wholesome foods and the special license taxes imposed upon producers and dealers in such wholesome foods; to the Committee on Ways and Means.

By Mr. SHERWOOD: A bill (H. R. 6541) providing for relief for all American citizens who have reached the age of 65 years and who are incapable of manual labor and whose incomes are less than $200 per annum; to the Committee on Labor.

By Mr. GRAHAM of Illinois: A bill (H. R. 6542) to regulate the printing and the distribution of public documents; to the Committee on Printing.

Also, a bill (H. R. 6543) to amend an act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916, as amended by an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. HAYDEN: A bill (H. R. 6544) to prohibit and punish the interstate deportation of laborers and other persons; to the Committee on the Judiciary.

By Mr. WALSH: A bill (H. R. 6545) to establish the department of marine and fisheries; to the Committee on the Merchant Marine and Fisheries.

By Mr. GRAHAM of Illinois: A bill (H. R. 6546) to amend an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. SNYDER: A bill (H. R. 6547) to repeal section 209 of the act of October 3, 1917; to the Committee on Ways and Means.

By Mr. WATSON of Pennsylvania: A bill (H. R. 6548) to increase the pensions of officers and enlisted men who served in the Army, Navy, or Marine Corps of the United States during the Civil War; to the Committee on Pensions.

By Mr. GARRETT of Texas: A bill (H. R. 6549) to amend an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. SINNOTT: A bill (H. R. 6550) to subject Federal officials, including Members of Congress, to the provisions of the war excess-profits tax of the act to provide revenue to defray war expenses, approved October 3, 1917; to the Committee on Ways and Means.

Also, a bill (H. R. 6551) to exempt officers and enlisted men of the military and naval forces of the United States from payment of the war tax on tickets of admission to places of amusement; to the Committee on Ways and Means.

Also, a bill (H. R. 6552) for the relief of desert-land entrymen enlisted and engaged in organized Red Cross service of the United States during the existing war; to the Committee on the Public Lands.

Also, a bill (H. R. 6553) for the relief of homestead entrymen or settlers enlisting and engaged in organized Red Cross service of the United States during the existing war; to the Committee on the Public Lands.

By Mr. SWEET: Resolution (H. Res. 178) authorizing the Clerk of the House of Representatives to pay to the widow of E. L. Currier, late a messenger on the soldiers' roll, the sum equal to six months' salary and funeral expenses; to the Committee on Accounts.

By Mr. SIMS: Resolution (H. Res. 179) amending the rules of the House of Representatives; to the Committee on Rules.

By Mr. POU: Resolution (H. Res. 180) providing for an assistant clerk for the Committee on Rules during the second session of the Sixty-fifth Congress; to the Committee on Accounts.

By Mr. PARK: Resolution (H. Res. 181) assigning clerks to certain committees of the House; to the Committee on Accounts.

Also, a resolution (H. Res. 182) authorizing clerks to certain committees of the House; to the Committee on Accounts.

By Mr. LOBECK: Resolution (H. Res. 183) to allow a clerk to the Committee on Expenditures in the Treasury Department; to the Committee on Accounts.

By Mr. MARTIN: Resolution (H. Res. 184) to investigate the causes for the prevailing scarcity of sugar and prevent a recurrence of the same; to the Committee on Rules.

By Mr. LINTHICUM: Joint resolution (H. J. Res. 164) to permit any soldier, sailor, marine, or other person engaged in the service of the United States during the present war to accept decorations for valor from any of the nations allied with the United States in the prosecution of said war; to the Committee on Foreign Affairs.

By Mr. DYER: Joint resolution (H. J. Res. 165) providing for a joint committee to be known as Committee on Appropriations of the Senate and House; to the Committee on Rules.

By Mr. CARLIN: Joint resolution (H. J. Res. 166) extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914; to the Committee on the Judiciary.

By Mr. KINKAID: Joint resolution (H. J. Res. 167) amending section 201 of the act entitled "An act to increase the revenue, and for other purposes"; to the Committee on Ways and Means.

By Mr. HILLIARD: Concurrent resolution (H. Con. Res. 27) providing for the study and investigation of the subject of value and relative value; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASWELL: A bill (H. R. 6554) granting a pension to Charles W. Bradford; to the Committee on Pensions.

By Mr. BORLAND: A bill (H. R. 6555) granting a pension to Agnes H. Welsh; to the Committee on Pensions.

Also, a bill (H. R. 6556) granting an increase of pension to William A. Woods; to the Committee on Invalid Pensions.

By Mr. BRODBECK: A bill (H. R. 6557) granting an increase of pension to Alexander Klinedinst; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 6558) granting a pension to Samuel Ash; to the Committee on Pensions.

Also, a bill (H. R. 6559) granting an increase of pension to James M. Wilson; to the Committee on Pensions.

Also, a bill (H. R. 6560) granting an increase of pension to Edward L. Dodd; to the Committee on Pensions.

Also, a bill (H. R. 6561) granting an increase of pension to Edward Durbin; to the Committee on Pensions.

Also, a bill (H. R. 6562) granting an increase of pension to Marion F. Willis; to the Committee on Pensions.

Also, a bill (H. R. 6563) granting an increase of pension to Casey A. Cox; to the Committee on Pensions.

Also, a bill (H. R. 6564) granting a pension to Stella Porter; to the Committee on Pensions.

Also, a bill (H. R. 6565) granting a pension to Mary J. Titus; to the Committee on Pensions.

Also, a bill (H. R. 6566) granting an increase of pension to Green P. Gray; to the Committee on Pensions.

Also, a bill (H. R. 6567) granting an increase of pension to James Cullivan; to the Committee on Pensions.

By Mr. BRUCKNER: A bill (H. R. 6568) granting an increase of pension to Margaret C. Fargo; to the Committee on Pensions.

Also, a bill (H. R. 6569) granting an increase of pension to Joseph B. Braman; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 6570) granting a pension to Lou Shoat; to the Committee on Pensions.

Also, a bill (H. R. 6571) granting a pension to Fred F. Bennett; to the Committee on Pensions.

Also, a bill (H. R. 6572) granting a pension to Oliver M. McRoberts; to the Committee on Pensions.

Also, a bill (H. R. 6573) granting a pension to Charles B. Stice; to the Committee on Pensions.

Also, a bill (H. R. 6574) granting a pension to Izabell Way; to the Committee on Pensions.

Also, a bill (H. R. 6575) granting a pension to Frank H. Smith; to the Committee on Pensions.

Also, a bill (H. R. 6576) granting a pension to Charles E. Ingels; to the Committee on Pensions.

Also, a bill (H. R. 6577) granting a pension to Frank West; to the Committee on Pensions.

Also, a bill (H. R. 6578) granting a pension to Jerusha Ramsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6579) granting a pension to Fannie M. Huggins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6580) granting a pension to Margaret A. Land; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6581) granting a pension to Daily Houston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6582) granting a pension to Thomas Jefferson Rothgeb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6583) granting a pension to Dora R. Boyle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6584) granting a pension to Joseph Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6585) granting a pension to Lucilla E. McDowell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6586) granting a pension to George W. Sharp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6587) granting a pension to Oxley Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6588) granting a pension to C. W. Stanton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6589) granting a pension to Arabelle McCurry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6590) granting a pension to Francis M. Vaughn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6591) granting a pension to David S. Toland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6592) granting a pension to Mary C. McLaughlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6593) granting a pension to Delilah Van Akers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6594) granting an increase of pension to Lee Toms; to the Committee on Pensions.

Also, a bill (H. R. 6595) granting an increase of pension to Frank E. Bales; to the Committee on Pensions.

Also, a bill (H. R. 6596) granting an increase of pension to George D. Henning; to the Committee on Pensions.

Also, a bill (H. R. 6597) granting an increase of pension to Thomas C. Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6598) granting an increase of pension to Samuel H. McCormick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6599) granting an increase of pension to Daniel Newby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6600) granting an increase of pension to Louisa Singer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6601) granting an increase of pension to Samuel Radcliff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6602) granting an increase of pension to Mark V. Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6603) granting an increase of pension to C. H. Jewett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6604) granting an increase of pension to Washington A. Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6605) granting an increase of pension to William A. Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6606) granting an increase of pension to Cyrus D. Christy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6607) granting an increase of pension to John Quinlan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6608) granting an increase of pension to Isaac N. Sharp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6609) granting an increase of pension to George W. Hendricks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6610) granting an increase of pension to Edgar Cross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6611) granting an increase of pension to John H. Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6612) granting an increase of pension to Samuel Ratcliff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6613) granting an increase of pension to L. D. Frogue; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6614) granting an increase of pension to John F. Leonard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6615) granting an increase of pension to Mathew E. Wolf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6616) granting an increase of pension to Joseph B. Atwater; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6617) granting an increase of pension to Harvey J. Willis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6618) granting an increase of pension to James Rush; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6619) granting an increase of pension to James P. Barton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6620) granting an increase of pension to Henry Hoover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6621) granting an increase of pension to Thomas C. Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6622) granting an increase of pension to Isaac A. Hopkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6623) granting an increase of pension to Humphrey T. Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6624) granting an increase of pension to Marsha E. Towles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6625) granting an increase of pension to John C. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6626) granting an increase of pension to Dzonra Tucker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6627) granting an increase of pension to John A. Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6628) granting an increase of pension to Payton S. Lynn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6629) granting an increase of pension to Augustus B. Dotson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6630) granting an increase of pension to Walter F. Soper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6631) granting an increase of pension to Eli Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6632) granting an increase of pension to James Rolls; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6633) granting an increase of pension to Julia Pugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6634) granting an increase of pension to John I. Smallwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6635) granting an increase of pension to William J. Raymond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6636) granting an increase of pension to Mary V. Dixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6637) granting an increase of pension to Louisa D. Denton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6638) for the relief of David Porter Haseltine; to the Committee on Military Affairs.

Also, a bill (H. R. 6639) for the relief of John Carr; to the Committee on Military Affairs.

Also, a bill (H. R. 6640) for the relief of Josiah Wilcox; to the Committee on Military Affairs.

Also, a bill (H. R. 6641) for the relief of Philander M. Coats; to the Committee on Military Affairs.

Also, a bill (H. R. 6642) for the relief of Cary Lance; to the Committee on Military Affairs.

Also, a bill (H. R. 6643) for the relief of Samuel T. King; to the Committee on Military Affairs.

Also, a bill (H. R. 6644) for the relief of George W. McKean; to the Committee on Military Affairs.

Also, a bill (H. R. 6645) for the relief of Jacob Scott; to the Committee on Military Affairs.

Also, a bill (H. R. 6646) for the relief of Edward L. Bell; to the Committee on Military Affairs.

Also, a bill (H. R. 6647) for the relief of Thomas F. Kelley; to the Committee on Naval Affairs.

Also, a bill (H. R. 6648) for the relief of C. E. Moore; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 6649) for the relief of Robert Hildebrand; to the Committee on Claims.

Also, a bill (H. R. 6650) for the relief of the estate of William Morrison; to the Committee on War Claims.

Also, a bill (H. R. 6651) to correct the military record of Rankin A. Hutsell; to the Committee on Military Affairs.

Also, a bill (H. R. 6652) to correct the military record of James Anderson; to the Committee on Military Affairs.

Also, a bill (H. R. 6653) to correct the military record of Stephen A. Clark; to the Committee on Military Affairs.

Also, a bill (H. R. 6654) to amend the military record of Alonzo Rich; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 6655) granting an increase of pension to George T. Harwood; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 6656) granting a pension to Thomas S. Shipp; to the Committee on Pensions.

By Mr. CRAMTON: A bill (H. R. 6657) granting a pension to Frank Carney; to the Committee on Pensions.

Also, a bill (H. R. 6658) granting a pension to Margaret Tennant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6659) granting a pension to Edith L. Morgan; to the Committee on Pensions.

Also, a bill (H. R. 6660) granting an increase of pension to John Brookins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6661) granting a pension to Adelia Hamilton; to the Committee on Invalid Pensions.

By Mr. CURRY of California: A bill (H. R. 6662) for the relief of Charles L. McCulley; to the Committee on Naval Affairs.

By Mr. FERRIS: A bill (H. R. 6663) granting a pension to Julius M. Deal; to the Committee on Pensions.

Also, a bill (H. R. 6664) granting a pension to Pearl B. McDonald; to the Committee on Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 6665) granting an increase of pension to Charles L. Dunham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6666) granting an increase of pension to Berl P. Penny; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 6667) granting a pension to Michael P. Connaughton; to the Committee on Pensions.

Also, a bill (H. R. 6668) granting a pension to Harry Scott; to the Committee on Pensions.

Also, a bill (H. R. 6669) granting a pension to Anna Kelley; to the Committee on Pensions.

Also, a bill (H. R. 6670) granting a pension to Walter S. Stewart; to the Committee on Pensions.

Also, a bill (H. R. 6671) granting a pension to James R. Phillips; to the Committee on Pensions.

Also, a bill (H. R. 6672) granting a pension to Mary C. Heller; to the Committee on Pensions.

Also, a bill (H. R. 6673) granting an increase of pension to William W. Wolfe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6674) to correct the military record of Algernon N. Smith; to the Committee on Military Affairs.

By Mr. GOOD: A bill (H. R. 6675) granting a pension to Robert B. Walton; to the Committee on Pensions.

Also, a bill (H. R. 6676) granting a pension to Margaret C. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6677) granting a pension to Ada G. Sherwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6678) granting a pension to Emily C. Seymour; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6679) granting a pension to Sarah Warren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6680) granting an increase of pension to Alonzo Leverich; to the Committee on Pensions.

Also, a bill (H. R. 6681) granting an increase of pension to Aretus F. Loomis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6682) granting an increase of pension to Spear T. Harman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6683) granting an increase of pension to Simon J. Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6684) granting an increase of pension to Joshua J. Bender; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6685) granting an increase of pension to Orrin T. Blood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6686) granting an increase of pension to Myron I. Hartwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6687) granting an increase of pension to Bennit D. Haeussler, alias Bennit Hisler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6688) granting an increase of pension to Sylvanus C. Oppelt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6689) granting an increase of pension to George Stoneking; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6690) granting an increase of pension to J. Wesley Brown; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 6691) granting an increase of pension to Daniel M. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6692) granting a pension to R. D. Shackleford; to the Committee on Invalid Pensions.

By Mr. HILLIARD: A bill (H. R. 6693) granting an increase of pension to Francisco Brown; to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 6694) granting an increase of pension to James Halloran; to the Committee on Pensions.

Also, a bill (H. R. 6695) granting a pension to William Herbert Fish; to the Committee on Pensions.

Also, a bill (H. R. 6696) granting a pension to Chester J. Baxter; to the Committee on Pensions.

Also, a bill (H. R. 6697) granting a pension to Julia M. Ashby; to the Committee on Pensions.

Also, a bill (H. R. 6698) granting an increase of pension to Joseph B. Sullivan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6699) granting an increase of pension to Porter W. Roundy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6700) granting an increase of pension to Horatio S. Howe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6701) granting an increase of pension to William M. Gosnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6702) granting an increase of pension to Henrietta Borgstadt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6703) granting an increase of pension to Henry Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6704) granting an increase of pension to George F. Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6705) for the relief of E. C. Adams; to the Committee on Claims.

Also, a bill (H. R. 6706) for the relief of Katherine Abel; to the Committee on Claims.

By Mr. IGOE: A bill (H. R. 6707) granting a pension to Alice Brookman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6708) granting an increase of pension to Joseph Ranft; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 6709) granting a pension to Delia A. Lapham; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 6710) granting an increase of pension to George Shearer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6711) granting an increase of pension to Alvin M. Holt; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 6712) granting a pension to Charles W. Brace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6713) granting an increase of pension to John S. McGinness; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 6714) granting a pension to Sarah M. Collett; to the Committee on Invalid Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 6715) granting a pension to William E. Sloane; to the Committee on Pensions.

Also, a bill (H. R. 6716) granting a pension to William H. Beal, alias Wade H. Brown; to the Committee on Pensions.

Also, a bill (H. R. 6717) granting a pension to George H. Burton; to the Committee on Pensions.

Also, a bill (H. R. 6718) granting a pension to John C. Graves; to the Committee on Pensions.

Also, a bill (H. R. 6719) granting a pension to Joseph F. Mattson; to the Committee on Pensions.

Also, a bill (H. R. 6720) granting a pension to Schuyler van Tassell; to the Committee on Pensions.

Also, a bill (H. R. 6721) granting a pension to Augustus A. Bush; to the Committee on Pensions.

Also, a bill (H. R. 6722) granting a pension to Martha P. Malcomson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6723) granting a pension to Mary F. Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6724) granting a pension to Adaline Ballard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6725) granting a pension to Mary Fiske; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6726) granting a pension to Mary E. Fowler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6727) granting a pension to Violetta Wyckoff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6728) granting an increase of pension to Marshall F. Truax; to the Committee on Pensions.

Also, a bill (H. R. 6729) granting an increase of pension to George C. Presley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6730) granting an increase of pension to George W. Mower; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6731) granting an increase of pension to Rodney S. Cathcart; to the Committee on Invalid Pensions.

By Mr. KINCHELOE: A bill (H. R. 6732) granting an increase of pension to John A. Barr; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 6733) granting an increase of pension to Edwin Totten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6734) granting an increase of pension to Daniel B. Bailey; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 6735) granting a pension to Carl Z. Work; to the Committee on Pensions.

Also, a bill (H. R. 6736) granting a pension to James M. Onion; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6737) granting an increase of pension to General F. M. Bean; to the Committee on Pensions.

Also, a bill (H. R. 6738) granting an increase of pension to Thomas G. Willstead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6739) granting an increase of pension to William F. Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6740) granting an increase of pension to Arthur C. Shrewsbury; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 6741) granting a pension to Joseph Rutroff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6742) granting an increase of pension to Lewis Feltner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6743) granting an increase of pension to Alexander G. Duff; to the Committee on Invalid Pensions.

By Mr. LOBECK: A bill (H. R. 6744) granting an increase of pension to Hugh Glasgow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6745) granting an increase of pension to William Steimle; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 6746) granting a pension to James A. Kelley; to the Committee on Pensions.

By Mr. McKENZIE: A bill (H. R. 6747) granting a pension to Sarah Alice Anthony; to the Committee on Pensions.

By Mr. McKINLEY: A bill (H. R. 6748) to correct the military record of Alkana C. Burk; to the Committee on Military Affairs.

By Mr. MOORES of Indiana: A bill (H. R. 6749) granting a pension to Ida M. Loucks; to the Committee on Pensions.

By Mr. NEELY: A bill (H. R. 6750) granting a pension to Carey Nation; to the Committee on Pensions.

By Mr. OVERMYER: A bill (H. R. 6751) granting a pension to Billie Bird; to the Committee on Pensions.

Also, a bill (H. R. 6752) granting a pension to Mame Kramer; to the Committee on Pensions.

Also, a bill (H. R. 6753) granting a pension to Louisa Thorworth; to the Committee on Pensions.

Also, a bill (H. R. 6754) granting a pension to Albert E. Aldrich; to the Committee on Pensions.

Also, a bill (H. R. 6755) granting a pension to Irvin Gray; to the Committee on Pensions.

Also, a bill (H. R. 6756) granting a pension to Margaret C. Miller; to the Committee on Pensions.

Also, a bill (H. R. 6757) granting a pension to Albert H. Blinn; to the Committee on Pensions.

Also, a bill (H. R. 6758) granting a pension to Benjamin L. Price; to the Committee on Pensions.

Also, a bill (H. R. 6759) granting a pension to Jacob Painter; to the Committee on Pensions.

Also, a bill (H. R. 6760) granting a pension to John Scanlan; to the Committee on Pensions.

Also, a bill (H. R. 6761) granting a pension to Harvey Shimer; to the Committee on Pensions.

Also, a bill (H. R. 6762) granting a pension to William E. Crozier; to the Committee on Pensions.

Also, a bill (H. R. 6763) granting a pension to Henry Reimiller; to the Committee on Pensions.

Also, a bill (H. R. 6764) granting a pension to Christine E. Geiger; to the Committee on Pensions.

Also, a bill (H. R. 6765) granting a pension to Howard H. Long; to the Committee on Pensions.

Also, a bill (H. R. 6766) granting a pension to Effie B. Saxby; to the Committee on Pensions.

Also, a bill H. R. 6767) granting a pension to Albert W. Ankney; to the Committee on Pensions.

Also, a bill (H. R. 6768) granting a pension to George M. Federkiel; to the Committee on Pensions.

Also, a bill (H. R. 6769) granting a pension to Rebecca Guilliat-Smith; to the Committee on Pensions.

Also, a bill (H. R. 6770) granting a pension to Frank A. Pfefferle; to the Committee on Pensions.

Also, a bill (H. R. 6771) granting a pension to Albert M. Kinsey; to the Committee on Pensions.

Also, a bill (H. R. 6772) granting a pension to Margaretha Metzger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6773) granting a pension to Mary Busher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6774) granting a pension to Jacob Gish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6775) granting a pension to James Bellamy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6776) granting a pension to Teresa Wolf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6777) granting a pension to William B. Olds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6778) granting a pension to Sarah H. Deyo; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6779) granting an increase of pension to Ed Lentz; to the Committee on Pensions.

Also, a bill (H. R. 6780) granting an increase of pension to Joseph Schlaffer; to the Committee on Pensions.

Also, a bill (H. R. 6781) granting an increase of pension to John A. Geiger, jr.; to the Committee on Pensions.

Also, a bill (H. R. 6782) granting an increase of pension to William E. Gault; to the Committee on Pensions.

Also, a bill (H. R. 6783) granting an increase of pension to George W. Carter; to the Committee on Pensions.

Also, a bill (H. R. 6784) granting an increase of pension to William T. Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6785) granting an increase of pension to Benjamin F. Ash; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6786) granting an increase of pension to Samuel R. Spencer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6787) granting an increase of pension to Joseph Sticker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6788) granting an increase of pension to Samuel Dale; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6789) granting an increase of pension to Jacob Buzzard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6790) granting an increase of pension to Alexander Tittle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6791) granting an increase of pension to John Shoup; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6792) granting an increase of pension to Patrick Mahan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6793) granting an increase of pension to Demas L. Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6794) granting an increase of pension to Samuel Douglass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6795) granting an increase of pension to John Cotner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6796) granting an increase of pension to Joseph Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6797) granting an increase of pension to David Allcut; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6798) granting an increase of pension to Joseph W. Coy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6799) granting an increase of pension to Martin V. B. Showers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6800) granting an increase of pension to George R. Cozzens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6801) granting an increase of pension to John Tuckerman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6802) granting an increase of pension to Orlin Harrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6803) granting an increase of pension to Thomas Jackson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6804) granting an increase of pension to Capt. Henry H. Crane; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6805) granting an increase of pension to Hiram H. Shaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6806) granting an increase of pension to Lucius A. West; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6807) granting an increase of pension to J. H. Burns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6808) granting an increase of pension to Henry Friar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6809) granting an increase of pension to Eugene B. Dwight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6810) granting an increase of pension to Romanes Binkley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6811) granting an increase of pension to Franklin B. Grubb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6812) granting an increase of pension to Oliver P. Huffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6813) granting an increase of pension to Lewis Mesnard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6814) granting an increase of pension to Jacob Krieger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6815) granting an increase of pension to Anthony Lafor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6816) granting an increase of pension to Francis Penny; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6817) granting an increase of pension to Jeremiah Daniels; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6818) granting an increase of pension to Albert A. Root; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6819) granting an increase of pension to Vinel E. McCreary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6820) granting an increase of pension to Thomas Starchman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6821) granting an increase of pension to Theodore G. Carlisle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6822) granting an increase of pension to John Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6823) granting an increase of pension to John M. Fesler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6824) granting an increase of pension to John K. Gessner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6825) granting an increase of pension to Reuben Stine; to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 6826) granting a pension to Lyman Frink Gray; to the Committee on Pensions.

Also, a bill (H. R. 6827) granting an increase of pension to Sylvester Smart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6828) granting an increase of pension to Alfred K. Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6829) granting an increase of pension to Josiah James; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6830) granting an increase of pension to Joseph Hackett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6831) for the relief of Simon N. Frost, deceased; to the Committee on Naval Affairs.

By Mr. RAMSEYER: A bill (H. R. 6832) granting an increase of pension to Cyrus Pinkerton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6833) granting an increase of pension to George D. Lottridge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6834) granting an increase of pension to James D. Montgomery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6835) granting an increase of pension to Henry C. Nosler; to the Committee on Invalid Pensions.

By Mr. ROBERTS: A bill (H. R. 6836) granting a pension to Florence A. Drake; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 6837) granting an increase of pension to John T. Follette; to the Committee on Invalid Pensions.

By Mr. SCOTT of Michigan: A bill (H. R. 6838) granting a pension to Laura A. Hayner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6839) granting an increase of pension to John Belcher; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 6840) granting an increase of pension to David S. Oliphant; to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 6841) for the relief of Jefferson Franks; to the Committee on Military Affairs.

Also, a bill (H. R. 6842) for the relief of Mildred J. Bray; to the Committee on Claims.

Also, a bill (H. R. 6843) granting a pension to George Watson; to the Committee on Pensions.

Also, a bill (H. R. 6844) granting a pension to Louisa Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6845) granting a pension to Louisa Smith, widow of Richard Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6846) granting an increase of pension to John W. Scott; to the Committee on Pensions.

Also, a bill (H. R. 6847) granting an increase of pension to Thomas J. Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6848) granting an increase of pension to Joseph I. Mahar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6849) granting an increase of pension to Mrs. Melvinia C. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6850) for the relief of Francis M. Kirby; to the Committee on Military Affairs.

By Mr. SHERWOOD: A bill (H. R. 6851) granting a pension to Mary V. Rainsberger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6852) granting an increase of pension to Helon C. Norton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6853) granting an increase of pension to Jonathan Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6854) granting an increase of pension to Thomas Croft; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6855) granting an increase of pension to Henry J. Fruchey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6856) granting an increase of pension to Frank A. Moses; to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 6857) granting a pension to Charles M. Merrill; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (H. R. 6858) granting a pension to Abbie H. Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6859) granting a pension to Cora E. Goodrich; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 6860) granting an increase of pension to Dennis Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6861) granting an increase of pension to Pliny Gerow; to the Committee on Invalid Pensions.

By Mr. STINESS: A bill (H. R. 6862) granting an increase of pension to David K. W. Briggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6863) granting an increase of pension to Michael C. Bierring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6864) granting an increase of pension to Thomas T. Owens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6865) granting a pension to George H. Naylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6866) granting an increase of pension to James M. Thayer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6867) granting an increase of pension to John F. Vaughn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6868) granting an increase of pension to John U. Whitford; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 6869) granting a pension to Mary Jane Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6870) granting a pension to James L. Wolleat; to the Committee on Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 6871) granting a pension to Martin L. Payne; to the Committee on Pensions.

By Mr. WATSON of Pennsylvania: A bill (H. R. 6872) granting a pension to Melvin B. Krause; to the Committee on Pensions.

Also, a bill (H. R. 6873) granting a pension to Emma Vanderslice; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6874) granting a pension to Mary J. Guy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6875) granting an increase of pension to Pearl Gertrude George; to the Committee on Pensions.

Also, a bill (H. R. 6876) granting an increase of pension to Lewis Warley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6877) granting an increase of pension to James Hagen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6878) granting an increase of pension to Eli C. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6879) granting an increase of pension to George W. Livezey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6880) granting an increase of pension to Joseph Scattergood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6881) granting an increase of pension to Morgan S. Bechtel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6882) for the relief of Paschall C. Hibbs; to the Committee on Military Affairs

By Mr. McANDREWS: Resolution (H. Res. 177) to pay Eugene J. Holland, clerk of the late Charles Martin, a Representative in Congress, $166.66; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of I. C. Temple and 56 other citizens of Huntingdon County, Pa., favoring the passage of the Moore Purple Cross bill (H. R. 5410) or Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), petition of E. T. Stewart and 58 other citizens of Penobscot County, Me., favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), petition of J. E. Mountjoy and sundry other citizens of Gallatin County, Ky., favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), petition of William Patton and 155 other citizens of Cincinnati, Hamilton County, Ohio, favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), petition of sundry citizens of Gallatin County, Mont., favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), petition of Theo Hunt and 16 other citizens of Wayne County, Ind., favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), petition of A. Davis and sundry other citizens of Penobscot County, Me., favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), petition of sundry citizens of Lyon County, Minn., favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), petition of Harry Schwartz and sundry other citizens of Grady County, Okla., favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), petition of R. F. Lavender and sundry other citizens of Jasper County, Iowa, favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), petition of T. B. Greer and sundry other citizens of Peoria County, Ill., favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), petition of sundry citizens of Spokane County, Wash., favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), memorial of South Dakota Woman's Christian Temperance amendment, favoring the Susan B. Anthony amendment; to the Committee on Woman Suffrage.

Also (by request), memorial of "A group of loyal American women," favoring the Federal suffrage amendment; to the Committee on Woman Suffrage.

Also (by request), memorial of a women's meeting held in Pocatello, Idaho, favoring the suffrage amendment, and protesting against "illegal imprisonment of women"; to the Committee on Woman Suffrage.

Also (by request), memorial of National Woman's Party, meeting at Convention Hall, Hutchinson, Kans., in protest against "illegal arrest and imprisonment" of women and in favor of the Federal suffrage amendment; also, memorial on same points by Kansas State convention of National Woman's Party, held at Topeka, Kans., September 28, 1917; and a further memorial of same import by meeting of National Woman's Party, held at Crawford Theater, Witchita, Kans., September 29, 1917; to the Committee on Woman Suffrage.

Also (by request), memorial of a meeting of the National Woman's Party, held at Spokane, Wash., October 23, 1917, favoring the Federal suffrage amendment and condemning the "illegal imprisonment" of women; to the Committee on Woman Suffrage.

Also (by request), memorial of a meeting of the National Woman's Party, held at Pilgrim Hall, Boston, November 4, 1917, favoring the Federal suffrage amendment; to the Committee on Woman Suffrage.

Also (by request), memorial of sundry citizens of Indiana, Ohio, Pennsylvania, Illinois, Kansas, Iowa, Arkansas, Alabama, California, Colorado, Connecticut, Florida, Georgia, Delaware, Texas, Kentucky, Michigan, Maine, Minnesota, Missouri, Mississippi, Massachusetts, Louisiana, Maryland, Nebraska, North Dakota, Wisconsin, North Carolina, New Hampshire, New Jersey, New York, Oklahoma, South Dakota, South Carolina, Tennessee, and Washington, D. C., favoring passage of the Purple Cross bill (H. R. 5410); to the Committee on Military Affairs.

Also (by request), memorial of citizens of Paterson, N. J., and Oklahoma City, Okla., favoring suffrage for women; to the Committee on Woman Suffrage.

Also (by request), memorial of Utah Branch of Woman's Party, protesting against treatment of women for asking suffrage; to the Committee on the Judiciary.

Also (by request), petition of Pioneers of Alaska, protesting against passage of Alexander bill, to tax canneries; to the Committee on the Merchant Marine and Fisheries.

Also (by request), memorial of members of Federal Employees' Union No. 14651, relative to bill for retired pay for Government employees; to the Committee on Reform in the Civil Service.

Also (by request), petition of the San Francisco (Cal.) Real Estate Board, favoring law for increase in pay of letter carriers; to the Committee on the Post Offices and Post Roads.

Also (by request), petition of the Equal Franchise Society of Philadelphia, Pa., favoring suffrage amendment; to the Committee on Woman Suffrage.

Also (by request), memorials of citizens of Pomona, Cal., Wheeling, W. Va., Canton, Hayti, Walnut Grove, Perry, Holden, Bloomfield, St. Louis, and Parkville, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also (by request), memorial of Army and Navy Veterans, United States of America, pledging assistance to the country to prosecute the war to the end; to the Committee on Military Affairs.

Also (by request), petition of National Council of American Cotton Manufacturers, asking law relative to vessels of foreign registry in coastwise trade; to the Committee on the Merchant Marine and Fisheries.

Also (by request), petition of National Woman's Party, Newark, N. J., favoring woman suffrage; to the Committee on Woman Suffrage.

Also (by request), memorial of mayor and council of the borough of Little Ferry, N. J., favoring the independence of Bohemia; to the Committee on Foreign Affairs.

Also (by request), memorial of members of St. John's Evangelical Lutheran Church, Chicago, Ill., favoring increase in the number of chaplains in the Army; to the Committee on Military Affairs.

Also (by request), memorial of Chamber of Commerce of Brooklyn, N. Y., favoring interning every alien enemy; to the Committee on Military Affairs.

Also (by request), memorial of Civic Convention of the Territory of Alaska, supporting position taken by the United States in the war; to the Committee on Military Affairs.

Also (by request), petition of Ladies' Auxiliary, National Association of Letter Carriers, No. 11, favoring increase in salaries of letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. BROWNING: Petition of Samuel B. Goff, of Camden, N. J., asking law forbidding growth and manufacture of tobacco; to the Committee on Agriculture.

By Mr. DALE of New York: Petition of sundry citizens of Brooklyn, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. FESS: Memorial of members of the S. N. Yeoman Post, No. 418, Sons of the American Revolution, urging Congress to increase Civil War pensions to $50 per month; to the Committee on Invalid Pensions.

Also, memorial of Rural Letter Carriers' Association of Logan County, Ohio, favoring putting rural delivery service upon same basis as city carriers; to the Committee on the Post Office and Post Roads.

By Mr. FULLER of Illinois: Petition of Cigar Makers' Union No. 99, of Ottawa, Ill., against Senate joint resolution No. 17; to the Committee on the Judiciary,

Also, papers to accompany a bill granting an increase of pension to Charles L. Dunham; to the Committee on Invalid Pensions.

By Mr. HILLIARD: Petitions of Martha E. Baker and others, of Denver, Colo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Denver Typographical Union, No. 49, and Ray Gardenswartz, Samuel O'Conner, Earl McMillen, Laura F. Miller, Morris Weinstein, W. H. Goldblatt, Julius Marcus, Albert

Petrone, Harry Feldman, Joseph Kitsis, Joseph Buckhalter, Mrs. Maria Kellogg, Lizabeth A. Williams, James A. Shadwick, Benjamin M. Slater, Mrs. T. B. Williams, E. S. Lake, James L. Bannister, W. G. Bailey, Fred W. Turner, C. F. Widdows, and 365 others, all of Denver, Colo., praying for a congressional investigation of the conviction of Tom Mooney for murder in connection with the preparedness-day parade explosion in San Francisco; to the Committee on Labor.

By Mr. KENNEDY of Rhode Island: Petitions of Chauncey L. Magoon, Rev. J. E. Kennedy, Arthur M. Howard, Rev. G. L. Michelson, Albert Rothwell, Halbert Bowser, Walter A. Knight, Joseph Parkinson, Elden B. Jones, William R. Esten, Dudley A. Bowsen, Albert Scothon, George H. Thomas, J. W. Quinham, all of Lonsdale; Rev. William B. Barr, of Central Falls; R. Woodhead and James Manelly, of Valley Falls; James W. Bowen, of Saylesville; and James L. Jenks, John Walker, Rev. Edward R. Evans, and Rev. Frank Rector, Pawtucket, all in the State of Rhode Island, favoring national prohibition legislation; to the Committee on the Judiciary.

Also, petitions of Providence (R. I.) local of United Brewery Workmen, Stephen White, Peter J. Cline, M. W. Hawkins, Frank Cole, and Edward J. McGuirk, Providence; and Terrence Gibson, Pawtucket, all in the State of Rhode Island, protesting against national prohibition legislation; to the Committee on the Judiciary.

Also, petitions of Lutheran Conference of Providence; Rev. W. H. Lane, of Shawomet; Rev. Francis H. Spear, of Warren; Rev. George McClellan Fiske, Second Presbyterian Sunday School, Anna Gordon Chapter, Woman's Christian Temperance Union; St. Paul's Methodist Episcopal Sunday School; Providence Epworth League Union; and Rev. William O. Keirstead, all of Providence, R. I., favoring national prohibition legislation; to the Committee on the Judiciary.

By Mr. SCULLY: Memorial of War Service Committee of New York and New Jersey Section, Woman's Department of National Civic Federation, favoring daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of American Defense Society, favoring declaration of war against Austria-Hungary; to the Committee on Military Affairs.

Also, memorial of Tri-County Association of Letter Carriers, favoring passage of House bill 1654, the Madden bill; to the Committee on the Post Office and Post Roads.

Also, petition of the National Security League, Passaic, N. J., asking law to punish all persons, etc., responsible for pro-German activities; to the Committee on the Judiciary.

Also, petition of the National Security League, Passaic, N. J., favoring bill to cause expulsion of ROBERT M. LA FOLLETTE from the Senate of the United States; to the Committee on the Judiciary.

By Mr. SNYDER: Petitions of Carducci Lodge, No. 924, Free and Accepted Masons, of Utica, N. Y., relative to restraining activities of disloyal persons; to the Committee on the Judiciary.

Also, memorial of Chamber of Commerce, Utica, N. Y., favoring restraint of disloyal persons, newspapers, etc., in United States; to the Committee on the Judiciary.

Also, petition of sundry citizens of Oriskany Falls and Utica, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Tent No. 14, Daughters of Veterans, Utica, N. Y., favoring moral protection of the Army; to the Committee on Military Affairs.

By Mr. STEENERSON: Petition of John G. McEwen Camp, No. 6, United Spanish War Veterans, Duluth, Minn., favoring passage of House bill No. 6388 favoring advancing of retired officers called back to service on account of the war; to the Committee on Military Affairs.

SENATE.

TUESDAY, *December 4, 1917.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray for divine illumination that we may discern the measure of those responsibilities thrust upon us that can not be expressed in terms of commercial value, that lie deeper even than the bonds of blood or of national life. Give us the divine inspiration that we may discern God's leadership in this time of testing. May we have the comforting assurance that every step of the way we are following God's guidance for the accomplishment of the divine purpose in us as a people. For Christ's sake. Amen.

WARREN G. HARDING, a Senator from the State of Ohio; PHILANDER C. KNOX, a Senator from the State of Pennsylvania; PORTER J. MCCUMBER, a Senator from the State of North Dakota; CHARLES E. TOWNSEND, a Senator from the State of Michigan; JOHN W. WEEKS, a Senator from the State of Massachusetts; and JOSIAH O. WOLCOTT, a Senator from the State of Delaware, appeared in their seats to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. MARTIN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

REPORTS OF SECRETARY OF THE SENATE.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Senate, transmitting, pursuant to law, a statement of receipts and expenditures of the Senate for the fiscal year ended June 30, 1917 (S. Doc. No. 121), which was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secretary of the Senate, transmitting, pursuant to law, an account of all property, including stationery, belonging to the United States in his possession on the 3d day of December, 1917 (S. Doc. No. 122), which was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

Mr. South, the Chief Clerk of the House of Representatives, appeared and delivered the following message:

Mr. President, I am directed by the House of Representatives to inform the Senate that a quorum of the House of Representatives has assembled and that the House is ready for business.

Also, that a committee of three were appointed by the Speaker on the part of the House of Representatives to join with the committee on the part of the Senate to wait on the President of the United States and to notify him that a quorum of the two Houses has assembled and that Congress is ready to receive any communication that he may be pleased to make, and that Mr. KITCHIN, Mr. FITZGERALD, and Mr. GILLETT were appointed as a committee on the part of the House.

Further, that the House has agreed to a concurrent resolution authorizing the two Houses of Congress to assemble in the Hall of the House of Representatives on Tuesday, the 4th day of December, 1917, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them, in which it requests the concurrence of the Senate.

Also, that the Speaker of the House has signed the enrolled bill (H. R. 5833) granting six months' pay to Ida Cottrell Hodgson, widow of Frederick Grady Hodgson, deceased, colonel, United States Army, retired.

The message also communicates to the Senate the intelligence of the death of Hon. CHARLES MARTIN, late a Representative from the State of Illinois, and transmits resolutions of the House thereon.

NOTIFICATION TO THE PRESIDENT.

Mr. MARTIN and Mr. GALLINGER appeared, and

Mr. MARTIN said: Mr. President, the committee appointed by the Senate to wait upon the President in conjunction with a like committee from the House and inform him that a quorum of each of the Houses of Congress is present and will be pleased to have any communication he desires to make have performed that duty. The President instructed us to say that it will be his pleasure to address the two Houses of Congress in the Hall of the House of Representatives to-day at 12.30 p. m.

PETITIONS AND MEMORIALS.

Mr. CUMMINS. I present a large number of petitions signed by thousands of men and women in my State favoring the adoption of a constitutional amendment for woman suffrage. I move that the petitions be referred to the Committee on Woman Suffrage.

The motion was agreed to.

Mr. LODGE presented petitions of sundry citizens of Abington, Amherst, Andover, Arlington, Ashby, Assonet, Auburndale, Ayer, Bedford, Berkley, Bernardston, Belmont, Beverley, Boston, Braintree, Brookline, Bradford, Brockton, Cambridge, Charlton, Chelsea, Chester, Clinton, Danvers, Dartmouth, Dedham, Deerfield, Easton, Easthampton, Everett, Florence, Fitchburg, Fall River, Greenfield, Georgetown, Gardner, Granby, Holyoke, Hadley, Haverhill, Hingham, Longmeadow, Lynn, Leeds, Lowell, Lawrence, Lexington, Montague, Middlefield, Methuen, Malden, Melrose, Merrimac, Milton, Marblehead, Mount Washington, Natick, Newburyport, North Andover, North Weymouth, North Adams, Northfield, Nahant, New Bedford, Newton, Northbridge, Plainfield, Pittsfield, Peabody, Quincy, Rockland, Revere, Randolph, South Hadley, Sunderland, Stockbridge, Salem, Somerville, Springfield, Swampscott, Stoneham, Sherborn, Sharon, Scituate, Swansea, Turners Falls, Tewksbury, Upton, Williamstown, Williamsburg, Whitinsville, Weymouth, Wakefield, War-

wick, Worcester, Winthrop, Watertown, Winchester, Wellesley, Westminster, and Ware, all in the State of Massachusetts, praying for the enactment of legislation for submission to the States of an amendment to the Constitution granting the right of suffrage to women, which were referred to the Committee on Woman Suffrage.

Mr. COLT presented petitions of sundry citizens of Portsmouth and Bristol Ferry, in the State of Rhode Island, praying for the enactment of legislation for submission to the States of an amendment to the Constitution granting the right of suffrage to women, which were referred to the Committee on Woman Suffrage.

Mr. McLEAN presented a petition of the Sons and Daughters of Liberty of New Haven, Conn., and a petition of sundry citizens of Bridgeport, Conn., praying for the enactment of legislation providing for the draft of certain aliens into the military service of the United States, which were referred to the Committee on Military Affairs.

He also presented petitions of the Junior Order, United American Mechanics, of Bethel, Bridgeport, Danbury, Hartford, Middletown, New Britain, New Haven, and Stamford, all in the State of Connecticut, praying for the enactment of legislation to restrict immigration, which were referred to the Committee on Immigration.

Mr. TOWNSEND presented a petition of sundry citizens of Michigan, praying that Army medical officers be placed on the same basis relative to commissions as naval medical officers, which was referred to the Committee on Military Affairs.

He also presented a petition of the Common Council of Detroit, Mich., praying for the enactment of legislation providing for the regulation of salaries of post-office clerks, which was referred to the Committee on Post Offices and Post Roads.

Mr. WARREN presented petitions of sundry employees of the United States post offices at Laramie, Sheridan, Cheyenne, Rawlins, and Rock Springs, all in the State of Wyoming, praying for an increase of salaries for employees in the Post Office Service, which were referred to the Committee on Post Offices and Post Roads.

Mr. GRONNA presented resolutions adopted by the Woman's Committee of the Council of National Defense, North Dakota division, praying for moral regulations in Army camps, for the conservation of food, and granting the right of suffrage to women, which were referred to the Committee on Woman Suffrage.

He also presented a petition of the Sunday School of the Methodist Episcopal Church of Ray, N. Dak., and a petition of the Woman's Christian Temperance Union of Bowdon, N. Dak., praying for national prohibition, which were ordered to lie on the table.

He also presented a petition of the Commercial Club of Fargo, N. Dak., praying for the enactment of legislation relative to the designation, construction, and maintenance of a system of national highways, which was referred to the Committee on Agriculture and Forestry.

PRODUCTS OF FEMALE LABOR—CHANGE OF REFERENCE.

Mr. FLETCHER. Mr. President, there seems to have been a mistake made in the reference of the bill (S. 778) to prohibit interstate and foreign commerce in certain products of female labor, and for other purposes. It was referred to the Committee on Commerce, whereas it should have gone to the Committee on Interstate Commerce. I ask that the reference be corrected.

The VICE PRESIDENT. Without objection, the Committee on Commerce will be discharged from the further consideration of the bill and it will be referred to the Committee on Interstate Commerce.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 2985) to repeal sections 209, 1101, 1102, 1103, 1104, 1105, 1106, and 1107 of "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Finance.

A bill (S. 2986) granting a pension to Frances D. Miller (with accompanying papers);

A bill (S. 2987) granting a pension to Paul B. Gomoll (with accompanying papers);

A bill (S. 2988) granting an increase of pension to Francis J. Kearney (with accompanying papers); and

A bill (S. 2989) granting an increase of pension to George Murray (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 2990) granting an increase of pension to Daniel H. Pettengill;

A bill (S. 2991) granting an increase of pension to Josiah C. Tandy;

A bill (S. 2992) granting an increase of pension to Addison S. Martin; and

A bill (S. 2993) granting an increase of pension to Nathaniel Southard (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 2994) for the relief of desert-land entrymen enlisted and engaged in organized Red Cross service of the United States during the existing war;

A bill (S. 2995) authorizing the issuance of a patent to Portland Railway, Light & Power Co. to 52.72 acres of land in Clackamas County, Oreg. (with accompanying papers); and

A bill (S. 2996) for the relief of certain persons, their heirs or assigns, who heretofore conveyed lands inside national forests to the United States; to the Committee on Public Lands.

A bill (S. 2997) granting a pension to Lawrence F. Hickey;

A bill (S. 2998) granting a pension to Harold A. Salisbury;

A bill (S. 2999) granting an increase of pension to John S. Birdsall (with accompanying papers); and

A bill (S. 3000) granting a pension to Walter Denney (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 3001) to amend the act of October 3, 1917, entitled "An act to provide revenue to defray war expenses, and for other purposes"; to the Committee on Finance.

By Mr. NEWLANDS:

A bill (S. 3002) for the relief of the Copper River and Northwestern Railway Co.; to the Committee on Finance.

A bill (S. 3003) for the relief of Benjamin F. Spates; to the Committee on Claims.

By Mr. LA FOLLETTE:

A bill (S. 3004) granting a pension to Stillman B. Judkins; and

A bill (S. 3005) granting an increase of pension to James Churchill; to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 3006) to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes; and

A bill (S. 3007) to increase the number of midshipmen at the United States Naval Academy (with accompanying papers); to the Committee on Naval Affairs.

By Mr. SUTHERLAND:

A bill (S. 3008) granting an increase of pension to James Richards; to the Committee on Pensions.

A bill (S. 3009) granting the consent of Congress to the P. M. C. Coal Co. to construct and maintain a bridge across Tug River, connecting Pike County, Ky., and Mingo County, W. Va.; to the Committee on Commerce.

By Mr. SWANSON:

A bill (S. 3010) to provide additional and reliable freight facilities to the naval proving ground and smokeless powder factory, Indianhead, Md.; to the Committee on Naval Affairs.

By Mr. COLT:

A bill (S. 3011) for the relief of Winfield S. Solomon; to the Committee on Military Affairs.

A bill (S. 3012) granting an increase of pension to Thomas Percival (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 3013) granting an increase of pension to Joseph Martin (with accompanying papers); and

A bill (S. 3014) granting a pension to Mary M. Ayer (with accompanying papers); to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 3015) granting a pension to Abbie Holbrook;

A bill (S. 3016) granting an increase of pension to Angus C. Burns (with accompanying papers);

A bill (S. 3017) granting an increase of pension to Cornelius McGoff (with accompanying papers); and

A bill (S. 3018) granting a pension to Phebe Bushee (with accompanying papers); to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 3019) granting an increase of pension to Joseph M. Harbaugh; and

A bill (S. 3020) granting an increase of pension to Nathaniel Wilt; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 3021) to increase the compensation of postmasters, assistant postmasters, and other postal employees; to the Committee on Post Offices and Post Roads.

A bill (S. 3022) granting a pension to Mary J. Milton (with accompanying papers);

A bill (S. 3023) granting a pension to Joseph Smith (with accompanying papers);

A bill (S. 3024) granting a pension to William H. Nott (with accompanying papers); and

A bill (S. 3025) granting a pension to Solomon J. Campbell (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 3026) granting an increase of pension to Ephriam Briggs;

A bill (S. 3027) granting an increase of pension to Thomas White;

A bill (S. 3028) granting an increase of pension to William B. Vaughn (with accompanying papers);

A bill (S. 3029) granting a pension to Alice Noble (with accompanying papers);

A bill (S. 3030) granting an increase of pension to Zachariah Campbell (with accompanying papers);

A bill (S. 3031) granting an increase of pension to Wesley Loos (with accompanying papers);

A bill (S. 3032) granting an increase of pension to Luther H. Smith (with accompanying papers);

A bill (S. 3033) granting an increase of pension to James Jackson (with accompanying papers);

A bill (S. 3034) granting an increase of pension to Samuel C. Roach (with accompanying papers);

A bill (S. 3035) granting an increase of pension to James Brooks (with accompanying papers);

A bill (S. 3036) granting an increase of pension to Thomas B. Henry (with accompanying papers);

A bill (S. 3037) granting an increase of pension to David Tenpenny (with accompanying papers);

A bill (S. 3038) granting an increase of pension to De Witt C. Callen (with accompanying papers);

A bill (S. 3039) granting an increase of pension to Henry Piele (with accompanying papers);

A bill (S. 3040) granting an increase of pension to James L. Lamar (with accompanying papers);

A bill (S. 3041) granting a pension to Lorinda C. Rand (with accompanying papers);

A bill (S. 3042) granting an increase of pension to Fred Deppe (with accompanying papers);

A bill (S. 3043) granting an increase of pension to William Kunkle (with accompanying papers);

A bill (S. 3044) granting a pension to Eliza E. Herman (with accompanying papers);

A bill (S. 3045) granting a pension to George Coghill (with accompanying papers);

A bill (S. 3046) granting a pension to William W. Wilhite (with accompanying papers);

A bill (S. 3047) granting an increase of pension to James F. De Witt (with accompanying papers);

A bill (S. 3048) granting an increase of pension to George N. Morse (with accompanying papers);

A bill (S. 3049) granting a pension to Isaac F. Roberts (with accompanying papers);

A bill (S. 3050) granting an increase of pension to Thomas Williams (with accompanying papers);

A bill (S. 3051) granting an increase of pension to Lucetta A. Bryant (with accompanying papers);

A bill (S. 3052) granting an increase of pension to David B. Owens (with accompanying papers);

A bill (S. 3053) granting an increase of pension to Andrew J. Ash (with accompanying papers);

A bill (S. 3054) granting a pension to Jesse L. Knight (with accompanying papers);

A bill (S. 3055) granting an increase of pension to Henry Keeler (with accompanying papers);

A bill (S. 3056) granting an increase of pension to Mary McCray (with accompanying papers);

A bill (S. 3057) granting an increase of pension to John W. Alyea (with accompanying papers);

A bill (S. 3058) granting a pension to C. P. Ellis (with accompanying papers); and

A bill (S. 3059) granting an increase of pension to H. E. Wentworth (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 3060) to correct the military record of John L. McGregor; to the Committee on Military Affairs.

A bill (S. 3061) for the relief of Joseph W. Skill (with accompanying papers); to the Committee on Claims.

A bill (S. 3062) for the relief of retired commissioned warrant officers detailed on active duty; and

A bill (S. 3063) for the repair, preservation, care, and future maintenance of the restored historical naval brig *Niagara*, Commodore Oliver Hazard Perry's flagship in the Battle of Lake Erie (with accompanying papers); to the Committee on Naval Affairs.

A bill (S. 3064) granting an increase of pension to Charles H. Whiteley;

A bill (S. 3065) granting an increase of pension to Albert M. Young;

A bill (S. 3066) granting an increase of pension to Henry Goodman;

A bill (S. 3067) granting an increase of pension to Mary H. Stacey;

A bill (S. 3068) granting an increase of pension to George Vance;

A bill (S. 3069) granting an increase of pension to Joseph E. McCabe;

A bill (S. 3070) granting an increase of pension to Jacob Short (with accompanying papers);

A bill (S. 3071) granting an increase of pension to William P. Delaney (with accompanying papers);

A bill (S. 3072) granting an increase of pension to Ira Hess (with accompanying papers);

A bill (S. 3073) granting an increase of pension to George H. Pittman, sr. (with accompanying papers);

A bill (S. 3074) granting a pension to Louisa Simon (with accompanying papers); and

A bill (S. 3075) granting an increase of pension to Christopher C. Ghearhart (with accompanying papers); to the Committee on Pensions.

By Mr. POMERENE:

A joint resolution (S. J. Res. 105) amending section 201 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Finance.

By Mr. OVERMAN:

A joint resolution (S. J. Res. 106) extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914; to the Committee on the Judiciary.

A joint resolution (S. J. Res. 107) authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury; to the Committee on the Library.

EMPLOYMENT OF CONVICT LABOR.

Mr. SMITH of Georgia. I introduce a bill which I ask may be printed in the RECORD and referred to the Committee on Education and Labor.

The bill (S. 3076) to employ convict labor for the production of war supplies and to authorize their purchase by the Federal Government; to regulate the compensation and hours of labor and fix standards; to prohibit the purchase of war supplies manufactured by convicts under private contract; to limit the effect of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured, mined, or produced by convict labor or in any prison or reformatory; and to equip the United States penitentiary at Atlanta, Ga., Leavenworth, Kans., and McNeill Island, Wash., and the United States Army prison and disciplinary barracks and the United States naval prison for the manufacture of supplies for the use of the Government; for the compensation of the prisoners for their labor, and for other purposes; was read twice by its title, referred to the Committee on Education and Labor, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That when an emergency exists or when war is imminent, creating a demand for supplies which can not easily be produced or supplied by privately owned or conducted factories not employing convict labor, the purchasing agents for the departments or bureaus charged with the buying of war or governmental supplies are hereby empowered, subject to the approval of the President, in addition to any method of purchase or procurement now authorized, to place an order for such supplies with the superintendent or other head of any Federal, naval, military, State, county, or municipal governmental penal institution willing to undertake the manufacture, production, and delivery of such supplies.

The compensation to be paid for such supplies shall be fair and just, and shall, so far as possible, be the prevailing price for like commodities in the vicinity of the institution furnishing them. Compensation and hours of labor for inmates of Federal, naval, military, District of Columbia, State, county, and municipal governmental institutions performing work shall be based upon the standard hours and wages prevailing in the vicinity in which the institution is located. The pro rata cost of maintaining the prisoner should be deducted from his compensation. The supplies manufactured by such institutions shall conform to the standards established by the bureau or department requiring said supplies.

SEC. 2. That the purchasing agents for the departments and bureaus charged with buying the material for the manufacture of war supplies for the United States Government shall not negotiate for the supplying of such materials with any private person or persons or companies using the labor of persons convicted of crime and incarcerated

in a penal or correctional institution, nor shall the purchasing agent and departments charged with the buying of war or governmental supplies purchase the same from such persons or companies: *Provided*, That all goods, wares, and merchandise manufactured, produced, or mined wholly or in part by convict labor, except paroled convicts, or in any prison or reformatory, transported into any State or Territory of the United States or remaining therein for use, consumption, sale, or storage, except those disposed of by sale to the Federal Government, as above provided for, shall, upon arrival and delivery in such State or Territory, be subject to the operation and effect of the laws of such State or Territory to the same extent and in the same manner as though such goods, wares, and merchandise had been manufactured, produced, or mined in such State or Territory, and shall not be exempt therefrom by reason of being introduced in the original package or otherwise.

SEC. 3. That the Secretary of War is authorized and directed, in his discretion, to establish, equip, maintain, and operate in the United States Army prison and disciplinary barracks or its branches a factory or factories for the manufacture of equipment or supplies for the United States Government; that the Secretary of War is further authorized to employ the prisoners in the United States Army prison and disciplinary barracks or its branches in the construction of military roads and highways and to make agreements for the use of the necessary machinery and the finding of available material and to supervise the work of county and State highway officials who may be charged with the development of the proposed roads: *And provided further*, That the Secretary of War be, and he hereby is, authorized to cause to be paid to the military prisoners compensation in accordance with section 1 and such rules and regulations as he may prescribe.

SEC. 4. The Secretary of the Navy is authorized, in his discretion, to establish, equip, maintain, and operate in the United States naval prisons a factory or factories for the manufacture of equipment and supplies for the United States Government. All expenditures in connection with erecting and equipping such factories, and providing sufficient working capital therefor, shall be charged in "General account, Navy." The output of all factories shall be disposed of at current market prices, as determined by the Secretary of the Navy, or his authorized agent, and the proceeds of such sale shall be deposited in the Treasury to the credit of a fund to be known as the "Navy prison fund." Annually a percentage to be determined by the Secretary of the Navy shall be transferred on the books of the Treasury Department from the credit of the Navy prison fund to the credit of "General account of advances, Navy," until "General account of advances, Navy," shall have been reimbursed for all advances charged to it on account of Navy prison factories. The expenses of operating and maintaining the aforesaid factory or factories shall be charged to the said Navy prison fund: *Provided*, That any other expenses in connection with Navy prisons and prisoners may, in the discretion of the Secretary of the Navy, be charged to the Navy prison fund whenever sufficient moneys therefor are available in said fund: *Provided further*, That the Secretary of the Navy shall be, and he hereby is, authorized to employ naval prisoners in the construction of military roads and highways and to make agreements for the use of the necessary machinery and the finding of available material and to supervise county and State highway officials who may be charged with the development of roads and highways. All funds received on account of such work shall be credited to the Navy prison fund: *And provided further*, That the Secretary of the Navy be, and he is hereby, authorized to cause to be paid to naval prisoners compensation in accordance with section 1, under such rules and regulations as he may prescribe, such compensation to be charged against the Navy prison fund.

SEC. 5. That the Attorney General of the United States is authorized and directed to establish, equip, maintain, and operate at the United States penitentiary, Atlanta, Ga., a factory or factories for the weaving of textiles and mail sacks and other similar mail-carrying equipment for the use of the United States Government; and at the United States penitentiary, Leavenworth, Kans., a factory or factories for the manufacture of furniture and office equipment for the use of the United States Government, and at the United States penitentiary, McNeill Island, Wash., a pulp and paper mill for the manufacture of print and other kinds of paper for the use of the United States Government. The factories shall not be so operated as to abolish any existing Government workshop or curtail the production within its present limits of any such Government workshop.

SEC. 6. That from and after July 1, 1919, articles so manufactured shall not be purchased from any source other than governmental for the United States Government or any department, bureau, or other agency thereof, unless the Attorney General or his authorized agent shall certify that the same can not be furnished by such prison factory or factories, unless otherwise provided by law, and no claim shall be audited or paid without such certificate.

SEC. 7. That articles so manufactured shall be sold at the current market prices, as determined by the Attorney General or his authorized agent, and all moneys or reimbursements received from such sales shall be deposited to the credit of the respective working capital fund created by this act.

SEC. 8. That the Attorney General is authorized and empowered to provide for the payment to the inmates of such penitentiaries such pecuniary earnings, in accordance with section 1, under such rules and regulations as he may prescribe. Such earnings shall be paid out of the working capital of the penitentiary in which prisoner is confined.

SEC. 9. That there is created for each United States penitentiary at Atlanta, Ga.; Leavenworth, Kans.; and at McNeill Island, Wash., a fund to be known as the working capital, which fund shall be available for carrying on the industrial enterprises authorized herein, or which may be authorized hereafter by law to be carried on in said penitentiaries. The receipts from the sale of products or by-products of the said industries and the sale of condemned machinery or equipment shall be credited to the respective working capital funds and shall be available for appropriations by Congress annually for the purpose set forth in this act.

SEC. 10. That the said working capitals shall be disbursed under the direction of the Attorney General and shall be available for the purchase, repair, or replacement of machinery or equipment in order at least to maintain the efficiency of the plant, for the purchase of raw material or parts, for the employment of necessary civilian officers and employees at the penitentiary and in Washington, and for the repair and maintenance of buildings and equipment, and for all other necessary expenses in carrying out the provisions of this act.

SEC. 11. That the products of said industries shall not be disposed of except as provided in this act.

SEC. 12. That all laws and parts of laws to the extent that they are in conflict with this act are repealed.

SEC. 13. That whoever shall order, purchase, or cause convict-made goods to be transported in interstate commerce in contravention of the provisions of this law shall be fined not more than $1,000, or imprisoned for not more than six months, or both, or for any subsequent offense shall be imprisoned for not more than one year.

SEC. 14. That this act shall take effect immediately.

COINAGE OF SILVER.

Mr. SHAFROTH. I introduce a joint resolution for reference to the Committee on Banking and Currency.

The joint resolution (S. J. Res. 108) to provide for a commission to negotiate an international agreement as to the coinage of silver was read twice by its title and referred to the Committee on Banking and Currency.

Mr. SHAFROTH. I ask that the joint resolution be printed in the RECORD.

The joint resolution was ordered to be printed in the RECORD, as follows:

Whereas the settlement of balances of trade with silver-using countries threatens the depletion of our stock of gold, although such countries prefer that such balances should be paid in silver; and

Whereas to relieve such condition it is necessary that the production of silver be increased; and

Whereas the enormous expansion in world credits during the past three years necessitates the enlargement of the base upon which such credits are founded: Therefore be it

Resolved, etc., That the President be authorized to appoint a commission of three members to visit our allied and the neutral nations of the world, with a view of making an international agreement as to the coinage of silver, subject to approval by Congress; and

SEC. 2. That the sum of $100,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated to pay the expenses and compensation of such commission.

WAR WITH AUSTRIA-HUNGARY, BULGARIA, AND TURKEY.

Mr. PITTMAN. At the request of the junior Senator from Utah [Mr. KING] and on his behalf, he being necessarily absent, I introduce a joint resolution and ask that it be printed in the RECORD and referred to the Committee on Foreign Relations.

The joint resolution (S. J. Res. 109) declaring that the state of war exists between the United States of America and the Governments of Austria-Hungary, Bulgaria, and Turkey was read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas the Congress did upon the 6th day of April, 1917, declare that the state of war exists between the United States of America and the Imperial Government of Germany; and

Whereas in the course of the war it has become manifest that the Governments of Austria-Hungary, of Bulgaria, and of Turkey have become and are vassals of the Imperial Government of Germany; and

Whereas the military forces and materials of Austria-Hungary, of Bulgaria, and of Turkey are being exerted and employed by Germany against the United States of America; and

Whereas the defeat of Austria-Hungary, of Bulgaria, and of Turkey is necessary to a military decision against Germany: Now, therefore, be it

Resolved, etc., That the state of war exists between the United States of America and the Governments of Austria-Hungary, of Bulgaria, and of Turkey; and that the United States wage and make war against said Governments as and for the vassals of the Imperial Government of Germany.

VOCATIONAL EDUCATION.

Mr. SMITH of Georgia. I introduce a joint resolution and ask that it be printed in the RECORD and referred to the Committee on Education and Labor.

The joint resolution (S. J. Res. 110) to amend an act entitled "An act to provide for the promotion of vocational education," approved February 23, 1917, was read twice by its title and referred to the Committee on Education and Labor, as follows:

Resolved, etc., That section 7 of the act entitled "An act to provide for the promotion of vocational education," etc., approved February 23, 1917, be, and the same is hereby, amended by adding at the end thereof the words "including the rental of quarters in the District of Columbia from the date of the organization of said board until otherwise provided."

APPOINTMENTS IN THE ARMY.

Mr. HITCHCOCK. I move the indefinite postponement of Order of Business 132, being the bill (S. 2973) to authorize the temporary appointment of generals and lieutenant generals in the Army of the United States, and for other purposes. The bill was incorporated in an amendment to the war-risk insurance bill passed near the close of the last session.

The VICE PRESIDENT. The question is on the motion to indefinitely postpone the bill.

The motion was agreed to.

AMENDMENT OF THE RULES—CONFERENCE REPORTS.

Mr. CURTIS. Mr. President, I give the following notice, which I desire to have read under the rule.

The VICE PRESIDENT. The notice will be read.

The Secretary read as follows:

I give notice that on Thursday, December 6, I will move to amend the standing rules of the Senate by adding the following paragraph to Rules XXVII:

"2. Conferees may not include in their report matters not committed to them by either House, and in case any new matter is included, the same shall be subject to a point of order, and upon such point of order being made by any Senator, if sustained by the Presiding Officer of the Senate, such new matter shall be ruled out and eliminated from the report: *Provided*, That the elimination of such new matter upon a point of order shall in no way affect the remainder of the conference report."

WITHDRAWAL OF PAPERS—AMY MAPES.

Mr. NORRIS. I ask permission from the Senate to withdraw all papers relating to the bill S. 6912, Sixty-third Congress, and the bill S. 712, Sixty-fourth Congress. The bills were introduced to obtain a pension for Amy Mapes, and no adverse report was made thereon.

The VICE PRESIDENT. Without objection, that action will be taken.

The order was reduced to writing, as follows:

Ordered, That leave be granted to withdraw from the files of the Senate the papers in relation to S. 6912, Sixty-third Congress, and S. 712, Sixty-fourth Congress, no adverse reports having been made thereon.

INDUSTRIAL PREPAREDNESS.

Mr. GALLINGER. I submit a resolution which I ask to have read, printed, and lie on the table subject to call.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 157), as follows:

Whereas the American Federation of Labor, at its recent convention in Buffalo, without a dissenting voice, went on record as favoring a policy of industrial preparedness, and the enactment of laws by Congress that will adequately protect all wage earners of our country against loss of employment through an invasion of our markets by the products of other nations; and

Whereas from the enactment of the Underwood-Simmons tariff law until the commencement of the European war, covering a period of about 10 months, the importations of foreign-made goods into our country reduced our favorable balance of trade by $260,866,122, an average of over $26,000,000 a month, being a reduction of 43 per cent, thus demonstrating conclusively that, if continued, it would have destroyed our industrial system; and

Whereas the total of our imports from all the nations of the world during the fiscal year 1917 was over $850,000,000 greater than for 1913, the year before the commencement of the European war, while the revenue for 1917 was $92,000,000 less than for 1913, conclusively proving that the duty rate of about 8 per cent which now prevails, the lowest in the history of the country, utterly fails to adequately protect either American industry or American labor: Therefore be it

Resolved, That in view of existing conditions, as well as in anticipation of the industrial conditions that will necessarily exist at the close of the war in which we are engaged, it is the duty of the Congress of the United States, without delay or hesitation, to place on the statute books a law that will protect all classes of our people, and especially the laboring and agricultural classes, from the disastrous effects of an inundation of foreign-made goods and products.

The VICE PRESIDENT. The resolution will lie on the table and be printed.

LOULA M. WILSON.

Mr. BECKHAM submitted the following resolution (S. Res. 156), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Loula M. Wilson, widow of Charles C. Wilson, late assistant clerk to the Committee on Expenditures in the Department of Labor of the United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

EMPLOYMENT OF ADDITIONAL CLERK.

Mr. POMERENE submitted the following resolution (S. Res. 158), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Privileges and Elections of the United States Senate be, and it is hereby, authorized to employ an additional clerk at the rate of $100 per month, to be paid out of the miscellaneous items of the contingent fund of the Senate, from December 3, 1917, to the end of the present session of Congress.

FUNERAL OF THE LATE SENATOR HUSTING.

Mr. LA FOLLETTE submitted the following resolution (S. Res. 159), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of the Hon. Paul O. Husting, late a Senator from the State of Wisconsin, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

JOINT MEETING OF THE TWO HOUSES.

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives, which was read:

House concurrent resolution 28.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 4th day of December, 1917, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Mr. MARTIN. I move that the Senate concur in the resolution which has just been read.

The motion was agreed to.

IDA COTTRELL HODGSON—ENROLLED BILL SIGNED.

The VICE PRESIDENT. The Chair desires to call to the attention of the Senate the following state of facts with reference to House bill 5833. It is a bill granting six months' pay to Ida Cottrell Hodgson, widow of Frederick Grady Hodgson, deceased, colonel, United States Army, retired. The records of both the House and the Senate disclose that this bill was passed at the first session of the present Congress. It was signed by the Speaker of the House, but did not arrive at the Senate in time to be signed by the Presiding Officer of the Senate. The Chair believes that he has a right now to attach his signature to the bill. Is there any objection on the part of any Senator? If the question is thought to be of sufficient moment to require an investigation, the Chair will wait.

Mr. WARREN. The bill was within 10 feet of the Presiding Officer when the hour came for final adjournment. The passage of the bill was entirely regular, and I know of no reason why it should not be signed now, as it undoubtedly would have been signed had it reached the Vice President's desk before final adjournment.

The VICE PRESIDENT. There is nothing in the Constitution of the United States to prevent its being signed and the Chair knows of nothing in the rules of the Senate, and as no attention has been called to any statute the Chair will sign the bill and lay it before the Senate.

The Secretary announced the signature of the Vice President to the enrolled bill (H. R. 5833) granting six months' pay to Ida Cottrell Hodgson, widow of Frederick Grady Hodgson, deceased, colonel, United States Army, retired.

PROMOTION OF EXPORT TRADE.

The VICE PRESIDENT. The morning business is closed, and the calendar under Rule VIII is in order.

The bill (S. 634) to promote export trade, and for other purposes, was announced as first in order on the calendar.

The VICE PRESIDENT. The pending amendment will be stated.

The SECRETARY. The pending amendment is on page 3, line 23, before the word "competitors" to insert the word "domestic."

Mr. SMOOT. May I ask whether the bill has been read?

The VICE PRESIDENT. It has been read and amended, and there are certain pending amendments, but the time is so near for the convening of the two Houses in joint session that the Chair will assume the responsibility of not submitting the question on the amendment.

JOINT MEETING OF THE TWO HOUSES.

The VICE PRESIDENT. The hour having arrived at which, under the concurrent resolution, the Senate of the United States is to proceed to the Hall of the House of Representatives for the purpose of hearing any communication that the President of the United States may desire to make to the Congress of the United States, the order will now be carried out.

Thereupon the Senate, preceded by its Sergeant at Arms, and headed by the Vice President and the Secretary, proceded to the Hall of the House of Representatives.

At 1 o'clock and 12 minutes p. m. the Senate returned to its Chamber, and the Vice President resumed the chair.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 468).

The address of the President of the United States this day delivered at a joint session of the two Houses of Congress is as follows:

Gentlemen of the Congress, eight months have elapsed since I last had the honour of addressing you. They have been months crowded with events of immense and grave significance for us. I shall not undertake to retail or even to summarize those events. The practical particulars of the part we have played in them will be laid before you in the reports of the Executive Departments. I shall discuss only our present outlook upon

these vast affairs, our present duties, and the immediate means of accomplishing the objects we shall hold always in view.

I shall not go back to debate the causes of the war. The intolerable wrongs done and planned against us by the sinister masters of Germany have long since become too grossly obvious and odious to every true American to need to be rehearsed. But I shall ask you to consider again and with a very grave scrutiny our objectives and the measures by which we mean to attain them; for the purpose of discussion here in this place is action, and our action must move straight towards definite ends. Our object is, of course, to win the war; and we shall not slacken or suffer ourselves to be diverted until it is won. But it is worth while asking and answering the question, When shall we consider the war won?

From one point of view it is not necessary to broach this fundamental matter. I do not doubt that the American people know what the war is about and what sort of an outcome they will regard as a realization of their purpose in it. As a nation we are united in spirit and intention. I pay little heed to those who tell me otherwise. I hear the voices of dissent,—who does not? I hear the criticism and the clamour of the noisily thoughtless and troublesome. I also see men here and there fling themselves in impotent disloyalty against the calm, indomitable power of the nation. I hear men debate peace who understand neither its nature nor the way in which we may attain it with uplifted eyes and unbroken spirits. But I know that none of these speaks for the nation. They do not touch the heart of anything. They may safely be left to strut their uneasy hour and be forgotten.

But from another point of view I believe that it is necessary to say plainly what we here at the seat of action consider the war to be for and what part we mean to play in the settlement of its searching issues. We are the spokesmen of the American people and they have a right to know whether their purpose is ours. They desire peace by the overcoming of evil, by the defeat once for all of the sinister forces that interrupt peace and render it impossible, and they wish to know how closely our thought runs with theirs and what action we propose. They are impatient with those who desire peace by any sort of compromise,—deeply and indignantly impatient,—but they will be equally impatient with us if we do not make it plain to them what our objectives are and what we are planning for in seeking to make conquest of peace by arms.

I believe that I speak for them when I say two things: First, that this intolerable Thing of which the masters of Germany have shown us the ugly face, this menace of combined intrigue and force which we now see so clearly as the German power, a Thing without conscience or honour or capacity for covenanted peace, must be crushed and, if it be not utterly brought to an end, at least shut out from the friendly intercourse of the nations; and, second, that when this Thing and its power are indeed defeated and the time comes that we can discuss peace,—when the German people have spokesmen whose word we can believe and when those spokesmen are ready in the name of their people to accept the common judgment of the nations as to what shall henceforth be the bases of law and of covenant for the life of the world,—we shall be willing and glad to pay the full price for peace, and pay it ungrudgingly. We know what that price will be. It will be full, impartial justice,—justice done at every point and to every nation that the final settlement must affect, our enemies as well as our friends.

You catch, with me, the voices of humanity that are in the air. They grow daily more audible, more articulate, more persuasive, and they come from the hearts of men everywhere. They insist that the war shall not end in vindictive action of any kind; that no nation or people shall be robbed or punished because the irresponsible rulers of a single country have themselves done deep and abominable wrong. It is this thought that has been expressed in the formula "No annexations, no contributions, no punitive indemnities." Just because this crude formula expresses the instinctive judgment as to right of plain men everywhere it has been made diligent use of by the masters of German intrigue to lead the people of Russia astray—and the people of every other country their agents could reach, in order that a premature peace might be brought about before autocracy has been taught its final and convincing lesson, and the people of the world put in control of their own destinies.

But the fact that a wrong use has been made of a just idea is no reason why a right use should not be made of it. It ought to be brought under the patronage of its real friends. Let it be said again that autocracy must first be shown the utter futility of its claims to power or leadership in the modern world. It is impossible to apply any standard of justice so long as such forces are unchecked and undefeated as the present masters of Germany command. Not until that has been done can Right be set up as arbiter and peace-maker among the nations. But when that has been done,—as, God willing, it assuredly will be,—we shall at last be free to do an unprecedented thing, and this is the time to avow our purpose to do it. We shall be free to base peace on generosity and justice, to the exclusion of all selfish claims to advantage even on the part of the victors.

Let there be no misunderstanding. Our present and immediate task is to win the war, and nothing shall turn us aside from it until it is accomplished. Every power and resource we possess, whether of men, of money, or of materials, is being devoted and will continue to be devoted to that purpose until it is achieved. Those who desire to bring peace about before that purpose is achieved I counsel to carry their advice elsewhere. We will not entertain it. We shall regard the war as won only when the German people say to us, through properly accredited representatives, that they are ready to agree to a settlement based upon justice and the reparation of the wrongs their rulers have done. They have done a wrong to Belgium which must be repaired. They have established a power over other lands and peoples than their own,—over the great Empire of Austria-Hungary, over hitherto free Balkan states, over Turkey, and within Asia,—which must be relinquished.

Germany's success by skill, by industry, by knowledge, by enterprise we did not grudge or oppose, but admired, rather, She had built up for herself a real empire of trade and influence, secured by the peace of the world. We were content to abide the rivalries of manufacture, science, and commerce that were involved for us in her success and stand or fall as we had or did not have the brains and the initiative to surpass her. But at the moment when she had conspicuously won her triumphs of peace she threw them away, to establish in their stead what the world will no longer permit to be established, military and political domination by arms, by which to oust where she could not excel the rivals she most feared and hated. The peace we make must remedy that wrong. It must deliver the once fair lands and happy peoples of Belgium and northern France from the Prussian conquest and the Prussian menace, but it must also deliver the peoples of Austria-Hungary, the peoples of the Balkans, and the peoples of Turkey, alike in Europe and in Asia, from the impudent and alien dominion of the Prussian military and commercial autocracy.

We owe it, however, to ourselves to say that we do not wish in any way to impair or to rearrange the Austro-Hungarian Empire. It is no affair of ours what they do with their own life, either industrially or politically. We do not purpose or desire to dictate to them in any way. We only desire to see that their affairs are left in their own hands, in all matters, great or small. We shall hope to secure for the peoples of the Balkan peninsula and for the people of the Turkish Empire the right and opportunity to make their own lives safe, their own fortunes secure against oppression or injustice and from the dictation of foreign courts or parties.

And our attitude and purpose with regard to Germany herself are of a like kind. We intend no wrong against the German Empire, no interference with her internal affairs. We should deem either the one or the other absolutely unjustifiable, absolutely contrary to the principles we have professed to live by and to hold most sacred throughout our life as a nation.

The people of Germany are being told by the men whom they now permit to deceive them and to act as their masters that they are fighting for the very life and existence of their Empire, a war of desperate self-defense against deliberate aggression. Nothing could be more grossly or wantonly false, and we must seek by the utmost openness and candour as to our real aims to convince them of its falseness. We are in fact fighting for their emancipation from fear, along with our own,—from the fear as well as from the fact of unjust attack by neighbours or rivals or schemers after world empire. No one is threatening the existence or the independence or the peaceful enterprise of the German Empire.

The worst that can happen to the detriment of the German people is this, that if they should still, after the war is over, continue to be obliged to live under ambitious and intriguing masters interested to disturb the peace of the world, men or classes of men whom the other peoples of the world could not trust, it might be impossible to admit them to the partnership of nations which must henceforth guarantee the world's peace. That partnership must be a partnership of peoples, not a mere partnership of governments. It might be impossible, also, in such untoward circumstances, to admit Germany to the free economic intercourse which must inevitably spring out of the other partnerships of a real peace. But there would be no aggression in that; and such a situation, inevitable because of distrust, would in the very nature of things sooner or later cure itself, by processes which would assuredly set in.

The wrongs, the very deep wrongs, committed in this war will have to be righted. That of course. But they can not and must not be righted by the commission of similar wrongs against Germany and her allies. The world will not permit the commission of similar wrongs as a means of reparation and settlement. Statesmen must by this time have learned that the opinion of the world is everywhere wide awake and fully comprehends the issues involved. No representative of any self-governed nation will dare disregard it by attempting any such covenants of selfishness and compromise as were entered into at the Congress of Vienna. The thought of the plain people here and everywhere throughout the world, the people who enjoy no privilege and have very simple and unsophisticated standards of right and wrong, is the air all governments must henceforth breathe if they would live. It is in the full disclosing light of that thought that all policies must be conceived and executed in this midday hour of the world's life. German rulers have been able to upset the peace of the world only because the German people were not suffered under their tutelage to share the comradeship of the other peoples of the world either in thought or in purpose. They were allowed to have no opinion of their own which might be set up as a rule of conduct for those who exercised authority over them. But the congress that concludes this war will feel the full strength of the tides that run now in the hearts and consciences of free men everywhere. Its conclusions will run with those tides.

All these things have been true from the very beginning of this stupendous war; and I can not help thinking that if they had been made plain at the very outset the sympathy and enthusiasm of the Russian people might have been once for all enlisted on the side of the allies, suspicion and distrust swept away, and a real and lasting union of purpose effected. Had they believed these things at the very moment of their revolution and had they been confirmed in that belief since, the sad reverses which have recently marked the progress of their affairs towards an ordered and stable government of free men might have been avoided. The Russian people have been poisoned by the very same falsehoods that have kept the German people in the dark, and the poison has been administered by the very same hands. The only possible antidote is the truth. It can not be uttered too plainly or too often.

From every point of view, therefore, it has seemed to be my duty to speak these declarations of purpose, to add these specific interpretations to what I took the liberty of saying to the Senate in January. Our entrance into the war has not altered our attitude towards the settlement that must come when it is over. When I said in January that the nations of the world were entitled not only to free pathways upon the sea but also to assured and unmolested access to those pathways I was thinking, and I am thinking now, not of the smaller and weaker nations alone, which need our countenance and support, but also of the great and powerful nations, and of our present enemies as well as our present associates in the war. I was thinking, and am thinking now, of Austria herself, among the rest, as well as of Serbia and of Poland. Justice and equality of rights can be had only at a great price. We are seeking permanent, not temporary, foundations for the peace of the world and must seek them candidly and fearlessly. As always, the right will prove to be the expedient.

What shall we do, then, to push this great war of freedom and justice to its righteous conclusion? We must clear away with a thorough hand all impediments to success and we must make every adjustment of law that will facilitate the full and free use of our whole capacity and force as a fighting unit.

One very embarrassing obstacle that stands in our way is that we are at war with Germany but not with her allies. I therefore very earnestly recommend that the Congress immediately declare the United States in a state of war with Austria-Hungary. Does it seem strange to you that this should be the conclusion of the argument I have just addressed to you? It is not. It is in fact the inevitable logic of what I have said. Austria-Hungary is for the time being not her own mistress but simply the vassal of the German Government. We must face the facts as they are and act upon them without sentiment in this stern business. The government of Austria-Hungary is not acting upon its own initiative or in response to the wishes and feelings of its own peoples but as the instrument of another nation. We must meet its force with our own and regard the Central Powers as but one. The war can be successfully conducted in no other way. The same logic would lead also to a declaration of war against Turkey and Bulgaria. They also are the tools of Germany. But they are mere tools and do not yet stand in the direct path of our necessary action. We shall go wherever the necessities of this war carry us, but it seems to me that we should go only where immediate and practical considerations lead us and not heed any others.

The financial and military measures which must be adopted will suggest themselves as the war and its undertakings develop, but I will take the liberty of proposing to you certain other acts of legislation which seem to me to be needed for the support of the war and for the release of our whole force and energy.

It will be necessary to extend in certain particulars the legislation of the last session with regard to alien enemies; and also necessary, I believe, to create a very definite and particular control over the entrance and departure of all persons into and from the United States.

Legislation should be enacted defining as a criminal offense every wilful violation of the presidential proclamations relating to alien enemies promulgated under section 4067 of the Revised Statutes and providing appropriate punishments; and women as well as men should be included under the terms of the acts placing restraints upon alien enemies. It is likely that as time goes on many alien enemies will be willing to be fed and housed at the expense of the Government in the detention camps and it would be the purpose of the legislation I have suggested to confine offenders among them in penitentiaries and other similar institutions where they could be made to work as other criminals do.

Recent experience has convinced me that the Congress must go further in authorizing the Government to set limits to prices. The law of supply and demand, I am sorry to say, has been replaced by the law of unrestrained selfishness. While we have eliminated profiteering in several branches of industry it still runs impudently rampant in others. The farmers, for example, complain with a great deal of justice that, while the regulation of food prices restricts their incomes, no restraints are placed upon the prices of most of the things they must themselves purchase; and similar inequities obtain on all sides.

It is imperatively necessary that the consideration of the full use of the water power of the country and also the consideration of the systematic and yet economical development of such of the natural resources of the country as are still under the control of the federal government should be immediately resumed and affirmatively and constructively dealt with at the earliest possible moment. The pressing need of such legislation is daily becoming more obvious.

The legislation proposed at the last session with regard to regulated combinations among our exporters, in order to provide for our foreign trade a more effective organization and method of cooperation, ought by all means to be completed at this session.

And I beg that the members of the House of Representatives will permit me to express the opinion that it will be impossible to deal in any but a very wasteful and extravagant fashion with the enormous appropriations of the public moneys which must continue to be made, if the war is to be properly sustained, unless the House will consent to return to its former practice of initiating and preparing all appropriation bills through a single committee, in order that responsibility may be centred, expenditures standardized and made uniform, and waste and duplication as much as possible avoided.

Additional legislation may also become necessary before the present Congress again adjourns in order to effect the most efficient coordination and operation of the railway and other transportation systems of the country; but to that I shall, if circumstances should demand, call the attention of the Congress upon another occasion.

If I have overlooked anything that ought to be done for the more effective conduct of the war, your own counsels will supply the omission. What I am perfectly clear about is that in the present session of the Congress our whole attention and energy should be concentrated on the vigorous, rapid, and successful prosecution of the great task of winning the war.

We can do this with all the greater zeal and enthusiasm because we know that for us this is a war of high principle, debased by no selfish ambition of conquest or spoliation; because we know, and all the world knows, that we have been forced into it to save the very institutions we live under from corruption and destruction. The purposes of the Central Powers strike straight at the very heart of everything we believe in; their methods of warfare outrage every principle of humanity and of knightly honour; their intrigue has corrupted the very thought and spirit of many of our people; their sinister and secret diplomacy has sought to take our very territory away from us and disrupt the Union of the States. Our safety would be at an end, our honour forever sullied and brought into contempt were we to permit their triumph. They are striking at the very existence of democracy and liberty.

It is because it is for us a war of high, disinterested purpose, in which all the free peoples of the world are banded together for the vindication of right, a war for the preservation of our nation and of all that it has held dear of principle and of pur-

pose, that we feel ourselves doubly constrained to propose for its outcome only that which is righteous and of irreproachable intention, for our foes as well as for our friends. The cause being just and holy, the settlement must be of like motive and quality. For this we can fight, but for nothing less noble or less worthy of our traditions. For this cause we entered the war and for this cause will we battle until the last gun is fired.

I have spoken plainly because this seems to me the time when it is most necessary to speak plainly, in order that all the world may know that even in the heat and ardour of the struggle and when our whole thought is of carrying the war through to its end we have not forgotten any ideal or principle for which the name of America has been held in honour among the nations and for which it has been our glory to contend in the great generations that went before us. A supreme moment of history has come. The eyes of the people have been opened and they see. The hand of God is laid upon the nations. He will show them favour, I devoutly believe, only if they rise to the clear heights of His own justice and mercy.

ADJOURNMENT UNTIL FRIDAY.

Mr. MARTIN. I move that the Senate adjourn until noon on Friday.

Mr. POMERENE. Will the Senator from Virginia withhold his motion for just a moment?

Mr. MARTIN. I will do so.

Mr. POMERENE. As Senators are aware, Senate bill 634, the so-called export bill, has been made the unfinished business. I should like to have gone on with it to-day, but at least one of the Senators has said to me that he desires to address the Senate on the subject. I shall ask on Friday, if there is nothing of more importance before us, that the Senate shall proceed with the bill after the morning business has been completed.

Mr. MARTIN. I renew my motion that the Senate adjourn until noon on Friday.

The motion was agreed to; and (at 1 o'clock and 15 minutes p. m.) the Senate adjourned until Friday, December 7, 1917, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 4, 1917.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

By Thy grace, O God, our Heavenly Father, we live, conceive, resolve, and aspire. Make us susceptible to the push from within and the pull from without, which are ever leading us onward and upward to larger life, clearer vision, higher resolves, nobler aspirations and achievements. We thank Thee for the beautiful world in which Thou hast placed us, for the homes we live in, for the Government of which we are integral parts, with all its sacred institutions and ever-widening opportunities. We thank Thee that our Republic is in no way responsible for the terrible war now raging. We are in it not by choice, but because we are forced to defend our rights, protect our lives, homes, and all that is dear to our hearts. Hasten the day, we beseech Thee, when peace, not war; hope, not despair; good will, not revenge; love, not hate, shall reign supreme in all the earth, in the Spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 28.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 4th day of December, 1917, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

LEAVE OF ABSENCE.

The SPEAKER. The Chair lays before the House the following personal request.

The Clerk read as follows:

Present engagements require my stay in Europe a little longer. Request continued leave of absence.

LAGUARDIA,
Fourteenth New York.

The SPEAKER. Without objection, the request is granted.

There was no objection.

Mr. BROWNING. Mr. Speaker, I ask indefinite leave of absence for my colleague [Mr. CAPSTICK] on account of illness.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Members will remember that these three front rows of seats are reserved for the Senate and the diplomatic representatives of foreign countries and this section over here in the corner.

RECESS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the House stand in recess until 12.20.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that the House stand in recess until 12.20. Is there objection? [After a pause.] The Chair hears none.

Accordingly (at 12 o'clock and 7 minutes p. m.) the House stood in recess until 12.20 p. m. At the expiration of the recess the House resumed its session and was called to order by the Speaker.

JOINT MEETING OF THE SENATE AND HOUSE.

At 12 o'clock and 25 minutes p. m. the Doorkeeper, J. J. Sinnott, announced the Vice President of the United States and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the Vice President and by their Secretary and Sergeant at Arms, entered the Chamber.

The Vice President took the chair at the right of the Speaker and the Members of the Senate took the seats reserved for them.

The SPEAKER. On the part of the House, the Chair appoints Messrs. KITCHIN, FITZGERALD, FLOOD, GILLETT, and COOPER of Wisconsin as a committee to wait on the President and conduct him into the Hall.

The VICE PRESIDENT. On the part of the Senate, the Chair appoints Senators MARTIN, SAULSBURY, HITCHCOCK, GALLINGER, and PENROSE.

At 12 o'clock and 30 minutes p. m. the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House and stood at the Clerk's desk, amid prolonged applause.

The SPEAKER. Gentlemen of the Sixty-fifth Congress, I present the President of the United States. [Applause.]

ADDRESS OF THE PRESIDENT (H. DOC. NO. 468).

The PRESIDENT. Mr. Speaker, Mr. President, and gentlemen of the Congress, eight months have elapsed since I last had the honour of addressing you. They have been months crowded with events of immense and grave significance for us. I shall not undertake to retail or even to summarize those events. The practical particulars of the part we have played in them will be laid before you in the reports of the Executive Departments. I shall discuss only our present outlook upon these vast affairs, our present duties, and the immediate means of accomplishing the objects we shall hold always in view.

I shall not go back to debate the causes of the war. The intolerable wrongs done and planned against us by the sinister masters of Germany have long since become too grossly obvious and odious to every true American to need to be rehearsed. But I shall ask you to consider again and with a very grave scrutiny our objectives and the measures by which we mean to attain them; for the purpose of discussion here in this place is action, and our action must move straight towards definite ends. Our object is, of course, to win the war; and we shall not slacken or suffer ourselves to be diverted until it is won. [Applause.] But it is worth while asking and answering the question, When shall we consider the war won?

From one point of view it is not necessary to broach this fundamental matter. I do not doubt that the American people know what the war is about and what sort of an outcome they will regard as a realization of their purpose in it. As a nation we are united in spirit and intention. I pay little heed to those who tell me otherwise. I hear the voices of dissent,—who does not? I hear the criticism and the clamour of the noisily thoughtless and troublesome. [Applause.] I also see men here and there fling themselves in impotent disloyalty against the calm, indomitable power of the nation. I hear men debate peace who understand neither its nature nor the way in which we may attain it with uplifted eyes and unbroken spirits. But I know that none of these speaks for the nation. They do not touch the heart of anything. They may safely be left to strut their uneasy hour and be forgotten. [Applause.]

But from another point of view I believe that it is necessary to say plainly what we here at the seat of action consider the war to be for and what part we mean to play in the settlement of its searching issues. We are the spokesmen of the American people and they have a right to know whether their purpose is

ours. They desire peace by the overcoming of evil, by the defeat once for all of the sinister forces that interrupt peace and render it impossible, and they wish to know how closely our thought runs with theirs and what action we propose. They are impatient with those who desire peace by any sort of compromise,—deeply and indignantly impatient,—but they will be equally impatient with us if we do not make it plain to them what our objectives are and what we are planning for in seeking to make conquest of peace by arms.

I believe that I speak for them when I say two things: First, that this intolerable Thing of which the masters of Germany have shown us the ugly face, this menace of combined intrigue and force which we now see so clearly as the German power, a Thing without conscience or honour or capacity for covenanted peace, must be crushed [applause] and, if it be not utterly brought to an end, at least shut out from the friendly intercourse of the nations; and, second, that when this Thing and its power are indeed defeated and the time comes that we can discuss peace,—when the German people have spokesmen whose word we can believe and when those spokesmen are ready in the name of their people to accept the common judgment of the nations as to what shall henceforth be the bases of law and of covenant for the life of the world [applause]—we shall be willing and glad to pay the full price for peace, and pay it ungrudgingly. We know what that price will be. It will be full, impartial justice,—justice done at every point and to every nation that the final settlement must affect, our enemies as well as our friends. [Applause.]

You catch, with me, the voices of humanity that are in the air. They grow daily more audible, more articulate, more persuasive, and they come from the hearts of men everywhere. They insist that the war shall not end in vindictive action of any kind [applause]; that no nation or people shall be robbed or punished because the irresponsible rulers of a single country have themselves done deep and abominable wrong. [Applause.] It is this thought that has been expressed in the formula "No annexations, no contributions, no punitive indemnities." Just because this crude formula expresses the instinctive judgment as to right of plain men everywhere it has been made diligent use of by the masters of German intrigue to lead the people of Russia astray—and the people of every other country their agents could reach, in order that a premature peace might be brought about before autocracy has been taught its final and convincing lesson, and the people of the world put in control of their own destinies.

But the fact that a wrong use has been made of a just idea is no reason why a right use should not be made of it. It ought to be brought under the patronage of its real friends. Let it be said again that autocracy must first be shown the utter futility of its claims to power or leadership in the modern world. It is impossible to apply any standard of justice so long as such forces are unchecked and undefeated as the present masters of Germany command. Not until that has been done can Right be set up as arbiter and peace-maker among the nations. But when that has been done,—as, God willing, it assuredly will be,—we shall at last be free to do an unprecedented thing, and this is the time to avow our purpose to do it. [Applause.] We shall be free to base peace on generosity and justice, to the exclusion of all selfish claims to advantage even on the part of the victors. [Applause.]

Let there be no misunderstanding. Our present and immediate task is to win the war, and nothing shall turn us aside from it until it is accomplished. Every power and resource we possess, whether of men, of money, or of materials, is being devoted and will continue to be devoted to that purpose until it is achieved. Those who desire to bring peace about before that purpose is achieved I counsel to carry their advice elsewhere. [Applause.] We will not entertain it. We shall regard the war as won only when the German people say to us, through properly accredited representatives, that they are ready to agree to a settlement based upon justice and the reparation of the wrongs their rulers have done. [Applause.] They have done a wrong to Belgium which must be repaired. They have established a power over other lands and peoples than their own,—over the great Empire of Austria-Hungary, over hitherto free Balkan states, over Turkey, and within Asia,—which must be relinquished. [Applause.]

Germany's success by skill, by industry, by knowledge, by enterprise we did not grudge or oppose, but admired, rather. She had built up for herself a real empire of trade and influence, secured by the peace of the world. We were content to abide the rivalries of manufacture, science, and commerce that were involved for us in her success and stand or fall as we had or did not have the brains and the initiative to surpass her. But at the moment when she had conspicuously won her triumphs of peace she threw them away, to establish in their stead what the world will no longer permit to be established, military and political domination by arms, by which to oust where she could not excel the rivals she most feared and hated. The peace we make must remedy that wrong. It must deliver the once fair lands and happy peoples of Belgium and northern France [applause] from the Prussian conquest and the Prussian menace, but it must also deliver the peoples of Austria-Hungary, the peoples of the Balkans, and the peoples of Turkey, alike in Europe and in Asia, from the impudent and alien domination of the Prussian military and commercial autocracy. [Applause.]

We owe it, however, to ourselves to say that we do not wish in any way to impair or to rearrange the Austro-Hungarian Empire. It is no affair of ours what they do with their own life, either industrially or politically. We do not purpose or desire to dictate to them in any way. We only desire to see that their affairs are left in their own hands, in all matters, great or small. We shall hope to secure for the peoples of the Balkan peninsula and for the people of the Turkish Empire the right and opportunity to make their own lives safe, their own fortunes secure against oppression or injustice and from the dictation of foreign courts or parties.

And our attitude and purpose with regard to Germany herself are of a like kind. We intend no wrong against the German Empire, no interference with her internal affairs. We should deem either the one or the other absolutely unjustifiable, absolutely contrary to the principles we have professed to live by and to hold most sacred throughout our life as a nation.

The people of Germany are being told by the men whom they now permit to deceive them and to act as their masters that they are fighting for the very life and existence of their Empire, a war of desperate self-defense against deliberate aggression. Nothing could be more grossly or wantonly false, and we must seek by the utmost openness and candour as to our real aims to convince them of its falseness. We are in fact fighting for their emancipation from fear, along with our own,—from the fear as well as from the fact of unjust attack by neighbours or rivals or schemers after world empire. No one is threatening the existence or the independence or the peaceful enterprise of the German Empire.

The worst that can happen to the detriment of the German people is this, that if they should still, after the war is over, continue to be obliged to live under ambitious and intriguing masters interested to disturb the peace of the world, men or classes of men whom the other peoples of the world could not trust, it might be impossible to admit them to the partnership of nations which must henceforth guarantee the world's peace. [Applause.] That partnership must be a partnership of peoples, not a mere partnership of governments. It might be impossible, also, in such untoward circumstances, to admit Germany to the free economic intercourse which must inevitably spring out of the other partnerships of a real peace. But there would be no aggression in that; and such a situation, inevitable because of distrust, would in the very nature of things sooner or later cure itself, by processes which would assuredly set in.

The wrongs, the very deep wrongs, committed in this war will have to be righted. That of course. But they cannot and must not be righted by the commission of similar wrongs against Germany and her allies. The world will not permit the commission of similar wrongs as a means of reparation and settlement. Statesmen must by this time have learned that the opinion of the world is everywhere wide awake and fully comprehends the issues involved. No representative of any self-governed nation will dare disregard it by attempting any such covenants of selfishness and compromise as were entered into at the Congress of Vienna. The thought of the plain people here and everywhere throughout the world, the people who enjoy no privilege and have very simple and unsophisticated standards of right and wrong, is the air all governments must henceforth breathe if they would live. It is in the full disclosing light of that thought that all policies must be conceived and executed in this midday hour of the world's life. German rulers have been able to upset the peace of the world only because the German people were not suffered under their tutelage to share the comradeship of the other peoples of the world either in thought or in purpose. They were allowed to have no opinion of their own which might be set up as a rule of conduct for those who exercised authority over them. But the congress that concludes this war will feel the full strength of the tides that run now in the hearts and consciences of free men everywhere. Its conclusions will run with those tides.

All these things have been true from the very beginning of this stupendous war; and I can not help thinking that if they had been made plain at the very outset the sympathy and enthusiasm of the Russian people might have been once for all

enlisted on the side of the Allies, suspicion and distrust swept away, and a real and lasting union of purpose effected. Had they believed these things at the very moment of their revolution and had they been confirmed in that belief since, the sad reverses which have recently marked the progress of their affairs towards an ordered and stable government of free men might have been avoided. The Russian people have been poisoned by the very same falsehoods that have kept the German people in the dark, and the poison has been administered by the very same hands. The only possible antidote is the truth. It can not be uttered too plainly or too often.

From every point of view, therefore, it has seemed to be my duty to speak these declarations of purpose, to add these specific interpretations to what I took the liberty of saying to the Senate in January. Our entrance into the war has not altered our attitude towards the settlement that must come when it is over. When I said in January that the nations of the world were entitled not only to free pathways upon the sea but also to assured and unmolested access to those pathways I was thinking, and I am thinking now, not of the smaller and weaker nations alone, which need our countenance and support, but also of the great and powerful nations, and of our present enemies as well as our present associates in the war. I was thinking, and am thinking now, of Austria herself, among the rest, as well as of Serbia and of Poland. Justice and equality of rights can be had only at a great price. We are seeking permanent, not temporary, foundations for the peace of the world and must seek them candidly and fearlessly. As always, the right will prove to be the expedient.

What shall we do, then, to push this great war of freedom and justice to its righteous conclusion? We must clear away with a thorough hand all impediments to success and we must make every adjustment of law that will facilitate the full and free use of our whole capacity and force as a fighting unit.

One very embarrassing obstacle that stands in our way is that we are at war with Germany but not with her allies. I therefore very earnestly recommend that the Congress immediately declare the United States in a state of war with Austria-Hungary. [Applause.] Does it seem strange to you that this should be the conclusion of the argument I have just addressed to you? It is not. It is in fact the inevitable logic of what I have said. Austria-Hungary is for the time being not her own mistress but simply the vassal of the German Government. [Applause.] We must face the facts as they are and act upon them without sentiment in this stern business. The government of Austria-Hungary is not acting upon its own initiative or in response to the wishes and feelings of its own peoples but as the instrument of another nation. We must meet its force with our own and regard the Central Powers as but one. The war can be successfully conducted in no other way. The same logic would lead also to a declaration of war against Turkey and Bulgaria. [Applause.] They also are the tools of Germany. But they are mere tools and do not yet stand in the direct path of our necessary action. We shall go wherever the necessities of this war carry us, but it seems to me that we should go only where immediate and practical considerations lead us and not heed any others.

The financial and military measures which must be adopted will suggest themselves as the war and its undertakings develop, but I will take the liberty of proposing to you certain other acts of legislation which seem to me to be needed for the support of the war and for the release of our whole force and energy.

It will be necessary to extend in certain particulars the legislation of the last session with regard to alien enemies; and also necessary, I believe, to create a very definite and particular control over the entrance and departure of all persons into and from the United States. [Applause.]

Legislation should be enacted defining as a criminal offense every wilful violation of the presidential proclamations relating to alien enemies promulgated under section 4067 of the Revised Statutes and providing appropriate punishments; and women as well as men should be included under the terms of the acts placing restraints upon alien enemies. [Applause.] It is likely that as time goes on many alien enemies will be willing to be fed and housed at the expense of the Government in the detention camps and it would be the purpose of the legislation I have suggested to confine offenders among them in penitentiaries and other similar institutions where they could be made to work as other criminals do. [Applause.]

Recent experience has convinced me that the Congress must go further in authorizing the Government to set limits to prices. The law of supply and demand, I am sorry to say, has been replaced by the law of unrestrained selfishness. While we have eliminated profiteering in several branches of industry it still runs impudently rampant in others. The farmers, for example, complain with a great deal of justice that, while the regulation of food prices restricts their incomes, no restraints are placed upon the prices of most of the things they must themselves purchase; and similar inequities obtain on all sides.

It is imperatively necessary that the consideration of the full use of the water power of the country and also the consideration of the systematic and yet economical development of such of the natural resources of the country as are still under the control of the federal government should be immediately resumed and affirmatively and constructively dealt with at the earliest possible moment. The pressing need of such legislation is daily becoming more obvious.

The legislation proposed at the last session with regard to regulated combinations among our exporters, in order to provide for our foreign trade a more effective organization and method of cooperation, ought by all means to be completed at this session.

And I beg that the members of the House of Representatives will permit me to express the opinion that it will be impossible to deal in any but a very wasteful and extravagant fashion with the enormous appropriations of the public moneys which must continue to be made, if the war is to be properly sustained, unless the House will consent to return to its former practice of initiating and preparing all appropriation bills through a single committee, in order that responsibility may be centred, expenditures standardized and made uniform, and waste and duplication as much as possible avoided. [Applause.]

Additional legislation may also become necessary before the present Congress again adjourns in order to effect the most efficient coordination and operation of the railway and other transportation systems of the country; but to that I shall, if circumstances should demand, call the attention of the Congress upon another occasion.

If I have overlooked anything that ought to be done for the more effective conduct of the war, your own counsels will supply the omission. What I am perfectly clear about is that in the present session of the Congress our whole attention and energy should be concentrated on the vigorous, rapid, and successful prosecution of the great task of winning the war. [Applause.]

We can do this with all the greater zeal and enthusiasm because we know that for us this is a war of high principle, debased by no selfish ambition of conquest or spoliation; because we know, and all the world knows, that we have been forced into it to save the very institutions we live under from corruption and destruction. The purposes of the Central Powers strike straight at the very heart of everything we believe in; their methods of warfare outrage every principle of humanity and of knightly honour; their intrigue has corrupted the very thought and spirit of many of our people; their sinister and secret diplomacy has sought to take our very territory away from us and disrupt the Union of the States. Our safety would be at an end, our honour forever sullied and brought into contempt were we to permit their triumph. They are striking at the very existence of democracy and liberty.

It is because it is for us a war of high, disinterested purpose, in which all the free peoples of the world are banded together for the vindication of right, a war for the preservation of our nation and of all that it has held dear of principle and of purpose, that we feel ourselves doubly constrained to propose for its outcome only that which is righteous and of irreproachable intention, for our foes as well as for our friends. The cause being just and holy, the settlement must be of like motive and quality. For this we can fight, but for nothing less noble or less worthy of our traditions. For this cause we entered the war and for this cause will we battle until the last gun is fired. [Applause.]

I have spoken plainly because this seems to me the time when it is most necessary to speak plainly, in order that all the world may know that even in the heat and ardour of the struggle and when our whole thought is of carrying the war through to its end we have not forgotten any ideal or principle for which the name of America has been held in honour among the nations and for which it has been our glory to contend in the great generations that went before us. A supreme moment of history has come. The eyes of the people have been opened and they see. The hand of God is laid upon the nations. He will show them favour, I devoutly believe, only if they rise to the clear heights of His own justice and mercy. [Prolonged applause.]

At 1 o'clock and 4 minutes p. m. the President retired from the Hall of the House.

At 1 o'clock and 5 minutes p. m. the Speaker announced that the joint session was dissolved.

Thereupon the Vice President and Members of the Senate returned to their Chamber.

REFERENCE OF PRESIDENT'S ADDRESS.

The SPEAKER. The message the President has just read is referred to the Committee of the Whole House on the state of the Union, and will be distributed immediately to the Members by the pages.

LEAVES OF ABSENCE.

By unanimous consent, leaves of absence were granted as follows:

To Mr. BURROUGHS (at the request of Mr. WASON), for three days, on account of official business;

To Mr. SEARS (at the request of Mr. CLARK of Florida), until next Monday, on account of death in family; and

To Mr. YOUNG of Texas, for one week, on account of illness in his family.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 10 minutes p. m.) the House adjourned until Wednesday, December 5, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Agriculture, transmitting detailed statement showing the places, quantity, and price of seeds purchased, and the dates of purchase, as required by the act of August 11, 1916 (H. Doc. No. 469); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

2. A letter from the Secretary of Agriculture, transmitting a statement showing for the fiscal year 1917 the motor-propelled and horse-drawn vehicles and motor boats purchased by the Department of Agriculture (H. Doc. No. 470); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

3. A letter from the Secretary of Agriculture, transmitting a statement showing the sums paid from the funds allotted to the Bureau of Chemistry for the compensation of, or payment of expenses to, officers or other persons employed by any State, county, or municipal governments during the fiscal year 1917 (H. Doc. No. 471); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

4. A letter from the Secretary of the Interior, transmitting report of the Secretary's office, the Solicitor's office, and the various bureaus and offices of the department (H. Doc. No. 472); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of Agriculture, transmitting report of contributions on account of cooperative work with the Forest Service and the amount refunded to depositors on account of excess deposits national forest fund for the fiscal year 1917 (H. Doc. No. 473); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Librarian of Congress, transmitting a statement showing in detail what officers or employees of the Library of Congress have traveled on official business from Washington to points outside the District of Columbia during the fiscal year 1917 (H. Doc. No. 474); to the Committee on Appropriations and ordered to be printed.

7. A letter from the superintendent of Library buildings and grounds, Library of Congress, transmitting information relative to travel from Washington, D. C., in connection with official business of this office during the fiscal year 1917 (H. Doc. No. 475); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of Agriculture, transmitting a statement showing the exchange of typewriters, adding machines, and other similar labor-saving devices in the Department of Agriculture for the fiscal year 1917 (H. Doc. No. 476); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

9. A letter from the Librarian of Congress, transmitting a statement giving the number of persons, the grades or character of positions, the original rates of compensation, and increased rates of compensation provided for therein (H. Doc. No. 477); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Secretary of Agriculture, transmitting a detailed statement of the manner in which the appropriation, "Miscellaneous expenses, Department of Agriculture, 1917," has been expended (H. Doc. No. 478); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

11. A letter from the Assistant Secretary of Labor, transmitting a statement of the travel performed during the fiscal year ended June 30, 1917, by officers and employees of the Department of Labor (H. Doc. No. 479); to the Committee on Expenditures in the Department of Labor and ordered to be printed.

12. A letter from the Assistant Secretary of Labor, transmitting detailed statement of expenditures from the appropriations, "Contingent expenses, Department of Labor, 1917" (H. Doc. No. 480); to the Committee on Expenditures in the Department of Labor and ordered to be printed.

13. A letter from the Assistant Secretary of Labor, transmitting statement in relation to increased rates of compensation of employees of the Department of Labor, required by section 7 of act approved March 3, 1917, and section 2 of the act approved June 12, 1917 (H. Doc. No. 481); to the Committee on Appropriations and ordered to be printed.

14. A letter from the Secretary of Agriculture, transmitting a statement showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation carried on the various rolls of the bureaus and offices of this department on September 30, 1917 (H. Doc. No. 482); to the Committee on Agriculture and ordered to be printed.

15. A letter from the superintendent of Library buildings and grounds, Library of Congress, transmitting information regarding purchases of typewriting and other labor-saving machines, and exchanges made in part payment therefor by the Library of Congress during the fiscal year 1917 (H. Doc. No. 483); to the Committee on Appropriations and ordered to be printed.

16. A letter from the Librarian of Congress, transmitting statement regarding increased compensation paid employees under "Library buildings and grounds" (H. Doc. No. 484); to the Committee on Appropriations and ordered to be printed.

17. A letter from the Secretary of Agriculture, transmitting a statement showing the names of all persons employed in the Bureau of Animal Industry during the fiscal year ended June 30, 1917, except those whose salaries were paid exclusively from the meat-inspection appropriation (H. Doc. No. 485); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

18. A letter from the Secretary of Agriculture, transmitting a detailed statement of expenditures of the Department of Agriculture for the fiscal year ended June 30, 1917 (H. Doc. No. 486); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

19. A letter from the Secretary of Agriculture, transmitting a detailed report showing the publications received and distributed by this department during the fiscal year ended June 30, 1917 (H. Doc. No. 487); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

20. A letter from the Secretary of the Treasury, transmitting report showing each exchange of typewriters, adding machines, and other similar labor-saving devices during the fiscal year ended June 30, 1917 (H. Doc. No. 488); to the Committee on Appropriations and ordered to be printed.

21. A letter from the Postmaster General submitting the annual report of the operations of the Postal Savings System for the fiscal year ended June 30, 1917 (H. Doc. No. 489); to the Committee on the Post Office and Post Roads and ordered to be printed.

22. A letter from the Secretary of Agriculture, transmitting statement regarding disposition of paper not needed or useful in the transaction of the current business of that department (H. Doc. No. 490); to the Committee on Agriculture and ordered to be printed.

23. A letter from the commissioner of the Freedman's Savings & Trust Co., Washington, D. C., transmitting annual report of the commissioner (ex officio) of the Freedmen's Savings & Trust Co. for the year ended December 1, 1917 (H. Doc. No. 491); to the Committee on the District of Columbia and ordered to be printed.

24. A letter from the Secretary of Agriculture, transmitting a report of the disbursements for the fiscal year ended June 30, 1916, under acts to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and mechanic arts (H. Doc. No. 492); to the Committee on Agriculture and ordered to be printed.

25. A letter from the Secretary of the Treasury, transmitting copy of a communication from the superintendent of the State, War, and Navy Department building, submitting a supplemental estimate required for the maintenance, policing, etc., of the temporary office building for the War and Navy Departments now in course of construction in Henry Park for the period from

December 15, 1917, to June 30, 1918 (H. Doc. No. 493); to the Committee on Appropriations and ordered to be printed.

26. A letter from the Secretary of the Treasury, transmitting copy of a communication from the President of the Columbia Institution for the Deaf, submitting a supplemental estimate required by the institution for the fiscal year 1918 (H. Doc. No. 494); to the Committee on Appropriations and ordered to be printed.

27. A letter from the Secretary of the Treasury, transmitting detailed report of the expenditures under the appropriation "Preventing the spread of epidemic diseases" for the fiscal year ending June 30, 1917 (H. Doc. No. 495); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

28. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War of October 22, 1917, furnishing statements of all moneys arising from proceeds of public property received by the War Department during the fiscal year ended June 30, 1917, which were not covered into the Treasury of the United States; also of payments made from such funds during the year (H. Doc. No. 496); to the Committee on Expenditures in the War Department and ordered to be printed.

29. A letter from the Secretary of the Treasury, transmitting a supplementary estimate of appropriation required by the Bureau of War-Risk Insurance for the fiscal year 1918 (H. Doc. No. 497); to the Committee on Appropriations and ordered to be printed.

30. A letter from the Secretary of the Treasury, transmitting a statement of the number of persons employed in meat inspection, the salary or per diem paid to each, where they have been or are employed, together with contingent expenses, for the period beginning July 1, 1916, and ending June 30, 1917 (H. Doc. No. 498); to the Committte on Expenditures in the Department of Agriculture and ordered to be printed.

31. A letter from the Secretary of War, transmitting 1,244 reports of inspections of disbursements and transfers by officers of the Army received in the office of the Inspector General during the past fiscal year; to the Committee on Expenditures in the War Department.

32. A letter from the Secretary of the Treasury, transmitting estimates of receipts of Indian tribal funds, expenditures recommended therefrom by the Secretary of the Interior for the benefit of Indians, and estimates of amounts required to be expended under treaty stipulations and agreements for the fiscal year ending June 30, 1919 (H. Doc. 499); to the Committee on Indian Affairs and ordered to be printed.

33. A letter from the Secretary of Agriculture, transmitting statement showing in detail the travel from Washington to points outside of the District of Columbia performed by officers and employees of the Department of Agriculture during the fiscal year 1917 (H. Doc. No. 500); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LOBECK, from the Committee on Expenditures in the Treasury Department, to which was referred the bill (H. R. 344) for the regulation of salaries in the custodian service of the Treasury Department, reported the same without amendment, accompanied by a report (No. 202), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 4132) granting a pension to Sarah E. Thacker; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2477) granting a pension to Charles P. Hagely; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 595) granting a pension to George C. Williams; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5572) granting a pension to Edward J. Meacum; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2994) granting an increase of pension to Henry W. Kappes; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 592) granting a pension to Nancy C. Vickrey; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERWOOD: A bill (H. R. 6883) to amend section 1 of an act entitled "An act granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico," approved May 11, 1912; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 6884) to amend sections 10 and 37 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

Also, a bill (H. R. 6885) to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto by the city of St. Louis, within the States of Illinois and Missouri; to the Committee on Interstate and Foreign Commerce.

By Mr. BENJAMIN L. FAIRCHILD: A bill (H. R. 6886) to provide for the entry under bond of exhibits of arts, sciences, and industries; to the Committee on Industrial Arts and Expositions.

By Mr. SNELL: A bill (H. R. 6887) to acquire the manuscript of Charles Chaillé-Long containing an account of the unveiling of the McClellan statue; to the Committee on the Library.

By Mr. CARTER of Massachusetts: A bill (H. R. 6888) to exempt officers and enlisted men of the military and naval forces of the United States from payment of the war tax on railroad tickets; to the Committee on Ways and Means.

Also, a bill (H. R. 6889) to amend an act entitled "An act to increase the revenue, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. KING: A bill (H. R. 6890) providing for the extension of the post office at Galesburg, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Ohio: A bill (H. R. 6891) to provide for the erection of a public building in the city of Niles, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. WOODYARD: A bill (H. R. 6892) to amend and reenact an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912; to the Committee on Invalid Pensions.

By Mr. McKEOWN: A bill (H. R. 6893) providing for the housing of Government employees in the District of Columbia; to the Committee on Public Buildings and Grounds.

By Mr. SWITZER: A bill (H. R. 6894) to increase the rates of pensions of Civil War soldiers; to the Committee on Invalid Pensions.

By Mr. WALDOW: Resolution (H. Res. 186) to print 500,000 copies of the address of President Wilson to the American Federation of Labor Convention at Buffalo, N. Y., November 12, 1917; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALMON: A bill (H. R. 6895) granting a pension to Hugh G. Smelcer; to the Committee on Pensions.

Also, a bill (H. R. 6896) granting a pension to Mary Lee Jeter; to the Committee on Pensions.

By Mr. BACHARACH: A bill (H. R. 6897) granting a pension to George W. Hyland; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 6898) granting an increase of pension to Elijah C. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6899) granting an increase of pension to William J. Marsh; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 6900) granting a pension to Mary Igler; to the Committee on Pensions.

Also, a bill (H. R. 6901) granting a pension to Jackson W. Bankston; to the Committee on Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 6902) granting a pension to Rosa B. Sutherlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6903) to correct the military record of Daniel D. May; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 6904) granting a pension to Effie C. Stout; to the Committee on Invalid Pensions.

By Mr. COOPER of Ohio: A bill (H. R. 6905) granting a pension to Lottie Kyle; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 6906) granting a pension to Frederick A. Ebling; to the Committee on Pensions.

Also, a bill (H. R. 6907) granting a pension to James Roberts; to the Committee on Pensions.

Also, a bill (H. R. 6908) granting a pension to Laura D. Caldwell; to the Committee on Pensions.

Also, a bill (H. R. 6909) granting a pension to Benjamin F. Phipps; to the Committee on Pensions.

By Mr. DOWELL: A bill (H. R. 6910) granting an increase of pension to Mary Cavanagh; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 6911) granting an increase of pension to Lewis B. Rex; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 6912) granting an increase of pension to John Getz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6913) for the relief of Katie Pennock; to the Committee on Military Affairs.

By Mr. HUTCHINSON: A bill (H. R. 6914) for the relief of James E. Van Horne; to the Committee on Claims.

By Mr. JOHNSON of Washington: A bill (H. R. 6915) granting a pension to Mattie Kate Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6916) granting an increase of pension to Cornelius C. Wing; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 6917) granting a pension to Anna Jacobs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6918) granting a pension to Lilly Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6919) granting an increase of pension to Timothy Hixson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6920) granting an increase of pension to Joseph L. Shields; to the Committee on Pensions.

Also, a bill (H. R. 6921) granting an increase of pension to Irving A. Hubbard; to the Committee on Pensions.

By Mr. KELLY of Pennsylvania: A bill (H. R. 6922) granting an increase of pension to Maria Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6923) for the relief of Catharine A. McCue; to the Committee on Claims.

By Mr. KETTNER: A bill (H. R. 6924) granting an increase of pension to Mary Dunning; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6925) granting an increase of pension to Mary Dunning; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6926) for the relief of John Sachs; to the Committee on Military Affairs.

By Mr. LEE of Georgia: A bill (H. R. 6927) granting a pension to Carrall A. Cantrell; to the Committee on Pensions.

Also, a bill (H. R. 6928) granting an increase of pension to Randolph Snell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6929) granting an increase of pension to Laura G. Hight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6930) granting an increase of pension to Martha Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6931) granting an increase of pension to Susan E. Bell; to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 6932) granting a pension to Mutell M. Railey; to the Committee on Pensions.

By Mr. McFADDEN: A bill (H. R. 6933) granting an increase of pension to Joseph Ochs; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 6934) granting an increase of pension to Nathaniel Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6935) granting an increase of pension to James H. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6936) granting an increase of pension to Joseph P. Case; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6937) granting an increase of pension to John W. Wilkerson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6938) granting an increase of pension to James H. Fontaine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6939) granting an increase of pension to Franklin Venable; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6940) granting an increase of pension to William M. Spann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6941) granting an increase of pension to Madison Ross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6942) granting an increase of pension to Samuel F. Crump; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6943) granting an increase of pension to William H. Capshaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6944) granting an increase of pension to Daniel Haynes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6945) granting an increase of pension to Thomas Fulkerson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6946) granting an increase of pension to Charles J. Sander; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6947) granting an increase of pension to Malcolm G. Parsons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6948) for the relief of James Grimmitt; to the Committee on Military Affairs.

By Mr. SELLS: A bill (H. R. 6949) granting an increase of pension to Silas Flournoy; to the Committee on Invalid Pensions.

By Mr. SINNOTT: A bill (H. R. 6950) granting a pension to Wesley O. Staver; to the Committee on Pensions.

By Mr. TILSON: A bill (H. R. 6951) granting a pension to Charlotte A. Hopkins; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 6952) granting an increase of pension to Edward Suckow; to the Committee on Pensions.

By Mr. WOODYARD: A bill (H. R. 6953) granting an increase of pension to John L. Mills; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6954) granting a pension to William Coonrod; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause I of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Wyoming, Kansas, Montana, Wisconsin, Indiana, Michigan, New York, North Dakota, Connecticut, Maine, Illinois, Massachusetts, Missouri, Nebraska, New Jersey, Iowa, Pennsylvania, and Ohio, favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

By Mr. BARNHART: Petitions of citizens of Elkhart, St. Joseph, Laporte, Marshall, Fulton, Kosciusko, and Starke Counties, Ind., favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. BRODBECK: Papers to accompany bill for increase of pension of Alexander Klinedinst; to the Committee on Invalid Pensions.

By Mr. BROWNING: Petition of Samuel B. Goff, of Camden, N. J., favoring law to prevent growth and manufacture of tobacco in the United States; to the Committee on Agriculture.

By Mr. DOWELL: Petition of employees of post office, Des Moines, Iowa, relative to increase in pay; to the Committee on the Post Office and Post Roads.

Also, petition of women of Polk County, Iowa, favoring Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. FOCHT: Evidence in support of House bill 5503 for the relief of Levi Mattern; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 5499, for the relief of Benjamin F. Goodman; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 5501, for the relief of William Francis; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 5504, for the relief of Elias C. Minium; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 5500, for the relief of Alex B. Grosh; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: Petition of Albert H. Van Deusen, favoring the volunteer officers' retirement bill; to the Committee on Military Affairs.

Also, memorial of Rockford (Ill.) Chamber of Commerce, favoring bill for universal military training; to the Committee on Military Affairs.

By Mr. GRIEST: Petitions of members of Otterbein United Brethren Church, Lancaster, and members of United Brethren and Methodist Sunday Schools of New Holland, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MADDEN: Petition of members of Men's Club of the Sixth Presbyterian Church, of Chicago, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Illinois, favoring universal military training; to the Committee on Military Affairs.

By Mr. PLATT: Petition of Edward G. Owens and 70 other citizens of Cornwall, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SNELL: Petition of citizens of Ticonderoga, N. Y., an vicinity, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STINESS: Memorial of War Council of Providence, R. I., Chamber of Commerce, favoring declaration of state of

war between United States and Austria, Bulgaria, and Turkey; to the Committee on Foreign Affairs.

By Mr. TOWNER: Petition of post-office clerks and letter carriers of Shenandoah, Iowa, asking increase in pay; to the Committee on the Post Office and Post Roads.

Also, petition of 90 citizens of Bedford and Gravity, Iowa, asking Congress to forbid by legislative action the use of grains in the manufacture of malt or vinous liquors within the United States; to the Committee on the Judiciary.

By Mr. WOODYARD: Memorial of West Virginia State Federation of Women's Clubs, favoring woman suffrage; to the Committee on Woman Suffrage.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 5, 1917.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, help us to worship Thee in spirit and in truth, that we may praise and magnify Thy Holy Name, in thought and deed. For it is written:

"Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful:

"But his delight is in the law of the Lord; and in His law doth he meditate day and night.

"And he shall be like a tree planted by the rivers of water, that bringeth forth his fruit in his season; his leaf also shall not wither; and whatsoever he doeth shall prosper."

May we seek Thy counsels and walk worthy of the vocation whereunto we are called, that our work may be well pleasing in Thy sight, as individuals and as a Nation, in these days which try men's souls; and thus prove ourselves worthy of the dignity Thou hast conferred upon us. In Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

The SPEAKER. The Chair lays before the House the following personal request, which the Clerk will report.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES, U. S.,
Washington, D. C., December 5, 1917.

DEAR MR. SPEAKER: I respectfully request leave of absence for Mr. BROWNE of Wisconsin for one week on account of illness.

Yours,

I. L. LENROOT.

The SPEAKER. Without objection, the request will be granted. There was no objection.

SALE OF WASTE PAPER, ETC.

The SPEAKER laid before the House two letters from the Doorkeeper of the House of Representatives, which were referred to the Committee on Accounts and ordered to be printed, one transmitting a statement of money received from sale of waste paper from December 1, 1916, to December 1, 1917 (H. Doc. No. 502), and the other transmitting an inventory of all property under his charge belonging to the United States (H. Doc. No. 501).

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 5833. An act granting six months' pay to Ida Cottrell Hodgson, widow of Frederick Grady Hodgson, deceased, colonel, United States Army, retired.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday, and the Clerk will call the roster of committees.

The Clerk proceeded to call the roll of committees.

REQUISITION OF SHIPS BY THE GOVERNMENT.

Mr. PADGETT (when the Committee on Naval Affairs was called). Mr. Speaker, there is a bill on the Union Calendar, H. R. 1770, Calendar No. 6, to authorize the President in time of war or national emergency to requisition or take over ships, boats, and other water craft for the use of the Government. That legislation has already been enacted in other bills, and I ask that this bill be stricken from the calendar.

The SPEAKER. Without objection, the bill will lie on the table.

There was no objection.

The SPEAKER. The Clerk will call the next committee.

The Clerk resumed the call of committees.

LEAVES OF ABSENCE BY HOMESTEAD ENTRYMEN.

Mr. FERRIS. (when the Committee on the Public Lands was called). Mr. Speaker, I call up the bill H. R. 4617.

The SPEAKER. Which calendar is it on?

Mr. FERRIS. It is on the Union Calendar; Union Calendar No. 35, page 9.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union for the consideration of the bill, with the gentleman from New York [Mr. FITZGERALD] in the chair.

Thereupon the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. FITZGERALD in the chair.

The CHAIRMAN. The House is in Committee of the Whole House for the consideration of the bill H. R. 4617, which the Clerk will report.

The Clerk read the bill, as follows:

A bill (H. R. 4617) to authorize absence by homestead settlers and entrymen, and for other purposes.

Be it enacted, etc., That during the pendency of the existing war any homestead settler or entryman shall be entitled to a leave of absence from his land for the purpose of performing farm labor, and such absence, while actually engaged in farm labor, shall, upon compliance with the terms of this act, be counted as constructive residence: *Provided*, That each settler or entryman leaving his claim for the purpose herein provided shall file notice thereof in the United States Land Office, and at the expiration of the calendar year file in said land office of the district wherein his claim is situated a written statement, under oath and corroborated by two witnesses, giving the date or dates when he left his claim, date or dates of return thereto, and where and for whom he was engaged in farm labor during such period or periods of absence: *Provided further*, That nothing herein shall excuse any homestead settler or entryman from making improvements or performing the cultivation required by applicable law upon his claim or entry. The Secretary of the Interior is authorized to provide rules and regulations for carrying this act into effect.

Mr. FERRIS. Mr. Chairman, I understand we are to have two hours of debate, one hour on a side.

The CHAIRMAN. The gentleman is recognized for one hour.

Mr. FERRIS. I will use only a few minutes. This bill, Mr. Chairman, was drawn in the Interior Department and dropped in the basket by myself as chairman of the committee at the request of the department. It is desired by them. It is in all things a proper measure. It is also a necessary one.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield before he proceeds?

Mr. FERRIS. Certainly.

Mr. STAFFORD. Will the gentleman kindly indicate what number on the calendar the bill is?

Mr. FERRIS. The calendar number is 35. It will be found on page 9. The bill is H. R. 4617. It is on the Union Calendar.

As I have just stated, Mr. Chairman, this bill was drafted in the Interior Department. It is a little bill affecting absences of homesteaders during this war. It allows them to go out and seek employment. It has a twofold purpose. It helps the homesteader. It helps the nonhomesteader to get help. It increases production. It is all right. It carries no appropriation.

As the favorable report of the Interior Department shows, it is necessary for two reasons. First, it is necessary to help the homesteader out by allowing him to absent himself from his claim and earn something on the outside. It is also necessary to secure labor to look after the crops, for, as everyone knows, labor is very scarce. More than a million able-bodied men have just been carried into the service of the Government for the war.

The report of the department is very clear and very emphatic, and I do not think I could do better than to read it to the House. It is just a paragraph. The letter is from Secretary Lane, under date of May 17, 1917. I read:

DEPARTMENT OF THE INTERIOR,
Washington, May 17, 1917.

MY DEAR MR. FERRIS: I transmit herewith draft of measure designed to aid in the cultivation and harvesting of crops in the public land States during the pending war.

The bill proposes to permit absence of the settler or entryman from his homestead when engaged in farm labor and to credit such periods of absence as residence in meeting the requirements of the homestead laws. This is conditioned on his filing evidence of the number and periods of his absences, and that while so absent he was engaged in farm labor. The bill also requires him to meet the requirements of the homestead law in the cultivation and improvement of his own claim, for it would be of no benefit if he failed to cultivate his own land and spent the time cultivating the land of others.

I believe such legislation as this is timely and desirable, and that if enacted it would help to meet the increasing demand for farm labor.

Cordially, yours,

FRANKLIN K. LANE, *Secretary.*

The letter is addressed to myself as chairman of the committee.

Mr. SHERWOOD. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. Certainly.

Mr. SHERWOOD. The bill as drawn is approved by the Secretary of the Interior?

Mr. FERRIS. Yes. I have just read the favorable report. He drafted the bill.

Mr. SHERWOOD. And it is approved by a unanimous report of the committee?

Mr. FERRIS. Yes; a unanimous report.

Mr. LENROOT. Will the gentleman yield?

Mr. FERRIS. Certainly.

Mr. LENROOT. I should like to ask the gentleman how much leave of absence an entryman is entitled to under the general homestead law?

Mr. FERRIS. On a showing, I think a man can get six months.

Mr. DYER. Will the gentleman yield?

Mr. FERRIS. Certainly.

Mr. DYER. Will the gentleman state what the law is in reference to men in the military or naval service?

Mr. FERRIS. We passed a bill in the last session providing that when a man is actually in the service he is given credit for the time he is in the service exactly as if he were residing on his homestead, and his claim is not subject to be homesteaded or contested by anyone else; so it fixes up the man in the Army service all right. This bill merely proposes to let those not in the war go out and work. This relates only to those homesteaders not in the war. Only lasts during the war. I do not think there can be any objection.

Mr. DYER. The time a man is in the service is credited to him the same as if he was residing on the land.

Mr. FERRIS. Yes.

Mr. LENROOT. But this is not a matter of service in the war.

Mr. FERRIS. Oh, no. The gentleman from Wisconsin did not understand my statement. The gentleman from Missouri was asking me about a bill which we passed in the last session, an entirely different bill.

Mr. TIMBERLAKE. In answering a question as to the leave of absence under the general homestead law the gentleman stated that it was six months. I beg to correct that. It is five months.

Mr. FERRIS. The gentleman would know better than I about that, and I gladly accept his statement. It was an error on my part of one month. I guess I was thinking of the six months' period to get on the land at the initiation of the homestead. I thank the gentleman.

Mr. DOWELL. Under this bill it is necessary for a man at the expiration of his leave of absence to return and serve out the rest of his time on his land under the law.

Mr. FERRIS. Oh, precisely; and to carry on the cultivation that is required of him. I do not think it is such a tremendously important bill, but there is a great clamor in the West for farm labor, and the Secretary of the Interior thought this bill would accomplish two things: First, that it would allow a homesteader to get out and earn a little money for himself, and, second, that it would furnish labor which is so much needed in the wheat section. It is almost impossible to get help out there at all. It never was as scarce or high priced in the memory of any of us here.

Mr. MOORE of Pennsylvania. I want to put a question to the gentleman, so that it may be unnecessary later on, when we are considering other bills. The gentleman is chairman of the Committee on the Public Lands. During the last session of Congress it was the common understanding that no bills would be called up except war bills.

Mr. FERRIS. That is true.

Mr. MOORE of Pennsylvania. Does the gentleman understand that the action of the majority has changed in that respect?

Mr. FERRIS. I have no information as to the policy of the House. The gentleman knows I am not a leader. I do not pretend to know anything about the general policy of the House.

Mr. MOORE of Pennsylvania. I regard the gentleman as a leader on that side.

Mr. FERRIS. The gentleman flatters me too much.

Mr. MOORE of Pennsylvania. The gentleman is the chairman of his committee. Does he regard this as a war measure?

Mr. FERRIS. The Secretary of the Interior did regard it as a war measure for two reasons. One is that it allows the homesteader an opportunity to go away from his land and work for other people during harvest time, when there is a scarcity of labor, and in that way to earn a little money for himself, and, second, it helps to furnish labor to harvest the crops. As the gentleman knows, they have had a great deal of trouble about that. More than a million men have been carried away into the war, and it leaves a shortage of farm labor. So the bill serves two purposes, and I feel sure it will do no harm to anyone or to the Government.

Mr. MOORE of Pennsylvania. It may be a serious matter as affecting the farmers, but it has no direct bearing upon the war.

Mr. FERRIS. Anything which helps the farmers to raise crops helps us to win the war.

Mr. MOORE of Pennsylvania. This is the first bill coming up in this new session of Congress. It will establish a precedent with regard to war legislation.

Mr. FERRIS. I would most respectfully refer the gentleman from Pennsylvania to the gentleman from North Carolina [Mr. KITCHIN] about the policy of the House. I certainly know nothing about that, and do not pretend to know anything about it. Mr. KITCHIN is always willing and able to go into those things. I do not pretend to do more than help with them.

Mr. MOORE of Pennsylvania. The gentleman has not consulted with the gentleman from North Carolina?

Mr. FERRIS. I have not. I called the bill up when our committee was unexpectedly called. In the last session the Secretary of the Interior thought this was an emergency measure. I tried to get it through when the calendar was called, but did not succeed in doing so at that time, so I feel it my duty to try and get it through at the first opportunity. It affects some 200,000 homesteaders. It is important. The House I feel sure will be glad to pass it.

Mr. WALSH. Will the gentleman from Oklahoma state when the notice required by the proviso must be filed? It provides that the settler leaving a claim shall file notice with the Land Office. Can he wait until he is ready to go back?

Mr. FERRIS. No; I think he must file his notice when he desires to go.

Mr. WALSH. The next clause requires the filing at the expiration of the calendar year of a written statement of where and for whom and when he worked. Now, might he not think, under the phraseology of the bill, that he could wait and file his notice at the same time?

Mr. FERRIS. If the gentleman believes that there is any doubt about that I would be very glad to have him offer an amendment and to help get it adopted. This bill was drafted by the Interior Department. They thought it important to meet an emergency, or two emergencies; first, to let the homesteader get away from his land and earn a little something for himself and carry on his cultivation on his own claim, and, second, that it would furnish some labor to the farmers in the West and help them harvest their crops. If there is anything wrong with it I shall be glad to assist in putting it in the proper shape. No one wants any provision to creep into the law that is not proper. We are always anxious to obtain help on our bills.

Mr. WALSH. Does not the gentleman think it would be well to have the notice filed at the time the homesteader leaves his claim, so that the department may know where these men are?

Mr. FERRIS. I think so; and if the bill as drawn does not cover it, I will be glad to have the gentleman offer an amendment to correct it in that respect.

Mr. MADDEN. Will the gentleman yield?

Mr. FERRIS. Certainly.

Mr. MADDEN. I understood the gentleman from Oklahoma to say that the Secretary of the Interior considered this an emergency measure.

Mr. FERRIS. Yes; he did. His written report shows that. He also had his office confer with me about it several times.

Mr. MADDEN. The gentleman will recall that he also regarded the building of a railway in Alaska as an emergency measure.

Mr. FERRIS. I know, and the gentleman from Illinois and myself were not in complete accord with him on that occasion, but we were ironed out very flat, and the House of Representatives did not agree with us.

Mr. MADDEN. I still think we were right and the Secretary of the Interior was wrong.

Mr. FERRIS. The gentleman from Illinois and I may cling to our opinions still about that, but that is water that has gone over the wheel. [Laughter.]

Mr. MADDEN. I am inclined to think that the gentleman from Oklahoma is only half-hearted in his support of the Secretary of the Interior on that matter.

Mr. FERRIS. Oh, no; that is not the case at all. I merely said I did not think this was any life-and-death proposition because, as the gentleman from Wisconsin [Mr. LENROOT] says, they can come in and make a formal application for leave of absence, which has to come up through the Land Office, and takes three or four months, and then has to be finally acted upon by the Interior Department. They can get a leave of absence, but it has to be acted upon by the Commissioner of the General Land Office and the Secretary of the Interior, and the harvest is over before they can get the leave of absence. This law will allow them to notify the Land Office that they are

going away to labor and when they get back they must file a notice that they did labor on the farm for a certain length of time.

Mr. LENROOT. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. LENROOT. I think the gentleman is mistaken in saying that this formality is required in the five months' leave of absence.

Mr. FERRIS. I thought that that was the fact. I know I had a tremendous lot of appeals to hurry up the applications.

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. FERRIS. Certainly.

Mr. TIMBERLAKE. The five months' leave of absence under the provisions of the law is granted without having to make an application. They simply notify the local land office that they intend to leave, and at the end of five months they must file a notice that they have returned to the claim, and it is not necessary to have it acted upon by the Secretary of the Interior.

Mr. FERRIS. Well, the gentleman has been the register of a land office and knows more about it than I do; but I say that I have had numbers of appeals to hurry up the approval of the leave of absence, and I wonder if the gentleman is not mistaken.

Mr. TIMBERLAKE. I will say to the gentleman that if the leave of absence is wanted beyond the five months provided by the law it must be procured as the gentleman from Oklahoma has stated—it must be acted upon by the local office and transmitted to the Interior Department for final action.

Mr. FERRIS. I gladly accept the gentleman's explanation. I have had trouble in years gone by getting them approved. It may be better now.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. I will.

Mr. TILSON. Did I understand the gentleman to state that there were two hours' debate on each side on this question?

Mr. FERRIS. No; one hour on each side, and I am not going to consume any more time.

Mr. TILSON. I wondered why this measure required so much time.

Mr. MOORE of Pennsylvania. If the gentleman from Oklahoma will yield, I think I can get the attention of the gentleman from North Carolina [Mr. KITCHIN] at this time.

Mr. FERRIS. I will yield to the gentleman from Pennsylvania, who wants to ask the gentleman from North Carolina a question.

Mr. MOORE of Pennsylvania. I desire to ask the gentleman from North Carolina whether there is to be any change in policy in regard to war legislation at this session? At the last session it was decided that we would consider nothing but war legislation. It would be interesting and important to know if at this session new bills are to be taken up.

Mr. KITCHIN. I will say to the gentleman from Pennsylvania that I hope, after we get rid of the bills now on the calendar, our legislation will be confined to the supply bills, to war measures, and I would include in that the conservation bills that we have been discussing for the last year or two.

Mr. MOORE of Pennsylvania. But at the present time it is not the intention of the majority to take up general legislation?

Mr. KITCHIN. That is my idea, and I hope that the sentiment of the House will be with me. I think, too, the questions of woman suffrage and prohibition should be considered. My judgment is that we can consider them before Christmas and get those two questions behind us, one way or the other.

Mr. MOORE of Pennsylvania. If prohibition and woman suffrage are to be considered they will come up early?

Mr. KITCHIN. Before Christmas; and I have no doubt that a day will be fixed and that at least a week's notice will be given.

Mr. MOORE of Pennsylvania. Will pension legislation be included?

Mr. KITCHIN. Yes; I imagine that it will.

Mr. CLARK of Missouri. If the gentleman from Oklahoma will yield, I will ask the gentleman from North Carolina a question. Does he not think it would be a good thing to abolish the Christmas holidays?

Mr. KITCHIN. No; I do not think so, and I will tell the gentleman from Missouri why. [Applause.] Many of us have our homes away from Washington, and I reckon that about two-thirds of the membership of the House are in my fix. I am bound to go home for a week or two to attend to my business—arrange with my creditors for the next year. [Laughter.]

Mr. CLARK of Missouri. Let me make this suggestion——

Mr. KITCHIN. Before the gentleman makes his suggestion let me say that if we stay here through the Christmas holidays it will not facilitate legislation one minute or hasten the adjournment one minute, because this House can get through all of its necessary legislation if it makes up its mind—and it will make up its mind—by the 1st of June. [Applause.] But we can not make up the mind of gentlemen at the other end of the Capitol. We can not control them. Take the last session; this House would have got through every bit of its work certainly by June 1, and if we had known that the Senate would cooperate with us we could have got through by May 15. We were adjourning a week at a time with a gentlemen's agreement for three weeks, waiting on the Senate, but we could not hurry them. I do not think by our staying in session or keeping the Senate in session during the holidays we will quicken adjournment one day.

Mr. CLARK of Missouri. They may improve as time goes on in the Senate. [Laughter.]

Mr. KITCHIN. I shall not agree with our distinguished Speaker to that extent, but I do agree with him that there is a great deal of room for improvement.

Mr. CLARK of Missouri. My idea about this is that if we went to work and got rid of these bills we could get away from here some time before election next fall, but if we go on at the same gait at which we have been going we shall not get away from here until away along in November.

Mr. KITCHIN. I presume our Speaker in using the term "we" is representing the Senate.

Mr. CLARK of Missouri. Oh, no—God forbid! [Laughter.]

Mr. KITCHIN. The Speaker knows that no House or Senate in any Congress in this country or any legislative body in any other country ever facilitated work more or was more prompt and diligent in legislation than was the House during the last session of Congress.

Mr. CLARK of Missouri. That is true.

Mr. KITCHIN. Of course, there was more harmonious, concerted action in this body during the last session than in any other Congress. I am quite sure that the House can get through its work by taking a good recess at Christmas.

Mr. CLARK of Missouri. I have felt out the temper of the House, and that is all I was trying to do.

Mr. MADDEN. Mr. Chairman, will the gentleman from Oklahoma yield to me for a moment?

Mr. FERRIS. Yes.

Mr. MADDEN. I understood the gentleman from North Carolina to say there would be no legislation considered except such legislation as is along the lines he enumerated.

Mr. KITCHIN. I said I hoped so. I can not tell definitely, but I hope the House will confine itself to such legislation, and I believe the sentiment and thought of the House will be along those lines, will conclude that that is the wisest and best course to take.

Mr. MADDEN. I desire to call the attention of the gentleman from North Carolina to the fact that there is a very widespread sentiment throughout the country in favor of an increase in compensation for the men who are engaged in the Postal Service of the United States, and legislation will probably be reported from the Committee on the Post Office and Post Roads in favor of that sort of increase.

Mr. KITCHIN. Such things will come from the different committees who have charge of the supply bills. I spoke particularly of the passage of the supply bills.

Mr. MADDEN. Such legislation as that would probably not come in the supply bill.

Mr. KITCHIN. It would come in the supply bill like any other legislation relative to the Post Office. Of course, a Member could make a point of order, and then we might obtain a rule, just as we have done heretofore.

Mr. MADDEN. But it is not contemplated to shut out that kind of legislation?

Mr. KITCHIN. Oh, no—whatever would naturally come in the Post Office bill. Sometimes new legislation is put on the bill or we have a special rule. Sometimes no point of order is made.

Mr. MADDEN. But the legislation could be brought in outside of the bill?

Mr. KITCHIN. Yes; and I will say to the gentleman if you could get it in outside you could get it in under the rule right on the bill.

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. NOLAN. Is it the gentleman's intention that this suggestion should apply to general legislation on Calendar Wednesday?

Mr. KITCHIN. Yes; I would say so, except as to those bills already on the calendar.

Mr. NOLAN. I mean legislation considered by the various committees and reported, which goes on the calendar. Is it the

gentleman's idea that general legislation should be interfered with that would come up on Calendar Wednesday?

Mr. KITCHIN. I hope the House will conclude that the only things we should take up are the matters designated.

Mr. NOLAN. Under the general rules of the House, legislation of the kind I have in mind is in order on Calendar Wednesday. Is it the gentleman's idea that we should dispense with Calendar Wednesday?

Mr. KITCHIN. No. My idea is that if a majority of the House does not want to take up certain legislation, it ought not to be taken up.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. MONTAGUE. Referring to the suggestion of the gentleman from North Carolina [Mr. KITCHIN] that we will not expedite business because we will anticipate the Senate, in my judgment the best way to expedite the public business is for each body to do its own business as expeditiously as practicable.

Mr. KITCHIN. Just as we have been doing.

Mr. MONTAGUE. I shall not argue that with the gentleman. I think we have done very well, but I think we could have done better, and I am not imputing any delay to the gentleman from North Carolina [Mr. KITCHIN] in making that allusion; but if the House is through with its business ahead of the Senate, or if the Senate is through with its business in advance of the House, then the body that is tardy will have focused upon it the influence and criticism of the people of the country, and that is the power that will expedite the business of the American Congress.

Mr. KITCHIN. I wish to say to the gentleman that I can assure him that we will get through all of the business of the House many days, many weeks, and, I believe, several months before the other end will.

Mr. MONTAGUE. I appreciate the gentleman's assurance, but I desire to renew this suggestion, and I submit it to the consideration of the House. We could have gotten through our business last session much sooner than we did.

Mr. KITCHIN. I doubt it——

Mr. MONTAGUE. One minute——

Mr. KITCHIN. I doubt it. We had all the time on hand—if the gentleman will recall, and I assume he was here——

Mr. MONTAGUE. I was here all the time.

Mr. KITCHIN. I assume so, and I am going to assume everybody was here—he will recall that we had to adjourn for lack of business. We had all our bills passed and over in the Senate, and we adjourned for weeks at a time under a gentleman's agreement.

Mr. MONTAGUE. And I will say to the gentleman that it was that agreement, in my opinion, that expedited the adjournment of Congress.

Mr. KITCHIN. But we had dispatched our business.

Mr. MONTAGUE. That is the argument I am making, and I will say to the gentleman that the quicker we dispatch our business the quicker business will be dispatched at the other end of the Capitol.

Mr. KITCHIN. Do I understand the gentleman to be arguing that we should take no recess for the holidays?

Mr. MONTAGUE. I was not speaking of that. I was throwing out the general suggestion that we should not determine the pace of our business at this end of the Capitol by the fact that we move faster than at the other end of the Capitol.

Mr. KITCHIN. I agree with the gentleman that the faster we move here there will be some impetus on the other end of the Capitol to move faster.

Mr. MONTAGUE. But the public at large does not make a distinction between the two branches of the Congress, and if there is a delay it imputes it to both branches of the Congress indiscriminately, and therefore if we desire to get through before the election is held next year—and I have doubts of our getting through before that time—the quicker we perform our duties at this end of the Capitol the quicker will it be done at the other end of the Capitol. An adjournment of the House under a "gentleman's agreement" relieves us of censure, and quickens the movement of the other branch of the Congress, and vice versa.

Mr. KITCHIN. The gentleman is right, but I see no reason for complaining. We are at work here with bills on the calendar set apart for this day, and gentlemen interrupt us for quite a length of time in talking about what we ought to do when we are already doing it, and in that way they are stopping business.

Mr. LENROOT. Will the gentleman yield?

The CHAIRMAN. The time is in the control of the gentleman from Oklahoma.

Mr. FERRIS. I yield.

Mr. LENROOT. Mr. Chairman, I would like to ask the gentleman from North Carolina if the House takes a Christmas recess would that interfere with the consideration of the appropriation bills by the various committees having those bills in charge during the Christmas recess?

Mr. KITCHIN. I think not; I had that in mind. There are no appropriation bills ready now, and none will be ready before Christmas. It is impossible for them to do it with the greatest amount of work they have to do. These several committees are now at work, but it will be after Christmas before their bills will be ready.

Mr. LENROOT. Will they work during the Christmas recess?

Mr. KITCHIN. I imagine so as well as if we were in session.

Mr. STAFFORD. Will the gentleman yield?

Mr. FERRIS. I yield.

Mr. STAFFORD. By what authority does the gentleman say the committees having appropriation bills in charge will work during the Christmas holidays?

Mr. KITCHIN. They are already working upon them through their subcommittees.

Mr. STAFFORD. A year ago the subcommittee of the Committee on Appropriations having the legislative, executive, and judicial appropriation bill in charge, was convened a week before the regular session and worked during that entire week in order to have the bill in readiness before the holidays. And I question whether the members of the Committee on Appropriations are going to work during the Christmas holidays.

Mr. KITCHIN. I imagine that some members of those committees will remain here during the holidays as they have always done.

Mr. WALSH. Will the gentleman yield?

Mr. FERRIS. I yield.

Mr. WALSH. Does not the gentleman think we had better proceed with the discussion of this bill and stop worrying about the election next fall?

Mr. KITCHIN. Mr. Chairman, I hope now these gentlemen who are so anxious for business will stop delaying the business of the House and let us proceed with what is on the calendar. [Applause.]

SEVERAL MEMBERS. Amen!

Mr. FERRIS. Mr. Chairman, unless somebody else has a question, the gentleman from Massachusetts [Mr. WALSH] has an amendment which he desires to offer.

Mr. LENROOT. Mr. Chairman, I desire some time.

Mr. FERRIS. Mr. Chairman, I reserve the balance of my time.

Mr. LENROOT. Mr. Chairman, coming back to the consideration of the bill that is before the committee, it is a bill that authorizes, in addition to the five months' leave of absence now authorized by law, leave of absence for the entire year if engaged in farm labor, to be credited to the entryman as if he had remained upon his homestead.

Mr. DYER. Will the gentleman yield there?

Mr. LENROOT. Yes.

Mr. DYER. Will the gentleman state why they include only farm labor? There are many other industrial occupations that a man can give his time to for the benefit of the war. Why not include any labor?

Mr. LENROOT. I can not give the gentleman the reason for that because I am opposed to the entire bill. I suppose this bill will pass. It has, I suppose, the solid support of the West. It has, I suppose, the support of the administration, inasmuch as it is favorably recommended by the Secretary of the Interior. During the last session it was sought to enact this bill as a war measure. No one would think of acting favorably upon a bill of this kind as a peace measure; but there would be much more reason for its passage in time of peace than there is now when we are in war. We all know that the greatest efforts are being made to cultivate every acre of land possible and produce the maximum amount of food to support ourselves and our allies. And yet, strangely enough, this bill if enacted into law, instead of increasing the production of food, will actually decrease its production. It offers a premium to a homesteader to not plant his land with crops, but to leave it and engage in farm labor.

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. TIMBERLAKE. I would like to call the attention of the gentleman to the fact that there is nothing in this bill which would relieve the homestead entryman from the cultivation required under the homestead law—that is, that at least 20 acres shall be cultivated and planted with crops each year.

Mr. LENROOT. Now, that is entirely consistent with the statement I have made. If a homestead entryman has 160 acres, it is true that under this bill he still would be required

to cultivate 20 acres; but under this bill, where he might be cultivating the other 140 acres, it will lie idle and raise not one pound of food or one bushel of grain. Is not that correct?

Mr. TIMBERLAKE. That is correct, and I would like to add this to it: That in many cases the homestead entrymen are now cultivating all of the available land upon their 160 acres or 320 acres. The rest is fit for nothing except for grazing purposes, and therefore they have done all that is within their power.

Mr. LENROOT. I want to ask the gentleman a question, then. If any homestead entryman is cultivating 160 acres and produces crops from it, how much time has he got to leave that entry and work for somebody else in farm labor?

Mr. TIMBERLAKE. Permit me to say that that character of homestead entryman would never make the application for this.

Mr. LENROOT. That is the point I am making. So the observation the gentleman makes does not apply at all to any man who would take advantage of this bill.

Mr. SMITH of Idaho. Does not the gentleman realize that there are many homesteaders that have no means to cultivate more than 20 acres, and that in order to get the means with which to do it they must go away and work to secure the money for that purpose?

Mr. LENROOT. No; I do not.

Mr. SMITH of Idaho. Well, it is an actual fact that there are thousands of homesteaders in the western country who have no capital beyond possibly a team of horses and who are unable to buy seed to plant or implements to cultivate the land.

Mr. LENROOT. The gentleman understands that under the present law they can have an absence of five months in which to earn money and provide means to cultivate their crops. Now, if you are going to permit him to have 7 months in addition, or 12 months, cultivating only the minimum required by law, any intelligent man will see that it does not mean increased production of food in this country, but that it means a decreased production of food.

Mr. SMITH of Idaho. Would it not mean an increased production of food if this man were engaged in farm labor for some other entryman, if he does not have the means to cultivate his own land?

Mr. LENROOT. Oh, yes; but as between a man working for wages for some one else and cultivating his own land, the gentleman will see that the increased production of food will be greater upon the land cultivated by the homestead entryman than if he be working for some one else. And in that connection let me say that the five months' leave of absence now granted the entryman is sufficient to provide that labor, so far as planting crops is concerned, in addition to his own, and, so far as harvesting crops is concerned, in addition to his own. Two months of planting, three months of harvesting, mean all that is necessary in either the planting or harvesting of the crop. So, Mr. Chairman, we have this strange condition of affairs, that in this crying need for a greater food production we have the Secretary of the Interior indorsing a bill and a committee bringing before this House a bill that invites homestead entrymen in the West not to cultivate to the utmost their entry but to cultivate the very least that the law requires.

Mr. JUUL and Mr. SINNOTT rose.

Mr. LENROOT. I yield to the gentleman from Illinois [Mr. JUUL].

Mr. JUUL. Is it not a fact that in line 5 the bill specially provides that in order to gain this leave of absence he must be engaged in farm labor?

Mr. LENROOT. Certainly.

Mr. JUUL. And is it not a further fact that in line 5, on page 2, it provides that nothing therein shall excuse any homestead settler or entryman from making improvements or performing the cultivation required by applicable law upon his claim or entry?

Mr. LENROOT. I have just answered that, that in one case the law requires 20 acres, and he would cultivate 20, whereas if he stayed on his land he might be cultivating 40 or 60 or 80 or 100, or even 160. He will not be doing it under this bill.

Mr. JUUL. Is it not a fact that he might go on a neighboring farm supplied with horses and plows and other material, and that he may not himself have such materials with which to work?

Mr. LENROOT. Yes; but as I stated a while ago, a man working for $2 or $2.50 a day for some one else—where that other man would get some labor and still cultivate his land—and letting his own go uncultivated, does not mean an increased production of food, but a decrease.

Mr. JUUL. But if he has machinery in the one case and not in the other case, would it not be an increase?

Mr. LENROOT. No; not at all, because that man will get labor to cultivate and gather his crop.

Mr. SINNOTT. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Yes; I will yield to the gentleman.

Mr. SINNOTT. Does not the gentleman know that, with reference to five months' leave of absence granted under the present law, that the five months' leave of absence as a rule—at least, in my State, where the homesteads are taken at an elevation of something like 3,000 feet above the sea level—is taken during the winter months, so that the homesteader may leave his own homestead in the inclement weather, when there is very little need of his presence, whereas this proposed additional leave of absence would enable a man to take that leave of absence during the growing and crop-gathering season, and therefore would enable him to assist in the production of crops.

Mr. LENROOT. I will say in reply to that, that if a man is situated as the gentleman from Oregon says he is situated—I take it that he is speaking of a timbered country now——

Mr. SINNOTT. No; a nontimbered country, bordering on the timbered country.

Mr. LENROOT. Well, it is not necessary for that man to take his leave of absence for the five months. The gentleman will admit that.

Mr. JOHNSON of Washington. Even there he would starve to death absolutely.

Mr. TIMBERLAKE. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. TIMBERLAKE. I just want to state to the gentleman with reference to the statement he has made, that most of the entrymen would refuse this privilege if allowed. I want to say that a very small percentage of the homestead entrymen in the West, so far as I am acquainted with them, even now avail of this privilege of a five months' leave of absence, and it is only availed of where the parties are not in sufficiently strong financial circumstances to enable them to cultivate their full entry. If they were able financially to cultivate their full entry, they would be engaged in that work at the prices they are receiving for farm products to-day. It is only to relieve the very small percentage that are not able to do this that this bill is drawn, and it would enable them to go out and help other people, and in that sense it is an emergency war measure. Just now in the West it is absolutely necessary on account of the labor situation that something of this kind be granted.

Mr. LENROOT. The gentleman evidently speaks of work on the beet crop. Is not five months' absence sufficient for a man to engage in farm labor, both in the planting of the crop and in the harvesting of the same?

Mr. TIMBERLAKE. No; it is not. In my judgment, there are many instances where it is not.

Mr. SMITH of Idaho. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Not now. I want to get through. In some instances what the gentleman says may be true. I will grant that. But here is what your practical situation is: Here is a farmer who has a son. Under the law, without the passage of this bill—assume that he has taken an entry—he will cultivate it and live upon it. He will cultivate it to the fullest extent, but the son will go back to the home after this bill is passed. He will be able to make a showing of being engaged in farm labor, helping his father; and in that kind of a case you would have 20 acres cultivated, whereas without this bill he would have 160 acres.

Mr. TIMBERLAKE. The son goes back to help his father put in 50 or maybe 500 acres. Is not that preferable?

Mr. LENROOT. Oh, no. The gentleman assumes that if the son will not go back to the farm the farmer will get no help on his farm.

Mr. TIMBERLAKE. That is true.

Mr. LENROOT. I do not believe it is true, because men may be engaged in farm labor under supervision and direction without previous experience, and such men may enable the farmer to cultivate the full amount of his crop, whereas if you take a man away from the land which he is cultivating you will not increase the crop on the one hand but have decreased it on the other.

Mr. WHEELER. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. WHEELER. Perhaps 75 per cent of the homesteaders will cultivate 20 acres and no more, simply what is required under the law.

Mr. LENROOT. That is true under this bill.

Mr. WHEELER. If that is true, if a large portion of that 75 per cent is employed elsewhere, don't you think that perhaps they will cultivate 40 acres instead of 20 acres?

Mr. LENROOT. No; not elsewhere, and for this reason: If the law as it stands were complied with as now, with the present high prices of farm products, the man on his land will cultivate every acre he can cultivate. But under this law, where he can work for wages somewhere, he will be content

with 20 acres being cultivated and the balance of the entry lying idle.

Mr. SMITH of Idaho. At the present price of farm products a man can earn more money in cultivating his own land and selling his products than by working for somebody else, and as soon as he gets enough money to enable him to cultivate his own land he will not need this.

Mr. LENROOT. That is the condition in time of peace.

Mr. JOHNSON of Washington. That situation does exist in time of peace.

Mr. LENROOT. The whole question resolves itself into this: Will you get a greater amount of production if this bill is passed, or will you get a less amount?

I have no question but that you will have a less amount of production if this bill is passed; and if that is true, then in this crisis, in this time of war, when every ounce of food production is needed, this bill ought not to pass. Congress ought not to enact legislation that is going to decrease food production. It ought to enact legislation that will increase food production.

Miss RANKIN. Will the gentleman yield?

Mr. LENROOT. I yield to the lady from Montana.

Miss RANKIN. Does not the gentleman realize that the homesteaders are going to leave their own land and work on other land if it is so much more profitable to do so, as the gentleman assumes, and that it will merely mean that they will take their five months in the summer which they have under the existing law, and it will force them to live on their claims during the winter months when there is nothing that they can do on their own claims, whereas this will release their labor in the winter months. If it is so much more profitable to work on other land, they are going to do it anyway.

Mr. LENROOT. I would like to ask the lady from Montana, if a man can do nothing on his own farm in the winter months, what work will there be for him to do for some other farmer in the winter months?

Mr. SINNOTT. Some of them work in lumber camps during the winter.

Mr. LENROOT. Ah, but this bill does not provide for that. This bill proposes to give entrymen leave of absence for the purpose of performing farm labor.

Mr. KINKAID. Is the gentleman not aware of the fact that the practice now is for homesteaders to work by the day, especially in the haying season and during harvest, and in general, for other farmers, and for that reason they are absent more or less from their claims under the existing law?

Mr. LENROOT. Certainly.

Mr. KINKAID. And this is well known to the General Land Office, which sanctions the practice.

Mr. LENROOT. That has been stated time and again. I have stated it. The gentleman need not restate it.

Mr. KINKAID. I was not in the Hall at the time the gentleman must have stated it. Then does the gentleman not recognize this fact, that many entrymen during the first year or two after making their filings have not enough land broken and under cultivation to occupy their time during the growing season, and that therefore they have time to spare to go and help near-by farmers who have large farms and with whom labor is very scarce? And does not the gentleman know that the labor question upon the farms has become a very serious problem? Now, why not allow them to utilize the homesteading element?

Mr. LENROOT. I can not yield further. I thought the gentleman wanted to ask me a question.

Mr. KINKAID. Why not allow them to utilize the help which they can get near at hand from the more recent homestead entrymen?

Mr. LENROOT. Mr. Chairman, the gentleman from Nebraska very strongly corroborates the argument I have just been making. He states that many of them have not sufficient land broken to cultivate it, and so they desire to work for other people. Why, of course, that is just the trouble. If they are not given this permission, they will break that additional land and cultivate it and raise crops upon it, while the gentleman evidently desires that that unbroken land shall remain unbroken and uncultivated during this time of war when food production is so necessary.

Mr. KINKAID. Just one question. Does not the gentleman know that they can not break it all in the first season?

Mr. LENROOT. Why?

Mr. KINKAID. It is sod the first season, and they can not cultivate it, except to put in a sod crop.

Mr. LENROOT. Why can they not break it the first season?

Mr. KINKAID. When they have broken it they can not cultivate it the first season. It has to lie for a season to let the sod rot.

Mr. LENROOT. Do they not cultivate the first breaking?

Mr. KINKAID. No, sir.

Mr. LENROOT. Not at all?

Miss RANKIN. No.

Mr. KINKAID. No, sir.

Mr. LENROOT. The gentleman stated a moment ago that they did not have enough broken so that they could go on and cultivate their own farms.

Mr. KINKAID. Certainly. The law recognizes that they will break only a portion of it the first year.

Mr. LENROOT. Why do they not break more?

Mr. KINKAID. They have not the means; they have not the teams; they have not the time to break it all the first year. The law recognizes that.

Mr. LENROOT. Now, let us see. The gentleman says they have not the means, the teams, nor the time. So far as means are concerned, if they have a team to break 20 acres the same team will break 20 acres more, will it not?

Mr. LOBECK. Provided they can get feed for the team.

Mr. SMITH of Idaho. Where will the man get the feed for his team?

Mr. GREEN of Iowa. Did my friend ever do any breaking?

Mr. LENROOT. Yes.

Mr. GREEN of Iowa. With his own team?

Mr. LENROOT. No.

Mr. GREEN of Iowa. If the gentleman had done that, he might know more about how this thing is done.

Mr. LENROOT. The gentleman from Nebraska says they have not the teams nor the time. If they have not the time, still the gentleman wants to give them more time to get away so that they will have less time to farm their own claims.

Mr. KINKAID. The Interior Department for years has recognized that they will not break all their land the first season. The homesteader as a rule is a poor man, and his teams can not break all his land in one season. He has to plow several seasons in order to do that.

Mr. LENROOT. I can not yield further, but I want to ask the gentleman a question. The gentleman has occupied a very conspicuous and honorable position, a most commendable position with reference to homestead entrymen, and he has done a world of good for the homestead entrymen of his State. I want to ask him whether the homestead entrymen of his State have not been fairly successful under the present homestead law?

Mr. KINKAID. Thanking the gentleman from Wisconsin for his very generous compliment, they have succeeded well, but they have broken only a small portion of their land the first year, and the Interior Department has recognized that that is the way to do, and that that is the way they must do.

Mr. LENROOT. I want to ask the gentleman another question, because we all want information. What did they do in the meantime under the old law, when they could not break any more land the first year?

Mr. KINKAID. They worked for their neighbors who had money to spare to pay for farm labor.

Mr. LENROOT. That was under existing law?

Mr. KINKAID. Yes.

Mr. LENROOT. Why could not that be continued?

Mr. KINKAID. Sometimes the question of absence and abandonment was raised by a fellow who wanted the other man's claim, and he contested the claim on the ground of abandonment. I have received hundreds of inquiries from homesteaders saying that they wanted to go to work for their neighbors, and they wanted to be assured from the Interior Department that they would not lose their claims. I also received letters from farmers and ranchmen who wanted to employ them, and I submitted the matter to the General Land Office and received a written reply that entrymen might be absent for the purpose of helping to harvest hay and save crops, and they went on and did the work and were saved from a contest.

Mr. SINNOTT. Will the gentleman yield?

Mr. LENROOT. In a moment. Now, my good friend from Nebraska has raised another question concerning this bill that I had not thought of. He intimates that it was dangerous for a homestead entryman to leave his homestead under existing law; that he ran great danger of losing it. I want to call attention to the fact that if that condition exists under the present law it is increased 100 per cent under this bill, because under this bill he is required to be engaged in farm labor, and whether or not a sufficient showing can be made of those facts, he must take the chances and have that difficulty added to the present difficulties. Under existing law there is no such requirement, and he is given leave of absence for five months. Now I will yield to the gentleman from Oregon.

Mr. SINNOTT. The gentleman was speaking about the cultivation of homesteads under existing law, and he referred to the State of Nebraska. Is it not true that the remaining homestead

lands do not at all compare with the rich Nebraska lands; that those Nebraska lands were settled under existing law with the interpretation applied to it that one was conforming to the law when he went upon his homestead once in six months? That is the way the majority of the homesteads were proved up in the past—that the presence of a homesteader once in six months was sufficient compliance with the law. That interpretation enabled the homesteader to work elsewhere and earn enough money to cultivate his land, and were it not for that interpretation many of the homesteads in the country would not be settled as they now are.

Mr. LENROOT. The gentleman from Oregon has not been here quite as long as some of us. He speaks of the rich lands of Nebraska. That is true of some parts of Nebraska, but I do not believe the gentleman from Oregon could have been here when the distinguished gentleman from Nebraska [Mr. KINKAID] convinced this House that they needed a very much larger area of land in homesteads in Nebraska because of the very arid character of the Nebraska land.

Mr. SINNOTT. Well, they have a sandy, arid section in Nebraska.

Mr. LENROOT. And that is what we were discussing. So, as a matter of fact, the gentleman's case not being a typical case, it is much less favorable to the homesteader than the homesteader in the gentleman's own State.

Mr. TILSON. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. TILSON. I want to ask the gentleman two questions. Criticism has been made by the gentleman from Oklahoma as to the difficulty of getting the five months' leave of absence.

Mr. LENROOT. The gentleman from Oklahoma was mistaken. There are certain cases where the law allows an additional leave of absence, and in those cases where the leave of absence is wanted beyond five months they must pursue the procedure detailed by the gentleman from Oklahoma. But the five months' leave of absence only requires a notice in the local land office.

Mr. TILSON. Does not the gentleman think that the intelligent self-interest of the homesteader will guide him to do that which will produce the most, so that the public will get the benefit of it if more freedom of movement is given to him, as is contemplated in this law; whether that will not cause them to produce more for themselves and, in so doing, for the public good?

Mr. LENROOT. No; and I will tell the gentleman why. Assume, if you please, that the homestead entryman has the chance to go out to work and get $5 a day, and that if he did not go some other man would take his place. But if he was compelled to work on his farm and cultivate the land he would make only $4 a day. The gentleman will readily see that in one case, where he was making $5 a day, there would be less food production than in the case where he would cultivate his own land and making only $4 a day.

Mr. TILSON. I can not quite follow the gentleman. If he can produce more food by staying at home, he would have more food.

Mr. LENROOT. If he goes out and works on a farm; if he did not go there some man from Chicago—some city man, perhaps—would do that work. There is just as much food production on the farm that he is going to, but less on the farm that he comes from. It is very plain; it is not a question of which will be the most profitable to the man, but when we are considering the questions of public lands and homesteads we have the right to expect that the primary consideration in this time of war shall not be profit to the homesteader but shall be food production under existing law.

Mr. OSBORNE. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. OSBORNE. Is the gentleman aware that of the public lands of the United States, all of the most valuable have long ago been entered?

Mr. LENROOT. Of course, we are all aware of that.

Mr. OSBORNE. And that the lands which people go on these days are rough and, as a rule, unproductive lands, that the friends of these men who go on the land often have to support them, in order that they may pay for them, for the five years, and that it is absolutely impossible for the men on much of this land to earn a living off the land itself, because it is rough, desert land, with very little timber, difficult to get water on, and all those things, so that he must of necessity earn something or somebody must contribute something to his relief.

Mr. LENROOT. Mr. Chairman, that is merely stating what has been stated over and over again. The law now permits him five months leave of absence to earn money with which to support himself upon this land, but my whole contention is that there should be just one test applied to all of this. Is this going to mean greater or less production? I can not see how any intelligent man can come to the conclusion otherwise than that when you offer a premium to a man to not cultivate any more land than the law requires, you are going to get less food production instead of more. I reserve the remainder of my time.

Mr. FERRIS. Mr. Chairman, I yield two minutes to the gentleman from Nebraska [Mr. SLOAN], in order that he may cite a case where it works both ways, where it helps to supply labor to the man actually farming, and where the homesteader himself really needs to be away from the homestead. I think he can give us a "cow" case, as the lawyers would say.

Mr. SLOAN. Mr. Chairman, we all know that surplus food is not produced upon the homesteads, nor will it be produced upon the homesteads. The surplus food is being produced on the large farms and large ranches of the country. The chairman of the committee has asked me to give a particular case. I never saw this bill, and did not know that is was in existence until to-day. But I have a case that especially applies. The situation I find myself in is this: I have a little farm adjoining my home town. We raise enough food there to feed from two to three companies. This war has taken my superintendent. A good many of the ambitious young men have been trying to obtain homesteads. This homestead law that we have now will take my foreman. That foreman would be of great value in food production for the coming year. Much more than he could possibly be upon any homestead.

I accept the challenge of the ranking member of the Committee on the Public Lands that it is a question of the production of food measured up against the labor problem. If we want to produce a large amount of food, then the farmers and the ranchmen should have men to work upon the large farms and the large ranches. They will produce more surplus than many homesteaders could produce because the homesteader seldom produces enough to satisfy his own family demands during the period of his occupancy as a homesteader.

Mr. LENROOT. Mr. Chairman, will the gentleman yield to me there, and I shall yield one minute of my time to him?

Mr. SLOAN. Yes.

Mr. LENROOT. Does the gentleman agree that food production is primarily the paramount consideration?

Mr. SLOAN. I do in this connection.

Mr. LENROOT. Then if the statement be correct, I want to ask the gentleman whether he thinks it would not be wise, from his standpoint, to suspend the homestead laws entirely during the existence of the war?

Mr. SLOAN. I do not. The homestead law is a means of developing this country. It has been an effective means of developing the country in the past, and it should not be suspended; but it should be, like every other process of our growth and development, regulated, and I assume that this bill will have that effect.

Mr. LENROOT. One more question. I agree with the gentleman that it should not be suspended, but according to the gentleman's theory the more homesteads we have now during the war the less food will be produced. Is that correct?

Mr. SLOAN. If you hold the homesteaders to full time upon those homesteads, it will have that effect. Those of us who live out there know the problems that we have. We know what a drain continued occupancy of the homesteads will be upon the farm-labor market. We feel that the more men you keep upon those homesteads and the longer you compel them to be there the less amount of production there will be of food in this country. Especially is that true if you are trying to produce in that great Northwest a surplus of food for the people of this country and the other countries who are cooperating with us in the great war. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. Mr. Chairman, I yield five minutes to the gentleman from Colorado [Mr. KEATING].

Mr. KEATING. Mr. Chairman, in common with all the Members of this House, I have the utmost respect for the views of the gentleman from Wisconsin [Mr. LENROOT], especially when he is discussing a subject with which he is familiar; but no man who has lived in the West could have listened to the speech the gentleman has just delivered without feeling that he has never spent very much time west of the Missouri River. The bill now before the House has the support, I believe, of every Member of Congress from the Western States. It is being supported by the men who are familiar with local conditions.

I have in my congressional district probably ten or fifteen thousand homesteaders. Their claims are located in the vicinity of irrigated lands. In these irrigated sections the labor problem is a very serious one. When the gentleman from Wisconsin tells you that if the homesteader is not released to

work upon the farm, then some other man is there ready to take his place, he again demonstrates that he knows nothing about conditions in the West. The other man is not there and the homesteader is needed.

If the homesteader can make a success of his homestead he will not go to work on the irrigated farm, because he can earn more on his homestead than he possibly could on the irrigated farm.

Climatic conditions may render it necessary for him to seek employment away from his homestead. After he has put in his crop it may be apparent to him and to everyone else that he can not make his crop that year because of lack of rainfall, and then he should be at liberty to go off his claim into the irrigated section and help make the crop there. It will result, as the gentleman from Nebraska [Mr. SLOAN] has stated, in an increase of food production. The men of the West are interested in this; the Members of Congress from the West are interested in it, and they come before this House and present a problem which vitally affects their section of the country, and when they come here with this unanimity of feeling and report to you upon local conditions their statement should be considered. Personally I have lived in that section all my life. I know hundreds and thousands of homesteaders, I am intimately familiar with their condition, and I say to you as a Member of this House, just as my colleagues from the West say to you, that this legislation is urgently needed, that it will increase food production, and I hope that the other Members will take our word for it and pass the bill. [Applause.]

Mr. LENROOT. Will the gentleman yield for a question?

Mr. KEATING. I will.

Mr. LENROOT. I would like to ask the gentleman the same question I did the gentleman from Nebraska. Does the gentleman think during the existence of this war the fewer homesteads taken the greater the production of food?

Mr. KEATING. No; I do not. I do not believe that, and the gentleman from Wisconsin has misunderstood my argument. I stated a few moments ago that if the homesteader could make good on his homestead he would not go to work elsewhere.

Mr. LENROOT. But if the homesteader takes a new homestead to-morrow, and has the ability to cultivate 20 acres that might be engaged in food production, according to the gentleman's theory, it will virtually decrease food production.

Mr. KEATING. If he is not able to produce anything on the 20 acres he is to that extent decreasing production, but the gentleman is splitting hairs, because he is not familiar with western conditions. That is the difficulty with the gentleman. The gentleman is very earnest, very sincere in discussing this question of food conservation, but the difficulty with the gentleman is that he has not spent sufficient time west of the Missouri River to familiarize himself with local conditions.

Mr. FERRIS. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, I come from a large center of population, and we are interested primarily in the reduction of the cost of food raised in the country and to be consumed by our people, and I realize, as a representative of that great center of population, that labor is going to be scarce on all the farms of the country, because of the number of men taken into the war. But I can see, I think, that the men in the arid regions of the country who are homesteaders, endeavoring to establish farms on which to raise food supplies, may well find themselves unable to raise the crops which they have planted and find it necessary as a result of that to find employment on farms where labor is required, and thus be able to earn enough money to go back to the arid homestead and develop it to the extent that they may be required under the law. If this bill results in any such condition as that, it ought to be passed. If the establishment of an opportunity is afforded for men who can not engage themselves in the arid regions successfully to raise food to go on other farms where food can be raised, we ought to facilitate that movement, and if this bill accomplishes that purpose it is a movement in the right direction. We will find ourselves short of food, many varieties of food, before the war is over. It ought to be our purpose not only to facilitate the operation of the farm but to give every opportunity for those who are endeavoring to establish farms to find sufficient employment at some period of the year to enable them to finance their work. This bill proposes that, and I am in favor of it for that reason, and I know of no better method that can be employed to conserve the food supply than to enact some such legislation as this bill proposes. [Applause.]

Mr. FERRIS. Mr. Chairman, I yield three minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Chairman and gentlemen, my view of this bill is that it is conservation and will add to the food supply 50 per cent of what can be raised from the homestead claims that are in existence at the present time. There are possibly 250,000 homestead claimants who will be affected by this legislation. Anyone who is familiar with the Western States knows that the homesteader has not only one year but two, three, four, and sometimes five years to get into shape so that he can successfully cultivate 10 acres or more of land that will yield him a profitable return. Talk about cultivation! He has not the horses; he has not the wagon; he has not the plows; he has not the machinery; he has not the money to buy those things; and to-day when you buy the necessary machinery, the necessary horses, and the necessary seeds you can not get them because you do not have the money, and therefore, even if your land was in shape to cultivate, you can not get those things that are absolutely necessary to give you a crop without the money.

Now, from personal observation I have seen many men who could have done much better had it been so that in former years they could have left their home and gone to other places to work. The five months' leave of absence is used primarily now in the winter, when they can do but little on the farm. The family is taken to town, where the children can go to school, and the man goes to the sawmills or to other places where he can earn money to assist him in the improvement of his farm. This bill will have this effect: It will give the man a chance to cultivate every acre of his land and improve every bit of it up to the extent of his ability, and he will not neglect to cultivate one acre that he would have cultivated before. Very often the wife and children stay upon the farm and assist him to cultivate it while he is gone, if he is given the opportunity to get away. In most of the cases he can not get outside work close by. He has to go 10, 15, 20, or 25 miles in many, many cases. This bill will give him an opportunity, after he has placed his own farm in cultivation as far as his ability financially will permit—the wife and children are looking after it in his absence—and he can then go to his neighbor 10 or 15 miles away and grant assistance in harvesting the crop that could not possibly be otherwise harvested. This will enable him to do that. The man is familiar with the history of the country and knows that without this leave of absence somebody might want his place and file a contest upon it and he would be in litigation, and therefore would not cultivate, would not improve his farm until the litigation was ended. There are thousands of cases of that kind.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. I yield one minute more to the gentleman.

Mr. RAKER. So, as a matter of fact, I believe candidly, that of, say, 250,000 farmers now in the Western States that will be compelled, of course, to give their time to their own farms, we will have relieved 100,000 of those men who will have tilled their own farms to the very utmost and given them an opportunity to offer their labor and their ability to assist in increasing the food supply by helping their neighbors and at the same time protecting their own homesteads.

This bill is in favor of increasing the food supply. The Government will not be injured, and when we can advance the food supply and increase it by not doing away with any proper laws in regard to the improvement of the homestead we ought to do it, because it is a general advancement for all concerned. And the bill ought to pass, beyond all question, without a dissenting vote.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. Mr. Chairman, I yield three minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, the argument against this bill, it seems to me, is founded on the fallacious theory that a man will go off and work for wages for somebody else when he can stay at home on his own farm and produce more crops and personally make more money. Any farmer who is so feeble-minded as to arrive at such a conclusion is not of sufficient mental equipment as to be of much help in either place, in my judgment. Any farmer who has land of his own to develop and equipment to run that farm in days like these, when the crops he raises call for present prices, is going to stay there and raise them and not go to wandering around the country working for somebody else.

The argument against this bill is encumbered with another difficulty, and that is that the men in the older, settled communities fail to realize the conditions under which men labor who have homestead properties in the Far West. The new system in regard to homesteads includes many bad lands, and many will find only perhaps 20 acres that they can cultivate. This will not interfere with that. The law requires him to cultivate as much as that law intends him to cultivate. He can not avoid that. A large proportion of these homesteads is only available as grazing lands. They put a little under cultivation

that is arable, and then they go to work somewhere and make a living while they are getting some stock together to put into the pasture and fencing the pasture. They will not lose anything by this absence. You take the lands that are good, cultivatable, and arable, and any man with any common sense is going to cultivate them as far as he is able in the present situation. Men here ask what the settler does the first year that prevents more than 20 acres of breaking. The first thing that they do is to build a house, and then they build a barn, and then they dig a well, and if they do not strike water in the first well they dig another. My cousin Tom Meade dug a well 100 feet deep and found no water, and then went down in the valley in order to get another one. My brother Will's house in Oklahoma blew away, and he had to turn in and build another. The prairie fire swept away his hay. Those are some of the difficulties those fellows meet. You can not think of all of them in a moment.

Mr. FERRIS. Will the gentleman yield?

Mr. LITTLE. In just a minute. Then these people have to break the land. As has been suggested, that can not be cultivated the first season. You can not raise anything but a little sod corn, with no ears on it. The first year a man has no income, and you must understand that most of them come without money and have to make a living. Therefore they are allowed to go away in the winter and make a living while they hold the farm. The second year, as a matter of fact, they do not raise much of anything on a homestead. It is pretty much of a failure. Several years go by before the settler becomes a farmer. Everybody who has been there knows that. Then he must pay off the debts he has made. It takes two or three years to get a farm under way.

The gentleman from Iowa [Mr. GREEN] asked if you ever saw them break very much or very rapidly with one little team. The men on these claims do not have the big horses found in Wisconsin; they do the best they can with bronchos. They follow hungry oxen along barren furrows for thousands of miles, the grasshoppers hanging on their flanks and the drought at their heels, to make homes and schools and civilization on the plains. A Government homestead is simply a slippery tail hold on the prospect of making a good living by hard work at some future day. Men do not speculate on a chance to hang on by their eyebrows.

The chance to defraud the Government is purely nominal. The opportunity for speculation is simply infinitesimal. The prospects of starving to death are good. The chance of being frozen out is the biggest one the settler has. The menace of speculation is as imaginary as a pipe dream in Chinatown. The serious danger to the West is that families who have eked out an existence on those claims will now be driven from them by the increase in the price of their supplies, and whole sections will be deserted. Their aid on big farms in neighboring counties will take the place of those gone to war and will enable many a family to keep a home for which they are now striving. Their labor transferred from undeveloped claims to old farms will help to feed a threatened world.

The CHAIRMAN (Mr. SAUNDERS of Virginia). The time of the gentleman from Kansas has expired.

Mr. LITTLE. I would like to have one minute more.

Mr. FERRIS. I yield the gentleman one minute more.

The CHAIRMAN. The gentleman is recognized for one more minute.

Mr. LITTLE. I loaned a man, for example, on a homestead $150 on a pair of mules. The law did not allow him to leave the State with those mortgaged mules. Some months later I found he was just back from Colorado. He came to see me, and I said to him, "Where have you been?" He said, "I was over in Colorado." My mortgage was no good while that team was in Colorado. He was liable to go to the penitentiary. He had been over on the Missouri Pacific, working on their grades. He was violating the law, but I did not say a word to him about that. He had to get some money somehow.

You say, "Would we have this homestead law abrogated during the war?" We would not if you pass this bill. Otherwise I would favor the abrogation of it. These men are seeking to found homes and family seats. They go with nothing in their hands, and they must be allowed to make a living in some way while they are trying to do that.

Mr. RAKER. These men must have the money to buy plows and other implements, and they can not buy them without credit, and ordinarily they are without credit.

Mr. LITTLE. No; they have no credit. They can not get $50 in credit when they take their claims.

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. FIELDS. What would it cost a man to equip himself to go out on a homestead? Suppose he is now without a team; what would it cost him?

Mr. LITTLE. I loaned my brother $400 to start with. He came back for some more, even then. At the present time, to buy a team, a plow, a cow, and to buy machinery and to build a home, it will take at least four years' work to lay the foundation that he has to make in the first year. You should not object, gentlemen, to his working away from home for a few months and thus keeping a hold on his only prospect for a home.

Mr. FIELDS. Under the present prices those things would cost fifteen hundred dollars, would they not?

Mr. LITTLE. I think that is correct.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. FERRIS. Mr. Chairman, several Members have asked for time, but I would be glad if they would dispense with further debate and allow us to get through with this bill.

Mr. KREIDER. Mr. Chairman, may I ask the chairman of the committee a question?

Mr. FERRIS. Yes; I yield for that; certainly.

Mr. KREIDER. As it is now, an entryman can leave his homestead and go elsewhere and work for a period of five months, can he not?

Mr. FERRIS. Yes; that is the law. He can get a leave of absence and go.

Mr. KREIDER. He can get a leave of absence and leave now for five months under the present law without this proposed law?

Mr. FERRIS. That is true.

Mr. KREIDER. Now, then, is it true that, as it is provided here, when he leaves his homestead and works on a farm elsewhere, that time is to be counted as constructive residence on the entry?

Mr. FERRIS. That is true under this bill.

Mr. KREIDER. Do I understand from that that a man could go there and enter a claim and make, possibly, a few little improvements, and then hire out under this law and work elsewhere without invalidating his homestead entry and get title to it under the law?

Mr. FERRIS. This does not relieve him from making any improvements for the breaking. He has to plant 40 acres if he has 160, or 80 acres if he has 320, or 120 if he has 640. I think I am right as to that. But he must go on with the cultivation. This gives him a chance to steal away from his own entry and work for somebody else.

Mr. KREIDER. But did he not have the right to do that before for five months?

Mr. FERRIS. Yes; but if he stayed over a day somebody would contest his entry. Let me call the gentleman's attention to this fact: In that semiarid country, where these lands are entered, they quite often do not raise anything on account of the drought. This past year in a part of my State corn never got high enough to tassel, and even the sunflowers were not even knee-high. The entryman must go out and work for somebody. The gentleman from Nebraska [Mr. SLOAN] has a farm in the humid belt, where it rains, and even there, where they need farm help, they can not get a colored person to rake their yard or shock their corn or do any work at any price. There is no one to do any of that work. Under the new 640-acre law that we passed there are 70,000 applications pending for homesteads. We appropriated at the last session $150,000,000 and then seventeen and one-half million dollars—for what? For propaganda to teach somebody how to farm. Let us pass this bill and let the man who is struggling to get a home for his family go away and work for somebody who needs his assistance. This costs nothing from the Treasury. These people are making a brave fight to succeed.

Mr. KREIDER. I do not say that I am opposed to this legislation, but I notice this in legislation, that there is a Representative from one section of the country who proposes legislation, and for his particular section certain legislation is just and proper, and yet when you pass such legislation in a general way, applying all over the country in other sections, it opens up a proposition which may lead to land grabbing, and the law may be put to a purpose which it was never intended it should be. I insist that this legislation should be considered from every viewpoint. It occurred to me that if an entryman had now the privilege of leaving the farm for a period of five months, either for the purpose of helping a neighbor to farm or for the purpose of working in a mine or in a lumber camp, he already has an opportunity to do that which is sought to be given him by the passage of this bill. If I am wrong about that I am perfectly willing to be corrected, but it occurred to me that such

would be the case if he were allowed to leave, as is now provided by law, for five months.

Mr. FERRIS. The gentleman is not wrong. He is right in nearly everything he says. Let me make this statement. There are 17 States in the West having some public lands. All these Eastern States have no public lands. The scattered public land that is left unsettled is mostly poor, gravely, arid land. That is the character of most of it. Some of it can be cultivated in a ravine, for example, where there is a little soil and a little water, but the rest must be used for pasture. Men are now going out there trying to reduce portions of that West to a real productive area. I do not know whether they can do it or not. Corn chops are $4.50 a hundred. Hay is $45 a ton. Everything else is in proportion. I do not know whether they can go out and reduce that wild prairie or not. Most of it, I fear, can not be reduced. This bill gives the entryman more than the five months the gentleman from Pennsylvania refers to. It gives him an opportunity to go out and husk corn and help other farmers produce on productive farms and earn some money for himself to return to his own barren claim. He is put to the bitterest test. His is the hardest part. He has few of the comforts, most of the hardships. He asks but little. He gets but little. There should be no controversy about this bill. It gives them a chance in dry years to go and plow for somebody else after they have failed on their own land, and then to return again and keep the home fires burning.

Mr. LITTLE. Has not the gentleman seen thousands of them starved out from these little places that they could not hold?

Mr. FERRIS. Precisely. That happens every year.

Mr. KREIDER. The gentleman is pleading a cause which is very just and proper, but the homesteader is not denied that privilege now. He can go and shuck Mr. SLOAN'S corn now. He can go and plant his seed. But, my dear sir, if he is to raise a crop on 20 acres of ground on his homestead he can not go away and leave it for seven or eight months.

Mr. FERRIS. In that semiarid country, where the land is nonirrigable, nonmineral, and nontimber, just the poor, bald, arid prairie land, for many years they do not raise enough on the land to feed a hen and chickens.

Mr. KREIDER. I have no objection to the homesteader getting away and earning a little money on the outside, but he can do that under existing law.

Mr. LENROOT. How is a man going to make a living in the winter if he is away in the summer?

Mr. KNUTSON. Is it not a fact that no homesteader is going to leave his homestead to go to work on some one else's farm if he can make more money raising crops on his own homestead?

Mr. FERRIS. Of course not, and I am not in favor of offering lavish inducements to the homesteader to leave his homestead for any purpose; but out in that semiarid country, when a man goes on a homestead claim it is the acid test whether he can stay there at all or not. It is a case of hustle from the day he goes on the land until he goes away. I myself have been a homesteader on better land than this within the last 15 years, and I know what the rattle of chain harness means. I know what it is to live in a cabin made of rough pine boards standing on end. I know what it is to hear the music of the wind whistling through it. I know what it means to have a barrel of water that you have hauled out of some frog pond sitting in the back end of the wagon. I know what the norther and the north wind mean, and these people who go out onto these homesteads have a tremendous tussle to know whether or not they can stay there until Christmas. We are appropriating in a single session $21,000,000,000 of the people's money. Now, this bill takes not one cent out of the Treasury, but merely gives the homesteader a little additional chance. I am willing to do this little for him. Last year we appropriated in one bill $150,000,000 and in another bill $17,500,000 to hire spindle-legged dudes to go out and teach the broad-shouldered farmer how to hitch up a team of mules. We at least ought to be content to give the real homesteader a chance when he appears at the Land Office and pays his $14 and goes out and struggles with the unbroken and unsubdued sod of a homestead claim. We at least ought to give him a chance to go away and shuck corn for his neighbor when his neighbor can not even get a corn shucker. [Applause.]

Mr. KREIDER. I want it understood that I am not making the slightest objection to that.

The CHAIRMAN. The Clerk will read the bill for amendment.

The bill was read, as follows:

Be it enacted, etc., That during the pendency of the existing war any homestead settler or entryman shall be entitled to a leave of absence from his land for the purpose of performing farm labor, and such absence, while actually engaged in farm labor, shall, upon compliance with the terms of this act, be counted as constructive residence: *Provided*, That each settler or entryman leaving his claim for the purpose herein provided shall file notice thereof in the United States Land Office, and at the expiration of the calendar year file in said land office of the district wherein his claim is situated a written statement, under oath and corroborated by two witnesses, giving the date or dates when he left his claim, date or dates of return thereto, and where and for whom he was engaged in farm labor during such period or periods of absence: *Provided further*, That nothing herein shall excuse any homestead settler or entryman from making improvements or performing the cultivation required by applicable law upon his claim or entry. The Secretary of the Interior is authorized to provide rules and regulations for carrying this act into effect.

Mr. FERRIS. The gentleman from Massachusetts [Mr. WALSH] has a little amendment that he wishes to offer, and I hope the Committee of the Whole will agree to it.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 1, line 9, before the word "leaving," insert the words "within 15 days after," so that it will read: "*Provided*, That each settler or entryman within 15 days after leaving his claim for the purpose herein provided shall file notice thereof," etc.

Mr. FERRIS. I think the committee has no objection to that. It was the intent of the committee to have the homesteader give notice if he left his claim, and the gentleman from Massachusetts wants him to do it within 15 days. I hope the amendment will be agreed to.

Mr. LENROOT. May we have the amendment reported again?

The CHAIRMAN. Without objection the Clerk will again report the amendment.

The amendment was again read.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

Mr. STAFFORD. Mr. Chairman, judging from the temper of the House I recognize that there is an overwhelming sentiment in favor of this bill. Yet I believe if it is passed it will encourage speculation so far as the occupation of our western lands is concerned. We are throwing the doors wide open to speculators if this bill becomes a law. No permanent location will be required. Nothing except the tilling of 20 acres each year. What is necessary more than anything else for the development of the West, in time of peace and in time of war, is permanent location of these entrymen on their homesteads.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. STAFFORD. Not at present. Permit me to pursue my argument, and then I will yield. This bill will not require the establishment of any permanent home on a homestead. Considerable of the legislation that has been reported by the Public Lands Committee in the past Congress and in prior Congresses has been for the benefit, not of the dwellers in our large cities who really wish to go West and build up bona fide homesteads, but it has been for the benefit of those who have already obtained homesteads and who wish to obtain additional lands. This bill is primarily for the benefit of those who have made entries under the homestead law, and who wish to be relieved from the burden that the Government has required from the enactment of the first homestead laws, namely, that homesteaders shall reside on their homesteads. Pass this bill and you waive that requirement entirely. This is to the disadvantage of those bona fide homesteaders who go West and make an entry of 160 acres and who wish a settlement of the community for the building of schools and churches. You take away from the bona fide settler the benefit of the association and the settlement that is the natural result of our homestead policy. But this bill puts a premium on subsequent entrymen merely to make entry to obtain a patent without any intention of building a home. Now I yield to the gentleman from Idaho.

Mr. SMITH of Idaho. During the last 10 years we have heard a great deal about speculation in public lands. Will the gentleman please enlighten the House how it will be possible for anyone to speculate in a homestead entry such as is proposed?

Mr. STAFFORD. Oh, a person does not have to live in the western country to know that there are large quantities of vacant public lands open to entry, lands in our forest reserves which are partially agricultural and partially timbered. A man has settled in that country, and his sons who have grown up want to make entries. Under this bill they can go and enter upon the land, because it is tributary to the land that they own. They know about it. They preempt it, and under this bill they will not be required to do anything except merely till 20 acres.

They may live 100 miles, or 20 miles, or any distance whatever from the new land and still obtain the homestead right without any improvement whatever. I am informed by those coming from the western country that the real homestead settlers are opposed to this character of legislation. They want bona fide settlers and not squatters on the lands; they do not want men

who when the time has expired will get a patent and then sell out to large ranchmen without any improvement whatever.

Mr. KNUTSON. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. KNUTSON. What is this land for if it is not to be entered upon?

Mr. STAFFORD. The land under the homestead law is not only for the entry of the settler but it is for the building of homes; that is the primary object and has been ever since the homestead laws were established. We have been lessening the requirement, I know; the time has been diminished from five to three years, but still we ought not to relinquish all the necessary requirements in order to compel a man to build a home for himself.

Mr. KREIDER. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. KREIDER. Would it not be possible under this law to have men employed by a corporation file on the lands and cultivate the first 20 acres without having any bona fide residence there?

Mr. STAFFORD. Yes; there is nothing in this law that requires any bona fide residence.

Mr. FERRIS. Oh, my friend, there is under the general law.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. TIMBERLAKE. The gentleman makes the statement that no residence is required, that a man could absent himself after entry and comply with the law. I think the gentleman did not intend to make the statement quite so broad. Before the homestead entryman can avail himself of the five months' leave of absence he must have established a bona fide residence on the land by taking his family there. The residence must be bona fide before he can avail himself of the five months' leave of absence. Then he can get the additional term only when he has complied with the law.

Mr. STAFFORD. Oh, the gentleman says "if" and "so." The language of the bill is so broad that any entryman, any homestead settler will be entitled to a leave of absence. He may go on the land, and after he has once entered on the land and makes his filing he is relieved of the requirements of residence and is only obliged to till 20 acres of land in gaining a homestead.

Mr. TIMBERLAKE. This bill does not dispense with the requirement——

Mr. STAFFORD. Oh, the gentleman reads into the bill something that is not there. This bill reads:

That during the pendency of the existing war any homestead settler or entryman shall be entitled to a leave of absence from his land for the purpose of performing farm labor, and such absence, while actually engaged in farm labor, shall—

He can come on the land, make his filing at the register's office, and as soon as he makes the filing all that is necessary for him to do is to cultivate 20 acres of land. If this bill passes, it is capable of the most gross abuse ever charged against the entry on our public lands.

Mr. JOHNSON of Washington. How long does it take to break up the 20 acres?

Mr. STAFFORD. Oh, the gentleman from Washington lives in a timber country, and it is for his interest and those gentlemen who live in that country and have sons to have this bill passed in this way. I am not against building up the western country, but I want it built up by real homesteaders who will live on the land.

Mr. McKENZIE. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. McKENZIE. I desire to ask the gentleman whether he ever traveled through this section of the country he is discussing in daylight; and if so, in his judgment, would it not require more than five months to find 20 acres of land that could be tilled? [Laughter.]

Mr. STAFFORD. Oh, the gentleman is facetious. Yes; I have traveled through this country on foot more than the gentleman will ever travel on foot. I have just recently been tramping in the northern Wisconsin woods and have seen the condition of that land under our land laws, and I want to protect this large public domain, not only for the benefit of the settlers who live tributary to the land, but for the large number of men in the cities who are demanding public lands, and after the war closes will continue increasingly to demand land, to make the lands available for settlement. I am not in favor of allowing these persons to gain 320 acres of land of a homestead character without the requirement of building a home there and making it really his home.

Mr. GOOD. Mr. Chairman, I want to offer an amendment.

Mr. FERRIS. Let us first vote on the pending amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The question was taken, and the amendment was agreed to.

Mr. GOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 2, line 8, after the word "entry," insert the following: "*Provided further*, That the provisions of this act shall apply only to homestead settlers and entrymen who may have filed their claims prior to the passage of this act."

Mr. GOOD. Mr. Chairman, I am in sympathy with the provisions of the bill. I believe a great many of these entrymen and settlers, if required to build homes, to break up the land, and make a farm out of raw land, will spend a great deal of time that might more profitably be expended on agricultural lands already subject to cultivation; but I do not believe that we ought to permit by the passage of this act a man to go out and file a claim and do little or nothing more and have the advantage over the boys who are in the trenches, over men who are now engaged on the farm and can not go and file a claim, by simply filing a claim without doing much work and at the same time be given the same advantages given to one on the land.

I have no objection myself to the provisions of this bill, but, it seems to me, we ought not to throw down the bars entirely and permit men simply to file a claim and not go near it, if this war should last for three years, and still have all of the privileges of the men who now live upon their claims.

Mr. FERRIS. Mr. Chairman, the gentleman in his amendment has used the word "claims." I think that introduces into the law a new term. Would the gentleman have objection to changing that to the word "applications"?

Mr. GOOD. No.

Mr. FERRIS. Because by application is the way one initiates a homestead. I think the gentleman is on the right track.

Mr. GOOD. I ask unanimous consent to modify my amendment by striking out the word "claims" and inserting in lieu thereof the word "applications."

The CHAIRMAN. Without objection, the amendment will be so modified.

There was no objection.

Mr. LITTLE. Do I understand that all of the entries from now on will be subject to the present law and would have none of the advantages under the amendment?

Mr. GOOD. That is true, if this amendment is adopted.

Mr. LITTLE. Does the gentleman not think that would be an injustice?

Mr. GOOD. That is the reason I am offering the amendment.

Mr. LITTLE. There is a lot of bare-legged speculators who would try to take advantage of this.

Mr. WINGO. Mr. Chairman, will the gentleman please explain how you can speculate in this land under existing law?

Mr. GOOD. I do not know whether any of this land has a speculative value.

Mr. WINGO. The gentleman has raised the question, and it has been raised before, and it is the bugaboo of Members. Tell me how you can speculate in homestead lands under existing law?

Mr. LENROOT. This law does permit speculation.

Mr. WINGO. How will this bill permit speculation?

Mr. LITTLE. It is a penitentiary offense to attempt to hold homestead lands for speculation.

Mr. WINGO. You can not have speculation. If the gentleman is familiar with the present situation not only in the West, but I am sure also in many of the States, as it is in mine, he will recognize that the restrictions now are so great that the homestead lands are not being opened up, and that men have ceased opening them because they would rather go and buy deeded lands. That is what every man advises his friends. Long ago I ceased advising men to take up Government homesteads. You can not have any speculation under this bill; you can not have any speculation in homestead lands now at all.

Mr. GOOD. My object in offering the amendment was not to prevent speculation but to prevent a person who now wants to go out there and make his entry being credited with constructive residence when he does not intend to do the required work upon the claim or to reside upon the claim as now required by law.

As the gentleman knows, the law giving a man the right to enter the public land was predicated upon the very thought that they would go there and improve it and make it their home, at least for a period. This bill, without my amendment, would give a resident the right to go and file his claim and then without doing any work be counted as a constructive residence.

Mr. FERRIS. Oh, no.

Mr. GOOD. This amendment provides that persons who want to go there in the future even under this law must go there and live upon the land according to the terms of the present law and at the same time people who are desirous of taking up agricultural pursuits, who have already taken up land, will be given the relief the Secretary wants.

Mr. WINGO. I think the gentleman is wrong; but, assuming that he is right, does he think it wise to have two classes of homesteaders under the same law? Assume you are correct, can the gentleman see anything except a theoretical objection?

Mr. GOOD. Yes.

Mr. WINGO. Is not the primary purpose in the homestead law to increase the number of home owners and increase the productivity of the farms by opening up additional lands?

Mr. GOOD. Yes.

Mr. WINGO. Anything that makes a start within the provisions of the act so that the land is ultimately used for the purposes of the act. Is not that the fact?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of six minutes' debate on this amendment be closed.

Mr. LENROOT. Mr. Chairman, will the gentleman yield before the Chair puts that? I desire to know whether the chairman is for or against the amendment?

Mr. FERRIS. I am for the amendment, and I intend to state my reasons why in the one minute reserved.

Mr. LENROOT. I would like to have two minutes.

Mr. FERRIS. Then I ask unanimous consent that at the expiration of eight minutes of debate debate upon the amendment close, five minutes of that time to be controlled by the gentleman from Arkansas [Mr. WINGO], two minutes by the gentleman from Wisconsin [Mr. LENROOT], and one minute by myself.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WINGO. Mr. Chairman, I have no particular interest in the matter and I should not have taken the floor except that the discussion has disclosed a certain amount of misinformation as to present conditions that exist with reference to homesteads. My experience and observation have been that we have gone to an extreme. A great many years ago we did have frauds in homestead entries. We have so tightened up on the matter now that, to my mind, it is impracticable for a man to enter a homestead. I would not advise a man to do it. The hardships are too great, because the restrictions thrown around homestead entries are so great that not only is it reasonably impossible for frauds to be perpetrated but men are harassed by the vigilance of the agents of the Government in being sure that there is no fraud.

Now, as I take it, the proposed amendment here will not let down the bars. It simply proposes, as I understand, to give during the war a greater leave of absence than the present law permits while actually engaged in farm labor. We all recognize the fact that we need an increased production of foodstuffs in this country and will for many years after the war is over. Now, the gentleman from Iowa [Mr. GOOD] is afraid a man may come in under this law and claim the benefit of constructive possession or occupation of this land and not comply with the spirit of the law. I think it would be to the public good if we could induce men now to start making homestead entries even if they did not progress as rapidly in the development or improvement of those homesteads as in ordinary times, because after the war is over, when the benefits of this act will expire, he then must come in and carry out the law and develop and improve it, and there will be an incentive to him not to commit a fraud, so that the benefit of constructive possession and occupation is to make him ultimately pursue the homestead entry and comply with the law for actual occupation and for development and cultivation as required. What other benefits can he get? He can get none whatever. And this act, as I understand it, is simply for the purpose of permitting a man to go out and engage in some productive enterprise upon a farm. We know this much, that during the first one or two years a man upon a homestead does not produce in quantity or even in quality the amount of crops he does after it has been put in a high state of cultivation which is only possible after several years residence and labor upon a new piece of ground. The very first year when he goes to plant what is commonly known in my part of the country as "new ground" it is impossible to produce as much stuff that year as upon old ground. Under this act a man may go and rent a piece of old ground and produce possibly three or four times as much as the new land on the homestead——

Mr. RUCKER. He can not produce and he can not cultivate.

Mr. WINGO. No; he can not cultivate as much new ground and can not produce per acre as much as he can on old ground, and I see nothing in this act for a man to be afraid of for fear abuses will creep in or that straw entries will be made because there will be no incentive for a man to make a straw entry because he could not profit by it after the war is over. I am afraid it will not be sufficient inducement for the homesteader to help relieve the situation with respect to farm labor that now exists.

Mr. RUCKER. Will the gentleman yield?

Mr. WINGO. I will.

Mr. RUCKER. Under the amendment now being considered, would not that make a discrimination against the very class of men who ought not to be discriminated against?

Mr. WINGO. Surely, I think.

Mr. RUCKER. Is it not true that perhaps there may be to-day thousands, many thousands of men who after a while may want a homestead who would have to be dealt with entirely differently from those who have heretofore been fortunate enough——

Mr. WINGO. Oh, my objection to the amendment is largely theoretical, and it is this, that you do not want to inject a new classification. In other words, you do not want any additional classes under the homestead laws unless they are absolutely necessary. It is largely theoretical.

Mr. RUCKER. They have to file a declaration, but the men who are engaged during the war can not file an application, and they will have to be dealt with differently.

Mr. FERRIS. Suppose a man wants to tie up a large area of land, and suppose he has a lot of hired men, cowboys, to enter, to make application. These men may go to the land office and file entries. That might open up a fraud and might retard the development of that community, and I rather think there is considerable merit in the suggestion of the gentleman from Iowa. Suppose a case like this: Suppose now the cattleman had 50 men working for him—I do not know there is any such. I feel like in an abundance of safety we had better adopt the amendment of the gentleman from Iowa. It may not be necessary, but it will do no harm.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. LENROOT. Mr. Chairman, I believe I have two minutes.

The CHAIRMAN. The gentleman has two minutes.

Mr. LENROOT. Mr. Chairman, the gentleman from Arkansas [Mr. WINGO] inquires how there can be speculation under this bill, and I grant with this amendment there can not be; but without it, it is framed so that it opens the door wide for speculation. Under existing law it is true that one must establish his residence, but without the amendment of the gentleman from Iowa speculation will come about in this way: A cowboy, as suggested by the gentleman from Oklahoma, makes entry upon 320 acres of land, never needs to establish a residence upon it at all. When the minimum amount of cultivation required by law is satisfied, he sells to the man who owns a ranch. Is not that a speculation pure and simple?

Mr. WINGO. I deny that you can do that under the working of this bill.

Mr. LENROOT. You certainly can, because under the law after a man makes an entry he has, I think, six months within which to establish residence, and without the gentleman's amendment no residence is necessary to be established at all.

Mr. WINGO. The gentleman overlooks some other provisions of law that this does not repeal.

Mr. LENROOT. It does, in this sense: It permits a constructive residence to take the place of actual residence during the time of his absence.

Mr. LITTLE. Will the gentleman yield?

Mr. LENROOT. I will.

Mr. LITTLE. Does not the gentleman realize that the transaction he speaks of would lay the man liable to be sent to the penitentiary?

Mr. LENROOT. No; I do not know that. Not if this bill passes permitting constructive residence to a man who works upon a farm.

Mr. WINGO. How long is the constructive residence?

Mr. LENROOT. During the entire period of his absence.

Mr. WINGO. During the period of the war.

Mr. LENROOT. During the period of his absence if that is during the period of the war, and if this war should last three

years he may get a patent to that land without having a home upon it at all.

Mr. WINGO. Does the gentleman think he could make final proof?

Mr. LENROOT. Certainly, he can. But with the amendment of the gentleman from Iowa that can not be done, because then it will only apply to those who prior to this time have actually established residence upon the land.

Mr. FERRIS. Mr. Chairman, I am going to vote for the amendment of the gentleman from Iowa [Mr. GOOD]. Of course, this bill does not repeal existing law which requires actual, bona fide residence. But there is a possibility that they might creep in there and take up a lot of land and not move on it and carry it along under this law, which no one wants to do and which no one on the committee or anyone else advocated. And to avoid any doubt about it I am going to vote for the gentleman's amendment.

Mr. WINGO. The amendment does not change the proviso on the second page of the bill?

Mr. FERRIS. The amendment provides a payment and bona fide residence.

Mr. WINGO. Does the gentleman know of anything to prevent his staying one day and then moving off?

Mr. FERRIS. It is expected to apply to those who move into a community and expect to become a part of it.

Mr. WINGO. Even if you pass this act without the amendment of the gentleman, a man could not make final proof under the present existing law without showing actual, bona fide residence?

Mr. FERRIS. That is true; but suppose he carried it along three years? Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa [Mr. GOOD].

The amendment was agreed to.

Mr. DYER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 1, line 5, after the word "farm," insert the words "or industrial"; also the same thing in line 6, same page, and line 4, page 2.

Mr. DYER. Mr. Chairman, I hope the gentleman from Oklahoma, the chairman of the committee, will not object to that amendment. He knows, of course, and we all know, that men are needed as badly in the industrial pursuits—in manufacturing munitions of war and making the things that are of need to the Army and Navy—as on the farm, and I think all men ought to be dealt with fairly and equally.

Mr. FERRIS. Will the gentleman yield?

Mr. DYER. I yield.

Mr. FERRIS. I rather hope the gentleman will not insist upon that amendment. The industrial area is far removed from the agricultural area as a rule. This is a proposition to increase the production of the homestead area.

Mr. DYER. The gentleman will realize that men have been called from the farms and from their businesses to go and help in manufacturing lines, in which the labor is awfully scarce at this time. The Government itself is crippled in the production of the things that are needed for the war itself because of scarcity of labor. And we ought to give every opportunity and advantage to the men who have these claims and who are willing and can obtain employment where they will do more good at this time—during the winter months—in working in the industrial pursuits in the big cities.

Mr. KINKAID. Will the gentleman yield?

Mr. DYER. I will.

Mr. KINKAID. Is the gentleman not aware of the fact that there is a greater and more serious problem now existing on account of the scarcity of farm labor than there is as to industrial labor? Even if he is not, I feel very confident that such is the fact.

Mr. DYER. I think the gentleman——

Mr. KINKAID. Just a further question. And this homestead labor is adapted to the farm. It is experienced farm labor, and that is the kind of labor that farmers need.

Mr. DYER. I will say to the gentleman that a great many of the homestead claims have been taken up by men from the cities, from the industrial centers, and that they can now be ill spared from that work to go and prove up these claims. And unless they are included it will necessarily mean that many of these men, thousands of them, will be taken away from pursuits in which they are now absolutely needed. The gentleman ought not, in my judgment, to oppose this amendment, and I hope that he will not do so.

The CHAIRMAN (Mr. FITZGERALD). The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. DYER].

The question was taken, and the amendment was rejected.

Mr. FERRIS. Mr. Chairman, I move that the committee do now rise and report the bill favorably to the House with amendments.

The CHAIRMAN. The gentleman from Oklahoma moves that the committee do now rise and report the bill favorably to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FITZGERALD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 4617) to authorize absence by homestead settlers and entrymen, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

The SPEAKER. The Chair lays before the House the following personal request, which the Clerk will report.

The Clerk read as follows:

BOSTON, MASS., *December 4, 1917.*

Hon. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.:

I respectfully request that I be given leave of absence from my duties as a Member of Congress for two weeks on account of personal business.

PETER F. TAGUE.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Has the Committee on Public Lands any further business?

Mr. FERRIS. There is nothing further, Mr. Speaker.

The SPEAKER. The Clerk will proceed with the call of committees.

The Clerk resumed the call of committees.

COAL AND ASPHALT, CHOCTAW AND CHICKASAW NATIONS.

Mr. CARTER of Oklahoma (when the Committee on Indian Affairs was called). Mr. Speaker, I call up the bill H. R. 195, Union Calendar No. 67.

The SPEAKER. Which calendar did the gentleman say it is on?

Mr. CARTER of Oklahoma. The Union Calendar.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 195, with the gentleman from North Carolina [Mr. POU] in the chair.

Thereupon the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 195, with Mr. POU in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 195, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 195) providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma.

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] is recognized for one hour.

Mr. STAFFORD. Mr. Chairman, a question of order. The bill must be first read. There has not been any reading of the bill.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to sell the coal and asphalt deposits, leased and unleased, in the segregated mineral area of the Choctaw and Chickasaw Nations, in Oklahoma, in the manner hereinafter set forth.

Before offering such coal and asphalt deposits for sale the Secretary of the Interior, under such rules and regulations as he may prescribe, shall cause the same to be appraised by a board of appraisers, consist-

ing of three members, to be appointed by the President, one upon the recommendation of the Secretary of the Interior, one upon the recommendation of the principal chief of the Choctaw Nation, and one upon the recommendation of the governor of the Chickasaw Nation, the compensation of each to be uniform and fixed by the President of the United States, and such appointments shall be made within 60 days after the passage of this act. Such appraisement, both as to leased and unleased lands, shall be described in tracts to conform to the descriptions of the legal subdivisions heretofore designated by the Secretary of the Interior, and shall be completed, sworn to by such appraisers, and final report made to the Secretary of the Interior within six months from the date of the appointment of the appraisers.

SEC. 2. That the sale of such deposits shall be thoroughly advertised, and shall at the end of 90 days from the final report of such appraisers be offered for sale in tracts to conform with the report of such appraisers at not less than the appraised value so fixed, except that isolated tracts of less than 960 acres may be sold separately under like provisions: *Provided*, That 20 per cent of the purchase price shall be paid in cash, and the remainder shall be paid in four equal annual payments from the date of the sale, and all deferred payments on all deposits sold under the provisions of this act shall bear interest at the rate of 5 per cent per annum, and shall mature and become due before the expiration of four years after the date of such sale.

SEC. 3. That immediately after the expiration of one year after the coal and asphalt deposits shall have been offered for sale, or forfeited for nonpayment under the terms of the sale, the Secretary of the Interior, under rules and regulations to be prescribed by him, shall readvertise and cause to be sold to the highest bidder at public auction all coal and asphalt deposits remaining unsold and all coal and asphalt deposits forfeited by reason of such nonpayment of any part of the purchase price: *Provided*, That the Secretary of the Interior, in his discretion, may reject any or all bids which he does not consider adequate, but at the expiration of six months thereafter the Secretary of the Interior may again readvertise and offer the same for final sale to the highest bidder at public auction, upon such terms as he may prescribe and at such valuation, independent of the appraised value, as he may fix.

SEC. 4. *Provided*, That such deposits of coal or asphalt on the leased lands shall be sold subject to all rights of the lessee, and that any person acquiring said deposits of coal or asphalt shall take the same subject to said rights and acquire the same under the express understanding and agreement that the Department of the Interior will cancel and withdraw all rules and regulations and relinquish all authority heretofore exercised over the operation of said mines by reason of the Indian ownership of said property, and that said properties thereafter shall be operated under and in conformity with such laws as may be applicable thereto, and that advance royalty paid by any lessee and standing to the credit of said lessee shall be credited by said purchaser to the extent of the amount thereof, and that no royalties shall be paid by said lessee to said purchaser until the credit so given shall be exhausted at the rate of 8 cents per ton mine run, and that the royalty to be paid thereafter by said lessee to said purchaser shall be 8 cents per ton mine run of coal, and that any lessee may, at any time after completion of such sale, transfer or dispose of his leasehold interest without any restriction whatever; and that any lessee shall have the preferential right, provided the same is exercised within 90 days after the approval of the completion of the appraisement of the minerals as herein provided, to purchase at the appraised value any or all of the surface of the lands lying within such lease held by him and heretofore reserved by order of the Secretary of the Interior and upon the terms as above provided, and shall also have the preferential right to purchase the coal deposits embraced in any lease held by such lessee by taking same at the highest price offered by any responsible bidder at public auction; and if any lessee becomes the purchaser of any coal deposits on any undeveloped lease owned by him, then one-half of the advance royalties paid by any lessee on such lease shall be credited on the purchase price thereof, and the advance royalties heretofore paid by any lessee shall be credited to such lessee on account of any production of coal on any other lease which he may own and operate: *And provided*, That nothing herein contained shall be construed as limiting or curtailing the rights of any lessee from acquiring additional surface lands for mining operations as provided by the act of Congress of February 19, 1912.

SEC. 5. That the surface of any segregated coal and asphalt lands in the Choctaw and Chickasaw Nations, in the State of Oklahoma, which may have been, or may be, condemned under the laws of the State of Oklahoma for State penal institutions or for county or municipal purposes, as authorized by the Indian appropriation act approved March 3, 1909, shall be construed to include the entire estate, save the coal and asphalt reserved: *Provided*, That the State of Oklahoma shall have the preferential right of purchase, at the appraised value thereof, upon the same terms applying to other coal and asphalt deposit sales under this act, all coal and asphalt deposits underlying the surface heretofore purchased by the said State of Oklahoma, and more particularly described as follows: Southeast quarter and south half of the northeast quarter of section 33; south half of and northeast quarter and south half of northwest quarter, and northeast quarter of northwest quarter of section 34; all of section 35, and southeast quarter of southwest quarter of section 26; and south half of southeast quarter of section 26; and south half of southwest quarter of section 25; and northwest quarter and west half of southwest quarter and west half of east half of southwest quarter and northeast quarter of northeast quarter of southwest quarter and west half of southeast quarter of northeast quarter of southwest quarter and west half of east half of southeast quarter of southwest quarter of section 36, township 6 north, range 14 east.

SEC. 6. That the Secretary of the Interior be, and he is hereby, authorized to prescribe such rules, regulations, terms, and conditions, not inconsistent with this act, as he may deem necessary to carry out its provisions, and shall establish an office for such purpose at McAlester, Pittsburg County, Okla.

SEC. 7. That when the full purchase price for any property sold hereunder is paid, the chief executives of the two tribes shall execute and deliver, with the approval of the Secretary of the Interior, to each purchaser an appropriate patent conveying to the purchaser the property so sold: *Provided*, That the purchaser of any coal or asphalt deposits shall have the right at any time before final payment is due to pay the full purchase price on said coal and asphalt deposits, with accrued interest, and shall thereupon be entitled to a patent therefor as herein provided.

SEC. 8. That there is hereby appropriated, out of any Choctaw and Chickasaw funds in the Treasury not otherwise appropriated, the sum of $50,000 to pay the expenses of appraisement, advertisement, and sale herein provided for, and the proceeds derived from the sales hereunder shall be paid into the Treasury of the United States to the credit of the Choctaws and Chickasaws.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. CARTER of Oklahoma. Mr. Chairman, this bill not only provides for the carrying out of a delayed pledge with the Choctaw and Chickasaw Indians, which was entered into between their representatives and the representatives of the Federal Government in 1902, but it opens up to development and production some 300,000 acres of coal lands which now lie dormant and bottled up, so that coal can not be produced on that area.

It will be necessary for me to go back just a little and explain. In 1893 the conditions had become so chaotic in Indian Territory and such a demand was made by the white people in that portion of our present State for statehood that the Indian appropriation bill carried an item providing for the creation of a commission to settle the affairs of the Five Civilized Tribes. This commission afterwards became known as the Dawes Commission. That commission attempted to negotiate agreements with the different tribes, and the Choctaws and the Chickasaws were the first to come to terms. The irony of fate has willed that their affairs are still unsettled.

One of the concessions made to the Indians was that these coal deposits should be sold and the money divided per capita among them. I think it is fair to say that the United States Government undertook to carry out that contract in good faith. An appraisement of the land was made, and the lands were offered for sale. While some of the bids may have reached the appraised value, the bulk of them did not bring the price which the Secretary of the Interior deemed at that time sufficient, so that the lands were not sold within the time provided by the act, which, as I recall, was three years.

Prior to this time a system of leasing had been entered into by the Federal Government for the Indians. Some 100,000 acres of this area was leased, and coal production has been going on upon that portion since that time. The testimony of the lessees in the hearing before our subcommittee, as I recall now, set forth that much of the coal under this 100,000 acres had been mined, but leaving considerable of the mineral under lease still unmined. The other 345,000 acres have had no mining operations whatever, because the system of leasing was stopped when the sale was provided for. Then when the time expired in which the sale should be made there was no way left for these lands to be developed.

The purpose of this bill is to provide for the sale of those lands in tracts of 960 acres at public auction to the highest bidder on terms of four years, reserving all the rights of the present lessees in the leased lands. Now, when I say that this land is to be sold to the highest bidder at public auction, I call attention to the fact that the provision for the first sale in the bill does not contain that language. My recollection is that as originally introduced and agreed upon the bill did contain that provision, but it was sent to the department for a report. The department rewrote the bill, and in rewriting it by some inadvertence the words "at public auction to the highest bidder" were left out. I have since consulted department officials about that, and they tell me it was not the intention of the department to leave out those words; that they wanted them in the bill; and at the proper time I shall offer an amendment to insert the necessary language. The two subsequent sales carry that language, as I now recall.

This is about all the statement I care to make, unless some Member desires to ask me a question.

Mr. LENROOT. Will the gentleman yield for two or three questions?

Mr. CARTER of Oklahoma. Yes.

Mr. LENROOT. I should like to ask the gentleman why there is no report on this bill.

Mr. CARTER of Oklahoma. By the Secretary of the Interior?

Mr. LENROOT. Yes.

Mr. CARTER of Oklahoma. There was a report made on an identical bill in the last session of Congress, and when the new bill was sent to the Secretary the Commissioner of Indian Affairs told me he thought as long as they had reported on a similar bill it was unnecessary to make any other report.

Mr. LENROOT. Was the other bill identical?

Mr. CARTER of Oklahoma. Identical.

Mr. LENROOT. There is some language in the report of the Secretary upon the previous bill in which he seems to refer to some things that do not seem to be included in this bill.

Mr. CARTER of Oklahoma. His recommendations have been included in the present bill.

Mr. LENROOT. I could not find that. I may find it later.

Mr. CARTER of Oklahoma. I think I can explain that to the gentleman's satisfaction.

Mr. LENROOT. On page 3 of the report, about the fourth paragraph from the bottom, I find this language:

The Secretary of the Interior has never affirmatively accepted their joint valuation of $12,238,189 as his own, and therefore I suggest that the bill be amended at the end of line 12, page 1, by inserting the words "which shall be" in lieu of the words "as heretofore," sufficient data being on file in the records of this department to determine on an appraised value to be accepted.

Mr. CARTER of Oklahoma. On what page of the report is that?

Mr. LENROOT. On page 3, about the fourth paragraph from the bottom. The gentleman will see that the amendment suggested by the Secretary of the Interior can not be traced in this bill at all, being applicable to another bill.

Mr. CARTER of Oklahoma. That is true. Those words ought to be in there if they are not.

Mr. LENROOT. I do not know what they apply to, and I can not tell from the bill.

Mr. CARTER of Oklahoma. They apply to the appraisement.

Mr. STAFFORD. Will the gentleman yield?

Mr. CARTER of Oklahoma. In just a moment, if the gentleman will permit me. If the gentleman will read line 9, on page 1 of the bill, he will see that it reads—

Shall cause the same to be appraised.

Mr. LENROOT. Yes; by a board of appraisers.

Mr. CARTER of Oklahoma. That covers the Secretary's recommendations. It may not be in the same language, but it covers his idea.

Mr. LENROOT. Then the bills are not identical? Is that true?

Mr. CARTER of Oklahoma. The bill that was sent to the Secretary was not identical with this, but the bill was amended to conform to the Secretary's request. That was done in the session before the present Congress, and the present bill is identical with that bill as amended in accordance with the Secretary's recommendation.

Mr. LENROOT. Where are the words "which shall be" in lieu of the words "as heretofore"?

Mr. CARTER of Oklahoma. The old bill contained the words "as heretofore appraised," and the Secretary of the Interior wanted the lands reappraised. The original bill did not provide for the reappraisement but provided for the sale of the land on the old appraisal. The bill was amended to conform to the Secretary's recommendation.

Mr. LENROOT. That was the information I was asking for.

Mr. CARTER of Oklahoma. Now I yield to the gentleman from Wisconsin.

Mr. STAFFORD. The bill now before the House was reported on the day before the adjournment of the last session?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. The Committee on Indian Affairs reported three bills on that day, as I recall.

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. They were not privileged under the understanding then in force, to be considered at that session.

Mr. CARTER of Oklahoma. I am not so sure about that.

Mr. STAFFORD. The gentleman now brings in a bill that is of vast importance, one that has never been submitted to the Secretary of the Interior in its present form. The bill which was referred to the Secretary of the Interior for his consideration was, in form at least, entirely different, whether it is substantially the same or not, I have not been able to ascertain, that being House bill 12544, which was introduced on March 1, 1916. I wish to inquire whether the gentleman contemplates passing this bill this afternoon?

Mr. CARTER of Oklahoma. I want to pass it as quickly as I can, but I do not want to pass it until the House is thoroughly satisfied with it.

Mr. STAFFORD. It is a most important bill, as the gentleman will acknowledge.

Mr. CARTER of Oklahoma. It is important to my people. I know that.

Mr. STAFFORD. The gentleman has the right of way on next Calendar Wednesday. There are some provisions in here that have not been digested by a large membership of the House. Here is one that relates to the rights of present lessees of the coal lands to be credited on the purchase price with the royalties that they have heretofore paid for coal already mined.

Mr. CARTER of Oklahoma. Oh, no. I can explain to the gentleman about that.

Mr. STAFFORD. On a hurried reading of the bill I got the idea that they were to be credited with royalties on coal already mined.

Mr. CARTER of Oklahoma. No. When the leases were made certain advanced royalties were required before the coal would be mined. Certain operators undertook to work two leases under one opening and have taken it out of one lease and on the other there was none. They have paid the department the royalty on both leases.

Now, that advanced royalty is to be credited when the coal is mined, but it is not on coal already mined. This bill provides that the lessee shall get credit for royalties paid on coal that has not been mined, but not upon coal that has been mined. It is on the advance royalty that the law gives them credit for at 8 cents a ton when mined.

Mr. STAFFORD. In view of the importance of the bill, I question whether the bill should be taken up when reported so recently as this. Considering the fact that no one has considered the bills reported the day before we adjourned, this bill might as well be considered as having been reported into the House first on yesterday.

Mr. CARTER of Oklahoma. The gentleman's statement is correct, as far as this one report is concerned, but the bill had been gone into by the committee and reported during the Sixty-fourth Congress, but was not reached on the calendar. There were three different hearings in the 64th Congress, and the report was made on it to the House, but it was not reached on the calendar. On the day before the last session adjourned this bill was reported out. It was reported for two reasons. The first reason was that it was providing for the mining of coal which was greatly in demand, and it was thought by some of us that this would bring it within the war-measure rule. In order to keep the calendar from being congested we held it back until the day before the session adjourned and reported it. The committee went into it thoroughly, and this is the second report.

Mr. STAFFORD. But the bill has never been considered in the House before?

Mr. CARTER of Oklahoma. We never had an opportunity to consider it.

Mr. STAFFORD. Does not the gentleman think that all his rights would be preserved if we allowed it to go over until next calendar Wednesday?

Mr. CARTER of Oklahoma. I think we might consider it a little bit right now. I want everybody to be satisfied about it, but I think if it goes over to next calendar Wednesday we had better not displace it on the calendar.

Mr. STAFFORD. It would not be displaced on the calendar.

Mr. LENROOT. Will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. LENROOT. Reading from the report of the committee on this bill, I find, under date of March 10, 1916, the Secretary reported favorably upon H. R. 12544, a bill similar in text and substance to H. R. 195, which is this bill. I have had placed before me a copy of the old bill, and in that bill there was no provision whatever concerning the relinquishment of all control by the Department of the Interior over these leases.

Mr. CARTER of Oklahoma. There was not. Is the gentleman reading from the bill as reported?

Mr. LENROOT. I am reading from the report of the Secretary on the bill 12544, which stated that it is similar to the bill now pending.

Mr. CARTER of Oklahoma. It is similar in text and substance. After the bill was taken up and, as I recall now, before it was reported, there came certain people, attorneys and others, who were interested in seeing that no violence was done to any person having vested rights under the leases. These leases had been made some 15 years before. The tribal authorities, citizens on the land, and a representative of the department got together and these additions were made. They were not changes, but additions.

Mr. LENROOT. They were substantial additions.

Mr. CARTER of Oklahoma. Yes; and very necessary.

Mr. LENROOT. Does not the gentleman think the Department of the Interior should report to the committee and to this House upon so vital a question as the relinquishment of control over the leases?

Mr. CARTER of Oklahoma. Let me ask the gentleman from Wisconsin this question: After the lands pass out of the hands of the Indians into the hands of the purchasers, does the gentleman think the department should then have any control over them?

Mr. LENROOT. Provided the land on which the leases are existing can be sold for as high a price to the purchaser as if the lease did not exist, I would agree with the gentleman; but if that is not true, I do not agree with the gentleman.

Mr. CARTER of Oklahoma. I think if this language is placed in the bill they can be sold for as high a price.

Mr. LENROOT. That is another question. There is another difference in the bills. In the old bill there is no reference whatever to the granting to the State of Oklahoma of the entire estate except the coal and asphalt, nor do I find any reference in the old bill for the granting of the right to the State of Oklahoma to purchase the coal and asphalt deposits lying under the surface. Does the gentleman think that it is entirely a fair statement to say that this bill is similar in text and substance to that bill?

Mr. CARTER of Oklahoma. That only authorizes the sale of some fifteen hundred acres of coal to the State. The bill is similar; those were additions to it.

Mr. LENROOT. I will say this to my friend, that we had a right to rely upon the report of the committee without sending for the old bill. We had a right to rely upon the assumption that these things were in the old bill, which is not true.

Mr. CARTER of Oklahoma. The principal difference is that the additions made here is in relation to the title to the lands after they have passed to the purchaser, to define the rights between the lessee and the purchaser of the land. They all refer to these relations, except the provision giving Oklahoma the right to purchase coal deposits on certain lands. That gives the right to Oklahoma to purchase 1,580 acres lying adjacent to the penitentiary, to use for State penitentiary purposes. There is another provision to which the gentleman calls attention about the condemnation proceedings conferring upon the State all rights except the coal and asphalt. Condemnation proceedings for the State were carried out under the Indian appropriation act of 1909. The bill for the sale of the surface of the coal lands was not passed until February 19, 1912, some three years thereafter. When the bill for the sale of the surface was passed it carried practically, almost identically, the language that is carried here with relation to the sale of the surface. It provided that the surface therein described should constitute the entire estate, save the coal and the asphalt. I can read the exact language:

> The surface herein referred to shall include the entire estate save the coal and asphalt reserve.

This simply makes the State's title conform to surface-sale provision.

Mr. LENROOT. Getting back to the original question as to whether or not the purchaser, being subrogated in every way to the Interior Department so far as being landlord is concerned, the gentleman assumes that the Indian would be just as well off because the entire estate would be sold, and he would get the entire proceeds in cash. Section 4 provides that such deposits shall be sold subject to all rights of the lessees, and so forth, and then goes on and provides that all control over operation now exercised by the Department of the Interior shall be reliquished and that there shall be no control over the operations of the lessee so far as the Government is concerned. Is it not possible that a purchaser bidding upon two tracts of coal land, one upon which there is no lease and the other upon which there is one of these leases at 8 cents a ton—is that the correct amount?

Mr. CARTER of Oklahoma. Yes.

Mr. LENROOT. That a purchaser, believing that it is worth to him 16 cents a ton royalty, is going to bid as much for that tract under lease as he is for the other tract?

Mr. CARTER of Oklahoma. In reply to that I will say that a vein of coal contains about 1,000 tons of coal to the foot thickness per acre. These veins will probably average 3 or 4 feet—hardly 4 feet, but we will call it 4 feet for a basis. A 4-foot vein, then, would contain 4,000 tons of coal, and the royalty on that at 8 cents would amount to $320 per acre—a great deal more than you will ever be able to realize from any of these lands. I have not any idea that these lands will bring over ten to eighteen million dollars when sold, because some of them are barren of coal and in some of them the coal veins are too narrow to ever produce a profit.

Mr. LENROOT. Do I gather from the gentleman that the Indian would actually receive much more money by going on under this system?

Mr. CARTER of Oklahoma. Yes; no doubt of it; but he would not receive it for the next seven or eight generations, perhaps, under the present system.

Mr. LENROOT. Why should the lands now under lease be included?

Mr. CARTER of Oklahoma. They should be included because we have made a solemn agreement with the Indians that we would wind that estate up and sell those lands. They should be included because the Federal Government ought to keep its word, just as it requires and expects an individual to keep his word.

Mr. LENROOT. Even if it is to the absolute detriment of the Indian?

Mr. CARTER of Oklahoma. It will not be to the detriment of the Indian, because the present mining output, as I recollect it, now is about 3,000,000 tons a year. That would amount in royalty to about $240,000 per year, scarcely anything when divided among 30,000 people; and if you would sell this land, place it in the hands of people where it can be developed, and pay out the money you sell it for to the Indians, you will do him a substantial good, because you will give him enough to improve the land that he is already allotted and enable him to make a showing—much better than to pay it in driblets of $10.

Mr. LENROOT. I would like to ask the gentleman one other question with reference to these appraisers. One of the appraisers, it seems, is to be appointed by the principal chief of the Choctaw Nation.

Mr. CARTER of Oklahoma. Yes.

Mr. LENROOT. I would like to ask the gentleman something about the chief of the Choctaw Nation.

Mr. CARTER of Oklahoma. The chief of the Choctaw Nation is Victor M. Lock, quite a high-class young man. He is now a major in the United States Army and is at one of the training camps. He will probably go to France. The governor of the Chickasaw Nation is Gov. D. H. Johnston, who has been chief of the Chickasaws since 1902, I believe—has he not, Mr. CAMPBELL?

Mr. CAMPBELL of Kansas. 1900, I think.

Mr. CARTER of Oklahoma. A high-class, educated man.

Mr. LENROOT. Is he an Indian?

Mr. CARTER of Oklahoma. Yes, a Chickasaw Indian; and the chief of the Choctaws is a Choctaw Indian.

Mr. LENROOT. That is all I care to inquire about at this time.

Mr. HASTINGS. And if my colleague will permit, these appraisers are to be appointed by the President upon the recommendations, one of the governor of the Chickasaw Nation and one of the governor of the Choctaw Nation and one upon the recommendation of the Secretary of the Interior.

Mr. CARTER of Oklahoma. Yes.

Mr. HASTINGS. All to be appointed by the President of the United States.

Mr. CARTER of Oklahoma. All to be appointed by the President, and the appraisement must be sworn to within a stipulated time before the sale is made.

Mr. CAMPBELL of Kansas. Were these lands appraised some seven or eight years ago?

Mr. CARTER of Oklahoma. Yes; longer than that, I think it was.

Mr. CAMPBELL of Kansas. About eight years ago?

Mr. CARTER of Oklahoma. About eight or nine years ago.

Mr. CAMPBELL of Kansas. And offered for sale at that time?

Mr. CARTER of Oklahoma. Yes. They were offered for sale in 1905; that is about 12 years ago.

Mr. CAMPBELL of Kansas. And there was a considerable portion of the land sold at that time?

Mr. CARTER of Oklahoma. None, not an acre.

Mr. CAMPBELL of Kansas. The surface was sold.

Mr. CARTER of Oklahoma. No. The land offered in 1905 was the entire estate, surface and mineral, and none of that was sold. Since that time, under the act of February 19, 1912, there have been sold probably all the surface, and I think the surface has brought more money than was offered for surface and mineral at that time.

Mr. CAMPBELL of Kansas. Has the coal ever been surveyed separate from the surface?

Mr. CARTER of Oklahoma. Yes.

Mr. CAMPBELL of Kansas. Is that survey the one under which estimates were made that there were so many billions of dollars worth of coal?

Mr. CARTER of Oklahoma. Two of them, one of them ran almost to a billion dollars. Then an estimate was made after that under the supervision of J. George Wright and the then mining inspector of the Indian Territory, William Cameron. They appraised the coal at something over $12,000,000.

Mr. CAMPBELL of Kansas. The next question I desire to ask is, What was the expense of that appraisement?

Mr. CARTER of Oklahoma. Fifty thousand dollars.

Mr. CAMPBELL of Kansas. Now it is proposed to expend $50,000 for another appraisement?

Mr. CARTER of Oklahoma. Fifty thousand dollars for an appraisement and the expenses incident to sale and advertising.

Mr. CAMPBELL of Kansas. The other appraisement cost $50,000. Is there any reason to believe that a subsequent

appraisement now could be made cheaper than the former appraisement was made?

Mr. CARTER of Oklahoma. The gentleman means a billion dollars?

Mr. CAMPBELL of Kansas. Yes.

Mr. CARTER of Oklahoma. I think so. There has been an appraisement made since of something over $12,000,000.

Mr. CAMPBELL of Kansas. No; I mean the cost of the appraisement.

Mr. CARTER of Oklahoma. Yes; I think it could be made much cheaper because the Secretary of the Interior has all the data filed in his office upon which to make the appraisement.

Mr. CAMPBELL of Kansas. Why make the appraisement at all? There has been a pretty thorough estimate of the amount of coal that was there at the time the former appraisement was made. They know the amount of coal that has been mined since then and why spend $50,000 more in making another appraisement?

Mr. CARTER of Oklahoma. A very small portion of the $50,000, I take it, will be spent for the appraisement, but most of it will be spent for advertising and sale of the mineral.

Mr. CAMPBELL of Kansas. The language of the bill provides for the appraisement.

Mr. CARTER of Oklahoma. The language of the bill provides—

That there is hereby appropriated, out of any Choctaw and Chickasaw funds in the Treasury not otherwise appropriated, the sum of $50,000 to pay the expenses of appraisement, advertisement, and sale herein provided for.

It is for all three of those purposes. I will say to the gentleman that when this bill was introduced, in view of the fact that two appraisements had already been made of the land, no appraisement was provided, but, as I said in the discussion with the gentleman from Wisconsin [Mr. LENROOT] awhile ago, we provided that it should be sold upon the appraisement heretofore made, or some language to that effect. When the bill was sent to the Secretary, he insisted that there should be another appraisement, and that was put in out of deference to his request. He had the land to sell, and he did not believe he ought to take the responsibility of the sale without having the reappraisement.

Mr. CAMPBELL of Kansas. That is what I was getting at. We have been endeavoring for years and years to get some adjustment of the Indian affairs among the Five Civilized Tribes that would close up that estate and separate from it a lot of men who have been living off of the Five Civilized Tribes for many years, and it occurred to me at the time the Secretary returned the bill asking for this $50,000 that it was done by somebody in the office who simply wanted to provide additional jobs and get additional money out of the Choctaw and Chickasaw Nation for doing work that is absolutely unnecessary, because there is now on file in the office of the Secretary of the Interior a thorough appraisement of all the coal underlying this estate. They can not deduct from that coal; they can not add to it, except that which has been mined since the appraisement was made, and they know the amount that has been mined, so there is absolutely no necessity for appropriating any amount of money for another appraisement of that property, and it can only be done to provide jobs for somebody who may better be employed in raising wheat, corn, or potatoes.

Mr. CARTER of Oklahoma. I do not believe there is anybody in the world more concerned in having these affairs closed up than I am, for the bane of my existence from the time I reach the Oklahoma line until I get back here is some fellow asking me when we are going to get the tribal affairs closed up. Now, there is a difference between tribal affairs and individual Indian affairs. The tribal affairs can be wound up and still the individual Indian can be amply protected. I want to emphasize the fact that there is no one more anxious to get these affairs closed up and expenses stopped than I am. Every step I have made in Congress has been toward that goal. Now, those affairs can not be closed up until this property is sold. When that is done, then they can be closed up and wound up, and that accounts for my anxiety to pass this bill as soon as possible. I agree with the gentleman perhaps that it may not have been necessary to have another appraisement, but the Secretary said the other two appraisements had been so widely apart—one $12,000,000 and the other almost a billion dollars—that he did not feel safe in relying upon them, and he thought, since he had the responsibility of selling these 400,000 acres of coal lands, that he ought to be permitted to have a reappraisement.

Now, I do not know just what jobs——

Mr. LENROOT. I think the gentleman is mistaken somewhat in that statement.

Mr. CARTER of Oklahoma. I think not.

Mr. LENROOT. May I read a paragraph from the report of the Secretary?

Mr. CARTER of Oklahoma. Yes.

Mr. LENROOT. It says:

The Secretary of the Interior has never affirmatively accepted their joint valuation of $12,238,189 as his own, and therefore I suggest that the bill be amended at the end of line 12, page 1, by inserting the words "which shall be" in lieu of the words "as heretofore," sufficient data being on file in the records of this department to determine on an appraised value to be accepted.

Mr. CARTER of Oklahoma. That is exactly what I said.

Mr. LENROOT. You said "a new appraisement to be made." He said in this report that nothing more was necessary except to enable them from their own record——

Mr. CARTER of Oklahoma. I am glad the gentleman called my attention to that. I shall be willing to have the appraisers stricken out and have the Secretary make the appraisement in his own way.

Mr. CAMPBELL of Kansas. It has been my contention from the time this matter first came before this committee that there was sufficient data on file now to enable the Secretary of the Interior to ascertain about the amount of the coal and its value.

Mr. CARTER of Oklahoma. I think the only reason this appraisement proposition was put in as it is was that the Choctaw Tribe and the Chickasaw Tribe wanted to have representatives present when the price of these deposits was finally passed upon.

Mr. CAMPBELL of Kansas. Could not that be done in the office of the Secretary of the Interior by the Secretary?

Mr. CARTER of Oklahoma. I think so.

Mr. CAMPBELL of Kansas. And by the governors of the Choctaw and Chickasaw Nations?

Mr. CARTER of Oklahoma. I think so.

Mr. CAMPBELL of Kansas. Without all this formality?

Mr. CARTER of Oklahoma. There is not very much formality, I will say to the gentleman.

Mr. CAMPBELL of Kansas. Than the informality of placing the hands of some appraisers in the pockets of the Choctaw people and taking out this amount of money.

Mr. CARTER of Oklahoma. I am perfectly willing to let that go out. It was out of deference to the Choctaw and Chickasaw Tribes that that was put in.

Mr. LENROOT. That the appraisement should be made by the Secretary?

Mr. CARTER of Oklahoma. Exactly.

Mr. LENROOT. Simply to authorize him to go through the formality of appraisement?

Mr. CARTER of Oklahoma. I think he would do that, anyway. I think he would consult the Choctaw and Chickasaw chiefs anyway.

Mr. CAMPBELL of Kansas. How much coal was taken out since the last appraisement was made?

Mr. CARTER of Oklahoma. I have not the data on how much was taken out then. I might be able to tell how much was taken out during the last year, although I am not sure of that. I have not the total production here. My friend from New York [Mr. SNYDER] calls my attention to the fact that there were about 4,000,000 tons taken out last year, and I assume it is about the same this year.

Mr. CAMPBELL of Kansas. At the time the first bill was introduced to sell this coal, as I recall it, the coal production had fallen to a very low ebb?

Mr. CARTER of Oklahoma. Yes.

Mr. CAMPBELL of Kansas. And the producers were having considerable difficulty in selling even the small quantity that they were producing?

Mr. CARTER of Oklahoma. That is true.

Mr. CAMPBELL of Kansas. On account of the large use of oil?

Mr. CARTER of Oklahoma. Yes.

Mr. CAMPBELL of Kansas. And that condition has only changed since the beginning of the war?

Mr. CARTER of Oklahoma. Well, the gentleman knows, of course, a great deal more about the price of oil than I do, but if he will only refresh his memory he will recall that the price of oil began to rise about six or seven years ago, and it went up continually until some two or three years ago, when it became too high to be used in place of fuel. The Sante Fe Railroad and other railroads that had been using oil began to take out oil burners and restore coal burners. So the oil is not a competitor now at all. It is worth $2 to $3.50 a barrel, and is not a competitor as fuel.

Mr. CAMPBELL of Kansas. Not at this time?

Mr. CARTER of Oklahoma. No.

Mr. CAMPBELL of Kansas. And so far as the price of coal is concerned, this would be a much better time to sell than

three years ago, when there was such an insistent demand for the sale of the coal property?

Mr. CARTER of Oklahoma. Much better.

Mr. CAMPBELL of Kansas. I have forgotten just how much longer those leases run.

Mr. CARTER of Oklahoma. The last one expires in 1932, 15 years from now. The others begin expiring one or two years before that.

Mr. CAMPBELL of Kansas. Has there been a recent estimate as to how long it would take the present lessees to remove the coal under their leases?

Mr. CARTER of Oklahoma. I have not seen the estimates at all, and if I am wrong the gentleman from New York [Mr. SNYDER] will correct me, as I think he was present when the operators stated that perhaps one-half or two-thirds of the mineable coal had been taken out of the leases then being operated. The leased land only amounts to 100,000 acres, and there are 445,000 acres all told. So that leaves 345,000 acres of land which is not complicated by leases at all and which at this time is dormant and can not be mined under the present law.

Mr. CAMPBELL of Kansas. Has this unleased land been tested?

Mr. CARTER of Oklahoma. Yes; with diamond drills.

Mr. CAMPBELL of Kansas. So that it is known just how much coal is there?

Mr. CARTER of Oklahoma. I think it is known as well as it could be known without actual development.

Mr. CAMPBELL of Kansas. Do you know in a general way how many tests have been made on a quarter section?

Mr. CARTER of Oklahoma. I could not give any accurate information on that. A great many drill holes were made with this $50,000.

Mr. BUTLER. How many seams are there?

Mr. CARTER of Oklahoma. The hearings show 52 drill holes were made on the entire leased area.

Mr. BUTLER. How many seams are there on it?

Mr. CAMPBELL of Kansas. There is a light vein, and then this particular vein running from 3 feet 8 inches to 4 feet?

Mr. CARTER of Oklahoma. Yes; the vein varies. In the McAlester field the veins are about 3 feet thick, and when you get toward Hartshorn, as I recall, the coal thickens. In some places the McAlester vein west of Hartshorn is only about 2 feet 6 inches. That is the best coal that there is in the field—what is known as the two McAlester veins. Then you get to another coal field of a different character of coal when you reach the Colgate field. There the veins are thicker, but the coal is less valuable.

Mr. BUTLER. How many veins are there?

Mr. CARTER of Oklahoma. From one to three, but the third vein is too small to be profitable and considerable of the second vein is very thin. The McCurtain field in the northern part of this area contains one vein about 7 feet thick, but it is very erratic. That is to say, it varies greatly and abruptly in thickness, pitch, and other conditions.

Mr. BUTLER. In normal times what would this coal sell for per ton at the mine?

Mr. CARTER of Oklahoma. You mean the coal itself?

Mr. BUTLER. Yes; the coal at the mine.

Mr. CARTER of Oklahoma. The coal at the mine would sell now for about——

Mr. BUTLER. No; I mean at normal times.

Mr. CARTER of Oklahoma. It would sell for about $2.50 or $3.

Mr. BUTLER. The royalty is what?

Mr. CARTER of Oklahoma. Eight cents a ton.

Mr. CHANDLER of Oklahoma. I wish to say that that price of $2.50 or $3 is for lump coal. The mine run would be about $2.60 or $2.65.

Mr. CARTER of Oklahoma. The average would run about $2.50. I want to say further, in reply to the gentleman, that these veins of coal stand at a very acute pitch, and it is a very expensive coal to mine—the most expensive, as I understand, in the United States. It costs sometimes $2.75 or $3 a ton to mine it.

Mr. BUTLER. Did not the gentleman say it is worth only $2.60?

Mr. CARTER of Oklahoma. That is the lump coal that is worth $3. In normal times it is worth $2.50 or $3 a ton.

Mr. BUTLER. I would like to know what the profit is.

Mr. CARTER of Oklahoma. The cost of operating the mine, including overhead expenses and all, is about what the coal brings. As evidence of that fact, nearly all the mines closed up except a few that undertook to furnish coal to the railroad.

Mr. BUTLER. It is the same old story—no profit.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. CARTER of Oklahoma. Certainly.

Mr. LENROOT. What is the present law with reference to the disposition of the surface? Is it on sale at an appraised value?

Mr. CARTER of Oklahoma. Practically all of it is sold.

Mr. LENROOT. I call the attention of the gentleman to page 4, beginning with line 16 of the bill, to this language:

> That any lessee shall have the preferential right, provided the same is exercised within 90 days after the approval of the completion of the appraisement of the minerals as herein provided, to purchase at the appraised value any and all of the surface of the land lying within such lease—

And so forth.

Mr. CARTER of Oklahoma. When I answered the gentleman's question I meant all had been sold that was subject to sale. There was some set aside which the operator might need for the operation of the mines.

Mr. LENROOT. They were appraised, but not sold?

Mr. CARTER of Oklahoma. They were not offered for sale.

Mr. LENROOT. Is the appraised value here—the old appraised value?

Mr. CARTER of Oklahoma. No. It was the appraisement made in 1912.

Mr. LENROOT. Under the surface act?

Mr. CARTER of Oklahoma. Yes. This appraised value was made at the same appraisement as that at which the land had recently been sold.

Mr. LENROOT. The only reason why the lessee could not purchase it was that it had been withdrawn?

Mr. CARTER of Oklahoma. The law gave him the right to purchase it at the appraised value, but he evidently thought it had been appraised too high. This continues the right to purchase at the appraised value given in the act of 1912.

Mr. LENROOT. It does not change the existing law in any particular?

Mr. CARTER of Oklahoma. I do not think so.

Mr. LENROOT. Then what was the purpose of putting it in?

Mr. CARTER of Oklahoma. It was put in there as a matter of abundant caution, so that nothing in this law would repeal the right of the lessee to purchase that land.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. I assume that these 445,000 acres of coal lands are in a compact territory?

Mr. CARTER of Oklahoma. No. If the gentleman will think a moment he will know that they run in narrow strips. Wherever the anticlinal comes up it pushes the coal out. You may have one anticlinal here and another in another place.

Mr. STAFFORD. But it is in a well-defined district?

Mr. CARTER of Oklahoma. Yes; but it is not compact.

Mr. STAFFORD. What is the entire area?

Mr. CARTER of Oklahoma. It is 445,000 acres.

Mr. STAFFORD. Can the gentleman describe it in a rectangular area?

Mr. CARTER of Oklahoma. It runs northeast and southwest something over 100 miles.

Mr. STAFFORD. Is it tributary to railroad properties?

Mr. CARTER of Oklahoma. Yes; the most of it is—not right on the railroad, but by building spurs out 8 or 10 miles you could reach practically all of it.

Mr. STAFFORD. I assume that the land that is now operated under lease is on the direct line of some railroad.

Mr. CARTER of Oklahoma. Yes; most of the lands that have been leased are along the main trunk lines.

Mr. STAFFORD. In the law that we passed authorizing the disposition of the surface rights, was any provision made that the purchasers of the mineral deposits would have a right to enter upon the surface?

Mr. CARTER of Oklahoma. Not to enter upon the surface. This is Indian land and not public land. But they were given the preferential right to purchase whatever surface was necessary for the mining operations, not to exceed a certain amount, at the appraised value.

Mr. STAFFORD. I am referring to the land of which the surface rights only were sold, with the reservation of the coal and asphaltum rights.

Mr. CARTER of Oklahoma. Practically all the surface has been sold except that part that was reserved to the operators. You see, the operators had certain rights under their leases. They had the right to so much of the surface of the land as was necessary for their mining operations. So when we passed the bill for the sale of the surface we provided for the setting aside of this amount of land reserved for the mining operations, to

let them purchase it at the appraised value. About all the balance, except this reservation, was to be sold. Now, the operators have universally refused to purchase this land, because they said it was appraised at too high a price. This provision here simply attempts to continue that long enough to see if the operators want to change their minds after the deposits are placed on sale.

Mr. STAFFORD. Am I right in my assumption that as to the coal lands that have not been leased the surface rights have already been disposed of?

Mr. CARTER of Oklahoma. All disposed of.

Mr. STAFFORD. Then I ask the question whether, as to these surface rights that have been disposed of, there is a reservation to grant to any subsequent purchaser of the coal rights the right to enter upon the surface?

Mr. CARTER of Oklahoma. Absolutely. It is given the best protection that the lawyers of this House, including the gentleman from Kansas [Mr. CAMPBELL], the gentleman from Illinois [Mr. MANN], and the Solicitor for the Department of the Interior, could write. They said it was adequate, the lessees were satisfied with it at the time, and the Indians were satisfied with it. That was done in the act of February 19, 1912. I will say to the gentleman in a word that it gives the owner or lessee the right to enter upon the lands covering his lease and the right of underground ingress and egress without compensation to the surface owner, and the further right to acquire such portions of the surface necessary to mining operations. If the owner and the lessee are unable to agree on the price for the land taken over, then two appraisers may be appointed, one by each party. If these disagree, then the Federal judge of the district may appoint the third arbitrator, and their decision is final. In the meantime the lessee or owner of the deposits has the use of the surface in controversy.

Mr. STAFFORD. Would those privileges extend to the lands which have not been leased?

Mr. CARTER of Oklahoma. They extend to all. As the gentleman will understand, that right is reserved to the Indians. The coal was reserved to the Indians when they sold the surface. These rights were all reserved to the Indians.

Mr. STAFFORD. One further question. On the lands that have been leased are there divers companies that are operating the mines?

Mr. CARTER of Oklahoma. Oh, yes; there are some 110 or 111 leases, and I suppose there are 30 or 40 companies operating under them.

Mr. SNYDER. The number of leases is 113.

Mr. CARTER of Oklahoma. Some of them have not been operating. I presume most of them are operating now, since we have the high war prices for coal, but, as my friend from Kansas knows, a few years ago they were having a pretty tough time to get by.

Mr. STAFFORD. The gentleman has fixed 8 cents a ton royalty in this bill. My attention was called some time ago to royalties being paid in West Virginia as high as 10 cents a ton. I do not know anything about the quality of this coal as compared with the coal mined in West Virginia.

Mr. CARTER of Oklahoma. Mining conditions in West Virginia and mining conditions in Oklahoma are absolutely different. I suppose the coal in West Virginia can be mined for 30 or 40 per cent less than it can in Oklahoma.

Mr. STAFFORD. By reason of the character of the veins?

Mr. CARTER of Oklahoma. By reason of the thickness of the veins, by reason of the fact that a great deal of the coal mined in Oklahoma has a faulty top of shale or other brittle substance, by reason of the fact that the floor of most of the mines is clay, causing bucking, making track conditions bad, and by reason of the gaseous conditions which exist in the mines.

Mr. STAFFORD. I thank the gentleman for the information.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. FOSTER having taken the chair as Speaker pro tempore, Mr. POU, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 195) providing for the sale of the coal and asphalt deposits in the segregated mineral lands in the Choctaw and Chickasaw Nations, Oklahoma, and had come to no resolution thereon.

ORDER OF BUSINESS TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

Mr. GILLETT. Will the gentleman yield for one moment?

Mr. KITCHIN. Yes.

Mr. GILLETT. I think it would very much add to the convenience of Members if the gentleman could inform the House if he has decided yet whether the declaration of war resolution is to be taken up to-morrow?

Mr. KITCHIN. I have not talked with the chairman of the Committee on Foreign Affairs, but I understand from gentlemen who have talked with him that it will probably be reported to-morrow, and that he will ask unanimous consent for its immediate consideration. If he can not get that, then it will be taken up on Friday.

Mr. GILLETT. Either to-morrow or Friday?

Mr. KITCHIN. Yes.

Mr. GILLETT. That is still uncertain, though?

Mr. KITCHIN. Yes.

ADJOURNMENT.

The SPEAKER pro tempore. The gentleman from North Carolina moves that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, Thursday, December 6, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the chairman of the Interstate Commerce Commission, transmitting a special report, supplementing its annual report, with reference to transportation conditions as affecting and affected by the war (H. Doc. No. 503); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

2. A letter from the Secretary of War, transmitting data relative to exchange of typewriters and adding machines in part payment for new machines used for the same purpose as those exchanged by the Panama Canal for the period July 1, 1916, to June 30, 1917 (H. Doc. No. 504); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Postmaster General, transmitting a statement showing for clerks, assistant postmasters, carriers, laborers, chauffeurs, etc., under the supervision of the First Assistant Postmaster General, the number of persons, the grades and character of positions, the original rates of compensation, and the increased rates of compensation (H. Doc. No. 505); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of War, transmitting report required for submission to Congress on the first day of this session, showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation (H. Doc. No. 506); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting a combined statement of the receipts and disbursements, balances, etc., of the Government during the fiscal year ended June 30, 1917 (H. Doc. No. 507); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Navy, transmitting explanation of report required under section 5 of the act approved June 15, 1917 (H. Doc. No. 508); to the Committee on Expenditures in the Navy Department and ordered to be printed.

7. A letter from the Secretary of War, transmitting statement showing by bureaus and offices the number and designation of the persons employed under the appropriations for the temporary employment of the additional force in the War Department and the annual rate of compensation paid to each (H. Doc. No. 509); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1917 (H. Doc. No. 613); to the Committee on Ways and Means and ordered to be printed.

9. A letter from the Secretary of the Treasury, transmitting detailed reports of appropriations of the amount of 5 and 10 per cent increased compensation paid to certain employees of the Treasury Department (H. Doc. No. 510); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Postmaster General, transmitting list of claims on account of loss by fire, burglary, etc., acted upon by the Postmaster General from July 1, 1916, to June 30, 1917 (H. Doc. No. 511); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TALBOTT: A bill (H. R. 6955) to provide for the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW., in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CANDLER of Mississippi: A bill (H. R. 6956) in aid of the common schools in Mississippi; to the Committee on the Public Lands.

Also, a bill (H. R. 6957) to prohibit in the District of Columbia the intermarriage of whites with negroes or Mongolians; to the Committee on the District of Columbia.

Also, a bill (H. R. 6958) providing for a certain percentage of cancellation of stamps, and making an allowance for rents, fuel, and lights, etc., to fourth-class postmasters; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 6959) to extend the limits of Shiloh National Military Park; to the Committee on Military Affairs.

Also, a bill (H. R. 6960) to refund to lawful claimants the cotton tax collected for the years 1863, 1864, 1865, 1866, 1867, and 1868; to the Committee on War Claims.

Also, a bill (H. R. 6961) making an appropriation for the improvement of the Tombigbee River in the State of Mississippi and in the State of Alabama; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6962) to grant to the several States all the public lands therein for common-school purposes when the same shall become less than 50,000 acres in such State; to the Committee on the Public Lands.

By Mr. JOHNSON of Washington: A bill (H. R. 6963) to provide for a survey of the city waterway at Tacoma, Wash.; to the Committee on Rivers and Harbors.

By Mr. FULLER of Massachusetts: A bill (H. R. 6964) to subject Members of Congress to the provisions of the war excess-profits tax of the act to provide revenue to defray war expenses, approved October 3, 1917; to the Committee on Ways and Means.

By Mr. RANDALL: A bill (H. R. 6965) to reduce night work in the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. FLOOD: A bill (H. R. 6966) authorizing the Secretary of State to procure a suitable portrait of Gen. George Washington and present the same to the Military College of the Argentine Republic; to the Committee on Foreign Affairs.

By Mr. PADGETT: A bill (H. R. 6967) to increase the number of midshipmen at the United States Naval Academy; to the Committee on Naval Affairs.

By Mr. ASHBROOK: A bill (H. R. 6968) to amend section 1 of an act entitled "An act granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico," approved May 11, 1912; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 6969) to amend section 1 of an act entitled "An act granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico," approved May 11, 1912; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 6970) authorizing the issuance of a patent to Portland Railway, Light & Power Co. to 52.72 acres of land in Clackamas County, Oreg.; to the Committee on the Public Lands.

Also, a bill (H. R. 6971) to reserve as a part of the Oregon National Forest certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. v. The United States; to the Committee on the Public Lands.

By Mr. SWIFT: A bill (H. R. 6972) to amend an act entitled "An act to increase the revenue, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. VESTAL: A bill (H. R. 6973) fixing rate of pension for soldiers of the Civil War; to the Committee on Invalid Pensions.

By Mr. OSBORNE: A bill (H. R. 6974) increasing the salaries of all civilian employees of the United States whose salaries are now fixed at $1,800 per annum or less, including employees of the Post Office Department, and providing that the same war taxes on incomes and salaries shall apply to salaried officers of the United States, including Senators and Representatives in Congress, as upon all other persons subject to tax; to the Committee on Appropriations.

By Mr. PADGETT: A bill (H. R. 6975) to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes; to the Committee on Naval Affairs.

By Mr. TILSON: A bill (H. R. 6976) to grant medals to survivors and heirs of volunteers of the Port Hudson forlorn-hope storming party; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 6977) to enlarge and extend the post-office building at St. Cloud, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. STEELE: A bill (H. R. 6978) to regulate the manner of submitting to the several States proposed amendments to the Constitution of the United States, etc.; to the Committee on the Judiciary.

By Mr. ADAMSON: A bill (H. R. 6979) to regulate the personnel of the Coast Guard; to the Committee on Interstate and Foreign Commerce.

By Mr. O'SHAUNESSY: A bill (H. R. 6980) referring the claim of the State of Rhode Island to the Court of Claims for adjudication; to the Committee on War Claims.

By Mr. RAMSEYER: A bill (H. R. 6981) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the War with Mexico," approved May 11, 1912, so as to increase certain pensions $15 per month; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 6982) to authorize and empower the Secretary of the Navy to enter into and contract for the construction of a line of railway from a point in the District of Columbia to Indianhead, Md.; to the Committee on Naval Affairs.

By Mr. TALBOTT: Resolution (H. Res. 187) allowing a messenger to the Committee on Disposition of Useless Executive Papers; to the Committee on Accounts.

By Mr. OLDFIELD: Joint resolution (H. J. Res. 168) amending section 201 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. FLOOD: Joint resolution (H. J. Res. 169) declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States, and making provision to prosecute the same; to the Committee on Foreign Affairs.

By Mr. EMERSON: Joint resolution (H. J. Res. 170) to require the food administrator to make proper distribution of sugar now held in the warehouses in the United States; to the Committee on Agriculture.

By Mr. CANDLER of Mississippi: Joint resolution (H. J. Res. 171) providing for the introduction of testimony in behalf of the defendant in all preliminary hearings of a criminal nature; to the Committee on the Judiciary.

By Mr. SABATH: Joint resolution (H. J. Res. 172) providing for the taking over by the United States Government during the period of the war of railways and coal mines; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 6983) granting an increase of pension to William Stanton Fry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6984) granting an increase of pension to Emma J. Rank; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 6985) granting an increase of pension to Enoch W. Laney; to the Committee on Pensions.

Also, a bill (H. R. 6986) granting an increase of pension to Isaac Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6987) granting an increase of pension to John Gender; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6988) granting an increase of pension to John C. Morgan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6989) granting an increase of pension to William A. Pine; to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 6990) granting an increase of pension to Edgar C. Martin; to the Committee on Pensions.

By Mr. BRODBECK: A bill (H. R. 6991) granting an increase of pension to Joseph M. Wagner; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 6992) granting a pension to James P. Newton; to the Committee on Pensions.

By Mr. CANNON: A bill (H. R. 6993) granting an increase of pension to Albert G. Dow; to the Committee on Invalid Pensions.

By Mr. CANDLER of Mississippi: A bill (H. R. 6994) for the relief of A. W. McClure; to the Committee on War Claims.

Also, a bill (H. R. 6995) for the relief of Susan C. Robinson; to the Committee on War Claims.

Also, a bill (H. R. 6996) for the relief of Matilda H. Reed; to the Committee on War Claims.

Also, a bill (H. R. 6997) for the relief of Dr. O. R. Early; to the Committee on War Claims.

Also, a bill (H. R. 6998) for the relief of J. R. Wilson; to the Committee on War Claims.

Also, a bill (H. R. 6999) for the relief of Lucretia Lambert; to the Committee on War Claims.

Also, a bill (H. R. 7000) for the relief of Isabella Rowsey; to the Committee on War Claims.

Also, a bill (H. R. 7001) for the relief of Mary Johnson; to the Committee on War Claims.

Also, a bill (H. R. 7002) for the relief of Mrs. E. A. Hubbard; to the Committee on War Claims.

Also, a bill (H. R. 7003) for the relief of David Ingram; to the Committee on War Claims.

Also, a bill (H. R. 7004) for the relief of Francis E. Whitfield and Lucy G. Whitfield; to the Committee on War Claims.

Also, a bill (H. R. 7005) for the relief of Jennie Gaston Henderson, sole and only heir of L. B. Gaston, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7006) for the relief of D. M. Whitaker and heirs of estate of H. H. Whitaker, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7007) for the relief of B. H. Davis, administrator of the estate of Enos Davis, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7008) for the relief of the estate of William Clement, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7009) for the relief of the estate of John Linton, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7010) for the relief of estate of W. F. Young; to the Committee on War Claims.

Also, a bill (H. R. 7011) for the relief of estate of Andrew J. Kincaid; to the Committee on War Claims.

Also, a bill (H. R. 7012) for the relief of the estate of W. R. Smith, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7013) for relief of estate of W. R. Smith; to the Committee on War Claims.

Also, a bill (H. R. 7014) for the relief of estate of Marcus Cook, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7015) for the relief of the estate of Josiah White, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7016) for the relief of the estate of Richard Mann, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7017) for the relief of estate of J. M. Cumby, heir of M. B. Cumby; to the Committee on War Claims.

Also, a bill (H. R. 7018) for the relief of the estate of J. W. Hopkins, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7019) for the relief of the estate of Henry Mitts, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7020) for the relief of the estate of J. K. Morrison, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7021) for the relief of the estate of R. C. Bumpass; to the Committee on War Claims.

Also, a bill (H. R. 7022) for the relief of the estate of Mary H. Moore, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7023) for the relief of the heirs of George W. Gardner, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7024) for the relief of heirs of John Hamilton; to the Committee on War Claims.

Also, a bill (H. R. 7025) for the relief of the heirs of Gladney, Gardner & Co.; to the Committee on War Claims.

Also, a bill (H. R. 7026) for the relief of the heirs of John B. Jones, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7027) for the relief of the heirs of Richard E. Holt, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7028) for the relief of heirs of E. C. Cornelius, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7029) for the relief of the heirs of Peter F. Archer, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7030) for the relief of the heirs of Sarah R. Farmer, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7031) for the relief of the heirs of M. A. McAnulty, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7032) for the relief of the heirs of Harriet F. and Robert McPeters; to the Committee on War Claims.

Also, a bill (H. R. 7033) for the relief of heirs or estate of T. M. D. Coln, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7034) for the relief of heirs or estate of Jesse Mabry, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7035) to carry into effect the findings of the Court of Claims in the matter of the claim of the Methodist Church of Kossuth, Miss.; to the Committee on War Claims.

By Mr. CARAWAY: A bill (H. R. 7036) granting an increase of pension to William R. Boren; to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 7037) granting a pension to Katherine Hauns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7038) granting a pension to Emelie Varney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7039) granting a pension to Edith Clark; to the Committee on Pensions.

By Mr. COX: A bill (H. R. 7040) granting an increase of pension to George Devol; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7041) granting an increase of pension to John Troxler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7042) granting an increase of pension to Simon Bollinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7043) granting an increase of pension to Benjamin Griffith; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 7044) granting a pension to Elizabeth Obermeyer; to the Committee on Invalid Pensions.

By Mr. FISHER: A bill (H. R. 7045) granting a pension to Walter L. Jewell; to the Committee on Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 7046) granting an increase of pension to Levi H. Brown; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 7047) granting an increase of pension to Robert Finley Conover; to the Committee on Invalid Pensions.

By Mr. GLYNN: A bill (H. R. 7048) granting a pension to Charles A. King; to the Committee on Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 7049) granting an increase of pension to James F. McMannis; to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 7050) granting a pension to William L. Brown; to the Committee on Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 7051) granting an increase of pension to Edward F. Gurry; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 7052) granting an increase of pension to Alfred H. Wren, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7053) granting an increase of pension to Wilson S. Spade; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7054) granting an increase of pension to John H. Eversole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7055) granting an increase of pension to Charles H. Mosher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7056) granting a pension to Leo Voelker; to the Committee on Pensions.

By Mr. KING: A bill (H. R. 7057) to remove the charge of desertion from the military record of Henry Harding; to the Committee on Military Affairs.

Also, a bill (H. R. 7058) granting an increase of pension to William M. Ferris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7059) granting an increase of pension to Thomas Collins; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 7060) granting a pension to Abraham Beachy; to the Committee on Pensions.

Also, a bill (H. R. 7061) granting a pension to Sarah Elizabeth Keplinger; to the Committee on Pensions.

Also, a bill (H. R. 7062) granting an increase of pension to John Working; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7063) granting an increase of pension to J. Wallace Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7064) granting an increase of pension to Robert Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7065) granting an increase of pension to Benjamin A. Linvill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7066) granting an increase of pension to Christopher C. Stevenson; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 7067) granting an increase of pension to J. Porter Dunham; to the Committee on Invalid pensions.

Also, a bill (H. R. 7068) granting a pension to Clara Larish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7069) granting an increase of pension to B. W. Brittain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7070) granting an increase of pension to Henry C. Conner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7071) granting an increase of pension to Oliver Barr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7072) granting an increase of pension to Thomas Croft; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7073) granting an increase of pension to Bateman D. Carey; to the Committee on Invalid Pensions.

By Mr. LOBECK: A bill (H. R. 7074) for the relief of Mrs. Thomas McGovern; to the Committee on Claims.

By Mr. McKENZIE: A bill (H. R. 7075) granting an increase of pension to John R. Perrine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7076) granting an increase of pension to Henry Allison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7077) granting an increase of pension to James B. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7078) granting an increase of pension to William Vincent; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7079) granting an increase of pension to Hugh S. Stanley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7080) granting an increase of pension to Samuel L. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7081) granting an increase of pension to Henry King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7082) granting an increase of pension to Charles W. A. Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7083) granting an increase of pension to William T. Preston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7084) granting an increase of pension to James C. Goldthorp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7085) granting an increase of pension to John Hatch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7086) granting a pension to Anna Schmieg; to the Committee on Pensions.

By Mr. MEEKER: A bill (H. R. 7087) granting a pension to Stanley M. Riggs; to the Committee on Pensions.

Also, a bill (H. R. 7088) granting an increase of pension to John Condon; to the Committee on Pensions.

By Mr. MERRITT: A bill (H. R. 7089) for the relief of the heirs of Adam and Noah Brown; to the Committee on Claims.

By Mr. MOORE of Pennsylvania: A bill (H. R. 7090) granting an increase of pension to Thomas J. Parker; to the Committee on Pensions.

By Mr. OSBORNE: A bill (H. R. 7091) for the relief of John D. Humphrey; to the Committee on Military Affairs.

By Mr. OVERMYER: A bill (H. R. 7092) granting a pension to Mary Conter; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 7093) granting an increase of pension to James E. Reed; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 7094) granting an increase of pension to William R. Whittaker; to the Committee on Invalid Pensions.

By Mr. SCOTT of Iowa: A bill (H. R. 7095) granting an increase of pension to Emanuel Rickman; to the Committee on Pensions.

By Mr. SCHALL: A bill (H. R. 7096) granting an increase of pension to August Dorman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7097) granting a pension to George Archambault; to the Committee on Invalid Pensions.

By Mr. SISSON: A bill (H. R. 7098) granting an increase of pension to Emma J. Flannagan; to the Committee on Pensions.

By Mr. STINESS: A bill (H. R. 7099) granting an increase of pension to Thomas L. Jennison; to the Committee on Invalid Pensions.

By Mr. SWEET: A bill (H. R. 7100) to reimburse the Farmers Savings Bank of Brandon, Iowa, for currency destroyed by fire; to the Committee on Claims.

By Mr. TILLMAN: A bill (H. R. 7101) granting a pension to Charles E. Cullom; to the Committee on Pensions.

By Mr. TOWNER: A bill (H. R. 7102) granting an increase of pension to Jasper W. Shoemaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7103) to remove the charge of desertion from the military record of Norman H. Watson; to the Committee on Military Affairs.

By Mr. VOIGT: A bill (H. R. 7104) granting an increase of pension to Charles G. Ginther; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7105) granting a pension to Anna Smith; to the Committee on Invalid Pensions.

By Mr. WATSON of Pennsylvania: A bill (H. R. 7106) for the relief of Franklin W. Hilt, alias Franklin W. Righter; to the Committee on Military Affairs.

Also, a bill (H. R. 7107) granting an increase of pension to Henry C. Livezey; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 7108) granting an increase of pension to James Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7109) granting an increase of pension to John W. Leathers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7110) granting a pension to Jacob Barger; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 7111) granting a pension to Lillian Warren Kemp; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Colorado, Connecticut, Indiana, Illinois, Iowa, Kansas, Kentucky, Massachusetts, Minnesota, Missouri, Michigan, Montana, Nebraska, North Carolina, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, South Dakota, and Virginia, favoring the passage of the Moon purple cross bill (H. R. 5410) or the Wolcott purple cross bill (S. 2692); to the Committee on Military Affairs.

By Mr. BACON: Petition of College of Pharmacy, President H. B. Hutchins, and 65 others, of the University of Michigan, favoring passage of the Edmonds bill (H. R. 5531), to increase the efficiency of the Medical Department of the United States Army, etc.; to the Committee on Military Affairs.

By Mr. BRODBECK: Evidence in support of bill granting increase of pension to Joseph M. Wagner; to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: Memorial of Local No. 310, International Molders' Union, Racine, Wis., favoring investigation of the explosion in Los Angeles, Cal.; to the Committee on Labor.

By Mr. CURRIE of Michigan: Petition of W. A. Finney and other members of the Grand Army of the Republic, urging increase in pensions of Civil War veterans; to the Committee on Invalid Pensions.

By Mr. DARROW: Petition of 61 citizens of Philadelphia, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the Equal Franchise Society, of Philadelphia, Pa., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. DILLON: Petition of various surviving officers of the Civil War, asking passage of officers' retired list bill; to the Committee on Military Affairs.

Also, petition of employees of the Mitchell (S. Dak.) post office, favoring the Madden bill relative to increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. ESTOPINAL: Petition of members of various labor unions, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Memorial of the Old Time Printers' Association, of Chicago, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Charles Look, favoring law for increasing pensions of Civil War veterans who were maimed; to the Committee on Invalid Pensions.

Also, petition of J. D. Tower & Sons Co. of Mendota, Ill., favoring law for universal military training; to the Committee on Military Affairs.

By Mr. HAMILTON of Michigan: Petitions of Zach-Chandler Post, Grand Army of the Republic, of South Haven, and George H. Thomas Post, No. 14, Grand Army of the Republic, of Benton Harbor, Mich., asking increase in pensions of veterans of Civil War; to the Committee on Invalid Pensions.

By Mr. HERSEY: Memorial of Free Baptist Church of Island Falls, Me., urging national prohibition; to the Committee on the Judiciary.

By Mr. HILLIARD: Petition of John Milton Walker and 9 others and Women's Auxiliary of the First Baptist Church, of Denver, Colo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Ivah Dunklee and Gertrude Stearns, of Denver, Colo., urging woman-suffrage amendment; to the Committee on Woman Suffrage.

By Mr. KENNEDY of Rhode Island: Petition of Rev. J. J. Williams, pastor Broad Street Baptist Church, Central Falls, R. I., favoring passage of national prohibition amendment; to the Committee on the Judiciary.

Also, petition of Joseph A. Newton, of Pawtucket, R. I., favoring passage of national prohibition legislation; to the Committee on the Judiciary.

Also, resolution of State Council of Rhode Island Junior Order of United American Mechanics, favoring passage of H. R. 5667 and H. R. 4852, for further restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of Rev. William J. Smith and 25 others of Burrillville, in the State of Rhode Island, favoring passage of national prohibition legislation; to the Committee on the Judiciary.

By Mr. LEE of Georgia: Papers to accompany H. R. 6929, a bill for pension for Laura G. Hight; to the Committee on Invalid Pensions.

Also, papers to accompany H. R. 6928, a bill to increase pension of Randolph Snell; to the Committee on Invalid Pensions.

Also, papers to accompany H. R. 6930, for increase in pension of Martha Johnson; to the Committee on Pensions.

Also, papers to accompany H. R. 6931, a bill to increase pension of Susan E. Bell; to the Committee on Pensions.

By Mr. LUFKIN: Petitions of Post 68, Grand Army of the Republic, of Georgetown; Post 45, Grand Army of the Republic, of Gloucester; and Allen Post, No. 67, Grand Army of the Republic, of Manchester, all in the State of Massachusetts, asking increase in rate of pensions of veterans of Civil War; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: Memorial of Philadelphia Board of Trade, relative to section 209 of the war-revenue act; to the Committee on Ways and Means.

Also, memorial of Philadelphia Bourse, relative to act to prevent cessation of work by employees of public-service corporations engaged in interstate commerce; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Philadelphia Bourse, favoring amendment of war-revenue act of 1917 with respect to war excess-profits tax; to the Committee on Ways and Means.

By Mr. OSBORNE: Memorial of 500 women of San Francisco and 700 women of Los Angeles, Cal., urging national suffrage amendment; to the Committee on Woman Suffrage.

Also, memorial of congregation of the First United Presbyterian Church of Los Angeles, Cal., favoring national prohibition; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: Petitions of sundry citizens and church societies of the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of State council of Rhode Island, Junior Order United American Mechanics, favoring passage of House bill 5667; to the Committee on Immigration and Naturalization.

By Mr. RANDALL: Petition of 90 voters of Downey precinct, Cal., favoring immediate adoption of national prohibition amendment; to the Committee on the Judiciary.

Also, memorial of Epworth League of First Methodist Church of Pomona, Cal., in favor of passage of national prohibition constitutional amendment; to the Committee on the Judiciary.

Also, memorial of congregation of Second Presbyterian Church of Long Beach, Cal., favoring passage of national prohibition constitutional amendment; to the Committee on the Judiciary.

Also, memorial of mass meeting of 700 women in Alexandria Hotel, Los Angeles, Cal., against cruel treatment of suffragist prisoners for exercising their right of petition at the gates of the White House; to the Committee on the Judiciary.

Also, memorial of mass meeting of 300 women at U. S. Grant Hotel, San Diego, Cal., against cruel treatment of suffragist prisoners for exercising their right of petition at the gates of the White House; to the Committee on the Judiciary.

Also, memorial of Washington Street Methodist Sunday School, Pasadena, Cal., praying for submission of national prohibition constitutional amendment to the States; to the Committee on the Judiciary.

Also, memorial of Washington Street Methodist Church, Pasadena, Cal., asking submission of proposed amendment to the Constitution providing for national prohibition; to the Committee on the Judiciary.

Also, protest of Protestant churches of Norwich, N. Y., against waste of $150,000,000 worth of foodstuffs in the manufacture of intoxicating liquors; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of Minnesota Woman Suffrage Association and Northern Minnesota Conference of the Methodist Episcopal Church, of Minneapolis, Minn., favoring woman suffrage amendment; to the Committee on Woman Suffrage.

Also, petition of the Minnesota Rural Letter Carriers' Association, asking equipment and maintenance allowance and for other relief; to the Committee on the Post Office and Post Roads.

Also, petition of postal employees of Fergus Falls, Minn., favoring House bill 1654, for increase in pay; to the Committee on the Post Office and Post Roads.

Also, petition of the Ninth Division Mail Association, favoring increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. STINESS: Memorial of State Council of Rhode Island, Junior Order of United American Mechanics, favoring passage of House bills 4852 and 5667, for further restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. STRONG: Petition of members of the First Baptist Church, Saltsburg; voters of New Bethlehem and vicinity; Protestant churches of Clymer; National Prohibition League, Foxburg; Woman's Christian Temperance Union, Apollo; Woman's Foreign Missionary Society, Apollo; and letters from A. F. Deemer, Marion Center; Mrs. Amos Hiles, Oak Ridge; G. W. Moody, Oak Ridge; Baptist C. Scott, A. R. Hilty, J. H. Hartman, Frank B. Rumbaugh, Apollo, all in the State of Pennsylvania, favoring enactment of the prohibition amendment to the Federal Constitution; to the Committee on the Judiciary.

By Mr. TILSON: Petition of William H. Murray and 100 other clerical employees of New Haven, Conn., post office, favoring the Madden bill; to the Committee on the Post Office and Post Roads.

By Mr. VARE: Memorial of Equal Franchise Society of Philadelphia, asking passage of suffrage amendment; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December 6, 1917.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Profoundly grateful Almighty God, our Heavenly Father, for all the blessings Thou hast bestowed upon us, and deeply sensible of our dependence upon Thee, we most fervently pray that Thou wilt continue Thy ministrations unto our needs.

Purify our minds, exalt our thoughts, that we may render willing and faithful service unto Thee and our fellow men.

Hold us close to Thee this day, and guide us in all our undertakings, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

The SPEAKER laid before the House the following communications:

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., December 5, 1917.

Hon. CHAMP CLARK,
Speaker of the House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: Owing to the fact that I am confined to my home in Washington through illness, and my inability to be present during the consideration and final disposition of the resolution declaring war on Austria-Hungary, I wish that you would kindly convey to the Members of the House my desire to support the passage of this measure.

With kind personal regards, I am,
Yours, sincerely,

W. J. CARY.

ST. LOUIS, MO., *December 6, 1917.*

Hon. CHAMP CLARK,
Washington, D. C.:

Please ask that I be excused for remainder of this week on account serious illness in my family.

E. E. DENISON.

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., December 6, 1917.

Hon. CHAMP CLARK,
Speaker of the House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: Representative H. J. DRANE, of Florida, desires to be excused from attendance in the House for the remainder of the week. He is very ill at his room in the Congress Hall Hotel, and on the advice of his physician will be compelled to absent himself for several days.

Very sincerely,

GUY E. CAMPBELL.

The several requests were granted.

LEAVE OF ABSENCE FOR HOMESTEAD SETTLERS AND ENTRYMEN.

Mr. FERRIS. Mr. Speaker, on yesterday we passed the bill H. R. 4617 with two amendments. I found on consulting the clerk of my committee that the Senate had passed an identical bill, S. 2334, last fall. I ask unanimous consent to discharge the Committee on the Public Lands of the House from the further consideration of Senate bill 2334 and ask for the present consideration of the same. If that request is granted, I will ask to strike out all after the enacting clause and insert the House bill, and also to vacate the proceedings of yesterday.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to discharge the Committee on the Public Lands from the further consideration of the bill S. 2334 and the present consideration of the same. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

An act (S. 2334) to authorize absence by homestead settlers and entrymen, and for other purposes.

Be it enacted, etc., That during the pendency of the existing war any homestead settler or entryman shall be entitled to a leave of absence from his land for the purpose of performing farm labor, and such absence, while actually engaged in farm labor, shall, upon compliance

with the terms of this act, be counted as constructive residence: *Provided*, That each settler or entryman leaving his claim for the purpose herein provided shall file notice thereof in the United States Land Office, and at the expiration of the calendar year file in said land office of the district wherein his claim is situated a written statement, under oath and corroborated by two witnesses, giving the date or dates when he left his claim, date or dates of return thereto, and where and for whom he was engaged in farm labor during such period or periods of absence: *Provided further*, That nothing herein shall excuse any homestead settler or entryman from making improvements or performing the cultivation required by applicable law upon his claim or entry. The Secretary of the Interior is authorized to provide rules and regulations for carrying this act into effect.

Mr. FERRIS. Mr. Speaker, I now ask unanimous consent to strike out all of the Senate bill after the enacting clause and incorporate the bill H. R. 4617, with the two amendments, that we passed yesterday.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to strike out all after the enacting clause in the Senate bill just read and substitute the House bill passed yesterday, together with the two amendments that were agreed to. Is there objection?

There was no objection.

The Senate bill as amended was ordered to be read a third time, was read the third time, and passed.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to vacate the proceedings had yesterday with reference to the passage of House bill 4617, and that the bill be laid on the table.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to vacate the proceedings of yesterday in the passage of the bill H. R. 4617 and that the bill be laid on the table. Is there objection?

There was no objection.

AUSTRIA-HUNGARY.

Mr. FLOOD. Mr. Speaker, I have been directed by the Committee on Foreign Affairs to report unanimously a resolution declaring that a state of war exists between this country and the Austria-Hungarian Government and to ask unanimous consent that this resolution be taken up to-morrow immediately after the reading of the Journal.

The SPEAKER. The gentleman from Virginia asks unanimous consent that a resolution declaring that a state of war exists between this country and Austria-Hungary be taken up immediately after the reading of the Journal to-morrow.

Mr. GILLETT. Mr. Speaker, may I ask the gentleman from Virginia what debate he expects to allow?

Mr. FLOOD. We were discussing that in committee yesterday, and it was suggested that we have one hour on each side.

Mr. GILLETT. There is not the slightest disposition on this side of the House to protract or delay the passage of the resolution, and I do not know that there is any disposition to protract the debate, but it seems to me that that is a small limit of time.

Mr. FLOOD. I am willing to agree to a longer time, but I think we ought to pass it to-morrow.

Mr. GILLETT. I think that would be desirable.

Mr. KITCHIN. We can fix the time to-morrow.

Mr. BORLAND. Will the gentleman from Virginia yield?

Mr. FLOOD. Certainly.

Mr. BORLAND. Is there a report accompanying the resolution?

Mr. FLOOD. As soon as unanimous consent is given I will state that I am preparing a report and will have it finished in half an hour, and I will ask unanimous consent to file it during the day.

Mr. BORLAND. When will it be available to Members?

Mr. FLOOD. It will be printed to-day.

Mr. FORDNEY. Does the resolution include Turkey and Bulgaria?

Mr. FLOOD. It does not.

Mr. DYER. Will there be an opportunity to offer an amendment including Turkey and Bulgaria?

Mr. GILLETT. I suppose any germane amendment will be in order.

Mr. FLOOD. Of course germane amendments can be offered.

The SPEAKER. The gentleman from Virginia asks unanimous consent for the consideration of the resolution declaring war against Austria-Hungary immediately after the reading of the Journal to-morrow, and that he may file the report to-day. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes on the subject of the war resolution at this time.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to address the House for 15 minutes on the war resolution. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, which I do not intend to do, in view of the request of the gentleman, I wish to ask the gentleman from Virginia whether the President or the State Department has indicated a desire at this time to have a declaration of war against Bulgaria and Turkey?

Mr. FLOOD. None, except that it would be ill advised at this time to make such a declaration.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. MILLER] to address the House at the present time for 15 minutes on this resolution declaring that a state of war exists with Austria-Hungary?

Mr. FOSTER. Reserving the right to object, may I ask the reason the gentleman wishes to address the House at the present time?

Mr. MILLER of Minnesota. I am glad to make the statement. A few days ago I consulted with the chairman of our committee, and it was the opinion that the resolution would come up for consideration to-day. I regret to say that I made an arrangement to leave the city this evening on important public business which will keep me away from the city to-morrow, and I feel that there are a few words which I ought to say in reference to this resolution, and this will be my only opportunity.

Mr. GILLETT. And the gentleman is a member of the committee.

The SPEAKER. Is there objection?

Mr. FOSTER. I think that is satisfactory to me. I have no objection.

The SPEAKER. The Chair hears none, and the gentleman from Minnesota is recognized for 15 minutes.

Mr. MILLER of Minnesota. Mr. Speaker and gentlemen of the House, I feel that it is somewhat of an imposition to ask that you be detained to-day for 15 minutes to listen to the remarks I feel it my duty to make on this important resolution. My sole excuse is the one I have just given, responding to the inquiry made by the gentleman from Illinois [Mr. FOSTER]. I say in justice to myself that if there is one thing that I believe at this hour more strongly than anything else, it is that we must begin to make this war a war of fact and accomplishment and of deadly certainty; and this determination requires that we should declare war against every enemy of our allies, including Bulgaria and Turkey. Yet I am one of those who voted for the resolution as it stands. The resolution reported from the Committee on Foreign Affairs is a unanimous one. I think there is no harm in stating that some of us, perhaps, are strongly of the opinion that the resolution should be extended, but that in deference to the wishes of the President of the United States we have put our private considerations in our pockets, and we are going to stand with him now united. [Applause.] I feel, however, that it is the duty of every Member of Congress to exercise his best thought and to take conscientious action on those things that lie within the line of his duty. The reasoning that causes the President to ask that we declare war on Austria-Hungary is the exact reasoning which should impel us to declare war on Bulgaria and Turkey. He was very adroit, skillful, masterly in the language he used. I marveled at the capacity he displayed. He has reasons to which I am willing to defer now, but I confidently predict that before many weeks have passed he will come and ask that we declare war on Bulgaria and Turkey. We might as well face the truth. The American people are not afraid of any task, however gigantic, and are willing to pay the price demanded in order that a great end be gained. There are some things that have occurred in the past by which our feet to-day can be guided. We do not need to launch out alone on an uncharted sea and in darkness. When this terrible war began three years and more ago, for a time Italy held out. In the end she declared war—against whom? Austria-Hungary alone. She had just concluded a war with Turkey and was still at enmity with the Turkish Empire, as far as their respective interests were concerned in northern Africa and in Asia Minor. Bulgaria loomed up with hostile intent in the Balkans. Italy confined herself to a declaration of war against Austria-Hungary, and she made the fatal mistake of her life.

When you go into this war you must calculate that you are going into it to fight the enemies of your friends, otherwise you are but half in the war, and you are but a weak prop to your friends. The hour may at any time strike when your attitude prevents your friends from coming to your assistance. Little Serbia held out against all the power of the Austrian Government to overrun her land, and when Bulgaria entered the war and struck Serbia on the flank with the German hosts helping the Austrians, Serbia fell in a few weeks. Likewise Montenegro, that little mountainous country whose soil had never felt the tread of hostile foot for more than 600 years. The rest of

Europe had resounded to the battle drums and triumph of marching hordes and conquerors, but Montenegro remained sacred to the blood of her ancestors. Ah, why were the allies unable to stop the advancing hosts? Because Italy was not at war with Bulgaria and Germany, and when from Montenegro and Serbia came the Macedonian cry for help Italy could not send the men and guns which, united with the strength of the allies, undoubtedly would have saved Serbia and Montenegro. We have that in the past, but we have more than that. Italy has a good cause against the United States at this hour. There is no secret in Europe, there is no secret in this Chamber, and I venture there is little secret in Washington that the Italian Government has been begging of the United States these many months not for men, because they have millions in their camps, not so much for money, though they needed funds, but, above all, they begged for as they needed, guns, military matériel, and those munitions that would enable those men to be transformed into fighting units, and we failed to answer their repeated call. Why? Because we were not at war with Austria-Hungary!

My friends, when two or three or four men stand in battle array against you, united and strong, with all their power being hurled against you, how in the name of sense can you pick out one man and say, "I will fight him and leave the rest alone"? It can not be done, if you are going to give to your allies that friendly help and strength which they have a right to expect. [Applause.] And, my friends, Italy paid the price and finds that the labor of two years has been wiped away in two days. To-day, instead of conquering on her enemy's soil, she is struggling to hold back an invading host, one that already holds within its greedy clutch a large and splendid area of her land. And the end is not yet. How much of that mistake can be charged up against the United States I do not know, but I do know that they feel much of it should be. Let us not prolong the piecemeal fighting any longer. We are in this war. The President wisely said we are in it to its end, and the only end is victory. The only way victory can come is for all the allies to become united completely and fight together against a common foe. Is there any consideration that should cause us to postpone declaring war against Bulgaria and Turkey? I know of none. The reason we are about to declare war against Austria-Hungary, stripped of its camouflage, is simply military necessity.

Austria-Hungary in effect has been at war with us now these many months. Her ports have been the sally ports from which have come the death-dealing submarine in its ruthless warfare. From her wealth of guns have come cannon that at this hour it may be are hurling shot against our boys in the trenches on the front in France. Her resources are Germany's resources. Germany's enemies are her enemies, and, my friends, at this hour we must not forget that every friend of Germany is our foe. The world is not making war by piecemeal. The whole world practically is in the struggle. That which has caused the German and the Austrian and the Bulgarian and the Turk to perform such prodigies of military achievement on land is not because they are the most numerous, not because in material they surpass, not indeed because they know the art of war better than the allies, but because they have had their strength, solid and uniform, responding to one will, moving wherever that will designs they should go.

And the allies have been entering the war here and there. Ah, at last those who are now in the struggle on our side over yonder realize that this war must be death to the German power. That means death to the Bulgarian and Turkish part of it. Bulgaria, we know, entered this war for a selfish purpose. She counted the silver coin of plunder, weighed them against the blood of her own sons, and decided for war. She has no friend among the allies; she deserves none. She knows that she can not come with them. She knows that live or die her fortunes are irretrievably linked with those of the German-Austrian powers. She has made common cause with their piracy, and together they will hang or together they will plunder the world. My friends, Bulgaria to-day is vigorously in the war. Permit not yourselves to be deceived by the subtle thought that springs from what source I know not but can suspect, that if we withhold our war declaration from Bulgaria and Turkey, we may perhaps wean Bulgaria and Turkey from the central powers. Just as easily think that soft Christian words and repeating the Golden Rule will wean the robber from his plunder. It can not be done. You will separate Bulgaria from Germany in just one way—by the physical might of your armies, bursting the connection in two, and you will do it in no other way.

The SPEAKER. The time of the gentleman has expired.

Mr. FOSS. Mr. Speaker, I ask unanimous consent that the gentleman may have 10 minutes more.

The SPEAKER. The gentleman from Illinois [Mr. Foss] asks unanimous consent that the gentleman may have 10 minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MILLER of Minnesota. What claim has Turkey for our consideration? We are in the midst of horrors and it seems sometimes to us perhaps that the world has never known horrors before. But think of the history of Europe and of a part of Asia in the years that are past. It is a period drenched with the tears of dying Christians and the blood of martyred saints. It is a period when the Turkish power, with blood and savagery, held sway over a part of Europe that should have ended long, long ago. Is it possible for the Ottoman Empire to make common cause with us? No. She is now where she belongs. The Turkish Sultan belongs on the bosom of the German Kaiser to-day. [Applause.] They make good bedfellows. They are animated by the same lust of conquest, power, and blood. Turkey, like Bulgaria, knows she has nothing whatever to hope from the allies. She knows that she must live or die with the central powers of Europe. I hope she will die with them and soon. [Applause.] If this war, undertaken in the noble and lofty way in which we entered it, in its prosecution requiring the death of hundreds of thousands of Americans, because it will; if this war, with its expenditure of blood and treasure, shall end with the Turks still massacring Christians and still putting the blight of their presence on Europe, our money shall have been spent and our boys shall have been given in vain. If there is one thing which Christianity and civilization require it is now, as it has been for a century, that Turkish control in Europe shall cease to exist. [Applause.] I for one am opposed to making any common cause with the Turk. I am willing to meet him, but it must be with the butt end of a rifle in my hand and the bayonet pointed squarely at his heart. [Applause.] We can not hope to separate Bulgaria and Turkey from the central powers unless we do it by force of arms. It is not too much to hope that that very thing can be accomplished. It would not be proper in this public place, although it would give me the utmost pleasure to do so, to state to you some of the military strategy I have learned in recent weeks. I am justified, however, in stating that it contemplates, as it should contemplate, the possible use of the arms and power of the United States against both Bulgaria and Turkey. We must cast aside the shackles. We must throw away our intellectual theories of war. Let us go into it whole-heartedly and fight with our allies to the end. Then another thing, and of great importance. We all know that the German Empire daily receives news of our preparations and our plans that we sitting here in this chamber ourselves often do not know.

Many of us have recently been astounded to find how accurate has been the German information of what we are doing and what we plan to do. Information requires a source. I feel justified in stating to you that many of our friends among the allies feel that the presence in Washington of the representatives of Turkey and Bulgaria constitute an international menace. It may be true that we do exercise pretty close censorship, but there are ways and ways of people finding out and sending information. Ah, it would be indeed a sad moment should we come to realize that we had been harboring in our own country men who had given to our enemy information that resulted in the deaths of our boys. We are none of us dependent upon what others think, but I believe you think as I do, that we are going to see this thing through to the finish, and we are going to undertake the steps necessary to that end. And I want to say to you in that connection this, that if we declare war on all the foes of England, France, and Italy—which lands may Heaven bless, for they are still fighting, and they are about all of the allies that are now on the firing line—if we declare war on all their foes, it will be an inspiration to their men, and with renewed vigor, confidence, and hope they will hurl themselves upon our foes. Oh, my friends, it would tell to them that our cause is a common one. We are willing to make the same sacrifices, willing to perform the same heroic deeds, determined to do our full part, that the world may at last be rid of this military monster in whose living presence they have been forced to live these many, many years.

These are my thoughts and my feelings. I would not be true to myself if I did not express them. But with these thoughts and these feelings I still believe that harmony is the choicest, dearest thing we can achieve to-day, and I am willing under the exigencies of the case to wait a patient hour, until the Chief Executive will come to do that which I feel certain he will do—ask us to declare war against all the foes of our friends and with our friends fight all our foes together. [Loud applause.]

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that I may proceed for 10 minutes.

The SPEAKER. The gentleman from Virginia asks unanimous consent that he may proceed for 10 minutes. Is there

objection? [After a pause.] The Chair hears none. [Applause.]

Mr. FLOOD. Mr. Speaker, I have great admiration for my distinguished friend who has just addressed the House, admiration for his character, for his intellect, and for his patriotism. And I heartily indorse the patriotic sentiment he expressed in closing the very interesting speech which he has made to the House, but I dissent from most of the statements and conclusions of his speech.

He is in favor of declaring war against Turkey and Bulgaria, but he is willing to follow the leadership of our great Chief Executive, who has not reached a conclusion that the time has arrived for declaring war against those countries. This is well enough, but his views in reference to Turkey and Bulgaria are entirely wrong. [Applause.]

All of us realize, Mr. Speaker, that to a great extent the burden of the great European war is upon this country, and every Member of this body is willing to assume that burden, and willing to put into that war our man power and our resources, to the end that we may have a complete victory over our enemies of the central governments. [Applause.] And I believe the President is fully apprised of all the military situations in connection with this war, and whenever it becomes necessary for the proper prosecution of the war, for the speediest winning of the war, to declare war upon any nation that is allied with Germany the President will come to Congress and recommend such a declaration, and that declaration will be adopted with a practical unanimity by this body. [Applause.]

The time has come, Mr. Speaker, in the opinion of the President and those who are in closest touch with the situation, to declare war against Austria-Hungary. The Committee on Foreign Affairs has reported unanimously a resolution carrying such declaration, and I hope, and I believe, that to-morrow that declaration will be unanimously adopted by the House of Representatives. [Applause.] But the time has not come, in the opinion of the President and in the judgment of those who are more intimately associated with this matter in all of its details, than the military experts whom my friend from Minnesota [Mr. MILLER] quoted are, to declare war against Bulgaria and Turkey. On the contrary, there are strong reasons why we should not do this now. I will trespass upon the time of this House for a few moments and give the reasons which have occurred to me why this country should not at this time declare war against those two countries. The time may come when we may have to do it; that time has not come yet.

My friend from Minnesota spoke in strong terms of our duty to Italy. Italy or no other one of the allied powers has suggested to this country that the prosecution of this war could be beneficially effected or its termination hastened by a declaration of war against Turkey or Bulgaria.

At the present time there can be no question of any direct military operation by the United States against these countries. Particularly is that true in reference to Turkey. The question of the advisability of declaring war against Turkey therefore must be considered first from the standpoint of the moral effect of such a declaration, and, second, from the standpoint of the indirect damage to Turkey and the United States which would naturally and probably result from such declaration.

Considering the second of these questions first, it should be remembered that Turkey's interests in the United States are very insignificant, while the interests of the United States in Turkey are very large. The importance of the American missionary and educational institutions in Turkey are too well known to require a detailed description before this House. It will be sufficient to say that during the past 100 years the American missionary societies have expended over $20,000,000 in Turkey, and that the present value of the American missionary property in Turkey, mainly used for educational purposes, amounts to several millions of dollars. In the event of war between the United States and Turkey all this property would be destroyed or confiscated.

Our State Department is in receipt of letters from prominent American citizens acquainted with the situation in Turkey, calling its attention to the great personal danger to the Americans in Turkey if the United States should declare war against that country before the missionaries and other American citizens could leave that country. And time should be given for them to get out if we contemplate declaring war against the Ottoman Empire. At the present time the American institutions in Turkey are being fairly well treated.

There is practically nothing to fear from the activities of the Turkish subjects in the United States, the vast majority of whom are Christian Syrians, Assyrians, and Armenians. The number of real Turks in the United States is very limited. The report of the Immigration Commission, published in 1911, states that only 12,954 true Turks came to America from Turkey during the 12 years from 1899 to 1910, inclusive.

And I want to state here that my friend the gentleman from Minnesota [Mr. MILLER] was mistaken in stating that the Turkish Embassy here is open.

I may have been somewhat responsible for his making that mistake, but the fact is Turkey severed diplomatic relations with this country on April 20, 1917. There is no representative of Turkey in this country now, and there is no opportunity for any representative of Turkey or any Turks here to give information to Germany as to the affairs of this country or as to our purposes.

Mr. GILLETT. Mr. Speaker, if the gentleman will permit, the Bulgarian Legation is here, is it not?

Mr. FLOOD. Yes; the Bulgarian Legation is here. I will come to that in a few moments.

Mr. MILLER of Minnesota. If the gentleman from Virginia will permit, I would like to propound an inquiry, whether there are not some Turkish consuls in the United States?

Mr. FLOOD. No; they are all gone.

It is well known that a great deal of friction between the Turks and Germans is being developed at the present time. My friend from Minnesota does not think so, but that is the impression I got from talking to the officials of our State Department and officials of the administration.

Even the prowar party in Turkey is divided into two factions, and while it is reported that Enver Pasha and his followers are strongly pro-German, Talaat Bey is at the head of a party who are only concerned with the interests of Turkey and are beginning to look with suspicion upon German ambitions. I believe that a declaration of war against Turkey by the United States, unless the United States is in a position to strike Turkey, will have the tendency to strengthen the German influence in that country, an influence which everyone who is familiar with it agrees is weakening.

The Turks, so far as is known, have no troops on the western front, and have few, if any, effective submarines. In fact, they have not made and are not making any attacks on citizens of this country. The danger of direct conflict between the forces of the United States and those of Turkey is therefore very small.

These are the reasons for not declaring war against Turkey at this time. I believe they are much stronger than any reasons that can be advanced for a declaration of war against that country. [Applause.]

Now, with reference to Bulgaria——

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. FOSS. Mr. Speaker, I ask unanimous consent that the gentleman may have 10 minutes more.

Mr. FLOOD. Five minutes will be plenty.

Mr. FOSS. I ask that he may have five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Virginia may proceed for five minutes more. Is there objection?

There was no objection.

Mr. FLOOD. The situation with reference to Bulgaria is even stronger than that with Turkey; that is, the reasons why we should not declare war against Bulgaria are stronger than those with reference to Turkey. Bulgaria has not even broken off diplomatic relations with this country. They have the kindest feelings toward America. Americans are well thought of there. I have clipped from the Washington Times an interview with Dr. Stephen Panaretoff, the Bulgarian minister here, in which he says:

> It is well known that great pressure has been brought to bear upon Germany's allies to break with the United States. * * * Bulgaria alone has been able to resist this and follow her own inclinations.
>
> I do not expect to see Bulgars fighting outside of what is considered Bulgar territory. Our men have never fought on the west front and never will. Even Teuton prisoners captured by Italians declare that there are no Bulgars engaged in the drive against Italy. There may be Bulgar-speaking troops from Albania or Macedonia in Teuton ranks, but they are in no way identified with the Bulgarian Army.

That is from the minister here. He certainly is not unfriendly to this country.

Mr. GILLETT. Mr. Speaker, will the gentleman allow me a moment?

Mr. FLOOD. Yes.

Mr. GILLETT. I was told recently by an authority quite as high as the one he has cited that Bulgarian officers were serving in the Germany Army in its attack on Italy.

Mr. FLOOD. I saw that statement in the newspapers, but the interview of the Bulgarian minister contradicts the newspaper reports.

Mr. GILLETT. I was told this directly. I do not like to give my authority without his permission, but I think no authority here could be higher or more reliable.

Mr. FLOOD. I do not believe there can be any higher authority than the Bulgarian minister. I believe his information about this matter to be as accurate as anybody's could be, and I submit his statement to the House for what the House may think it is worth.

The wisdom of a declaration of war by the United States at the present time against Bulgaria would be even more doubtful than would be the wisdom of a declaration of war by the United States against Turkey. The Bulgarian race has always been extremely friendly toward the United States. Robert College at Constantinople is often referred to by Bulgarians as "the cradle of Bulgarian liberty." The Bulgarian minister to the United States was for more than 30 years a professor at Robert College, and he has always been friendly toward the United States, and his good sense would make him friendly to the entente powers.

The Bulgarian interest in this war, as the interview of the minister indicates, is a purely local one. That nation is merely fighting out their old feud with the Serbians. The Bulgarians not only have no interest in the German plans for world conquests but, on the contrary, they are already beginning to appreciate the dangers of German domination. There are no Bulgarian troops on the western frontier, and Bulgaria has no submarines; there is, therefore, no danger of any direct conflict between the American and Bulgarian forces.

It is difficult, therefore, to see how a declaration of war by the United States against Bulgaria at the present moment would in any way, directly or indirectly, tend to assist in the bringing about of a victory for the United States and the entente or hasten the end of this terrible conflict.

Mr. TILSON. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. TILSON. What has the gentleman to say as to the danger of information going through diplomatic channels to our enemies from this country?

Mr. FLOOD. The Bulgarians can send no information abroad that does not go through our State Department. Everything that the Bulgarian Legation here sends to its country from anywhere in this country goes through the State Department, so there can be no danger from that source. There is no danger of our coming to armed conflict with Bulgaria and practically none with Turkey. These are the reasons why the Committee on Foreign Affairs thought that at this time there should not be any declaration of war against those two countries. I have undertaken to give those reasons in reply to my friend from Minnesota, so that when we take up to-morrow the declaration of war against Austria-Hungary—the strong, virile, and ruthless ally of Germany—we may get a unanimous vote in favor of that declaration. [Applause.]

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 54 minutes p. m.) the House adjourned until to-morrow, Friday, December 7, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, submitting statement showing the manner in which all expenditures have been made under the appropriation "Experimental and research laboratory," fiscal year ending June 30, 1917 (H. Doc. No. 512); to the Committee on Expenditures in the Navy Department and ordered to be printed.

2. A letter from the acting superintendent of United States Botanic Garden, transmitting statement regarding increased compensation paid employees of the United States Botanic Garden (H. Doc. No. 513); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting statement of the amounts expended to December 1, 1917, from appropriations under the control of the Treasury Department (H. Doc. No. 514); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

4. A letter from the Secretary of the Navy, transmitting statement showing the amount of money of all pay and for all allowances for each grade of officers in the Navy, including retired officers (H. Doc. No. 515); to the Committee on Expenditures in the Navy Department and ordered to be printed.

5. A letter from the Secretary of War, transmitting annual report of the Board of Ordnance and Fortifications for the fiscal year ended June 30, 1917 (H. Doc. No. 587); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, submitting statement of expenditures of the Coast Guard for the fiscal year ended June 30, 1917 (H. Doc. No. 516); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting estimates of appropriations for defraying the expenses of collecting the revenue from customs for the fiscal year ending June 30, 1919 (H. Doc. No. 517); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting the report of the Director of the Bureau of War-Risk Insurance, giving details of the receipts and expenditures of the bureau from December 1, 1916, to November 30, 1917 (H. Doc. No. 518); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 169) declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States, and making provision to prosecute the same, reported the same with amendment, accompanied by a report (No. 203), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 803) granting a pension to Walter L. Jewell; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4312) granting an increase of pension to Tivis C. Simmons; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HULBERT: A bill (H. R. 7112) to provide for the enlistment and service of women in the military service of the United States; to the Committee on Military Affairs.

By Mr. RANDALL: A bill (H. R. 7113) to prohibit transportation of intoxicating liquors into certain States, Territories, or Districts; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: A bill (H. R. 7114) to provide a commission to secure plans and designs for a monument or memorial to the memory of the Negro soldiers and sailors who fought in the wars of our country; to the Committee on the Library.

By Mr. RAKER: Resolution (H. Res. 188) authorizing clerks to certain committees of the House; to the Committee on Accounts.

By Mr. ALEXANDER: Resolution (H. Res. 190) to provide an assistant clerk to the Committee on the Merchant Marine and Fisheries; to the Committee on Accounts.

By Mr. LONDON: Joint resolution (H. J. Res. 173) to initiate the organization of an international league to secure a durable peace; to the Committee on Foreign Affairs.

By Mr. CHURCH: Joint resolution (H. J. Res. 174) for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy; to the Committee on Patents.

By Mr. KINCHELOE: Joint resolution (H. J. Res. 175) amending section 201 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. JAMES: Joint resolution (H. J. Res. 176) authorizing the Secretary of State to open negotiations with the Government of Italy to conclude a treaty defining the status of former Italian subjects; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUCKNER: A bill (H. R. 7115) granting an increase of pension to Robert Stevenson; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 7116) granting a pension to Montie Johnson; to the Committee on Pensions.

Also, a bill (H. R. 7117) granting a pension to George Smith; to the Committee on Pensions.

Also, a bill (H. R. 7118) granting a pension to C. A. Sutherland; to the Committee on Pensions.

Also, a bill (H. R. 7119) granting an increase of pension to William P. Hughes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7120) granting an increase of pension to Elias Shannon; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 7121) granting a pension to Edward J. Gleason; to the Committee on Pensions.

By Mr. DEWALT: A bill (H. R. 7122) granting a pension to Ida R. Borrell; to the Committee on Pensions.

Also, a bill (H. R. 7123) granting a pension to George Hall; to the Committee on Pensions.

Also, a bill (H. R. 7124) granting a pension to William V. Schwoyer; to the Committee on Pensions.

Also, a bill (H. R. 7125) granting an increase of pension to Cyrus Boone; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7126) for the relief of John Purdy; to the Committee on Military Affairs.

Also, a bill (H. R. 7127) for the relief of Thomas H. Reed; to the Committee on Military Affairs.

By Mr. DOWELL: A bill (H. R. 7128) granting an increase of pension to John Jellison; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 7129) granting a pension to Margaret Cassidy; to the Committee on Pensions.

Also, a bill (H. R. 7130) granting a pension to Emma Potts; to the Committee on Pensions.

Also, a bill (H. R. 7131) granting a pension to Thomas F. Hassett; to the Committee on Pensions.

Also, a bill (H. R. 7132) granting a pension to Laura Hilgeman; to the Committee on Pensions.

Also, a bill (H. R. 7133) granting a pension to Mary L. Marik; to the Committee on Pensions.

Also, a bill (H. R. 7134) granting a pension to Charles F. Lang; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7135) granting a pension to Lotta K. Boyd; to the Committee on Pensions.

Also, a bill (H. R. 7136) granting a pension to Sam Blanton; to the Committee on Pensions.

Also, a bill (H. R. 7137) granting a pension to Oscar Grear; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7138) granting a pension to Richard L. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7139) granting a pension to William L. Woestendiek; to the Committee on Pensions.

Also, a bill (H. R. 7140) granting a pension to Anna Buhrman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7141) granting a pension to Louise Krause; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7142) granting a pension to Celsus G. Gross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7143) granting a pension to Fritz Wilbert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7144) granting a pension to Wilber K. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7145) granting a pension to Walter S. Reece; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7146) granting a pension to Thomas C. Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7147) granting a pension to Charles T. Durand; to the Committee on Pensions.

Also, a bill (H. R. 7148) granting a pension to Jessie Rowland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7149) granting a pension to Adeline Wagner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7150) granting a pension to Julia Casey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7151) granting a pension to Henry Johnson; to the Committee on Pensions.

Also, a bill (H. R. 7152) granting a pension to Henry Lebrecht; to the Committee on Pensions.

Also, a bill (H. R. 7153) granting a pension to Louise Furst; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7154) granting a pension to Sarah C. Tippling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7155) granting an increase of pension to William Warren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7156) granting a pension to George C. Emmert; to the Committee on Pensions.

Also, a bill (H. R. 7157) granting a pension to Augusta Hoecker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7158) granting a pension to George Fredericks; to the Committee on Pensions.

Also, a bill (H. R. 7159) granting a pension to Thomas J. Hunt; to the Committee on Pensions.

Also, a bill (H. R. 7160) granting a pension to Wheeler Smith; to the Committee on Pensions.

Also, a bill (H. R. 7161) granting a pension to Tony Jud; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7162) granting an increase of pension to Frederick A. Churchill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7163) granting a pension to Freda Burow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7164) granting an increase of pension to Bertha Herder; to the Committee on Pensions.

Also, a bill (H. R. 7165) granting an increase of pension to Charles A. Morrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7166) granting an increase of pension to Felix Karl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7167) granting an increase of pension to Maria A. Murat; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7168) granting an increase of pension to Xaver Zachringer, alias John Ruh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7169) granting an increase of pension to Ellen Jines; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7170) granting an increase of pension to Thomas Carten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7171) granting an increase of pension to Pleasant F. Clutts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7172) granting an increase of pension to Ellen H. Frost; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7173) granting an increase of pension to Edward P. Rice; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7174) granting an increase of pension to Peter R. Matthew; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7175) granting an increase of pension to Margaret Lamb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7176) granting an increase of pension to Gideon W. Carmichael; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7177) granting an increase of pension to Robert Harper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7178) granting an increase of pension to George Claxton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7179) granting an increase of pension to Julia F. Wagner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7180) granting an increase of pension to John A. Spann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7181) granting an increase of pension to Sarah J. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7182) for the relief of John H. Rheinlander; to the Committee on Claims.

Also, a bill (H. R. 7183) for the relief of C. M. Perkins; to the Committee on Claims.

Also, a bill (H. R. 7184) for the relief of Thomas Furlong; to the Committee on Claims.

Also, a bill (H. R. 7185) for the relief of the Knight Motor Co., a corporation; to the Committee on Claims.

Also, a bill (H. R. 7186) for the relief of Rudolph L. Wise; to the Committee on Claims.

Also, a bill (H. R. 7187) for the relief of Irene Gillespie; to the Committee on Claims.

Also, a bill (H. R. 7188) for the relief of Charles W. Howard; to the Committee on Military Affairs.

Also, a bill (H. R. 7189) for the relief of John H. Drosselmeyer; to the Committee on Military Affairs.

Also, a bill (H. R. 7190) for the relief of Bartholomew Buckley; to the Committee on Military Affairs.

Also, a bill (H. R. 7191) for the relief of Daniel O'Connell; to the Committee on Military Affairs.

Also, a bill (H. R. 7192) for the relief of Aaron B. Van Pelt, alias Benjamin Van Pelt; to the Committee on Military Affairs.

Also, a bill (H. R. 7193) authorizing the President to appoint Archibald Grymes Hutchinson a first lieutenant of Infantry, and for other purposes; to the Committee on Military Affairs.

By Mr. ELLIOTT: A bill (H. R. 7194) granting an increase of pension to Robert O. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7195) granting an increase of pension to Elisha L. Powers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7196) granting an increase of pension to James Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7197) granting a pension to William J. Nash; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 7198) granting a pension to Susan M. Gregory; to the Committee on Pensions.

Also, a bill (H. R. 7199) granting a pension to Albert C. Schuman; to the Committee on Pensions.

Also a bill (H. R. 7200) granting an increase of pension to Charles H. Lakey; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 7201) granting a pension to Adelbert Lewis; to the Committee on Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 7202) granting an increase of pension to James G. B. Lamb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7203) for the relief of John Burke; to the Committee on Military Affairs.

By Mr. LONGWORTH: A bill (H. R. 7204) granting an increase of pension to Peter Wetterich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7205) granting an increase of pension to John G. Murray; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 7206) granting a pension to Eliza J. St. Clair; to the Committee on Pensions.

By Mr. MASON: A bill (H. R. 7207) for the relief of the estate of John C. Phillips; to the Committee on War Claims.

By Mr. SHERWOOD: A bill (H. R. 7208) to reimburse Ralph Rogers, son and sole heir of Dudley Rogers, for expenses incurred; to the Committee on Military Affairs.

By Mr. SIEGEL: A bill (H. R. 7209) granting an increase of pension to Joseph D. Donellen; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 7210) granting an increase of pension to Charles Story; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7211) granting an increase of pension to John Daily; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7212) granting an increase of pension to William Emrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7213) granting an increase of pension to Henry R. Playford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7214) granting an increase of pension to Humphrey Bay; to the Committee on Invalid Pensions.

By Mr. STRONG: A bill (H. R. 7215) granting an increase of pension to Benevell Haugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7216) granting an increase of pension to John Shoup; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 7217) granting an increase of pension to Alfred Holmes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7218) granting an increase of pension to John Cherry; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of sundry citizens and church organizations of the State of Missouri, favoring national prohibition; to the Committee on the Judiciary.

Also (by request), memorial of the Philadelphia Embalmers' Association, favoring the Purple Cross bill; to the Committee on Military Affairs.

Also (by request), petition of sundry citizens of Floyd County, Tex., favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of Alabama, California, Colorado, Connecticut, Delaware, Indiana, Illinois, Iowa, Kansas, Kentucky, Maine, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Virginia, and West Virginia, favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

By Mr. DALE of New York: Petition of the Pineoleum Co. and the Crockery Board of Trade of New York, against reducing mailing rates of publishers; to the Committee on Ways and Means.

Also, petition of Tenants' Union of New York, favoring Government operation of all public utilities; to the Committee on the Judiciary.

By Mr. DYER: Memorial of St. Louis Real Estate Exchange, Cornelius H. Fauntleroy, and Merchants' Exchange, of St. Louis, Mo., relative to time for completion of bridge across the Mississippi River; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of Tuthill Spring Co., of Chicago, Ill., against repeal of law concerning second-class postage; to the Committee on Ways and Means.

Also, petition of Woman's American Baptist Foreign Mission Society, favoring prohibition; to the Committee on the Judiciary.

Also, petition of Hod Carriers, Building and Common Laborers' Executive Council of Chicago and vicinity, relative to legislation to facilitate building industry; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON of Michigan: Petitions of sundry citizens of the State of Michigan, favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. KENNEDY of Rhode Island: Petitions of S. Raymond Hawthorne, Mrs. William E. Morrison, Emma E. Eldridge, Winifred Thompson, L. B. Watkins, Ida B. Smith, Rhode Island State Federation of Women's Clubs, Isabel MacLeod, Mrs. Frank E. Wilhelm, Edith Patterson, Sadie MacGinnins, Rev. George McClellan Fiske, Mrs. George McTroke, Mary E. Arnold, Mrs. Winslow Upton, Mrs. G. H. Fowler, Mrs. Martha McBush, Margaret S. Dwight, Marian L. Cooper, Susan M. Barnes, Lida Shawkin, Henry L. Thompson, Charles A. Tompkins, all of Providence; Robert Cussman, Pawtucket; and Rev. M. S. Kauffman, of Central Falls, all in the State of Rhode Island, favoring passage of national prohibition legislation; to the Committee on the Judiciary.

Also, petitions of Rev. William Pressey, of Ashton; Brotherhood of Embury Methodist Episcopal Church, Central Falls; Greenville Free Baptist Sunday School; Frank Manion, Saylesville; Peabody Bible Class of Park Place Congregational Church, Pawtucket; Circle Lacordaire, of Woonsocket; John A. Thompson and 14 others of Pawtucket Young Men's Christian Association; John Cavelti and 17 others of Pawtucket, all in the State of Rhode Island, in favor of passage of national prohibition legislation; to the Committee on the Judiciary.

By Mr. LUFKIN: Petition of citizens of Merrimac, Salem, Beverly, Haverhill, Danvers, and Newburyport, all in the State of Massachusetts, favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. MERRITT: Memorial of Branch No. 60, National Association of Letter Carriers, of Stamford, Conn., favoring House bill 1654; to the Committee on the Post Office and Post Roads.

By Mr. RAINEY: Petition of George R. Hearne and 174 other citizens of Hancock County, Ill., favoring Purple Cross bill; to the Committee on Military Affairs.

By Mr. SNYDER: Petitions of officers and teachers of First Baptist Church, of Ilion, and sundry citizens of Augusta, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of Herodotus Club, of Whitesboro and Fortnightly Club of Remsen, N. Y., for moral protection of the Army; to the Committee on Military Affairs.

SENATE.

FRIDAY, *December 7, 1917.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we have come together to take counsel how best to give expression to our sense of the sacred obligations of this place and hour. We turn first to Thee, the Source of all wisdom and of all power. We pray for unity of counsel that we may stand face to face with the great issues of the present time. May our fellowship in the common interests of our country and of the world be a demonstration to all men of our possession of those spiritual forces that have never surrendered in the history of the world. Bring us together by a common need, by a common danger, most of all by a common devotion to the ideals of our national life. We ask for Christ's sake. Amen.

PETER G. GERRY, a Senator from the State of Rhode Island; WESLEY L. JONES, a Senator from the State of Washington; and KENNETH D. MCKELLAR, a Senator from the State of Tennessee, appeared in their seats to-day.

The Secretary proceeded to read the Journal of the proceedings of Tuesday, December 4, 1917, when, on request of Mr. VARDAMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ANNUAL REPORT OF THE SECRETARY OF THE TREASURY (H. DOC. NO. 613).

The VICE PRESIDENT laid before the Senate the annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1917, which was referred to the Committee on Finance and ordered to be printed.

ANNUAL REPORT OF THE ATTORNEY GENERAL (H. DOC. NO. 595).

The VICE PRESIDENT laid before the Senate the annual report of the Attorney General for the fiscal year 1917, which was referred to the Committee on the Judiciary and ordered to be printed.

REPORT OF BOARD OF ORDNANCE AND FORTIFICATION (H. DOC. NO. 587).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, the annual report of the Board of Ordnance and Fortification, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

ANNUAL REPORT OF THE RECLAMATION SERVICE (H. DOC. NO. 597).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, the sixteenth annual report of the Reclamation Service, which was referred to the Committee on Irrigation and Reclamation and ordered to be printed.

MARITIME CANAL CO. OF NICARAGUA (H. DOC. NO. 528).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a copy of the report of the Maritime Canal Co. of Nicaragua, which, with the accompanying papers, was referred to the Committee on Interoceanic Canals and ordered to be printed.

ANNUAL REPORT OF THE INTERSTATE COMMERCE COMMISSION (H. DOC. NO. 599).

The VICE PRESIDENT laid before the Senate the thirty-first annual report of the Interstate Commerce Commission, which was referred to the Committee on Interstate Commerce and ordered to be printed.

ANNUAL REPORT OF THE LIBRARIAN OF CONGRESS (H. DOC. NO. 586).

The VICE PRESIDENT laid before the Senate the annual report of the Librarian of Congress and the Superintendent of the Library Buildings and Grounds for the fiscal year ended June 30, 1917, which was referred to the Committee on the Library and ordered to be printed.

EXPENDITURES, DEPARTMENT OF AGRICULTURE (H. DOC. NO. 486).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, detailed statement of expenditures of the Department of Agriculture for the fiscal year 1917, which, with accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

DISPOSITION OF PAPERS IN AGRICULTURE DEPARTMENT (H. DOC. NO. 490).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement relative to the disposition of papers not needed or useful in the transaction of the current business of the department, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

BUREAU OF CHEMISTRY (H. DOC. NO. 471).

The VICE PRESIDENT laid before the Senate a communition from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing the sums paid from the funds allotted to the Bureau of Chemistry for the compensation of or payment of expenses to officers or other persons employed by any State, county, or municipal government during the fiscal year 1917, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PURCHASE OF VEHICLES (H. DOC. NO. 470).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing the motor-propelled and horse-drawn vehicles and motor boats purchased by the Department of Agriculture for the fiscal year 1917, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PURCHASE OF SEEDS (H. DOC. NO. 469).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing the places, quantity, and price of seeds purchased and the dates of purchase, etc., which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

THE FOREST SERVICE (H. DOC. NO. 473).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a report of contributions on account of cooperative work with the Forest Service and the amount refunded to depositors on account of excess deposits, national forest fund, for the fiscal year 1917, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

MISCELLANEOUS EXPENSES, DEPARTMENT OF AGRICULTURE (H. DOC. NO. 478).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a detailed statement of the disbursements of the appropriation "Miscellaneous expenses, Department of Agriculture, 1917," which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

LABOR-SAVING DEVICES (H. DOC. NO. 476).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing the exchanges of labor-saving devices during the fiscal year 1917, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

COMPENSATION OF EMPLOYEES OF AGRICULTURE DEPARTMENT (H. DOC. NO. 482).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation carried on the various rolls of the bureaus and offices of the department on September 30, 1917, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

BUREAU OF ANIMAL INDUSTRY (H. DOC. NO. 485).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing the names of all persons employed in the Bureau of Animal Industry during the fiscal year 1917, except those whose salaries were paid exclusively by the meat-inspection appropriation, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

TRAVEL OF EMPLOYEES OF AGRICULTURAL DEPARTMENT (H. DOC. NO. 500).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing the travel from Washington to points outside the District of Columbia of officers and employees of the department during the fiscal year 1917, which, with accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

UNITED STATES COURT OF CUSTOMS APPEALS (H. DOC. NO. 445).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting a statement of the expenditures of the appropriations for the United States Court of Customs Appeals for the fiscal year ended June 30, 1917, which was referred to the Committee on Appropriations and ordered to be printed.

COMPENSATION FOR PERSONAL SERVICES (H. DOC. NO. 426).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, pursuant to law, a detailed report required by various acts of Congress providing for a percentage increase in compensation for personal services, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

LIBRARY OF CONGRESS.

The VICE PRESIDENT laid before the Senate a communication from the Librarian of Congress, transmitting, pursuant to law, a statement of the employees in the Library of Congress subject to increased rates of compensation for the fiscal year 1917 (H. Doc. No. 477), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Librarian of Congress, transmitting, pursuant to law, a statement showing the travel from Washington to points outside the District of Columbia of officers and employees of the Library of Congress during the fiscal year 1917 (H. Doc. No. 474), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

LIBRARY BUILDING AND GROUNDS.

The VICE PRESIDENT laid before the Senate a communication from the Superintendent Library Building and Grounds, transmitting, pursuant to law, a statement of employees subject to increased rates of compensation for the fiscal year ending June 30, 1918 (H. Doc. No. 484), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Superintendent Library Building and Grounds, transmitting, pursuant to law, a detailed statement of labor saving devices used in his office exchanged in part payment for new machines for the fiscal year 1917, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Superintendent Library Building and Grounds, transmitting, pursuant to law, a statement showing the travel of employees in his office during the fiscal year 1917 (H. Doc. No. 475), which was referred to the Committee on Appropriations and ordered to be printed.

LIST OF JUDGMENTS (H. DOC. NO. 437).

The VICE PRESIDENT laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting, pursuant to law, a statement of all judgments rendered by the Court of Claims for the year ended December 1, 1917, the amount thereof, the party in whose favor rendered, and a brief synopsis of the nature of the claims, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

ANNUAL REPORT OF THE PUBLIC PRINTER.

The VICE PRESIDENT laid before the Senate the annual report of the Public Printer for the fiscal year ended June 30, 1917, which was referred to the Committee on Printing.

ANNUAL REPORT OF THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT laid before the Senate the annual report of the Commissioners of the District of Columbia for the fiscal year ended June 30, 1917, which was referred to the Committee on the District of Columbia.

ANNUAL REPORT OF UNITED STATES SHIPPING BOARD (H. DOC. NO. 394).

The VICE PRESIDENT laid before the Senate the First Annual Report of the United States Shipping Board, covering the period of its existence to and including October 31, 1917, which was referred to the Committee on Commerce and ordered to be printed.

INTERSTATE COMMERCE COMMISSION.

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a detailed report of employees of the commission subject to increased rates of compensation for the fiscal year ending June 30, 1918 (H. Doc. No. 421), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a special report, supplementing its annual report, with reference to transportation conditions as affecting and affected by the war in which the United States is now engaged, etc., (H. Doc. No. 503), which, with the accompanying paper, was referred to the Committee on Interstate Commerce and ordered to be printed.

He also laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a detailed statement of labor-saving devices used by employees of the commission exchanged in part payment for new machines for the fiscal year ended June 30, 1917 (H. Doc. No. 418), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a statement showing the travel of all officers and employees other than special agents, etc., who have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1917 (H. Doc. No. 420), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a statement showing the employment under appropriation for the valuation of carriers for the fiscal year ended June 30, 1917 (H. Doc. No. 432), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

EMPLOYEES OF WAR DEPARTMENT (H. DOC. NO. 509).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a statement showing, by bureaus and offices, the number and designation and compensation of persons employed under the appropriations for temporary employment of additional force in the War Department, which, with the accompanying papers, was referred to the Committee on Military Affairs and ordered to be printed.

THE BOTANIC GARDEN (H. DOC. NO. 513).

The VICE PRESIDENT laid before the Senate a communication from the superintendent of the United States Botanic Garden, transmitting, pursuant to law, a statement relative to increased compensation to employees, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

EXTENSION OF CAPITOL GROUNDS (H. DOC. NO. 534).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing the receipts from rentals, extension of the Capitol Grounds for the period December 1, 1916, to December 1, 1917, which, with accompanying papers, was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

TRAVEL OF EMPLOYEES OF INTERIOR DEPARTMENT (H. DOC. NO. 443).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing the number of officers or employees of the department who have traveled on official business outside of the District of Columbia during the fiscal year ended June 30, 1917, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

EXCHANGE OF TYPEWRITERS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report showing exchanges made by the Interior Department and its several bureaus and offices of typewriters, adding machines, and other similar labor-saving devices for the fiscal year ended June 30, 1917 (H. Doc. No. 430), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a letter from the Assistant Commissioner of the General Land Office, giving a detailed statement of traveling expenses of clerks detailed from the office of one surveyor general to another during the fiscal year ended June 30, 1917 (H. Doc. No. 448), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

FREEDMEN'S HOSPITAL.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a detailed statement of receipts and expenditures on account of pay patients at the Freedmen's Hospital, Washington, D. C., for the fiscal year ended June 30, 1917 (H. Doc. No. 415), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a letter from the surgeon in chief of the Freedmen's Hospital, Washington, D. C., together with a detailed statement of expenses for professional and other services (H. Doc. No. 442), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

DISTRIBUTION OF DOCUMENTS (H. DOC. NO. 427).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing the documents received and distributed during the fiscal year ended June 30, 1917, which was referred to the Committee on Printing and ordered to be printed.

SUPPORT OF AGRICULTURAL COLLEGES (H. DOC. NO. 492).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the disbursements for the fiscal year ending June 30, 1918, made in the States and Territories under the provisions of the act applying a portion of the proceeds of the public lands to the more complete endowments and support of

the colleges for the benefit of agriculture and the mechanic arts, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

REPORT OF ST. ELIZABETHS HOSPITAL (H. DOC. NO. 423).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a copy of a letter from Dr. William A. White, superintendent of the St. Elizabeths Hospital, transmitting the financial report for that institution for the fiscal year 1917, which, with the accompanying paper, was referred to the Committee on the District of Columbia and ordered to be printed.

INDUSTRIAL WORK AND CARE OF TIMBER (H. DOC. NO 389).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of expenditures on account of the Indian Service for the fiscal year ended June 30, 1917, from the appropriations "Industrial work and care of timber," which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

CHIPPEWA INDIAN FUND (H. DOC. NO. 399).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a detailed statement of expenditures from the tribal funds of the Chippewa Indians of Minnesota for the fiscal year ended June 30, 1917, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN IRRIGATION PROJECTS (H. DOC. NO. 391).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a cost account showing the moneys expended on each Indian irrigation project during the fiscal year 1917, and the total expenditures on each such subject as computed to June 30, 1917, which, with the accompanying papers, was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN SCHOOLS (H. DOC. NO. 403).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report for the fiscal year 1917 showing the amounts expended at each Indian school and agency from the appropriation "For construction, lease, purchase, repair, and improvement of school and agency buildings," which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

INDUSTRIES AMONG INDIANS (H. DOC. NO. 400).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a detailed report of the expenditures made for the purpose of encouraging industry among the various Indian reservations during the fiscal year ended June 30, 1917, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

SUPPORT OF INDIAN SCHOOLS (H. DOC. NO. 402).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report for the fiscal year ended June 30, 1917, relating to the appropriation "Indian schools, support, 1917," which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

HEIRS OF DECEASED INDIANS (H. DOC. NO. 409).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of all moneys collected and deposited during the fiscal year ended June 30, 1917, under the appropriation "Determining heirs of deceased Indian allottees, 1917," which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

DISEASE AMONG INDIANS (H. DOC. NO. 408).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a detailed report of expenditures for the fiscal year ended June 30, 1917, from the appropriation for the relief of distress and prevention of disease among Indians, on account of the construction of hospitals, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

APACHE, KIOWA, AND COMANCHE INDIANS (H. DOC. NO. 410).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a detailed report of the expenditures made in making per capita payments to the Apache, Kiowa, and Comanche Indians during the fiscal year ended June 30, 1917, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN MONEYS (H. DOC. NO. 414).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of expenditures for the fiscal year ended June 30, 1917, of money carried on the books of the Interior Department under the caption "Indian money, proceeds of labor," which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

SIOUX INDIANS (H. DOC. NO. 406).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of expenditures from the permanent fund of the Sioux Indians during the fiscal year ended June 30, 1917, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

BLACKFEET INDIANS (H. DOC. NO. 413).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of expenditures from the tribal funds of the Blackfeet Indians of Montana for the fiscal year ended June 30, 1917, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

STANDING ROCK INDIAN RESERVATION (H. DOC. NO. 390).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the expenditures made for the purchase of cattle for the benefit of Indians on the Standing Rock Reservation in North Dakota and South Dakota for the fiscal year ended June 30, 1917, which, with the accompanying papers, was referred to the Committee on Indian Affairs and ordered to be printed.

CONFEDERATED BANDS OF UTES (H. DOC. NO. 412).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a detailed report of the expenditures made from the tribal funds of the Confederated bands of Utes for the fiscal year ended June 30, 1917, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

EXPENDITURES OF INTERIOR DEPARTMENT (H. DOC. NO. 411).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, the report that no diversion of expenditures was made during the fiscal year ended June 30, 1917, under the provisions of the act of March 1, 1907, which was referred to the Committee on Indian Affairs and ordered to be printed.

EMPLOYEES OF INTERIOR DEPARTMENT (H. DOC. NO. 472).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of the employees subject to increased rates of compensation for the fiscal year 1917, which was referred to the Committee on Indian Affairs and ordered to be printed.

TONGUE RIVER RESERVATION (H. DOC. NO. 405).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a detailed report of expenditures made for the purpose of encouraging industry and self-support among the Indians on the Tongue River Reservation in Montana during the fiscal year ended June 30, 1917, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN TREATIES (H. DOC. NO. 404).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report showing that no hostilities have occurred with any tribe of Indians with which the United States has treaty stipulations during the past fiscal year, which was referred to the Committee on Indian Affairs and ordered to be printed.

NORTHERN CHEYENNE INDIANS (H. DOC. NO. 416).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a detailed report of expenditures made for the purchase of cattle for the Northern Cheyenne Indians on the Tongue River Reservation, Mont., for the fiscal year ended June 30, 1917, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

THE INDIAN SERVICE (H. DOC. NO. 417).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report showing the diversion of appropriations for the pay of specified employees in the Indian Service for the fiscal year ended June 30, 1917, which, with the accompanying papers, was referred to the Committee on Indian Affairs and ordered to be printed.

SURVEYS ON INDIAN LANDS (H. DOC. NO. 407).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of the cost of all survey and allotment work on Indian reservations for the fiscal year ended June 30, 1917, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. At the conclusion of the last session of Congress the Chair asked an opinion from the Committee on Rules with reference to the duty of the Chair in laying down petitions and memorials. The Chair has not heard from the Committee on Rules, and the Chair is going to announce the opinion that, unless otherwise ordered by the Committee on Rules, petitions and memorials from citizens of the several States must be sent to the Senators representing those States for presentation to the Senate. The Chair is not going to pay further attention to letters and communications from individual citizens of the United States and will only hand down such petitions and memorials as are of a national character.

Mr. PENROSE. Mr. President, as an individual Senator I want to congratulate and commend the Chair for the ruling which he has just announced.

The VICE PRESIDENT. The Chair wishes to add a further word. He believes it is the right and privilege of a Senator from a State to determine whether petitions and memorials of citizens of his State are of sufficient importance to lay before the Senate. The presentation of petitions and memorials is in order.

Mr. STONE. If it is in order, I desire to submit a report from a committee.

The VICE PRESIDENT. It is not yet in order.

Mr. GALLINGER presented a petition of 36 citizens of Milan and Dummer, in the State of New Hampshire, praying for national prohibition, which was ordered to lie on the table.

Mr. NELSON presented resolutions adopted by the Commercial Club of Duluth, Minn., favoring the passage of the so-called Chamberlain universal military service bill, which were referred to the Committee on Military Affairs.

Mr. LODGE presented a memorial of the Negro Civic League, of Springfield, Mass., remonstrating against the inhuman killing, lynching, and burning of colored citizens by the mob, which was referred to the Committee on Civil Service and Retrenchment.

Mr. FLETCHER presented a petition of the Zellwood Equal Franchise League, of Zellwood, Fla., and a petition of sundry citizens of Orange County, Fla., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a petition of Plant City Local Lodge, No. 18, Brotherhood of Maintenance of Way Employees, of Plant City, Fla., praying for the enactment of legislation providing for an eight-hour law for the government of maintenance-of-way employees of the railroad systems of the United States, which was referred to the Committee on Interstate Commerce.

Mr. TOWNSEND presented petitions of sundry citizens of Berrien, Van Buren, and St. Joseph Counties, all in the State of Michigan, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. KNOX presented memorials of sundry labor organizations, all in the State of Pennsylvania, remonstrating against national prohibition, which were ordered to lie on the table.

He also presented a petition of members of the staff and nurses of the Kane Summit Hospital, of Kane, Pa., praying for national prohibition, which was ordered to lie on the table.

He also presented a petition of the congregation of the Presbyterian Church of Montour, Pa., praying for the enactment of legislation to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. PENROSE presented resolutions adopted by the Philadelphia Bourse, of Philadelphia, Pa., favoring legislation to prevent cessation of work by employees of public service corporations engaged in interstate commerce, which were referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by the Philadelphia Bourse, of Philadelphia, Pa., favoring the adoption of an amendment to the revenue act of 1917, with respect to war excess-profits tax upon incomes derived from professions and occupations, which were referred to the Committee on Finance.

Mr. JOHNSON of South Dakota. I present a memorial, which I ask to have read.

The VICE PRESIDENT. Is there objection to the reading of the memorial?

Mr. SMOOT. What is the memorial?

The VICE PRESIDENT. It is a memorial from the South Dakota Woman's Christian Temperance Union.

Mr. SMOOT. I have no objection to having it printed in the RECORD. Why should we take the time of the Senate now to read it? Nobody will listen to the reading. Therefore I will object.

Mr. PENROSE. We have a very important resolution coming up. I have on my desk upstairs several hundred similar communications, but I shall not trespass on the time of the Senate to have those read, as I have too much respect for this body and too much consideration for the labors of the body.

The VICE PRESIDENT. Then, the Senator from Pennsylvania objects to the reading of the memorial?

Mr. PENROSE. I do.

The VICE PRESIDENT. Shall the memorial be read? [Putting the question.] The noes have it, and it will not be read.

Mr. JOHNSON of South Dakota. I ask that the memorial be printed in the RECORD.

The VICE PRESIDENT. Without objection, it will be so ordered.

Mr. JOHNSON of South Dakota. I understand that the vote just taken does not exclude the printing of it in the RECORD.

The VICE PRESIDENT. No; it excludes the reading of it. It goes in the RECORD without objection.

The memorial was ordered to be printed in the RECORD, as follows:

SOUTH DAKOTA WOMAN'S CHRISTIAN TEMPERANCE UNION,
Mitchell, S. Dak., November 21, 1917.

Senator E. S. JOHNSON,
Senate Office Building, Washington, D. C.

DEAR SIR: The following is a copy of the resolution passed at the South Dakota W. C. T. U. State convention at Yankton, S. Dak., October 20, 1917, which we request be read into the CONGRESSIONAL RECORD:

"*Resolved*, That the twenty-ninth State convention of the Woman's Christian Temperance Union in convention assembled call upon President Wilson and the Democratic administration to pass the Susan B. Anthony amendment in the coming Congress as a war measure at this critical time when the Government is calling upon women everywhere to assist in bearing the burdens of war.

"*Resolved*, That this resolution be sent to the President; the Vice President; Senator THOMAS MARTIN, majority leader of the Senate; Senator JACOB GALLINGER, minority leader; Senator A. A. JONES, chairman of the Senate Woman Suffrage Committee; Speaker CHAMP CLARK; Hon. CLAUDE KITCHIN, majority leader of the House; Representative JAMES MANN, minority leader; Representative E. Y. WEBB, chairman of the House Committee on the Judiciary; and to our Senators and Representatives."

MARY H. ERSKINE,
Recording Secretary.

Mr. SMITH of Michigan. I present a petition signed by the president of the University of Michigan at Ann Arbor and other prominent men connected with that university, in favor of the Edmonds bill, so called, to increase the efficiency of the Medical Corps of the Army. I ask that the petition be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the petition was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

UNIVERSITY OF MICHIGAN,
Ann Arbor, November 28, 1917.

Hon. WILLIAM ALDEN SMITH,
Grand Rapids, Mich.

DEAR SIR: We, the undersigned, wish to call your attention to the following reasons why we urge your support of the Edmonds bill, known as H. R. 5531, which will be brought up in the December session of Congress, and which is intended to increase the efficiency of the Medical Department of the United States Army, to provide a pharmaceutical corps in that department, and to improve the status and efficiency of the pharmacists in the Army.

First. It will increase the efficiency of the Medical Corps of the United States Army by supplying a place for specially trained men who can cooperate with physicians and surgeons.

Second. The enlistment of the professional services of properly qualified pharmaceutical chemists will enable physicians and surgeons to devote more of their time to the diagnosis and direction of the care of sick and wounded.

Third. It will give the profession of pharmacy a standing in the Medical Corps and will afford an opportunity for the promotion of pharmacists for special services which they may render, and place the profession on the same basis as that already established for dentistry and veterinary practice.

Fourth. Not only as a war measure, but in the development of the United States Army in times of peace, there must of necessity be developed a closer association between pharmacists and the medical profession.

HARRY B. HUTCHINS,
President University of Michigan
(And others).

Mr. BORAH. I present resolutions adopted by the Idaho Mining Association at a meeting held in Wallace, Idaho, favoring a revision of the war-profits provisions of the revenue law. I move that the resolutions be referred to the Committee on Finance.

The motion was agreed to.

PROHIBITION IN THE DISTRICT OF COLUMBIA.

Mr. BECKHAM. Mr. President, I present a very brief article which appeared in the Evening Star of last Monday, December 3, showing the result of one month of prohibition in the city of Washington. As this is one of the largest cities in the country where prohibition has been imposed, I think it will be of interest to the Senate and to the country generally to see the figures and facts shown by this article. It is brief, and I ask that the Secretary may read it and that it be incorporated in the RECORD.

Mr. OWEN. Mr. President, I ask for order. We can not hear anything that is being said.

The VICE PRESIDENT. The Senate will be in order. Is there objection to reading the article?

Mr. PENROSE. I did not hear what the Senator from Kentucky desires to have read, there was such confusion in the Chamber.

The VICE PRESIDENT. It is an article from the Evening Star of Monday, December 3.

Mr. GALLINGER. On what subject, I will inquire?

The VICE PRESIDENT. Relative to prohibition in the District of Columbia.

Mr. PENROSE. Without regard to the subject of the article, I intend to object in the future to the reading of articles from newspapers.

The VICE PRESIDENT. Does the Senator from Pennsylvania object to the reading of this article?

Mr. PENROSE. I do.

The VICE PRESIDENT. The question is, Shall the article be read?

On a division the Senate decided the question in the negative.

Mr. BECKHAM. I ask that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FIGURES GIVE RESULTS OF DRY LAW IN DISTRICT—ONE EFFECT, IT IS STATED, IS DEPLETION OF LABOR AT THE WORKHOUSE.

One month's record of prohibition in the District of Columbia, as shown by police records, has reduced drunkenness by more than 76 per cent.

Compared with 838 arrests for drunkenness in November, 1916, the police during the month just closed made but 199 arrests for this cause, Commissioner Brownlow announced to-day. This is a reduction of 639 cases, or a percentage reduction of 76 plus.

During November, 1916, the highest number of arrests in any week for which "old King Booze" was responsible was 218. The highest number for any week of last month was 61.

As a result of the big falling off in liquor cases the population in the District workhouse at Occoquan has taken a tremendous slump. That this institution shortly may be embarrassed by a lack of prison labor for continuing its comprehensive development scheme is now a probability.

Commissioner Brownlow stated that police reports show that conditions have improved generally throughout the city since the dry law went into effect.

QUARTERS FOR VOCATIONAL BOARD.

Mr. SMITH of Georgia. From the Committee on Education and Labor I report back favorably without amendment the joint resolution (S. J. Res. 110) to amend an act entitled "An act to provide for the promotion of vocational education," approved February 23, 1917.

I wish to state, Mr. President, that the board was organized in August last. It was utterly impossible at that time for any of the departments to furnish them with quarters. The joint resolution simply enlarges their authority for the use of money already appropriated to them for the payment of rental for rooms in which they are to do their work. It is very important that the joint resolution should be passed at once, and I ask unanimous consent for its consideration.

Mr. SMOOT. At the last session of Congress this question came before the Committee on Appropriations in the shape of an amendment, and the information the committee received at that time was such that the committee did not think that it ought to be placed on the appropriation bill, and therefore it was not favorably acted upon by the committee.

I wish to say to the Senator from Georgia that the office building we are now erecting, the one on Sixth and Pennsylvania Avenue, on the site of the old railroad station, is going to relieve many of the offices now occupied to such an extent that I have no doubt the Vocational Board will have ample space in the building in which they originally wanted to go. It will be but a short time before that building will be completed.

The VICE PRESIDENT. The Chair can not hear what is going on. The Senate will be in order.

Mr. SMOOT. The joint resolution reported by the Senator virtually authorizes hereafter that a part of the appropriation for the Vocational Board shall be expended for the renting of rooms. I think they can get along until the building I referred to is finished, and I do not believe that we ought to authorize the expenditure of a part of the appropriation for the purpose of renting rooms as provided for in the joint resolution.

Mr. SMITH of Georgia. I wish to say to the Senator that they could not get space anywhere and were forced to rent a floor, for which the members of the board assumed personal responsibility, or else they could not have done their work.

Mr. SMOOT. I wish to ask the Senator if the joint resolution is limited to the appropriation that was made last year?

Mr. SMITH of Georgia. I am perfectly willing to limit it to six months.

Mr. SMOOT. If the joint resolution is to be passed, I shall certainly insist upon a limit to six months.

Mr. GALLINGER. I notice the junior Senator from Colorado [Mr. SHAFROTH] in his seat. I wonder why he does not inquire why the board does not occupy the Maltby Building, so called. I passed the building yesterday and I think it is entirely empty. I had offices in that building once and they were most delightful. I was sorry when I was transferred to the sub-basement of the Capitol. I can not understand why when the Government owns buildings that are vacant they are not occupied, and that is a case in point.

Mr. SMITH of Georgia. Who controls the Maltby Building?

Mr. GALLINGER. The Government owns it.

Mr. SMITH of Georgia. I know; but who controls it?

Mr. GALLINGER. I suppose the Government controls it.

Mr. SMITH of Georgia. What officer of the Government?

Mr. GALLINGER. I think the Senate perhaps has control of it.

Mr. OVERMAN. I will say to the Senator that it is under Mr. Woods, the Superintendent of the Capitol Building and Grounds.

Mr. SMITH of Georgia. But Mr. Woods has not the authority to turn it over to the Vocational Board.

Mr. OVERMAN. He is the custodian of it.

Mr. GALLINGER. Let us give him authority. It was known as the Senate Annex, and I suppose it is still known as the Senate Annex. Certainly the Senate could give authority for the use of the building. I will ask the Senator if he has any knowledge as to what rooms could be obtained and what the rental at the present time would be. I understand that rentals in this city at the present time are simply prohibitive, almost.

Mr. SMITH of Georgia. They are now using a floor in a building near the Interior Department Building for which they are paying about $300 a month rent. I have a long statement here from the board in which they say they were everywhere trying to get quarters and they were turned down and they could not get space, and there was most important work for the board to do not only due to appropriations in the States but due to special calls for vocational instruction growing out of the war. I know they are doing a splendid work. The board simply rented their present quarters on their own responsibility. They had no authority to pay for them, but they could not do their work without renting quarters, and they did so at a cost of about $300 a month.

Mr. GALLINGER. That an opportunity may be had to look into the matter and especially to take a survey of the Maltby Building, I object to the present consideration of the joint resolution.

The VICE PRESIDENT. The joint resolution will be placed on the Calendar.

EXTENSION OF CLAYTON ACT.

Mr. OVERMAN. I report back with an amendment from the Committee on the Judiciary unanimously the joint resolution (S. J. Res. 106) extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, and I ask for its present consideration. I wish to say that a similar joint resolution passed Congress at the last session extending the jurisdiction of section 10 of the Clayton Act for one year. It is more important now to give another extension on account of the railroad situation than it was a year ago. I ask for the present consideration of the joint resolution. I do not think there will be any objection, as a similar joint resolution was passed extending the act for one year. This only provides for the extension for another 12 months.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The amendment was, to add at the end of the joint resolution a colon and the following:

Provided, That said section shall become effective on January 8, 1918, as to any corporation hereafter organized.

So as to make the joint resolution read:

Resolved, etc., That the effective date on and after which the provisions of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, shall become and be effective is hereby deferred and extended to January 1, 1919: *Provided*, That said section shall become effective on January 8, 1918, as to any corporation hereafter organized.

The amendment was agreed to.

Mr. REED. Mr. President, I simply want to make a statement for the purpose of placing in the RECORD my position regarding this measure. The amendment offered, which has been accepted, to the joint resolution is an amendment I offered in the committee. I am not sure that it will reach the point aimed at; it was hastily prepared; but I think it will have the effect of permitting a bill heretofore passed by Congress at least to become operative as to corporations hereafter organized or as to future transactions between corporations already organized.

With the amendment as adopted, I shall not oppose the passage of the joint resolution further than to say that, in my judgment, this legislation should not be taken up at the present time. In my opinion the laws heretofore passed, and the operation of which it is now sought to postpone, were wise laws, and there is no good or sufficient reason for further postponing their operation. In my humble judgment this legislation ought not to be entered upon at all. It should be in connection with that contemplated legislation which proposes to make some radical changes in the control of railroad properties. I simply want to make this protest of record, and I have no objection to the taking of an immediate vote.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

WAR AGAINST AUSTRIA-HUNGARY (S. REPT. NO. 178).

Mr. STONE. Mr. President, the Committee on Foreign Relations having had under consideration the address delivered by the President of the United States to Congress on December 4, instant, and particularly that part of the President's address respecting the relations existing between the Government of the United States and the Imperial and Royal Austro-Hungarian Government, have adopted a joint resolution, which I am directed by that committee to report to the Senate, with the recommendation that it shall be agreed to. I now send the joint resolution to the desk and ask that it may be read.

The VICE PRESIDENT. The Senator from Missouri reports from the Committee on Foreign Relations a joint resolution, which the Secretary will read.

The joint resolution (S. J. Res. 111) declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States, and making provision to prosecute the same, was read the first time by its title and the second time at length, as follows:

Whereas the Imperial and Royal Austro-Hungarian Government has committed repeated acts of war against the Government and the people of the United States of America: Therefore be it

Resolved, etc., That a state of war is hereby declared to exist between the United States of America and the Imperial and Royal Austro-Hungarian Government, and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial and Royal Austro-Hungarian Government, and to bring the conflict to a successful termination all the resources of the country are hereby pledged by the Congress of the United States.

Mr. STONE. Mr. President, I ask the Chair whether the morning business has been concluded?

The VICE PRESIDENT. It has not been.

Mr. STONE. Then, not desiring to interfere with the ordinary routine matters, I shall——

Mr. MARTIN. I suggest to the Senator from Missouri to ask unanimous consent for the immediate consideration of the joint resolution. The passage of the joint resolution is more important than the introduction of any morning business.

Mr. TOWNSEND. Let us finish the routine morning business, Mr. President.

Mr. MARTIN. I suggest to the Senator from Missouri to ask unanimous consent for the present consideration of the joint resolution.

Mr. STONE. Well, Mr. President, with such divided counsel from Senators, some desiring to go on with morning business, I think I shall adopt the idea of giving notice that immediately upon the conclusion of the routine morning business I shall, if necessary, move to proceed to the consideration of the joint resolution just reported, unless unanimous consent to do that may be had.

I now wish to say, Mr. President, that if anything comes up between the presentation of morning business which is likely to prolong that part of the work of the Senate, I may feel obligated to undertake to displace it by a motion.

The VICE PRESIDENT. Are there further reports of committees? If not the introduction of bills and joint resolutions is in order.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLIS:

A bill (S. 3077) for the retirement of public-school teachers in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ROBINSON:

A bill (S. 3078) to promote the welfare of industries and wage earners of the United States, to extend the United States Employment Service in the Department of Labor, and for other purposes; to the Committee on Education and Labor.

By Mr. FLETCHER:

A bill (S. 3079) fixing the salary of the clerks of the United States district courts; prescribing how and when they shall account for the fees collected; providing for the office expenses of such clerks, including salaries of deputy clerks and clerical assistants; and for the travel and subsistence expense of such clerks and their deputies when necessarily absent from their official residences; to the Committee on the Judiciary.

A bill (S. 3080) to promote Lieut. Col. Joseph Y. Porter, Medical Corps, United States Army, retired, to be a colonel in the Medical Corps of the Army, on the retired list, and under the provisions of the national draft act, approved June 3, 1916, to place him on active military duty and service in the Army; to the Committee on Military Affairs.

By Mr. REED:

A bill (S. 3081) to extend the time for the completion of the Municipal Bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri; to the Committee on Commerce.

By Mr. SMOOT:

A bill (S. 3083) granting to the Lincoln Highway Association, incorporated under the laws of the State of Michigan, a right of way through certain public lands of the United States; to the Committee on Public Lands.

A bill (S. 3084) granting an increase of pension to Theodore M. Burge (with accompanying papers); to the Committee on Pensions.

By Mr. BRADY:

A bill (S. 3085) to convey certain lands to the city of Pocatello, State of Idaho, for a municipal park and for the protection of its water supply; to the Committee on Public Lands.

By Mr. WADSWORTH:

A bill (S. 3086) to carry out the findings of the Court of Claims in the case of Arthur E. Colgate, administrator of the estate of Clinton G. Colgate, deceased; and

A bill (S. 3087) for the relief of the owners of the British steamship *Clearpool;* to the Committee on Claims.

A bill (S. 3088) granting an increase of pension to Eliza Tracy Page; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 3089) to amend section 9 of the Federal reserve act, approved December 23, 1913, as amended by the act of June 21, 1917; to the Committee on Banking and Currency.

A bill (S. 3090) granting a pension to Cynthia Rudler Osgood; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 3091) granting an increase of pension to Elizabeth Ingersoll; and

A bill (S. 3092) granting a pension to Carrie Smart; to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 3093) granting an increase of pension to Hiram B. Newlon;

A bill (S. 3094) granting an increase of pension to John F. Brainard;

A bill (S. 3095) granting an increase of pension to Isaac D. Rowden;

A bill (S. 3096) granting a pension to Mary D. Cleaver; and

A bill (S. 3097) granting an increase of pension to Simeon Ely; to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 3098) to amend an act entitled "An act making appropriations for the Naval Service for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916; to the Committee on Naval Affairs.

By Mr. TOWNSEND:

A bill (S. 3099) granting a pension to Edwin E. Baker (with accompanying papers);

A bill (S. 3100) granting a pension to Enos S. Whitcomb (with accompanying papers);

A bill (S. 3101) granting a pension to Sarah E. Sprague (with accompanying papers); and

A bill (S. 3102) granting a pension to Chester R. Smith (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 3103) granting an increase of pension to John Welsch (with accompanying papers);

A bill (S. 3104) granting an increase of pension to Edwin Doan (with accompanying papers);

A bill (S. 3105) granting an increase of pension to Evan W. Loyd (with accompanying papers);

A bill (S. 3106) granting an increase of pension to William S. Peacock (with accompanying papers); and

A bill (S. 3107) granting a pension to Eugene M. Symonds (with accompanying papers); to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 3108) granting an increase of pension to John W. Morrill (with accompanying papers);

A bill (S. 3109) granting a pension to Sarah B. Heath (with accompanying papers);

A bill (S. 3110) granting a pension to Harry A. Leonard (with accompanying papers);

A bill (S. 3111) granting a pension to Sophronia N. Pierce (with accompanying papers); and

A bill (S. 3112) granting a pension to Josefa Stoneman; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 3113) to increase the salaries of employees of the United States Government, the District of Columbia, or either House of Congress; to the Committee on Appropriations.

A bill (S. 3114) granting an increase of pension to Marion L. Wilson; and

A bill (S. 3115) granting an increase of pension to William D. Bash; to the Committee on Pensions.

IMPORTATION OF ALCOHOLIC BEVERAGES.

Mr. SHAFROTH. I introduce a bill and ask that it be referred to the Committee on Agriculture and Forestry.

The bill (S. 3082) to prohibit the sale, manufacture, transportation, or importation of alcohol or alcoholic beverages during the term of the present war, except for certain purposes, and to provide for the commandeering of all distilled liquors for governmental purposes, was read twice by its title.

The VICE PRESIDENT. The Chair thinks the bill should go to the Committee on Finance.

Mr. SHAFROTH. I will state, Mr. President, that the bill contemplates the prohibition of the manufacture of liquor from food, and inasmuch as the Committee on Agriculture and Forestry at the last session carefully considered that question, I have asked that the bill be referred to that committee; but I have no objection to having it referred to any other committee.

The VICE PRESIDENT. It has to do with importations, and that affects the revenue.

Mr. LODGE. It affects the revenue.

The VICE PRESIDENT. The bill will be referred to the Committee on Finance.

AMERICAN LEGION OF HONOR.

Mr. OWEN. I introduce a joint resolution authorizing the creation of an American Legion of Honor, to authorize the President to grant decorations to be known as the cross of valor, and a decoration or a medal for meritorious service, and to permit officers, employees, and citizens of the United States to receive and wear war decorations tendered to them by any of the nations now engaged in war with the present Government of Germany.

Mr. President, the old rule of the United States forbidding officers of the United States to receive decorations was because they were almost universally given by autocracies, but there is no reason why the democracies of the world should not give decorations to their soldiers who render important services to the democracies. There is every sound reason why we should do special honor to those who merit it and to permit them to enjoy the right to wear the evidence of valor, patriotism, and high service.

I ask that the joint resolution be referred to the Committee on the Library.

The joint resolution (S. J. Res. 112) authorizing the creation of an American Legion of Honor, and for other purposes, was read twice by its title and referred to the Committee on the Library.

Mr. CHAMBERLAIN subsequently said: I should like to ask to what committee the joint resolution introduced by the Senator from Oklahoma [Mr. OWEN] was referred a moment ago?

The VICE PRESIDENT. To the Committee on the Library.

Mr. CHAMBERLAIN. The joint resolution should go to the Committee on Military Affairs, and I request that it be referred to that committee.

The VICE PRESIDENT. Does the Senator from Oregon move that the joint resolution be referred to the Committee on Military Affairs?

Mr. CHAMBERLAIN. I do.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon.

The motion was agreed to.

IMPORTATION OF CHINESE FARMERS.

Mr. GALLINGER submitted the following resolution (S. Res. 160), which was read and referred to the Committee on Agriculture and Forestry:

Resolved, That the Committee on Agriculture and Forestry is hereby directed to make careful investigation into the advisability of recommending legislation that will permit the importation of Chinese farmers into the United States, under proper restrictions and regulations, during the continuance of the war.

EMPLOYMENT OF ADDITIONAL CLERK.

Mr. SHIELDS submitted the following resolution (S. Res. 161), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interoceanic Canals of the United States Senate be, and it is hereby, authorized to employ an additional clerk at the rate of $100 per month, to be paid out of the miscellaneous items of the contingent fund of the Senate, from December 3, 1917, to the end of the present session of the Congress.

AMENDMENT OF THE RULES—CONFERENCE REPORTS.

Mr. CURTIS. Mr. President, on last Tuesday I gave notice that I would move to amend the standing rules of the Senate by adding a paragraph to Rule XXVII. Since that time I have talked with the chairman of the Committee on Rules on the subject and he desires that the motion go to the committee. I therefore offer a resolution and ask that it be referred to the Committee on Rules.

The resolution (S. Res. 162) was read and referred to the Committee on Rules, as follows:

Resolved, That the Standing Rules of the Senate be, and they hereby are, amended as follows:

Amend Rule XXVII by adding the following paragraph:

"2. Conferees may not include in their report matters not committed to them by either House, and in case any new matter is included the same shall be subject to a point of order, and upon such point of order being made by any Senator, if sustained by the presiding officer of the Senate, such new matter shall be ruled out and eliminated from the report: *Provided*, That the elimination of such new matter upon a point of order shall in no way affect the remainder of the conference report."

COMMISSION ON NAVY YARDS AND NAVAL STATIONS (H. DOC. NO. 1946, PT. 5, 64TH CONG., 2D SESS.).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Naval Affairs and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, Report No. 5, of the Commission on Navy Yards and Naval Stations.

WOODROW WILSON.

THE WHITE HOUSE, *December 7, 1917.*

LAWS OF THE PHILIPPINES (S. DOC. NO. 124).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on the Philippines:

To the Senate and House of Representatives:

As required by section 19 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith a set of the laws enacted by the Fourth Philippine Legislature during its first session, from October 16, 1916, to February 8,

1917, inclusive, and its special session, from February 12 to 22, 1917, inclusive.

These acts and resolutions have not previously been transmitted to Congress and none of them has been printed.

WOODROW WILSON.

THE WHITE HOUSE, *December 7, 1917.*

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS (S. DOC. NO. 123).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Military Affairs and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of the Congress, the Third Annual Report of the National Advisory Committee for Aeronautics, including a statement of the expenditures to June 30, 1917.

The estimates of the committee, together with its plans for enlarged activities contemplated through its laboratories and scientific staff at Langley Field, outlined in the closing paragraphs of the report have my hearty approval.

The attention of the Congress is also invited to the request of the committee that the appendixes to its report be published with the report.

WOODROW WILSON.

THE WHITE HOUSE, *December 7, 1917.*

REPORTS OF UNITED STATES CIVIL SERVICE COMMISSION (H. DOC. NO. 622).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Civil Service and Retrenchment and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of the Congress the thirty-third and thirty-fourth annual reports of the United States Civil Service Commission for the fiscal years ended June 30, 1916, and June 30, 1917.

The attention of the Congress is especially invited to the needs of the commission as set forth in these reports.

WOODROW WILSON.

THE WHITE HOUSE, *December 7, 1917.*

WAR AGAINST AUSTRIA-HUNGARY.

The VICE PRESIDENT. Morning business is closed.

Mr. STONE. Mr. President, I ask unanimous consent that the joint resolution reported by me from the Committee on Foreign Relations this morning may now be considered.

The VICE PRESIDENT. The Senator from Missouri asks unanimous consent to proceed to the consideration of the joint resolution declaring that a state of war exists between the Government of the United States and the Imperial and Royal Austro-Hungarian Government. Is there any objection? The Chair hears none, and the joint resolution is before the Senate as in Committee of the Whole.

Mr. STONE. Let the joint resolution be read.

The VICE PRESIDENT. The Secretary will read the joint resolution.

The Secretary read the joint resolution (S. J. Res. 111) declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States and making provisions to prosecute the same, the first time by its title and the second time at length, as follows:

Whereas the Imperial and Royal Austro-Hungarian Government has committed repeated acts of war against the Government and the people of the United States of America: Therefore be it

Resolved, etc., That a state of war is hereby declared to exist between the United States of America and the Imperial and Royal Austro-Hungarian Government; and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial and Royal Austro-Hungarian Government; and to bring the conflict to a successful termination all the resources of the country are hereby pledged by the Congress of the United States.

Mr. STONE. Mr. President, the resolution I have submitted on behalf of the Committee on Foreign Relations speaks for itself.

The Government of the United States by formal declaration is at war with the Imperial German Government. There can be no doubt about that. The resolution which I have reported declares that a like state of war exists between the United States and the Imperial and Royal Austro-Hungarian Government.

In this great world struggle all men know of the intimate and apparently indissoluble relation existing between the Governments of Germany and Austria-Hungary. We have declared war against Germany; we are at war with Germany. This state of war between Germany and the United States has been formally declared. In this mighty struggle Germany and the United States are enemies; but what of Austria-Hungary? That Government and nation is the ally, the chief ally, of Germany in the war in which we are engaged.

The Government of the United States has not been quick to declare war against Austria-Hungary, but, on the contrary, this Government has waited patiently on the development of events. In the course of this development it has become palpable and clear that an actual state of war already exists between the United States and Austria-Hungary. There would seem to be no way to avoid that conclusion. In the progress of events it has become manifest that the United States is inevitably and in fact as much at war with Austria-Hungary as with Germany. In the circumstances it is impossible that amicable relations between the two countries should be continued.

In the progress of this stupendous conflict certain conditions have arisen, and there was no way by which any of these Governments could avoid them. The United States is at war with Germany and is lending its support in every way to those nations with which the United States is necessarily associated in the conduct of the war. On the other hand, the Government of Austria-Hungary is lending its aid and devoting all its energy to the support of the war in alliance with Germany and in antagonism to the United States. In the prosecution of the war German and Austro-Hungarian troops are coordinated and are cooperating. On the other hand, the United States is cooperating with the entente allies. We are sending troops and supplies to aid the entente allies, including vast sums to finance the entente allies; the Government of the United States is furnishing men, supplies, and money to all the entente-allied Governments; a supreme war council has been organized at Paris, on which body the Government of the United States is authoritatively represented and on which also Great Britain, France, and Italy are represented, to coordinate the allied forces of these Governments, with a view to concert and cooperation in the conduct of the war. This supreme war council has defined battle fronts in Europe, one of which has been defined to embrace France, Belgium, and Italy. This reach is laid out as one continuous battle front under one general command.

I am told that American troops are up to this date massed in France, but if they are operating on one long continuous battle front, which embraces France, Belgium, and Italy, I can not see that it could make any difference where American, British, French, or Italian troops might happen for the moment to be located. If all of them are cooperating in one general movement against a common enemy along a single, well-defined battle front, is the particular temporary location of one group or another group of any importance? These groups may be shifted to meet the exigencies of war.

The United States is supporting Italy, as well as England and France, and those countries in like manner are supporting the United States in the war this Government is waging against the Imperial German Government. At that point the United States is brought to confront Austria-Hungary, for Austria-Hungary is supporting Germany. Austria-Hungary by formal declaration supports the war policies and military movements of Germany. The two nations are in close contact and in open coalition in the conduct of the war. They cooperate in all respects. Austria-Hungary has done innumerable things in support of the German Government in the war between that Government and the United States.

In the circumstances, therefore, I say a state of peace between Austria-Hungary and the United States is practically as impossible as a state of peace between the Imperial German Government and the United States. The two things run parallel in a common level. Aside from acts of aggression and offense committed by the Austro-Hungarian Government against the United States, which in themselves the committee declares to be sufficient cause for war, it is manifestly impossible that the United States and Austria-Hungary should be at peace while Germany and the United States are at war. A state of actual war already exists between Austria-Hungary and the United States. It is better for us and for the world that this great fact should be formally recognized and acted upon affirmatively and authoritatively. The United States Government can not afford to play a fast and loose game with the nations of the world. National honor and national interest alike demand that this Government should assume an attitude of dignity, sincerity, and commanding firmness in its international relations.

Mr. President, this is all I care to say at present. On behalf of the committee, I move the adoption of the pending resolution.

Mr. LODGE. Mr. President, this resolution comes to the Senate with the unanimous recorded vote of the Committee on Foreign Relations. I trust that the Senate will pass it with like unanimity upon the record.

The committee has framed the resolution in the simplest possible form, following the model of the declaration of war against Germany. Owing to the fact that Austria-Hungary has already severed relations with this country, there are no preliminaries to be adjusted and there is no need of my adding anything to the excellent and complete statement of the chairman of the committee, which shows once for all the necessity and importance of this action.

But, Mr. President, many Senators—if I may judge from those who have spoken to me, I should say the majority of the Senate—have felt that Bulgaria and Turkey might well meet the same action that we are now taking with regard to Austria-Hungary. The President and the State Department feel, however, that action in regard to Turkey and Bulgaria should not be taken at this time. So far as I am concerned, therefore, no amendment looking to such a result will be proposed, and I hope no such amendment will be proposed at this moment by anyone.

In taking these grave steps of declarations of war it is essential that we should act with the most entire unity. There ought to be no division on such a question as that. Therefore I trust that no amendment will be pressed at this time looking to a declaration of war against the other allies of Germany; but I think it not unsuitable that I should state very briefly the reasons for the feeling which I for one entertain that we ought to include Turkey and Bulgaria in the declaration of war which we are about to make against Austria-Hungary.

The President said in his message:

> The same logic would lead also to a declaration of war against Turkey and Bulgaria. They also are the tools of Germany. But they are mere tools and do not yet stand in the direct path of our necessary action. We shall go wherever the necessities of this war carry us, but it seems to me that we should go only where immediate and practical considerations lead us and not heed any others.

It is not necessary, therefore, to argue that Bulgaria and Turkey stand on the same ground logically as Austria-Hungary. The President's objection to action is that there is no practical necessity for a declaration of war against them at this time. I think technically a case could be made in regard to Turkey, for, if I am correctly informed and if the dispatches in the newspapers are accurate, Turkish troops are now being employed on the Italian front, where we may be called upon to take part at any moment, and if we should be called upon to take part we should be in the strange position of having our soldiers or our aviators engaged in conflict with Turkish soldiers while we are at peace with Turkey.

But, Mr. President, admitting, on the question of the practical necessity, that there is none at this moment, the principal argument against action—and I think I have considered them all—the only one that appears to me to have any real weight is the danger to American life and property in Turkey. I hope that due warning will be given to those Americans in Turkey, because we certainly do not wish to have their names added to the long list of Turkish massacres. But, as a matter of fact, notice of the most efficient kind has really been given, for we have no diplomatic relations with Turkey at the present time and our consuls have been withdrawn. Those who have remained after such action by the Government, of course, do so at their own risk, for a declaration of war can not be decided on the question of the danger to which citizens of the country have voluntarily exposed themselves in the hostile country. The situation in Turkey, however, has this peculiar character—that the American citizens there are chiefly missionaries or men and women engaged in educational work. They have done great work in years past, and the fame of Robert's College is world-wide. This fact seems to me to be the only serious objection to the declaration of war.

I wish now very briefly to give the reasons why many of us entertain the belief that immediate action should be taken in regard to both Bulgaria and Turkey. I speak of Bulgaria first. We do not touch Bulgaria in the military sense at all. We have many Bulgarians in this country, and there is certainly no feeling of hostility to the Bulgarian people. The King of Bulgaria or the Czar of the Bulgars, if that is the more proper title, is probably the instrument that has been used to bring Bulgaria into alliance with Germany. He need not long detain us, but I may say in passing that I think it would be difficult to find in history a meaner or baser figure than the present sovereign of Bulgaria. He is said not even to have the quality which is usually attributed to petty tyrants, the one redeeming virtue of personal courage.

But, Mr. President, Bulgaria, as the President of the United States has said very justly and truly, is the mere tool of Germany. This "tool" of Germany, however, has a legation in this city at this moment. The officers of that legation if they are friendly to us and to the cause of the allies are traitors to their own country and to their own allies, and if they are true to their own Government and their own ally, Germany, then it is a legation representing Germany and her allies in the Capital of the United States. I would for one like to see this legation removed. The President, I repeat, said Bulgaria is the mere tool of Germany. I grant it; but the only way to deal with an obnoxious tool is either to break the tool or paralyze the arm that wields it.

It is a dream, in my judgment, to think that we can detach either Turkey or Bulgaria from the German alliance. It is as much of a dream as that which seems to have had some currency that we could detach Austria-Hungary. Nothing is gained by our maintaining a nominal peace with any of them.

This is my view in regard to Bulgaria. I come now to Turkey. We have, as I have already said, the possibility of meeting Turkish soldiers in the field. They are actually operating on the front. As the Senator from Missouri [Mr. STONE] has pointed out, that front is under the consideration of the international war council of the allies which has met at Paris and in which we are represented. The President most wisely has sent a commission to Paris to effect in that council a greater unity of military operations of France, England, and Italy.

They are doing, I have no question, a great and important work, and yet, Mr. President, it seems to me that the foundation of unity must be that all who are fighting Germany should have the same enemies and the same friends. Some of the representatives of the powers who are meeting in that council represent countries engaged in war with Turkey, Bulgaria, Austria-Hungary, and Germany, and we are there and at peace with two of those countries. It seems to me that this situation is a confused basis for unity.

But, Mr. President, my feeling about Turkey goes much further than the practical question. The Ottoman Turks have been in Europe since the fifteenth century. In the days of their success they were a scourge to Europe and Christendom. In the long centuries of their decay they have been the pest and the curse of Europe, the source of innumerable wars, the executioners in countless massacres. The Turks are brave soldiers and good fighting men, but there praise must stop. There is not one word to be said in defense of the Turks as governors or rulers. When they came into the region that is now called the Balkans they found there large and prosperous cities, built up during the early middle ages on the ruins of the Roman civilization. They found a fertile and cultivated country. The cities which they captured sank into deserted villages. Wherever they have trodden trade, industry, commerce, the arts, and civilization have withered away. They have preyed upon the jealousies and controversy of the other nations of Europe, and in this way have sustained themselves at Constantinople. They have been the cause of many wars. The massacres of which they have been guilty, which stretch back to the day of their arrival and which have never been worse than during the entire nineteenth century, almost surpass belief and imagination. In justice, however, it must be said that never have the massacres been so frightful as they have been since the Turks passed under German domination. At least half of the Armenian people have been slaughtered in cold blood, and the remnant is only preserved now because a large part of Armenia has fallen under Russian control and the other Armenians have taken refuge there.

Such a nation as this—such a Government, I should say, as this—is a curse to modern civilization. Like a pestilence it breathes forth contagion upon the innocent air. My earnest hope is that among the results of the war, which I firmly believe will be a complete victory for the cause of right and freedom, one of the great results I pray for will be the final extinction of the Turkish Empire in Europe. I fervently hope that the great city of the eastern Roman Empire may be so controlled that the Straits will be free to all the nations of the earth and no longer be used for corrupt bargains in order that the trade may be held up or allowed to pass at the will of tyrants who, under one name or another, rule over Turkey.

I hope and trust that we shall see the holy places which are sacred to all Christianity, as well as those which are sacred to the Jewish people, pass forever out of Turkish hands, and that we may no longer behold the mosque of Omar dominating the city of Jerusalem. I should be sorry indeed, as an American, as a lover of freedom, if when this war closed and the United States

comes with commanding voice to the settlement of the terms of peace, we should appear at that great council of the nations as still the friend of Turkey.

Mr. President, these are some of the feelings which move me. I think they are feelings which move most of those who do me the honor to listen to me at this moment.

But, Mr. President, I close as I began. If we are to make war on Turkey and Bulgaria, and I believe that action is only deferred, we must do it with perfect unison. We must do nothing to embarrass the Executive in whose hands the conduct of our foreign relations is especially placed, and above all we must act with absolute unity when we take that great step which we are about to take—the great, just, and righteous step to-day of declaring war upon Austrio-Hungary—beginner of the war, ally and tool of Germany.

Mr. HITCHCOCK. Mr. President, the question presented by the joint resolution is a practical question and one of policy rather than of principle. When we were confronted with the issue of whether we should declare war against the German Empire the issue presented was one of honor and national integrity. Germany had grossly wronged us, and as a nation of power and respect we were forced, upon the highest principles, to assert our dignity and our honor by a declaration of war.

Even after the passage of the pending resolution and after the passage of subsequent resolutions which may come to declare war against Turkey and Bulgaria, the United States will be confronted practically by only one great antagonist, and that is Germany. These others are merely incidental. Germany is the head and front of the combination, and whether we declare war on Austria-Hungary or the other lesser powers allied with Germany is simply a question of policy.

Mr. President, my first view had been that the wisdom of declaring war on Austria-Hungary at this time was questionable. I looked upon Austria as an unwilling partner of Germany. I did not go so far as the President has gone; he called Austria the vassal of Germany, but I regarded her, as I do at this time, as an unwilling partner. It seemed to me that there might be an opportunity through diplomacy, if we did not actually declare war against Austria-Hungary, to divorce that Empire from Germany and get her out of the war by bringing about a peace between Italy and Austria. It seemed to me possible that if we declared war on Austria we would in a large measure be indorsing the extreme and unreasonable demand of Italy against Austria which keeps Austria in the war, and which demand includes depriving Austria of her Adriatic seaports and her access to the sea.

So I hesitated, Mr. President, until I heard the address of the President the other day, which to a large extent, if not completely, removed those objections. The President in his address to Congress used this very significant language, and it was language addressed not only to the Congress and the people of the United States, but language addressed to our allies or those with whom we are associated in this conflict, and to our enemies also. This language practically puts the United States upon such a basis that substantially all objection to declaring war against Austria is removed. Here is what the President said:

> When I said in January that the nations of the world were entitled not only to free pathways upon the sea but also to assured and unmolested access to those pathways I was thinking, and I am thinking now, not of the smaller and weaker nations alone, which need our countenance and support, but also of the great and powerful nations, and of our present enemies as well as our present associates in the war. I was thinking, and am thinking now, of Austria herself, among the rest, as well as of Serbia and of Poland.

In that language the President practically declares that the United States will not sustain and support a demand for the dismemberment of Austria or which will deprive her of her necessary seaports upon the Adriatic, because such a peace which concluded a war would not only be unjust but it would necessarily only be a temporary peace. We know that no great nation will submit long to be deprived of access to the highways of the world.

Then the President said in another portion of his address:

> We owe it, however, to ourselves to say that we do not wish in any way to impair or to rearrange the Austro-Hungarian Empire.

So, Mr. President, such language coming with authority from the President of the United States, accompanied, as it will be, by a declaration of war against Austria, is notice to Austria that in entering this war we do not enter it for the purpose of dismembering the Empire, we do not enter it for the purpose of assisting in depriving her of any of her Adriatic ports which are necessary to the life of the nation, but we enter it solely because she is at this time making war on us. It is notice to Austria that when the time comes to sit around the peace table the United States representatives will sit there insisting upon justice for Austria as well as for the other countries. The American representatives will take a position against the dismemberment of the Austrian Empire, which threat alone at this time probably keeps Austria in the war. It has been stated with considerable authority already that the present Austrian Emperor, unlike his predecessor, is solely anxious to preserve his own Empire, and when he can safely conclude a peace on those terms he will conclude a peace and divorce the Austrian Empire from Germany. The President's address is a judicious and perhaps an effective way of indicating to Austria that such an arrangement is possible.

Now, Mr. President, with the objections thus removed, I am for this declaration of war, and the committee has made a unanimous report for it. I believe we must bear in mind more than we have in the past that our sole antagonist of any moment is Germany, and that the German menace to-day is greater than on the day when we declared war against Germany. I think the American people have not yet aroused themselves to that fact. To-day the German flag flies in France, in Belgium, in Russia, in Roumania, in Serbia, and now at last in Italy. We have been misled a little in the past. We have been led to believe that Germany could be crumbled and crushed by the forces assembled against her. It is only recently that in England the censorship has been so released as to open the eyes of the English people to what is really transpiring. I hope the American people will come to such a realization more clearly than they have in the past. If so, they will see that the greatest danger confronting us is the destruction of shipping.

In a recent speech delivered by Lord Beresford in London he gave the actual figures of the sinking of British and neutral shipping since the war began. Those figures present a terrible prospect and one with which American genius must grapple.

Of all the war situations, to my mind, nothing is serious at the present time except the lack of shipping, the awful destruction of shipping, and the delay in constructing shipping. Lord Beresford said it was time the censorship was taken off. Let me give the figures that he presented a few weeks ago, about the 1st of October. He said that from August, 1914, when the war broke out, to January of this year the number of tons of shipping sunk was 4,000,000; that from January of this year to the end of September 6,000,000 more tons of the world's shipping had been sunk. He estimated that from the end of September to the 1st of January of next year 2,000,000 more tons would be sunk, which would make a total of 12,000,000 tons of shipping sunk since the opening of the war. He stated also that during this period of war the amount of shipping constructed was 5,500,000 tons, leaving a net loss to the shipping of the world up to the 1st of January of 6,500,000 tons.

That awful loss has come to a world already confronted with a shortage of shipping. When we reflect that the whole merchant marine of the United States at the present time worthy of transoceanic duty consist of 3,721,806 tons, we can see how awful the net loss of over 6,000,000 tons has been to the shipping of the world since this war opened.

We are building ships, but we are building them too slowly. The official figures which I have secured show that our construction of ships from the 1st of January until June in the United States was 503,922 tons, less than one-tenth of the net loss of shipping since the war began.

Mr. President, I say that we must bear in mind in all of these declarations that, whether we declare war against Bulgaria or against Turkey, the main thing is to remember that we have only one great antagonist, and it is a matter of policy how many other antagonists we take on. We have got Germany; that is the great menace of the war; and the German destruction of shipping at this time and the German success in the field are such that Americans should realize that at the present time the German menace is greater than it was on the day that we declared war.

Mr. President, I therefore repeat I am in favor of this declaration of war in view of the statement made by the President of the United States in his address, which may tend to convince Austria that she has nothing to fear in separating from Germany.

Mr. OWEN. Mr. President, I am glad that the Committee on Foreign Relations has brought in this joint resolution promptly; I hope it will be adopted without a dissenting vote; but I think that the RECORD ought to contain something more of the reasons to justify our passing this declaration of war upon the Hapsburg Government of Austria-Hungary than appears in the report of the committee.

This great world war is a conflict between the forces who believe that right should prevail over brute force and those who believe that "might makes right." It is a conflict between those who believe the world ought to be dominated by military arbitrary power under the dynasty of the Hohenzollerns and those

who believe that all nations ought to have the right to enjoy liberty, self-development, and territorial integrity.

Mr. President, I had occasion to point out on the 25th of April, 1916, the secret treaty of Verona (1822), which was adopted as an amendment to the treaty of the Holy Alliance (1815). The treaty of the Holy Alliance was the most blasphemous, the most hypocritical, the most infamous doctrine ever promulgated. It was signed by Alexander I, the head of the Romanoff family, on behalf of Russia; by Frederick William, the head of the Hohenzollerns, on behalf of Prussia; by Francis Joseph, the head of the Hapsburgs, on behalf of Austria. In that treaty these cunning and unscrupulous monarchs of the Holy Alliance made a high self-serving declaration of Christian principles—the principles of justice and brotherhood and mercy among men. They declared the doctrine that princes occupied a position of high trust from the hand of God himself, and that they owed it to the world to exercise the power placed in their hands for the betterment of the world, for the welfare, the safety, and the happiness of their subjects; but, Mr. President, the pretenses that they were guided by these principles were absolutely false. Their courts were then utterly corrupt; they did not administer justice. They took by taxation the labor of the people and wasted it in dissipation. They were opposed to the people themselves anywhere on earth exercising the peaceful right of self-government. Under the guidance of Austria, under the direction of Metternich, they made an amendment to the treaty of the Holy Alliance on the 22d of November, 1822, which I desire to place in the RECORD of the Congress in connection with the joint resolution brought in by the committee, and I ask permission to do so without reading it. It is a declaration of secret war by autocracy against innocent, unsuspecting democracy. It is the voice of ambition secretly plotting the death of liberty.

The VICE PRESIDENT. Without objection, permission to do so will be granted.

The matter referred to is as follows:

SECRET TREATY OF VERONA.

The undersigned, specially authorized to make some additions to the treaty of the Holy Alliance, after having exchanged their respective credentials, have agreed as follows:

ARTICLE 1. The high contracting powers being convinced that the system of representative government is equally as incompatible with the monarchial principles as the maxim of the sovereignty of the people with the divine right, engage mutually, in the most solemn manner, to use all their efforts to put an end to the system of representative government, in whatever country it may exist in Europe, and to prevent its being introduced in those countries where it is not yet known.

ART. 2. As it can not be doubted that the liberty of the press is the most powerful means used by the pretended supporters of the rights of nations to the detriment of those of princes, the high contracting parties promise reciprocally to adopt all proper measures to suppress it, not only in their own State, but also in the rest of Europe.

ART. 3. Convinced that the principles of religion contribute most powerfully to keep nations in the state of passive obedience which they owe to their princes, the high contracting parties declare it to be their intention to sustain in their respective States those measures which the clergy may adopt, with the aim of ameliorating their own interests, so intimately connected with the preservation of the authority of the princes; and the contracting powers join in offering their thanks to the Pope for what he has already done for them, and solicit his constant cooperation in their views of submitting the nations.

ART. 4. The situation of Spain and Portugal unite unhappily all the circumstances to which this treaty has particular reference. The high contracting parties, in confiding to France the care of putting an end to them, engaged to assist her in the manner which may the least compromit them with their own people and the people of France by means of a subsidy on the part of the two empires of 20,000,000 of francs every year from the date of the signature of this treaty to the end of the war.

ART. 5. In order to establish in the Peninsula the order of things which existed before the revolution of Cadiz, and to insure the entire execution of the articles of the present treaty, the high contracting parties give to each other the reciprocal assurance that as long as their views are not fulfilled, rejecting all other ideas of utility or other measure to be taken, they will address themselves with the shortest possible delay to all the authorities existing in their States and to all their agents in foreign countries, with the view to establish connections tending toward the accomplishment of the objects proposed by this treaty.

ART. 6. This treaty shall be renewed with such changes as new circumstances may give occasion for, either at a new congress or at the court of one of the contracting parties, as soon as the war with Spain shall be terminated.

ART. 7. The present treaty shall be ratified and the ratifications exchanged at Paris within the space of six months.

Made at Verona the 22d November, 1822.

For Austria:

METTERNICH.

For France:

CHATEAUBRIAND.

For Prussia:

BERNSTET.

For Russia:

NESSELRODE.

Mr. OWEN. Mr. President, I wish particularly to emphasize these words signed by the high chancellors representing the Romanoffs, the Hohenzollerns, the Hapsburgs, and the Bourbons. They had placed Louis XVIII upon the French throne; they had demanded absolute monarchy everywhere in the world. They were opposed even to a limited monarchy anywhere in the world. They overthrew the limited monarchy in Spain, and they overthrew with Austrian troops the limited monarchy in Italy immediately after the secret treaty of Verona. I quote as follows from the secret treaty of Verona:

The undersigned, specially authorized to make some additions to the treaty of the Holy Alliance, after having exchanged their respective credentials, have agreed as follows:

ARTICLE 1. The high contracting powers being convinced that the system of representative government is equally as incompatible with the monarchial principles as the maxim of the sovereignty of the people with the divine right, engage mutually, in the most solemn manner, to use all their efforts to put an end to the system of representative governments, in whatever country it may exist in Europe, and to prevent its being introduced in those countries where it is not yet known.

ART. 2. As it can not be doubted that the liberty of the press is the most powerful means used by the pretended supporters of the rights of nations to the detriment of those of princes, the high contracting parties promise reciprocally to adopt all proper measures to suppress it, not only in their own States but also in the rest of Europe.

From that day, November 22, 1822, to this, December 7, 1917, they have suppressed the liberty of the press; from that day to this they have used the power of the press to mislead their own people, to falsify the records with regard to upright, peaceful intentions of the growing democracies of the world; and the German Empire has for the last 10 years been taking secret and most injurious steps against the peace and power of democracies throughout the whole world. We find them in Japan stirring up mischief and animosity against the people of the United States; we find them in the United States stirring up hostility against Japan; we find them in Mexico stirring up the Mexicans against the United States, and in the United States exciting hate for the Mexicans; we find them in Brazil stirring up animosities against the Argentine, and in the Argentine stirring up animosities against Brazil and against Uruguay, weakening the nations of the whole world, especially those that are democracies, with a view to finally carrying out successfully the military dynastic enterprise of conquering the world by armed military force and to overthrow representative government wherever it may be found upon the earth. The evidence of this conspiracy against the democracies of the world is now overwhelming, and it is the duty of the Congress of the United States to collate this evidence and to prepare an indictment against the Imperial German Government and against the Royal and Imperial Government of Austria, so that the record shall be made so plain and so overwhelming, and given such publicity, that the whole world may fully comprehend the complete justification of war against these century-old secret enemies of the United States; against these conspirators against the peace of the world; against these armed soldiers who are led by the Hohenzollerns, who made this war for territory and property and ambition against the industrious, thrifty people of other countries who love peace and liberty.

Mr. VARDAMAN. Mr. President, I am going to vote for this resolution solely upon the ground that I hope as a matter of policy it may strengthen the arm of our Government in conducting the war, hasten the end of the bloody conflict, and bring victory to our flag. It is my purpose now, as it has been my acts since war was declared, to give the Government in every way conceivable that support which in my feeble way may contribute to the success of our Government.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, and read the third time.

The VICE PRESIDENT. The question is, Shall the joint resolution pass?

Mr. STONE. On the passage of the joint resolution I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when Mr. MCNARY's name was called). I am in receipt of a telegram from my colleague [Mr. MCNARY], who is on his way to Washington, asking me, in case a vote was had upon this joint resolution, to announce that, if present, he would vote in favor of it.

Mr. JONES of Washington (when Mr. POINDEXTER's name was called). My colleague [Mr. POINDEXTER] is necessarily absent. I am certain that if he were present he would vote "yea" on the passage of this joint resolution.

Mr. SHAFROTH (when the name of Mr. THOMAS was called). I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of illness, and to state that he is paired with the senior Senator from North Dakota [Mr. MCCUMBER], but that if my colleague were present he would vote "yea."

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from West Virginia [Mr. GOFF]. I

understand that he would vote "yea" if present. Therefore I feel at liberty to vote, and vote "yea."

Mr. HOLLIS (when Mr. WALSH's name was called). I desire to announce that the Senator from Montana [Mr. WALSH] is absent because of illness. If he were present, he would vote "yea."

Mr. SAULSBURY (when Mr. WOLCOTT's name was called). My colleague [Mr. WOLCOTT] is ill at his home in Delaware. He desires me to state that if he were present he would vote in favor of the joint resolution.

The roll call was concluded.

Mr. McCUMBER (after having voted in the affirmative). I have a general pair with the senior Senator from Colorado [Mr. THOMAS], but am informed that if present he would vote as I have voted. Therefore I will allow my vote to stand.

Mr. FRELINGHUYSEN. I desire to announce the unavoidable absence of my colleague, the senior Senator from New Jersey [Mr. HUGHES] on account of illness. Were he present, he would vote "yea."

I have a general pair with the junior Senator from Montana [Mr. WALSH]. I understand that were he present he would vote as I am about to vote. Therefore I feel at liberty to vote and vote "yea."

Mr. RANSDELL. I announce the unavoidable absence of my colleague [Mr. BROUSSARD] on account of sickness. I am requested to state that if present he would vote "yea."

Mr. GERRY. I desire to announce the unavoidable absence, on account of public business, of the Senator from Wyoming [Mr. KENDRICK], the Senator from California [Mr. PHELAN], the Senator from Illinois [Mr. LEWIS], and the Senator from New Mexico [Mr. JONES]. I am informed that if present each of the Senators named would vote "yea."

Mr. ASHURST. I desire to announce that the Senator from Montana [Mr. MYERS], the Senator from Washington [Mr. POINDEXTER], the Senator from Kansas [Mr. THOMPSON], and the Senator from Utah [Mr. KING] are necessarily absent from the Senate on official business, and that if present they would each vote "yea."

Mr. CURTIS. I desire to announce that the Senator from Illinois [Mr. SHERMAN] is necessarily absent. If present, he would vote "yea."

The result was announced—yeas 74, as follows:

YEAS—74.

Ashurst	Gore	New	Smith, Md.
Bankhead	Gronna	Newlands	Smith, Mich.
Beckham	Hale	Norris	Smith, S. C.
Borah	Harding	Overman	Smoot
Brady	Hardwick	Owen	Sterling
Brandegee	Hitchcock	Page	Stone
Calder	Hollis	Penrose	Sutherland
Chamberlain	James	Pittman	Swanson
Colt	Johnson, S. Dak.	Pomerine	Tillman
Culberson	Jones, Wash.	Ransdell	Townsend
Cummins	Kellogg	Reed	Trammell
Curtis	Kirby	Robinson	Underwood
Dillingham	Knox	Saulsbury	Vardaman
Fernald	Lodge	Shafroth	Wadsworth
Fletcher	McCumber	Sheppard	Warren
France	McKellar	Shields	Weeks
Frelinghuysen	McLean	Simmons	Williams
Gallinger	Martin	Smith, Ariz.	
Gerry	Nelson	Smith, Ga.	

NOT VOTING—21.

Broussard	Kendrick	Myers	Walsh
Fall	Kenyon	Phelan	Watson
Goff	King	Poindexter	Wolcott
Hughes	La Follette	Sherman	
Johnson, Cal.	Lewis	Thomas	
Jones, N. Mex.	McNary	Thompson	

The VICE PRESIDENT. The joint resolution is unanimously passed.

Mr. KNOX. Mr. President, if I may have the indulgence of the Senate for a moment or two, I should like to make an observation in respect to the resolution which has just passed which it had been my intention to make previously if I had had an opportunity to get the floor. As a matter of course, what I propose to say has nothing to do with the question of the wisdom or the expediency of making a declaration of war against Austria-Hungary, because that matter is now settled, and under no circumstances would I have entered into the field of the wisdom, necessity, or expediency of such declaration. As to its wisdom and necessity I entirely agree with the President in his advice to the Congress that the declaration be made, and as to whether or not it should have been extended at this time to Turkey and Bulgaria, I agree, as I understand my friend the senior Senator from Massachusetts [Mr. LODGE] also agrees, that he will accept, as I accept, the judgment of the President as to the present inexpediency of such action.

Mr. President, what I wanted to say has to do with one of the consequences of the declaration of war that has been brought to my attention by many communications from constituents. You all perhaps know, Mr. President, that in the State of Pennsylvania there are thousands and tens of thousands of people who are subjects of the Austro-Hungarian Empire. They are not, as a rule, or even in a large percentage, subjects of Austria in the sense that they come from that geographical subdivision of the empire known as Austria; but they come from the various subdivisions of that vast dual empire, and, as I say, they are found by the tens of thousands in the mines and in the mills of Pennsylvania. Indeed, Mr. President, the fact is that there are almost twice as many Austro-Hungarians in the State of Pennsylvania as of any other foreign element.

I have received, as I have stated, many communications, not questioning the wisdom of this declaration of war, if it is necessary, but inquiring as to its expediency, if it is not absolutely necessary. The question seems to be predicated upon some misapprehension or doubt as to what the status of the subjects of Austria-Hungary will be after a declaration of war, the common impression being that as they would ipso facto become alien enemies of the United States, no business transactions could be conducted with them, even to the extent of employing their services.

I have investigated this matter, Mr. President, to some extent, and I am seeking in this way not so much to instruct the Senate, but to reply to numerous inquiries. The result of my investigation is this, that while it is true that by the provisions of one of the statutes of the United States the mere declaration of war ipso facto makes every male subject over 14 years of age of a foreign power against which we have declared war, who is not fully naturalized, an alien enemy, yet by the provisions of that statute the President of the United States may fix, by regulation determined by him and proclaimed to the people, the terms and conditions upon which male alien enemies over 14 years of age may reside within the United States.

I think that, by the last section of the statute to which I refer, the President has the power to fix not only the conditions of residence but the conditions of employment in the United States. I regard that matter as practically settled by the precedent created by the President himself, because, concurrently with his approval of the declaration of war against Germany, the President issued a proclamation in which he distinctly stated, as to male German alien enemies over 14 years of age, that they shall be undisturbed in the peaceful pursuit of their lives and occupations, and be accorded the consideration due to all peaceful and law-abiding persons, except so far as restrictions may be necessary for their own protection and for the safety of the United States. The President goes further and undertakes to advise and enjoin an attitude of mind by the people of the United States toward these persons, and he enjoins all citizens of the United States to preserve the peace and treat such aliens with all such friendliness as may be compatible with loyalty and allegiance to the United States.

While I am not informed, Mr. President, I assume that as a matter of course, concurrently with the approval of this declaration of war, a similar proclamation will be issued by the President as it should be issued for even stronger reasons than in the case of Germany, because I think it is proper here and now, in concluding what I have to say, to call attention to the fact that hundreds, aye, thousands, of these unnaturalized Austro-Hungarians in the State of Pennsylvania have joined the American arms. Hundreds of them who were drafted did not take advantage of their alienship in order to escape the draft, and, as was called to our attention yesterday by the Senator from Massachusetts [Mr. LODGE] in the Committee on Foreign Relations, the casualty lists show the names of many of them among the dead and wounded. As I said a moment ago, thousands of Austro-Hungarians who are unnaturalized are now bearing American arms, and there is no reason to conclude that a declaration of war will affect their attitude toward those countries from which they came that were already as a fact at war with us when these aliens espoused the cause of liberty.

Mr. LODGE. Mr. President, I am very glad the Senator has made the statement he has. It is extremely valuable and very important. Before the Senator takes his seat, however, I wish to ask him if it is not true that the large majority, certainly, of these Austro-Hungarian subjects are of the Slavic Provinces?

Mr. KNOX. Yes; that is correct.

Mr. LODGE. Hostile to Germany and hostile, as a rule, to the central powers?

Mr. KNOX. That is as I understand, Mr. President; and that is the thought I designed to convey when I referred to the fact that most of those who are in Pennsylvania and in the other States are not from Austria, but come from those Provinces which, by the exigencies of European politics, happen to fall under the sovereignty of the dual empire.

Mr. REED. Mr. President, I am very glad the Senator from Pennsylvania [Mr. KNOX] has sharply called attention to the fact that there are now serving in the armies of the United States a large number of men who, technically, are subjects of the Austro-Hungarian Government.

There are in Austria, or under the combined Austro-Hungarian Government, subject nations or peoples. To a large extent, they are the natural enemies of the Austro-Hungarian Government. I spent a part of my early life in a community where there were a large number of Bohemian immigrants. I think I can say that to a man they hated every form of monarchical government more thoroughly than did their American neighbors.

There are large bodies of the Bohemian people in the United States; there are Croatians, Slavomans, and, without undertaking to name them, some 16 or 17 different nationalities living in my own State. These people are nearly all, in my judgment, loyal to our Government, and their sons are serving loyally in our Army.

It seems to me—and this is the thought I rose to suggest—that the Foreign Relations Committee ought to give consideration at once to the enactment of some statute which would make it possible for these soldiers who are fighting America's battles to become American citizens, even under the present circumstances; and I suggest that to the distinguished Senator from Pennsylvania—who is a member of the Foreign Relations Committee, as I understand—for his consideration.

Mr. LA FOLLETTE. Mr. President, I have never dodged any responsibility as a Senator, or absented myself from the floor of the Senate when any important measure was to be voted upon. As I sat in my seat here listening to the discussion upon the resolution declaring war against Austria-Hungary this morning I conceived that an amendment ought to be offered for the consideration of the Senate. I had understood that several Senators were to speak upon the joint resolution, members of the Committee on Foreign Relations, among others the Senator from Pennsylvania [Mr. KNOX], the Senator from Idaho [Mr. BORAH], and some other Senators.

I left the floor intending to return as soon as I could go to my office in the Senate Office Building and draft the amendment which I purposed to offer. I think that the signal bell for the roll call upon the passage of the joint resolution must have sounded while I was between the Capitol and the Senate Office Building, as I did not hear it and had no notice that the debate had ended abruptly and a roll call had been ordered.

While engaged in preparing the amendment I received a telephone message from my secretary advising me that the vote had been taken upon the resolution. Had I been present I should have offered the following amendment to the joint resolution:

Provided, That the United States asserts its determination not to be bound by, or become a party to, the enforcement of any agreement or agreements heretofore entered into between the allied powers to deprive the Imperial and Royal Government of Austria-Hungary of title to or control of any territory which was a part of the Austro-Hungarian Empire or possessions August 1, 1914.

Mr. President, with that added to the joint resolution as it was proposed and voted upon I would have supported it as a necessary war measure. Without it or some similar declaration of our purpose I should have voted against the resolution.

That is all I have to say upon the subject at this time.

EXECUTIVE SESSION.

Mr. STONE. Mr. President, if there is nothing that any Senator feels that he desires especially to bring before the Senate now, I will say that I have been requested by some Senators to ask for a brief executive session. Accordingly, I move that the Senate proceed to the consideration of executive business.

Mr. POMERENE. Mr. President, will the Senator indulge me for a moment?

Mr. STONE. I withhold the motion.

Mr. POMERENE. Mr. President, it was understood that the so-called export bill would be called up at the close of the morning business. Is it the purpose of the Senator to go into executive session and then resume the legislative session?

Mr. STONE. Of course I have no objection to that. I accommodate myself to the wishes of the other Senators. I asked if there was any other subject to be brought up. Senators asked me to request this executive session. They said that there were some things on the calendar that they desired to have disposed of. Of course we can go into executive session now, dispose of them, and go back into legislative session, or we can go on with the legislative session at this time.

Mr. POMERENE. Mr. President, it is immaterial to me which course is taken by the Senate, but the export bill was made the unfinished business on the closing day of the last session, and the other day I gave notice that I would call it up.

Mr. STONE. Then, if it is agreeable to the Senator, it will suit my personal convenience to go into executive session now.

Mr. POMERENE. Very well.

Mr. PENROSE. Mr. President, before that motion is put I should like to ask the Senator from Missouri whether it is contemplated to hold a session of the Senate to-morrow or to adjourn over until Monday?

Mr. STONE. I can not answer as to that.

Mr. PENROSE. I did not know whether the majority leaders had determined that or not.

Mr. STONE. The Senator from Virginia [Mr. MARTIN], I assume, will be here pretty soon. I have had no conference with him about that.

I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

PROMOTION OF EXPORT TRADE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2316) to promote export trade, and for other purposes.

Mr. POMERENE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator from Ohio suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gerry	Nelson	Smith, S. C.
Beckham	Gronna	Newlands	Smoot
Brandegee	Hale	Norris	Sterling
Calder	Hardwick	Penrose	Stone
Chamberlain	Hitchcock	Pittman	Sutherland
Colt	Hollis	Pomerene	Swanson
Culberson	James	Reed	Townsend
Cummins	Johnson, S. Dak.	Robinson	Underwood
Curtis	Jones, Wash.	Saulsbury	Vardaman
Dillingham	Kellogg	Shafroth	Wadsworth
Fernald	Kirby	Sheppard	Weeks
Fletcher	Knox	Shields	Williams
France	McCumber	Simmons	
Frelinghuysen	McKellar	Smith, Ariz.	
Gallinger	Martin	Smith, Md.	

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. There is a quorum present.

Mr. POMERENE. There were several committee amendments which were reported by the committee, and they were all adopted September 20 at the last session. I have another amendment which I offer personally to section 1 of the bill.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 1, line 8, after the word "consumption," insert the words "or for reselling"; line 11 strike out the word "or," before the word "manufacture," and after the word "manufacture" insert the words "or selling for consumption or for resale," so that if amended the paragraph will read:

That the words "export trade" wherever used in this act mean solely trade or commerce in goods, wares, or merchandise exported, or in the course of being exported from the United States or any Territory thereof to any foreign nation; but the words "export trade" shall not be deemed to include the production, manufacture, or selling for consumption or for resale within the United States or any Territory thereof of such goods, wares, or merchandise, or any act in the course of such production, manufacture, or selling for consumption or for resale.

The amendment was agreed to.

Mr. POMERENE. I have no further amendment to offer.

The PRESIDING OFFICER. The bill is as in Committee of the Whole and open to amendment. If there be no further amendment the bill will be reported to the Senate.

Mr. CUMMINS. I offer the following amendment, or series of amendments, to the bill and ask that they be read.

Mr. POMERENE. May I ask whether the amendments have been printed?

Mr. CUMMINS. They have not been printed.

Mr. REED. It is a series of amendments, and I am sure they are important. They are important because I know the Senator from Iowa has given this bill considerable study. I think they ought to be printed for the information of the Senate before we proceed to the final disposition of the bill, and indeed before we proceed to a discussion of the amendments. I think the amendments should be printed and the bill should go over until to-morrow morning, when we can take it up and proceed with it to a final disposition.

Mr. CUMMINS. As a reason for not proposing the amendments until this moment I will suggest that at the last session of Congress I prepared a substitute for the bill. It was rather

carefully considered in the committee and covered the whole subject. I came to the conclusion, however, in view of the difficulty of challenging either public attention to what is here proposed or the attention of the Senate—it will be observed how much interest Senators have apparently in the question—I would simplify the matter and propose a series of amendments that would present a single point. That I have done, and I have just sent the amendments to the desk. I say this because otherwise it might be thought I was somewhat negligent in not proposing the amendments before this time. It is true that the amendments I have now proposed change radically the character of the bill. They exemplify the modification in the antitrust law which I am willing to see made, and I am not willing to go further.

If Senators have any great concern about the subject, I think the suggestion made by the Senator from Missouri [Mr. REED] is a very wise one. I may say in passing that the bill as reported by the committee, ignoring the delicacies of phraseology, substantially repeals the antitrust law and section 7 of the Clayton Act so far as foreign trade is concerned. As I have more than once suggested to the committee, it would be much simpler if we would strike out of the antitrust law the phrase "with foreign nations," leaving it in its application solely to trade or commerce among the States.

My amendment is intended to limit the modification to the privilege which I believe the people of this country have now under the antitrust law, but there seems to be some doubt about it, of establishing in a foreign market or a foreign country a common selling agency. I am willing to meet the supposed exigencies to that extent, but I am not willing to go further.

Mr. REED. Let me ask the Senator when he speaks of foreign selling agencies if he does not propose also to include some provision which will make the foreign selling agency open to the people of the United States, so that the market can not be cornered by some one foreign selling agency?

Mr. CUMMINS. I have assumed that the foreign market is open to every citizen of the United States. I have not incorporated in my amendment a provision that would require any selling agency to admit every person to its membership who desired to enter it. It may be a wise provision. I do not say anything about that at this time. At any rate——

Mr. REED. Let me call the attention of the Senator from Iowa to this fact. It is proposed by the bill to give the right to create combinations in restraint of trade. The excuse offered is that such combinations will be possessed of such power and potentiality that they will be able to wrest the foreign markets from great foreign combinations.

That necessarily means the creation of institutions great enough, powerful enough, potential enough to control the price of American products sent abroad. That can only be done by so controlling our export trade that the foreigner can not successfully purchase from anyone save the combination. If that transpires it follows that the ordinary American citizen who is not in the combination will be shut out of the European markets—he must be shut out or the combination fails; or to state it differently, you can not shut Europe out of this market and compel Europe to buy from an American combination unless you shut the American citizen out of the European market or compel him to sell through that combination.

Mr. CUMMINS. That may be the effect of the bill which has been reported by the committee. That would not be the effect of the amendment I have offered.

I do not desire at this moment to present fully the consideration which has led me to the conclusion I hold. I have said so much for the purpose only of enabling the Senate to reach a satisfactory opinion upon the suggestion made by the Senator from Missouri; that is, whether further consideration of the bill be postponed until the amendments I have sent to the desk shall be printed.

Mr. POMERENE. I suggest that the amendments be read. I have not heard them, and I have not been able thus far to follow the discussion of them, though I think I understand in a general way the basic idea the Senator from Iowa has in mind.

The PRESIDING OFFICER. The Secretary will read the amendments sent to the desk by the Senator from Iowa.

The Secretary read as follows:

Amendments intended to be proposed by Mr. CUMMINS to the bill (H. R. 2316) to promote export trade, and for other purposes, viz:

Strike out sections 1, 2, and 3, and substitute the following therefor as section 1:

"It shall be unlawful for two or more persons, partnerships, or corporations engaged in competitive business or otherwise to establish and conduct in any foreign country a common selling agency or agencies for the disposition of goods, wares, and merchandise exported by any such person, partnership, or corporation to such foreign country and by agreement or arrangement to thereby lessen or eliminate competition, as between themselves, in the markets of such foreign countries: *Provided, however,* That no unfair methods of competition shall be practiced by any such agency or through any such agreement or arrangement against any person, partnership, or corporation, not a party thereto, engaged or proposing to engage in exporting goods, wares, and merchandise from the United States to any such foreign country."

Strike out of line 15, page 3, the numeral "4" and insert the numeral "2."

Strike out section 5 and in lieu thereof insert as section 3 the following:

"SEC. 3. That before establishing any such selling agency provided for in section 1 of this act the persons, partnerships, or corporations proposing to establish and conduct the same shall file with the Federal Trade Commission a copy, verified under oath, of all the agreements, arrangements, or other instruments which define the terms, purpose, scope, and conduct of such agency, and it shall set forth its location, with the names and addresses of all the persons, firms, or corporations which enter into it. Upon demand there shall also be furnished to the commission such further information as the commission may require concerning its organization, business, conduct, practices, management, and relation to other associations, corporations, partnerships, and individuals. A failure to comply with the foregoing provisions shall deprive the persons, partnerships, or corporations entering into the agency of all the benefits of this act, and each delinquent shall also forfeit to the United States the sum of $100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States and recoverable in a civil suit in the name of the United States in any district court of the United States having jurisdiction of any such person, partnership, or corporation. It shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of the forfeiture. The costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States.

"Whenever the Federal Trade Commission shall have reason to believe that any such common selling agency, or any member thereof, is violating any law of the United States it shall summon all the persons, partnerships, or corporations in such agency before it and thereafter conduct an investigation into the alleged violation of law. If, upon investigation, it shall be concluded that the law has been violated it may make such recommendations for the readjustment of the organization, business, conduct, practices, or management of the agency and its members as may be necessary in order to fully comply with the law. If there is a failure within such time as the commission may fix to comply with the recommendations so made, the commission shall refer its findings and recommendations to the Attorney General of the United States for such action thereon as he may deem proper.

"For the purpose of enforcing these provisions the Federal Trade Commission shall have all the powers, so far as applicable, given to it in 'An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes.'"

Mr. BRADY. May I ask the Senator from Iowa whether he offers this as an amendment to the pending measure, or as a substitute?

Mr. CUMMINS. I have termed it an amendment or series of amendments. If the amendments are adopted, there will be rather a radical reformation of the bill.

Mr. BRADY. It seems to me it would make a very material change in the bill as it now appears.

Mr. CUMMINS. I have no hesitancy in admitting that the amendments I have proposed change the measure very materially.

Mr. BRADY. It seems to me the importance of the amendments is such that the Senate should have more time to give consideration to the matter than to attempt to take them up at this moment.

Mr. CUMMINS. Mr. President, just a word in the first instance with respect to the amendment that has been read. I propose to strike out the first three sections of the bill and to substitute for them a very short and simple provision, making it lawful—and it is my opinion that it is lawful now under the present law—for manufacturers or producers in the United States to establish in a foreign country a common selling agency or agent for the disposition of the things which they produce in the United States. I guard that privilege by the provision that the arrangement under which the common agency is established and the conduct of the agency itself shall not have a tendency to practice nor practice unfair methods of competition against any American producer who is not a party to the agency. This is intended to keep the channels of foreign trade open so that every American manufacturer or producer can freely, without let or hindrance, market his productions in foreign trade.

I make no change in the fourth section of the bill. The fourth section as it is now proposed simply enlarges in a way the jurisdiction of the Federal Trade Commission, so that unfair methods of competition practiced beyond the territorial limits of the United States become unlawful, and may be corrected and punished in the tribunal or before the tribunal which we have already established for that purpose.

The last section of the bill as proposed I have rewritten. It is purely administrative; and it has been rewritten to bring it into harmony with section 1. The section as it is in the bill proceeds, of course, and properly, upon the provisions of sections 1, 2, and 3. I have rewritten it so that it will be equally effective in carrying into execution section 1 of the bill, as I have proposed it in the amendment. With that very brief explanation of my amendment, I ask the attention of the Senate for a few moments upon the general subject.

The bill is a repeal of the antitrust law so far as foreign trade is concerned. I think that will hardly be disputed. The repeal is obscured a little by the peculiar and unnecessary phraseology of the section; but, after all, the proposal is to repeal the antitrust law so far as our commerce or trade with foreign nations is concerned.

As I remarked a few moments ago, it would be far better, in my judgment, and far more easily understood by the people of the country, if one who desired to repeal the antitrust law in that respect should present a bill that would strike out of section 1 of the act of 1890 the words "with foreign nations." You will all remember that the language of that section is the language of the Constitution, and the prohibition is against any combination or conspiracy of any kind in restraint of commerce or trade among the States or with foreign nations. Those who are fathering the bill are of the opinion, and I have no doubt they are honestly of the opinion, that our foreign trade should be entirely emancipated from the control of legislation of this character.

The bill not only repeals the antitrust law in the respect I have mentioned, but it repeals section 7 of the Clayton Act so far as foreign commerce is concerned. I assume that all of you know what section 7 of the Clayton Act is, but, in order to preserve a certain continuity in my observations, I remark that section 7 prohibits one corporation from owning the stock of another corporation engaged in a like business. It is intended to permit or secure competition in the United States between corporations which are engaged in substantially the same kind of business. It is intended to prevent not only the elimination of competition, but it is intended to prevent it in the particular and peculiar way which had become common some years ago in this country, namely, by an appearance of competition between two establishments, whereas in fact there was common ownership of the entire enterprise, and competition under such circumstances, as you all know, is absolutely impossible.

Keep in mind what I have said, that the bill is intended, so far as foreign trade is concerned, to repeal these statutes, one of which has been the law of the United States for 27 years, and the other, which grew out of the obvious defects in the administration of the former, has been in operation for about three years.

The substantial or substantive matter is found in the antitrust law, but section 7 of the Clayton Act was devised in order to prevent a failure in many instances of proof under the antitrust law; at least that was my conception and analysis of the real purpose and necessity of section 7 of the Clayton Act.

It seems to me that this is the most inopportune time which could possibly have been selected for an invasion of these statutes. I understand perfectly some of the disadvantages with which our exporters suffer in normal times, and I have been and am now in sympathy with every reasonable effort to relieve them of those disadvantages.

It has been said, and it has been established before the committee, and I have no disposition to question it, that prior to the war our exporters were met in foreign markets by combinations of foreign producers and manufacturers' combinations created under the laws of the several countries from which the competition came. The instance of these combinations which we were compelled to meet was nearly always Germany. Germany, as everybody knows, has pursued in her industrial system or affairs a course diametrically opposed to the course pursued in the United States. A great many people before the war were in the habit of lauding the industrial system of Germany. I was not one of them. I did not believe in the system before the war, and I do not believe in it now. While it had a temporary success, while in its beginning it enabled Germany to outstrip some of the other countries in the world in commerce among nations, it had in it the seeds of destruction; and if it had been permitted to continue through a fair period of experience, I believe it would have been found to be disastrous not only to the individuals who make up the empire of Germany but to the trade of Germany as a whole. I have no disposition now, and I never have had, to adopt the industrial system of that Government or of that country any more than I have had a disposition to adopt her military establishment. They are founded upon exactly the same principles; they are intended to carry out the very same object; and I, for one, do not care, while we are engaged in war, to overthrow the principle as applied to her military affairs, to adopt and encourage her system so far as it is applied to industrial affairs.

However that may be, whether you agree with me about that or not, the fact is that the exporters of the United States need this legislation now less than they have ever needed it before. The very competitor against which the claim was always made has been driven out of the markets of the world. We do not meet German competition in any country on earth, and there is no reason for permitting combinations and consolidations in this country to enable us to meet a competition that war has well-nigh extinguished.

We are all fully aware, too, that in the present situation the producers of the United States can find a market for everything which this country is capable of producing. Not only can they find a market for everything that they can produce, but they can find the highest compensation for these things, whether consumed in the United States or consumed in any other country in the world. I have thought, therefore, that wisdom and real concern for the welfare of the people of this country would indicate that we ought to defer legislation of this kind until the war is over. It seems to me also that we are legislating upon the subject under the greatest possible disadvantage and under great danger of not fairly comprehending what we are about to do.

Mr. POMERENE. Mr. President——

Mr. CUMMINS. I yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, does not the Senator feel that after the war is over the American producer will have to meet foreign producers in combination just as he did before the war; and, if that be so, is it not necessary that we prepare the preliminary legislation so that our business men can get ready to meet these strong competitors in the foreign markets after the war?

Mr. CUMMINS. I do not think so. In the first, place, I do not know how long the war will last; there seems to be some reason to believe that it will not be concluded within the next few months; but it is impossible for me to fear in a foreign market the immediate competition of peoples who, no matter what our condition may be, will have been destroyed financially and industrially by the same great catastrophe that is affecting us. It is purely imaginary to suggest that the very moment a treaty of peace is signed Germany can find her way into the markets of the world and overcome American producers; it is illusory; there is nothing in the suggestion; it can not be imagined that Germany can reconstruct herself more rapidly than the United States can readjust herself. I do not entertain any such pessimistic view.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Does the Senator from Iowa yield to the Senator from Nebraska?

Mr. CUMMINS. I yield to the Senator from Nebraska.

Mr. NORRIS. May I suggest upon the point as to Germany being able to take up this trade when the war is over that practically all of the German commercial ships engaged in international commerce have been taken over by one ally or another as war has been declared by the various nations and that the German ships are now mostly in possession of other belligerents that are fighting Germany, and that we can not conceive that they will be returned by them to Germany.

Mr. CUMMINS. That is a very pertinent suggestion.

Mr. REED. Mr. President, may I suggest further——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. I yield to the Senator from Missouri.

Mr. REED. May I suggest, further, that it is hardly conceivable that England, France, Italy, Serbia, Roumania, the South American countries, Australia, and Canada will all immediately turn their back upon the United States and her trade and commerce and rush into the arms of German merchants and German combinations?

Mr. CUMMINS. The Senator from Missouri has mentioned that phase of the subject in a very mild way. I think that there will not only be an inclination on the part of these countries not to deal with Germany, but I think there will be a determination not to deal with Germany; and, so far as I am concerned, if this war progresses much further, and the cruel, the inhuman, the uncivilized warfare that has distinguished the German Government and the German Army hitherto shall be continued, I should like to be a citizen of a country that would agree never to deal with Germany under any circumstances or in any commodity.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I yield to the Senator from Ohio.

Mr. POMERENE. I hope that Senators in their enthusiasm over their opposition to this bill will not forget that Great Britain, France, Italy, and Russia will all be our competitors after the war is over, and we will have to meet them.

Mr. CUMMINS. I have no doubt of that; but they are not our competitors now, and there is, therefore, no necessity for legislation of this kind; and, moreover——

Mr. REED. Mr. President——

Mr. CUMMINS. I will yield in a moment. Moreover, I have some hope that when the nations of the world shall meet to agree upon terms of peace their consideration will be extended to the commerce among nations as well as to their military establishments, and that there will be some concert between the nations which shall decide upon the terms of peace with regard to the manner in which their commodities will be interchanged. I mention that not as a reason finally against the passage of a bill of this sort, but as a conclusive reason why it is not necessary to consider the subject now. I yield to the Senator from Missouri.

Mr. REED. I rose to remark, with the permission of the Senator from Iowa, that it can hardly be said that there is anything in the past record of England or of France of such a character as to make it necessary for us to legalize criminal and immoral and crooked combinations, for we have denounced every combination in restraint of trade and commerce as crooked, as immoral, and as illegal, not only under the statutes of the country but at the common law. I indulge the hope that whether, after the war is over, we arrive at a condition of such complete amity and concord in business affairs with our allies as the Senator from Iowa thinks, at least it will not be necessary to legalize combinations that will control the American market and at the same time control the foreign market, in order to meet the competition of those countries. I remark in conclusion that you can not control potentially the foreign market unless you control the market of the American producer.

Mr. CUMMINS. Mr. President, I have still another reason for my belief that this is not the time to consider amendments to the antitrust law. We are all absorbed in the prosecution of the war; it is impossible to secure for a proposed modification of the economic laws that we have heretofore adopted that full and fair and comprehensive consideration which they would receive if we were dealing with the subject in time of peace. The truth is that the new word which has been applied to pretenses in war applies with equal force to pretenses in legislative operation. The "camouflage" is being employed every day to eliminate from our legislation salutary provisions that we have adopted after long study and deliberate debate, and I think that the ghost that has been summoned of foreign competition at the present time in the markets beyond our own is pure "camouflage." We ought to legislate upon this subject with minds alive to its importance and keen to observe and anticipate, if possible, the consequences of any change we may make. We can not do it at this time; we already have enacted legislation wise in itself and for necessary purposes that has unwittingly overturned principles which the American people hold dear and which they would not permit to be overthrown if they had a fair conception of what we were doing.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield to the Senator from Mississippi.

Mr. VARDAMAN. May I ask the Senator if it is contended that this is a war measure? Is that the purpose of it?

Mr. CUMMINS. I will have to refer that question to the distinguished Senator from Ohio [Mr. POMERENE].

Mr. VARDAMAN. The purpose of the inquiry is to ascertain whether or not it is for immediate protection or for protection to come after the war is over.

Mr. CUMMINS. So far as I am concerned, I can answer it in this way: That the proposed legislation was brought forward and was very earnestly urged long before the war began.

Mr. VARDAMAN. I thought so.

Mr. CUMMINS. And if it is in any respect connected with the war, I have not been able to discern the tie that binds the one to the other, although I remember, and I want to do the Senator from Ohio the full justice of saying, that more than once, when he has sought to engage the attention of the Senate upon the bill and sought to bring it forward, he has insisted that in some fashion or other it is a war measure.

I shall be very glad to hear from the Senator from Ohio for the purpose of answering the question of the Senator from Mississippi, if he desires to do it.

Mr. POMERENE. Mr. President, I did not catch the question of the Senator from Mississippi, and I only understand it as I have heard the statement made by the Senator from Iowa.

I do regard this as a war measure. We are trying to keep up our trade. I do not know that the situation now, so far as pure trade conditions is concerned, is as it was a year or two ago, because since then we have entered the war. I think there has been more harmony of action among ourselves and our allies; but before that time we were constantly being compelled to meet the British buyers, the French buyers, and the German buyers in combination, up until the time their commerce was cut off. It seems to me that the question for Senators to settle is this: Knowing the fact that our competitors in foreign countries are constantly combining in order to capture the markets of the world, are we so completely wedded to the so-called Sherman antitrust law that we are going to have our manufacturers and our producers suffer the disadvantage of being compelled to meet single handed their competitors who are in combination? That is the only question.

Mr. REED. Where?

Mr. POMERENE. Abroad.

Mr. VARDAMAN. Mr. President——

Mr. CUMMINS. I yield to the Senator from Mississippi.

Mr. VARDAMAN. The Senator from Ohio, I apprehend, will not question the correctness of the proposition made by the Senator from Missouri a moment ago, that the power which this bill vests in dealing with foreign countries will necessarily affect our domestic trade.

Mr. POMERENE. Incidentally, of course, it will.

Mr. VARDAMAN. Does not the Senator think that it would be prudent, in view of the fact that there is certainly no foreign combination now against American commerce——

Mr. POMERENE. The Senator makes that statement as a fact. Let me ask him if that is a mere inference?

Mr. VARDAMAN. Well, I will suggest this to the Senator from Ohio and leave that to him to determine later: There is no combination now with which we are obliged to contend. As was suggested by the able Senator from Iowa a moment ago, it is quite likely that after the war is over this difficulty may be arranged by treaty regulation, and in that way we may preserve the integrity of the Sherman antitrust law here at home and at the same time accomplish what the Senator from Ohio would accomplish by the passage of this bill.

Mr. POMERENE. Perhaps I had better discuss this matter in my own time a little later; but I can not agree at all with the Senator's statement.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I yield to the Senator from Idaho.

Mr. BORAH. Before the Senator takes his seat, the statement which he made with reference to the necessity of a repeal of this law, so far as foreign commerce is concerned, so well stated by the Senator, seems to me to lead to this conclusion: That if foreign combinations, monopolies, or trusts operating in the foreign markets are an advantage, are a good thing, the same rule must apply here at home. There is no reason why we should have a combination in foreign markets except that it gives an advantage to our people, and if a combination gives an advantage to them there it will give an advantage to them here, because in effect ultimately, as a necessary result, the foreign combination or the foreign market will have effect in our home market. You can not substantially affect foreign commerce without influencing domestic commerce. Then why should we not repeal the entire law?

Mr. POMERENE. Mr. President, if my good friend the Senator from Idaho does not distinguish between the duty that we owe to our own fellow citizens and the duty that we owe to foreigners, then his conclusion is correct. We are opposed to combinations here in our domestic trade, because among other reasons our belief is that they destroy the initiative of individuals and destroy our trade among ourselves.

Mr. BORAH. Well, Mr. President——

Mr. POMERENE. Just one moment, please. On the other hand, we have always accepted the theory that we were benefiting the American people when we extended our commerce to foreign countries and sold our surplus products in the foreign markets.

Our people here at the present time are obliged to go into the foreign markets and meet our foreign competitors in combination. Clearly they, being in combination, when seeking a given amount of trade, will have the advantage over our commercial men when they go into that market single handed. Now, if it be a benefit to our country to have foreign trade, then it does seem to me that we ought to permit our American manufacturers and our American merchants to go into the foreign field and meet the foreign competitor on a common plane. By so doing we will be able to secure our fair share of the foreign trade.

If the Senator is of the opinion that seeking foreign trade under these conditions is to be detrimental to our domestic trade, then I can understand his opposition to the bill, but I do not see it in that light. My notion is that we will not be injuring our people when we say to some of our people: "We want you to go to Germany or to Russia or to Japan; we want you to combine your material forces in such a way that you can meet their combinations there." I believe it will benefit our commerce, it

will furnish an additional market for our surplus products, it will encourage our manufacturers to expand their capacity, it will put them in a position where they can exercise all their zeal and ingenuity to meet like combinations in foreign countries; and I believe that on the whole it will be a very great benefit to the manufacturers, the merchants, and the entire people of the United States.

Mr. BORAH. Mr. President, I was seeking light, not announcing my position nor arguing; but the thought which suggested itself to me was this: The Senator seemed to be dealing with foreign commerce and domestic commerce as two separate and distinct entities, wholly divorced from each other, and as though you could deal with one without dealing with the other and affecting the other. Now, I do not think so.

Mr. POMERENE. Why, Mr. President, I realize that there is a certain relationship existing between the two. We can not sell a sack of flour or a barrel of pork abroad without its having an incidental effect upon conditions at home.

Mr. BORAH. That is what was in my mind; and not only that, but just the moment that you take the Sherman antitrust law off of foreign commerce you have to a tremendous extent affected domestic commerce, and you have injected into domestic commerce the virus, if such it be, which you are putting into foreign commerce, inevitably. So that in my judgment what this is going to lead to is the final repeal of the Sherman antitrust law. In considering the question which is now before the Senate, therefore, I should want to make up my mind whether or not I wanted to join the forces which are ultimately going to destroy the Sherman law.

Mr. POMERENE. Mr. President, I can not agree with the Senator's conclusion. In my judgment it is not going to destroy the Sherman antitrust law. It will deprive those who are now seeking to repeal the Sherman law of much of their argument against it.

Mr. BORAH. Mr. President, they do not need much more argument. We have already exempted the laboring and the agricultural producing classes of the country from the provisions of the Sherman antitrust law. We are on the verge of exempting the railroads, and we are now contemplating exempting foreign commerce. There would be left only a very small portion of the people of the United States to whom it technically applies. It is as clear to me as it can be that the Sherman antitrust law will have been so emasculated that it would be a mere form, without substance or effect, as far as the people here at home are concerned. I really think, therefore, that we must inevitably take into consideration the whole field. I think it wrong, and also unwise to have a drastic law like the Sherman law turned into class legislation pure and simple.

Mr. CUMMINS. Mr. President——

Mr. REED. Mr. President, will the Senator from Iowa permit me to make a suggestion?

Mr. CUMMINS. Certainly.

Mr. REED. The Senator from Ohio has just stated that the relation of foreign and domestic commerce is so intimate that you can not sell even a sack of flour abroad without incidentally affecting the domestic business in flour. If that is true, how can you permit great combinations and trusts and conspiracies in restraint of trade to be created abroad for the purpose of handling American goods without affecting conditions in this country?

Mr. POMERENE. Why, Mr. President, I assume that if we secure a part of the foreign trade we are going to benefit our people. If the Senator's objection to these combinations for foreign trade is so great that he prefers to have the foreign combinations get the foreign trade rather than to have our own manufacturers get the foreign trade, then I can understand his position.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio further yield to the Senator from Missouri?

Mr. REED. I beg the indulgence of the Senator from Iowa for a moment longer, and then I shall not interrupt him further.

Mr. CUMMINS. I yield to the Senator from Missouri.

Mr. REED. The trouble with the Senator from Ohio is that, much as he has studied this question, he has utterly failed to grasp the import of his own bill, in my judgment, and I say that with all respect.

The proposition is not at all whether this country shall be permitted to get a part of the foreign trade. At the present time the seas are open, with the exception of the difficulties incident to the war; the markets of Europe are open, and every American citizen has the right to cross the sea and to sell in those markets. This bill will give no new market to any American citizen. This bill proposes to permit great combinations to be created. The purpose of these combinations is to destroy the liberty of the American citizen to enter successfully the foreign market. This bill will concentrate the profits of the foreign business in the hands of a few great capitalists and combinations. It is immoral, as are all organizations and combinations in restraint of trade.

There are no geographical lines in morals, and if it is wrong to create a combination in restraint of trade in this country for the purpose of robbing the American citizen, it is wrong to create an organization here for the purpose of robbing the people who live across the red line of a map. But this immorality is accompanied by the difficulty that you can not be guilty of the immorality against the foreign buyer without at the same time robbing the American citizen who is not in the combination of his right to sell, because no combination can be great enough to control the prices Europeans must pay for its goods unless it is so powerful it can shut out other similar American goods, for otherwise such goods would enter the market and break the prices fixed by the combination.

I thank the Senator from Iowa.

Mr. CUMMINS. Mr. President, if I may resume the discussion I had in my mind when interrupted by the very luminous and pertinent remarks that have intervened, I desire to remind the Senator from Ohio of the fact that whether we take a period of ten years, or five years, or three years the foreign trade of the United States has increased more rapidly than the foreign trade of any other country in the world. Notwithstanding the right of British citizens to combine, if they have that right—which I very much doubt—or the right of French citizens to combine, or Italian citizens, or German citizens, the American producer was able under the law which has been in force for 27 years to sell his product abroad in competition with his foreign rivals to such a degree that our foreign trade well-nigh eclipsed the foreign trade of the other countries with which we have been competing; and if we were able to do this before the war, when we consider the conditions that probably will exist at the close of the war, we will be able to do it more successfully when peace again comes than we were before.

I am saying all this simply to impress those who are here with my belief that we ought not to enter upon this legislation at this time.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I yield.

Mr. POMERENE. If the Senator's reasons are sound and his statements of fact correct with regard to our competing in the foreign markets, will the Senator point out why the same reasoning does not apply to his amendment that applies to this bill?

Mr. CUMMINS. I will point that out; but let it be thoroughly understood—and I hope the Senator from Ohio is not under any misapprehension about it—that I do not think the bill ought to pass at all. I do not think we ought to take it up for consideration; but if we are to have legislation upon the subject, then the amendment which I have proposed, which is in harmony with the antitrust law, which makes no change in the antitrust law, which simply removes a doubt which some very estimable people have expressed with regard to the interpretation of the antitrust law, and no more, is vastly preferable to the bill that has been reported by the committee and is now being urged by the Senator from Ohio. If the Senator from Ohio and those who are with him will withdraw this bill from the consideration of the Senate, you may be sure that I shall not press the amendment which I have offered. It is very much better than the bill; but even the amendment I have proposed is not necessary at this time.

Mr. POMERENE. Mr. President, I beg to assure the Senator from Iowa that I shall not withdraw this bill, and I shall urge it to a speedy conclusion if I can.

Mr. CUMMINS. The Senator from Ohio need hardly have assured me of his persistency in this regard, because I have discussed the matter with him so often and so unavailingly that I have no doubt whatever that he intends to secure a vote upon the bill if he can get it, and I have no doubt that he sincerely believes that it will better our industrial conditions if it becomes a law. Our difference is with regard to the conclusion.

Mr. REED. Mr. President, may I ask the Senator from Iowa a question?

Mr. CUMMINS. I yield to the Senator from Missouri.

Mr. REED. There is a report filed in connection with this bill which, so far as I have been able to read it, does not give a single reason why the legislation should be enacted. Were there any hearings on the bill?

Mr. CUMMINS. Mr. President, we have had hearings upon either this bill or one which preceded it, of the same character, for the last five years.

Mr. REED. Have the hearings been printed?

Mr. CUMMINS. I shall have to refer that question to the chairman of the committee. I think, though, the hearings have been printed.

Mr. NEWLANDS. Mr. President——

Mr. POMERENE. Mr. President, about five years ago there were hearings upon this very subject while the Interstate Commerce Committee was considering the general subject of trust legislation; and at intervals since that time the matter has been taken up, sometimes formally, sometimes informally. During this last January, I believe, there were other hearings on this bill, and extensive hearings in the House. A very able report on the subject was presented by Congressman WEBB. The Federal Trade Commission has had the matter up; and if my recollection serves me rightly now, there are two volumes of evidence on the subject, with a very comprehensive report by the Federal Trade Commission.

Mr. REED. Oh, Mr. President, if the Federal Trade Commission has had it under consideration, that is the end of all investigation. I am quite sure that the Congress ought to accept without hesitancy any conclusion coming from that eminent body.

Mr. POMERENE. No, Mr. President; they should always accept the conclusion of the Senator from Missouri.

Mr. REED. Well, Mr. President, if they did——

Mr. CUMMINS. Mr. President, I do not want the Senator from Missouri to be under any misapprehension with regard to this matter. I am a believer in the Federal Trade Commission, and he is not; and I do not want any reproach to be brought upon the Federal Trade Commission.

Mr. REED. That would be difficult.

Mr. CUMMINS. The Federal Trade Commission has done nothing except to report to the committee, so far as I know, at the committee's request; and the commission, as a whole or as a body, has not acted at all in any way. A former member of the Federal Trade Commission was deeply interested in this subject, and he presented his views to the Interstate Commerce Committee. It was entirely proper for him to do it, because he was asked for his views. The matter has been entirely in the hands of the legislative committee, and not in the hands of the Federal Trade Commission.

Mr. REED. I am glad to know that; and if the Senator will pardon me for the remark——

Mr. NEWLANDS. Mr. President, will the Senator permit me to interrupt him?

Mr. REED. No; not until I get through; then I will yield. I want to say to the Senator from Ohio that it is not necessary for him to take the opinion of the "Senator from Missouri." The "Senator from Missouri" has never asked him to do that; but the "Senator from Missouri" insists that when a bill of this kind is brought to the attention of the Congress and its passage is insisted upon, there ought to be some reasons given for it.

Here is a bill that is a radical departure from all that we have been doing for 20 years. A report is filed, bearing the Senator's name, which gives no substantial reason for this revolutionary legislation. I have sat in the Senate awaiting some enlightenment by the Senator from Ohio with reference to the bill. I am now interested in knowing who is back of this bill, what potential forces have been urging this legislation for five years. I understand, of course, that the President has recommended some such legislation as this; but I want to know how many trust magnates and trust attorneys and men of that kind have been forcing this legislation forward.

Mr. CUMMINS. Mr. President, I can give the Senator from Missouri a partial answer to that question. So far as I remember, the first appearance before the Interstate Commerce Committee in behalf of legislation of this character was by a company—I mean, simply a body of men who had like interests—of lumber dealers or manufacturers from the Pacific coast who found difficulty, under the conditions that then existed, in marketing their product in foreign countries.

I do not remember that. I think they were very worthy gentlemen. I do not know them personally, but they seemed to me to be good citizens, and they presented their case in a very fair and reasonable way. Then came, later, the exporters of New York. I do not know whether they were organized in any formal association or not; but there is an association in New York—whether it is the New York Chamber of Commerce or some other body of that kind I do not know—which came before the committee and enlarged upon the subject, and presented, through their attorneys and through their representatives, a great many reasons which seemed to them imperative for legislation of this character. So it has gone on; and as I think the Senator from Ohio said, the testimony on the subject as a whole, both in the House and in the Senate, would probably fill two ordinary printed volumes. There is a great deal of learning extant upon it, but, after all, it meant just one thing, that as against the combination of foreign countries in a foreign market our exporters were at a disadvantage not only with regard to prices but especially with regard to the cost of doing business in a foreign country. I will give an illustration because I want to be absolutely fair about the matter. Here is a small exporter. His business is rather limited. He wants to do business in Rio de Janeiro or in the Argentine or in Africa or China. It is very expensive for him to maintain an establishment in the foreign country for the purpose of disposing of his goods as compared with the volume of the sales. He suffers great disadvantage in attempting to do business so far away from home under such large expense. It was said, and I can see the force of it, that if the manufacturers or the producers of any range of articles in this country desired to do business in a foreign country, and if they were permitted to employ a common agent who could transact the business for all of them in that country, they would not only be able to avoid the disadvantages of competition in that country among themselves but they would be able to very greatly reduce the cost of doing business.

Mr. REED. Mr. President——

Mr. CUMMINS. In just a moment. Just as soon as that proposition was made to the committee, and it was made by an attorney who spoke for these exporters, I asked whether it was his opinion that an arrangement of that kind honestly made and honestly carried out would constitute a violation of the antitrust law, and he answered unhesitatingly that in his opinion it would not constitute a violation of the antitrust law. I have made that inquiry of every man who has appeared before the committee qualified to express an opinion upon a subject of that kind, and without dissent it has been agreed that the very thing, or at least the chief thing, which they wanted to do they could lawfully do at the present time and under the present law, and that the only reason for legislation of this sort, or the principal reason anyhow, was that capital was sensitive, that capital shrank from enterprises concerning which there could be any doubt whatsoever, and that there were persons—now, I have never been able to find that person, but that there were persons who believe that the arrangement which I have outlined was a violation of the antitrust law, and in order to satisfy those distrustful and skeptical and suspicious minds it was necessary that the subject be made perfectly clear. It is with that in view that I have offered my amendments. Now, mark, I do not propose to repeal any part of the antitrust law. I propose to make it legislatively and explicitly lawful to do a thing which in my judgment can be done now without any modification whatsoever. Does the Senator from Missouri desire to have me yield to him?

Mr. REED. The Senator has completely covered the very matter I was going to suggest. I may be permitted perhaps to say, by way of reenforcing the argument of the Senator, that the argument put forward on behalf of the exporters, that they need to sell through a combination, is the only argument I have heard advanced in favor of this bill. I am clearly of the opinion, as is the Senator, that it is no violation of the Sherman Anti-Trust Act for a number of men to consign their goods to the same factor or the same agent in a foreign country, so that there is a common selling agency, provided they do not go further and use the agency to effectuate a restraint of trade.

But if there is any doubt about that, the doubt can be reached by a statute to the effect that nothing in the antitrust laws shall be held to prohibit or forbid the right of American citizens to sell their goods through a common selling agency in a European market. But even then there ought to be added a clause that if that agency is created by a combination of companies and individuals it shall be open for other American citizens to avail themselves of. However, the reason advanced for this legislation, the only reason anybody has advanced, is that which the Senator stated these gentlemen have advanced, and it is perfectly plain that that can be met without striking down the trust laws that we have been building up for 20 years.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Iowa yield to the Senator from Nevada?

Mr. CUMMINS. I yield to the Senator from Nevada.

Mr. NEWLANDS. The Senator announced a few moments ago that he did not regard the creation of a selling agency in foreign lands by producers or merchants engaged in the United States in the same business as a violation of the Sherman

antitrust law, and he states that he has not been able to find any lawyer who has held a contrary opinion. I ask the Senator whether he would regard the creation in the city of New York or other city of an agency by all the coal companies in Illinois or all the coal companies in Ohio for the sale of their coal as a violation of the Sherman antitrust law.

Mr. CUMMINS. Mr. President, the question is rather incomplete, probably, and I do not think I can answer it in just the form in which the Senator has proposed it, but I may answer it indirectly in this way: The statute prohibits restraint of trade, that is all, and there is no association which is unlawful unless it restrains trade. There are two kinds of restraints of trade. One is voluntary, the other involuntary. The voluntary restraint of trade is that restraint which results from agreement between persons or corporations which has a tendency to or which does destroy competition between them or which does fix prices as between them or which does something else which restrains trade. The involuntary restraint of trade is that restraint which the power of a combination imposes upon some one who is not a party to the combination.

In the case suggested by the Senator from Nevada it depends entirely on the terms and effect of the arrangement. I say that a common selling agency is not in and of itself a violation of the antitrust law, because I can not understand how the selection of a common agent in a foreign country for the disposition of goods manufactured in our own country would result in a restraint of foreign trade, and that is the criterion after all.

Mr. NEWLANDS. The Senator is aware that the coal producers of West Virginia and other States appeared some years ago before the Interstate Commerce Committee of the Senate and insisted that there were very many small producers who were subjected to great expense in marketing coal in the great cities, owing to the fact that each was compelled to employ a separate agency, and that they could not create a joint agency and thus diminish the cost of the general business. I think the Senator recalls that the view of the committee at that time and the view of the lawyers who appeared before us was that the creation of such an agency would have to be specially provided for by law in view of the provisions of the Sherman antitrust law.

Mr. CUMMINS. I do not think that was ever my view, although I do not remember that I so expressed it; but the answer to all that lies in the fact that in 1901 the United States Steel Corporation, or rather 100 or more competitive manufacturers united in the United States Steel Corporation, thus selecting a common agency not only for the manufacture but the sale and distribution of practically 50 per cent of the steel commodities of the United States. The validity of that common agency has been passed on, as I understand it, and at the present time it has been held that it is not a violation of the antitrust law. Why? Because its practices are said to have been beyond criticism, and it has not imposed what I have described as involuntary restraint upon any competitors. Just so I feel with regard to the selection of a common selling agency in a foreign country.

Mr. KELLOGG. Mr. President——

Mr. CUMMINS. I yield to the Senator from Minnesota.

Mr. KELLOGG. I should like to suggest to the Senator from Iowa that the Supreme Court of the United States held in a case involving a common agency of 24 paper companies in the Northwest that where those companies created a common selling agency, the agent having the right to fix all prices for the sale of the product and to divide among the manufacturing companies all profits above a certain figure, it was a violation of the Sherman antitrust act, as held in a suit brought by Attorney General Knox in his administration of that office. It was also held of a combination in West Virginia that substantially the same kind of a combination for a selling agency, created, the court said, for the purpose of controlling the selling price in this country was a violation of the Sherman Act.

I understand the Senator to say he does not believe that would be a violation as to foreign commerce, because the Sherman Act has no extra-territorial effect. In that regard I am inclined to think the Senator is right, although some lawyers disagree on the matter, and I believe when lawyers disagree the business men ought to have it made clear whether it is or is not illegal.

Mr. CUMMINS. I do not intend to enter just now upon a discussion of either the paper case or the coal case. I may do so at a later time. Both cases well deserve an analysis. As I look at them they are both in entire harmony with the proposition that I have announced so far as this amendment of mine is concerned. I have proposed the amendment in order to remove the very doubt which the Senator from Minnesota has just said has found lodgment in a great many minds. If it were not for that doubt I would not have offered the amendment at all.

Mr. President, now that the subject has been very fully opened, not alone by myself but through the interruptions and observations that have been made by various Senators, I hope the Senator from Ohio will see the wisdom of giving further opportunity for reflection. I think a great many Senators have not had their attention directed to the subject, nor have they appreciated its full importance, and inasmuch as very little time would be saved by going further this afternoon, I suggest to him the propriety of postponing additional discussion until the next session of the Senate.

Mr. POMERENE. I was advised a few minutes ago by the senior Senator from Virginia [Mr. MARTIN] that he is expecting the House to act on the Senate joint resolution this afternoon. He indulged the hope that we might continue the session until the joint resolution was messaged over here, so that it could be signed to-night by the Vice President.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. I yield to the Senator.

Mr. STONE. I desire to confirm that statement. I have just received a message to the effect that the House is voting upon the joint resolution which was sent to them to-day and that it would be sent to this body very soon. It is desired, if agreed to by the House, that it shall be signed by the Presiding Officer to-day.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nevada?

Mr. CUMMINS. I yield for a question.

Mr. NEWLANDS. The Senator from Iowa referred the Senator from Missouri [Mr. REED] to the chairman of the Interstate Commerce Committee. In answer to his query regarding the hearings I will state to the Senator from Missouri that I have in my hand the hearing before the House Judiciary Committee of July 18 and 20, 1916, upon the Webb bill; that is, the measure which is now before us. I also have in my hand the hearing before the Interstate Commerce Committee of the Senate on January 5, 1917, upon the bill after it came to the Senate.

Mr. SMOOT. What was the inquiry?

Mr. NEWLANDS. The Senator from Missouri inquired whether there were any hearings upon this subject and I give him that information.

Mr. REED. I thank the Senator. I had discovered one of the documents and am glad the Senator found the other.

Mr. CUMMINS. Mr. President, I do not intend to continue the discussion of this subject to-night. It is not exhausted, and I shall feel compelled at a later time to take up other phases of it. But I recapitulate now what I said in regard to the bill and my amendments. The bill repeals the antitrust law and the Clayton Act with regard to foreign trade. My amendment legalizes, if it is necessary to legalize, the establishment of a common selling agency in foreign countries. I am willing to go that far. I am willing to go no further. I sincerely hope that before we agree to repeal the beneficent provisions of the antitrust law Senators will have a clear comprehension of the ramifications of the law and the application to our own country. It is utterly impossible to repeal the antitrust law with regard to foreign trade without seriously impairing its vitality and its efficiency in domestic trade. It is utterly impossible to authorize combinations and agreements and monopolies of all kinds and sorts with reference to our foreign trade and at the same time preserve intact our protection under the Sherman law with regard to domestic trade. It is beyond human power to disassociate the two things so that we may free the one of all restraints and preserve the control which we have attempted to exercise over the other.

I believe, therefore, that whatever we desire to do for the exporters of the country—and I have pointed out what I desire to do—we ought to do affirmatively and not blindly repeal a great and general law without any fair understanding of the consequences that will ensue. We ought to limit our remedial legislation to the very thing which we are willing our exporters shall do and which some overfearful persons believe they can not do under the law as it is.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Connecticut?

Mr. CUMMINS. I yield to the Senator.

Mr. BRANDEGEE. Referring to the paper case and the coal case cited by the Senator from Minnesota [Mr. KELLOGG], in which it was held that a foreign selling agency and arrangement was a violation of the Sherman antitrust law, where the selling agent had the power to fix the prices for all his clients, I wish to ask the Senator from Iowa if it is his understanding.

in regard to the foreign selling agencies, the proponents of this measure wish to establish that they expect to clothe those agencies with power to fix prices. I ask the Senator if that is his understanding of what they want?

Mr. CUMMINS. That is a point very carefully avoided in the amendment. I do not propose to cover it at all. I do not intend to modify the antitrust law in that respect. I intend to give exporters authority to establish a common agency, but that common agency must not do anything that will restrain foreign trade; and I leave that to the interpretation and construction of the courts.

Mr. BRANDEGEE. I meant by the question simply to bring out what, of course, is a great difference between the cases cited by the Senator from Minnesota and a foreign agency that sold for the different members it represented at prices fixed by the members themselves.

I agree with the Senator from Iowa that the mere operation by several exporters through the same foreign selling agency does not at all constitute a violation of the Sherman Antitrust Act; but, of course, I think clearly that the giving to the same agent the power to sell the products of different mills owned by members of an association at prices to be fixed by the agent might constitute a combination in restraint of commerce and trade.

Mr. CUMMINS. Mr. President, I am not at all prepared to admit that that would be true with regard to a foreign agency. I can easily conceive a single agency in Brazil for a series of competitive commodities established by rival manufacturers or producers in the United States. Now, if those who enter into the agency were to attempt to give the common agent the authority to fix a common price for like articles for sale in Brazil, the question whether such an arrangement would constitute a restraint of our trade with foreign nations is very different from the question which would arise if a series of domestic manufacturers of paper were to establish in the United States a common agency and give the common agent the right to establish a common price. The two questions would not be the same at all. It is true that the language of the law is the same with regard to domestic trade that it is with regard to foreign trade, but the consequences of the act must always be the determining factor in reaching a conclusion as to whether there is a violation of the law or not. In the case of Brazil there might not be, and I think would not be, any consequences that would affect the foreign trade of the United States. In the case in the United States the consequences might be very different, and I can easily see would be different in many respects; but those are difficult and doubtful questions of law, which probably no matter how we settle them here might have little influence in their settlement elsewhere.

Mr. BRANDEGEE. Mr. President, I simply wish to state that I was a member of the Committee on Interstate Commerce at the time the testimony was taken upon this proposed measure, and I did not understand then from any of the testimony that it was proposed to attempt the constitution of a foreign selling agency representing an association of producers in this country and allowing the agency abroad to fix the price and to have that thing legalized; nor did I understand that it was contemplated—at least I mean it did not appear from the testimony—that any of the proponents of this measure intended by the establishment of foreign common sales agencies to fix prices below which no sales should be made.

To my mind, if they could do that legally through a foreign selling agency, it might result—and, as the Senator from Iowa says, whether it is legal or not might depend upon the result of the method—in an actual inhibition of foreign commerce in certain lines of product. I do not assume that the men engaged in the making of steel in this country could all get together in this country and agree that they would not sell a pound of steel below a certain price without violating the Sherman antitrust law; but if they can agree that they will not sell a pound of steel abroad for less than a certain sum through a foreign sales agency it seems to me that that is—well, that it is in violation of the Sherman antitrust law; it inhibits to a certain extent and might entirely inhibit our foreign commerce in that article.

The reason why I called attention to the matter was that the two cases cited by the Senator from Minnesota only declared a selling arrangement illegal where the attempt to pool the goods, so to speak, and fix the price are combined in one foreign sales agency. It does not touch the instance such as I supposed the proponents of this measure wanted to cover.

Mr. VARDAMAN. Mr. President, I am not going to detain the Senate by a discussion of this bill this afternoon. It is a subject that should be given very careful and exhaustive consideration before it is disposed of. The Congress should be careful in dealing with such matters lest greater harm might be done than possible good effected. A great deal of new legislation will probably be proposed at this session of Congress; I am always glad to receive suggestions—a new thought or an idea are of immense value in these abnormal times. But, I repeat, we should be careful, and no legislation of a permanent character should be enacted that could safely be postponed until after the war is over. The fevered brain is a veritable "Pandora's box" of mistakes, and an error is often more perplexing and productive of harm than a deliberate crime. There is no function in the social life of Americans more potential of good or evil than that of the editor of a great newspaper or magazine. Its influence extends throughout the land and its consequences are felt even by generations yet unborn.

Mr. President, in wading through the enormous mass of commonplace editorial stuff which fills the metropolitan newspapers nowadays one becomes tired with the pernicious monotony. Most of these editors write what they are told to write and support the policies agreed upon by the patriots for pelf. To run upon something really virile, vigorous, healthy in morals, and sound in economics, such as the editorial which appeared on the first page of the Washington Times of the afternoon of yesterday, is refreshing. I am going to ask permission to insert this editorial in the RECORD. It is worthy of a place there. I wish every patriotic American could read it. Its patriotism is refreshing and the salutary lesson which it teaches ought to bear good fruit. I especially commend it to the Committee on Interstate Commerce, to which I shall ask that it be referred. I ask that it be inserted in the RECORD, without reading, unless some Senator desires to have it read.

There being no objection, the editorial referred to was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

[From the Washington Times, Dec. 6, 1917.]

RAILROAD STOCKS JUMP—WELL THEY MAY JUMP—PUBLIC INDIGNATION WILL JUMP ALSO.

New Haven Railroad stock jumped nicely yesterday. Rock Island jumped also.

Shareholders in these two companies have been robbed in the most artistic manner by railroad "management."

Long ago honest, disheartened stockholders sold out.

Stocks of these railroads that have been exploited, robbed, and gutted by private ownership are suddenly put up in price by the Wall Street gamblers.

Do you ask why?

Because it is proposed to turn over public money to the railroads, lending them the public's cash, increasing the rate that the public pays, guaranteeing profit on rascally mismanagement.

Is this proposition going through as a "war measure"?

If it does go through, then any kind of public thieving should thrive in the name of war.

The railroads are running at full capacity. Their receipts are gigantic.

They have shown themselves incompetent and inefficient.

Why should the public be taxed to lend money to these private railroad owners and their roads, made bankrupt by dishonesty or inefficiency?

Why should the public be taxed again to increase the high rate already paid for freight and passengers?

And why should the public be taxed to guarantee dividends on watered stock and on bonds of which the underlying value has been stolen?

The Government should take over the railroads, of course—commandeering them, as the Government has commandeered ships, human lives, and other things needed.

The Government should take the roads and pay at its leisure what they are worth—not a dollar more, regardless of the watered stocks and the watered bonds issued.

It is easy to print stocks and bonds. It ought not to be easy to make the public pay for the work of the printing press more than the printed paper is worth.

The Government calls a man, takes his life—and does not guarantee him profit on the business that he is compelled to leave behind him.

The Government, by monopolizing, as it must and should do, steel and coal, will cripple or ruin thousands of individual manufacturers and perhaps entire industries. But it does not guarantee profits or make loans at public expense to such individuals or industries.

Why this tender sympathy for railroads and railroad stocks, and for the very rich men that have bought stocks after dishonest mismanagement had put the prices low?

If Congress has money left to spend on sympathy, let the money be given to the thousands of women of New England that were made poor by the thieves that looted the New Haven road. Some of these prosperous thieves are now conspicuous as patriots, riding around in private cars—one car for one man—while the little business man can't get a freight car for his product or his coal.

Some of these patriot railroad thieves are basking in public favor because they buy liberty bonds with money stolen from the estates and families of honest men, or because they give a small percentage of their stealing to the Red Cross or the Y. M. C. A.

They are conspicuous in Washington; they presume to advise the Government what to do and how to do it.

We give them full credit for their cunning and their success, but there ought to be a limit to the success, and there will be a limit.

You hear that it is proposed, as a measure of economy, to cut twenty-five millions from the pay of honest servants of the Government, from overworked and underpaid clerks in the departments, from letter carriers, burdened with the heavy load of wartime, from mail clerks deprived of rest, exhausted by long hours.

And at the same time comes the official suggestion that railroad incompetency, inefficiency, mismanagement, and dishonesty be rewarded with increased freight and passenger rates, huge Government loans,

taken by taxation out of the pockets of heavily taxed citizens, and profits on watered securities guaranteed by the public. This is, indeed, delightful impertinence.

Public servants, faithful, efficient, and underpaid, already impoverished by the increased cost of living and the diminished value of the dollar, are to have their pay reduced.

Incompetent and dishonest railroads are to receive in loans to rebuild their neglected property money taken from the taxpayers' pockets and upon their incompetency, dishonesty, and mismanagement the public pocket is to guarantee dividends.

If this goes through, the pickpocket and the forger, the slacker and the defaulter should form themselves into an army, march on the Capitol, and say, "This is war and we need money; please lend us what we want and guarantee us a profit on our professional activities."

The Nation should not put a dollar into a railroad unless the Nation is permanently to own that railroad.

The nation which does not guarantee the honest farmer a profit on his farm or to the honest business man a profit on his business has no right to guarantee any profit to the notoriously mismanaged and dishonestly exploited railroads of the United States.

This newspaper is convinced that the power and influence of the President will successfully oppose the suggestion that the public pocket should become the property of the privately owned railroad.

We do not believe that Congress will permit the private car profiteers to put their dipper into the billions that are being poured out.

If Congress should permit it, the public now or a little later will find a way of making Congress know what it thinks of the transaction.

The people will endure much and sacrifice everything to win the war—they gladly applaud conscription of their lives and of their money for war.

But the people will not permit in the name of war or anything else the financing of a dishonest railroad system at the expense of a heavily taxed people.

The Government does not hesitate to say to a million mothers, "Give me your son; I need his life, and I will pay you my price—$1 a day."

That being the case, the same Government should not hesitate to say to the little group that own the railroads: "Give me those railroads; I need them; I'll pay you a fair price; I'll keep them; I'll operate them; I'll make them efficient—what you have never done."

We are at war, and it would be a fine thing to say to the people of a republic: "Your lives are public property, your money is public property; but the railroads and its owners are private, sacred—stocks and bonds are more precious than the lives of citizens. Government stands in awe of railroads and watered stock has a greater claim upon Government sympathy than honest business."

RECESS.

Mr. GALLINGER. Mr. President, what is the question before the Senate?

The VICE PRESIDENT. The Chair understands that the sole question remaining is to receive the joint resolution when it comes over finally from the House of Representatives.

Mr. GALLINGER. Then we might as well take a recess in proper form, rather than to engage in general conversation.

Mr. POMERENE. I move that the Senate take a recess for 20 minutes.

The motion was agreed to; and (at 4 o'clock and 10 minutes p. m.) the Senate took a recess for 20 minutes.

On the expiration of the recess the Senate reassembled, and the Vice President resumed the chair.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the joint resolution (S. J. Res. 111) declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States, and making provision to prosecute the same.

The message also announced that the House had passed the bill (S. 2334) to authorize absence by homestead settlers and entrymen, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED.

The message announced that the Speaker of the House had signed the enrolled joint resolution (S. J. Res. 111) declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States, and making provision to prosecute the same, and it was thereupon signed by the Vice President.

PROMOTION OF EXPORT TRADE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2316) to promote export trade, and for other purposes.

Mr. POMERENE. Mr. President, I understand that no Senator cares to speak further on this bill to-day. I move that the Senate adjourn until 12 o'clock on Monday next.

The motion was agreed to; and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, December 10, 1917, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 7, 1917.

ASSISTANT SECRETARY OF THE TREASURY.

Russell C. Leffingwell, of New York, to be Assistant Secretary of the Treasury. (New office.)

Mr. Leffingwell is now serving under a temporary commission issued during the recess of the Senate.

MEMBERS OF THE AIRCRAFT BOARD.

Howard E. Coffin, of Michigan, to be chairman of the Aircraft Board, to which office he was appointed during the last recess of the Senate, to fill an original vacancy.

Richard Howe, of New York, to be a member of the Aircraft Board, to which office he was appointed during the last recess of the Senate, to fill an original vacancy.

AID IN COAST AND GEODETIC SURVEY.

William Daryl Patterson, of Wisconsin, to be aid in the Coast and Geodetic Survey, Department of Commerce.

SURVEYOR OF CUSTOMS.

William M. Ingraham, of Portland, Me., to be surveyor of customs in customs collection district No. 1, with headquarters at Portland, Me., in place of Cyrus W. Davis, deceased.

Mr. Ingraham is now serving under a temporary commission issued during the recess of the Senate.

RECEIVERS OF PUBLIC MONEYS.

Abraham Hogeland, of Montana, to be receiver of public moneys at Lewistown, Mont., his term having expired. (Reappointment.)

Augustus J. Schroer, of Ellendale, N. Dak., who was appointed October 22, 1917, during the recess of the Senate, to be receiver of public moneys at Minot, N. Dak., vice William O'Leary, who entered military service.

Leroy E. Cummings, of South Dakota, to be receiver of public moneys at Pierre, S. Dak., his term having expired. (Reappointment.)

EXPLOSIVES INSPECTORS.

The following named, who were appointed during the recess of the Senate to be explosives inspectors for the States named, respectively, under the provisions of the act of Congress approved October 6, 1917:

Walter K. McAdory, of Birmingham, Ala.
Edward L. Shaw, of Phoenix, Ariz.
Edwin T. Reaves, of Little Rock, Ark.
John M. Griffin, of Madera, Cal.
Thomas S. Price, of Longmont, Colo.
James E. McGann, of New Haven, Conn.
William F. Hoey, of Frederica, Del.
Clarence E. Woods, of Eustis, Fla.
Carlos H. Mason, of Atlanta, Ga.
Edgar S. Elder, of St. Maries, Idaho.
William A. Compton, of Macomb, Ill.
Lemuel T. Osborn, of Mount Vernon, Ind.
John J. Hughes, of Council Bluffs, Iowa.
Thomas S. Rhea, of Russellville, Ky.
Isaac A. Broussard, of Breaux Bridge, La.
Leon O. Tebbetts, of Waterville, Me.
Daniel F. O'Connell, of Fitchburg, Mass.
Albert E. Stevenson, of Port Huron, Mich.
Madison C. Bowler, of Minneapolis, Minn.
Ellis S. Middleton, of Pocahontas, Miss.
Walter L. Lampkin, of Kansas City, Mo.
Jeremiah W. Farrell, of Joliet, Mont.
Charles F. Clark, of David City, Nebr.
Denver S. Dickerson, of Carson City, Nev.
Andrew W. Bingham, of Littleton, N. H.
Nicholas Hughes, of Paterson, N. J.
Edward D. Jackson, of Buffalo, N. Y.
Miles C. Stewart, of Carlsbad, N. Mex.
Daniel A. McDonald, of Carthage, N. C.
William P. Porterfield, of Fargo, N. Dak.
Jasper S. Kinslow, of Columbus, Ohio.
Fred Rains, of Muskogee, Okla.
William N. Campbell, of Medford, Oreg.
John W. Rittenhouse, of Scranton, Pa.
Francis E. Sullivan, of Providence, R. I.
William Banks, of Columbia, S. C.
Albert M. Leach, of Clarksville, Tenn.
Charles B. Watters, of San Antonio, Tex.
David C. Dunbar, of Salt Lake City, Utah.
Park H. Pollard, of Proctorsville, Vt.
Martin Williams, of Pearisburg, Va.
Walter G. Ronald, of Seattle, Wash.
Edwin M. Gilkeson, of Parkersburg, W. Va.
James A. Berry, of Basin, Wyo.
D. C. Sargent, of Cordova, Alaska, for the Territory of Alaska.

PUBLIC HEALTH SERVICE.

Passed Asst. Surg. Hugh de Valin to be surgeon in the Public Health Service, to rank as such from September 21, 1917.

Passed Asst. Surg. Marshall C. Guthrie to be surgeon in the Public Health Service, to rank as such from September 9, 1917.

Asst. Surg. Howard F. Smith to be passed assistant surgeon in the Public Health Service, to rank as such from September 18, 1917.

Asst. Surg. Lon O. Weldon to be passed assistant surgeon in the Public Health Service, to rank as such from September 16, 1917.

The above-named officers have served the required time in their present grades and have passed the necessary examination for promotion.

PROMOTIONS IN THE NAVY.

Commander Charles L. Hussey to be a captain in the Navy from the 1st day of July, 1917.

Lieut. Commander Ernest J. King to be a commander in the Navy from the 1st day of July, 1917.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 7th day of June, 1916:

Andrew L. Haas and
Raymond Asserson.

The following-named surgeons to be medical inspectors in the Navy from the 15th day of October, 1917:

Charles St. J. Butler,
Herbert O. Shiffert,
John H. Iden,
Louis W. Bishop, and
Ulys R. Webb.

The following-named passed assistant surgeons to be surgeons in the Navy from the 1st day of July, 1917:

Clarence E. Strite,
Howson W. Cole, and
Edgar L. Woods.

The following-named passed assistant surgeons to be surgeons in the Navy from the 15th day of October, 1917:

Robert C. Ransdell,
Edwin L. Jones,
Thomas G. Foster,
Condie K. Winn,
John B. Kaufman,
Matthew H. Ames,
Ausey H. Robnett,
James P. Haynes,
Abraham H. Allen,
Andre E. Lee,
Heber Butts,
Philip E. Garrison,
Thomas W. Raison, and
John O. Downey.

The following-named assistant surgeons of the United States Naval Reserve Force to be assistant surgeons in the Navy, for temporary service, from the 19th day of November, 1917:

Carlton L. Andrus and
Esdras J. Lanois.

The following-named assistant surgeons of the United States Naval Reserve Force to be assistant surgeons in the Navy, for temporary service, from the 23d day of November, 1917:

Floyd G. Tindall and
George A. Alden.

Oliver S. Powell, a citizen of South Dakota, to be an assistant paymaster in the Navy from the 29th day of September, 1917.

Civil Engineer Charles W. Parks, with rank of commander, to be a civil engineer in the Navy with rank of captain from the 1st day of July, 1917.

Gunner Henry McEvoy to be a chief gunner in the Navy from the 21st day of December, 1915.

Pay Clerk William R. Parker to be a chief pay clerk in the Navy from the 17th day of August, 1917.

Commander John R. Y. Blakely to be a captain in the Navy from the 1st day of July, 1917.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July, 1917:

Henry C. Mustin and
Harry K. Cage.

Lieut. George P. Brown to be a lieutenant commander in the Navy from the 29th day of August, 1916.

Lieut. William L. Calhoun to be a lieutenant commander in the Navy from the 23d day of May, 1917.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1917:

Walter B. Decker and
Leo F. Welch.

Lieut. (Junior Grade) Stephen B. McKinney to be a lieutenant in the Navy from the 10th day of August, 1916.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 5th day of June, 1917:

Harold S. Burdick,
Fitzhugh Green,
William N. Richardson, jr., and
Dennis E. Kamp.

Ensign Frank G. Kutz to be a lieutenant (junior grade) in the Navy from the 30th day of July, 1916.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 6th day of June, 1917:

William E. Malloy,
Thomas F. Downey, and
Charles A. Macgowan.

Midshipman Earl S. Hurlbut to be an ensign in the Navy from the 30th day of March, 1917.

The following-named medical inspectors to be medical directors in the Navy from the 15th day of October, 1917:

Robert M. Kennedy,
Norman J. Blackwood,
Sheldon G. Evans,
Adrian R. Alfred,
Charles M. De Valin,
Lewis Morris,
James F. Leys, and
Frank C. Cook.

Surg. Barton L. Wright to be a medical inspector in the Navy from the 1st day of July, 1917.

The following-named surgeons to be medical inspectors in the Navy from the 15th day of October, 1917:

Ralph W. Plummer,
John J. Snyder,
Edward M. Blackwell,
George F. Freeman,
Robert E. Ledbetter,
Samuel S. Rodman,
John M. Brister,
Frederick A. Asserson,
Henry A. Dunn,
Allan Stuart, and
Charles M. Oman.

The following-named assistant surgeons of the United States Naval Reserve Force to be assistant surgeons in the Navy from the 9th day of November, 1917:

Lawrence K. McCafferty,
Stephen R. Mills,
James A. Brown,
Albert N. Champion,
Alvin L. Mills,
Millard F. Hudson,
Isaac Dellar,
Harold E. Ragle, and
Lawrence T. Hopkins.

The following-named assistant surgeons of the United States Naval Reserve Force to be assistant surgeons in the Navy, from the 17th day of November, 1917:

Richard A. Kern,
John C. Roe,
Nelson W. Sheley,
David Ferguson, jr.,
Lewis G. Jordan,
William C. Blake,
LeVal Lund,
George N. Herring,
Brockton R. Lyon,
Alvin E. Kuhlmann,
Jack S. Terry,
Herold P. Hare,
Charles L. Dugan,
W. Newton Long,
Walter N. Secord,
Wilbur F. Thayer,
Walter S. Harmon,
James L. Reycraft,
George M. Constans,
James E. Harvey,
Warren D. Horner,
John N. N. Osburn,
Rollo W. Hutchinson,

Albert E. Leggett,
Francis J. Teneczar,
George F. J. Kelly,
William F. McAnally,
Norman S. Cooper,
Frank H. Clements,
John S. Cronin,
Edward F. Mullaly,
Harry H. Slominski,
Joseph C. Keller,
John L. Frazier, jr.,
Rudolph E. Kriz,
George O. Cummings,
Hugh J. Duffy,
Daniel W. Sooy,
Joseph A. Hubbell,
John R. Poppen,
Frank P. Werner,
Arthur J. White,
Linwood H. Johnson,
Edwin W. York,
Joseph P. Corgan,
James M. Brown,
Eugene C. Lowe,
William McC. Miller,
Luther W. Boggs,
William P. Gilmer,
John L. Fisher,
Edward D. Andrews,
Albert K. Dunlap,
Charles S. Neves,
Edward C. Melton,
James R. Byrne,
Hardy V. Hugheus,
Edwin C. Ebert,
George W. Millett,
Thomas J. Courtney,
Vachelle E. Harmon,
John T. Stringer,
Frank H. Cantlin,
Austin I. Dodson, and
Martin J. Costello.

The following-named assistant surgeons of the United States Naval Reserve Force to be assistant surgeons in the Navy, for temporary service, from the 17th day of November, 1917:

George A. Eckert,
Edward F. Stadtherr,
Leland M. McKinlay,
Ransom H. Holcomb,
Milton B. Clayton,
John H. Robbins,
James E. Miller,
James D. Rives,
Elmer F. Lowry,
Elwood A. Sharp,
Cola Castelloe,
George L. McClintock,
Edward M. Lundegaard,
Alton L. Grant, jr., and
Archibald O. M. Wood.

Pay Insp. Barron P. DuBois to be a pay director in the Navy from the 1st day of July, 1917.

Paymaster William T. Gray to be a pay inspector in the Navy from the 29th day of August, 1916.

Paymaster Robert H. Orr to be a pay inspector in the Navy from the 25th day of April, 1917.

The following-named paymasters to be pay inspectors in the Navy from the 1st day of July, 1917:

Charles Morris,
George C. Schafer,
George R. Venable,
Trevor W. Leutze,
Theodore J. Arms, and
David V. Chadwick.

Passed Asst. Paymaster Harry E. Collins to be a paymaster in the Navy from the 29th day of August, 1916.

Passed Asst. Paymaster John H. Gunnell to be a paymaster in the Navy from the 25th day of April, 1917.

Asst. Paymaster David T. Chalmers to be a passed assistant paymaster in the Navy from the 29th day of August, 1916.

Machinist Charles O. Hathaway to be a chief machinist in the Navy from the 31st day of December, 1916.

Pay Clerk John H. Seifert to be a chief pay clerk in the Navy from the 28th day of March, 1917.

Pay Clerk Joseph O'Reilly to be a chief pay clerk in the Navy from the 15th day of July, 1917.

The following-named officers to be lieutenant commanders in the Navy, for temporary service, from the 15th day of October, 1917:

Emil A. Lichtenstein,
Albert M. Cohen,
George M. Ravenscroft,
Arie A. Corwin,
Harry J. Abbett,
George McC. Courts,
Charles W. Crosse,
Frank D. Pryor,
Claudius R. Hyatt,
Roy P. Emrich,
Jacob H. Klein, jr.,
John S. Barleon,
William T. Smith,
Jacob L. Hydrick,
Stephen B. McKinney,
Louis F. Thibault,
Baxter H. Bruce,
Henry R. Keller,
Walter F. Lafrenz,
George C. Logan,
Clarence McC. McGill,
George H. Laird,
John B. Earle,
Harold V. McKittrick,
Henry G. Shonerd,
Charles T. Blackburn,
George T. Swasey, jr.,
Ellis Lando,
Ralph B. Horner,
Thomas A. Symington,
Harlow T. Kays,
Robert C. Giffen,
Richard E. Cassidy,
Richard S. Galloway,
Clarence N. Hinkamp,
Riley F. McConnell,
Ralph R. Stewart,
George Joerns,
Ralph C. Parker,
Leslie E. Bratton,
Ezra G. Allen,
Emanuel A. Lofquist,
Henry C. Gearing, jr.,
Elmer W. Tod,
Thaddeus A. Thomson, jr.,
William F. Amsden,
George W. Simpson,
Reuben R. Smith,
Samuel L. Henderson,
Homer H. Norton,
Charles S. Keller,
Alfred H. Miles,
Harold H. Ritter,
Joseph Baer,
Carl C. Krakow,
James Parker, jr.,
Elmo H. Williams,
Charles F. Pousland,
John F. Cox,
Grattan C. Dichman,
George N. Barker,
Harry A. McClure,
Charles C. Windsor,
Louis J. Gulliver,
Newton L. Nichols,
Francis A. L. Vossler,
Cortlandt C. Baughman,
Richard B. Coffman,
Jonas H. Ingram,
Emory F. Clement,
Louis C. Scheibla,
Schuyler F. Heim,
Edmund D. Almy,
Jere D. Brooks,
Robert F. Gross,
Patrick N. L. Bellinger,
William T. Mallison,
Newton H. White, jr.,
Burton A. Strait,

Seymour E. Holliday,
Forney M. Knox,
Samuel A. Clement,
Herman E. Welte,
Richard F. Bernard,
Richmond K. Turner,
Alexander M. Charlton,
John W. Rankin,
Henry F. D. Davis,
Kirkwood H. Donavin,
Oscar Smith, jr.,
Herbert A. Jones,
Henry T. Markland,
William R. Smith, jr.,
William W. Turner,
Joseph J. Broshek,
Frank J. Wille,
Haller Belt,
Eugene E. Wilson,
Abel T. Bidwell,
Harold W. Boynton,
Rensselaer W. Clark,
Walter K. Kilpatrick,
Edwin F. Cutts,
Edward J. Foy,
Edward H. Loftin,
Harry B. Hird,
Nelson W. Pickering,
Harry A. Badt,
James B. Oswald,
Clyde G. West,
George H. Emmerson,
Norman R. Van der Veer,
David C. Patterson, jr.,
Francis W. Rockwell, and
Sydney M. Kraus.

The following-named officers to be lieutenants in the Navy, for temporary service, from the 15th day of October, 1917:

George Marvell,
Benjamin H. Page,
Frank J. Cunneen,
Allan W. Ashbrook,
Raymond A. Deming,
Charles T. S. Gladden,
Benjamin S. Killmaster,
Robert A. Dyer, 3d,
Raymond S. Hatch,
James E. Boak,
William A. Heard,
Charles H. Mecum,
George T. Howe,
Rudolph F. Hans,
Simson C. Stengel,
Wilder D. Baker,
Julius M. Moss,
Boleslaw L. Dombrowski,
Robert S. Wyman,
Lewis H. McDonald,
Thomas F. Downey,
Horace H. Jalbert,
George S. Arvin,
Foster C. Bumpus,
Harold J. Nelson,
William C. Burgy,
Frank P. Thomas,
Ralph O. Davis,
Francis K. O'Brien,
Sifrien F. Maury,
Martin Griffin,
Marion Y. Cohen,
William F. Roehl,
Malcolm W. Callahan,
Thomas C. Slingluff,
Donald F. Washburn,
Stuart D. Truesdell,
William S. Popham, jr.,
Frederick D. Powers,
Robert H. Maury,
Thomas C. Latimore,
Robert W. Cary,
Karl R. Shears,
Lloyd J. Wiltse,
Leon O. Alford,
Paul W. Fletcher,
Lawrence J. K. Blades,
Henry W. Hoyt,
Robert C. Starkey,
William D. Austin,
Joseph C. Arnold,
Philip R. Weaver,
Charles A. Macgowan,
Robert P. Luker,
Clarence J. McReavy,
Oliver O. Kessing,
John F. Moloney,
Delorimier M. Steece,
Wallis Gearing,
William K. Beard,
Paul Fitzsimons, jr.,
John H. Brown, jr.,
William D. Bungert,
Haiden T. Dickinson,
Lewis J. Stecher,
Malcolm L. Worrell,
Ralph G. Pennoyer,
Harry J. Reuse,
Walter D. Snyder,
John D. Pennington,
Thomas L. Shannon,
Morris J. Lenney,
Lynde D. McCormick,
Mark L. Sperry, jr.,
Arthur C. Davis,
Wesley J. Shofner,
Oliver H. Ritchie,
Merrill T. Kinne,
Arthur D. Struble,
Walter A. Hicks,
Warner P. Portz,
Leverett S. Lewis,
Frederic P. Culbert,
Frederick W. Pennoyer, jr.,
Howes Bodfish,
Benjamin F. Perry,
Richard W. Bates,
Louis R. Moore,
Claude O. Kell,
Roy de S. Horn,
James M. Shoemaker,
Winfred H. A. Pike, jr.,
Gerard H. Wood,
Melville C. Partello,
Kendall Preston,
Robert O. Glover,
Lloyd V. H. Armstrong,
John F. Bates, jr.,
Melville W. Powers,
John H. Rockwell,
Howard L. Vickery,
Archie E. Glann,
Vincent H. Godfrey,
Harry H. Chenoweth,
Hugh G. Eldredge,
Stuart B. Clark,
Edward E. Hazlett, jr.,
John C. Lusk,
Norwood G. Calvert,
Leon B. Scott,
Charles F. Osborn,
George P. Lamont,
William H. Bowman,
Walter M. A. Wynne,
Scott Umsted,
Myron J. Walker,
Finney B. Smith,
William J. Lorenz,
Powell McC. Rhea,
Edouard V. M. Isaacs,
Henry P. Burnett,
Edwin S. McCoach,
Hubert E. Paddock,
Donald MacL. Dalton,
Theodore E. Chandler,
Herbert V. Wiley,
Ivan M. Graham,
Samuel R. Shumaker,
Frank D. Wagner,
Stephen H. Matteson,
Otto Nimitz,
Glenn H. Easton,

Barton W. Chippendale,
Allan R. Wurtele,
Thomas G. Peyton,
Samuel P. Jenkins,
Cornelius W. Flynn,
Nelson J. Leonard,
William Granat,
Robert T. Darrow,
Robert M. Farrar,
Armit C. Thomas,
Ryland D. Tisdale,
George W. Grove,
Walter J. Confer,
Alan Barnett,
Julius C. Delpino,
Homer W. Graf,
John D. Small,
Romeo J. Jondreau,
Robert W. Clark,
John B. Kneip,
George C. Hill,
Francis S. Low,
James P. Brown,
Francis M. Mail, jr.,
Winthrop Winslow,
Frank C. Huntoon,
William J. Nunnally, jr.,
Earle W. F. Childs,
Alexander S. Wotherspoon,
Philip C. Morgan,
Robert M. Fortson,
Marcus C. Miller,
Forrest B. Royal,
John L. McCrea,
Morris H. Spriggs,
Frederick G. Richards,
Marshall B. Arnold,
Noble Withers,
Roswell H. Blair,
Tully Shelley,
Elmer R. Henning,
Dallas D. Dupre,
Nathaniel M. Pigman,
John S. Farnsworth,
Horace D. Clarke,
Edward Breed,
Thomas G. Brown,
James E. Maher,
Irving R. Chambers,
Alexander G. Hatch,
Allan E. Smith,
Leighton Wood,
Chester E. Lewis,
Harvey E. Overesch,
Stuart A. Maher,
Homer H. H. Harrison,
Ralph Kiely,
Allen G. Quynn,
John Morris Field, jr.,
David McL. Collins,
Archer E. King, jr.,
Daniel W. Armstrong,
Harold O. Hunter,
George C. Kriner,
Forrest K. Libenow,
Clifford G. Richardson,
Dewitt C. Watson,
James M. Lewis,
Raymond Burheu,
Jonathan H. Sprague,
Millard G. Gamble, jr.,
Myron W. Hutchinson, jr.,
John H. Campman,
Isaac Schlossbach,
Henry S. Clark, jr.,
John J. Mahoney,
Ralph W. Christie,
Robert M. Parkinson,
Lewis L. Stedman,
James R. Kyle, jr.,
Preston Marshall,
William D. Thomas,
Lyman B. Hoops,
Hilbert A. Fisher,
William S. Hactor,
Samuel R. Deets,
John S. Ray,
William M. Snelling,
Claude C. Vickrey,
Joseph H. Chadwick,
Albert R. Stephan,
Arthur Landis,
Elmer B. Hough,
William D. Sullivan,
Albert Osenger,
Eugene G. Herzinger,
Richard S. Bulger,
Adolph J. Merkt,
Horace E. Burks,
Henry M. Mullinnix,
Norman P. Earle,
Ralph E. Davison,
Don P. Moon,
Russell S. Berkey,
Robert C. Bourne,
George F. Hussey, jr.,
Thomas J. Keliher, jr.,
Osborne B. Hardison,
Hugo Schmidt,
Russell S. Hitchcock,
Clinton E. Braine, jr.,
Willis C. Sutherland,
Laurence F. Safford,
Arthur C. Miles,
William M. Fechteler,
Frank W. Wead,
Robert A. Awtrey, and
Conrad A. Krez.

The following-named officers to be lieutenants (junior grade) in the Navy, for temporary service, from the 15th day of October, 1917:

Joseph W. Paige,
Forrest P. Sherman,
William R. Nichols,
Ernest B. Colton,
Joseph W. Fowler,
William H. Hopkins, jr.,
William J. Malone,
Oscar H. Holtmann,
Lawrence B. Richardson,
James Fife, jr.,
Moses B. Byington, jr.,
Frank R. Dodge,
George T. Cuddihy,
William W. Warlick,
Vincent R. Murphy,
Ralph S. McDowell,
Henry A. Hutchins, jr.,
Charles W. Styer,
Thomas L. Sprague,
Owen E. Grimm,
Einar R. Johnson,
Martin J. Connolly,
Pal L. Meadows,
John D. Crecca,
Olton R. Bennehoff,
Frederick L. Douthit,
Frederick S. Holmes,
Thomas B. Inglis,
Earl E. Stone,
James D. Jacobs,
John J. Ballentine,
Edwin H. Price,
Everett B. Browne,
John R. Sullivan,
James V. B. Lawyer,
John D. Alvis,
John N. Whelan,
Daniel W. Tomlinson,
Edward F. McCartin,
Hayden H. Smith,
Donald A. Green,
Clifton A. F. Sprague,
Thaddeus A. Hoppe,
Clifton E. Denny,
Thedore F. C. Walker,
Joseph J. Clark,
George C. Hawkins,
Albert M. Bledsoe,
Bronson P. Vosbury,

Harold Biesemeier,
Miles R. Browning,
William C. Wade,
Herman E. Halland,
Roy T. Gallemore,
Stanley D. Jupp,
Albert F. France, jr.,
Perry R. Taylor,
Robert T. Whitten,
John S. McReynolds,
Walter S. Macaulay,
Staley H. Gambrill,
George G. Breed,
James L. Fisher,
David E. Cummins,
Robert B. Parker,
Julian D. B. Wilson,
Samuel H. Hurt,
Wilber M. Lockhart,
Henry Y. McCown,
William Busk,
George W. Johnson,
Henry E. Thornhill,
Jacob H. Jacobson,
Ion Pursell,
J. Warren Quackenbush,
Philip L. Emrich,
Gordon Rowe,
William H. Hartt, jr.,
Junius L. Cotten,
Christopher C. Miller,
James E. Waddell,
Donald W. Loomis,
John G. Farrell,
Mertin C. Wade, jr.,
Jack S. Phillips,
Elbert C. Rogers,
John W. Rowe,
Jerauld Wright,
Harry W. Need,
Charles D. Leffler, jr.,
William S. Garrett,
Lloyd G. Scheck,
Earle W. Mills,
Fred M. Byers,
Harry D. Hoffman,
Ford L. Wilkinson, jr.,
Francis S. Gibson,
Harold G. Eberhart,
Thomas G. Fisher,
Berwick B. Lanier,
Victor C. Barringer, jr.,
Martin R. Derx,
Graeme Bannerman,
Louis L. R. Habrylewicz,
Ernest A. Foote,
Henry D. Stalley,
Robert Poole,
Henry S. Kendall,
James D. Murray, jr.,
Stanley M. Haight,
William E. G. Erskine,
Edward W. Wunch,
Garry D. Custer,
John D. H. Kane,
Stanley C. Norton,
James W. Whitfield,
George O. Etheredge,
Bernard V. Eekhout,
Harold E. MacLellan,
Albert S. Marley, jr.,
Peter K. Fischler, jr.,
Francis G. Courtney,
Jay G. Huntoon,
Harry W. Von Hasseln,
Guy D. Townsend,
Arthur T. Moen,
Arthur B. Craig,
Ross P. Whitemarsh,
Ralph H. Henkle,
Leonidas M. Mintzer,
Francis B. Connell,
Gordon B. Woolley,
Vaughn Bailey,
Elmer E. Duvall, jr.,
Albert L. Hutson,
Walter L. Taylor,
Alphonsus I. Flynn,
Edmund J. A. Murphy,
Ellis H. Geiselman,
Ernest H. Krueger,
Herbert R. Sobel,
George E. Ross, jr.,
Jack H. Duncan,
Watson O. Bailey,
Andrew P. Haynes,
Proctor M. Thornton,
Roger F. Armstrong,
Leland P. Lovette,
Wallace M. Dillon,
Edmund J. Kidder,
Edward D. Walbridge,
Leroy W. Busbey, jr.,
Smith D. A. Cobb,
Malcolm A. Deans,
Ralph S. Riggs,
Carlos W. Wieber,
Harry K. Leventen,
Edwin D. Gibb,
John M. Haines,
William A. S. Macklin,
Thoms F. Remington,
John W. Rogers,
Cleeman Withers,
Lloyd E. Clifford,
Charles G. Moore, jr.,
John K. Jayne,
Joseph H. Brady,
William O. Baldwin,
Robert L. Mitten,
Mays L. Lewis,
Elmer V. Iverson,
Peyton Harrison,
Thomas J. Haffey,
John O. Plonk,
Chauncey R. Crutcher,
George R. Kalbfus,
Lisle Henifin,
Frank B. Hillhouse,
Clement B. White,
Allan P. Flagg,
William K. Phillips,
Robert M. Eaches,
Gordon B. Sherwood,
Ralph C. Alexander,
Alexander C. Kidd,
Willis M. Percifield,
Frank Fechteler,
Robert R. Ferguson,
William G. Moore,
James Dowling,
John F. Brooks,
Michael W. Gilmartin,
Hugh J. Duffy,
Edward J. Norcott,
William A. Cable,
Herbert Campbell,
Otto Fries,
Clifford H. Sheldon,
Theodore B. Watson,
John H. Lohman,
Simon Jacobs,
William Zeitler,
Albert F. Benzon,
Samuel Chiles,
Andrew Olsson,
Patrick Hill,
James T. Roach,
David F. Diggins,
Edwin N. Fisher,
Christian Crone,
William F. Foley,
James C. McDermott,
Charles Hierdahl,
Joseph Hill,
Thomas S. Aveson,
Adolph Hasler,
John W. Stoakley,
John D. Walsh,
Martin Fritman,

Dennis J. O'Connell,
William Johnson,
Arthur Smith,
Stephen Donely,
Conrad W. Ljungquist,
Otto E. Reh,
Wilhelm H. F. Schluter,
August C. Steinbrenner,
Belmar H. Shepley,
Thomas P. Clark,
Harry A. Davis,
William G. Smith,
John J. Murray,
Gustav Freudendorf,
John T. Swift,
Herbert A. Nevins,
Robert Rohange,
Benjamin P. Middleton,
Patrick Shanahan,
John Eberwine,
August Wohltman,
John A. Riley,
David White,
Edward J. Damon,
Oscar Borgeson,
Leonard Roll,
Thomas J. Hurd,
David B. Vassie,
George A. Messing,
Joseph Mitchell,
Michael J. J. Farley,
Thomas M. Cassidy,
Edwin Murphy,
James H. Morrison,
Thomas O'Donnell,
John E. Cleary,
Charles Hammond,
Harold I. Lutken,
Daniel Mullan,
Charles H. Hosung,
Samuel L. Wartman,
Robert J. Vickery,
Lemuel T. Cooper,
Ralph F. Nourse,
Francis P. Mugan,
David Purdon,
George C. Ellerton,
Clarence M. Wingate,
Murray S. Holloway,
Charles A. Rowe,
Ernest Evans,
William B. Stork,
Clarence R. Johnson,
William James,
Jannis V. Jacobsen,
Patrick Fernan,
George W. Johnson,
Frank Risser,
John Bryce,
Llewellyn H. Wentworth,
Rasmus Iversen,
Henry E. White,
Charles C. Holland,
Ellwood W. Andrews,
Cornelius J. Collins,
Adolph A. Gathemann,
William C. Gray,
William A. Macdonald,
Karl Rundquist,
Allen T. Webb,
Albion O. Larsen,
Thomas W. Healey,
Joseph Heil,
Frank Bresnan,
Peter Emery,
Claus K. R. Clausen,
Henry A. Stanley,
John McCloy,
Joseph E. Cartwright,
Harold S. Olsen,
John C. Rickertts,
Bernard T. Donnelly,
John G. Nicklas,
Daniel Duncan,
Arthur S. Pearson,
Edward T. Austin,
Harold V. Barr,
Henry Ernest,
Anthony McHugh,
Stanley Danielak,
James P. Dempsey,
Gotthilf C. Layer,
Edward G. Affleck,
John A. Oliver,
James J. Cotter,
Arthur A. Smith,
Edward G. Higgins,
John L. Barnswell,
Matthias A. Thormahlen,
Louis C. Higgins,
John I. Ballinger,
Augustine D. Devine,
Carl Johanson,
Fred W. Cobb,
William T. Robinson,
James L. McCormack,
Fred F. Ingram,
Frederick Meyer,
James Glass,
Nels Drake,
John Davis,
Gerald Ollif,
Owen T. Hurdle,
John Law,
Henry H. Richards,
Frederick W. Metters,
George E. McHugh,
Arthur D. Warwick,
William T. Baxter,
Emil Swanson,
William H. Leitch,
Franklin Heins,
Augustus Anderson,
Ulysses G. Chipman,
Charles J. Miller, and
Kieran J. Egan.

Ensign Earl S. Hurlbut to be a lieutenant (junior grade) in the Navy, for temporary service, from the 1st day of July, 1917.

Gunner Frank Stinchcomb to be an ensign in the Navy, for temporary service, from the 15th day of August, 1917.

Lieut. (Junior Grade) Stanley M. Cox, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 20th day of October, 1917.

The following-named officers to be ensigns in the Navy, for temporary service, from the 10th day of October, 1917:

Fleet W. Corwin,
Leland D. Webb,
William Knox,
Clyde C. Laws,
Henry E. Rung,
Edward J. Carr,
Benjamin F. Strawbridge,
Roy M. Cottrell,
Thomas E. Flaherty,
Charles W. Classen,
John B. Cooke,
Allen R. Chandler,
Maurice M. Rodgers,
Frank Hannon,
Harry F. Gray,
Walter C. Theimer,
Jay Smith,
Arthur R. Pontow,
Charles E. Weickhardt,
Hervey Z. Throop,
Marvin G. Fox,
William Klaus,
John F. Kennedy,
Learned L. Dean,
Frank I. Hart,
Henry E. Kellar,
Thomas F. Morris,
Mervin W. Arps,
Alvin Henderson,
John P. Miller,
John Kneubuehler,
Jerome L. Allen,
Harold F. McHugh,
Albert R. Colwell,
Ray C. Hopkins,

Edward C. McDonald,
Clarence M. Maloney,
Ralph Lane,
Carl J. Nerdahl,
Joseph W. Storm,
Glen R. Ogg,
Thomas F. Fahy,
Albert R. Myers,
Philip A. Wilson,
Harry D. Bolin,
James A. Maloney,
Willis M. Young,
Kenneth F. Horne,
Leonard W. Johnson,
John J. Arnaud,
Walter C. Haight,
John Sharpe,
Charles P. Porter,
Raymond S. Kaiser,
Charles E. S. Lines,
Milton E. Robison,
Samuel A. Wilson,
Steve V. Edwards,
Max P. Schaffer,
Karl Hart,
Julius Holbin,
Casper H. Husted,
Frederick A. Mack,
George F. Fredenberg,
William C. Procknow,
Robert E. Simon,
Frank Schlapp,
John A. Lemanski,
Arthur A. Travis,
Bea L. Jarvis,
Harry P. Quandt,
Felix M. Kelly,
Harry M. Dickerson,
Frank W. Dunning,
Frederick Seefeldt,
Louis H. Rassler,
Ferdinand H. Ehlbeck,
Glenn O. Twiss,
Edwin Brown,
William P. Bachman,
Hal W. Barnes,
Conrad F. Holzemer,
Albert L. Payne,
Charles W. Pearles,
Walter W. Blumenkranz,
Henry C. Cressman,
Arthur C. Leonard,
Edwin T. Swarts,
Emil F. Lindstrom,
Robert Anderson,
Edwin V. Wilder,
Roscoe C. Bright,
Simeon L. Owen,
Robert H. Weaver,
Edo S. Carfolite, and
Henry Plander.

The following-named officers to be ensigns in the Navy, for temporary service, from the 1st day of December, 1917:

Ray P. Helm,
Walter F. Marriner,
William P. Turner,
Oliver P. Kilmer,
Laurie C. Parfitt,
Clarence A. Hawkins,
Augustus A. Bressman,
Leo Mead,
Walter J. Fanger,
Ray H. Watkins,
Richard L. Reuling,
Alfred R. Boileau,
Eldred J. Richards,
Herbert Wycherley,
Jacob M. Gibson,
Manuel J. Cayton,
Martin J. Werner,
Warren A. Northrup,
Arthur G. Somers,
Grover A. Miller,
George A. Gast,
George Stone,
Marion C. Erwin,
James E. Drever,
Arthur P. Spencer,
William I. Denny,
Robert T. Bamford, and
Frank Dobie.

The following-named chief pharmacists to be assistant surgeons in the Navy, for temporary service, from the 1st day of November, 1917:

Alphonsus A. O'Donoghue,
Frank Fulton, and
Henry A. Harris.

HOUSE OF REPRESENTATIVES.

FRIDAY, *December 7, 1917.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Oh Lord God of Hosts, who holdest in the hollow of Thy hand the destiny of men and of nations, hear us we beseech Thee, when we pray from our heart of hearts for our soldiers and sailors, the soldiers and sailors of our allies, and all others battling for the eternal rights of mankind. Keep them in the bonds of unity, health, and strength. Inspire them with courage, valor, and heroism that they may still the enemies of Liberty, Truth, Justice, and sweep from the face of the earth autocracy, militarism, and all the evils that follow in their wake; that peace may fill all hearts and all homes in all the world; that Thy Kingdom may come, and Thy Will be done, in earth as in Heaven.

Our hearts are touched with profound sorrow for the suffering people, our neighbors and friends, in the awful disaster which has swept thousands to death, maimed other thousands, destroyed homes, and left the people desolate. Look with pitying love upon them, help and comfort them through the aid hurrying to their relief; and all praise be Thine, in Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE.

Mr. SIMS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Tennessee rise?

Mr. SIMS. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Tennessee makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seventy-three Members present, not a quorum.

Mr. KITCHIN. I move a call of the House.

A call of the House was ordered.

Mr. WHEELER. Mr. Speaker, I am requested by my colleague, Mr. MASON, to ask for leave of absence for him, on account of illness.

The SPEAKER. That can not be done pending the call. A call of the House is ordered. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Anthony	Elston	Kennedy, R. I.	Platt
Baer	Flynn	Kreider	Rankin
Bathrick	Fuller, Mass.	LaGuardia	Reavis
Bell	Gallagher	Larsen	Riordan
Bland	Gallivan	Lundeen	Rogers
Bowers	Garland	McClintic	Rowland
Browne	Goodall	McLaughlin, Mich.	Saunders, Va.
Burroughs	Graham, Pa.	Maher	Scully
Butler	Harrison, Va.	Mann	Sears
Capstick	Hayes	Mason	Stephens, Miss.
Carlin	Heintz	Miller, Minn.	Stephens, Nebr.
Carter, Mass.	Helm	Mondell	Stevenson
Cary	Helvering	Morin	Switzer
Church	Hicks	Mudd	Taylor, Colo.
Curry, Cal.	Hilliard	Nelson	Temple
Dale, Vt.	Howard	Nicholls, S. C.	Tinkham
Denison	Husted	Nolan	Treadway
Drane	Hutchinson	Norton	Van Dyke
Eagan	Johnson, S. Dak.	O'Shaunessy	Welty
Eagle	Kehoe	Parker, N. J.	Young, Tex.

The SPEAKER. On this call 357 Members, a quorum, have answered to their names.

Mr. KITCHIN. I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors. Further proceedings under the call are dispensed with.

TELEGRAM FROM A MEMBER.

Mr. COOPER of Wisconsin. Mr. Speaker, I rise to call the attention of the House to a telegram which I received from the gentleman from Massachusetts [Mr. TREADWAY], who, with 11 other Members, is returning from Hawaii, and who finds it impossible to reach this city until to-morrow. I think, in justice to these absentees, this telegram ought to be read.

The SPEAKER. The Clerk will read the telegram. The Chair received one of the same kind.

The Clerk read as follows:

GRAND ISLAND, NEBR., *December 6, 1917.*

Hon. HENRY A. COOPER, M. C.,
House of Representatives, Washington, D. C.:

Twelve Members of the House returning from Hawaii are exceedingly anxious to vote on proposed war resolution. We will reach Washington early Saturday morning and respectfully urge you to use your influence to delay vote until Saturday. Press dispatches indicate such postponement will not be prejudicial.

ALLEN T. TREADWAY, M. C.

Mr. COOPER of Wisconsin. Mr. Speaker, I present this simply as an effort to use my influence to have this postponed. [Laughter.]

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MASON, indefinitely, on account of sickness.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States were communicated to the House of Representatives by Mr. Sharkey, one of his secretaries.

AUSTRIA-HUNGARY.

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of House joint resolution 169, declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States and making provision to prosecute the same. And, pending that, I would like to ask the gentleman from Wisconsin [Mr. COOPER] if we can not agree upon some time for general debate.

Mr. COOPER of Wisconsin. After the conversation I had with the gentleman from Virginia [Mr. FLOOD], I think two hours upon a side would suffice.

Mr. FLOOD. That is agreeable to me; but I will also suggest that general debate continue for two hours on a side, making four hours, two hours to be controlled by the gentleman from Wisconsin [Mr. COOPER] and two hours by myself; that debate under the five-minute rule shall run until 5 o'clock, when the committee shall rise and report the bill, with amendments, if there are any, to the House.

The SPEAKER. The gentleman from Virginia moves that the House resolve itself into Committee of the Whole House on the state of the Union, and, pending that, asks unanimous consent that general debate shall not exceed two hours on a side, one half of the time to be controlled by himself and the other half by the gentleman from Wisconsin [Mr. COOPER]; that the five-minute debate shall run from the conclusion of the general debate until 5 o'clock, when the committee shall rise and report the bill and amendments, if any, to the House.

Mr. CANNON. Will the gentleman from Virginia yield?

Mr. FLOOD. Certainly.

Mr. CANNON. Under that agreement general debate would run until 4.30, two hours on a side. That would leave a little over 20 minutes for the five-minute debate. There are 435 of us present. I suppose one by one we could be called, and if we agreed to the speeches, say "Me, too." It seems to me that one hour on a side for general debate and the balance of the time under the five-minute rule for the Membership of this House would be more appropriate. Will the gentleman modify his request?

Mr. FLOOD. That would be agreeable to me, but I had an understanding with the gentleman from Wisconsin for two hours on a side. The gentleman can address himself to the gentleman from Wisconsin and see if that will be agreeable to him.

Mr. CANNON. Will my friend make that suggestion to the gentleman from Wisconsin, because my friend from Wisconsin has been busy and undoubtedly has not heard this colloquy?

Mr. COOPER of Wisconsin. What is the request? I did not understand.

Mr. CANNON. This proposed agreement of general debate for four hours would leave 20 minutes for debate under the 5-minute rule. There are 435 of us here, and it seems to me that general debate ought to run for a less time and give us more time under the 5-minute rule. [Applause.] Four hours would be taken up by four men, leaving 20 minutes for the rest of us under the 5-minute rule.

Mr. COOPER of Wisconsin. Mr. Speaker, I think there is no desire on the part of any four men in the House to occupy so much time as the gentleman from Illinois seems to fear they might.

Mr. CANNON. I do not fear it.

Mr. COOPER of Wisconsin. The requests that I have received have been for 3 and 5 minutes, with two exceptions—one, the gentleman from Illinois [Mr. FOSS], who is to follow the gentleman from Virginia, wishes 15 minutes, he being a member of the Committee on Foreign Affairs, and the gentleman from Illinois [Mr. MCCORMICK], who has asked for 7 minutes. One gentleman has asked for only 3 minutes in the general debate, the purpose being in general debate to have as much time consumed in short speeches as possible.

Mr. CANNON. That would be so under the 5-minute rule.

The SPEAKER. Is there objection?

Mr. LENROOT. Reserving the right to object, I want to call the attention of the gentleman from Virginia to the fact that the request as he states it, under ordinary conditions would bring general debate to a close about 5 o'clock, and there would be no opportunity to offer any amendment, because the 4 hours of general debate is to be actual debate.

Mr. FLOOD. I am willing to modify that by saying a half an hour after general debate closes.

Mr. STAFFORD. Reserving the right to object, will the gentleman modify his request so as to provide that amendments may be offered at any time during general debate?

Mr. GARNER. Under the rule you can do that.

Mr. BARNHART. Mr. Speaker, what is the request?

The SPEAKER. The request is that general debate shall run not to exceed 4 hours, one-half of the time to be controlled by the gentleman from Virginia [Mr. FLOOD], and the other half by the gentleman from Wisconsin [Mr. COOPER], that the 5-minute debate shall run for 30 minutes from the time of the conclusion of the general debate, when the committee shall rise and report the resolution and all pending amendments.

Mr. BARNHART. Mr. Speaker, believing that four hours is too long to devote to general debate, I object.

Mr. FLOOD. Then, Mr. Speaker, I ask unanimous consent that the time be equally divided, one-half to be controlled by the gentleman from Wisconsin and one-half by myself.

The SPEAKER. The gentleman asks unanimous consent that the time be equally divided between the two sides, one half to be controlled by the gentleman from Wisconsin [Mr. COOPER] and the other half by himself. Is there objection?

Mr. BRITTEN. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. BRITTEN. Is it understood that general debate will be confined to the resolution?

Mr. FLOOD. I think so.

Mr. BRITTEN. I think that should be understood.

Mr. CANNON. Let me submit a proposition—that we close general debate in an hour and a half or two hours, and then the gentleman from Virginia, on the one hand, and the gentleman from Wisconsin [Mr. COOPER], on the other hand, control the time under the five-minute rule.

Mr. GARNER. You can not do that.

Mr. FLOOD. Mr. Speaker, I am perfectly willing to prefer a request that general debate continue for three hours, a half on each side, with the understanding, which I state to this side of the House, that I can not give the time to anyone to whom I promised it except members of the committee.

The SPEAKER. Just what is the gentleman's request?

Mr. FLOOD. Is that agreeable to the gentleman from Wisconsin—three hours?

Mr. COOPER of Wisconsin. Entirely so. I wish to say this, however, that it does not seem to me that two hours on a side in general debate on so vastly important a question as a declaration of war is a long time for a body of 435 men.

Mr. CANNON. It is a long time for four men.

The SPEAKER. The gentleman from Virginia asks unanimous consent that general debate shall continue for not to exceed three hours, and that at the end of general debate, debate under the five-minute rule shall continue until 15 minutes after 5 o'clock.

Mr. FLOOD. Until half an hour after the conclusion of general debate.

Mr. COOPER of Wisconsin. Is the gentleman willing to have it continue until 15 minutes after 5?

Mr. FLOOD. That is just as long as it was before. Say 5 o'clock.

The SPEAKER. And that at the conclusion of the general debate, debate under the five-minute rule shall continue until 5 o'clock, when the committee shall rise and report the resolution, together with all pending amendments, to the House.

Mr. FLOOD. And the time for general debate to be divided equally between the gentleman from Wisconsin and myself.

The SPEAKER. And that at the end of the five-minute debate the committee shall rise and report the resolution, together with pending amendments, to the House, and that the previous question shall be considered as ordered, the time to be controlled by the gentleman from Virginia and the gentleman from Wisconsin, debate to be confined to the subject matter of the resolution. Is there objection?

Mr. CANNON. I object, but I shall not object to unanimous consent for two hours of general debate.

Mr. FLOOD. The gentleman himself suggested three hours.

Mr. CANNON. Well, take the three hours for general debate. Then under the five-minute rule I have no objection to the gentleman controlling half the time.

The SPEAKER. No one can control time under the five-minute rule. Does the gentleman from Illinois insist upon his objection?

Mr. CANNON. Oh, no.

The SPEAKER. Is there objection?

Mr. KEARNS. Mr. Speaker, I object.

The SPEAKER. The gentleman from Ohio objects. The question is on the motion of the gentleman from Virginia, that the House resolve itself into Committee of the Whole House on the state of the Union.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that such time as we have in general debate be controlled half by the gentleman from Wisconsin [Mr. COOPER] and the other half by myself.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the time for general debate be controlled half and half by himself and the gentleman from Wisconsin [Mr. COOPER]. Is there objection?

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. How long a time will that allow?

Mr. GARNER. Whatever general debate there is.

Mr. COOPER of Wisconsin. I want that understood.

The SPEAKER. General debate runs until the committee gets tired of hearing it. Is there objection?

There was no objection.

The SPEAKER. The question is on going into Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of H. J. Res. 169, declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States, and making provisions to prosecute the same, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of House joint resolution 169, which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 169) declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States and making provision to prosecute the same.

Whereas the Imperial and Royal Austro-Hungarian Government has shown its hostility to the Government and the people of the United States by severing diplomatic relations, and has formally adhered to the ruthless policy of submarine warfare adopted by its ally, the Imperial German Government, with which the United States is at war, and has given to its ally every support and aid on both land and sea in the prosecution of war against the Government and people of the United States of America: Therefore be it

Resolved, etc., That a state of war be, and is hereby, declared to exist and to have existed since noon of the 5th day of December, 1917, between the United States of America and the Imperial and Royal Austro-Hungarian Government; and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial and Royal Austro-Hungarian Government, and to bring the conflict to a successful termination all the resources of the country are hereby pledged by the Congress of the United States.

With the following committee amendment:

Strike out the preamble and insert in lieu thereof the following:

"Whereas the Imperial and Royal Austro-Hungarian Government has severed diplomatic relations with the Government of the United States of America, and has committed acts of war against the Government and people of the United States of America, among which are its adherence to the policy of ruthless submarine warfare adopted by its ally, the Imperial German Government, with which the United States of America is at war, and by giving to its ally active support and aid on both land and sea in the prosecution of war against the Government and the people of the United States of America: Therefore be it."

Mr. FLOOD. Mr. Chairman, a resolution declaring war upon any nation is a serious piece of legislation. It is less so in this instance than would ordinarily be the case, because Austria has been making war upon this country for many months, and we have already declared war against her chief ally and the Government which dominates and directs her actions and policies in this crisis of the world's history.

A declaration accepting Austria's gage of war at this time is wise, and it is essential to the welfare of the armies of this country and of the allied nations.

Austria has declared in favor of an unrestricted and ruthless submarine warfare, has ordered us off of certain portions of the high seas, and when we did not obey this order has sunk our ships and murdered our citizens.

This has been done in violation of the agreement reached between Austria and this country with reference to the methods of submarine warfare.

When the European war began no principle of international law was more securely established than that war should be so conducted that injury and death should be spared to noncombatants so far as was humanly possible. The principle is as old as civilization. It was old in the time of Grotius, who held in the calamities of war children are exempted and spared on the score of their age and women from respect to their sex. Even Germany recognized this principle until the war had been going on for six months, and while her armies committed outrages of the most atrocious kind in Belgium and in northern France and in other sections on the battle front, the German Government denied most of these outrages and atrocities, and when they were admitted attempted to justify them as being within the limits of this rule.

On the 4th of February, 1915, Germany changed her policy, threw international law and the principles of humanity aside, and gave notice to the world that she intended to inaugurate a system of submarine warfare on merchant vessels, which owing to the size and weakness of the submarines and their inability to provide for the passengers and crew on the merchant vessels meant that these passengers and crews, including noncombatants, among whom would be defenseless women and children, were to go unprovided for and would be sunk along with the vessels.

Our Government, through our Secretary of State, Mr. Bryan, immediately protested against this proposal of Germany, and protested so effectively and based its protest so strongly upon the principles of international law and the instincts of humanity that Germany promptly replied to our note of protest conceding the legality and the right of the position taken by this country and agreeing not to engage in submarine warfare against merchant vessels.

This agreement was not kept by Germany, but whenever there was a violation of it by any of her submarine commanders the Government made efforts upon first one ground and then another to justify and excuse such violations.

Our Government bore with much patience the oft-repeated violations by the German Government of its promises, and when its patience was exhausted on April 8, 1916, notified the German Government in effect that no further excuses would be accepted. Germany then agreed to the policy of submarine warfare prescribed by our Government, which agreement was kept for nine months, and on the 31st of last January notice was given that it would be kept no longer. This threat of Germany was carried out and our declaration that a state of war existed followed, since which time our Government has directed all of its energies to mobilizing its resources and its man power for the assertion and protection of our rights by the achievement of complete victory over Germany and her allies.

Austria soon learned German submarine methods of warfare and on November 7, 1915, attacked and sunk the *Ancona* (Italian). Our Government protested through Secretary Lansing in a very strong note against this ruthless act of the Austrian Government. That Government replied on December 29, 1915, and agreed that no American vessel should be sunk, and also that no private ships of a hostile nation should be sunk if they did not flee or offer resistance until the persons on board were placed in safety.

This principle was reaffirmed by Austria in a note to our Government in January, 1916, in the case of the *Persia* (British).

This was all our Government asked of Austria, and our administration was satisfied with the assurances received from that Government. Austria substantially lived up to this agreement until January 31, 1917, when in order to support her master, Germany, she notified this Government in practically the same language of the German note of the same date that beginning the very next day, on February 1, her submarines would sink all ships, ours included, within certain zones of the seas, zones where our ships had a perfect right to go.

Since this notice many vessels have been sunk in the Mediterranean, the area in which Austrian submarines operate, by

submarines which carried no flag or mark, and the nationality of which was unknown, but which were believed to have been Austrian submarines or undersea craft commanded by Austrian officers and maintained by Austrian means.

On April 4, 1917, the American four-masted schooner *Marguerite* was sunk by a submarine of this character, whose officers spoke the Hungarian language, and which was undoubtedly an Austrian submarine. On November 21, 1917, the *Schuylkill* (American) was sunk off the coast of Algeria by a submarine which was believed to be and which undoubtedly was an Austrian vessel. Thus Austria is carrying out the notice given to this country on January 31, 1917, that she would sink any of our vessels found on certain parts of the high seas.

This is war; war by Austria upon this country. It is an ancient maxim of the law recognized by all nations that a ship on the high seas is a part of the territory of the country whose flag it flies. The law writers and law teachers thus state the law. The Supreme Court of the United States and the highest courts of all civilized lands have many times so announced it.

Austria is not only insulting our flag and violating our territorial rights but she has been murdering our citizens. The people, passengers and sailors, on these ships which carried the American flag and were sunk were as much on American soil as we are to-day, and were as much entitled to the protection of the American flag and all the force and power behind that flag as we are.

The assault upon these ships and the murder of these American citizens was as much an act of war against this country as if Austria had landed an army upon our shores and marched it to this city, burning our homes and murdering our citizens as it came.

No more aggressive act of war can be committed by one nation against another, and we should not submit to such outrages from any nation great or small. Our flag has been insulted, the integrity of our territory has been invaded, the lives of our citizens have been taken, and to submit would bring irreparable injury, loss, and suffering to our people.

If any nation could order vessels of the United States off any portions of the seas, it would mean disaster to our commerce.

Our prosperity and our welfare as a people are inseparably connected with our right of free intercourse with other nations. This year our total exports to Great Britain, France, Belgium, and Italy alone will be over $3,000,000,000. These exports and the exports to other countries represent the surplus products of our farms, our mines, and our factories. If we are denied a market for these suplus products, the prosperity of our farmers and of our financial interests, our financiers, and of the laborers upon the farms, in the mines, and in the factories, as well as that of our citizens engaged in other vocations, would be destroyed. Stagnation of industry would result, and suffering and want would stalk in the land.

A nation which will not fight for these outrages, which will not defend its flag, the integrity of its territory, the lives and prosperity of its citizens, will not long retain the love of its own people or the respect of other people, and will not long endure, because it would be unworthy to endure. [Applause.]

It seems to me the duty of the House upon this occasion is clear. We should accept the gage of battle from Austria just as we did from Germany.

Another reason why this resolution should be passed is the moral effect it will have upon those with whom we are cooperating in this war. It would greatly hearten the people of Italy. The Italian front is the most important theater of war at this particular time. This declaration will strengthen that front and strengthen from a military point of view the whole allied cause.

Let us give this encouragement to the valiant people of sunny Italy, and let us give to her brave armies the munitions and reenforcements they need, and which will enable them not only to regain the territory they recently lost but to march in triumph and victory into Vienna.

For eight months we have watched narrowly, closely, and critically the Imperial and Royal Austro-Hungarian Government, and we have learned that if that Government is not dominated absolutely by the Imperial German Government its purpose and aims are the same as that powerful autocracy which is seeking to strangle liberty throughout the world that it may gratify its vast ambitions, and Austria should be treated in the same manner we have treated its master and ally.

We took up arms against the Hohenzollern oligarchy because of its invasion of our rights on the seas in pursuance of its ruthless undersea-boat program. The Hapsburg leaders promulgated the same program, and they have carried out that program to the extent of their ability.

Let us pass this resolution speedily; let us link together for overwhelming defeat the two medieval governments which plunged the world into war and still stand as the worst obstacles to a just peace among the nations. Let us pass it unanimously and hearten and cheer the great President of this country, who is bending every energy of mind and body, night and day, to the accomplishment of the complete and speedy triumph of the allied and American armies, upon terms of surrender from the central powers that will satisfy the hope and aspirations of the American people and bring an enduring peace to a stricken world. [Applause.]

I reserve the remainder of my time.

Mr. COOPER of Wisconsin. Mr. Speaker, I yield 15 minutes to the gentleman from Illinois [Mr. Foss].

Mr. FOSS. Mr. Chairman, I rise to support this resolution. The chairman of the committee in his report and his speech has made a statement as to the international law of the case, and I shall not, therefore, dwell upon that feature.

This resolution declares that a state of war exists between Austria and the United States, and is similar to the resolution adopted by Congress some months ago in respect to Germany. Of course, the real basis of our action against Austria is that she is the ally, the greatest ally, of Germany, our enemy, and that she has been supporting Germany in this war against us by the use of arms, and, furthermore, has been conducting her warfare, using the same methods as Germany, namely, ruthless, inhuman submarine warfare against this country.

At first I thought that we should also include Bulgaria and Turkey in this resolution, and I was strongly of that opinion. I thought we should make one job of it, so to speak, because I reasoned that the same logic which applies to this resolution against Austria, and urges us to adopt it, would also apply to Bulgaria and Turkey, but upon further reflection I came to this conclusion: That our President is the chosen leader of all the people, and under the Constitution is Commander in Chief of the Army and the Navy and the head of our diplomatic and foreign relations, and that if I as a Member of this body should vote to add Bulgaria and Turkey to this resolution at this time when our Commander in Chief advises against it I might be interfering and perhaps conflicting with his plan of action, and that this body, if such a course were adopted, might be criticized as attempting to assume the leadership of this war.

The President is our leader. I am willing to give him the last ounce of support. I will stand back of him, I will stand beside him, but I shall not attempt to step before him. [Applause.] The President clearly and concisely stated in his message our present duty when he said that our present immediate task is to win the war, and nothing shall turn us aside from it until it is accomplished. That should be the aim and purpose of every American from this time on. [Applause.] The American people have never fully realized that we are at war. The battle fields are so far away that they have been unable to visualize the greatness of the contest and the importance of our marshaling all the forces of men and material for a masterful effort against the enemy. But the people are beginning to realize it.

Our country was unprepared for war. Our people did not see the necessity for preparation. While some of us had been preaching military preparation on this floor for years, yet the great mass of our people were engrossed in the commercialism of the hour and listened to the siren voices of peace, peace, but peace without preparation, and preached the doctrine that wars had ceased and would never come again to blight the earth. Germany's power lay in the fact of her preparation, ready for the combat and her power lies to-day in that fact, and while our allies were preparing for war she was overrunning their countries. When the war broke out France had the best army. Russia had a great army on paper, but it had little training and less equipment. England had a great fleet and has been able to control the seas, but only a small army. When we entered into the war we had less than 100,000 Regulars, but no legislative body on the face of the earth ever went to work more speedily or has done more to put the country into a state of preparation in less time than has the American Congress. [Applause.] But our preparation has only just begun. With the collapse of Russia and the recent German drive into Italy against her illy equipped troops, it is no use to disguise the fact that America must come to the front stronger than ever before contemplated [applause] if we are to win this war or it will be lost, and that would be a sad day for humanity and civilization and the orderly progress of the world. We are fighting against a military autocracy that has thrown to the winds all respect for law and order and justice, the sacredness of treaties, and the precepts of international law and the right of all peoples of the world everywhere to live their lives in peace with their fellow men. Unless this spirit can be overthrown and put down forever the world will not be fit to live in because it uproots and destroys the very bases of human life and society.

Another thing that we Americans must realize, and that is that we can never win this war unless we are unitedly for it. Every American from the Atlantic to the Pacific, and from the Gulf to the Lakes, must take his stand on the fighting line either here or over there. [Applause.] There must be no equivocation. There must be no uncertainty. There must be no dissension in our ranks; all the manhood and all the womanhood, and, yes, even all the childhood should proclaim with one voice, "Our country and but one country!" [Applause.]

Let the work, therefore, go on with all the speed possible consistent with efficiency and military training. Let our people become united as never before, and let there come a revival in this country of a real and true Americanism rising above all parties [applause], and that will be a forerunner of a glorious victory for righteousness and peace.

It is no time to talk of peace until we have overmastered and overpowered the spirit of insatiate selfishness. All talk of peace on the part of even well-disposed people only robs our purpose of its strength. We are fighting not for a temporary peace, far be it; not a peace founded, as the President said, upon another Congress at Vienna to lay causes for still greater wars in the future; but we are fighting for a peace that shall be fundamental and permanent, founded upon the eternal verities of man. [Applause.] Shall Germany give us peace? Never. It would only be a peace of humiliation and despair. But rather, in the words of that great American, James Russell Lowell—

> God, give us peace!—not such as lulls to sleep,
> But sword on thigh and brow with purpose knit!
> And let our Ship of State to harbor sweep,
> Her ports all up, her battle lanterns lit,
> And her leashed thunders gathering for their leap.

[Applause.]

Mr. Chairman, I yield back what time I have remaining.

Mr. FLOOD. Mr. Chairman, I desire to ask how much time we have consumed?

The CHAIRMAN. Twelve minutes.

Mr. COOPER of Wisconsin. Mr. Chairman, I reserve the balance of my time.

Mr. FLOOD. Mr. Chairman, I yield 20 minutes to the gentleman from Mississippi [Mr. HARRISON]. [Applause.]

Mr. HARRISON of Mississippi. Mr. Chairman, on the 6th day of April, this year, this Congress declared that a state of war existed between the Imperial German Government and the Government and people of the United States.

Whatever doubt that may have existed at that time as to the wisdom and justice of that course has by subsequent events been removed. These subsequent events have demonstrated not only the wisdom and justice but the absolute necessity of such a course. Looking back over the past three years and taking an inventory of the many instances of German effrontery and unjustifiable conduct toward us, a peaceful nation, we can appreciate the unexcelled patience manifested by the President and our Government. It will ever stand as the strongest testimonial of our overwhelming desire, our sincere hope, our devout wish, that war might be averted and peace maintained between us and all the world.

Our every resource has been builded upon the peaceful toil of our people, and as much as we cherished peace, the German mind was too saturated with thoughts of world conquest and domination to permit us to remain at peace. Their philosophy and teachings would not allow it. The plans of the German autocracy had been too long in forming for us to be left to pursue the peaceful course we so much desired. Every agency of the German oligarchy was directed toward the supreme end they had in view. They dreamed of the day when the Kaiser would sit in the White House, the Reichstag hold its meetings in this Capitol, and free peoples everywhere become serfs. For nearly three years we patiently bore the insulting acts of the Imperial German Government that friendly relations might not be severed. To that end we sought every avenue and tried every method of diplomacy without avail. Sneaking spies infested happy and unsuspecting communities; corrupt and debauched newspapers poisoned the minds of our citizens and tried to influence public opinion; strange agents roamed the country, spreading their sedition among us and attempting to stir up disloyalty and create sentiment in favor of Germany. Violence was employed to destroy our industries, and poison was used in attempts to kill our soldiers.

These unprovoked outrages were veiled in such adroit secrecy and carried out with such consummate skill that people began to ask what it all meant and from whence it came. So quietly and so insidiously did this German propaganda work that men began to look upon their neighbors with suspicion and distrust, and thus it was until its slimy trail was uncovered, separating the wheat from the chaff and revealing to the world who were true Americans and who were "shadow Huns."

They were not content with carrying on within our own borders this system of deception and intrigue unparalleled in history, but the Kaiser sought to enlist the friendly nations of Mexico and Japan to make a common and joint war on us. He laid the plans for the attack and proposed the terms in the brazen Zimmermann note, suggesting that the South be attacked by the armies of Mexico; the West by the armed forces of Japan, leaving to his own armies the great and populous East. Then, when victory should have been achieved, the people of this Nation would be made to feel the iron hand of Prussianism; Texas, Arizona, and New Mexico would become provinces of Mexico; the great States of California, Oregon, and Washington would be handed over to Japan; while the East and South and Middle West were to be ruled by the Hohenzollerns themselves. He sent his agents among the negroes of the South trying to incite them to rise against the whites. He sent his agents to a secret meeting at Los Angeles and there attempted to form a diabolical plot that would place the yoke of negro domination and German militarism on the white people of my section. The note sent from this city by the German ambassador to his Government, in which he said, "I request authority to pay out up to $50,000, in order, as on former occasions, to influence Congress through the organization you know of, which can perhaps prevent war"; "I am beginning in the meantime to act accordingly," shows the German desire and purpose to influence by corruption, if possible, the action of the American Congress.

Not satisfied with these inexcusable and dastardly acts within our own borders, they asserted and insisted upon the right to close the pathways of the seas to our commerce and citizens. If the insulting and highly unprecedented demand of the Kaiser to this Government had been acceded to, if we had submitted, as some men in the American Congress would have had us do, not only would we have forfeited every vestige of honor and have lost the respect of the world, but in this country to-day our weakness and debasement would be witnessed in the smokeless chimneys of our factories, the unused equipment of our railroads, the receivers' sheets of bankrupt business houses, and the closed doors of banking institutions. [Applause.] We would read it in empty bins, unused barns, untilled fields; we would see it in the sunburnt, careworn faces and stooped shoulders of the hard-working farmer, in the depressed look of the unemployed laborer. We would be confronted to-day throughout this Nation with financial, industrial, and commercial ruin—a panic unexampled in all history. [Applause.]

The greatness and prosperity of this country depend on our ability not alone to produce and manufacture products, but to sell them abroad after they are produced and manufactured here. A 12,000,000-bale cotton crop, a 2,500,000,000-bushel corn crop, or a 750,000,000-bushel wheat crop does not in itself insure prosperity to the American farmer. A 12,000,000-bale cotton crop, for instance, without a market abroad and without ships and open seas by which that cotton can be conveyed to market would mean unprecedentedly low prices to the southern cotton farmer, but a larger or a smaller crop of cotton, with a market abroad and ships provided, with an unobstructed ocean highway to move that cotton, means good and probably high prices for the product. The same is true of other products.

If the demand of the Kaiser had been acceded to, and we had submitted to his closing the ocean highways to the cotton produced by the farmers of the South, that section would have lost this year on that product alone over $2,000,000,000, and my State would have lost on an average of $2,000,000 to the county. If the pathways of the seas had been closed to him the farmer of my State would not now be realizing 30 cents a pound for cotton, corn would not be selling for around $1.50 a bushel, and reasonable prices obtaining for all other products of the farm. If the President and the American Congress had yielded to the wishes and demands of the Kaiser, I doubt not that cotton would be selling to-day for less than 5 cents a pound, that corn would be used for fuel, and practically every American product be without a market. Instead of their present prosperous condition, the farmers and laborers of this country would be in a state of want, privation, and penury. But, thank God, the President of this Nation and a majority of the Members of the American Congress stood by the principles of this Government, the traditions of our fathers, for the rights of the farmers and laborers and industries of America, and rejected this unjustifiable demand of the Kaiser, saved the country from financial ruin, and preserved our national honor and self-respect. [Loud applause.]

Since our entry into the war we have made marvelous progress in raising armies and organizing the forces of the country for

victory. Our success depends in a large measure on the success of our allies, our interests are now identical with theirs, so far as crushing German militarism is concerned. The Imperial and Royal Austro-Hungarian Government is but the tool of Germany. Germany's military leaders and rulers command the armies and dictate the policies of Austria. The policies of one are the policies of the other. Their interests are so interwoven that we can not distinguish between the two. The submarine bases, the aviation stations, and the munition depots supply the forces of both. Their submarines have destroyed American ships and killed American citizens. The armies of one relieve or reinforce the forces of the other. Our brave Italian allies are heroically fighting the ally of our enemy amid the snow-capped peaks of the Alps and holding in check the barbaric hordes that would lay waste the fertile Venetian plains. [Applause.]

The splendid message of President Wilson last Tuesday, in which he said "our object now is to win the war," is the tocsin that should influence our every act and lead us in this great crisis. [Applause.] Every means must now be employed, every force must be organized, every policy inaugurated that will mobilize the resources and coordinate the forces of the entire Nation. [Applause.]

The passage of this resolution is a necessary and essential step in that policy. A wave of patriotism, showing the united purpose of the American people, has already swept over this country. Those who dare throw obstacles in the ways devised to bring success to our arms will, as the President aptly says, "strut their uneasy hour and be forgotten." [Applause.]

The brave soldiers who are now at the front or in camps preparing to risk their lives in defense of the country have, in many instances, given up lucrative positions, left loved ones behind, with but one thought in mind—that is, to bring victory to the Stars and Stripes. [Applause.] To our soldiers in France and in training here, our brave boys on the seas, the armies of our allies, the passage of this resolution will give encouragement and support. [Applause.]

If I have correctly interpreted the wishes and sentiments of the people of my district and State, I not only acted as they would have me act when I voted for the war resolution on April 4 and for the many necessary war measures that have passed this Congress, but I shall do as I believe they would have me do in this instance—vote for this resolution.

Without claiming for my State patriotism greater than exists among the people of other States of this Union, I know that none are more unitedly and wholeheartedly behind the President and in this war to win than are the people of Mississippi. Day after to-morrow will record the one hundredth anniversary of the admission of Mississippi into the Union. During that century of statehood she has furnished to the Nation many leaders of thought and action, in times of peace as well as in times of war. Her distinguished sons have reflected credit and shed glory not only on the State but on the Nation. On the battle field of Chalmette in the War of 1812 it was a Mississippian, Thomas Hines, leading Mississippi riflemen, who materially aided in winning victory for the Stars and Stripes. [Applause.] In the Mexican War it was a Mississippian, John A. Quitman, who first scaled the walls of Chapultepec and planted Old Glory on its ramparts. [Applause.] In that same war it was another Mississippian, the beloved Jefferson Davis, who, though but a young man, leading Mississippi boys at Buena Vista, gave to military science the celebrated "V" formation. [Applause.]

In every crisis Mississippians have responded to the call and given their all in defense of their State and Nation. She is just as patriotic to-day as she has ever been, and the soldiers from no other State of this Union will give a better account of themselves, render greater service to the Nation, or perform more deeds of daring, bravery, and heroism than the soldier boys from Mississippi. [Loud applause.]

Mr. Chairman, I yield back what time remains.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. McCORMICK]. [Applause.]

Mr. McCORMICK. Mr. Chairman, I crave the indulgence of the committee for a few minutes while I speak of the aspect of the war which is touched intimately by the resolution which is before the committee.

Later I hope to be able to speak of the war in general. I would have the committee bear in mind that recent events in Italy illustrate the importance of what we purpose to do to-day, for there can be no doubt that the morale of the armies and of the civil population in Italy was affected by our failure to declare war against Austria-Hungary at the time we declared war against the German Empire. I spent days on that front. I was everywhere met by the query as to why we had distinguished between the modern autocracy of Germany and the venerable, obscurantist, reactionary tyranny of the Hapsburg. I was asked what there was that distinguished the democracies of France and Great Britain from the democracy of Italy that we should single out Italy, which had long looked to us as the great leader among democracies, for exceptional treatment.

I think that none of us can escape some responsibility for what has transpired in Italy, and when I say none of us I speak of Italy's European allies as well as of America. Italy has been short of guns, still shorter of ammunition, and there has not been enough wheat. Her European allies might have made a greater contribution than they did in guns and in ammunition. I do not say any of this in any spirit of recrimination, but because we are likely to be confronted by an analogous situation in Greece. I do not say that to-day the resolution should be amended to include a declaration of war against Bulgaria. But the Government of the United States, if the resolution passes, as I have no doubt it will, should bear in mind that in Greece the government of Venizelos now confronts the Bulgarian Army, that it is assuming an ever-increasing part of the burden on the front in Thessaly and above Salonica, and that if we continue long at peace with Bulgaria, if the minister of the perfidious Czar of the Bulgars continues long in Washington while Bulgaria remains at war with the allies, inevitably in Greece men will ask this same question which they asked in Italy.

They will ask of Americans the same question which men asked of me when I was in Italy, namely, "Why do you discriminate against Greece, whose purposes, whose ideals, are in no way different from those of the democracies of western Europe?"

There is a distinction between the efforts which we may now directly make against Austro-Hungary and against Bulgaria or Turkey, though I can not forbear to say that when I was in front of Trieste the Italians reported the capture of Turkish infantry among the Austrian prisoners on that front, infantry brought there to bolster up the faltering forces of Austria.

Mr. Chairman, this resolution ought to pass without dissent. There has been no logic in our position, and evidently from the common decision now nothing has been gained by the distinction which we made in the past. Our action to-day will inspirit the armies of Italy and so lighten the burden on the front in France. The resolution ought to pass without dissent. The Government of the United States and the Congress ought at the same time to bear in mind that if Bulgaria and Turkey continue by the side of the Hohenzollern and the Hapsburg it may become their duty before long—for if they act at all they ought to act before long—to declare war against all the enemies of the democracies by whose side we propose now to fight. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I reserve the balance of my time.

Mr. FLOOD. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, I am particularly pleased that the administration has recommended the declaration of war against Austria. I can not see how we can properly support our allies without such declaration, especially in Italy. For many years the nations of the world have been fighting for the rights of man. To-day they are fighting for the rights of nations. They are fighting that nations, no matter how small nor how weak, if they set up a government of their own people, shall have a "place in the sun." They are contending that each and every nation has a right to its own nationality and to government according to the dictates of its people. To that this great democracy has dedicated its every resource in men, money, and property.

There is no question but that we shall win this war. It is absolutely necessary that we do so. The German Government has set up a new policy in the world, and that policy is a new doctrine that might shall prevail. They have established under this autocracy the doctrine that, no matter what the international law is, to win is the only true doctrine. That doctrine was started under Bismarck, who won the war against the French people and is being continued by the present Kaiser and his people. And if the Government of the United States, the great democracy that we are, should allow the Germans to win this war or should allow a peace settlement which might be considered a draw, then the doctrine that might shall prevail and that international law shall not govern the nations of the world will be absolutely established by the German Government. And if Germany is ever able to establish the doctrine that international law shall not govern in time of war, but that success, no matter how obtained, shall be the principle, then in future years when other nations perhaps go to war—which I hope will never be the case—the doctrine must necessarily be that the

man who can strike quickest and succeed, regardless of international law and the rights of nations shall control, because the Hohenzollerns, or the Empire of Germany, had won such great successes in that manner, and that if one nation attains the right to do so and succeeds it is necessary for others to do the same.

It is not only to the advantage of this great Nation of ours to overcome this autocracy and its false doctrine but it is necessary for each and every nation that it shall be overcome, in order that future generations shall enjoy the freedom which nations have enjoyed under international law in the years past.

Germany has gone strutting through the world regardless of the rights of men, regardless of the rights of nations, regardless of treaties, terming them mere scraps of paper when they stood in her way; treading upon innocent Belgium, not only destroying the government itself but treating the people as it saw fit.

In fact it has strutted through those sections of Europe which it has been able to overrun regardless of the rights of anyone, of humanity, of morality, of international law; and I say that if this doctrine is not downed in the world by this great world war it becomes a doctrine which other nations may see fit to adopt because Germany has been successful. They have taught and they teach their people that the German is a superman; that the Kaiser rules by Divine right; and that other nations are not on an equality with them and their people; that the Kaiser is the greatest man in the world and entitled to rule the world because he rules by Divine right; and I say that that is a doctrine which democracy must down or else the Germans will put it into execution just as surely as they can win the war.

They have sunk our ships. They have murdered our people. They have bombed our Red Cross units. Their spies invest our very Government. In fact, they have been fighting this war regardless of all rights, with the one aim that they shall succeed, and it is up to the great democracy on this side of the Atlantic to show that that doctrine shall not prevail in the world.

As for Maryland, my little State, though she may be small in area, she is rich in patriotism, rich in resources, spreading from the shores of the Atlantic to the coal fields of the Alleghenies. She is ready to devote her entire energy, her people, and her great resources to the prosecution of this war to the very end in order that autocracy shall be downed and that Germany shall be absolutely defeated.

Mr. Chairman, I want to say on the part of the people of Maryland that we stand back of the administration in every way, in every shape, and with every resource in wealth, men, and property, and that we can be called upon at all times. That State, which gave to the country during the War of 1812 that magnificent anthem, the Star-Spangled Banner, is just as patriotic to-day as she was in 1812. [Applause.] And she stands by the Government in the support of the Stars and Stripes, which must be carried to the battle fields of France by such numbers of men as shall win the war. No matter whether it be 1,000,000 or 5,000,000, the war must be won. And I bring you that message from my people, a people who have always given to the country their best men from the early wars until this day, a people true in patriotism, in devotion, and loyalty to the democracy of the land, willing to lay down their lives that it shall never fail and that democracy shall be the light that guides the world. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. GILLETT].

The CHAIRMAN. The gentleman from Massachusetts is recognized for five minutes.

Mr. GILLETT. A declaration of war is the most solemn act a legislature can perform. It involves necessarily the sacrifice by those we represent of what they hold dearest—their lives. Moreover it submits the decision of our rights not to a tribunal which is governed by reason and justice and fairness, like the tribunals to which our personal rights are all submitted, but to the arbitrament of brute force, to a tribunal which decides without regard to justice or merit and which weighs nothing but armed might. It is a recession to the savage state and recognizes only those tests to which the beasts and the most ignorant barbarians resort. It is utterly antagonistic to the spirit and hope of modern civilization.

Such an act, therefore, calls for the utmost deliberation and scrutiny. We ought to avoid it if we can. But in this instance I see no possible alternative. We are not creating a new condition, we are simply recognizing a condition which already exists. We are simply saying to our defenders across the seas, who perhaps before this have been battling with the forces of Austria, that we approve and support them.

This war was no voluntary act of ours, which we lightheartedly chose; it was forced upon us by cruel aggressions forbidden alike by the letter of international law and the spirit of humanity, and if we had refused to take up the gage of battle when it was insultingly thrown down at us our cowardice would have been punished by even more unendurable assaults when we would, perhaps, have been in even worse condition to resent and repel them.

As the President has truly said, Austria is but the tool of Germany, and the whole history of Germany's rise to the supremacy of Europe discloses reliance upon but one support, military power, which it has unceasingly developed. McCaulay said, in his famous essay on Frederick the Great:

> The evils produced by his wickedness were felt in lands where the name of Prussia was unknown; and, in order that he might rob a neighbor whom he had promised to defend, black men fought on the coast of Coromandel and red men scalped each other by the Great Lakes of North America.

And to-day the evils produced by the ambition of Frederick's legitimate successor are causing peace-loving boys from the border of those Great Lakes to leave their homes and waste their youthful vigor in the unproductive tasks of military life and to risk their happiness and future in order that this country may forever be free from this menace of Prussian attack, this threatened subjugation by brute force. [Applause.]

We must fight this war to a successful finish. That is the only road to permanent peace. If it should end now in a draw this country would have to waste its millions and billions annually in the support of an army and navy powerful enough to protect us against new aggressions of foreign powers. For this war has brought home to us for the first time how intimately related all nations are to-day and how expensive and how horrible is modern war. Let us, therefore, determine to end it once for all, for us and our children.

I had thought that the same reasons which required a declaration of war against Austria applied to Turkey, and there was the added resentment caused by the massacres of Christians, which shocked the whole neutral world, and to which Germany was an accomplice, since she could have prevented them by simply raising a finger of protest. But I recognize that in these foreign complications the President may have information which is withheld from us, and I am disposed to yield to his opinion.

Doubtless all of us as we have read the great events of the past have often felt the wish that we might have lived in them. Now we find ourselves living in the greatest crisis of all history, and we in this House are to-day transacting one of the historic phases of that crisis. We will perform it with deliberation and regret, as becomes its seriousness, but with determination that there shall be no turning back. And we on this side of the House will vie with you on that side in giving to the Executive ungrudgingly all the powers and resources of the country, that the war we now declare may be brought to a successful conclusion, in the hope that thereby there may be established the whole world over a just and permanent peace. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I reserve the balance of my time.

Mr. FLOOD. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. SHACKLEFORD].

Mr. SHACKLEFORD. Mr. Chairman, we are now considering a resolution declaring the existence of a state of war between the United States and Austria. Austria and Germany are making common cause. It is not possible to wage war on Germany alone, because she and Austria are fighting together. In his message on Tuesday the President said:

> We must meet its (Austria's) forces with our own and regard the central powers as but one. The war can be successfully conducted in no other way. We shall go wherever the necessities of this war carry us.

Under our Constitution the President is our Commander in Chief. To-day he is throwing our forces against the German lines in France and Belgium; to-morrow he may find it necessary to strike from Italy through Austria. He should have the largest freedom of action. For that reason I shall vote for the pending resolution.

Many thought it would be best for our country to keep out of the terrible European conflict which now so sadly afflicts the world. A majority, however, were of a different opinion. Congress by an overwhelming vote decided that the United States should enter the war. In a democracy like ours everybody should bow in ready obedience to the lawfully expressed will of the majority. War was declared and every citizen should loyally support it until our country has achieved victory and secured an honorable peace. Our support must be wholehearted and effective. [Applause.]

In this crisis the President must be our leader. No man can now see the end. Peace may come quickly, or we may have a long drawn out war. No one can doubt, however, that in the

end we shall be triumphant. The country is to be greatly congratulated upon the unity of her people. With very few exceptions, those who opposed and those who favored the war are united together in one common citizenship, determined that defeat shall never come to our flag. They are ready to devote their all to the cause. Whatever sacrifices are needed they are ready to make. [Applause.]

Mr. COOPER of Wisconsin. I yield five minutes to the gentleman from Ohio [Mr. FESS]. [Applause.]

Mr. FESS. Mr. Chairman and fellow Members, on the 6th of April, after two and a half years of struggle to maintain neutrality, we took the step of declaring war against Germany, upon the conviction that our honor and our safety depended upon it. In the months that have elapsed since then I do not think there was any thoughtful person who thought there was any other course. We have now been at war with Germany for over eight months, and by no sort of fiction can we continue the war with Germany without entering war also with her allies, which in spirit as well as in arms are not separated from the war lords of Europe.

Austria is absolutely under the control of Germany, both from a military standpoint and an economic standpoint. I might also say from a diplomatic intrigue, by which Austria will soon find herself entangled. The brains of every ally of Germany are furnished by Germany, and we are fighting the military autocracy not only headed by Germans in Germany but also of Germany in her influence and control in Austria. And not only that, but under a system of finance whereby Germany robs the mines of France and the munition plants of Belgium and the agricultural resources of other countries that have come under her control she supplies Austria with her weapons of war, and not only supplies her, but furnishes scrip in the form of money and credit with which to pay for those supplies; and to-day Austria is not only a vassal of Germany under military control, but absolutely subject under the control of finance as a debtor to this creditor power. Austria since the war opened has become financially a hopeless vassal of her superior, from which she will never emerge unaided, and the thing that we must recognize immediately is that we can not fight Germany and at the same time be at peace with her allies. One of our greatest dangers just now confronting us is our attempting to reach by diplomacy what must now be accomplished by war. It is well for us to see that we can not do by diplomacy what has got to be done by military power. This is the danger of our country at this very moment, thinking that we can reach conclusions through diplomacy with such powers as our enemies have proved themselves to be instead of through the force of our arms. The time for parleys is past; our cause must now rest with the test of arms. And not only is that true, but it is our duty to the world, speaking to the neutral countries, to announce openly our war against Austria, so that there will be no complication with other countries because of the necessity of their knowing where we stand in regard to Austria. This frankness is required by the laws of all nations; hence our original declaration.

And aside from that this declaration is absolutely necessary that we may be able to deal with the million citizens of Austria who are located in America. We can not with a free hand deal with these people unless we let them and the world know what is our relation with the Austrian Government. It is not fair to them and it is dangerous to us to continue this anomalous position. From the standpoint of our duty to our own honor in this war against Germany and for our safety, and that includes our safety against Austria, a mere vassal of Germany, and from the standpoint of our duty to neutrals who have a right to know where we stand, that they may know their rights as affected by the relation we hold to Austria, and from the standpoint also of our duty to the Austrian citizens in this country and our own protection against dangerous elements in our midst, we have no choice other than here and now to declare that a state of war exists between us and Austria. And I would like to extend it for the same reason to Turkey and Bulgaria, which certainly occupy a similar relation to us as that of Austria; but I am perfectly willing to allow that to pass as a matter of diplomacy if the President thinks it proper to do so, but I am frank to say it must be done later. As a member of the Foreign Affairs Committee I am willing to let the President take the lead in this, but if it should come that we see our interests complicated, because we are in conflict with Turkey and Bulgaria, the same as we are with Austria, we ought to take the step at once as to those countries also. There is no use at this hour of the day to think we can win this war by the hope that there is going to be any weakness on the part of our enemies either in morale, a lack of solidarity, or lack of spirit and equipment. We are not fighting Germany alone. We are fighting Austria, dominated by Germany, and we are fighting Bulgaria, under the same régime, and we are fighting Turkey also. I would like to see every secret place open to these nations in America closed up instantly, that our secrets do not go across the water and thus endanger our sons who are now and will be on the seas. The thing for us to do is to let the world know that we are not only fighting the master, but that we are fighting his vassals as well. Nothing else will avoid our complications in this thing. [Applause.]

Mr. COOPER of Wisconsin. I reserve the balance of my time.

Mr. FLOOD. I yield 15 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, I shall not be able to cover all the ground I desire to cover in the 15 minutes allotted to me, and I ask leave to revise and extend my remarks.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LONDON. Mr. Chairman, as an illustration of the danger of blindly following established precedent we have before us the resolution providing for a declaration of war against Austria-Hungary, and this is what we read:

> That the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial and Royal Austro-Hungarian Government.

Now, if the President is to use the entire military and naval forces and all the resources of the United States against the Austro-Hungarian Government, that leaves nothing to use against Germany. But how did it happen? Well, there are precedents for it. That was the form of our declaration of war against Germany, and now in declaring war against Austria we use the same words. We are afraid to change one word. We are afraid to think independently, and not only that, but we are afraid to vary the language. The resolution says that we are to use all our resources against Austria-Hungary, which would leave Germany out of it. However, that is neither here nor there. That is simply a kindly criticism of the committee.

As a Socialist I am pledged to vote against the declaration of war. In matters of war I am a teetotaler. I refuse to take the first intoxicating drink. The Socialists of the world in all parliaments have opposed war until the last moment. Had there been a majority of Socialists in the countries of Europe in 1914 there would have been no war. If there were a majority of Socialists in the parliaments of the contending nations to-day, the war would be over to-morrow. It is my obligation to give expression to that sentiment, to represent that body of thought and that international code of ethics by voting against a declaration of war, against the spreading of the horrors of it.

Mr. QUIN. Will the gentleman yield right there?

Mr. LONDON. No; I am sorry I can not yield. I have not enough time. I have explained my position. My reasoning is not binding upon the gentleman from Mississippi.

It applies to me and to the movement, sentiment, and thought I intend to represent. The President said, in dealing with the Russian situation, that the only remedy was to tell the truth. If that be sound in dealing with the situation there, it should be sound everywhere. There is no reason in the world why a Member of the Congress of the United States should hesitate to express opinions which may differ from the President's opinion. There is no reason in the world why we should refuse to discuss international policies. To-day the President concedes that had the slogan of the Russian socialists—no annexations, no punitive indemnities, no contributions—been generally adopted by the allies; had the plea of the people of that long-suffering country, of that land of martyrdom, been listened to, Russia would be to-day the greatest power for international peace.

But what happened? The slogan came from the socialists of Russia, and the reactionaries throughout the world began to denounce it as a German machination; as if you have to bribe people into loving peace; as if you have to corrupt people that they may seek normal conditions; as if you have to poison the mind of the world in order that it should crave for the restoration of the normal life of the world.

To-day, three months too late—no; I hope it is not too late. I am not despondent about the situation there, for I still believe that the Russian people will emerge, in spite of all the difficulties, a great democracy, an irresistible power for international peace. No one in Russia dares suggest even now a separate peace. I am more interested in the moral side, the spiritual side. An appeal should be made not so much to her arms as to her soul. It can be done and it should be done. The President's unequivocal approval of the declaration of revolutionary Russia against annexations, punitive indemnities, and contributions will

help. With her slogan our slogan, with her aims our aims, Russia shall be a faithful ally and friend.

My vote against the declaration of war against Austria-Hungary should not be interpreted as an indorsement of the infamous attack by Austria-Hungary on Serbia, which, chronologically speaking, was the beginning of the war.

If you go back 25 or 30 years in European history, it will be impossible to put the finger of blame on any one nation as the exclusive cause of the war. There was a cruel, merciless, conscienceless conflict among the nations for supremacy. What was the Bagdad Railway intrigue except an attempt by Germany to obtain a land route so as to compete with the sea route of Great Britain. Only 12 or 13 years ago the present allies, now valiantly fighting side by side, England and France, were at the point of war. How long is it since Russia and England are friends? Every nation looked upon itself as an economic unit; each of them was trying to outdo all of its rivals and to use its military force in aid of its commerce.

The rivalry for markets, for fields of investment, for spheres of influence, for concessions has kept the peoples of the world in constant fear of one another. Of course it would be wrong to say that the economic factor was the only cause of the war. As I have said in many previous speeches, the presence of monarchical institutions in Europe, the existence of national and race hatreds, the crushing of the smaller nationalities like Serbia, Belgium, and Persia, the striving of the little nations for breathing space, the seeking of access to the ocean by the larger nations—all those things taken together have brought about this conflict.

It is not necessary for us to blindly accept every cause of the European war as a sacred cause for us, because in 1914 when the clash came one ruler spoke in the name of God on the throne of Germany and another incubus spoke in the name of God on the throne of Russia.

It is absurd for us to adopt either the war causes or war objects of August, 1914, as our war causes and our war objects.

Many here would go further than the President. They do not realize that they embarrass him when they talk about helping Italy not only to redeem her own territory, but to march to Vienna. That can not be in the President's mind. If America should help Italy, it should help her to regain the territory which she has lost; but it would be treason against the ideals of the American people to spend a dollar or sacrifice a man to carry out the policy of annexation of territory of others or to punish other nations. [Applause.] That is how I understand the President's message. The President seeks to correct the disastrous impression made by Premier Clemenceau of France—and, by the way, he will not last much longer than the Bolsheviki of Russia. He came out with the slogan: "We will fight until victory," without defining what victory is. The President took the next logical step and attempted to define, as far as it is possible under the circumstances—and the circumstances do not lend themselves very freely to frank discussion—the President indicated that it is not enough to talk about victory and shedding blood until victory is had, but that an effort should be made to define what that victory is. What is that final goal for which the nations are asked to sacrifice themselves? The President has outlined that final goal as the obtaining of a universal peace, which shall exclude forcible annexation, which shall exclude the punishment of nations, which shall exclude punitive contributions, and which shall lay the foundation for universal peace. And there we are up against it.

When you come to laying the foundation for universal peace you will, in the United States, run up against this strange fact, that while the President talks about redeeming the world from armaments and laying the basis for durable and lasting peace throughout the world, which involves international cooperation, which involves international alliances, which involves the possession of an international mind, if you please—while the President has risen to that height the people still talk in terms of narrow, geographical patriotism; of narrow, unreasoning Chauvinism.

People who only nine months ago voted to restrict immigration, to prohibit the admission to the United States of various populations, including those of the smaller nations now under the heels of invaders, are asked to fight for those same people. Ten months ago they voted to prevent them from getting access to this country; to-day they are asked to carry on war for their redemption. It is difficult to digest; it is hard for the average man to assimilate. It can be only understood by one who can reason and dream and feel and hope in terms of the world, in terms of the universe, in terms of humanity, in terms of the human family—the one and indivisible family. It is only then that we can earnestly appeal to world internationalism; it is only then that we can honestly appeal to the world to do away with oppression, monarchism, with autocracy, whether that autocrat be a crowned king or be the uncrowned king by virtue of possessing the oil lands and the coal lands and the natural resources of an otherwise free people. This is Socialism. This is social democracy. This is the internationalism which some fools denounce as anarchism, as tending to disrupt society.

It is because I feel an obligation to give expression to that view that I vote against the declaration of war, anxious as I am that the American people should appear unanimous and united in their longing for a victory for humanity, an irresistible force for universal peace, to be based on no annexations, no punitive indemnities, upon aid to the weaker and smaller nations which have been invaded by the ruthless central powers, with disarmament and international arbitration as a means to prevent wars in the future. In extending my remarks I submit an extract from an address on the Russian revolution which I delivered on the 29th of June in this House. As usual, the opinion of the socialist was disregarded:

Now, I want to speak of the effect of the revolution on the progress of the war. A free people, once realizing that they are free, want to know what they are fighting for. That is self-evident. It stands to reason that a people who have overthrown their Government and have repudiated the internal policies of that Government should, when requested to continue its foreign policy, ask for an opportunity to revise that foreign policy, for an opportunity to find out where the foreign policy is leading, and that is exactly what has happened.

They began to examine what that foreign policy was, in the making of which they had had no part. They began to ask for the democratization of foreign relations, and you know that young democracies are honest and are not diplomatic. A young democracy loves liberty with a pure love. You will find in the oratory of the first 15 or 20 years of the history of this country the breath of pure democracy.

The new Government demanded a reexamination of treaties and tried to find out what the world was fighting for. The new Russia announced that, so far as she was concerned, she wanted no indemnities, no conquests, no oppression of any people no matter however small. She wanted her allies to proclaim the same principles. For some inexplicable reason the American press interpreted this proclamation as a demand for a separate peace—as a desire to surrender to Germany. The slogan "No annexation" necessarily involves the restoration of Belgium to herself, the return to Serbia of her territory, the return of Montenegrin territory to Montenegro, the reestablishment of Roumania.

It necessarily implies the throwing of all possible safeguards around every other little nation in Europe. In protesting against punitive indemnities she but insisted that all warring nations should agree on a settlement of the war which should not crush any of the vanquished nations, which should not impose upon the conquered nations a burden which they would be unable to carry. Their basis for universal peace was entirely in harmony with the principles which the President enunciated in his speeches before the Senate, and especially in the speech of January 22 of this year. Russia proceeded to prove her good faith by waiving all claims upon Constantinople, reserving, of course, the right to insist upon the neutralization of the Dardanelles and by granting the highest degree of autonomy to Finland. It could not have been otherwise with the Socialists playing the part they do in the new Government. The right of every nation to live its own life is a cardinal part of the faith of international socialism. Where the same territory is occupied by several distinct nationalities, the Socialist would give to every such nationality the largest possible measure of cultural autonomy, and where more than one nation claims the right to a particular territory by reason of national affinity, he would let the local population determine its affiliations by a vote of freemen and not by external pressure.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Chairman, when the final roll call is had on this resolution it will be found that it is supported upon both sides of the aisle, receiving but one adverse vote, that of the gentleman who has just spoken, the Socialist Member in this Congress [Mr. LONDON]. Mr. Chairman, it is a strange anomaly, indeed, that the one vote that will be cast in this House in aid of the Kaiser of Germany and the autocracy of Germany will be cast by a Socialist. The gentleman talks about internationalism and about a democracy throughout the world, and yet if this House agreed with him, it is plain now, which was not so plain last April, that autocracy and not democracy would rule the world when this war is over. [Applause.] The gentleman's native country is Russia. Let me say to the gentleman that the overthrow of autocracy in Russia, which has been secured, was possible only through this war that has been waging now for three and a half years. I will say further to the gentleman that Russia is the only independent nation in the world to-day where the Socialists are in temporary control, but let Germany win this war and 24 hours afterwards, instead of democracy in Russia, the black eagle of Prussia will be there with the Kaiser of the German Empire taking its place, and they will wipe out that democracy in Russia and substitute for it the same autocratic government that now exists in Germany. [Applause.]

So I say, Mr. Chairman, that it is strange, indeed, that a man representing the Socialist Party, that pretends to stand stronger than any of the other parties for real democracy and for a people's government, should take a position in the House the only effect of which can be to assist not only autocracy but the worst autocracy the world has every known, not only to continue its rule where it has been ruling but to extend it over the

civilized world. I do not believe that the gentleman himself can represent any very large portion of the men who will vote the ticket of his party. If he does, then we must conclude the gentleman and the members of his party have less intelligence than we have heretofore believed they possessed. [Laughter and applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I reserve the remainder of my time. Will the gentleman from Virginia permit me now to yield to the gentleman from New York [Mr. CHANDLER]?

Mr. FLOOD. I promised to yield to the gentleman from Illinois [Mr. SABATH].

Mr. COOPER of Wisconsin. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from Virginia has used 52 minutes and the gentleman from Wisconsin 36 minutes.

Mr. COOPER of Wisconsin. In view of the fact that the gentleman has used 52 minutes and we have used only 36, will not he permit me to even up the time?

Mr. FLOOD. Very well.

Mr. COOPER of Wisconsin. Mr. Chairman, I reserve the remainder of my time.

Mr. FLOOD. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. SABATH].

The CHAIRMAN. The gentleman from Illinois is recognized for 10 minutes.

Mr. SABATH. Mr. Chairman, with the friendliest feeling and most deep felt sympathies for the great majority of the peoples living under the tyranny and oppression of the dual monarchy of Austria-Hungary, it becomes my solemn duty to vote to-day for this resolution. In this sentiment I am most earnest. I feel satisfied that nothing but the most sympathetic feelings exist in this country for the vast majority of these peoples who have for centuries been compelled to submit to the yoke—the oppressive and blood-stained yoke—of Austria-Hungary.

I am not going to detain this House for more than a few moments, but in these few moments I desire to call your attention to some of the different peoples who have for these many centuries been persecuted by this Austro-Hungarian Government. I want to say to you that nearly 60 per cent of these people are anxiously waiting for the happy moment when they can throw off the cruel and despotic yoke of Austria and the unbearable Hapsburgs.

Under the dual monarchy of Austria-Hungary there are to-day almost eight and one-half millions of Bohemians, over five million Poles, four million Ruthenians, over a million and a quarter Slovenians, over five and one-half millions of Serbo-Croatians, almost three and one-quarter millions of Roumanians, and over eight hundred thousand Italians. These people who constitute more than a majority of all the peoples of the dual monarchy living under Austro-Hungarian rule against their wishes and without their consent are suffering the greatest destitution and distress. I venture to say that 95 per cent of these afflicted peoples are ready, willing, and anxious, if the opportunity will but afford itself, to strike against its oppressors, the monarchy of Austria-Hungary and the Hapsburgs.

These people sympathize with the allies. Sympathize, do I say? Why, they look to the allies as their saviors—saviors to release them from these many centuries of the most cruel and almost inhuman bondage that they have suffered under the rule of Austria-Hungary. They feverishly await the overthrow of the German Government that has dominated over Austria for years past, and are eagerly yearning for the day when the downfall of Austria-Hungary will result in their regaining their separate nationalities where each people "will be governed by the consent of the governed."

I know that the men of these nationalities living to-day in the greatest democracy that the world ever knew, the United States of America, fully appreciative of its institutions and opportunities, will do their part and their share to aid the country of their adoption and devotedly serve the cause of humanity and democracy for which we are fighting to-day. [Applause.]

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. SABATH. Yes.

Mr. BORLAND. I wish to ask the gentleman if there are not a good many people of these nations working in the United States and living here?

Mr. SABATH. There are; and I wish to say that I am in daily contact with these people and I know whereof I speak when I state that 99 per cent are ready and willing to do their part to wage war against Austria, as well as against Germany. [Applause.] They have enlisted by the thousands; yes, by the ten thousands; and I know that they will continue to serve the country that has protected them, a country that has given them the liberties for which they have been struggling and fighting for centuries in the old countries of Europe.

Mr. BORLAND. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Missouri.

Mr. BORLAND. Does not the gentleman believe that we could safely and properly exempt some of these people from the alien-enemy proclamation?

Mr. SABATH. I wish to say to the gentleman from Missouri that I have prepared just such a resolution and the moment the present resolution declaring war against Austria-Hungary is adopted I shall introduce a resolution to exempt them from the alien-enemy proclamation, and I now take the privilege of inserting a copy of said resolution:

Joint resolution (H. J. Res. 181) providing that Bohemians, Moravians, Slovaks, Roumanians, Poles, Ruthenians, Serbs, Croatians, Slovenes, and Italians be and are specifically excluded from the classification of alien enemies as subjects of Austria-Hungary.

Whereas this Congress, upon the recommendation of the President of the United States, has declared that a state of war exists between the United States and Austria-Hungary; and

Whereas certain States and Provinces within the Empire of Austria-Hungary have been subjugated to its rule without their consent and against the wishes of the inhabitants; and

Whereas the peoples of these States and Provinces, to-wit, the Bohemians, Moravians, Slovaks, Ruthenians, Poles, Serbs, Croatians, Slovenes, Italians, and Roumanians, suffering from the persecution and oppression inflicted upon them by the Empire of Austria-Hungary, have sought and been given the haven of these United States in very large numbers; and

Whereas these people gratefully appreciate the shelter and opportunities given them by the United States and are now eager and anxious to serve this country in its present grave crisis; and

Whereas throughout the breadth and length of this country thousands of men of these races have enlisted in the several branches of the armed forces of this country to sustain and aid it in the holy fight for democracy and the freedom of all nations, large and small; and

Whereas many more thousands of the men of those races have been called to serve and are now serving under and by virtue of the selective-draft act; and

Whereas the said Bohemians, Moravians, Slovaks, Ruthenians, Poles, Serbs, Croatians, Slovenes, Italians, and Roumanians are technically considered subjects of Austria-Hungary, which status is beyond their control and contrary to their wishes; and

Whereas by the declaration of this Congress that a state of war exists between the United States and Austria-Hungary these said Bohemians, Moravians, Slovaks, Poles, Ruthenians, Serbs, Croatians, Slovenes, Italians, and Roumanians at present serving this country in the several branches of its armed forces who have not declared their intention to become citizens of the United States or who having declared their intention to become citizens of the United States have never become fully naturalized, are immediately considered alien enemies, thereby being restrained in their patriotic desire to serve this country wholeheartedly and devotedly and to give their all to aid the cause of humanity and democracy; and

Whereas they and other peoples of these States and Provinces who are noncombatants would be barred from entering, working, conducting business, or residing within certain territories prohibited to alien enemies; and

Whereas such a condition would cause a grave wrong and irreparable injury to peoples whose loyalty and devotion to this country stand unquestioned and unchallenged, and who unselfishly and unreservedly have upheld the cause of the allied powers against the central powers: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said Bohemians, Moravians, Slovaks, Ruthenians, Poles, Serbs, Croatians, Slovenes, Italians, and Roumanians be, and they are hereby, specifically excluded from the classification of alien enemies wherever such classification now exists as to subjects of Austria-Hungary by reason of any act of Congress of the United Staes or regulations established by the President of the United States and under such rules and regulations as the President may from time to time promulgate; and be it further

Resolved, That the said Bohemians, Moravians, Slovaks, Poles, Ruthenians, Serbs, Croatians, Slovenes, Italians, and Roumanians shall not be barred from the armed forces of the United States due to their status as (unwilling) subjects of Austria-Hungary and that they shall be subject to the operation of the selective-draft act.

Mr. BORLAND. I am heartily with the gentleman on that proposition.

Mr. SABATH. And before I conclude I wish to say, in answer to my colleague from New York [Mr. LONDON], that I, as much as he, am interested in the cause of the Russian people, but first, I am an American, and paramount and superior to my interest in the peoples of Russia is my interest in the welfare of my country. [Applause.] And it is the duty of every man, whether he be a socialist, pacifist, or anything else, living under the Stars and Stripes in this free country of ours, partaking of its benefits and receiving its advantages, to do his part, freely and ungrudgingly, and thereby demonstrate that he is deserving to live here and enjoy the blessings of liberty and the freedom of democracy. [Applause.] The gentleman from New York [Mr. LONDON] states to us that the socialists are opposed to war, yet did they not wage war in Russia to secure freedom? And is not this a much holier war and are we not fighting for a cause even greater than they have fought for in Russia? My sympathies are deeply with these people who fought for the freedom of Russia, but we are fighting to-day not only for the freedom of the people of Russia but for the freedom of all the nations of the world. [Applause.]

Born in Bohemia, whose people have suffered from the despotism and persecutions of the Government of Austria-Hungary to an even greater extent than the other peoples heretofore mentioned, I am glad of the opportunity that I to-day can raise my voice and cast my vote for the resolution declaring war against Austria-Hungary. [Applause.]

Not wishing to detain the House any further, Mr. Chairman, I ask unanimous consent to embody in my speech an article on Austria written by Jaroslav F. Smetanka.

The CHAIRMAN. The gentleman from Illinois [Mr. SABATH] asks unanimous consent to extend his remarks in the RECORD by inserting the article to which he refers. Is there objection?

There was no objection.

DISMEMBERMENT OF AUSTRIA.

The foundations for the present Austrian Empire were laid in 1526, when Ferdinand, to whom his elder brother Charles conveyed the Hapsburg dominions on the Danube and in the Alps, secured his election to the thrones of Bohemia and Hungary made vacant by the death of his brother-in-law Louis. Austria-Hungary of to-day contains in addition to these three elements only the Polish-Ruthenian Provinces of Galicia and Bukowina on the northeast and smaller districts inhabited by Italians and Croatians on the southwest. The two Turkish Provinces of Bosnia and Herzegovina, annexed recently, are purely Serbo-Croat in race and language.

Out of this brief statement of the origin and growth of the Hapsburg Empire one fact stands out clearly, namely, that this great power, second in area and third in population among the States of Europe, is not the product of the expansion of a single race occupying constantly new lands and assimilating new people. The races that the Hapsburgs gathered under their sway are still in existence, full of energy, conscious of their separate nationality, eager to live their own life, fighting bitterly all attempts to make them over into something else, whether it be into Germans or Magyars. The dynasty could have justified and made possible the continued existence of this collection of nations and fragments of nations only if it had allowed each race full opportunity for self-development and widest possible measure of autonomy. But the dynasty was German. Up to 1866 its ambition was to be the head of the entire German nation, of which the Hapsburg territories were to form an integral part. When the Prussian kings supplanted the rulers of Austria in the leadership of Germany, Francis Joseph hesitated for a while and was on the verge of making his Empire a federal structure with equal rights for all races, but instead of that he put into effect a compromise by means of which he pacified the Magyars and sacrificed all the rest. He divided his Empire into two parts. In the Austrian half of it the German minority was made the ruling race, while the Hungarian half, with its Slav and Rouman majority, was turned over to the Magyars.

A few figures will show the galling injustice of this arrangement. But before Austrian official statistics are cited it is necessary to mention that they are notoriously biased in favor of the two ruling races. In 1910 the racial figures for the Austrian half of the monarchy were as follows:

Germans	9,950,266
Bohemians	6,435,983
Poles	4,967,984
Little Russians	3,608,844
Slovenians	1,252,940
Serbo-Croatians	783,334
Italians	768,422
Roumanians	275,115

The German population, which numbers only 35.58 per cent, has a majority in Parliament and treats the Slavs, who number more than 60 per cent, as "minderwertig," inferior people.

In Hungary the Slavs and the Roumanians fared even worse, for the Magyars, an Asiatic race, proceeded ruthlessly to make the words "Magyar" and "Hungarian" synonymous. Everything non-Magyar was treason against the Hungarian State, and races that lived in Hungary when the Magyars were still an unknown tribe wandering on the steppes of Central Asia were condemned to extinction. This barbarous policy did bring results, for in 1910 the Magyars, according to their statistics, for the first time formed a bare majority of the people of Hungary. The figures for 1910 are as follows:

Magyars	10,050,575
Roumanians	2,949,027
Germans	2,037,435
Slovaks	1,967,970
Croatians	1,833,167
Serbians	1,106,471
Little Russians	472,587

The policy of oppression pursued by the two ruling races of the dual empire made the collapse of the whole crazy structure of the Hapsburg monarchy inevitable sooner or later. For years, as Francis Joseph was growing old, speculation was rife about the fate of Austria after his death. As it is, Francis Joseph preceded his empire into the tomb by only a year or so. When he declared war on Serbia he signed the death warrant of the greatness of the Hapsburg dynasty.

To-day not a single one of the 11 races subject to Emperor Charles desires the continuation of Austria-Hungary. Poles expect the restoration of Poland; Little Russians want to join 25,000,000 of their kinsmen in Russia; Roumanians hope to form a part of greater Roumania; Croatians, Slovenians, and Serbians plan the union of their race with Serbia and Montenegro in a great Yugo-Slav kingdom. Italians of Austria will naturally be joined to Italy. Bohemians and Slovaks want independence in a common Czechoslovak State. Magyars care for only one thing, to maintain their tyranny over all Hungary, while the Germans want the closest union with or even annexation to imperial Germany. The only Austrian left is the emperor. Dismemberment of Austria will hurt Emperor Charles in pride and pocket, but it will be welcomed by the overwhelming majority of the people of the empire.

During the nineteenth century the Turk was the sick man of Europe. To-day that ignoble rôle is played by Austria. The sooner it is partitioned in accordance with the legitimate aspirations of its races the better for the peace of the world.

In conclusion, Mr. Chairman, I desire to say that from time to time upon the floor of this House I have assured the country that the great mass of Bohemians, Moravians, Slovaks, Ruthenians, Poles, Serbs, Croatians, Slovenes, Italians, and Roumanians were true to the highest ideals of this country and its institutions, and to-day, in this hour of trial, when every resident of our country is met with the test of loyalty and devotion, I again wish to assure you, an assurance coupled with supreme confidence, that these peoples have a sublime faith in the majestic leadership of the greatest statesman of the world to-day, Woodrow Wilson, the President of the United States [applause]; that to them the protection of the principles of democracy which sheds its light upon the darkened countries of all oppressed nations is dearer than life itself, and for its continuation and further extension, so that all the peoples of the entire world might receive the blessings of liberty and democracy that they have received, they are willing to make the supreme sacrifice. To their oppressed countrymen across the seas they extend the hand of "justice and mercy" and call to them, "Awake! awake! Your fetters shall be broken and your bonds destroyed, and once again, if you join with us, you will enjoy the freedom of democracy and the blessings of liberty." I know, Mr. Chairman, and I say this from the depth of my heart, that these peoples who have enjoyed the great blessings of this country are true and will always be found true and loyal to these United States, her allies, and to the great struggle for humanity and democracy. [Extended applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 111. Joint resolution declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States, and making provision to prosecute the same.

The announcement was received with applause.

AUSTRIA-HUNGARY.

The committee resumed its session.

Mr. COOPER of Wisconsin. I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, I desire to read to the committee a telegram which I received this morning:

CENTERVILLE, IOWA, *December 6, 1917.*

HON. H. M. TOWNER,
Washington, D. C.:

Large number of Croation miners desire first papers. They are loyal and hate Austria more even than we do. If war is declared on Austria why should not exception be made to Croations so far as admitting them to citizenship is concerned?

Senator J. M. WILSON,
G. C. ELLIOTT,
Clerk District Court.

Mr. Chairman, of course I realize that it would be improper to offer any amendment to this declaration of war. We have just been assured by the gentleman from Illinois [Mr. SABATH] that a resolution will be introduced in which these men who have recently been the subjects of Austria will be excepted from the operation of the alien-enemy act. There is no disposition to punish these men, who were unwilling subjects and are now the friends of America and not of Austria.

It is sometimes very hard for us to realize the conditions that exist in the dual monarchy of Austria-Hungary. Austria has a population of about 30,000,000 people, and yet there are but 10,000,000 Germans in Austria. Hungary has a population of about 20,000,000 people, and there are only about 2,000,000 Germans in Hungary. The combined populations of Austria and Hungary are about 50,000,000 people, and in the entire Austro-Hungarian Empire there are only 12,000,000 Germans. Yet German autocracy rules Austria-Hungary to-day. These people who have been referred to by the gentleman from Illinois [Mr. SABATH], men who are now in America because they desire to free themselves from the rule of this German autocracy in their country, certainly ought not to be punished because of their loyalty and devotion to republican principles rather than to autocracy. So these people will be taken care of.

We do not all realize that in this Austro-Hungarian Empire there are a large number of nationalities, almost all of whom except the German population, who constitute less than one-fourth of the entire population, are not in harmony with the ruling class that dominates the policies of Austria. That being true, we may look forward to the time, I think with a reasonable degree of probability, when these men, constituting as they

do almost separate nationalities, will be allowed to free themselves from the Austro-Hungarian yoke and from the German domination that now governs that country.

These people who have sent me this telegram are Slavic in race and are closely associated with the Serbians. Their sympathies are with them; they speak the same language and they have the same literature as Serbia. They are against the German autocracy that rules Austria-Hungary to-day. If they were allowed to determine their own destiny they would either organize for themselves a separate government, as they had for 200 years, or else they would ally themselves with those with whom they are most nearly allied, with the Serbians. We know the conditions that exist in Bohemia. We know the conditions that exist in Hungary. We know that these races and these peoples are not in sympathy with German domination of these countries. In the declaration of war which we will soon pass with such enthusiasm and unanimity we will be fighting the battle of those subject races of Austria, and when the hour of final victory shall come, as come it will, they will see the dawn of a new day of freedom and self-government.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield three minutes to the gentleman from Missouri [Mr. MEEKER].

Mr. MEEKER. Mr. Chairman, I have more respect for and more confidence in any man in the German, Austrian, Bulgarian, or Turkish Army than I have for a man who asks the protection of the American flag but refuses to fight for it. [Applause.]

We have a lot of gooseflesh individuals in this country who are trying to escape from this struggle on the plea of their love for the men who are trying to destroy our Nation. There are only two sides to this war, and, as the Master said 2,000 years ago, "He who is not for me is against me."

There may have been neutral ground between belligerents before we entered this war. There is no neutral ground between the United States and her enemies for a Member of the American Congress or for a citizen of the United States.

All I wish to say in regard to this resolution is that I speak the overwhelming conviction, wish, desire, and purpose of the men of the tenth district of Missouri when I vote not only for the declaration of war against Austria-Hungary, but also for a declaration of war against Turkey and Bulgaria and all other friends of kaiserism and military despotism at the earliest possible moment in which we can get to that vote. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I yield three minutes to the gentleman from Kentucky [Mr. POWERS].

Mr. POWERS. Mr. Chairman, I was opposed to the declaration of war between the United States and the Imperial German Government. As an original proposition, I would vote against a declaration of war between this country and the Royal Austro-Hungarian Government. But the United States can not win this war by fighting part of our enemies part of the time. We must fight all of our enemies all of the time, if we expect victory to crown our efforts. I shall, therefore, vote for the resolution declaring war on Austria; and I regret that the language of the resolution is not broad enough to include all of our enemies. We are in the war against my will and over my protest, but there is only one thing left for this country now to do, and that is to win it; and I shall cast my vote for every reasonable measure that leads in that direction.

THE PRESIDENT'S PATRIOTISM IS NOT THE ONLY BRAND.

But I dissent very radically from the position taken by many Democrats that theirs and President Wilson's particular brand of patriotism is the only kind, and that all who disagree with them are miscreants and traitors. I decline to have my patriotism measured by an unswerving devotion to all the things said, and all the acts done, by a Democratic President. "Stand by the President," is their slogan. My answer to that is, that I will, so long as I believe he stands for the welfare of our own country but no further. "There should be no politics in this war" is an expression often heard from Democratic sources. To that I agree, but I abominate and abhor a one-sided truce. A political armistice during the progress of the war is perfectly proper provided it be observed by both sides. An armistice, however, that provides that the Republican Party shall cease the work of organization and education relative to the fundamental differences between the two dominant parties—an armistice that demands that the Republican Members of Congress and Republicans generally throughout the country shall cease to be Republicans, or to assert their Republicanism, until after the war is over, and to stand by, defend, and uphold all that the Democrats have done and will do during the progress of this war, does not commend itself to me or to my Republicanism, especially in view of the fact that the Democrats are busier than ever, the war notwithstanding, in getting ready for the next campaign.

SHALL THE REPUBLICAN PARTY GO BURY ITSELF?

Shall the Republican Party go bury itself simply because the war is on? Shall it go over, bag and baggage, to the Democratic Party and help to elect Democrats to all the offices, big and little, throughout the country simply because the war is on? Does not history prove beyond question that the Republican Party has never been lacking in patriotism? If any party has been guilty of laches along this line, has it not been the Democratic Party?

If the Republicans are to forget politics for the time being, should not President Wilson and the Democratic Party likewise forget them? If party politics is to be banished from the brain of man until the war is won, will not some well-informed Democrat please tell me why it is that since the war began, as well as before, the Democratic Party has had its candidates out for every office in every State in this Union—local, district, and State—where the Democrats have had even a remote chance of winning? Will somebody point out a single instance where President Wilson was opposed to the election of a Democrat and for the election of a Republican for any office anywhere, large or small, since the war began? If politics and party advantage are not to be dreamed of until this war is over, as the Democrats solemnly admonish us, why do not the President and his party at least, some time, somewhere, and upon some occasion, advocate the election of some Republican?

Not long since there was a special election in the sixth Indiana congressional district. The Democratic nominee had, as a former Member of this House, voted against every measure for the increase of the Army and the Navy, and had denounced all war preparations as machinations of the munition makers and the war gods generally. He was a confirmed pacifist and anti-preparedness advocate. His Republican opponent declared that he would, if elected, support the Government's war measures from start to finish. Notwithstanding all this, his election was opposed by President Wilson, who wrote a letter urging the election of the Democratic nominee.

REPUBLICANS AND DEMOCRATS ALIKE ARE BEHIND THE GOVERNMENT.

We are in the war. Republicans and Democrats alike are behind the administration in trying to bring it to a successful conclusion. If President Wilson would cause the resignation of one-half of his Democratic Cabinet and put men like LODGE, Root, and Roosevelt in their places, does anybody doubt that it would aid greatly the successful prosecution of the war? If President Wilson would cause the resignation of even one-third of the Democratic officeholders whose duties are largely that of helping win the war and put a like number of equally efficient Republicans in their places and show a like regard for the other political parties in this country, does anybody doubt that it would put added vim, unity, and enthusiasm in the fight against a common foe? Ours seems to be the only belligerent nation where party lines are drawn in selecting men of affairs to steer the ship of state in this world crisis. Although the war is on, President Wilson is going ahead making political appointments in the same old way as though we were at peace with all the world. When the suggestion was made that Col. Theodore Roosevelt be put on the delegation to the conference of the allies because of his eminent fitness and extensive knowledge of war problems, the matter was dismissed with the statement that his appointment would "not be in keeping with nonpartisanship." The President then proceeded to appoint Col. House, the well-known and widely advertised Democratic politician from the State of Texas, and Vance McCormick, chairman of the Democratic National Committee in the last election.

The Federal Reserve Board controls the Federal reserve banks. Money is nonpartisan, but the Federal Reserve Board is not. It is 85 per cent Democratic. It was made so by President Wilson. It seems to be the purpose of the President and his advisers to mobilize all the talent and all the bravery and all the wealth and all the politics and all the patriotism of the country and put them all under the undisputed control of Democratic partisans.

PRESIDENT WILSON'S OPINION OF REPUBLICANS.

President Wilson once said of Republicans that "some of them are blind and most of them are ignorant." While the President is noted for changing his mind, it would seem that on this one subject the public need not expect any change. Yet if Republicans failed to stand by the President in all he does and says 24 hours of every day, and at frequent intervals during that time failed to hollo, "Hurrah for Wilson!" then they are subjected to the grave charge of disloyalty to their country. The command is: "Leave it all to the President." In no other belligerent country in the world is there an attempt in evidence to exclude the legislative branch of government from all con-

sideration and influence in connection with the governmental program.

THE PEOPLE DEMAND PUBLICITY AND TRUTH AND SOME PARTICIPATION IN THE AFFAIRS OF THEIR GOVERNMENT.

The people demand publicity and truth about this war; they demand a voice in how it shall be conducted. Upon their shoulders the burden of it falls. They are not willing to leave it all to President Wilson. The American people have a right to know where their soldiers are, for instance. They have a right to know something of the progress of our armies, something of the efficiency and work of our Navy. The people have a right to know whether their money is being wisely and economically expended in the progress of this war. For months to come we may expect to see the Democratic administration busily engaged in investigating itself to see what it has been doing. If the same mystery and secrecy that have heretofore marked the progress of this war shall hereafter prevail, all the powerful blows, so far as the country is concerned, that this Government is preparing to strike at the enemy will be struck in the dark, and all the mighty weapons which are being forged will be used in secret. This Democratic administration acts as though the war was a private musical at the White House, to be witnessed by and participated in only by the President and his closest friends. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I believe I have two minutes remaining of the hour, if that is the correct interpretation of the agreement.

The CHAIRMAN (Mr. GARRETT of Tennessee). The Chair will state that the gentleman from Wisconsin [Mr. COOPER] and the gentleman from Virginia [Mr. FLOOD] control all of the time for general debate, no matter how long it continues.

Mr. COOPER of Wisconsin. That was my understanding of the agreement, but there were others who put a different interpretation upon it, and therefore I made the inquiry of the Chair.

The CHAIRMAN. The agreement was that all of the time for general debate should be controlled by the gentleman from Virginia [Mr. FLOOD] and the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. That is as I understood the agreement. I now yield five minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Chairman, it is evident from the temper of this House and of the American Congress that, with the exception of the gentleman from New York [Mr. LONDON], there will probably not be a vote cast against this resolution for a declaration of war against the Imperial Austro-Hungarian Government.

Some question may be raised as to whether we should also declare war against the remaining allies of the Germanic federation—Turkey and Bulgaria. I am free to say that I expect to vote in accordance with the suggestion of the State Department that the declaration be limited at this time to the Austro-Hungarian Government, and yet it seems to me that it is merely a prelude to a declaration of war against the remaining allies—Turkey and Bulgaria. The same causes, possibly in a less degree, which move us to declare a war against Austria must lead eventually, and that very soon, in my judgment, to a declaration against the remaining allies. These causes are the paramount necessity which to-day exists for the close cooperation between those engaged in fighting this great alliance of autocracy. [Applause.]

The outstanding lesson of the present stage of this war is the need for close cooperation between the allies and a unity of plan and purpose which will match the splendid unity and efficiency of Germany. It is apparent that Germany has reduced Austria, Bulgaria, and Turkey to a position of vassal States and that all plans of campaign are made from some central office in Germany. Germany is thus enabled to shift troops from one battle front to another and to provide for their equipment, supply, and reenforcement. As a result it strikes sudden, powerful, and effective blows at any point in the allied line which seems to offer a favorable opportunity.

The allies, on the contrary, have been working along single lines. There has been no concert of action, except so far as has been exhibited by France and England on the western front. The Italian campaign has been a single effort and the campaigns of Great Britain in western Asia have been conducted without cooperation with any of the other allies. The heroic efforts of Serbia and Roumania were not properly supported and resulted in disaster to the allied cause and in the material strengthening of Germany. It is not improbable that the Russian situation could have been much better controlled through such a council of the allies than in any other way. The supreme need of the hour is a permanent war council of the allies, sitting in Paris. [Applause.] This I understand to be the program of President Wilson and Mr. Lloyd-George.

On this permanent war council the United States should be represented by a civilian and a military expert. The war council should be in full touch with all of the battle plans of the allies. It should be completely and accurately informed of every change in the situation in the various countries, both external and internal. It should be advised at all times of the state of the resources of each country in each necessary line of military supplies. It should know the number of men available for any particular campaign, transportation problems, the time required for their transfer to the point where they are to be used, and generally the important facts upon which to base a plan of campaign which could be carried out effectively and promptly.

The element of surprise is not to be overlooked, and the allies ought to be in a position to strike against the weak points in the enemies' lines, wherever they may be found.

Much has been said of the need of a supreme military commander for the allied forces. This does not seem to me to be of the primary importance of a war council. Whether the armies shall be put under the command of one general, and if so, from what nation he shall be chosen, is, in my opinion, a secondary question. Such a commander in chief could lead the troops which were furnished him, but he could not control the great economic forces of the separate nations that would be necessary to assemble, transport, and supply those troops.

The commander in chief would necessarily rely upon the separate contributions of the several nations, unless he were supported by a joint body having power to coordinate all of the authorities of the allies. Each country should furnish not what it happens to be willing to furnish but what it can furnish best and quickest in accordance with a general plan.

No better illustration of the necessity for such cooperation is to be found than in the failure of the Italian campaign in the Alps. If an allied war council had been in existence, it should have been charged with the duty of passing upon every feature of the proposed campaign of Italy into Austria.

If it were determined that the campaign was sufficiently important to the cause of the allies to justify Italy in beginning it, then the full force of the allied nations should be pledged to guarantee its success. [Applause.] Italy should have been furnished with sufficient guns, ammunition, transportation, and reenforcements, if necessary, to make it humanly certain that it would succeed in its plans and make impossible such a disaster as did occur. If the allied war council had disapproved the plan of Italy, then Italy should not have been encouraged to pursue it by any supplies from the allies.

The council here suggested is not a mere consulting or advisory body—not a debating society. It should be empowered to formulate plans and make requisitions upon the allies which would have the full moral weight of all the allies behind them. The responsibility for the success of the war should be boldly assumed by the council, and the risk and odium of a failure to live up to the concerted plans should be placed squarely upon the shoulders of any nation that saw fit to default in its part of the program.

The effect of the repeated failure of plans of campaigns made by the allies has been to encourage the stubborn resistance of Germany and to strengthen the morale of the German Army and the public opinion of the German Nation. Similarly it has had the effect upon the allied nations of demoralizing in some degree their morale and inducing the feeling that Germany is invincible.

All statesmen recognize that if this prestige of success on the part of Germany can once be broken that the war can be brought to a speedy end. Germany is slowly weakening, and its misguided people are kept under the iron rule of Prussianism mainly by the carefully propagated doctrine of the invincibility of Prussian autocracy. This doctrine of the power of autocracy is the great danger to the democracy of the world to-day. If it succeeds, the world will not be safe for democracy.

With an allied war council in existence, general plans of campaign can be made which would be carried out so effectively that sledge-hammer blows will be struck on the German line at a point at which success seems most probable. Germany will be taught that these campaigns by the allies are not sporadic attempts of separate nations, which can be easily baffled, as has been true in the past. It will realize that a campaign once begun along a certain line will be carried through with determination to a final victory. This feeling on the part of Germany that there is no escape from the relentless pursuit of the allies will do more than any other one thing to break down the spirit of that country and bring the war to a speedy close, with a minimum expenditure of men and money.

The present method of independent action on the part of the allies is dragging the war out to an interminable length and has resulted in useless sacrifice of thousands of lives and an im-

mense amount of property. Such a war council is the supreme need of the allies. It is the duty of Congress to authorize and provide for such a permanent council at the earliest possible moment, and then it is the duty of the allies to bend all of their energies to carry out harmoniously the plans so agreed upon.

Therefore, I am ready in the immediate future to vote for a declaration of war against Bulgaria and Turkey, in order that we may be able to cooperate fully with our allies in Europe and bring about a speedy, durable, and just peace. We are fighting the great battle of democracy; we are fighting the last remnant of autocracy in this world. Will peace come? Aye; peace will come, but it will be no patched-up peace; it will be no premature peace; it will be no armed truce, leading to another terrible struggle; it will be no peace with a monarch who claims that the most sacred international treaties are mere scraps of paper; it will be no peace with a despot who claims a partnership with Almighty God. It will be a peace founded upon the deep faith of nations; a peace between average men; a peace sealed by the voice of the people, beyond and above which we Americans recognize no power beneath the throne of God. [Applause.] Will peace come? When? Peace will come, as President Wilson told the Pope, when the flag of feudalism goes down forever in this world. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I yield now to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Chairman, the Senate has shown that the time for talk is over and that the time for action has come. When Grant stood before Vicksburg he was asked what he demanded. He demanded the unconditional surrender of Vicksburg. To-day the democracy of the world demands the unconditional surrender of autocracy. There is much more that I would like to say now, but time is short. One thing I do want to say. I say to my friend from New York, Mr. LONDON, that the people of his district and those Socialists who are in mine who voted for my opponent, Mr. Hillquitt, at the present time are behind the Government of the United States and behind the people of this country in their determination to see this war through. I hope that by the time a vote comes he will have reconsidered what he said here to-day and will stand shoulder to shoulder with the rest of the Members of this House and show the country and the world that the House of Representatives can do what the Senate has done, namely, vote unanimously for war against Austria.

Mr. Chairman, the Committee on Foreign Affairs has ably stated why we should declare war against Austria. I therefore deem it wise to read the important parts of that record and report. It is as follows:

ACTIVITIES OF AUSTRIAN AMBASSADOR AND CONSULS.

In September, 1915, it was discovered that Ambassador Dumba and Austrian consuls in St. Louis and elsewhere were implicated in instigating strikes in American manufacturing plants engaged in the production of munitions of war. An American citizen named Archibald, traveling under an American passport, had been intrusted with dispatches in regard to this matter from Dumba and Bernstorff to their Governments. These acts were admitted by Dumba. By reason of the admitted purpose and intent of Dumba to conspire to cripple business industries in the United States, and by reason of the flagrant violation of diplomatic propriety in employing an American citizen protected by an American passport as a secret bearer of official dispatches through the lines of an enemy of Austria-Hungary, the Austro-Hungarian Government was requested to recall Dumba.

The Austrian consuls at St. Louis and New York were implicated with Dumba in these transactions, particularly in the circulation of strike propaganda. They were implicated in procuring forged passports from the United States for the use of their countrymen in going home.

Long before the above activities were made public, our Government had evidence that the Austrian diplomatic and consular service was being used in this country for Germany's warlike purposes.

AUSTRIA'S POSITION AS TO SUBMARINE WARFARE.

While Austria's submarine warfare has been of a very limited character, they have adopted and adhered to the policy of the ruthless submarine warfare of the Imperial German Government.

After diplomatic relations with Germany had been broken the department on February 14, 1917, dispatched the following telegram to the American embassy at Vienna, surveying briefly the position of the Austrian Government on submarine warfare:

"In the American note of December 6, 1915, to the Austro-Hungarian Government in the *Ancona* case, this Government called attention to the views of the Government of the United States on the operations of submarines in naval warfare which had been expressed in no uncertain terms to the ally of Austria-Hungary, and of which full knowledge on the part of the Austro-Hungarian Government was presumed. In its reply of December 15, 1915, the Imperial and Royal Government stated that it was not possessed with authentic knowledge of all of the pertinent correspondence of the United States, nor was it of the opinion that such knowledge would be sufficient to cover the *Ancona* case, which was of essentially a different character from those under discussion with the Berlin Government. Nevertheless, in reply to the American note of December 19, 1915, the Austro-Hungarian Government, in its note of December 29, stated:

"'As concerns the principle expressed in the very esteemed note that hostile private ships, in so far as they do not flee or offer resistance, may not be destroyed without the persons on board having been placed in safety, the Imperial and Royal Government is able substantially to assent to this view of the Washington Cabinet.'"

Moreover, in the case of the *Persia*, the Austro-Hungarian Government, in January, 1916, stated in effect that while it had received no information with regard to the sinking of the *Persia*, yet, in case its responsibility were involved, the Government would be guided by the principles agreed to in the *Ancona* case.

"Within one month thereafter, the Imperial and Royal Government, coincidentally with the German declaration of February 10, 1916, on the treatment of armed merchantmen announced that 'All merchant vessels armed with cannon for whatever purpose, by this very fact lose the character of peaceable vessels,' and that, 'Under these conditions orders have been given to Austro-Hungarian naval forces to treat such ships as belligerent vessels.'

"In accordance with this declaration several vessels with Americans on board have been sunk in the Mediterranean, presumably by Austrian submarines, some of which were torpedoed without warning by submarines flying the Austrian flag, as in the cases of the British steamers *Secondo* and *Welsh Prince*. Inquiries made through the American ambassador at Vienna as to these cases have so far elicited no information and no reply.

"Again, on January 31, 1917, coincidently with the German declaration of submarine danger zones in waters washing the coasts of the entente countries, the Imperial and Royal Government announced to the United States Government that Austria-Hungary and its allies would from February 1 'prevent by every means any navigation whatsoever within a definite closed area.'

"From the foregoing it seems fair to conclude that the pledge given in the *Ancona* case and confirmed in the *Persia* case is essentially the same as that given in the note of the Imperial German Government dated May 4, 1916, viz, 'In accordance with the general principles of visit and search and destruction of merchant vessels recognized by international law, such vessels, both within and without the area declared as a naval war zone, shall not be sunk without warning and without saving human lives, unless these ships attempt to escape or offer resistance,' and that this pledge has been modified to a greater or less extent by the declarations of the Imperial and Royal Government of February 10, 1916, and January 31, 1917. In view, therefore, of the uncertainty as to the interpretation to be placed upon those declarations, and particularly this latter declaration, it is important that the United States Government be advised definitely and clearly of the attitude of the Imperial and Royal Government in regard to the prosecution of submarine warfare in these circumstances.

"Please bring this matter orally to the attention of the Austrian Government and request to be advised as to whether the pledge given in the *Ancona* and *Persia* cases is to be interpreted as modified or withdrawn by the declarations of February 10, 1916, and January 31, 1917. If after your conversation it seems advisable, you may hand to the minister for foreign affairs a paraphrase of this instruction, leaving the quoted texts verbatim."

In reply, the Austrian Government, in an aide memoire of March 2, 1917, after reviewing the illegal blockade measures of the allies, stated that "it now as heretofore firmly adheres to the assurances given by it" in the *Ancona* case.

The Austro-Hungarian Government also stated that Austro-Hungarian submarines had taken no part in the sinking of the British steamers *Secondo* and *Welsh Prince*, and that "the assurance which it gave the Washington Cabinet in the *Ancona* case, and renewed in the *Persia* case, has neither been withdrawn or restricted by its declarations of February 10, 1916, and January 31, 1917."

The Austro-Hungarian note endeavors, through a legal argument, to show consistency between these assurances and its declarations. In this way the Austro-Hungarian Government evades a direct answer to the American inquiry, but in its argument it substantially adheres to the declaration of January 31, 1917, for it states that—

"The entire declaration is essentially nothing else than a warning to the effect that no merchant ship may navigate the sea zones accurately defined in the declaration."

And that—

"The Imperial and Royal Government is, however, unable to accept a responsibility for the loss of human lives which, nevertheless, may result from the destruction of armed ships or ships encountered in the closed zones."

In view of this acceptance and avowal by the Austrian Government of the policy which had led to a breach of relations between the United States and Germany, the Government of the United States found it impossible to receive Dumba's successor, Count Tarnowski. The Government felt that it could not receive a new ambassador from a country which joined Germany in her submarine policy, even though its participation might be by verbal and not physical cooperation. This was communicated to the Austrian Government in a telegram from the department dated March 28, 1917.

In his message to Congress of April 2, 1917, the President said, in respect to the attitude of Austria-Hungary:

"I have said nothing of the Governments allied with the Imperial Government of Germany because they have not made war upon us or challenged us to defend our right and our honor. The Austro-Hungarian Government has, indeed, avowed its unqualified indorsement and acceptance of the reckless and lawless submarine warfare adopted now without disguise by the Imperial German Government, and it has therefore not been possible for this Government to receive Count Tarnowski, the ambassador recently accredited to this Government by the Imperial and Royal Government of Austria-Hungary; but that Government has not actually engaged in warfare against citizens of the United States on the seas, and I take the liberty, for the present at least, of postponing a discussion of our relations with the authorities at Vienna. We enter this war only where we are clearly forced into it because there are no other means of defending our rights."

The Austrian note of January 31, 1917, proclaimed the same submarine policy as that of Germany, and officially announced her intention, if she saw fit, to pursue the same ruthless submarine policy that Germany had inaugurated.

Many vessels have been sunk by submarines in the Mediterranean—the area in which Austrian submarines operate—by submarines which carried no flag or mark and the nationality of which was unknown. A great many of these undersea craft are believed to have been Austrian submarines or submarines commanded by Austrian officers, or supplied from Austrian bases or by Austrian means.

On April 4, 1917, the American four-masted schooner *Marguerite* was sunk by submarine 35 miles from the coast of Sardinia, while en route to Spain. The submarine carried no flag or marks to indicate its nationality. It is known, however, that Austrian was the language spoken by the officer of the submarine who came aboard the vessel with the boarding party, and it is believed that the submarine was Austrian.

On November 21, 1917, the *Schuylkill* was sunk off the coast of Algeria by an Austrian submarine; thus Austria is making, whenever opportunity affords, the same ruthless submarine warfare that Germany is making, in disregard of the promises made this Government, in violation of the law of nations and the instincts of humanity, and is as much at war with this country as Germany was after her note of January 31, 1917, and the subsequent sinking of American ships and the drowning of American citizens.

SEVERANCE OF DIPLOMATIC RELATIONS BY AUSTRIA-HUNGARY.

Before war was declared to exist between the United States and the Imperial German Government it was intimated to the United States Government that if war should be declared by the United States upon Germany, Austria-Hungary would be under obligation to break off diplomatic relations with the United States. Consequently after the declaration of war of April 6, 1917, the Austro-Hungarian Government informed the American chargé at Vienna on April 8 that diplomatic relations between the United States and Austria-Hungary were broken and handed him passports for himself and members of the embassy. The following is a translation of the note handed to the American chargé by the Austrian minister for foreign affairs:

IMPERIAL AND ROYAL MINISTRY OF THE
IMPERIAL AND ROYAL HOUSE AND OF FOREIGN AFFAIRS,
Vienna, April 8, 1917.

Since the United States of America has declared that a state of war exists between it and the Imperial German Government, Austria-Hungary, as ally of the German Empire, has decided to break off the diplomatic relations with the United States, and the imperial and royal embassy in Washington has been instructed to inform the Department of State to that effect.

While regretting under these circumstances to see a termination of the personal relations which he has had the honor to hold with chargé d'affaires of the United States of America, the undersigned does not fail to place at the former's disposal herewith the passport for the departure from Austria-Hungary of himself and the other members of the embassy.

At the same time the undersigned avails himself of the opportunity to renew to the chargé d'affaires the expression of his most perfect consideration.

CZERNIN.

To Mr. JOSEPH CLARK GREW,
Chargé d'Affaires of the United States of America.

AUSTRO-GERMAN OPERATIONS AGAINST ITALY.

Until the present Austro-German drive in northern Italy, the Austrian forces were gradually being driven back by the forces of the Italian armies. With the assistance of German troops drawn from the Russian front a very serious catastrophy was inflicted upon the Italian arms, which if it had not been stemmed might have resulted in the total collapse of Italy. Such a result would have been a great blow to those with whom we are associated in this war, and as much to the United States as to any of her cobelligerents.

As a result of this situation the allies have rushed aid to Italy, and the United States is sending ships, money, and supplies, and will probably soon send troops, who will be facing and making war on Austrian soldiers, and before this takes place there should be a declaration of war, this country against Austria-Hungary.

The Italian situation is of the utmost importance in the present conduct of the war. A declaration of war by the United States against Austria-Hungary will hearten the people of Italy, who have been misled by the mischievous and deluding propaganda engineered by the Germans. It will strengthen from a military point of view the whole allied cause. These are strong reasons for a declaration of war against Austria-Hungary.

These considerations, and the fact that Austria-Hungary is adhering to the illegal and inhumane policy of ruthless submarine warfare, and is, as the committee believes, making war upon American vessels and American citizens upon the high seas, and other reasons which are not deemed necessary to recapitulate here, induced the committee to report unanimously the accompanying resolution declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and people of the United States and making provision to prosecute the same.

I shall therefore vote for the resolution in order to show the world we are united. [Applause.]

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. POWERS. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield three minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, I would not take the time of the House in this matter, which I am sure will be practically unanimous, except for the fact that there have been times in the past when there were some misguided Americans who endeavored to formulate a doctrine that all parts of this country were not thoroughly in accord, as to this war, with the spirit of the American Nation. I am glad to-day to be able to testify, after this war has been going on with the Imperial German Government for some time, that the people of my section are thoroughly in accord with the patriotic utterances of the President here on Tuesday last. I represent in this House a portion of the city of St. Louis; where there are many thousands of men and women of German blood and ancestry, and after having had submitted to them every test, after having put to them every request of the President and of the Government for their support in furnishing men for the Army, subscribing to the bonds of the Government, in contributing to every cause connected with the war, I desire to say that they have more than met every test and more than doubled every request made of them. I am glad to-day to be here and to be permitted to speak in their behalf and say to this Congress and to the country that the city of St. Louis, one of the splendid municipalities of this Nation, is unanimously behind the President and behind the Government. [Applause.]

The few misguided Americans that we have in our city are not all men of German blood or of German extraction. They are of other nationalities, the same as we have in every other portion of the country, and the few that are there are no more in proportion to our great population than they are in any State of the Union. We, citizens of St. Louis, all propose to do that which every worthy American must do, and that is not only to stand up and say that we are going to do this or that for our country in this hour but, gentlemen, do it like men, giving the best that we have and giving it freely. Our country is at stake, and we are going to support the President. The patriotic utterances of the President on Tuesday last are the utterances of every true American, no matter from what section he hails, or to what party he belongs, and I have in the past and propose now and in the future to do the best I can to aid him in successfully carrying on the war. The man who opposes or who refuses to aid to the utmost his Government either in this House or in this country and gives utterance to anything except of pure and genuine patriotism is not worthy of the honor and privileges he enjoys and is not fit for American citizenship, and he should have it taken away from him and branded as an enemy of this Nation. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. OSBORNE].

Mr. OSBORNE. Mr. Chairman, since the 6th day of April last no measure more important to the winning of the great world war has come before Congress than that which is now under consideration.

Austria is extending every power to bring victory to Germany. She has committed numerous aggressions upon the United States, including the sinking of our ships by her submarines, each of such aggressions constituting an act of war. Undoubtedly our failure to declare the state of war with Austria at the time that Congress took that action with respect to Germany, which we had ample jusification for doing, had a depressing, if not a disastrous, effect upon the fortunes of our gallant ally in the south of Europe—Italy.

But if we made an error, and a serious error, at that time, it is well that we correct it with the least delay possible to-day. Therefore this House will give a practically unanimous vote upon this momentous measure to-day, and again yield to the President every possible weapon which he may deem desirable with which to win the war.

It is a fine thing to witness this unanimity of loyalty and solidarity of support of the President in the carrying on of this supreme struggle for the freedom of the world without regard to party lines or political affiliations. All sections of our great country are equally loyal to the cause, and imbued with the spirit of self-sacrifice.

I have just returned from the great States beyond the Rockies and the Sierras that border upon the Pacific. The fires of patriotism are all alight from Puget Sound to the Mexican border.

I have never before seen my own great State of California so profoundly stirred and so nearly unanimous in any cause as it now is in the cause of our common country against the greed for world power of the central powers of Europe. California, with Oregon and Washington, are with their sister States of the Union in this great conflict, ready to make every sacrifice, however great, to win the war, and they will attest their devotion this day by voting "Aye" upon the joint resolution now before the House declaring war upon Austria-Hungary.

Our next step should be an early declaration of war upon Turkey and Bulgaria. [Applause.]

Mr. FLOOD. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Chairman and gentlemen, I take it that every Member of this House is for this resolution to recognize that a state of war exists between this Government and the Imperial and Royal Government of Austria-Hungary. I said every Member. I beg the pardon of the gentleman from New York [Mr. LONDON]. It strikes me that the gentleman from New York does not represent the poor people of the country that the Socialist Party has always presumed to stand for, but, according to his argument, ever since we went into this war in April last, if what he preaches were carried out, the Imperial Government of Germany, the masters of Austria, and those people who would continue to oppress the poor not only in Europe but would endeavor to come over here and plunder and oppress the poor people of this country, that class would be in

the saddle if the gentleman from New York had his argument carried out to its conclusion. Instead of the gentleman representing the poor people of this country as a Socialist, according to my conception of his argument, when we are rushing now waist deep in blood, he is representing flannel-mouthed anarchy, and all of those like him in high places, who pretend now to argue that this is a war of commerce and pelf and profit, are guilty of treason instead of statesmanship. [Applause.] If the argument of the gentleman from New York should be carried to its ultimate conclusion, he would now surrender everything that the poor people of the United States have and hand it over to the Kaiser and the lords of the Hapsburgs. He would have this country, instead of being a Government of free people, an adjunct of the Kaiser. He would have this country under the heel of autocratic oppression. It seems to me that those Socialists of the United States of whom the gentleman is a spokesman ought to repudiate him, as any Democratic constituency would repudiate and spew out of their mouth any pretended Democrat who would utter such a contemptible sentiment at this season of the war. [Applause.] The President is Commander in Chief of the Army and Navy of the country, and it is our business in this crisis to follow him. I lay aside my idea of a declaration of war on the barbarous countries of Turkey and Bulgaria. I do not know much about the Bulgarians. I want to say it is my personal opinion that of all the contemptible races that are allied against us in this war the Turks stand at the head of the list, and yet the gentleman from New York, who pretends to be the exponent of all that is good for the poor laboring people of this country, wants us to lie down and let these barbarians come over here, subjugate us, and put the poor people down to starvation wages, have them walking the streets begging for bread. He would have the poor farmer get nothing for his products, and the poor man in the shops that he pretends to love would be so poor that he would not have clothing to wear nor food to eat. Yet the gentleman has the audacity to rise up before 104,000,000 people and pretend that he represents socialism. I understand socialism stands for something.

And what the gentleman tells us in this great crisis should be considered treason by the people whom he has the honor to represent. I do not know that the American people will stand for such talk as that now. In some sections of this country men in private life who would utter the sentiments that the gentleman from New York has uttered might be dealt with rather harshly. I think in the grand old State of Mississippi, where everybody worships God according to his conscience, the gentleman would be in some danger there making that statement. [Laughter and applause.] In the good old seventh district of Mississippi, a man who would go in there among those patriotic people and utter such sentiments as the gentleman from New York uttered here to-day would have a rough time on the platform among that good, honest, patriotic constituency. [Applause.] My friends, the time has come that the American Congress should not tolerate treasonable utterances on this floor.

Mr. SNYDER. Mr. Chairman, will the gentleman yield for a question?

Mr. QUIN. I will.

Mr. SNYDER. Does not the gentleman think he is considering the gentleman from New York too seriously?

Mr. QUIN. No, sir; I do not, because he is a spokesman of the Socialist Party on the floor of the House of Representatives. Any man who occupies the exalted position of a Member of the American Congress should be guarded in the language he uses for fear that the Kaiser and all those who surround him may be led to the view that in this great Republic of ours there is a division of sentiment, that there is perhaps a division suitable to the aims and ends of the Kaiser. [Applause.]

Mr. FLOOD. Mr. Chairman, I yield to the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER. Mr. Chairman, some discussion has been indulged in here as to whether or not this resolution goes far enough. Some gentlemen have expressed the sentiment that other allies of Germany ought to be included in the pending resolution. Frankly expressing my own views, I am inclined to share that sentiment. My judgment is this war will never be won, as it must and will be, until we have whipped all of our enemies. I believe we have assumed the task of whipping Germany and each and all of her allies, and that we must and will accomplish the task. But I am perfectly willing to follow the guidance of that man who has guided us so well thus far. I will therefore content myself to vote for the resolution as it is and against any amendment, should one be offered, until such time as the President in his wisdom invites Congress to pass a similar resolution with respect to other countries.

Mr. FLOOD. Mr. Chairman, I move that the committee do now rise.

Mr. COOPER of Wisconsin. Mr. Chairman, before the committee rises, I will ask the indulgence of the House to say just a word.

Mr. FLOOD. Mr. Chairman, I withdraw the motion.

The CHAIRMAN. The gentleman from Virginia withdraws his motion temporarily. The gentleman from Wisconsin [Mr. COOPER] is recognized.

Mr. COOPER of Wisconsin. Mr. Chairman, in view of the action of the Senate, just reported to the House, I appreciate the desire of Members to have the business here speedily ended, and therefore I shall take time only very briefly to outline the reasons which will control my vote on the resolution.

This Nation became a party to the war in Europe when, in April last, Congress declared the existence of a state of war between the United States of America and the Imperial German Government. Therefore the question now before us is not whether we shall vote to plunge this country into war, for already it has entered the war—this most gigantic, most terrible of wars—which for more than three years has been raging across the sea and never more fiercely raging than now, eight months after we became a party to it.

This being the situation, there is nothing for us as loyal American citizens to do except to adapt ourselves to its consequences. One of these consequences—an inevitable consequence of the situation—is that the Imperial and Royal Austro-Hungarian Government is our enemy, because it is, and throughout the war has been, the active, powerful ally of the Imperial German Government, to which it is bound by solemn treaty for purposes offensive and defensive. It is true that since declaring war against Germany we have professed to maintain an attitude of neutrality toward Austria, but that, Mr. Chairman, is a purely fictitious neutrality from which the pending resolution proposes to remove the mask. This resolution recognizes what all American citizens have long recognized, that the United States can not be at war with one nation and remain at peace with that nation's great ally.

The facts are irresistible. To me my duty is plain, and I shall vote for the resolution. [Applause.]

Mr. FLOOD. Mr. Chairman, I yield two minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Chairman, I take this time simply to state that any man upon the floor of this House or elsewhere who states that every member of the Socialist Party is opposed to the successful conduct of this war does not represent the loyal Socialists of this country who believe in certain economic and social principles but are loyal to the United States of America. I live in the county in which probably the greatest publication of the Socialist Party is published, The Appeal to Reason. The sons of the founder of that paper are thoroughly loyal to the United States and are for the prosecution of this war to a successful conclusion. [Applause.] They believe in doing everything essential for the successful conduct of the war. I do not believe that any man expresses the sentiments of the Socialists of this country who says that the Socialists are opposed to any measure or any declaration that would result in united action against the enemies of the United States or represents the real sentiment of those who adhere to certain economic and social principles advocated by the Socialist Party. The gentleman from New York [Mr. LONDON] may speak for himself and a few Socialists in New York City, but he does not speak for the midcontinent Socialists of the United States. They are loyal to the Government that has given them protection in the right to life, liberty, and the pursuit of happiness. They are for the prosecution of this war against all the enemies of the United States to a successful conclusion. [Applause.]

Mr. FLOOD. Mr. Chairman——

Mr. COOPER of Wisconsin. Mr. Chairman, there are two gentlemen who wish an opportunity to say a word, taking one minute each.

Mr. FLOOD. All right.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield two minutes to the lady from Montana [Miss RANKIN]. [Applause.]

Miss RANKIN. Mr. Chairman, I still believe that war is a stupid and futile way of attempting to settle international difficulties. I believe that war can be avoided and will be avoided when the people, the men and women in America, as well as in Germany, have the controlling voice in their Government.

To-day special privileged commercial interests are controlling the world. When we declared war on Germany we virtually declared war on Germany's allies. The vote we are now to cast is not a vote on a declaration of war. If it were, I should vote against it. This is a vote on a mere technicality in the prosecu-

tion of a war already declared. I shall vote for this, as I voted for money and for men. [Applause.]

Mr. FLOOD. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Virginia moves that the committee do now rise.

Mr. COOPER of Wisconsin. One moment. I promised the gentleman from Colorado [Mr. TIMBERLAKE] one minute.

The CHAIRMAN. The gentleman from Colorado is recognized for one minute.

Mr. TIMBERLAKE. Mr. Chairman and gentlemen, I came in late, thinking the general debate was not to close so early. I wanted to say before the vote was taken on this resolution, however, that I am in hearty accord with the same.

Having just returned from the war front I felt most keenly, however, that the duty of this country was to declare war not only on Germany, as our enemy, but also on all of the friends and allies of the German Empire. I found this expression among all the people with whom we came in contact during our recent trip in Europe, and especially did we find it reflected among those people in Italy who have suffered so much from the Austrian and Turkish drive. They felt that we were slow in attending to that part of this work.

I am in hearty accord with this resolution, but very much wish that it had been seen fit by the President, our Commander in Chief, to include Turkey and Bulgaria. [Applause.] But I bow to his will, and shall support heartily the resolution. [Applause.]

Mr. FLOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration House joint resolution 169, declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States and making provision to prosecute the same, had come to no resolution thereon.

Mr. FLOOD. Mr. Speaker, Members of the House know that the Senate has already unanimously passed a resolution practically the same as House joint resolution 169. There is some difference in the preamble and a slight difference in the verbiage of the resolution. I ask unanimous consent that we may consider the Senate resolution in lieu of the House resolution, with a view to moving later to lay the House resolution on the table, so that we can vote on the Senate resolution and the matter will not have to go back to the Senate; and if we do that in a short time the Senate will wait in session for us, so that the matter can be concluded to-day, and the House can adjourn over until one day next week, as I understand the gentleman from North Carolina [Mr. KITCHIN] proposes to move.

The SPEAKER. The gentleman from Virginia asks unanimous consent that Senate joint resolution 111 be considered in lieu of House joint resolution 169, the two resolutions being almost identical.

Mr. BORLAND. Mr. Speaker, would the gentleman from Virginia not agree to have that read before his proposition is put? It is very brief.

Mr. FLOOD. I have no objection to its being read.

Mr. BORLAND. I think the Senate resolution ought to be read so that we can see what the difference is.

Mr. FLOOD. I have no objection to that.

The SPEAKER. The Clerk will report the Senate joint resolution.

The Clerk read as follows:

Joint resolution (S. J. Res. 111) declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States, and making provision to prosecute the same.

Whereas the Imperial and Royal Austro-Hungarian Government has committed repeated acts of war against the Government and people of the United States of America: Therefore be it

Resolved, etc., That a state of war is hereby declared to exist between the United States of America and the Imperial and Royal Austro-Hungarian Government; and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial and Royal Austro-Hungarian Government; and to bring the conflict to a successful termination all the resources of the country are hereby pledged by the Congress of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none. Without objection, House resolution 169 will lie on the table.

There was no objection.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that we may vote on Senate joint resolution 111 without the formality of going into the Committee of the Whole House on the state of the Union.

Mr. CRISP. Consider it in the House as in Committee of the Whole.

Mr. FLOOD. Yes. I ask that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Virginia asks unanimous consent to consider this Senate resolution in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. FLOOD. I move the previous question, Mr. Speaker.

The SPEAKER. The gentleman from Virginia moves the previous question.

The previous question was ordered.

Mr. FLOOD. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on passing this resolution, and on that the gentleman from Virginia demands the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll. Those in favor will vote "yea"; those opposed will vote "nay" when their names are called.

The question was taken; and there were—yeas 365, nays 1, not voting 68, as follows:

YEAS—365.

Adamson	Dillon	Hayes	Merritt
Alexander	Dixon	Heaton	Miller, Wash.
Almon	Dominick	Heflin	Montague
Anderson	Dooling	Hensley	Moon
Anthony	Doolittle	Hersey	Moore, Pa.
Ashbrook	Doremus	Holland	Moores, Ind.
Aswell	Doughton	Hollingsworth	Morgan
Austin	Dowell	Hood	Morin
Ayres	Drukker	Houston	Mott
Bacharach	Dunn	Huddleston	Neely
Bankhead	Dupré	Hulbert	Nichols, Mich.
Barkley	Dyer	Hull, Iowa	Oldfield
Barnhart	Eagan	Hull, Tenn.	Oliver, Ala.
Bell	Edmonds	Humphreys	Oliver, N. Y.
Beshlin	Elliott	Igoe	Olney
Black	Ellsworth	Ireland	Osborne
Blackmon	Emerson	Jacoway	Overmyer
Blanton	Esch	James	Padgett
Booher	Estopinal	Johnson, Ky.	Paige
Borland	Fairchild, B. L.	Johnson, S. Dak.	Park
Brand	Fairchild, G. W.	Johnson, Wash.	Parker, N. Y.
Britten	Fairfield	Jones, Tex.	Peters
Brodbeck	Farr	Jones, Va.	Phelan
Browning	Ferris	Juul	Polk
Bruckner	Fess	Kahn	Porter
Brumbaugh	Fields	Kearns	Pou
Buchanan	Fisher	Keating	Powers
Burnett	Fitzgerald	Kelley, Mich.	Pratt
Butler	Flood	Kelly, Pa.	Price
Byrnes, S. C.	Flynn	Kennedy, Iowa	Purnell
Byrns, Tenn.	Focht	Kettner	Quin
Caldwell	Fordney	Key, Ohio	Rainey
Campbell, Kans.	Foss	Kiess, Pa.	Raker
Campbell, Pa.	Foster	Kincheloe	Ramsey
Candler, Miss.	Francis	King	Ramseyer
Cannon	Frear	Kinkaid	Randall
Cantrill	Freeman	Kitchin	Rankin
Caraway	French	Knutson	Rayburn
Carew	Fuller, Ill.	Kraus	Reed
Carlin	Fuller, Mass.	Kreider	Riordan
Carter, Okla.	Gandy	La Follette	Robbins
Chandler, N. Y.	Gard	Langley	Roberts
Chandler, Okla.	Garland	Larsen	Robinson
Church	Garner	Lazaro	Rodenberg
Clark, Fla.	Garrett, Tenn.	Lee, Ga.	Romjue
Classon	Garrett, Tex.	Lehlbach	Rose
Claypool	Gillett	Lenroot	Rouse
Coady	Glass	Lesher	Rowe
Collier	Glynn	Lever	Rubey
Connally, Tex.	Godwin, N. C.	Linthicum	Rucker
Connelly, Kans.	Good	Little	Russell
Cooper, Ohio	Goodwin, Ark.	Littlepage	Sabath
Cooper, W. Va.	Gordon	Lobeck	Sanders, Ind.
Cooper, Wis.	Gould	Lonergan	Sanders, La.
Copley	Graham, Ill.	Longworth	Sanders, N. Y.
Costello	Gray, Ala.	Lufkin	Sanford
Cox	Gray, N. J.	Lunn	Saunders, Va.
Crago	Green, Iowa	McAndrews	Schall
Cramton	Greene, Mass.	McArthur	Scott, Iowa
Crisp	Greene, Vt.	McCormick	Scott, Mich.
Crosser	Gregg	McCulloch	Scott, Pa.
Currie, Mich.	Griest	McFadden	Sells
Dale, N. Y.	Griffin	McKenzie	Shackleford
Dallinger	Hadley	McKeown	Shallenberger
Darrow	Hamill	McKinley	Sherley
Davidson	Hamilton, Mich.	McLaughlin, Pa.	Sherwood
Davis	Hamilton, N. Y.	McLemore	Shouse
Decker	Hamlin	Madden	Siegel
Dempsey	Hardy	Magee	Sims
Dent	Harrison, Miss.	Maher	Sinnott
Denton	Haskell	Mansfield	Sisson
Dewalt	Hastings	Mapes	Slayden
Dickinson	Haugen	Martin	Slemp
Dies	Hawley	Mays	Sloan
Dill	Hayden	Meeker	Small

Smith, Idaho	Swift	Voigt	White, Ohio
Smith, Mich.	Tague	Volstead	Williams
Smith, T. F.	Talbott	Waldow	Wilson, Ill.
Snell	Taylor, Ark.	Walker	Wilson, La.
Snook	Temple	Walsh	Wilson, Tex.
Snyder	Templeton	Walton	Wingo
Stafford	Thomas	Ward	Winslow
Steagall	Thompson	Wason	Wise
Stedman	Tillman	Watkins	Wood, Ind.
Steele	Tilson	Watson, Pa.	Woods, Iowa
Steenerson	Timberlake	Watson, Va.	Woodyard
Sterling, Pa.	Towner	Weaver	Young, N. Dak.
Stiness	Van Dyke	Webb	Zihlman
Strong	Vare	Welling	The Speaker
Sullivan	Venable	Whaley	
Sumners	Vestal	Wheeler	
Sweet	Vinson	White, Me.	

NAYS—1.

London

NOT VOTING—68.

Bacon	Evans	Lea, Cal.	Ragsdale
Baer	Gallagher	Lundeen	Reavis
Bathrick	Gallivan	McClintic	Rogers
Bland	Goodall	McLaughlin, Mich.	Rowland
Bowers	Graham, Pa.	Mann	Scully
Browne	Harrison, Va.	Mason	Sears
Burroughs	Heintz	Miller, Minn.	Smith, C. B.
Capstick	Helm	Mondell	Stephens, Miss
Carter, Mass.	Helvering	Mudd	Stephens, Nebr.
Cary	Hicks	Nelson	Sterling, Ill.
Clark, Pa.	Hilliard	Nicholls, S. C.	Stevenson
Curry, Cal.	Howard	Nolan	Switzer
Dale, Vt.	Husted	Norton	Taylor, Colo.
Denison	Hutchinson	O'Shaunessy	Tinkham
Drane	Kehoe	Overstreet	Treadway
Eagle	Kennedy, R. I.	Parker, N. J.	Welty
Elston	LaGuardia	Platt	Young, Tex.

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. CLARK of Missouri, and he answered in the affirmative.

Mr. MADDEN. Mr. Speaker, my colleague, Mr. MANN, is unavoidably absent on account of serious illness. I wish to announce that if he were present he would vote "yea."

The SPEAKER. All such announcements will be in order after the announcement of the vote.

Mr. PADGETT. Mr. Speaker, I wish to submit a request for unanimous consent. In view of the change in the hour for voting some Members were out during the roll call who have just come in, and I ask unanimous consent that all Members who appear before the announcement of the vote be permitted to vote. [Applause.]

The SPEAKER. The gentleman from Tennessee asks unanimous consent that because of the change in the hour for voting as announced any gentleman who appears now be permitted to vote. Is there objection?

There was no objection.

The Clerk called the names of Members appearing at the bar of the House, and they are recorded above.

So the joint resolution was passed.

The Clerk announced the following pair:

On this vote:

Mr. NORTON (for) with Mr. LUNDEEN (against).

The result of the vote was announced as above recorded.

On motion of Mr. FLOOD, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

Mr. COOPER of Wisconsin. Mr. Speaker, I am requested by the gentleman from Minnesota, Mr. MILLER, a member of the Committee on Foreign Affairs, who, as we know, voted to report the House resolution, to say to the House that he was unavoidably absent to-day, but if present he would have voted for the House resolution.

Mr. MADDEN. Mr. Speaker, I desire to announce on behalf of my colleague, Mr. MASON, who is ill at the hotel and unable to attend the House, that if present would have voted for the resolution.

Mr. SABATH. Mr. Speaker, I have a telegram from my colleague, Mr. GALLAGHER, who is absent with 10 or 11 other Members of Congress, that they hoped to be here to vote for the resolution, but it is apparently impossible for them to be here in time, and they desire to be recorded in favor of the resolution.

The SPEAKER. They can not be recorded, but the gentleman's announcement will stand.

Mr. SABATH. If they were here, they would vote for the resolution.

Mr. PHELAN. Mr. Speaker, my colleague, Mr. GALLIVAN, of Boston, is unavoidably detained. If here he would vote in favor of the resolution.

Mr. MOORE of Pennsylvania. Mr. Speaker, the gentleman from South Carolina, Mr. NICHOLLS, is with the Hawaiian party. If he had been present, he would have voted for the resolution.

Mr. GORDON. Mr. Speaker, I have a telegram from two Members of the House—the gentleman from South Carolina, Mr. NICHOLLS, and the gentleman from Ohio, Mr. WELTY, announcing that if they were present they would vote for the resolution, and I ask unanimous consent to place it in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The telegram is as follows:

GRAND ISLAND, NEBR., *December 6, 1917.*

HON. WILLIAM GORDON, M. C.,
House of Representatives, Washington, D. C.:

All of us anxious to vote on war resolution in affirmative. Understand from newspaper reports vote may be reached Friday afternoon. Do not think if vote was put off until Saturday morning it would be prejudicial. Please use your influence to have it carried over until Saturday morning. All will appreciate it.

SAM J. NICHOLLS, *M. C.*
B. F. WELTY, *M. C.*

Mr. FERRIS. Mr. Speaker, I am authorized by my colleague, Mr. MCCLINTIC, to state that he would vote for the resolution. He is with the Hawaiian party.

Mr. CHANDLER of New York. Mr. Speaker, I ask leave to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that every Member who spoke on the resolution be allowed to revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SLOAN. Mr. Speaker, I desire to announce that my colleague, Mr. REAVIS, is in the Hawaiian party, but if here would vote for the resolution.

Mr. ZIHLMAN. Mr. Speaker, my colleague, Mr. MUDD, is a member of the Hawaiian party and has advised me that if present he would vote for the resolution.

Mr. SIEGEL. Mr. Speaker, my colleague, Mr. LAGUARDIA, is on the Italian front, but if here would vote for the resolution.

Mr. AYRES. Mr. Speaker, my colleague, Mr. HELVERING, is unavoidably absent, but if present would vote for the resolution.

Mr. SMITH of Michigan. Mr. Speaker, my colleague, Mr. MCLAUGHLIN, is absent on the Hawaiian delegation, but if present would vote for the resolution.

Mr. WOOD of Indiana. Mr. Speaker, my colleague, Mr. BLAND, is with the Hawaiian party, but if here would vote for the resolution.

Mr. WASON. Mr. Speaker, my colleague, Mr. BURROUGHS, is unavoidably absent, but if present would vote in favor of the resolution.

Mr. YOUNG of South Dakota. Mr. Speaker, the gentleman from North Dakota, Mr. BAER, who is unavoidably absent, wires me that if present he would vote for the resolution.

Mr. GREENE of Vermont. Mr. Speaker, my colleague, Mr. DALE, is returning from the war zone in Europe. If present, he would vote for the resolution.

Mr. LANGLEY. Mr. Speaker, the gentleman from West Virginia, Mr. BOWERS, is unavoidably absent, but if here he would vote for the resolution.

Mr. WILLIAMS. Mr. Speaker, my colleague, Mr. DENISON, is unavoidably absent, but if here he would vote in favor of the resolution.

Mr. FLOOD. Mr. Speaker, my colleague, Mr. HARRISON of Virginia is absent on a visit to his son, who has been three months serving his country as a soldier, and to-day is the only opportunity for him to see him. If present, he wou'd vote for the resolution.

Mr. LOBECK. Mr. Speaker, I wish to announce that the gentleman from Nebraska, Mr. STEPHENS, if here to-day would vote in favor of this resolution. He is unavoidably absent, having just returned from Europe.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that all gentlemen have five legislative days to extend their remarks in the RECORD on this resolution.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that all Members have five legislative days to extend remarks in the RECORD on the resolution. Is there objection?

There was no objection.

Mr. STINESS. Mr. Speaker, my colleague, Mr. KENNEDY of Rhode Island, is unavoidably absent, but if present would vote for the resolution.

Mr. GILLETT. Mr. Speaker, I was requested to announce the names of certain gentlemen in the Hawaiian party, who are on the train and who will get here to-morrow morning, who are anxious to vote for the resolution. It may be that some of them

have been covered. They are the gentleman from Massachusetts, Mr. TREADWAY, the gentleman from Pennsylvania, Mr. TEMPLE, the gentleman from New York, Mr. PLATT, the gentleman from Nebraska, Mr. REAVIS, the gentleman from Massachusetts, Mr. CARTER, the gentleman from Maine, Mr. GOODALL, and the gentleman from Indiana, Mr. BLAND.

Mr. EAGAN. Mr. Speaker, I desire to announce that I have just heard that my colleague from New Jersey, Mr. SCULLY, missed his train on his way to Washington, and I wish to state that if he had been present he would have voted "aye" on the war resolution to-day.

Mr. COOPER of Wisconsin. Mr. Speaker, the gentleman from Illinois, Mr. MCCORMICK, as we all know, went last summer on a visit to the battle fronts in Europe. He remained there during the latter part of the summer and a portion of the fall. He witnessed some of the great battles. He was in the battle front in France, and he also saw the terrific drive in Italy. I ask unanimous consent that immediately after the reading of the Journal on Friday of next week he be permitted to address the House for one hour on his experiences on the battle front. [Applause.]

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that next Friday, immediately after the reading of the Journal and the disposition of papers on the Speaker's table, the gentleman from Illinois [Mr. MCCORMICK] be permitted to address the House for not exceeding one hour. Is there objection?

Mr. LANGLEY. Mr. Speaker, I do not want to object to that, and I am anxious to hear the gentleman because I know he will give us interesting and valuable information, but I desire to call to the attention of the House the fact that Friday is private pension day. I wondered if that would interfere with it.

The SPEAKER. Oh, there will be plenty of time.

Mr. LANGLEY. I just wanted to call attention to it, because this is the first private pension bill of this Congress and I do not want to see that delayed. Most of the cases carried in the bill are those of old soldiers who will not live much longer.

The SPEAKER. The Chair hears no objection, and it is so ordered.

APPROPRIATIONS, ETC.

The SPEAKER laid before the House the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Expenditures in the State Department and ordered to be printed:

To the House of Representatives:

I transmit herewith a statement by the Secretary of State, with accompanying papers, of appropriations, expenditures, and balances of appropriations under the Department of State for the fiscal year ended June 30, 1917.

WOODROW WILSON.

THE WHITE HOUSE, *December 7, 1917.*

EXCHANGE OF TYPEWRITING MACHINES (H. DOC. NO. 536).

The SPEAKER laid before the House the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered printed:

To the House of Representatives:

I transmit herewith a statement by the Secretary of State showing exchange of typewriting machines made by his department in part payment for new machines during the fiscal year ended June 30, 1917, as required by section 5 of the act approved March 4, 1915 (38 Stat. L., 1161).

WOODROW WILSON.

THE WHITE HOUSE, *December 7, 1917.*

PEOPLE OF THE PHILIPPINE ISLANDS (S. DOC. NO. 124).

The SPEAKER also laid before the House the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Insular Affairs and ordered to be printed.

To the Senate and House of Representatives:

As required by section 19 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith a set of the laws enacted by the Fourth Philippine Legislature during its first session, from October 16, 1916, to February 8, 1917, inclusive, and its special session, from February 12 to 22, 1917, inclusive.

These acts and resolutions have not previously been transmitted to Congress and none of them has been printed.

WOODROW WILSON.

THE WHITE HOUSE, *December 7, 1917.*

AERONAUTICS (S. DOC. NO. 123).

The SPEAKER also laid before the House the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Naval Affairs and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith, for the consideration of the Congress, the Third Annual Report of the National Advisory Committee for Aeronautics, including a statement of the expenditures to June 30, 1917.

The estimates of the committee, together with its plans for enlarged activities contemplated through its laboratories and scientific staff at Langley Field, outlined in the closing paragraphs of the report have my hearty approval.

The attention of the Congress is also invited to the request of the committee that the appendixes to its report be published with the report.

WOODROW WILSON.

THE WHITE HOUSE, *December 7, 1917.*

NAVY YARDS AND NAVAL STATIONS (H. DOC. NO 1916, PT. 5, 64TH CONG., 2D SESS.).

The SPEAKER also laid before the House the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Naval Affairs and ordered printed:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress Report No. 5 of the Commission on Navy Yards and Naval Stations.

WOODROW WILSON.

THE WHITE HOUSE, *December 7, 1917.*

CIVIL SERVICE COMMISSION (H. DOC. NO. 622).

The SPEAKER also laid before the House the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Reform in the Civil Service and ordered printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of the Congress the thirty-third and thirty-fourth annual reports of the United States Civil Service Commission for the fiscal years ended June 30, 1916, and June 30, 1917.

The attention of the Congress is especially invited to the needs of the commission as set forth in these reports.

WOODROW WILSON.

THE WHITE HOUSE, *December 7, 1917.*

FOOD CONTROL IN ENGLAND.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to print in the RECORD a digest of the defense of the realm act of Great Britain, particularly that part pertaining to food control, together with some comment thereon.

The SPEAKER. The gentleman from Washington asks unanimous consent to print in the RECORD the English statute referred to. Is there objection?

Mr. LENROOT. Mr. Speaker, I would inquire the length of it?

Mr. JOHNSON of Washington. I have a digest of the entire defense of the realm act, and I shall pick out certain portions of the statute pertaining to the control of food and undertake to show how punishments are meted out. It is of reasonable length.

The SPEAKER. Is there objection?

There was no objection.

POST OFFICE APPROPRIATION BILL.

Mr. MOON, by direction of the Committee on the Post Office and Post Roads, reported the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year 1919, and for other purposes, which was read the first and second time and, with the accompanying report (No. 205), referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. MOON. Mr. Speaker, I ask unanimous consent that I may be permitted to file the report some time before midnight to-night.

The SPEAKER. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Minnesota reserves all points of order on the bill.

CHANGE OF REFERENCE.

By unanimous consent, at the request of Mr. MOON, reference of House Document 565, being a letter from the Postmaster

General respecting the proposed 5 and 10 per cent increase in the salary of the postal employees, was changed from the Committee on Appropriations to the Committee on the Post Office and Post Roads.

DROUGHT RELIEF.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent for a change of reference of the drought-relief bill, H. R. 6529, from the Committee on Appropriations to the Committee on Agriculture.

The SPEAKER. Is it a public or a private bill?

Mr. BLANTON. It is a public bill.

The SPEAKER. That change may be made when the request is made by the chairman of the committee after he is authorized to do so by the committee.

Mr. BLANTON. I will take it up with the chairman and the Appropriation Committee.

COMMITTEE ON ELECTIONS NO. 1.

Mr. WILSON of Louisiana. Mr. Speaker, I ask unanimous consent that, beginning Monday next, the Committee on Elections No. 1 be authorized to sit during the sessions of the House.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. GREEN of Iowa. Mr. Speaker, I desire to ask unanimous consent to extend my remarks by inserting in the RECORD a letter which I have written to the Commissioner of Internal Revenue, in which I have undertaken to show, under the decisions of law in general, that the salaries of Congressmen are not exempt from the excess-profits tax, and that all of this outcry about Congress having exempted the salaries of its Members from that tax is unjustifiable.

The SPEAKER. What is the request? The Chair did not hear a word of it.

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a letter which I have written to the Commissioner of Internal Revenue, the purport of which I have just stated to the House.

The SPEAKER. Is there objection?

Mr. FOCHT. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman where there has been any outcry about this tax among the Members or where there would be an outcry among the Members if their salaries were doubled. However, I do not object.

The SPEAKER. The gentleman from Iowa asks unanimous consent to print in the CONGRESSIONAL RECORD a letter which he wrote to the Commissioner of Internal Revenue about whether or not Congressmen's salaries were exempt from the income tax and the excess-profits tax. Is there objection? [After a pause.] The Chair hears none.

LEAVE TO ADDRESS THE HOUSE.

Mr. LITTLE. Mr. Speaker, Congressman MILLER, of Seattle, Wash., has been on the firing line in France with the other Congressmen. He was one of the group that was under fire. Mr. MILLER has a West Point education and might bring some things before the body which the rest of us would not be able to do, and I therefore ask unanimous consent that he follow Mr. MCCORMICK on next Friday for an hour.

The SPEAKER. The gentleman from Kansas [Mr. LITTLE] asks unanimous consent that next Friday, after Congressman MCCORMICK gets through, that the gentleman from Washington [Mr. MILLER] be permitted to address the House about his war experiences, not to exceed one hour. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT OVER.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Tuesday next.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet on Tuesday next. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of waterways and transportation.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks on the subject of water transportation and waterways. Is there objection? [After a pause.] The Chair hears none.

CONTESTED-ELECTION CASE—BEAKES V. BACON.

Mr. WATSON of Virginia. Mr. Speaker, I desire to give notice to the House that on Thursday of next week I shall call up the contested-election case of Beakes against Bacon, second Michigan district. The report of the Committee on Elections in this case was filed October 5. As far as I know, Mr. Speaker, the report represents the unanimous conviction of the committee. It is my wish, sir, that the matter be disposed of before the Christmas holidays, and after consultation with Members of the House I am satisfied that Thursday of next week will be as convenient a time for the consideration of this question as any other day which could be selected.

Mr. STAFFORD. Will the gentleman yield?

Mr. WATSON of Virginia. I will.

Mr. STAFFORD. I understood from the leader of the majority that the program was to take up the Post Office appropriation bill on next Tuesday. I assume that the gentleman's request will not interfere with the consideration of the Post Office appropriation bill.

Mr. KITCHIN. I rather think that whatever day is fixed for the contested-election case should be given for that purpose, because everybody will know that that is the day set.

Mr. STAFFORD. The gentleman knows that it is rarely the practice to hold up a bill that is unfinished in its consideration for other matters. Does not the gentleman think this should follow the consideration of the appropriation bill?

Mr. KITCHIN. I think we can get through with the Post Office appropriation bill on Tuesday and Wednesday. I think the House will suspend Calendar Wednesday for that purpose.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to joint resolution of the following title:

S. J. Res. 111. Joint resolution declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States, and making provision to prosecute the same.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 34 minutes p. m.) the House, under its previous order, adjourned to meet on Tuesday next, December 11, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required to complete Dock No. 6 at Cristobal, Canal Zone (H. Doc. No. 519); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the War Department for rent of buildings for the fiscal year 1918 (H. Doc. No. 520); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War submitting a supplemental estimate of appropriation required by the Engineer Department of the Army for the prevention of deposits in the harbor of New York for the fiscal year 1918 (H. Doc. No. 521); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War submitting a supplemental estimate of appropriation required by the Engineer Department of the Army for maintenance and repair of searchlights and equipment for seacoast fortifications for the fiscal year 1918 (H. Doc. No. 522); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the captain commandant of the Coast Guard submitting a supplemental estimate required for the purchase of land and improvements on the water front at Sault Ste. Marie, Mich., for the use of the Coast Guard (H. Doc. No. 523); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Acting Secretary of Labor, transmitting a statement of typewriters, adding machines, and other labor-saving devices exchanged in part payment for new machines by the Department of Labor during the fiscal year ended June 30, 1917 (H. Doc. No. 524); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Forked River, Tenn., from Dyersburg to its mouth (H. Doc. No. 525); to the Committee on Rivers and Harbors and ordered to be printed.

8. A letter from the chairman of the Interstate Commerce Commission, transmitting the thirty-first annual report of the Interstate Commerce Commission (H. Doc. No. 599); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

9. A letter from the Public Printer, transmitting statement relative to purchase, exchange, and repair of typewriting machines in the Government Printing Office covering the period from July 1, 1916, to June 30, 1917 (H. Doc. No. 526); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Librarian of Congress, transmitting annual report as Librarian of Congress and the annual report of the superintendent of the Library buildings and grounds for the fiscal year ending June 30, 1917 (H. Doc. No. 586); to the Committee on the Library and ordered to be printed.

11. A letter from the Secretary of the Interior, transmitting sixteenth annual report of the Reclamation Service (H. Doc. No. 527); to the Committee on Irrigation of Arid Lands and ordered to be printed.

12. A letter from the Attorney General, transmitting annual report of the Attorney General of the United States (H. Doc. No. 595); to the Committee on the Judiciary and ordered to be printed.

13. A letter from the Secretary of the Interior, transmitting copy of letter from Messrs. Hoyt & Mason, counselors at law, New York, N. Y., inclosing copy of the report of the Maritime Canal Co., of Nicaragua (H. Doc. No. 528); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

14. A letter from the Secretary of the Treasury, transmitting draft of legislation for the sale of three abandoned customs boarding stations at New Orleans, La. (H. Doc. No. 529); to the Committee on Public Buildings and Grounds and ordered to be printed.

15. A letter from the secretary of the Aircraft Board, transmitting a report of the salaries paid to clerks and employees by grades, and the number in each grade (H. Doc. No. 530); to the Committee on Expenditures in the War Department and ordered to be printed.

16. A letter from the Secretary of the Treasury, transmitting draft of proposed legislation transferring a certain portion of land on Fayette Street, at the southeast corner of the Federal building site, Baltimore, Md., to the city of Baltimore, Md. (H. Doc. No. 531); to the Committee on Public Buildings and Grounds and ordered to be printed.

17. A letter from the Secretary of the Treasury, transmitting draft of proposed legislation authorizing the Secretary of the Treasury to accept a correctionary deed to the United States to certain land in the city of New York, N. Y., for a post-office building site (H. Doc. No. 532); to the Committee on Public Buildings and Grounds and ordered to be printed.

18. A letter from the Secretary of the Treasury, transmitting draft of proposed legislation recommending that authority be given to the Secretary of the Treasury to transfer the old Subtreasury property at San Francisco, Cal., to the War Department for the use of the Engineer Corps (H. Doc. No. 533); to the Committee on Public Buildings and Grounds and ordered to be printed.

19. A letter from the Secretary of the Interior, transmitting statement showing the receipts from rentals, extension of the Capitol Grounds for the period December 1, 1916, to December 1, 1917 (H. Doc. No. 534); to the Committee on Public Buildings and Grounds and ordered to be printed.

20. A letter from the secretary of the Federal Trade Commission, transmitting statement of increased compensation paid employees of Federal Trade Commission during the period July 1, 1917, to September 30, 1917 (H. Doc. No. 535); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 6176) to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia, reported the same with amendment, accompanied by a report (No. 204), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEENERSON: A bill (H. R. 7219) for equipment and maintenance allowance for carriers on rural free delivery mail routes, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. MEEKER: A bill (H. R. 7220) to extend the time for the completion of the municipal-bridge approaches and extensions or additions thereto by the city of St. Louis, within the States of Illinois and Missouri; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGLEY: A bill (H. R. 7221) for the payment of certain soldiers' claims growing out of service in the Army as reported by the Court of Claims, known as three-months' pay claims; to the Committee on War Claims.

By Mr. KEATING: A bill (H. R. 7222) to promote the welfare of industries and wage earners of the United States; to extend the United States employment service in the Department of Labor; and for other purposes; to the Committee on Labor.

By Mr. PARK: A bill (H. R. 7223) to increase the limit of cost for the purchase of a site and the erection thereon of a public building at Moultrie, in the State of Georgia; to the Committee on Public Buildings and Grounds.

By Mr. SINNOTT: A bill (H. R. 7224) to amend section 14 of the food-control act, approved August 10, 1917, by providing for the maintenance of United States agents to grade and accept wheat in the States of Oregon and Washington, and to make immediate payment therefor; to the Committee on Agriculture.

By Mr. KAHN: A bill (H. R. 7225) providing for the transfer to the custody and control of the War Department property in San Francisco, Cal., known as the old Subtreasury property; to Committee on Public Buildings and Grounds.

By Mr. VAN DYKE: A bill (H. R. 7226) to reclassify the grades and fix the salaries of railway postal clerks; to the Committee on the Post Office and Post Roads.

By Mr. FERRIS: A bill (H. R. 7227) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes; to the Committee on the Public Lands.

By Mr. KINKAID: A bill (H. R. 7228) to amend section 1 of an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 7229) providing for an increase of authorization for a Federal building at Kenton, in the State of Ohio; to the Committee on Public Buildings and Grounds.

By Mr. RANDALL: A bill (H. R. 7230) to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. LOBECK: A bill (H. R. 7231) providing for the classification of salaries of veterinary inspectors and lay inspectors (grades 1 and 2) employed in the Bureau of Animal Industry, Department of Agriculture; to the Committee on Agriculture.

By Mr. KEARNS: A bill (H. R. 7232) to increase the rates of pensions of certain enlisted men, soldiers, and officers, who served in the Civil War; to the Committee on Invalid Pensions.

By Mr. DILL: A bill (H. R. 7233) appropriating the sum of $500 for the erection of a suitable monument over the grave of the Indian "Spokane Garry"; to the Committee on Indian Affairs.

By Mr. KEATING: A bill (H. R. 7234) providing that the same war taxes on incomes and salaries shall apply to salaried officers of the United States, including Senators and Representatives in Congress, as upon all other persons subject to tax; to the Committee on Ways and Means.

By Mr. FOSTER: A bill (H. R. 7235) to provide for the uniform selection and purchase of fuel to be used in the United States; to the Committee on Mines and Mining.

By Mr. SMITH of Idaho: A bill (H. R. 7236) to amend an act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes, approved May 11, 1898; to the Committee on the Public Lands.

By Mr. MOON: A bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. PARK: Resolution (H. Res. 189) authorizing the Clerk of the House to employ counsel to represent him in the suit brought against him by Aaron P. Prioleau; to the Committee on Accounts.

By Mr. GILLETT: Joint resolution (H. J. Res. 177) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FREAR: Joint resolution (H. J. Res. 178) creating a commission to report a plan for the adoption of a national budget system; to the Committee on Rules.

By Mr. CANDLER of Mississippi: Joint resolution (H. J. Res. 179) amending section 201 of the act entitled "An act to provide

revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. TAGUE: Joint resolution (H. J. Res. 180) for the relief of the sufferers from the recent explosion at Halifax, Nova Scotia; to the Committee on Appropriations.

By Mr. SABATH: Joint resolution (H. J. Res. 181) providing that Bohemians, Moravians, Slovaks, Roumanians, Poles, Ruthenians, Serbs, Croatians, Slovenes, and Italians be, and are, specifically excluded from the classification of alien enemies, as subjects of Austria-Hungary; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 7238) granting an increase of pension to Benjamin F. Ford; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 7239) granting a pension to Claude A. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 7240) to remove the charge of desertion from the name of Bruce W. Luckingbill; to the Committee on Military Affairs.

By Mr. BURROUGHS: A bill (H. R. 7241) granting an increase of pension to George M. Loring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7242) granting a pension to Howard P. Hare; to the Committee on Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 7243) granting an increase of pension to Henry Strassner; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 7244) to pay John E. Bolden for services rendered the United States Army from April 4, 1865, to and including July 15, 1865; to the Committee on War Claims.

By Mr. CAMPBELL of Kansas: A bill (H. R. 7245) granting a pension to James Green; to the Committee on Pensions.

Also, a bill (H. R. 7246) granting a pension to William Strope; to the Committee on Invalid Pensions.

By Mr. CLARK of Pennsylvania: A bill (H. R. 7247) granting a pension to Eliza Mead; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL: A bill (H. R. 7248) granting a pension to Eliza Greten; to the Committee on Invalid Pensions.

By Mr. CONNELLY of Kansas: A bill (H. R. 7249) granting an increase of pension to Beebe Newlon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7250) granting an increase of pension to Joseph H. Woollen; to the Committee on Invalid Pensions.

By Mr. COOPER of Ohio: A bill (H. R. 7251) granting a pension to Mary A. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7252) granting a pension to Esther M. James; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 7253) for the relief of F. M. Barfield; to the Committee on Claims.

By Mr. DENISON: A bill (H. R. 7254) granting a pension to Thomas Nevit Ferguson; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 7255) granting an increase of pension to Capt. Albert Downing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7256) granting an increase of pension to Richard Howe; to the Committee on Pensions.

Also, a bill (H. R. 7257) granting a pension to Mary Wilbanks; to the Committee on Pensions.

Also, a bill (H. R. 7258) granting a pension to Henry P. Redfearn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7259) granting a pension to Samuel C. Highsmith; to the Committee on Pensions.

By Mr. FREAR: A bill (H. R. 7260) granting a pension to Jennie Holloway Gibbons; to the Committee on Pensions.

By Mr. FERRIS: A bill (H. R. 7261) granting an increase of pension to James S. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7262) granting an increase of pension to Hezekiah W. Kelley; to the Committee on Invalid Pensions.

By Mr. GILLETT: A bill (H. R. 7263) for the relief of John Moriarty; to the Committee on Military Affairs.

By Mr. GODWIN of North Carolina: A bill (H. R. 7264) granting an increase of pension to Josiah Vanscyoe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7265) granting an increase of pension to J. W. Vandine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7266) granting an increase of pension to Charles Shaffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7267) granting an increase of pension to James L. T. Sharp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7268) granting an increase of pension to Levi Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7269) granting an increase of pension to Franklin Manning; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7270) granting an increase of pension to Asbery Mayfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7271) granting an increase of pension to James N. McHenry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7272) granting an increase of pension to Andrew J. Gaskins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7273) granting an increase of pension to William L. Faucett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7274) granting an increase of pension to Levi Brock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7275) granting an increase of pension to John P. Hardin; to the Committee on Invalid Pensions.

By Mr. GORDON: A bill (H. R. 7276) for the relief of Henry W. Elliott; to the Committee on Claims.

By Mr. HAYDEN: A bill (H. R. 7277) for the relief of Albert O. Brown; to the Committee on the Public Lands.

By Mr. HOLLINGSWORTH: A bill (H. R. 7278) granting an increase of pension to Samuel Gooding; to the Committee on Invalid Pensions.

By Mr. IRELAND: A bill (H. R. 7279) granting an increase of pension to Andrew R. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7280) granting an increase of pension to George B. Earll; to the Committee on Invalid Pensions.

By Mr. JUUL: A bill (H. R. 7281) for the relief of Fred Schroeder; to the Committee on Claims.

Also, a bill (H. R. 7282) granting relief to persons who served in the Military Telegraph Corps of the Army during the Civil War; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 7283) for the relief of Peter Boragni; to the Committee on War Claims.

Also, a bill (H. R. 7284) for the relief of Charles Hellyer; to the Committee on Claims.

By Mr. KRAUS: A bill (H. R. 7285) granting a pension to Malick W. Carson; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 7286) granting an increase of pension to William H. Snedaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7287) granting an increase of pension to Henry Howe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7288) granting an increase of pension to Richard D. Cleaver; to the Committee on Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 7289) for the relief of Henry P. Kinney; to the Committee on Military Affairs.

By Mr. KINKAID: A bill (H. R. 7290) granting an increase of pension to James Stout; to the Committee on Invalid Pensions.

By Mr. LONERGAN: A bill (H. R. 7291) granting a pension to Annie M. Easland; to the Committee on Pensions.

By Mr. McFADDEN: A bill (H. R. 7292) granting an increase of pension to John Kloz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7293) granting a pension to Polly Kiff; to the Committee on Invalid Pensions.

By Mr. McKEOWN: A bill (H. R. 7294) granting a pension to Elwood C. Finney; to the Committee on Pensions.

Also, a bill (H. R. 7295) granting a pension to Sarah E. Farrall; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 7296) granting a pension to Arthur Chappell; to the Committee on Pensions.

By Mr. MOTT: A bill (H. R. 7297) granting a pension to Seymour McDonough; to the Committee on Pensions.

By Mr. NEELY: A bill (H. R. 7298) granting an increase of pension to John P. Hardin; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 7299) granting a pension to Samuel N. Munro; to the Committee on Pensions.

Also, a bill (H. R. 7300) granting a pension to Jake Blizzard; to the Committee on Pensions.

By Mr. RANDALL: A bill (H. R. 7301) granting a pension to Marion W. Young; to the Committe on Invalid Pensions.

Also, a bill (H. R. 7302) granting a pension to Sarah L. Rowley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7303) granting a pension to Mary K. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7304) granting a pension to Melissa C. Hester; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7305) granting an increase of pension to Samuel S. Garst; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7306) granting an increase of pension to Henry Galbraith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7307) granting an increase of pension to William L. Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7308) granting an increase of pension to Joseph Burkhart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7309) granting an increase of pension to H. McFarlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7310) to remove the charge of desertion from the record of George W. Johnson; to the Committee on Military Affairs.

By Mr. RUSSELL: A bill (H. R. 7311) granting an increase of pension to William M. Bass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7312) granting a pension to T. McElvaney; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 7313) granting an increase of pension to Emaguire Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7314) granting an increase of pension to Henry C. Eastep; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 7315) granting a pension to Francis McCloe; to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 7316) granting an increase of pension to Ellen Strong; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (H. R. 7317) granting a pension to Edward P. Gallagher; to the Committee on Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 7318) granting an increase of pension to James C. Weller; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 7319) granting a pension to James Edwards; to the Committee on Pensions.

By Mr. TILSON: A bill (H. R. 7320) granting a pension to Mary E. Cram; to the Committee on Invalid Pensions.

By Mr. VARE: A bill (H. R. 7321) for the relief of Henry Borrowes; to the Committee on Naval Affairs.

By Mr. WHEELER: A bill (H. R. 7322) granting a pension to Otis H. Sidener; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BYRNS of Tennessee: Papers to accompany House bill 7243; to the Committee on Invalid Pensions.

By Mr. COOPER of Ohio: Petition of residents of Conneaut, Ohio, urging increased compensation and retirement on pensions for lighthouse keepers and assistants; to the Committee on Interstate and Foreign Commerce.

By Mr. DALE of New York: Petition of Technology Sales Co., New York, against reducing postage rates to publishers; to the Committee on Ways and Means.

Also, petition of sundry citizens of New York against national prohibition; to the Committee on the Judiciary.

Also, memorial of Lithuanians of the State of New York; asking independence of Lithuania; to the Committee on Foreign Affairs.

By Mr. DRUKKER: Petition of the seventh district branch of the National Woman's Party, favoring the national suffrage amendment; to the Committee on the Judiciary.

Also, petition of Branch No. 120, National Association Letter Carriers, of Paterson, N. J., favoring increases in salaries of postal employees; to the Committee on the Post Offices and Post Roads.

Also, petition of branch of the National Security League, of Passaic, N. J., pledging support to the Government and favoring legislation to punish persons connected with pro-German activities; to the Committee on Military Affairs.

By Mr. ELLIOTT: Papers to accompany House bill 7197, granting increase of pension to W. J. Nash; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 7194, granting increase of pension to Robert O. Jones; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 7196, granting increase of pension to James Brooks; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 7195, granting increase of pension to Elisha L. Powers; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: Petitions of S. S. Warren, A. D. Joiner, H. S. Hooker, C. E. Roose, V. H. Bellendorf, G. W. Stevenson, and C. L. Teach, of Sycamore, Ill., favoring House bill 1654, to increase salaries of post-office employees; to the Committee on the Post Office and Post Roads.

Also, memorial of Sandwich (Ill.) Chapter of American Red Cross, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Haddorff Piano Co., of Rockford, Ill., protesting against the repeal of the provisions of the war-revenue act relating to postage rates on second-class matter; to the Committee on Ways and Means.

By Mr. GRAHAM of Illinois: Petition of O. F. Berry and sundry other citizens, of Hancock County, Ill., favoring the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

By Mr. HADLEY: Petition of T. J. Stitt, keeper Burns Island station, praying for increase of salaries to lighthouse keepers and assistants; to the Committee on Appropriations.

By Mr. HILLIARD: Petitions of Park Hill Methodist Episcopal Church, A. E. Blakesly, Mrs. A. E. Blakesly, Emma Dieter, Laura C. Dieter, Thomas C. Love, and 25 others, all of Denver, Colo., favoring passage of national prohibition amendment; to the Committee on the Judiciary.

By Mr. HOLLINGSWORTH: Memorial of John J. McKeever and 13 other letter carriers, asking increase of salaries; to the Committee on the Post Office and Post Roads.

By Mr. IRELAND: Petition of M. T. English and sundry other citizens of Peoria County, Ill., favoring the use of soft corn in the manufacture of distilled spirits; to the Committee on Agriculture.

By Mr. KENNEDY of Rhode Island: Petition of Dr. Jeannie O. Arnold, of Providence, R. I., opposing woman-suffrage legislation at this time; to the Committee on the Judiciary.

Also, petition of Mrs. Charles E. Gardiner, of Providence, R. I., opposing woman suffrage; to the Committee on the Judiciary.

By Mr. KING: Petition of 200 persons, representing four churches, of Liberty, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. LINTHICUM: Petition of Department of Pharmacy, University of Maryland, favoring bill for a pharmaceutical corps in the United States Army; to the Committee on Military Affairs.

Also, petition of C. Read & Co., A. Bokel Co., and Remle Salmon Co., against lowering postage rate on second-class matter; to the Committee on Ways and Means.

Also, memorial of Young People's Society of Grace United Evangelical church, of Baltimore, Md., favoring amendment to prohibit exportation of liquor to Africa; to the Committee on Alcoholic Liquor Traffic.

Also, petition of sundry citizens of Baltimore, Md., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Beer Drivers, Chauffeurs, and Stablemen's Local Union, No. 173, and the joint board of brewery workmen, of Baltimore, opposing constitutional prohibition; to the Committee on the Judiciary.

Also, memorial of the Maryland Association Opposed to Woman Suffrage, of Baltimore, Md., opposing the suffrage amendment; to the Committee on Woman Suffrage.

Also, memorial of Post Office Clerks' Association of Baltimore, Md., praying for a 25 per cent increase in salary for post-office employees up to and including the $1,500 grade; to the Committee on the Post Office and Post Roads.

Also, petition by Ernest R. Robinson and 12 other citizens of Baltimore, Md., favoring House bill 1654, providing for increased salaries; to the Committee on the Post Office and Post Roads.

By Mr. LUFKIN: Memorial of the city government of Haverhill, Mass., favoring the passage of the Madden bill, providing an increase in salary for post-office clerks and carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Post No. 106, Grand Army of the Republic, of Rockport, Mass., and Post No. 34, Grand Army of the Republic, of Salem, Mass., praying for legislation increasing the rate of pension allowed to veterans of the Civil War; to the Committee on Invalid Pensions.

By Mr. MEEKER: Memorial of the board of directors of the Merchants' Exchange of the city of St. Louis, Mo., praying for an extension of time for the completion of the approaches, extensions, etc., as authorized by the act of June 25, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. O'SHAUNESSY: Petition of sundry citizens, members of Elmwood Christian Church, of Providence, R. I., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Michigan: Petition of H. B. Hutchins and 54 citizens of Ann Arbor, Mich., favoring House bill 5531, for pharmaceutical corps in the Army; to the Committee on Military Affairs.

Also, petition of Cassius Alexander and 52 citizens of Grand Ledge, Mich., and 2 citizens of Lansing, Mich., favoring the passage of the Moore Purple Cross bill (H. R. 5410); to the Committee on Military Affairs.

By Mr. SNELL: Resolution of the Christian Service Class of the Elizabethtown Baptist Church, Elizabethtown, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. STRONG: Memorial of the Methodist Episcopal Church, Ford City; letters from F. J. Haney, Apollo; C. M. Kirkland, Apollo; E. E. Slaugenhaupt, Pollock; H. P. Smith, Worthington; W. C. Work, West Lebanon; H. Heffner, Leeper; S. P. Butler, Dayton; Ira E. Lower, New Bethlehem, all of the State of Pennsylvania, favoring the prohibition amendment to the National Constitution; to the Committee on the Judiciary.

By Mr. WINSLOW: Petition of Rolla L. Clark, of Uxbridge, Mass., favoring the prohibition constitutional amendment; to the Committee on the Judiciary.

Also, memorials of First Baptist Church, the Oak Hill Baptist Church, John Street Baptist Church, Second Lutheran Church, Methodist Episcopal Church, and the Trowbridge Memorial Church, of Worcester, Mass.; and the Massachusetts State Federation of Women's Clubs, favoring the prohibition constitutional amendment; to the Committee on the Judiciary.

Also, petition of Dr. U. Waldo Cutler, of Worcester, Mass., favoring the prohibition amendment to the Federal Constitution; to the Committee on the Judiciary.

SENATE.

MONDAY, *December 10, 1917.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek Thy guidance and blessing for this day, at a time when the fate of nations may depend upon the policy of this Nation and when the life of a thousand boys may hang upon a word in this Chamber. We can face responsibilities so great only as we are guided and inspired and directed by the Holy Spirit of God. Fit us for the solemn and responsible duties of this day. May our hearts be right toward God and our hands clean in the work that Thou hast committed to us; and do Thou all things through us according to Thy will and for the accomplishment of Thy purpose in us as a Nation. For Christ's sake. Amen.

HIRAM W. JOHNSON, a Senator from the State of California; ANDRIEUS A. JONES, a Senator from the State of New Mexico; CHARLES L. MCNARY, a Senator from the State of Oregon; MILES POINDEXTER, a Senator from the State of Washington; and LAWRENCE Y. SHERMAN, a Senator from the State of Illinois, appeared in their seats to-day.

The Secretary proceeded to read the Journal of the proceedings of Friday, December 7, 1917, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

STATEMENT OF EXPENDITURES.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a statement of expenditures to December 1, 1917, under section 8 of the act of Congress approved April 24, 1917, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

ANNUAL REPORT OF UNITED STATES TARIFF COMMISSION.

The VICE PRESIDENT laid before the Senate the first annual report of the United States Tariff Commission, which, with the accompanying paper, was referred to the Committee on Finance and ordered to be printed.

EXCHANGE OF TYPEWRITERS.

The VICE PRESIDENT laid before the Senate a communication from the Civil Service Commission, transmitting, pursuant to law, a statement showing the typewriters, adding machines, and other labor-saving devices exchanged in part payment for new machines during the fiscal year 1917, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. JAMES. I present petitions numerously signed by citizens of Crittenden, Hardin, Knox, Pulaski, Bell, Robertson, Fleming, Franklin, Woodford, Scott, Grayson, Meade, Marion, and Bullitt Counties, all in the State of Kentucky, praying for the passage of the woman suffrage constitutional amendment. I move that the petitions be referred to the Committee on Woman Suffrage.

The motion was agreed to.

Mr. FLETCHER presented petitions of sundry citizens of Pinellas County, Fla., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were referred to the Committee on Woman Suffrage.

Mr. JONES of Washington. I ask to have printed in the RECORD a short resolution adopted by the lumbermen and logging contractors of Spokane and the Inland Empire, indorsing the eight-hour law for all branches of the lumber industry, in the United States. I wish also to state that this same proposition was indorsed by the Chamber of Commerce of Spokane.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

SPOKANE, WASH., *November 23, 1917.*

We the undersigned lumbermen and logging contractors of Spokane and the Inland Empire earnestly petition the Congress of the United States of America to pass and give immediate effect, as an emergency at the December session of Congress for the year 1917, a universal basic eight-hour-day law for all branches of the lumber industry in the United States, which law is requested by both employer and employee and will tend to produce industrial peace.

We realize that standard of hours and wages can not be changed by different districts competing with each other independently without disastrous results, therefore, in the interest of industrial peace we ask that the application of the eight-hour basic standard day be made universal in the lumber industry throughout the United States.

Mr. GALLINGER. I have a telegram from the Pasadena (Cal.) Board of Trade in support of the resolution I offered a few days ago concerning the importation of Chinese farmers into this country. I ask that it be printed in the RECORD and referred to the Committee on Agriculture and Forestry, where the original resolution was referred.

There being no objection, the telegram was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

PASADENA, CAL., *December 8, 1917.*

Hon. JACOB H. GALLINGER,
The Senate, Washington, D. C.:

The directors of the Pasadena Board of Trade recently passed a resolution favoring the securing of legislation permitting the importation of Chinese labor into the United States, under restrictions, to relieve the labor situation. As it effected the production of foodstuffs, so essential to our allies and this country, the resolution has been transmitted to the commercial bodies of California, asking them to adopt it and urge the Chamber of Commerce of the United States to lay the matter before its organization members by referendum. We are highly gratified that you have appreciated the seriousness of the situation and taken the lead in the matter and sincerely hope you will be successful in securing the passage of your bill.

FRED E. WILCOX, *President.*
JOHN H. PEARMAN, *Secretary.*

Mr. LODGE presented resolutions adopted by the New England Hardware Dealers' Association relative to the transportation situation in the country and pledging support to the Government, which were referred to the Committee on Interstate Commerce.

Mr. NELSON presented a petition of sundry rural letter carriers of Otter Tail County, Minn., praying that they be granted an increase in their salaries, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the National Candy Co. (Duluth factory), of Minnesota, praying for the adoption of certain amendments to the war-revenue law, which was referred to the Committee on Finance.

Mr. WEEKS presented resolutions adopted by the New England Hardware Dealers' Association, favoring enactment of legislation to promote the efficiency of the transportation system of the country, which were referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by the city government of Haverhill, of sundry letter carriers and post-office clerks of Waltham, and of sundry postal employees of the fifteenth congressional district, all in the State of Massachusetts, favoring the enactment of legislation providing for an increase in the salaries of post-office employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by the Massachusetts State Board of Trade, favoring the enactment of legislation to keep at parity the American dollar in every country of the world, which were referred to the Committee on Finance.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KELLOGG:

A bill (S. 3116) conferring jurisdiction on the Court of Claims to hear, determine, and render final judgment in the matter of claims of the Chippewa Indians and the several bands or tribes thereof in the State of Minnesota against the United States; to the Commitee on Indian Affairs.

By Mr. GALLINGER:

A bill (S. 3117) granting a pension to Laura A. Wallingford (with accompanying papers); to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 3118) granting an increase of pension to Horatio P. Smith; and

A bill (S. 3119) granting an increase of pension to Joseph S. Le Hew; to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 3120) granting an increase of pension to Daniel Duncan (with accompanying papers); to the Committee on Pensions.

By Mr. BANKHEAD:

A bill (S. 3121) granting a pension to Mary Lee Jeter; to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 3122) for the relief of Charles E. Currier; and

A bill (S. 3123) for the relief of the owners of the schooner *Henry O. Barrett;* to the Committee on Claims.

A bill (S. 3124) for the relief of Francis M. Atherton; to the Committee on Military Affairs.

By Mr. TILLMAN:

A bill (S. 3125) for the relief of certain enlisted men of the United States Navy;

A bill (S. 3126) to provide temporary promotion for retired officers of the Navy and Marine Corps, performing active duty during the period of the present war;

A bill (S. 3127) to provide temporary promotion for retired officers in the Navy and Marine Corps performing active duty during the period of the present war;

A bill (S. 3128) to authorize additional pay for enlisted men of the Navy and Marine Corps detained beyond the expiration of their terms of enlistment;

A bill (S. 3129) to provide for the disposition of the effects of deceased persons in the naval service;

A bill (S. 3130) to amend section 1570 of the Revised Statutes of the United States; and

A bill (S. 3131) for the relief of Col. Littleton W. T. Waller, United States Marine Corps; to the Committee on Naval Affairs.

By Mr. SMOOT:

A bill (S. 3132) for the relief of William B. Lancaster (with accompanying papers); to the Committee on Claims.

By Mr. STONE:

A bill (S. 3133) granting a pension to Magdalene Lively (with accompanying papers);

A bill (S. 3134) granting an increase of pension to Franklin Venable (with accompanying papers);

A bill (S. 3135) granting an increase of pension to William H. Capshaw (with accompanying papers);

A bill (S. 3136) granting an increase of pension to James H. Fontaine (with accompanying papers);

A bill (S. 3137) granting an increase of pension to Thomas Fulkerson (with accompanying papers);

A bill (S. 3138) granting an increase of pension to Daniel Haynes (with accompanying papers); and

A bill (S. 3139) granting an increase of pension to John W. Wilkerson (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 3140) for the relief of the estate of John C. Phillips, deceased; to the Committee on Claims.

A bill (S. 3141) for the relief of Sergt. James W. Kingon; and

A bill (S. 3142) for the relief of Elvira James; to the Committee on Military Affairs.

A bill (S. 3143) granting a pension to Anna Higgins;

A bill (S. 3144) granting a pension to Harry L. Peebles;

A bill (S. 3145) granting a pension to Hulda Johnson;

A bill (S. 3146) granting an increase of pension to Alfred Pendall;

A bill (S. 3147) granting an increase of pension to Henry Chapman;

A bill (S. 3148) granting a pension to Eliza J. M. Clemens;

A bill (S. 3149) granting an increase of pension to Joseph Wood;

A bill (S. 3150) granting an increase of pension to Thomas Madigan; and

A bill (S. 3151) granting an increase of pension to George W. Grigg; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 3152) granting an increase of pension to Ella Bailey; to the Committee on Pensions.

(By request.) A bill (S. 3153) authorizing the President to appoint, as assistant adjutants general in the Adjutant General's Department of the United States Army, certain clerks employed in the Adjutant General's Department of the Army and heretofore known as "Army field clerks" (with accompanying papers); to the Committee on Military Affairs.

PROMOTION OF EXPORT TRADE.

The VICE PRESIDENT. Concurrent and other resolutions are in order. [After a pause.] The morning business is closed, and the calendar under Rule VIII is in order.

Mr. POMERENE. Unless there is objection, I ask the Senate to proceed to the consideration of House bill 2316, the unfinished business.

The VICE PRESIDENT. Is there any objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2316) to promote export trade, and for other purposes.

The VICE PRESIDENT. The pending question is on the amendment offered by the Senator from Iowa [Mr. CUMMINS].

Mr. POMERENE. The Senator from Minnesota [Mr. KELLOGG] will speak upon the bill, and I should like very much that there should be a full attendance. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	McNary	Smith, Ga.
Beckham	Gronna	Martin	Smith, Md.
Brady	Hale	Nelson	Smith, Mich.
Brandegee	Harding	New	Smith, S. C.
Chamberlain	Hitchcock	Norris	Smoot
Colt	James	Overman	Sterling
Culberson	Johnson, Cal.	Page	Stone
Cummins	Johnson, S. Dak.	Pittman	Sutherland
Curtis	Jones, N. Mex.	Poindexter	Swanson
Dillingham	Jones, Wash.	Pomerene	Tillman
Fernald	Kellogg	Reed	Townsend
Fletcher	Knox	Robinson	Trammell
France	La Follette	Saulsbury	Vardaman
Frelinghuysen	Lodge	Sheppard	Wadsworth
Gallinger	McCumber	Shields	Weeks
Gerry	McLean	Smith, Ariz.	Williams

Mr. FRELINGHUYSEN. I wish to state that my colleague [Mr. HUGHES] is absent on account of illness.

Mr. POMERENE. I desire to announce that the junior Senator from Montana [Mr. WALSH] is detained on account of illness.

Mr. SAULSBURY. I wish to announce that my colleague, the junior Senator from Delaware [Mr. WOLCOTT], is detained from the Senate by illness.

Mr. GERRY. I was requested to announce that the Senator from Kansas [Mr. THOMPSON], the Senator from Montana [Mr. MYERS], and the junior Senator from Utah [Mr. KING] are detained on official business.

The VICE PRESIDENT. Sixty-four Senators have answered to their names. There is a quorum present.

Mr. KELLOGG. Mr. President, I ask the indulgence of the Senate for a few moments to submit some considerations upon the so-called Webb-Pomerene export bill. It is inconceivable to me that a country so vitally interested in the commerce of the world should bind its own merchants and its own manufacturers by restrictions and rules in foreign commerce which no other country on the face of the earth tries to impose. The question is not whether the principles of the Sherman Act ought to be applied to all the world. The fact is those principles are not applied in foreign countries where we must meet the competition of foreign manufacturers and merchants, and if we have the power to do so it is unwise to try to enforce against our merchants dealing in those countries rules which are not enforced against their foreign competitors.

Mr. President, do we realize the tremendous importance of our foreign commerce, not only now but the importance it will assume after the close of this great conflict?

I listened with great interest to the Senator from Iowa [Mr. CUMMINS], whose wide knowledge of the subject is entitled to the highest consideration. I beg, however, to differ with the Senator upon some points.

He said, as I recollect, that notwithstanding the Sherman Act our commerce had continued to grow during the last 10, 15, and 20 years. That is true; but our commerce did not grow as rapidly as the commerce of Germany, England, France, and some other countries, and in the race for foreign commerce we were falling to the rear when this war broke out and forced upon us the tremendous trade that we are now carrying on.

At the beginning of the present century, in 1901 to 1903, the United States ranked first among the three great exporting countries in the value of domestic products exported. The average annual exports of these respective countries for 1901 to 1903 was for the United States, $1,410,000,000; England, $1,387,000,000; and Germany, $1,120,000,000. Ten years later the United States ranked second. The average values for the years 1911 to 1913 were: England, $2,379,000,000; the United States, $2,290,000,000; and Germany, $2,155,000,000. The progress of the other two countries had been greater than that of the United States, the per cent of increase being in Germany, 92

per cent; in England, 71 per cent; and in the United States, 62 per cent.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Missouri?

Mr. KELLOGG. I yield to the Senator from Missouri for a question.

Mr. REED. Are the figures which the Senator has given for manufactured products or for agricultural and manufactured products?

Mr. KELLOGG. For all exports, I understand.

Mr. REED. Will the Senator enlighten us as to whether the decrease in our shipments has not been from our agricultural products rather than from our manufactured products?

Mr. KELLOGG. It has to a considerable extent.

Mr. REED. Is it not that to which it is due entirely? Has there not been an increase in our manufactured products?

Mr. KELLOGG. There has been an increase in the export of manufactured products from this country and from all other countries, but we have not increased as rapidly as those other countries.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from New Hampshire?

Mr. KELLOGG. I do.

Mr. GALLINGER. The Senator has stated, undoubtedly with correctness, the export trade of different countries, including our own. I will ask the Senator if he has at any time made inquiry into the percentage that the different countries consume of their products? In other words, it has been stated, and I think with some accuracy, that in this country we consume over 90 per cent of the products of our farms and our factories. Can the Senator tell even approximately what percentage is consumed by England, France, and Germany of their products?

Mr. KELLOGG. I can not give the figures exactly. Of course of the agricultural products they consume a much greater percentage than we do. I have looked into it some, but I am not able to give the figures.

Mr. President, the point I desire to impress upon the Senate is that notwithstanding we are the producers of the great raw materials for the manufactures of the world—lumber, iron, steel, coal, copper, and other products—we were prior to 1914 being surpassed by other nations of the world in our export commerce, and the reasons are not difficult to determine.

But before discussing that question I desire to call the attention of the Senate to the tremendous importance of our foreign commerce, especially our exports at the present time. I send to the desk two statements which I ask to be incorporated in my remarks.

The statements referred to are as follows:

Aggregate amount (in dollars) of imports and exports for fiscal years ending June 30 of each of the following years, showing excess of exports over imports.

	Imports.	Exports.	Excess.
1910	$1,556,947,430	$1,744,984,720	$188,037,290
1911	1,527,226,105	2,049,320,199	522,094,094
1912	1,653,264,934	2,204,322,409	551,057,475
1913	1,813,008,234	2,465,884,149	652,875,915
1914	1,893,925,657	2,364,579,148	470,653,491
1915	1,674,169,749	2,768,589,349	1,094,419,600
1916	2,197,883,510	4,333,482,885	2,135,599,375
1917	2,659,335,185	6,294,000,000	3,634,664,815

Aggregate amount (in dollars) of imports and exports for fiscal years ending June 30 of each of the following years.

[For merchandise only.]

	Imports.	Exports.	Total.
1910	$1,556,947,430	$1,744,984,720	$3,301,932,150
1911	1,527,226,105	2,049,320,199	3,576,546,304
1912	1,653,264,934	2,204,322,409	3,857,587,343
1913	1,813,008,234	2,465,884,149	4,278,892,383
1914	1,893,925,657	2,364,579,148	4,258,504,805
1915	1,674,169,740	2,768,589,340	4,442,759,089
1916	2,197,883,510	4,333,482,885	6,531,366,395
1917	2,659,335,185	6,294,000,000	8,953,335,185

Mr. KELLOGG. It will be seen that one statement gives the aggregate amount in dollars of imports and exports for the fiscal years ending June 30 of each of the following years from 1910 to 1917, showing excess of exports over imports, and the other is the aggregate amount in dollars of imports and exports for the fiscal years ending June 30 of each of the following years from 1910 to 1917.

It will be seen by a glance at these statements that our exports have increased since 1914 from $2,364,579,148 to $6,294,000,000 in 1917, while our imports have also increased from $1,893,925,657 in 1914 to $2,659,335,185 in 1917. But the great increase of this country has been in our exports, forced upon us (without any effort from our merchants and manufacturers) by the necessities of the world. A most significant, and, in our financial condition to-day a most important fact, is that the balance of trade from 1914 to the present time has increased in favor of this country beyond anything ever known in any country, from $470,633,491 in 1914 to $3,634,664,815 in 1917, thus pouring into this country a tremendous amount of credit and gold.

We must not delude ourselves with the idea that this receipt of gold from foreign commerce will forever continue. Of course, when the war closes and commerce again begins to assume its normal trend the extraordinary demands of foreign countries which can not be met in any other country except this will, of course, fall off. Argentina, Australia, Russia, and Canada will furnish their wheat and other farm products to all the countries of the world, and England, Germany, France, and Italy will again meet us in competition in the markets of the world with their products.

It is idle to say that these countries are going to be crushed by the war and can not compete with us. While war may burden the people with debt and may destroy property, it does not take away from the nation its efficiency in manufacture and commerce. The foreign commerce of Great Britain to-day is greater than it has ever been in the history of that country, and, notwithstanding the war, we are importing into this country from Great Britain and from other foreign countries, with the exception of Germany, more products than we have ever heretofore imported. When the war closes we shall have to pay for those products, and we can only pay for them with exports from this country or with credits which we purchase from foreign countries. Foreign nations will not without contest allow us to hold the great mass of gold which we have taken by reason of their necessity. The only way we can hold it is to buy their securities and sell them our products. Therefore I say that anything which will tend to strengthen our manufacturers and our merchants in producing and selling in any place in the world we should not neglect, even though we face the European war. England is not neglecting it. England and France to-day are making preparations to meet not only the conditions after the war, but to continue and to increase their commerce during the war. Let me call the attention of the Senate to one thing which is significant, and I will send to the desk a copy of this statement and ask that it be placed at the end of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KELLOGG. Mr. President, within the last few months the British Board of Trade has been considering its foreign commerce and has made a report which, according to my recollection, was made in March or April of this year. In that report it recommended the establishment of an institution for the following primary objects—I will not stop to read them all, but I wish to call the attention of the Senate to two or three of them:

To afford advice and financial assistance to British commercial and industrial undertakings from their inception, and generally to further the development of British trade, industry, and commerce.

To make advances for the enlargement of works and the extension of plants and for the amalgamation and coordination of works and businesses, with a view to effecting economies in the course of production.

To render financial assistance in connection with transactions involving long periods of credit.

To assist in obtaining orders from abroad for British manufacturers and traders and to grant financial facilities for the execution of such orders, especially when such orders are intended to be executed in the United Kingdom.

* * * * * * *

To act as an agent for carrying through overseas commercial and financial transactions in which your Majesty's Government may be interested, and to receive official recognition and assistance.

To undertake trading operations and business on their own account, or, jointly, with others, either through the medium of syndicates or otherwise.

And as late as April 21, 1917, the British Parliament created a large corporation with all of these powers for the purpose of extending, consolidating, and increasing Great Britain's foreign commerce. So we see that those countries are not neglecting preparation during the time when they are facing the greatest struggle in history which is commanding their entire resources.

Mr. NORRIS. Mr. President——

Mr. KELLOGG. I yield to the Senator.

Mr. NORRIS. Mr. President, I am interested in the Senator's explanation of what is being done by Great Britain, and in that

connection I should like to ask him a question. I presume he has examined the matter carefully. In the law passed by Great Britain has there been any stipulation that will permit exporters to do in their export work what by English law is made a crime if done in England, as this law proposes?

Mr. KELLOGG. This law authorizes British manufacturers and merchants to consolidate through the medium of an export company, and not only that but all the leading articles exported from Great Britain, such as coal, iron, and steel, are exported under agreements, syndicates, and combinations, and not only have they never opposed such agreements, but they are considered valid in Great Britain.

Mr. NORRIS. Mr. President, may I interrupt the Senator further?

Mr. KELLOGG. I yield.

Mr. NORRIS. I hardly think the Senator's answer meets the question. I wanted to know whether the English law legalizes something done by a corporation in a foreign country which if done in England would be illegal?

Mr. KELLOGG. I do not say that it does; but they are now doing in England the things that we propose in this bill, and have been for years, as well as in all other foreign countries competing with us.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Missouri?

Mr. KELLOGG. For a question, I yield to the Senator from Missouri.

Mr. REED. I simply wanted to ask the Senator if it was not also true that, while England had been permitting combinations to be organized to control England's foreign market, England's people had been impoverished almost to the point of revolution before the war, and that poverty had stalked abroad in England among the common people to an extent never before known?

Mr. KELLOGG. Mr. President, England was not impoverished by reason of her foreign commerce; that commerce was the very lifeblood of England. The laboring men of England were impoverished for other reasons, and if it had not been for England's foreign commerce the poverty in England would have been greater.

Now, Mr. President, when the war closes, if we are going to hold a fair proportion of the foreign commerce of the world, we must do what our competitors in European countries have been doing for more than a quarter of a century. First, we must procure a large merchant marine; second, we must extend our banking facilities; and, third, we must cooperate in encouraging foreign trade. This cooperation must include common selling agencies, a study of the needs of foreign countries, the kinds of goods which suit their convenience, their tastes, or necessities, and many other things. Foreign countries have fostered their trade very largely through the agencies which I have named.

I am not, of course, going to discuss the shipping question or the banking question, but, to show how they are related to common selling agencies and so-called combinations in the foreign trade in other countries, let me mention in passing what those countries have done with their merchant marine. They have pursued a different policy from that pursued by this country. With a blind confidence in the supremacy of American industry or a want of knowledge of conditions in the world, we allowed our merchant marine practically to disappear from the ocean anterior to the war. European countries use their merchant marine in various ways. In connection with their railroads, they give preferential rates to their own merchants and to their own manufacturers, and they give preference in service. In each one of our competitor nations it is possible to bill goods from a country station to any place in the world, and the railroad company will guarantee freight charges to point of delivery, so that a manufacturer may know what obligations he has to meet. I defy any merchant in this country, unless he has a large traffic department, to be able to find out, even in ordinary times of peace, what the freight rate would be to Africa or to South America; he must take his chances, first, in shipping on the railway and then finding vacant space in a foreign ship. Not only that, but foreign shipowners discriminate against our merchants as to service, bringing about delays in the transit of American goods, as well as discrimination in rates.

It is true that as to a few articles in this country we have given preferential rates on railroads, but in nearly everything shipped from foreign countries preferential rates are given to exports, and preferential rates are given by rail and steamship to imports of raw material for the manufacturers. Nothing is neglected which will build up their commerce.

Again, every shipowner and every banker is a drummer for the business of his country. Foreign shipowners and foreign bankers handling our export business furnish the details of our business to our competitors in Europe; they furnish them our invoices; they furnish them the selling prices, the costs, and much other information which is of great importance to those countries in meeting our competition in the markets of the world. We have allowed our merchant marine to disintegrate, and that is why I say that during this war it is better for this country to allow no foreign ships to be built upon our ways, but to commandeer every ship that is being built so that at the close of the war we may have the greatest merchant marine in the world to push a commerce which is going to be vital to the prosperity of this people.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Nebraska?

Mr. KELLOGG. I do.

Mr. HITCHCOCK. I have been figuring a little on the preliminary statement made by the Senator from Minnesota, and I think, if he goes over the figures again, he will find this to be the fact, that taking the merchandise exports of the United States for the period he names, the United States increased as much as any other country—about 90 per cent—and that the only reason our increase is not as large in the aggregate is because our export of agricultural products did not increase; but we did export all the surplus that we had. So that the Senator's premises rather fall to the ground, for we did advance as fast as other countries during the period he names as to those exports which we could control, and the reason we did not advance further in agricultural products, which previously had been our chief export, was that we could not grow them.

Mr. GALLINGER. And we consumed them ourselves.

Mr. HITCHCOCK. If the Senator will pardon me, as the Senator from New Hampshire [Mr. GALLINGER] suggests, our rapidly growing industries have resulted in a larger consumption at home.

Mr. KELLOGG. It is true that as to certain countries in certain commodities we have almost a monopoly, as in the case of certain manufactured products exported to Canada; but in countries where we have to meet foreign competition with very few exceptions we have not held our own and we have not carried on as large a commerce as our great resources should justify. Our business men and merchants have been at a disadvantage through the want of shipping and banking facilities, and because of local restrictions which foreign countries do not place upon their merchants and their business men.

We might mention in passing the banking facilities. Foreign countries have extended their banking systems all over the world. They not only loan money to foreign governments but they have financed railways, electric-power companies, trainways, mining companies, and industrial projects of all kinds, making agreements wherever they could that these concerns should make their purchases of materials and machinery and other things in the country furnishing the finances, and using their financial and banking influence to further the commerce of the parent country. So that I say, working in harmony with the banking and shipping facilities, those countries, with natural resources inferior to ours, have been able to push their commerce beyond anything that we have been able to do in this country.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Missouri?

Mr. KELLOGG. I yield to the Senator from Missouri.

Mr. REED. I apologize for interrupting so often, but I think sometimes a question may make the point clearer. I take it the Senator thinks that the lack of a merchant marine has been one of our very great disadvantages. I am correct in that, am I not?

Mr. KELLOGG. Yes, sir; I think so.

Mr. REED. And that the lack of banking facilities has been another great disadvantage. Now, notwithstanding the fact that we have labored under those two disadvantages, which are separate and distinct from any proposition that this bill touches, it appears from the figures just given by the Senator from Nebraska, and which were in accordance with my recollection, as I suggested some time ago, that we have been increasing our foreign trade in manufactured products as rapidly as any other country on earth. Does it not follow, therefore, from the very argument the Senator has made—namely, that two of our chief difficulties are the lack of banking, which has already been remedied, by the way, and the lack of shipping, which the Senator says will be remedied by the war—that we do not need this law

at all in order to meet the competition abroad if we have remedied the two defects of which the Senator has spoken?

Mr. KELLOGG. Mr. President, if the Senator will examine the reports of the Trade Commission in detail, he will find that in many articles where we have the superiority in raw materials, foreign countries, through their agencies, have been enabled to take a large part of the trade away from us, and that it is not true that we have not suffered by reason of lack of coordination of our resources in that foreign commerce.

It is true, as I said, that banking facilities have been very important factors in developing the foreign commerce of other nations—not only facilities in the banking line, but they have acted as agents, and they have pushed foreign commerce, and their influence has been for England and for France and for Germany, according to the country in which their parent banks were located. But beyond that, in exchange alone they have been enabled to be of great benefit to foreign countries.

Formerly, if we shipped anything to a foreign country, it had to be by a foreign ship, and our banking had to be done through London. Since this war began, for the first time in the history of this country our exchange is being sold over the world; and it is not because we have in times of peace, with forethought, extended our foreign commerce and banking facilities, but because foreign countries were to a certain extent disabled, and had to look to us to finance great commercial and other transactions. I believe that when the war closes we will be in a position, if we will go at it intelligently and thoroughly, to extend our banking facilities, so that we may be the first nation in the world in financing business institutions and foreign Governments; but if we pursue a narrow policy, as we did for many years in our shipping and our banking laws, which refused to allow a bank to establish a branch, we will not accomplish our object.

Perhaps I have taken too much time to discuss these various agencies of foreign commerce, but they are so linked together that it seemed to me necessary to mention those in passing. I come now to the question involved in this bill—a so-called combination in foreign trade.

Every country with which we compete permits and in many cases encourages its merchants and manufacturers to cooperate in foreign trade. They therefore organize combinations to push and in every way encourage this trade.

These combinations, so called, take various forms—selling agencies; agreements between independent manufacturers, where each agrees to furnish a percentage of a certain class of goods at certain times and at certain prices, to be sold by a corporation or agency in foreign countries; agreements as to kinds of goods to be manufactured, the manner and time of shipment, the manner of packing, and various other things to meet the demands of consumers. In this way a large number of independent merchants and manufacturers, through their agencies, act in harmony in pushing their foreign trade.

These combinations in England, France, Italy, Switzerland, Holland, Japan, Austria-Hungary, and, in fact, nearly all countries with which we compete, include practically every article that we manufacture and export, and some of our raw materials—cotton and cotton products, phosphates, lumber, all kinds of manufactured goods, including textiles, iron and steel products, food products, cement, and other things.

For example, take phosphates. We produce over 50 per cent of the phosphates of the world, and, with the exception of certain islands in the Pacific, I think, we produce the highest grade phosphates, and yet we have to meet not only the combined capital and ability of foreign countries but combinations in purchasing from us, as I shall show.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I do.

Mr. CUMMINS. I do not rise to interrupt the argument of the Senator from Minnesota; but I want him to point out, before he has finished, the law of Great Britain which authorizes or permits the combinations of which he has spoken, if he has that law at hand.

Mr. KELLOGG. I have not the law at hand; but these combinations in foreign commerce, like common selling agencies, iron and steel agencies, and agencies for the prosecution of their other business, have been formed for years, and are in existence and operating in England to-day.

Mr. CUMMINS. Precisely; and the Senator from Minnesota, who has been very closely identified with the administration of the antitrust law, knows that our Supreme Court has said that it is simply declaratory of the common law, and Great Britain has the same common law in that regard that we have.

Mr. KELLOGG. Well, after all the refinements, they do it in Great Britain, and they do it in all other countries, with the approval of their legal authorities, and Great Britain chartered a company on the 21st day of April of this year to act as agent for their manufacturers.

Mr. REED. Mr. President, have not we practically chartered, or at least permitted the creation of, a single selling and purchasing agency in this country for foreign governments, as a war measure? Has Great Britain gone beyond that?

Mr. KELLOGG. We have taken over certain industries, and we will not permit foreign countries to buy any of the products of those industries except they buy through that agency; but that is temporary and simply in time of war.

Mr. REED. That is what I am asking. Is not the English arrangement temporary, too?

Mr. KELLOGG. No; it is permanent.

Now, I say, when a large number of manufacturers in this country seek to compete with foreign manufacturers they must act singly. They must act by themselves. There is, of course, a certain amount of coordination, such as obtaining information through associations, but, for instance, they can not form a single selling agency, we will say, for a certain article of commerce manufactured by different manufacturers, which agency shall have the right to sell their various products. It is absolutely impossible for each one of hundreds of manufacturers scattered over this country to pursue or build up a foreign commerce, selling their products, obtaining information, drumming up business, and doing the various things that are necessary to introduce their products in foreign countries; and the failure to permit them to coordinate as separate manufacturing companies tends to drive them into great combinations.

The very fact that some foreign countries have permitted their manufacturers to act together in their foreign commerce through common selling agencies, through agencies created to further their particular line of business, has tended to keep them separate and to maintain the autonomy of their business—their separate enterprise at home—while our laws have tended to drive them into combination.

For instance, it is asked, If the Sherman Act is a good thing at home—and I believe it is—why is it not good abroad? This argument on its face seems very plausible; but, like many plausible arguments, it will not bear inspection, and it is, nevertheless, a specious argument.

First, we make the laws for this country and can enforce one policy against everyone doing business within our territory, whether he lives in a foreign country or whether he lives here. We do not make the laws for foreign countries, and therefore the most we can do is to enforce on our own merchants dealing in foreign countries a policy of noncoordination, leaving them to fight coordinated and combined capital and energy abroad.

As a matter of fact, that is exactly what we are doing. If the world were willing to adopt the sole policy of separate business and competition in all lines and at all times, I do not say that it would not be better; but the world has not adopted it. While we can enforce it here, we can not enforce it in a foreign country. Therefore, as against a solid phalanx of industry in England in one enterprise, pushing with their combined capital, energy, and enterprise their commerce, why should we say that our men must split up into a thousand factions and not only fight foreign commerce but fight among themselves? I say we should permit them to combine in selling agencies, to combine their capital, at all times protecting those who do not wish to go into the combination in foreign trade against oppression and unfair methods of competition. They should be protected.

To illustrate, not only do foreign manufacturers combine in pushing their enterprises in countries in which we are selling but they combine in selling to us, while our manufacturers must act separately in selling to them. In purchases of many articles that we buy in enormous quantities in this country foreign manufacturers get together and name a single selling agency, and force our manufacturers and merchants to buy from that selling agency, and they go further. In buying from us raw materials they combine. In many articles which we sell foreign countries, like phosphates, lumber, coal, and other products—I can not now name them all—our producers, exporting their goods, meet combinations of purchasers. For instance, the manufacturers of fertilizers in France, Germany, and England, buying phosphate rock in this country, form themselves into a syndicate and act through a single purchasing agent, while our producers must act separately. Thus they are placed at a disadvantage. I think the Senator from Florida will substantiate this. That is true in the sale of lumber. It is true in the sale of many other articles.

So, I say, wherever foreign countries can do it, they permit their manufacturers and merchants to have joint selling and

purchasing agents, and they join in advertising their foreign commerce and doing all things necessary to build it up. All I claim is that we should permit our manufacturers and merchants to do the same thing in competition with them.

Mr. FLETCHER. If the Senator will allow me, I will state that his remark is absolutely correct, and it applies also to naval stores as well as other products.

Mr. POMERENE. And to cotton.

Mr. KELLOGG. As to phosphates, as I said, we produce and sell over 50 per cent of the phosphates of the world for the manufacture of fertilizers and other things; our 30 or 40 producers must act by themselves, and when they meet the purchasers of France, Germany, Great Britain, Spain, and Italy they meet one man who is acting for those purchasers. They have combined not only their purchasing power but they combine their selling power.

Mr. GORE. One man for each country.

Mr. KELLOGG. Yes; one man, but sometimes one purchaser represents the manufacturers of several countries.

Mr. HITCHCOCK. Can the Senator state how long that practice has been going on?

Mr. KELLOGG. It has been going on for 25 years.

Mr. HITCHCOCK. Is it not remarkable, in view of that fact, that our exports of merchandise have grown as fast as those of other countries?

Mr. KELLOGG. Our exports have not grown as rapidly as those of foreign countries in proportion to the amount of our commerce.

Mr. HITCHCOCK. If the Senator will look at the Statistical Abstract, he will see that our exports of merchandise during the period he mentions, 1900 to 1913, increased over $1,157,000,000, and I have drawn the Senator's attention to the reason why our exports of agricultural products did not increase in as large a per cent—that it was simply due to the fact that we were consuming them ourselves. If under a condition of competition our manufacturing exports have increased practically as rapidly as the exports of these other countries, is it not a sure evidence that our system is as good as their system?

Mr. KELLOGG. Of course, since the war broke out we have had the world to ourselves.

Mr. HITCHCOCK. I was not taking the war period. The Senator misunderstood me. I am taking the period ending with 1913—from 1900 to 1913—and during that period our exports of merchandise, including manufactured products, increased $1,157,000,000, which was almost as much as the other countries the Senator has named increased with their scheme of combination.

Mr. KELLOGG. Mr. President, I have no desire in any way to destroy or weaken the effect of the Sherman Antitrust Act as applied to the great corporations and combinations of this country. I believe it is necessary that we should keep open the avenues of enterprise so that any man with sufficient capital and energy and resourcefulness may engage in a separate business without being crushed by inordinate capital or by the unfair methods of competition which have in the past been pursued. But the main object of the law is to permit men to have a fair and open field in commerce, and the greatest obstacle to that fair and open field has been unfair methods of competition, crushing out the competitors by an advantage in freight rates and ocean rates and various other devices which in the past have been used to eliminate the competitor in business.

There is nothing illegal about a combination of capital. I heard it stated on the floor that if it was illegal in this country, and if it was wrong in this country, it was wrong the world over. It is not illegal to combine capital any more than it is illegal to combine labor. Both are legal. It depends upon what combined capital does or what combined labor does. It is only illegal to make combinations when they are in restraint of trade, and only wrong because the statute says that that form of combination shall not be permitted.

But many lawyers hold that it is perfectly legal to create common selling agents to sell goods in foreign countries. In other words, that the Sherman law, like all other laws in this country, has no extraterritorial effect and that when an enterprise or agreement is to be executed in Germany or France or some other country, we have a right to carry out the contract according to the laws of that country. Let me illustrate: Some years ago some of our manufacturers, desiring to sell goods in Germany, were confronted with the proposition of joining with the German and English manufacturers in an agreement whereby they were to furnish a certain percentage of the products at a definite price. The agreement was approved by the German Government. Our manufacturers were afraid to participate, because after taking the advice of four or five lawyers, who disagreed as to its legality, they were afraid of being prosecuted, and withdrew from the transaction.

It is inconceivable that when the English, German, or French Governments permit their manufacturers to combine in one selling agency, to sell in South America, backed by their combined capital, energy, and enterprise, that we should force our merchants to have separate agencies, because if they were selling in this country we would not permit it. I can not understand why we should apply to our merchants, dealing in foreign countries, a different rule than foreign countries apply to their merchants dealing in the same country, when we can protect our producers and consumers at home, as I believe this act does protect them.

Now, let me consider this bill. I have no doubt that many Senators believe that they could draw a better bill. That is common in the Senate. I have often thought that I could draw a better bill than the one I voted for. But the question is, Does this bill reasonably effectuate the object which we have in mind?

It was said that if we permit common selling agencies a coordination of their capital and enterprise in foreign commerce we will open the door and they will combine in everything pertaining to domestic commerce. Let us see. The bill carefully defines what export trade is. It provides—

> That the words "export trade" wherever used in this act mean solely trade or commerce in goods, wares, or merchandise exported, or in the course of being exported from the United States or any Territory thereof to any foreign country; but the words "export trade"—

As amended by the amendment of the Senator from Ohio—

> shall not be deemed to include the production, manufacture, or selling for consumption or for resale within the United States or any Territory thereof of such goods, wares, or merchandise, or any act in the course of such production, manufacture, or selling for consumption or for resale.

I do not see how it is possible to more accurately confine the bill to purely export trade than is done in this clause.

Under this, a selling agency could only be formed for the purpose of disposing of the goods in export trade. The next provision of the bill permits associations entered into for the sole purpose of engaging in export trade. But in order that such agreement made or done in the course of such export trade, such as a common trading agency, shall not be used to injure the manufacturers or producers, who do not join in the common selling agency or other agreement, the following provision of the bill is inserted:

> Provided such association, agreement, or act is not in restraint of trade within the United States, and is not in restraint of the export trade of any domestic competitor of such association: *And provided further*, That such association does not, either in the United States or elsewhere, enter into any agreement, understanding, or conspiracy, or do any act which artificially or intentionally and unduly enhances or depresses prices within the United States of commodities of the class exported by such association.

Not only that, but the bill contains further provisions that prohibit the use of unfair methods of competition in foreign commerce. Let me illustrate: Some years ago a large oil company was selling lubricating oil in South Africa. It was the largest exporter, although there were many others, and it made an arrangement with steamship companies whereby its freight rates were to be reduced and the freight rates to its competitors were to be increased. That was investigated and prohibited. That is a species of unfair methods of competition which the bill fully covers. The American exporter who does not wish to go into the export business through a common selling agency is protected.

Mr. HARDING. The Senator is aware, is he not, that any such action as that would be illegal and impossible under the Federal shipping law?

Mr. KELLOGG. Absolutely. But I gave it simply as an illustration.

So the bill not only protects the competitor in the export trade, but it gives the Federal Trade Commission jurisdiction over the entire subject. It provides that—

> Whenever the Federal Trade Commission shall have reason to believe that an association or any agreement made or act done by such association is in restraint of trade within the United States or in restraint of the export trade of any domestic competitor of such association, or that an association either in the United States or elsewhere has entered into any agreement, understanding, or conspiracy, or done any act which artificially or intentionally and unduly enhances or depresses prices within the United States of commodities of the class exported by such association, it shall summon such association, its officers—

And so forth, and gives the Federal Trade Commission power to remedy the evil.

Mr. President, it is not possible to permit our manufacturers, through their combined capital and energy, to have joint selling agencies to push their commerce in foreign countries unless we permit them to coordinate in some such way as this, and I do not believe it is possible to grant them any relief with greater restrictions for the protection of the people of this country and for the protection of their competitors than this bill grants.

I am quite aware, as I said before, that lawyers disagree as to the validity of common selling agencies and the validity of the coordination of separate concerns purely in the export business. I, for one, believe them to be legal; that upon well-established legal principles it never could have been the intention nor within the letter of the law to extend the Sherman Act to foreign countries and there regulate matter of selling and other negotiations.

Suppose, as I said before, the German Government should approve a cartel which limited the amount and fixed the price at which all manufacturers should sell their products in Germany. Is it possible that under our laws, our manufacturers could not sell in that country under those conditions? It certainly could not be in violation of the public policy of this country for an American merchant, engaged in competing for the commerce of the world, to enter into agreements which were approved by the public policy of nations with which we are competing, certainly they could do business in France, England, Germany, or Italy according to the laws of those countries. But so long as lawyers disagree, then we ought to make it clear. If that is now the law, the bill can do no harm. If it is not the law, it makes our business men safe and they can go on and push their foreign commerce when the war closes.

I know it is said that there is no necessity for this act now that the great calamity which has overtaken the world has forced those nations to come to us for the necessaries of life, for manufactured articles, and for munitions of war. But, Mr. President, those countries have not neglected their foreign commerce even in the hour of their peril.

Mr. President, the war will close some day; God knows, I hope it will close soon, and when the war closes and we must again assemble the tangled threads of the commercial, industrial, and economic life of the world, let us be prepared to hold our place in a commerce which goes to the very vitals, to the very foundation of the prosperity of this Nation, which furnishes to labor a large part of its opportunity and wage, which furnishes our merchants their occupation, and employs millions of our capital.

We are a great surplus-producing people; we must continue to be surplus-producing people; we have the greatest fields of raw material, as yet almost untouched; unlimited fields of coal, beyond anything known anywhere in the world; copper, iron, steel, lumber, and agricultural products; and a soil rich beyond that known even to ancient civilization. Why not organize a merchant marine to sail the ocean and enter every port, and banking facilities to reach the commerce of the world; and why not permit our merchants and manufacturers to combine their energies, while maintaining their separate organizations, in pushing a commerce of such vast benefit to the people?

This would tend to build up individual enterprise. I say that when you permit them to have joint selling agencies, when you permit them to coordinate their industries simply in their foreign commerce, it takes the surplus of their products, it encourages them to maintain the independence of their separate industries. It is my belief that the great future of this country does not depend upon large combinations of capital. It depends more upon individual enterprise, on the proprietor of the small farm, the small or reasonably sized independent manufacturer, the proprietor of the mercantile business, where the individual can, by his energy and enterprise, build up his own business and leave it as a heritage to his children. I do not believe there is any danger in permitting, under such restrictions as this bill imposes, our industries to coordinate their capital, labor, and enterprise in meeting the competition of the world.

[APPENDIX.]

The report of the Board of Trade committee on financial facilities for trade, particularly with reference to financing over-seas contracts, recommended the establishment of an institution with the following primary objects:

(A) To afford advice and financial assistance to British commercial and industrial undertakings from their inception and generally to further the development of British trade industry and commerce.

(B) To make advances for the enlargement of works and the extension of plant and for the amalgamation and coordination of works and businesses with a view to effecting economies in the cost of production.

(C) To render financial assistance in connection with transactions involving long periods of credit.

(D) To assist in obtaining orders from abroad for British manufacturers and traders and to grant financial facilities for the execution of such orders, especially when such orders are intended to be executed in the United Kingdom.

(E) To undertake credit operations and to draw and accept bills.

(F) To acquaint themselves with the conditions of trade and with the business requirements of all countries of the world and to enter into banking agency arrangements in such countries with colonial or British foreign banks or where necessary to open up branches and agencies in such countries.

(G) To establish, equip, and maintain information bureaus in close touch with the department of commercial intelligence of the Board of Trade for furnishing British merchants and manufacturers and the business community generally with reliable data and information upon openings for trade, new contracts, State and other loan and issue proposals, and generally upon all matters relating to foreign trade and business, and to undertake the examination of industrial projects.

(H) To act as an agent for carrying through over-seas commercial and financial transactions in which your Majesty's Government may be interested and to receive official recognition and assistance.

(J) To undertake trading operations and business on their own account or jointly with others, either through the medium of syndicate or otherwise.

In accordance with this recommendation the British Government chose Baron Faringdon and others to organize the British Trade Corporation. Upon presentation of their petition, setting forth the purposes of the proposed corporation in accordance with the recommendations of the Board of Trade committee, royal charter was granted on April 21, 1917, conferring upon the corporation the following power:

(A) To act as agents for any governments or authorities, or for any bankers, manufacturers, merchants, shippers, and others, and to carry on agency business of any description, including the power to act as attorneys, and to give discharges and receipts.

(B) To carry on business as contractors, merchants, or traders on their own account.

(C) To promote or finance, or to assist in the promotion or financing, of business and undertakings of any description, and to develop and prove the same, either through the instrumentality of syndicates or otherwise, and to act as an issuing house.

(D) To enter into any partnership or other arrangements for sharing profits or on joint account.

(E) To acquire and hold or dispose of any shares, stock, bonds, obligations, or debentures, debenture stock, scrip, or other securities or interests of any companies, trusts, or corporations, or of any Governments, States, Provinces, municipalities, or other authorities.

(F) To acquire and hold or dispose of any interest in any railways, tramways, ships, canals, docks, harbors, armament works, shipbuilding establishments, irrigation works, electrical works, gas works, waterworks, and, in addition, any carrying, transporting, trading, industrial, agricultural, financial, or manufacturing works, concerns, or business of any description, and to carry on the same.

(G) To acquire and hold any interest in and to develop the resources of, and to turn to account, deal with, pledge, and dispose of any territories, forests, mineral fields or other lands, possessions, buildings, or property, real or personal, immovable or movable, in any part of the world, including lands, buildings, and other hereditaments in the British Islands, notwithstanding the provisions of any statutes of mortmain or any other statutes or laws to the contrary.

(H) To undertake and execute any trusts and to act as executors, administrators, receivers, and treasurers, and to give any guarantees.

(J) To obtain, work or dispose of any concessions, charters, acts of Parliament, or other legislative rights, monopolies, licenses, patents, copyrights, or other privileges or advantages.

(K) To establish and maintain information and investigation bureaus and to collect statistics, returns, particulars, and information likely to prove useful for the consideration of business and financial propositions, and to undertake experimental and research work.

(L) On behalf of any governments, authorities, or corporations, to keep any registers relating to any stocks, shares, debentures, debenture stock, or securities, and to undertake any duties in relation to the registration of transfers, issuing of certificates, or otherwise.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on the 7th instant approved and signed the joint resolution (S. J. Res. 111) declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States, and making provision to prosecute the same.

HOMESTEAD SETTLERS AND ENTRYMEN.

The PRESIDING OFFICER (Mr. FRELINGHUYSEN in the chair) laid before the Senate the following amendment of the House of Representatives to the bill (S. 2334) to authorize absence by homestead settlers and entrymen, and for other purposes, which was to strike out all after the enacting clause and insert:

That during the pendency of the existing war any homestead settler or entryman shall be entitled to a leave of absence from his land for the purpose of performing farm labor, and such absence, while actually engaged in farm labor, shall, upon compliance with the terms of this act, be counted as constructive residence: *Provided*, That each settler or entryman within 15 days after leaving his claim for the purpose herein provided shall file notice thereof in the United States Land Office, and at the expiration of the calendar year file in said land office of the district wherein his claim is situated a written statement, under oath and corroborated by two witnesses, giving the date or dates when he left his claim, date or dates of return thereto, and where and for whom he was engaged in farm labor during such period or periods of absence: *Provided further*, That nothing herein shall excuse any homestead settler or entryman from making improvements or performing the cultivation required by applicable law upon his claim or entry: *Provided further*, That the provisions of this act shall apply only to homestead settlers and entrymen who may have filed their application prior to the passage of this act. The Secretary of the Interior is authorized to provide rules and regulations for carrying this act into effect.

Mr. SHAFROTH. Mr. President, this is a bill which was introduced by the Senator from Montana [Mr. MYERS] and passed the Senate during the extraordinary session. It has been passed by the House in amended form, but the amendment is not of any great consequence. In my judgment, it rather improves the bill. The Senator from Montana has requested me, when the amendment was laid before the Senate, to move that it be concurred in. I therefore make that motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Colorado that the amendment of the House of Representatives be concurred in.

Mr. BRANDEGEE. What is the title of the bill?

Mr. SHAFROTH. The title of the bill is "To authorize absence by homestead settlers and entrymen, and for other purposes." I will state to the Senator that it simply gives a homesteader the right to leave his homestead if he does other productive work on the farm. Some of these homesteads are grazing homesteads, and it is very important at this crisis that we should have as large a production of food products as we can possibly secure. For this reason the bill provides that absence for such a purpose shall not run against the time the entryman is required to remain on the homestead as provided by law.

Mr. BRANDEGEE. I have no objection to the proposition contained in the bill, but I wondered why, if the amendment is only immaterial and unimportant, it was necessary to strike out all after the enacting clause of the bill and insert an entirely new construction.

Mr. SHAFROTH. I do not know as to that; but the copy which has been handed to me by the clerk of the Committee on Public Lands simply shows the insertion of the words "within 15 days" at a certain point, and at the end of the bill the addition of a provision reading:

Provided further, That the provisions of this act shall apply only to homestead settlers and entrymen who may have filed their application prior to the passage of this act.

Mr. BRANDEGEE. I make no objection at all. I simply did not understand why the Senate bill should have been stricken out after the enacting clause and a new bill inserted.

The PRESIDING OFFICER. The question is on concurring in the amendment of the House of Representatives.

The amendment was concurred in.

PROMOTION OF EXPORT TRADE.

Mr. POMERENE. Mr. President, I should be very glad if there is any Senator present who cares to speak, if he will take the floor now. One or two Senators desire to speak on the bill to-morrow, and the Senator from Missouri [Mr. REED] also desires to speak, but does not feel quite equal to the task this afternoon. Under these circumstances I hardly know what to suggest. I dislike to lose the entire afternoon, but I want to accommodate Senators.

Mr. REED. I think the proper thing to do is to adjourn. The Senate has practically disbanded voluntarily; there are now in the Chamber about 12 Senators, and during the latter part of the remarks of the Senator from Minnesota [Mr. KELLOGG] there were probably 15 or 16 present. This bill involves a complete change of the policy of the United States with reference to trust legislation, and it ought to be at least briefly heard by the Senate. The Senate is very thin, and I think we should adjourn.

Mr. POMERENE. I do not want to allow that statement to go unchallenged, but I do not care to discuss it now. As there is no other Senator who desires to speak this afternoon, I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 11, 1917, at 12 o'clock meridian.

SENATE.

TUESDAY, *December 11, 1917.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee for the abundant evidence of Thy continued providence and care for us as a Nation. Thou art leading us upon a path that we have not known, but we are sure it is Thy way and Thy path. We thank Thee to-day that the land of our most precious memories and of our sacred shrines has been rescued from the hand of the infidel and fallen once more into the hands and control of a Christian nation. May this be the token to us of the speedy and final conquest of truth and law and justice in all the earth. For Christ's sake. Amen.

WILLIAM S. KENYON, a Senator from the State of Iowa; WILLIAM H. KING, a Senator from the State of Utah; JAMES HAMILTON LEWIS, a Senator from the State of Illinois; WILLIAM H. THOMPSON, a Senator from the State of Kansas; and JAMES E. WATSON, a Senator from the State of Indiana, appeared in their seats to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

THE PUBLIC HEALTH SERVICE (H. DOC. NO. 615).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, the report of the Surgeon General of the Public Health Service for the fiscal year 1917, which, with the accompanying paper, was referred to the Committee on Public Health and National Quarantine and ordered to be printed.

PRODUCTION OF GRAINS AND CEREALS (S. DOC. NO. 127).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of October 5, 1917, a report relative to the feasibility and practicability of putting into cultivation such portions of the public domain and Indian lands as may be suitable for that purpose, which, with the accompanying paper, was referred to the Committee on Public Lands and ordered to be printed.

REPORTS OF SERGEANT AT ARMS.

The VICE PRESIDENT laid before the Senate a communication from the Sergeant at Arms of the United States Senate, transmitting, pursuant to law, a statement showing the amount of receipts from the sale of waste paper and condemned property and the disposition of the proceeds thereof since December 4, 1916 (S. Doc. No. 126), which was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Sergeant at Arms of the United States Senate, transmitting, pursuant to law, a complete account of all property in his possession on the 3d day of December, 1917 (S. Doc. No. 125), which, with the accompanying paper, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS.

Mr. WADSWORTH. I present resolutions adopted by the Buffalo (N. Y.) Chamber of Commerce, which I ask may be printed in the RECORD. They are short.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Resolutions adopted by the Buffalo Chamber of Commerce, November 13, 1917.

Whereas the foreign trade of the United States for the last fiscal year shows a balance in favor of this country of nearly $4,000,000,000; and

Whereas loans to our allies greatly exceed our "favorable balance of trade"; and

Whereas the continuance of any set of conditions which tend to curtail imports because imports represent the only form of cash payment which our entire foreign trade is yielding; and

Whereas high foreign exchange premiums penalize imports and tend indirectly to increase the enormous inflationary debit balance which the Nation is rolling up against the future in the form of foreign loans; and

Whereas the advances to our allies are now proving a boomerang leading to the depreciation of the American dollar in foreign markets, because of lack of governmental regulation; and

Whereas all of our allies are now taking every step necessary to protect their own currencies abroad; and

Whereas the American dollar is now at a discount of from 3 to 20 per cent in neutral foreign countries: Be it

Resolved, That the United States Government, through its proper departments, take whatever action may be necessary to keep at parity the American dollar in every country of the world; and be it further

Resolved, That the Buffalo Chamber of Commerce express to Congress a keen sense of appreciation of the splendid constructive work done by our Senators and Representatives in enacting legislation to provide for the effective conduct of the war; and be it further

Resolved, That we point out that the remarkable record of Congress in this regard, together with the wonderful work being done by the President and Cabinet and Council of National Defense, is such as to merit the gratitude of the public and, in fact, of all liberty-loving peoples throughout the world. It is but fair that opportunity be taken to fully convey to them these sentiments of the American people. Those who know their work will be inspired by the splendid example of their official representatives to render the largest measure of individual effort and sacrifice. The quality and unity of service that has been rendered to the Nation during the past few months, regardless of party lines, is unparalleled in history.

Mr. GRONNA. I present petitions very numerously signed by citizens of a number of counties in my State praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States. I ask that the body of one of the petitions be printed in the RECORD and that they be referred to the Committee on Woman Suffrage.

There being no objection, the petitions were referred to the Committee on Woman Suffrage, and one was ordered to be printed in the RECORD, as follows:

To Senator GRONNA:

The undersigned women of ——— County, State of North Dakota, do hereby petition you to work and vote for the immediate submission of a Federal suffrage amendment to the legislatures of the several States in order that the women of the United States may become the political equals of those of Great Britain, Australia, New Zealand, Canada, and the Scandinavian countries.

Mr. GRONNA. I present a resolution adopted by the Commercial Club of Grand Forks, N. Dak., which I ask may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

GRAND FORKS, N. DAK., *November 27, 1917.*

Hon. A. J. GRONNA,
Washington, D. C.

DEAR SIR: The following resolutions received a unanimous vote of our board of directors on Monday, November 26. Copies of these resolutions have been mailed to Representatives, Senators, committee men at Washington, and to the commercial organizations of the Northwest. We shall appreciate very much your aid in this very important matter.

We, the directors of the Grand Forks Commercial Club, in session on Monday, November 26, 1917, having duly considered the work and benefits of the war-camp community recreation fund, appreciate very much the value of this work as it is being carried out and believe that it is, indeed, worthy, but that in part it must duplicate the work of the Army Y. M. C. A.

We are anxious and willing to cooperate heartily with the Government at this time and of the world's crisis, as is proven by our record for the first and second liberty loan, the Red Cross, and Army Y. M. C. A. work. We are not only reaching our quotas but in many instances passing the standards set up for us. However, we feel that in these matters we have all we should undertake. For that reason we are inclined to discourage the raising of this war-camp community recreation fund in this popular way and have in session on this day adopted the following resolutions:

Be it resolved, That we, the directors of the Grand Forks Commercial Club, having sons in training camps, the interests of the Government at heart, and certainly the best wishes for a victorious outcome of the world's war, feel that the character of the environment surrounding the military camps should be under the best possible influence: Be it further

Resolved, That in order to bring about the best moral atmosphere for our training camps that we recommend to our Government at Washington that the matter of proper recreation of our soldiers in the camps and cantonments be placed under military control and that the moral and physical life of our soldiers be considered as important in their training as food and clothing. We recommend the Government's close watch through military control of our war camps and in case more funds are needed the placing of a liberty loan for this purpose.

BOARD OF DIRECTORS COMMERCIAL
CLUB OF GRAND FORKS,
C. W. GRAVES, *Secretary.*

Mr. GRONNA presented a petition of the Woman's Christian Temperance Union, of Fairmount, N. Dak., praying for national prohibition, which was ordered to lie on the table.

He also presented a petition of the Wells County Rural Letter Carriers' Association, of Harvey, N. Dak., praying for an increase in the salaries of the rural letter carriers, which was referred to the Committee on Post Offices and Post Roads.

Mr. JONES of Washington. I present a resolution adopted by the Seattle Union Card and Label League of Washington, urging the passage of the Susan B. Anthony constitutional amendment. I move that it be referred to the Committee on Woman Suffrage.

The motion was agreed to.

Mr. JONES of Washington. I present a letter setting out a resolution by the Patriotic League of Colfax and Whitman Counties, Wash., urging a declaration of war against Austria, Turkey, and Bulgaria. I move that it be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. WEEKS presented a memorial of the Negro Civic League of Springfield, Mass., remonstrating against any discrimination being made against colored citizens, which was referred to the Committee on Civil Service and Retrenchment.

NORTHERN JUDICIAL DISTRICT OF TEXAS.

Mr. CULBERSON. From the Committee on the Judiciary I report back favorably without amendment the bill (S. 2860) transferring Hardeman County to the Wichita Falls division of the northern judicial district of Texas. I send the bill to the desk and ask for its immediate consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SMOOT. I did not hear the title. I ask that the Secretary may report the bill by title.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the county of Hardeman be, and it hereby is, transferred from the Fort Worth division to the Wichita Falls division of the northern judicial district of Texas.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LOULA M. WILSON.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution No. 156, submitted by Mr. BECKHAM on the 4th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Loula M. Wilson, widow of Charles C. Wilson, late assistant clerk to the Committee on Expenditures in the Department of Labor of the United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

FUNERAL EXPENSES OF THE LATE SENATOR HUSTING.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution No. 159, submitted by Mr. LA FOLLETTE on the 4th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of the Hon. Paul O. Husting, late a Senator from the State of Wisconsin, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CUMMINS:

A bill (S. 3154) to provide for the computation of longevity pay for officers of the Regular and National Army; to the Committee on Military Affairs.

A bill (S. 3155) to amend section 209 of the act entitled "An act to provide revenue to defray war expenses," approved October 3, 1917; to the Committee on Finance.

A bill (S. 3156) granting an increase of pension to Michael H. Skinner (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 3157) granting a pension to James F. Clark, alias James F. Rozzel; and

A bill (S. 3158) granting a pension to Fred F. Bennett; to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 3159) granting an increase in appropriation to all State and Territorial soldiers' and sailors' homes from $100 per year for each inmate to $150 per year for each inmate thereof; to the Committee on Appropriations.

By Mr. WADSWORTH:

A bill (S. 3160) for the relief of the State of New York; to the Committee on Claims.

A bill (S. 3161) to require the registration for military service of male citizens of the United States who have attained the age of 21 years; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 3162) for the proper observance of Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

By Mr. KNOX:

A bill (S. 3163) fixing rate of pension for soldiers of the Civil War; to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 3164) for the relief of Charles A. Carey; to the Committee on Claims.

By Mr. REED:

A bill (S. 3165) granting an increase of pension to William L. Smith (with accompanying papers);

A bill (S. 3166) granting an increase of pension to William J. Smith (with accompanying papers);

A bill (S. 3167) granting an increase of pension to John H. Bird (with accompanying papers);

A bill (S. 3168) granting an increase of pension to William White (with accompanying papers);

A bill (S. 3169) granting an increase of pension to Joseph P. Case (with accompanying papers); and

A bill (S. 3170) granting an increase of pension to Washington Richardson (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 3171) to amend an act entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District"; and

A bill (S. 3172) to provide for the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW., in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CHAMBERLAIN:

A bill (S. 3173) granting a pension to George W. Hillis (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 3174) to amend the act of October 3, 1917, entitled "An act to provide revenue to defray war expenses, and for other purposes"; to the Committee on Finance.

By Mr. SHIELDS:

A bill (S. 3175) granting a pension to D. J. Owens;

A bill (S. 3176) granting an increase of pension to Harvey Day; and

A bill (S. 3177) granting an increase of pension to James Stuart; to the Committee on Pensions.

By Mr. FRELINGHUYSEN:

A joint resolution (S. J. Res. 113) authorizing the purchase of rifles for the use of home guards; to the Committee on Military Affairs.

SHORTAGE OF SUGAR AND COAL.

Mr. LODGE. I submit a resolution, and I ask unanimous consent for its immediate consideration.

The resolution (S. Res. 163) was read as follows:

Resolved, That the Committee on Manufactures be directed to inquire into the causes of the shortage of sugar and coal and report to the Senate thereon, together with their recommendation of any steps which they may deem it necessary to take with a view to remedying the conditions and, if possible, preventing their recurrence.

The VICE PRESIDENT. Is there objection to the consideration of the resolution?

Mr. JONES of Washington. I do not object to its consideration, but in connection with the resolution I desire to have read from the desk an article which is very pertinent to the inquiry.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

BEER AND THE RAILROADS.

Did you ever stop to think that while our Federal food-control authorities are drafting the patriotism of the United States in every department and the President has enforced a reduction of 25 per cent in the amount of grain used in the manufacture of beer by cutting the amount of alcohol in beer 25 per cent, the greatest saving now, when most needed, would be made by stopping entirely the shipping of beer and also the returning of barrels, kegs, and cases of bottles, which take as much freight space as the original shipment? The railroads formerly carried these "returns" free.

You will see sidetracks full of cars loaded with coal, while people are suffering for the want of coal and factories shut down, throwing employees out of work, because of the lack of coal, but you will see trainloads of beer going by on schedule time.

For the life of me I can not understand why the German saloonkeeper and the German brewers are so favored by legislation and rulings in this country. I can not understand why the railroad presidents and their vice presidents who operate the roads should be unable to move coal, food, paper, and the things which people need, want, and pay for, and yet can get through carloads of beer with perfect regularity. Of course, it is just such favoritism in nonessentials that has broken down the use of the railroads for necessities and will compel the United States Government to take over the operation of the railroads very likely for good.

The Blade's readers have not seen, nor have I, this question of beer and the railroads brought to the attention of the public. The transporting of beer in barrels, kegs, and bottles amounts to more in mile tons, which is the basis railroads figure on, than the cars used to transport more than half the wheat crop of the United States. Even with the 25 per cent reduction in the amount of alcohol there will be wasted in the manufacture of beer 54,000,000 bushels of grain a year, and the weight of the water in the beer and the kegs and bottles multiplies this by 8, so you have, on a transportation basis, the weight of more than 432,000,000 bushels of grain used up for beer shipment alone, or 1,080,000 carload lots a year, enough to relieve the railroad congestion of the United States for all time.

When the President ordered a reduction of 25 per cent in the amount of alcohol in beer this left the percentage of alcohol 3 instead of 4. But the result is only an increase in the amount of water, which increases the profits of the brewer and saloonkeeper. Beer drinkers who want to get the same amount of alcohol as before will have to drink one-third more beer than they formerly did.

Mr. JONES of Washington. I hope the resolution will pass, and I hope the committee will investigate the statement made in the article which has been read.

The resolution was considered by unanimous consent and agreed to.

LIEU LAND CLAIMS.

Mr. JONES of Washington submitted the following resolution (S. Res. 164), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to furnish to the Senate the following data relating to lieu selection 2904 involving lands claimed by Alma De Long, Arthur Baldwin, George W. Hamilton, Forrest Thurston Martin, George Wheaton, Carl A. Welander, Edward A. Halverson, Ulysses Loop, Moses Kauffman, Addie Sprague, Claude Vanderpool, and others as entrymen or contestants, and C. W. Clarke, lieu land claimant or contestee:

First. Copies of all letters, not included in the recorded testimony, received relating to these lands or any other part thereof or the parties interested or any of them.

Second. Copies of all decisions rendered by the local land office officials, the Commissioner of the General Land Office, and the Department of the Interior affecting any or all of these lands and any or all of these parties.

Third. Copies of all reports or memoranda prepared in the department relating to these lands or any part thereof and not appearing in the testimony taken in the local land office.

ENLISTED MEN AND COMMISSIONED OFFICERS.

Mr. OVERMAN submitted the following resolution (S. Res. 165), which was read and considered by unanimous consent and agreed to:

Resolved, That the Secretary of War be, and he is hereby, directed to inform the United States Senate what, if any, rules or regulations there are of the War Department which prevents officers from having intercourse with privates and mingling with them in social intercourse, or which tend to caste distinction between enlisted men and commissioned officers when they are off duty.

HEARINGS BEFORE THE COMMITTEE ON MANUFACTURES.

Mr. REED submitted the following resolution (S. Res. 166), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Manufactures, or any subcommittee thereof be, and hereby is, authorized during the Sixty-fifth Congress to send for persons, books and papers, to administer oaths, to employ a stenographer at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee; the expenses thereof to be paid out of the contingent fund of the Senate, and that the commitee, or any subcommittee thereof, may sit through the session or recess of the Senate.

Mr. THOMPSON, subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably the foregoing resolution, and it was considered by unanimous consent and agreed to.

REPORT OF GOVERNOR GENERAL OF THE PHILIPPINES (S. DOC. NO. 130).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and ordered to be printed, and, with the accompanying paper, referred to the Committee on the Philippines:

To the Senate and House of Representatives:

As required by section 21 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith, for the information of the Congress, the report of the Governor General of the Philippine Islands for the fiscal year ended December 31, 1916, together with the reports of the governor of the Department of Mindanao and Sulu and the executive secretary of the Philippine Government.

WOODROW WILSON.

THE WHITE HOUSE, *10 December, 1917.*

REPORT OF GOVERNOR OF PORTO RICO (S. DOC. NO. 129).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and ordered to be printed, and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico:

To the Senate and House of Representatives:

As required by section 12 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith, for the information of the Congress, the report of the governor of Porto Rico for the fiscal year ended June 30, 1917, together with the reports of the heads of the several executive departments of the Porto Rican government for the same period.

WOODROW WILSON.

THE WHITE HOUSE, *10 December, 1917.*

FRANCHISES OF PORTO RICO (S. DOC. NO. 128).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, ordered to be printed, and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico:

To the Senate and House of Representatives:

As required by section 32 of the act of Congress approved April 12, 1900 (31 Stat., 83), entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith certified copies of franchises granted by the Executive Council of Porto Rico up to the time such functions of the Executive Council were superseded by the Public Service Commission provided for by section

38 of the act of March 2, 1917 (39 Stat., 951, 964), entitled "An act to provide a civil government for Porto Rico, and for other purposes." The copies of the franchises inclosed are described in the accompanying letter from the Secretary of War in transmitting them to me.

WOODROW WILSON.

THE WHITE HOUSE, *10 December, 1917.*

PROMOTION OF EXPORT TRADE.

The VICE PRESIDENT. The morning business is closed.

Mr. POMERENE. I ask unanimous consent that the unfinished business, House bill 2316, be laid before the Senate and proceeded with.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2316) to promote export trade, and for other purposes.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from Iowa [Mr. CUMMINS].

Mr. CUMMINS. Mr. President, I wish to take a few moments, to complete what I began the other day and especially to reply to certain suggestions that were made by the Senator from Minnesota [Mr. KELLOGG].

To recall to the minds of the Senators present the exact question I may be allowed to repeat that the bill before the Senate is intended to repeal the antitrust law and section 7 of the Clayton Act, in so far as our foreign trade is concerned. The amendment which I have offered, and which is the pending question, proposes to make lawful the establishment and conduct of a common selling agency in foreign countries entered into by those who manufacture or sell competitive products.

I said the other day, and further reflection has only deepened my conviction upon that point, that the proposal to establish a common selling agency in a foreign country by producers or manufacturers in this country is entirely lawful under the law as it is. There are two reasons for my belief in this respect. In the first place there is a territorial immunity, if I may term it so. Acts done in a foreign country by citizens of the United States, even though they are in restraint of trade, are not offenses against our antitrust law if they are lawful under the laws of the country in which they are done or performed. This is not an original conclusion upon my part, for it has been so determined by the Supreme Court of the United States. The Senator from Minnesota [Mr. KELLOGG] I think fully recognizes that proposition and does not controvert it; nor do I understand that the Senator from Ohio [Mr. POMERENE] disputes the correctness of the statement I have made.

In order, however, that there may remain no doubt whatsoever about it, I refer the Senate to a case which is very well known by students of this subject, known as the American Banana Co. against the United Fruit Co., reported in Two hundred and thirteenth United States Supreme Court Reports. In that case the American Banana Co., which was a corporation organized under the laws of the State of Alabama, as I remember, brought suit against the United Fruit Co., a corporation organized under the laws of the State of New Jersey, asserting that the United Fruit Co. had monopolized, or attempted to monopolize, the entire foreign fruit business coming from the West Indies; that it had pursued a series of practices which had been condemned by the Supreme Court in many cases; and that the United Fruit Co. had finally and through the intervention of the Government of Costa Rica, entirely destroyed the plantations and the business of the American Banana Co.

There are many questions in that case, and the one which would naturally be suggested by the last statement I have made is probably not material, namely, the difficulty of asserting and proving that the acts of a foreign government could under any circumstances be unlawful as against a law of the United States. I do not dwell upon that particular phase of the matter. However, the Supreme Court of the United States, after carefully considering the whole field, held that the acts that were done, performed, and committed by a citizen of the United States in Costa Rica or Panama—because these things were done in a territory formerly claimed by Colombia and which was in dispute as between the State of Panama and the Government of Costa Rica, but which afterwards came to the State of Panama under the revolution and organization which followed—could not be in violation of the antitrust act. I shall not go into the details, but shall content myself with reading three brief extracts from the decision. The court said, on page 355, after stating the case with great particularity:

> It is obvious that, however stated, the plaintiff's case depends on several rather startling propositions. In the first place, the acts causing the damage were done, so far as appears, outside the jurisdiction of the United States and within that of other States. It is surprising to hear it argued that they were governed by the act of Congress.

Do not mistake the meaning of that sentence. This is stated not because these acts, or some of them, were committed by an organized government, not because they were committed by the Government of Costa Rica, for the acts of the United Fruit Co. itself, its officers and agents, were quite sufficient to bring the case within the antitrust law if territorial immunity did not exist. Again, on page 357, the court said:

> In the case of the present statute the improbability of the United States attempting to make acts done in Panama or Costa Rica criminal is obvious, yet the law begins by making criminal the acts for which it gives a right to sue—

Referring, of course, to the first section of the antitrust law, which declares to be unlawful certain acts committed in restraint of trade. The court continued:

> We think it entirely plain that what the defendant—

Speaking of the United Fruit Co.—

> did in Panama or Costa Rica is not within the scope of the statute, so far as the present suit is concerned. Other objections of a serious nature are urged, but need not be discussed.

Mr. KELLOGG. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I yield to the Senator from Minnesota.

Mr. KELLOGG. If the Senator from Iowa will permit me, I desire to make a suggestion which I wish he would consider. In the United Fruit Co. case the acts which the United Fruit Co. procured to be done in Yucatan were acts of destruction of competitors' property in a foreign country.

Mr. CUMMINS. They were; that is, some of the acts were for the purpose of inducing the Government of Costa Rica to destroy the property of the American Banana Co.

Mr. KELLOGG. Yes. In the question of a common selling agency the manufacturers, we will say, of this country must get together and must agree that John Jones shall be their agent in Yucatan and that they will furnish him certain goods, possibly for a certain price, which he may place for them in that country. Now, the difficulty arises between the banana case and the corn-selling agency case, whether or not an agreement in this country by American manufacturers to create a foreign selling agency and to furnish them goods is not partly affecting commerce in this country, and is therefore within the Sherman law. I agree with the Senator that it is not, but some of the best lawyers in this country disagree with us and advise their clients that they can not make such an agreement. For instance, the Federal Trade Commission has reported that leading business concerns on the Pacific coast have initiated a selling agency which has not gone into effect because of their fear of the law. If they already have the right, then to give them the right to create common selling agencies can not do any harm.

Mr. CUMMINS. But, Mr. President, in the bill which is proposed we not only give them the right which the Senator from Minnesota thinks is undisputed, but we give them a great number of other privileges, which are condemned, in my opinion, by the best sense of the commercial world. In order to remove the doubt which the Senator from Minnesota has in mind I have introduced the amendment which is now pending; but I do not desire to go further than to remove the doubt.

I refer again to the case from which I have been reading. It must be remembered by the Senate, and especially by the Senator from Minnesota, who is perfectly familiar with the case and with the circumstances, I know, that the acts alleged against the United Fruit Co. were mainly committed in the United States; that is to say, the plan was made in the United States; the officers and agents and employers were hired within the United States; there were more things done by the United Fruit Co. in the United States in the case to which I am referring than could possibly be done in the United States by different producers or manufacturers agreeing to select a common agency in a foreign country, and to maintain that agency.

I read now the last paragraph of the opinion, which will make the thought I have just expressed perfectly clear:

> Giving to this complaint every reasonable latitude of interpretation, we are of opinion that it alleges no case under the act of Congress and discloses nothing that we can suppose to have been a tort where it was done.

Now, mark you—

> A conspiracy in this country to do acts in another jurisdiction does not draw to itself those acts and make them unlawful, if they are permitted by the local law.

By the "local law" the Supreme Court in this case means, of course, the law of the Government of Costa Rica or of Panama, as the case may be.

Mr. President, I have cited this case and indulged in these observations not because I think it is moral or upright for a citizen of this country to organize combinations in restraint of trade to be operated elsewhere, but I have done it for the pur-

pose of showing that under no circumstances is there any reason for the present modification of the antitrust law in order to meet the desires or the alleged needs of the exporters of the United States. The more satisfactory reason which I gave the other day, and which is not seriously disputed, is this, that the cooperation or combination of producers in this country for the purpose of marketing their goods abroad fairly and honestly and conducting their business in a spirit and under methods which commend themselves to the average sense of the country is not a violation of the antitrust law, has never been held to be a violation of the law, and never will be held to be a violation of the law.

The Supreme Court of the United States went further upon this immediate subject in the early cases known as the Traffic Association cases than it has ever gone since; that is, with regard to a voluntary agreement among competitors intended to stifle or restrain competition. There is some language in those early cases from which it might be deduced that any reduction of competition would constitute a violation of the law, but if any such conclusion can be drawn from those cases it was overturned completely and entirely by the decisions of the Supreme Court in the Standard Oil Co. case and in the American Tobacco Co. case. No man will assert, if there are a hundred rivals, competitors in this country, manufacturing or producing a particular commodity or a series of commodities, that it is in violation of the law for two of them to consolidate, two of them to unite, and in that way and to that degree lessen competition; no one has ever contended for any such construction of the law.

There must be something more than the mere elimination of competition between a reasonable number, of a larger number, engaged in the same business; otherwise there has not been a consolidation in the United States in 25 years that is not condemned by the law; otherwise there could be no concentration of business between rival or competitive producers or manufacturers.

The most obvious or clearest case with respect to that is the case of the United States Steel Corporation. Does the Senator from Ohio contend that the mere consolidation of 25 per cent or 30 per cent or 40 per cent of a particular kind of business in one ownership or under one agency is in and of itself a restraint of trade? It may be, and it may not be. It depends entirely upon the consequences which follow from the consolidation or concentration, and with that of course is inseparably connected the manner in which the business is transacted. After all the final inquiry of the court is, Does the agreement, no matter what form it takes—whether it is an incorporation or whether it is an independent agreement—restrain trade in the United States, or, in the present instance, does it restrain the foreign trade of the United States?

It would be monstrous to contend that if we had 100 exporters desiring to sell goods in Brazil or in the Argentine Republic two of them could not unite in establishing a common representative, and I care not whether it is established through one form or the other the effect would be to eliminate competition as between those two producers or manufacturers. But in and of itself the elimination of that combination, if the channels of trade are open for all who desire to enter that trade, and if no unfair and dishonest practices are employed, would not constitute a violation of the antitrust law.

There have been great clouds of misapprehension, a perfect spasm of hysteria, with regard to the antitrust law. I think it is one of the most beneficent laws ever enacted. I think it has done more for the development of the United States than any other enactment of an economic character. I think it has done more and will do more to promote and expand foreign trade than any other legislative provision that we could conceive. But when either the fears or the malicious design of manufacturers or their counsel, in order to rid themselves of its general beneficial effect, put upon the law a construction which no court has ever put upon it, and which the common sense of mankind instantly repudiates, in order to secure some advantages for themselves, I protest, and, while I do not impute any such motive to those who are furthering this legislation so far as this Chamber is concerned, that is the underlying reason for the attack upon the statute.

Mr. President, I conclude that phase of my remarks by the repeated assertion that what the exporters of this country desire to do, so far as they have disclosed their desires to the committee, so far as they have revealed them to the public, can be done under the law as it is; and if there be a timid or shrinking producer anywhere who needs further assurance, the amendment which I have offered will give it to him. It will say to him: "If you doubt the legality of uniting with some other producer or some other manufacturer and of establishing a common selling agency for your goods abroad, in order to reduce the expenses of your business or in order to enable you to make organizations and conduct preliminary advertising and arrangements that you can not afford to do alone, this amendment will give you that assurance." But the producer must remember, and he ought to remember, that whether he adopts a common selling agency or not, he must do nothing that will restrain the foreign trade of the United States, just as he must be careful to do nothing that will restrain the domestic trade of the United States.

The Senator from Minnesota [Mr. KELLOGG] made a very interesting and, I think, a very instructive argument in favor of the expansion of our foreign trade. There is nothing that he can say or that any other Senator can say looking toward that very desirable end that will not meet my hearty concurrence. I believe in adopting every policy consistent with morals that will tend to enlarge our foreign trade. But, Mr. President, if there is no difference of opinion—and there can be none—with respect to that fundamental proposition, wherein does the difference of opinion among the people of this country lie if there is any real difference of opinion? It lies in the methods which are best adapted to enlarge or to expand our foreign trade.

The Senator from Minnesota [Mr. KELLOGG] apparently believes, and the Senator from Ohio [Mr. POMERENE], who has given the subject much thought and consideration, clearly believes, that our foreign trade will be enlarged and fortified if we repeal the antitrust law with regard to it. I do not. I think the repeal of the antitrust law, so far as our foreign trade is concerned, will have a certain and a disastrous tendency to restrict our foreign trade. I think it will do much to destroy a structure which we have already reared and which is the admiration of every man who is proud of American enterprise and ingenuity. I want to retain this protection for American foreign trade. It will do for our foreign trade just what it has done for our domestic trade.

I remarked the other day, and I seem to have been somewhat misunderstood in the remark, that the growth and development of the United States in foreign trade has been more rapid than that of any other country in the world in the last 5 or 10 years. I assume that those who heard me understood me to confine that observation to the part of our foreign trade which is affected by the antitrust law or could be affected by the antitrust law. I assume that I was not understood to say that our exports of foodstuffs, which are always limited to the production influenced by favorable or unfavorable conditions, were included in that suggestion. But I repeat now the statement that we have advanced in domestic production in the last 10 years—and I will take the 10 years before the war—more rapidly than any other country in the world; and I assert again that we have increased our foreign trade, the volume of our exports, more rapidly than any other country in the world, so far as exports are concerned which by any possibility could be controlled by the antitrust law.

I will exclude foodstuffs now and lay before the Senate just two items of information which any Senator can verify by reference to the Statistical Abstract. May I premise it by one other suggestion?

I take the 10 years before the war. I agree with the Senator from Minnesota that what has happened since the war furnishes no valuable information and furnishes no real standard for determining what we can do in competition with the rest of the world. It is only fair, in order to ascertain what we can do, to go back to the years before the war, and I have taken for my comparison the 10 years immediately preceding the war—that is, the years from 1904 to 1913, both inclusive.

In 1904 the United States exported to all countries, of all commodities, except foodstuffs, products of the value of $890,593,716. In 1913 we exported of the same commodities, again excluding foodstuffs, merchandise and products of the value of $1,925,394,719. In the 10 years we increased our exports of these manufactured and semimanufactured commodities and raw material which enters into manufactures by more than 116 per cent; and there is no country on earth that can exhibit a like growth in the like products.

Mr. KELLOGG. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I do.

Mr. KELLOGG. I should like to ask the Senator from Iowa why he excludes from the exports of this country manufactured food products, because as to some of those manufactured food products they come in competition with the products of foreign countries. Furthermore, the figures which I gave were taken from a report of the Federal Trade Commission, after years of investigation, and are substantiated by the reports of the various departments of the Government.

Mr. CUMMINS. I am not doubting the correctness of the table which was introduced by the Senator from Minnesota. Whether the table is of value or not depends entirely upon the manner of making it up; and I do not think it is of any value in this controversy, because it can not be asserted that the exportation of our foodstuffs, whether manufactured or otherwise, has been in any degree affected by the antitrust law, at least from my standpoint.

So, Mr. President, we have done under the antitrust law what no other country has done; and had not the war intervened I have no doubt that our experience during the three years or more which have elapsed would have been as fortunate and as happy as our experience in the 10 years preceding the war. I can not see, therefore, why we should undertake at this time and under these circumstances the repeal of the antitrust law.

Is it not somewhat illogical for a Senator who is speaking for the expansion—the enlargement of our trade to ask the repeal of a law the only prohibition of which is against a restraint of trade? All that the Congress has said—and this represents the policy of the United States—is that there shall be no contract or combination in restraint of foreign trade. It was not intended, of course, to aim a blow at foreign trade. It was intended to fortify foreign trade and to help build it up, and the statute declared that no one should lawfully restrain it. Now, whether our policy is better than the German policy, or whether it is better than the policy outlined in the report of the British Board of Trade and read by the Senator from Minnesota, is a subject upon which each Senator must make up his own mind. As for myself, as I said the other day, I am a believer in the American policy, which declares against restraint of trade. I am against the German policy, which seeks to establish a monopoly in every phase or branch of either civil or military life. The German policy is not confined to the mere permission to organize cartels and the agreements under which Germans do business abroad. The German policy goes very much further. I should like to know whether the Senator from Ohio favors the adoption in the United States of that policy. The German Government has not only permitted her merchants and manufacturers to enter into agreements which establish for the time being a monopoly in the particular business in which they are engaged, but it compels these merchants and manufacturers to do what it regards as best adapted for the empire as a whole.

Mr. McLEAN. Mr. President——

Mr. CUMMINS. I yield to the Senator from Connecticut.

Mr. McLEAN. I will not interrupt the Senator if he objects to the interruption.

Mr. CUMMINS. I have no objection.

Mr. McLEAN. The Senator has just read to the Senate some figures which indicate that our foreign trade has grown very rapidly from 1904 until 1914 or 1913.

Mr. CUMMINS. Including 1913.

Mr. McLEAN. Including 1913. I am informed that the entire foreign trade of the world in 1913 was something like $40,000,000,000—a little less. It seems to me that the question is not what we may get—and, of course, our trade has increased very rapidly—but whether we get our proportion in comparison with the proportion secured by other nations. To get that proportion we must take into consideration, it seems to me, the population. A nation with 2,000,000 people and 50,000 square miles of land would not be expected to get as large a percentage of foreign trade as a nation having 3,000,000 square miles of land and 100,000,000 people.

If the Senator will examine the figures based upon population, he will find that they are very startling, and I think contradict somewhat his theory that we have increased our foreign trade as rapidly as we should. If the Senator does not object, I should like to read a statement of the increase in foreign trade of Great Britain, Germany, and the United States for the period of 30 years from 1880 to 1910.

Mr. CUMMINS. If the statement is not too long, I shall not object.

Mr. McLEAN. It is a brief statement.

In 1880 Germany, with a population of 46,000,000, had a foreign trade of $1,430,000,000, or $31 per capita. The United States, with a population of 50,000,000, had a foreign trade of $1,600,000,000, or $32 per capita. Great Britain, with a population of 35,000,000, had a foreign trade of $3,500,000,000, or $100 per capita.

In 1910 Germany's population had increased to 64,000,000. Her foreign trade was $3,960,000,000, or $62 per capita. The United States, with 90,000,000 people, had a foreign trade of $3,300,000,000, or $37 per capita. The United Kingdom, with a population of 44,000,000, had a foreign trade of $5,550,000,000, or $126 per capita.

So we see that in this 30-year period Great Britain increased her foreign trade twice as fast as the United States, and Germany a little more than eight times as fast as the United States.

Mr. CUMMINS. Mr. President, I think the basis is entirely erroneous. The United States until very recently exported practically nothing in manufactured products. If you will turn to the period of 30 years ago you will find that all the exports of manufactured products in the United States were so small as to be practically negligible. We are taking care of our own people first, and we have not been in a position until very recently to export practically anything of a manufactured kind. Now, we have put ourselves in that position. We have developed our industries so that they can compete with foreign countries in manufactured things, and we are going ahead, or were going ahead, according to my estimate, in a very satisfactory way.

Mr. McLEAN. I think the Senator will find that the proportionate increase in both Germany and Great Britain, certainly in Germany, was as rapid during the last 5 or 10 years as the increase in this country.

Mr. CUMMINS. I question that, Mr. President, although I would not want to dispute any conclusion announced by the Senator from Connecticut if he has examined it. I have already given the figures for our exports in manufactured goods and raw materials for manufacture.

The Senator from Minnesota [Mr. KELLOGG] a few days ago gave the percentage of increase for Great Britain and Germany, and for one or two other countries. Great Britain and Germany have no exports of agriculture products practically. Substantially all their exports are manufactured goods or goods partially manufactured. Therefore it is entirely correct to compare their growth in exports of such things with our growth in exports of such things.

The Senator from Minnesota said—I have not verified the statement, but I assume it is correct—that for a number of years—I have forgotten the number of years; whatever the years the percentage of increase was about 90 per cent. Now, our increase in 10 years has been more than 116 per cent. I cite this for the purpose of showing that the antitrust law has not seriously if at all prevented exports from the United States. On the contrary I believe that if there had been unlimited right of combination, unlimited right of monopoly, if there had been pursued the same policy with regard to foreign trade that was begun along about 1880 and which reached its culmination about 1901 in our domestic trade, our foreign trade would have met the same disaster which was plainly invited by that policy of monopoly, combination, unfair and unjust practices in business and other things of that sort.

Mr. President, I have said all that I desire to say with regard to the amendment I have offered and the merits of the bill which it seeks to amend. I sincerely hope that the Congress of the United States will not without the most serious reflection and careful study repeal an act which, in my judgment, has done more for the trade and commerce and industrial freedom of the people of this country than any other measure which ever passed the Congress of the United States.

Mr. WEEKS. Before the Senator from Iowa takes his seat I should like to ask him a question, and that is whether in his opinion this bill would not clear up the situation sufficiently so that manufacturers and exporters would know what they could do under the terms of the Sherman Antitrust Act. I am led to make that inquiry because I recall that Senator Hoar, of Massachusetts, was the chairman of the Judiciary Committee when that legislation was framed, and a little time after that he gave an opinion to what was known as the wire pool, as to what they could do under the terms of the bill. Later these people, going on and doing what he advised them they could do—and he was certainly the principal framer of the law—were prosecuted by the Government and were fined, having plead guilty by the advice of their attorneys, from one to five thousand dollars apiece for doing just what the framer of the law said they could do. Now, will not this proposed bill clear up the situation so that men engaged in foreign trade will know what their rights are?

Mr. CUMMINS. Mr. President, I am very glad to have an opportunity to answer that question. I am very familiar with the letter which Senator Hoar wrote to a great manufacturing establishment in Worcester shortly after the passage of the law, and I know also that he put upon the law an interpretation which the courts in the early days of the law did not adopt. But it is incorrect, I think, to say that the then Senator from Massachusetts was the author of the law, and had any better opportunity for knowing what it meant than others. The Senator from Massachusetts will remember that when Senator

Sherman of Ohio, introduced the bill it contained not a prohibition against restraint of trade; it contained simply a prohibition against interference with competition. The bill was referred to the Judiciary Committee and was considered by the committee and reported and debated at very great length along those lines, and with very great learning, too, and was finally again referred to the Judiciary Committee, and there, at least so it is claimed, the then Senator from Vermont, who for years occupied a very high place in the legal fraternity of the United States, presented what we now have as a substitute for the original Sherman bill as it had been amended in the Senate. That substitute was reported by the Judiciary Committee and Senator Hoar of Massachusetts took an active part, of course, in its discussion. I think some of his descendants have claimed that he had something to do with its composition. I will not attempt to settle that controversy, which is not material, anyhow; but, at any rate, I do not think the fact that the Senator from Massachusetts did not correctly interpret the law, as determined by the decisions which were made immediately afterwards, ought to have any weight whatever in the present interpretation of the law, because now for 27 years this law has been going through an evolution. It has passed through the courts in every possible form, and the decisions of the courts in my judgment at this time, leave no doubt whatsoever with regard to the rights of exporters into foreign countries. But even assuming that there is still doubt, I have attempted to remove the doubt, to the point of safety at any rate, by the amendment which I have offered, which explicitly declares that rival manufacturers in this country can unite in a foreign market in a common selling agency in order to lessen competition between themselves and in order to reduce the cost of doing business. More than this the exporters ought not to ask. More than this we can not safely give them. But I will frankly say that if we repeal the entire law as the bill proposes to do, so far as foreign trade is concerned, it would remove all doubt, for we would have no legislation whatever upon the subject and exporters and business men would be remitted to what is ordinarily known as the common law to guide them in the conduct of their business.

I hope I have answered the question.

Mr. POMERENE. Mr. President, the Senator from Iowa has several times made the statement that it was the intention of this bill to repeal the Sherman antitrust law in so far as it applies to our foreign trade. I submit to the Senator that that overstates the purpose of the bill. We are very careful in this bill to provide that where restraint is due to unfair methods of competition they will be subject to control by the Federal Trade Commission, and also they have the power after investigation to refer these matters to the Department of Justice for such action as that department may deem proper. It is true it authorizes combination and associations, and to that extent it does repeal the act, but it does not permit the use of any unfair method of competition in the way of interfering with the foreign trade.

Mr. CUMMINS. Mr. President, I can not speak for the intent in the mind of the Senator from Ohio, but if he intends to preserve any legislation upon the subject of foreign trade he must have carried out his purpose in the use of the words in lines 21 and 22 on page 2. The proviso in which these words are found reads in this way:

> Provided such association, agreement, or act is not in restraint of trade within the United States and is not in restraint of the export trade of any domestic competitor of such association.

I do not know what those last words mean. I think they are unknown to the law. I do not know what it would be simply to restrain the export trade of a domestic competitor, but I call the attention of the Senator from Ohio to the obvious fact that there is a wide fundamental difference between restraining the trade of a competitor and restraining trade considered generically. Every sale that a merchant makes restrains in some degree the trade of his competitor, or may restrain the trade of his competitor, but sales made by one engaged in business in a regular, fair, and honest way can not by any possibility be held to restrain trade.

So I think the Senator from Ohio is mistaken with regard to his interpretation of the proposed statute, and, while I have great confidence in his legal opinion and absolute confidence in the sincerity of his purpose, I adhere to my statement that this does repeal the antitrust law so far as foreign trade is concerned.

Mr. WEEKS. The statement which has just been made by the Senator from Iowa would seem to bear out the doubt which I had in my mind about the construction of the law. Of course, until they are construed by the courts, there must be doubt in the mind of even the soundest attorney.

Everyone will concede that the Senator from Iowa is such an attorney, and yet he says that he does not know what certain language which is in this bill means.

I want to get back once again to Senator Hoar, who, I think, at the time was the chairman of the Judiciary Committee. He states explicitly in his autobiography that he framed the Sherman Antitrust Act as it now stands on the statute books. Of course, whether he entirely framed it or not may be a question of doubt in the mind of the Senator from Iowa; but I am taking his language.

Mr. CUMMINS. I have never attempted to settle that controversy. I know that Senator Edmunds has claimed to be the author of this law, and his claim is supported by a good deal of proof.

Mr. WEEKS. That is not important; but Senator Hoar was an able lawyer——

Mr. CUMMINS. He was a very able lawyer.

Mr. WEEKS. And generally conceded to have been such; and yet he evidently, from the standpoint of the court, did not know what the law meant. Now, we are attempting to clear the situation so far as foreign trade is concerned, and the Senator from Iowa confesses on the floor of the Senate that he does not know what the language of the proposed bill means.

Mr. CUMMINS. Mr. President, I confess that I do not know what the language I have quoted from the bill means, for, so far as I remember, it has never been used before and never been construed by any court; but I do know what the antitrust law means in so far as it has been construed by the Supreme Court of the United States, and I have attempted to show, and I hope successfully, that the construction of the Supreme Court removes all the doubt which the Senator from Massachusetts now has in his mind, and which may still linger in the minds of some manufacturers and producers.

Mr. WEEKS. Does the Senator from Iowa know how many cases are now pending for the dissolution of combinations or trusts, or whatever they may be called, under the provisions of the Sherman antitrust law?

Mr. CUMMINS. I do not.

Mr. WEEKS. I do not know the number, but I know that there are a great many such cases. I assume that such companies or combinations have employed the best attorneys to advise them what they could do within the terms of the law. Evidently from the standpoint of the Government they have not been well advised, notwithstanding the decisions of the courts.

Mr. CUMMINS. That is true. I do not know anything about the facts which underlie these various cases. Some of them may be good cases and some of them may be poor cases; but, at any rate, the argument which the Senator from Massachusetts is inferentially making would lead to but one conclusion; that is, that we ought not to have any law on any subject, lest there should be differences of opinion about its application and interpretation.

Mr. VARDAMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). The Senator from Mississippi suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Hale	New	Shields
Borah	Hardwick	Newlands	Simmons
Brady	Hollis	Norris	Smith, Ariz.
Brandegee	James	Page	Smith, Md.
Calder	Johnson, S. Dak.	Pittman	Smoot
Cummins	Jones, N. Mex.	Poindexter	Sterling
Curtis	Jones, Wash.	Pomerene	Stone
Dillingham	Kenyon	Ransdell	Sutherland
Fletcher	King	Reed	Swanson
France	La Follette	Robinson	Thompson
Frelinghuysen	Lewis	Saulsbury	Trammell
Gerry	Lodge	Shafroth	Vardaman
Gore	McCumber	Sheppard	
Gronna	McNary	Sherman	

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of sickness, and to state that he is paired with the senior Senator from North Dakota [Mr. MCCUMBER].

Mr. SAULSBURY. I desire to announce that my colleague [Mr. WOLCOTT] is ill at home and unable to attend the sessions of the Senate.

Mr. JAMES. I desire to announce the absence of the Senator from North Carolina [Mr. OVERMAN], the Senator from Mississippi [Mr. WILLIAMS], the Senator from Alabama [Mr. UNDERWOOD], the Senator from Minnesota [Mr. NELSON], the Senator from Pennsylvania [Mr. KNOX], the Senator from New Hampshire [Mr. GALLINGER], and the Senator from Georgia [Mr. SMITH] on official business.

Mr. THOMPSON. I desire to announce the absence of the junior Senator from Montana [Mr. WALSH] on account of illness.

Mr. SHIELDS. I wish to announce the absence of my colleague [Mr. MCKELLAR] on account of illness.

Mr. GERRY. I desire to announce the unavoidable absence of the Senator from Oregon [Mr. CHAMBERLAIN] on official business.

Mr. FRELINGHUYSEN. I desire to announce the absence of my colleague [Mr. HUGHES] on account of illness.

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, a quorum of the Senate is present.

Mr. REED. Mr. President, I wish it were possible to enlist the attention of the Members of the Senate to this very important bill. We have just called the roll, a quorum has answered "present," and yet there is not in the Chamber at this moment one-third of the membership. The fact illustrates the vice of undertaking to chain the attention of the Senate to legislation of this kind when a great war is pending and the mind of every Senator is occupied with the tremendous problems and responsibilities incident to that conflict.

Mr. President, if there ever was a time in the history of this country when this kind of legislation was not needed now is the moment. It deals with the question of foreign commerce and with the right to effect combinations to control foreign commerce. Yet it is brought forward at a time when the entire foreign commerce of the United States is absolutely in the hands of the President of the United States, when a partial embargo has been declared upon all of our products which are to be shipped abroad, when every kind of foreign commerce has been brought within a common control, and when conditions exist which for the present render such legislation as is now proposed absolutely without effect.

It is brought forward at a time, Mr. President, when the attention of this Congress ought to be devoted to great and vital issues. Our forces are dissolving upon the western battle lines of Europe. Russia has apparently retired from the field, and in so doing has withdrawn from the conflict over 15,000,000 soldiers who were relied upon to help carry the war against Germany to a successful issue. The very provisions and munitions that the United States has sent to Russia to be used in the war against Germany are now in serious jeopardy.

The question whether the German forces will not be fed from the fields of Russia during the coming year is one of such pressing importance that we can not afford to disregard its consideration. The further question whether Germany will not draw supplies of workmen, if not of soldiers, from Russia during the coming year, is one demanding our serious attention.

The Italian forces have been driven back from positions which a few months ago were regarded as impregnable. We are told that these defeats, amounting to great catastrophes, have been caused, in part at least, by a failure of the allies of Italy to supply her with enough munitions and cannon to meet on equal terms the on-coming hosts of Germany and Austria. We are one of Italy's allies. What share of the responsibility for the defeat is ours? This does not complete the story of fecund disasters. Roumania is suing for peace. Serbia is a conquered province.

In our own country the most serious conditions confront us. In the Capital of the Nation, we are told, there is not enough coal to keep the people in a condition of ordinary comfort. From every part of the country comes the cry for coal. Whether the shortage is the result of a failure of the mines to produce as they ought or a failure of the railroads to carry as they should, or whether it is chargeable to conspiracies among middle men to deprive the people of coal, or whether it has resulted from an ill-advised and ignorant interference with coal production and distribution, the stern fact nevertheless confronts us that there is to-day an unprecedented and serious coal shortage.

We are likewise confronted with the fact that staples that have been in use in every family of the country since the Government has existed, and in which there has never before been a shortage, are now so scarce in this land of plenty that men and women are clamoring for tickets which will entitle them to purchase such necessities as sugar.

We are told, Mr. President, that there is a shortage of guns with which to equip our newly raised armies. We are informed that there is a shortage of cannon with which to equip the great armies we are preparing to send abroad. We know there is a shortage of ships to carry our troops and to carry munitions of war. We understand that there has been delay, and still more and more delay, in carrying out these great enterprises.

At such a time as this, when Congress ought to be devoting the last ounce of its energy and the best of its intellect to the solution of the mighty problems confronting the country and the world, we sit here in smug self-content and proceed to legislate in favor of the trusts and combinations! We can not get the attention of Congress to this legislation as we could in normal times. The lack of interest is manifest here this afternoon, and it is not wonderful that there is a lack of interest, for I say to the Senate and I say to the American people that it is time the war should be the supreme and the only thought in the mind of Congress.

Let me call your attention to something, Senators—not a pleasant task, but one that somebody must perform. Let me call your attention to the fact, to which I have already adverted, that we have lost in the last 90 days 15,000,000 soldiers from the side on which we contend. The withdrawal of Russia from this conflict at the present time appears to be complete. What the womb of the future may hold no man can tell. Let me call your attention to the fact that that leaves Germany and her allies with a preponderance of fighting force at the present time. Whereas 90 days ago we had a preponderance, counting Russia, to-day Austria and Germany and Turkey and Bulgaria have a numerically superior force on the battle fields of the world. Let me challenge your thought to the fact that they occupy a united territory; they are not divided by arms of the sea; they are trained soldiers, every one of them. Even the unspeakable Turks, who a few years ago advanced in barbaric hordes that broke upon the bayonets of the English squares, are to-day among the best disciplined soldiers of the world. Germany began the training of that army many years ago. I invite your thought to the fact that Congress can not put aside these great issues or escape these mighty responsibilities. We should be giving study to the economic questions that concern the carrying on of this war. We should be considering the creation of greater armaments and greater armies.

I have no hesitancy in saying that unless something of a most fortunate character transpires, which we can not now confidently predict, the time will speedily come when there will be new levies upon our citizens. Common prudence demands to-day that we should begin training the boys from 18 to 21, if not to send them to foreign fields, at least that they may be prepared to defend the coasts of this country against any eventualities of this conflict. Suppose that one or two other nations disappear from the contest. As Russia has gone, as Roumania has gone, as Serbia has gone, so others may go. The time may come when the mighty force of the German war engine will beat with such terrific power against our remaining allies that we will find it necessary to have an army upon the coasts of North America.

You may regard that as the talk of an alarmist, if you please; you may pass it by lightly if you choose; but it is within the possibilities of the future, and it is our business to be prepared for possibilities. We should be studying these great questions. And at this time, under these circumstances, this legislation is forced forward.

Mr. President, I regret the fact. I regret the spirit of Congress, which has been for many months: "Shift all responsibility to the President. Heap all these burdens upon the Executive. Let us wash our hands of responsibility. Let us say that the Government during the war consists of the Executive and his advisers." Such, sir, is not the case. We can not escape these responsibilities. They rest upon Congress heavily. If disaster shall come to our beloved land the Congressman who has failed to do his duty will offer but a sorry excuse when he pleads: "I put the responsibility upon the President." The Constitution puts it upon the Government, and Congress is still a part of the Government.

Mr. President, if Congress can ever be gotten into a room long enough to analyze this bill, it will not pass. I heard the Senator from Iowa [Mr. CUMMINS] this morning deliver a very clean-cut argument that was absolutely destructive of this bill, and there were not upon the Democratic side to exceed three or four Members during the time he spoke. Now, why? Because the minds of these Members are occupied, I take it, with the weighty problems to which I referred a little while ago.

There is no use in trying to discuss this bill to empty benches. The Senate was almost empty when I took the floor. It is even emptier now. If this occurred only during my remarks I would understand that it was because the Senators were not interested in anything that I might say, and I would feel fittingly rebuked and would take my seat. But, Mr. President, it occurs habitually these days, no matter who has the floor. This bill is not being considered and it is useless to argue it in the absence of the Senate.

Mr. President, I move that the Senate adjourn.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). The Senator from Missouri moves that the Senate adjourn. [Putting the question.] The Chair is unable to decide.

Mr. TOWNSEND. I call for a division.

On a division the Senate refused to adjourn.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	James	Newlands	Smith, Md.
Bankhead	Johnson, S. Dak.	Norris	Smith, Mich.
Calder	Jones, N. Mex.	Page	Smith, S. C.
Colt	Jones, Wash.	Pittman	Smoot
Dillingham	Kellogg	Poindexter	Sterling
Fletcher	Kenyon	Pomerene	Sutherland
France	King	Ransdell	Swanson
Gronna	La Follette	Reed	Townsend
Hale	Lewis	Robinson	Trammell
Harding	McCumber	Shafroth	Vardaman
Hardwick	McLean	Sheppard	Wadsworth
Hitchcock	McNary	Sherman	Weeks
Hollis	New	Shields	

Mr. JAMES. I wish to announce the absence of the Senator from North Carolina [Mr. OVERMAN], the Senator from New Hampshire [Mr. GALLINGER], the Senator from Pennsylvania [Mr. KNOX], the Senator from Alabama [Mr. UNDERWOOD], the Senator from Mississippi [Mr. WILLIAMS], the Senator from Iowa [Mr. CUMMINS], the Senator from Georgia [Mr. SMITH], and the Senator from Minnesota [Mr. NELSON] on official business.

Mr. SMOOT. I desire to announce the absence of the junior Senator from Kansas [Mr. CURTIS]. He is attending a meeting of the Committee on Rules.

Mr. McNARY. I wish to announce the unavoidable absence of my colleague, the senior Senator from Oregon [Mr. CHAMBERLAIN], on official business.

Mr. LEWIS. Mr. President, I take it that possibly an announcement as to the senior Senator from South Carolina [Mr. TILLMAN] has been made; but noting that the Senator from North Carolina [Mr. OVERMAN] is absent, I beg to announce the absence of the senior Senator from South Carolina [Mr. TILLMAN] because of illness. I ask that this announcement shall remain for the day.

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum of the Senate is present.

Mr. NEWLANDS. Mr. President, I understand that the Senator from Missouri made a motion for adjournment because of the insufficiency of the attendance of the Senate. As I understand it, a great many Members of the Senate have very extensive engagements with the departments, and particularly with the Departments of War and Navy. One Senator told me this morning that he had at least a hundred matters to attend to of that kind. In addition to that, committees are meeting, shaping the legislation for this session. A joint committee upon interstate commerce, among others, is in session, having realized that events were hurrying on into legislation which will come within the province of that joint committee, and in that way they expect to conduct it with greater deliberation.

In view of this condition, it seems to me that we might well resort to the custom which we indulged in in the early part of the former session of meeting at 2 o'clock in the afternoon, thus enabling the committees to conduct their sessions for at least three hours or three hours and a half and enabling Members of the Senate to discharge their obligations to their constituents with reference to departmental matters.

I hesitate to make any motion to that effect whilst the Senator from Virginia [Mr. MARTIN] is absent, but I call it to the attention of the Senator from Ohio who has the bill in charge, and suggest that we would dispatch business more rapidly and secure a better attendance of the Senate by following some rule of that kind.

Mr. POMERENE. Mr. President, I take it that I am right when I say that a motion of that kind at the present moment would be out of order, as the unfinished business is now before the Senate. I regret exceedingly that there is not a larger attendance. It is not because this is an unimportant bill. It is a very important bill. Senators are interested in it and the public is interested in it. Let there be no mistake about that fact. The conditions which are complained of to-day are not very different from conditions that prevail under our rules here at almost any part of any session of the Senate. I have been hoping that this bill could be debated and that we could arrive at a speedy conclusion. I still believe that that can be done, and it will then be out of the way and not interfere with other business.

There is very much force in what the Senator from Nevada [Mr. NEWLANDS] has said with regard to the engagements of other Senators. We all have such engagements and we are all anxious to attend to those affairs for our constituents, but this is an affair of our constituents as well.

If Senators are of the opinion that the people at large, their business people, are not interested in this kind of legislation it is because they have not taken the pains to inform themselves. There is no piece of legislation affecting our business interests which is more nearly in their hearts than this. But I do not care to take the time of the Senate to discuss that now.

It seems to me that the suggestion made by the Senator from Nevada might be well taken up during the morning hour, and I shall be content with any disposition that the Senate will then make of it.

Mr. SMOOT. Mr. President, I hope that the suggestion made by the Senator from Nevada will not be favorably acted upon at any time. I have noticed in the past when the Senate met at 2 o'clock very little was accomplished upon any day. After the morning hour was over there was but a short time left to discuss any question and the result was usually a waste of time. At the beginning of a session Senators do not feel inclined, and I do not blame them, to remain in the Senate Chamber after 5 o'clock, and, generally speaking, they would like to get out a little before. They have their mail to attend to after that hour. To the suggestion of the Senator from Nevada that all Senators have an extra amount of work to do at the present time we all agree.

Mr. President, the proper way to meet the present situation is to adjourn over for a day if we have no special business to attend to, or to adjourn over for a couple of days, and give Senators all the time from morning until night to attend to their work in the departments and also to their mail without interruption. We will accomplish more in that way than if we undertake to meet at 2 o'clock each day and remain in session for an hour or two and then adjourn.

Mr. VARDAMAN. I ask the Senator what would be the necessity of remaining in session for only an hour or two and then adjourning? If the Senator will permit me, under the suggestion made by the Senator from Nevada we would meet after the hour for luncheon has passed; and there would be nothing to interrupt a Senator in the performance of his duty upon the floor of the Chamber until a convenient time, at 5 or 6 o'clock, when we would adjourn. I think there is a great deal of wisdom in the suggestion, and I think it would result in an economy of time if it should be adopted.

Mr. SMOOT. If we meet at 2 o'clock, quite often the morning business would extend until after 3 o'clock, and then there would be little accomplished by way of considering legislation after that time during that day. We all understand that the committees at the beginning of every session must meet and act upon the bills referred to the committees, and that is what the important committees are doing now. There will be more time of the Senate ultimately saved by having the committees attend to the committee work in the early part of the session and get the work upon the calendar and then hold sessions during the hours we generally hold them after the holidays.

I fully agree with the Senator from Nevada that there ought to be some change made in the program and we should not hold sessions as we have been doing for the last few days. We meet at noon, and Senators who are always in attendance make no afternoon appointments, thinking the Senate will remain in session the balance of the day, but at 2 or 3 o'clock, as the case may be, the Senate adjourns until the following day. It is then too late to attend to the work that they could have attended to, and virtually the greater part of the afternoon is lost.

It seems to me that the proper thing to do would be in the early days of this session to adjourn over for a day or two and let all Senators know that they would have full days to do whatever is required of them either at their office work or departmental work, and ultimately, as I said, there would be more accomplished than to hold sessions as we have been holding them.

Mr. NEWLANDS. Let me call the attention of the Senator from Utah to the fact that during the early part of the session, while the rule provides that two hours shall be devoted to the business of the morning hour, as a matter of fact, only a few minutes are occupied with the business of the morning hour. Hence, pursuing the custom that we have pursued in the past few days, if we meet at 2 o'clock we will find that we will be able to spend most of the time from 2 until 5 in general legislative business, and in that way we can quickly dispose of the bill which is now pending and proceed to other legislative matters.

Mr. SMOOT. My suggestion to the Senator having the bill in charge is, if there is any real necessity for the early consideration and passage of the bill, to hold it before the Senate at least until 5 o'clock, and let us get through with it and then take an adjournment, as I suggested. But it does seem to me that we ought to have some kind of a program, so that Senators may

know in advance what time they will have for work outside of the Chamber, and so that they may arrange their work accordingly.

Mr. POMERENE. Mr. President, just a word further. This bill has twice passed the House, and it has been reported to the Senate. We tried to have it considered at the last session. It did not seem to be an opportune time, and it was suggested by various Senators that we make it the unfinished business. I asked that it be made the unfinished business, and that was done, with a view to having it disposed of early in this session. I did not suppose that it was going to interfere materially with committee work, at least no more than any other legislation, because we have always had committee work during the entire year. I desire, of course, to consult the convenience of Senators as much as I can, but I thought we would be able to have this matter disposed of at an early day, and we could then devote our attention to something else.

On yesterday I moved to adjourn at an early hour out of respect to the wishes of several Senators, who wanted to speak to-day and did not at that time feel disposed to occupy the attention of the Senate. I should like to have the debate go on if Senators feel disposed so to do.

Mr. NEWLANDS. I have just been told by the Senator from Kentucky [Mr. JAMES] that it is the opinion of the Committee on Rules——

Mr. JAMES. Not expressed formally.

Mr. NEWLANDS. Not expressed formally, that the session should commence at 2 o'clock during this period. I hesitate to make a motion to that effect, because the Senator from Virginia [Mr. MARTIN] is not in his seat, but I understand he is out of town and I have been urged to make the motion. I am willing to do it unless it is objectionable to the Senator from Ohio. If so, I will not make it.

Mr. POMERENE. The unfinished business is now before the Senate and I do not see how that can be done without displacing the unfinished business. It may be done during the morning hour. It seems to me if we contemplate that change in our program it should be done during the morning hour when Senators will be here and have an opportunity to take part in the discussion.

Mr. JAMES. If the Senator from Nevada will permit me, the Committee on Rules is in session and had information that such a motion was either made or contemplated. I am satisfied that a considerable majority of the committee are in favor of meeting at 2 o'clock, because we have so much business before the various departments that it is impossible to attend to it and attend committee meetings and get here at 12 o'clock. We really would make time by meeting at 2 o'clock. By reason of the war situation the departmental business is so heavy that in view of that, together with the committee work, it seems to me it would be wise to meet at 2 o'clock. But of course I recognize that a point of order could be made and that the motion could not be properly acted upon except in the morning hour. Personally, I am very heartily in favor of such a program.

Mr. VARDAMAN. May I suggest to the Senator from Kentucky that a motion, with the consent of the Senator from Ohio, would be in order now to move that when the Senate adjourns to-day it adjourn until 2 o'clock to-morrow?

Mr. JAMES. I will say to the Senator from Mississippi that I have no desire to interfere with the consideration of the bill now before the Senate, but the thought that I was bringing to the attention of the Senate was that it ought to be definitely settled that the Senate will meet at 2 o'clock. Every Senator knows that all of us have a great deal more departmental work now than we ever had before. We have constituents here practically all the time and we have to go with them to see about various matters and to get information for them, and so forth. When we do that we can not attend committee meetings. I myself was down at the department this morning and I found when I got here the committee I had been called to meet with had been in session for quite a little while. If the Senate will meet at 2 o'clock, it will give us two hours' additional time.

Mr. SMOOT. Do I understand the Senator from Kentucky to say that the Committee on Rules decided the question?

Mr. JAMES. Oh, no; I did not state that the Committee on Rules decided it. They were meeting to consider some other matters, and a page came down and gave the information to the chairman that this matter was up before the Senate. It was merely informally spoken of by the committee. No action whatever was taken by the Committee on Rules upon the subject. I came up myself to vote upon it and do what I could to have it adopted, and several Senators said to me if their votes were needed to let them know. That is all that was done. No formal action was taken.

Mr. SMOOT. The reason why I asked the question was because I have never known the Committee on Rules to take that question under consideration unless it was referred to them.

Mr. JAMES. No; there was no intention of that sort at all, I will say to the Senator.

Mr. SMOOT. The Senator from Kentucky [Mr. JAMES] was not present when I made a statement. If this question is to be voted upon now, I want a quorum present, and we will discuss the question as to what is the best policy. My opinion is that we ought to adjourn over and give Senators a full day, so they will not be interrupted in their work at the departments or work in their offices. If we are compelled to meet at 2 o'clock that breaks into the afternoon with little accomplished. When we do hold sessions let us hold a full day's session and let every Senator know it will be from 12 o'clock until 5 or 6 o'clock. The result ultimately will be a great deal better than to meet at 2 o'clock every day.

Mr. JAMES. The Senator knows we can not adjourn from day to day in order to give time to Senators to look after other business. My idea was that 2 o'clock should be fixed as the regular hour each day.

Mr. SMOOT. I think the best thing to do is to meet at 12 o'clock and have a full day to consider any question before the Senate, and not simply get started and then adjourn. I believe that legislation would be hastened in that way very much faster than it has been under the practice of the last few days.

I agree with the Senator from Kentucky that the work Senators are compelled to do now at the departments is greater than was ever known, and therefore when they start out to attend to the work they ought to have ample time in which to accomplish it.

Mr. FLETCHER. Mr. President, I believe that a motion to adjourn to a time certain is always in order. I believe the motion would be in order now, but I do not feel that it is advisable to make it. I feel that we ought to go on to-day, and to-morrow morning this discussion will have had the effect of giving notice. Perhaps the subject will be brought up then, and we can determine whether we shall meet at 2 o'clock hereafter or not. I believe we ought to proceed now in the regular way, and then at the session to-morrow morning determine the question about the hour of meeting, although I am of the opinion that a motion to adjourn to a time to-morrow would be in order.

Mr. SMOOT. Certainly it is.

Mr. TOWNSEND. Mr. President, I hope the Senator from Ohio will insist on keeping this bill before the Senate. While I appreciate all Senators have said relative to the amount of work which is required in committee and departments, I am confident from my own experience here that if we meet at 2 o'clock we will experience the same difficulty in having Senators in their seats that we have now. The bill which the Senator from Ohio has in charge was debated at the last session of Congress and certain amendments were made. It has been debated now for several days, and a vote can be had upon it in a very short time if the Senator insists upon keeping it before the Senate.

Ever since I have been a Member of the Senate we have been obliged from time to time to have the roll called to bring Senators to their seats. They were found in the corridors and in their offices doing work—I suppose necessary work. There are enough Senators always present to make a quorum when they desire to be in their seats, but there is no rule that compels them to be in their seats if they have some excuse to be away.

This is one of the measures that has been set forth as being necessary for action upon at this session of Congress. We have made considerable progress in reference to it. I should like to see it out of the way. All those measures can be put behind us, and let us do it, because otherwise we will have the same experience we have always had during the latter part of a session. During the heated season we will be rushing bills, working at night to dispose of those that could with more care and better attention be disposed of at the beginning of the session.

We will all find time to look after the necessary things at the departments.

As the Senator from Utah has said, if we meet at 2 o'clock, we will do practically nothing in the way of legislation. Senators will not be in their seats if the meeting is at 2 o'clock any more than they would be at any other hour. They have engagements in the afternoon at the departments. I have met them there very frequently in the afternoon. The fact is it is our business to legislate here in the Senate Chamber when we have had a bill presented to us that has had the consideration this bill has received. It has been passed by the other House twice. It was considered by the Senate in the last session of Congress and made the unfinished business. If we insist on

taking action on this measure, a vote can be had on it in two days. Ought we to adjourn at the convenience of every Senator? If we do this, that, and the other thing to retard action, of course, nothing will receive proper consideration and the session will be unnecessarily prolonged.

I hope the Senator from Ohio will insist on keeping this bill before the Senate until it is disposed of. If nobody is ready to go on, as a matter of accommodation to Senators to-day, I do not object to an adjournment until 12 o'clock to-morrow, but certainly any Senator who desires to debate the measure should go on to-morrow.

Mr. POMERENE. Mr. President, the Senator from Michigan [Mr. TOWNSEND] has expressed my views exactly. There is no bill before the Senate that has had more consideration than this measure. I have been on a committee considering this subject for five or six years, and I think I know whereof I speak. It does seem there is a disposition not to go on with the discussion this afternoon, and therefore I am disposed——

Mr. REED (to Mr. POMERENE). I will go on if you wish me to do so.

Mr. POMERENE. Very well

Mr. REED. Mr. President, if I can have the attention of Senators who are present for about 30 minutes I will try to conclude all that I have to say. My only desire is that Senators shall really consider this bill.

The Senator from Ohio [Mr. POMERENE] states that it has been before his committee for five years. If it has taken the committee five years to make up its mind whether this bill ought to pass, it surely comes here under a considerable cloud of suspicion and distrust.

I affirm that this bill ought to be entitled "An act to take the European markets from the people of the United States and give them to the trusts." We are presented to-day with the spectacle of a Democratic administration attempting to repeal or devitalize that trust legislation which the Republican Party put on the statute books under the leadership of John Sherman 27 years ago.

This is a bill to enable the trusts to capture and control the foreign markets of the American people. It is presented as a bill which will enable American merchants to capture foreign markets. It is, in fact, a bill which will result in the creation of single purchasing agencies for American products and in a complete denial of free European markets to the American citizen. It repeals every vestige of that system of antitrust statutes built up during 27 years by the Federal Government so far as they apply to commerce with foreign powers. It is intended to directly authorize the creation of combinations and trusts to control every foreign market in which the American citizen may seek to sell his goods. Indirectly it will enable these same combinations to control the domestic market because a control of the price of the surplus, the part of the product which goes abroad to find a market, will control the price of the product sold at home.

I call attention now to three outstanding facts:

First, this legislation has the enthusiastic support of the allied trusts of the United States together with their servants, agents, employees, and sympathizers. There is not a trust in the United States that is not for this bill. It will be supported by every newspaper that believes in the supremacy of "big business," and which regards every effort to limit or to circumscribe the powers of capital as undesirable and dangerous. It will be supported by every man who delights to boast of "our captains of industry" or who takes greater pride in the wealth of the classes than in the prosperity of the masses.

The second outstanding fact is that the system of antitrust statutes which were originally passed by the Republican Party on the 2d day of July, 1890, and during the intervening years have been frequently amended and laboriously construed, until they have become a great code of virile laws, behind which the honest business man took refuge, are now sought to be disemboweled during a Democratic administration, and at a time when the clouds and anxieties of war have distracted the attention of the country from any legislation except that pertaining to the pending conflict.

The third outstanding fact is that the trusts and monopolies which have hitherto sought to accomplish the direct repeal of antitrust legislation have now divided their attack. In this bill they seek to destroy the antitrust statutes so far as they apply to foreign markets, and, at the same time, substantially the same forces are back of a bill, known as the fair-trade or one-price bill, which proposes to give the right to manufacturers and wholesalers to fix the prices upon articles produced or handled by them and sold in the domestic market, so that the manufacturer or wholesaler will be able to control the price clear down to the ultimate consumer. The two bills "fit each other like the upper and lower jaws of a wild beast," and if enacted into law will completely destroy the entire fabric of antitrust legislation.

It is not to be denied that these twin legislative schemes are backed by men of high purpose as well as by the trusts and combines; but it is singular to find men of intelligence repeating, apparently without knowing the fact, the stale arguments that have been upon the lips of every trust advocate and trust-hired attorney from the days when John Sherman introduced the first Federal antitrust statute. These protagonists rehash the ancient trust arguments with the glibness and enthusiasm of original discoverers, as oblivious to the fact that they are mildewed by time and covered with the dust of ages as was Roosevelt of the circumstance that at the time of his "original discovery" of the River of Doubt the stream was already mapped, surveyed, and, according to some authorities, bridged.

The ancient trust argument was that competition is ruinous and wasteful; that a monopoly, because of its size, can produce cheaper than a great number of small competing concerns; and that, therefore, monopoly ought to be allowed to exist. It was especially argued that we must permit great combinations of capital in our country in order to meet the competition in our domestic market of great foreign combinations doing business in our midst. The identical argument is now pressed by the proponents of this bill and made to apply to the foreign markets; for, say these gentlemen in almost identical language, a large number of American producers can not sell in the foreign market because the expense is too great; they must, therefore, be permitted to combine, and this is especially true because they must meet great European combinations in the foreign market. At the same time the advocates of the one-price bill, which is coming fast on the heels of the trust measure, assert a very similar right to control prices in the domestic market.

The trouble with all these arguments is that they proceed wholly from the standpoint of the gentleman who is to organize the trust for his own benefit or fix a price for his own enrichment. They both leave out of account the interesting and somewhat important fact that all the people of the country, or mayhap of the world, are to be plundered and robbed of their natural rights by these buccaneers of the financial and commercial world. Yet we behold the spectacle of trust magnates everywhere, each crying out to his own Government that he can not carry out his scheme and make money for himself unless he is permitted to pursue these evil practices. It is as though the leader of a pack of gray wolves were to insist upon his right to devour the lambs and sheep of the community in order that he might be as swift of foot, as keen of fang, and as stout of muscle as other leaders of other packs of wolves in adjoining countries. The argument leaves out of the question the fate of the sheep. What does it avail to us as a people that American goods and products shall be sold abroad in great quantities if the benefits of such sales are to be covered into the pockets of a very few people?

I assert, second, that the bill will not only enable the great trusts to monopolize the foreign market but that the possession of that power will enable them to almost completely dominate and control the domestic market. If I can chain the attention of the Senate to that one thought, this bill will be defeated.

The proponents of this bill declare that in order to compete in foreign markets with foreign sellers they must be allowed themselves to do business through a common selling agency. If this was all they desired, the right exists now, unrestricted by any law whatsoever, human or divine, and I challenge proof to the contrary. But this is not what they intend; this is not what they desire. If such were their purpose, they would be content with a provision like that contained in the amendment offered by the Senator from Iowa [Mr. CUMMINS], which specifically and in terms gives them the right to create a common selling agency; they would not be here resisting that which is the specific thing they pretend they want. Nay, more, they would be content with an amendment to the proposition of the Senator from Iowa, which would provide for the establishment of a common agency, available to every citizen of the United States, under Government rules and regulations.

What they want is the right to organize their combinations and make them sufficiently powerful, so that they can occupy the entire field, so far as America's foreign market is concerned, to compel all to come to them, and to thus become the keepers of the gate through which all the foreign commerce in the particular line they have chosen to control shall pass. That is what they want; that is what the Steel Trust wants; it is back of this bill, and has sent its advocates here to advocate this bill. That is what Westinghouse wants; he is back of this bill, and he has sent his advocate here to urge this

bill. That is what the Harvester Trust wants; it is back of this bill, and it has sent its men here to urge the passage of this bill. That is what other great combinations want.

They want to control the gate through which the surplus products of America shall flow to foreign lands. They want to be the sole purchasers and sole handlers. They want to be the exclusive agents. They want to be the one purchasing agent. This bill will legalize the kind of combinations that can force that kind of condition.

If they can establish such an agency, mark you, an agency that will control the sale of our goods in European markets, then they can fix the price of those goods in the European markets. Indeed, why should they want a common agency except for that purpose? And if they can fix the price for America's surplus products in the European market, they thus fix the price of America's products in the domestic market, for whoever fixes the price of the surplus that goes abroad fixes the price of the product that remains at home. Can you escape that? Can any man answer that economic fact? It is graven among the economic laws of the world.

In the aggregate, these various combinations created for the purpose of controlling the foreign market of America's surplus products will control all of America's exports. They will become so powerful that no one can hope to do business except through them or through the organization of some combination powerful enough to meet them in European fields, and this they propose to render impossible. It is thus proposed that in each line of endeavor we shall have a single selling agency in foreign countries. I want Senators to get that thought—it is thus proposed in each line of endeavor to have a single selling agency in foreign countries. A single selling agency for exports necessarily implies a single buying agency to export, for if there is only one man to sell, he is the only man who can buy. A single buying and selling agency for each line of American exports! Men from the cotton States, how would you like to have the market for all your export cotton in the hands of one combination?

And yet under this bill such a combination can be created and bear the sanction of the law and the stamp of the authority of the United States. Whoever controls the export price of cotton controls the price of cotton. The same gentleman, mark you, who will organize the combination to control the export price of cotton will probably be the individual who deals in that part of the cotton crop which goes into domestic consumption.

Whoever helps to set up this monstrous thing to control the European markets of America will, if he be an honest man, live to regret the day. The only men who will not regret it will be those who fatten and batten off of it.

If there be but one agency through which goods can be sold abroad, then clearly none but that agency can buy goods at home to be shipped abroad. The proposition is, of course, to monopolize the foreign market; and not only to monopolize that market but to fix the price of our exports handled by this common agency or single agency. It is a familiar maxim that the price of the surplus of an article fixes the price of the article. I have said that, and I repeat it. Democrats for years have contended that the price of wheat and grain and other farm products in Liverpool fixes the price at home. That law of economics has never been successfully disputed. If, then, great combinations are allowed to be created which will completely control the price of our surplus products which are exported, the same combinations by virtue of the control of the price of the surplus will, to a large extent, if not entirely, regulate and fix the price of goods sold on the domestic market.

Moreover, it is well understood that these combinations to control the foreign market are to be composed of the great exporting concerns of this country; at least they are vigorously pushing this legislation. They have organized themselves into a society for that purpose. They represent hundreds of millions of dollars. It is fair, therefore, to assume that it is their intent to combine themselves into great concerns and to cooperate each with the other in the control of the foreign markets of America. The far-reaching scope of such a combination would embrace the fortunes of the farmer, the middleman, and the consumer.

A simple illustration will make this plain, and I wish Senators from the agricultural States would follow this illustration and see if the argument be not sound. I choose the packing companies, not because they are better or worse than other great aggregations of capital and industry, but because they afford a very keen illustration. We shipped in meat and meat products in 1913, in round numbers, $151,000,000—I am omitting the odd thousands—in 1914, $143,000,000; in 1915, $205,000,000; and in 1916, $266,000,000.

Substantially all of these meats were exported by a few great packing houses in the United States. A combination of all of these houses could be readily effected. With that combination completed—and it goes without saying that it would be completed—what would be the result? First, they would seek to take the European market from their competitors, to a sufficient extent at least to enable them to sell their entire surplus product. As they would be acting through one common selling agency, to wit, a subsidiary owned by themselves in common, they would be likely to cut the price enough to get control of the foreign market. They could do this without the loss of a penny, because they could reduce the price on the tanners' products and recoup the loss. Thus they would certainly reduce the price, unless they could combine with their foreign trust competitors, a thing very likely to result and a thing that has resulted in the past. Already we have substantially world trusts. This bill will insure world trusts.

Under the terms of this bill, if the Swifts, the Armours, the Cudahys, and the other great packers of this country, against whom I say nothing, were to go to Europe and organize themselves into a great combination for the purpose of controlling the European market, they could take into that combination, without violating the letter of the law and without in any way violating the terms of this bill, the packing houses of the world and agree upon prices for all Europe and Asia and Africa and South America, and when they would have done that, as I shall show, they would have ipso facto fixed the price upon the cattle, hogs, and sheep of the United States. They could certainly combine with foreign trust competitors—and that is a thing very likely to result—in which event, having gained control of the world market all parties to the transaction could rob the producers and consumers of all countries alike, their ability to do so being limited only by the patience of the people and the rapacity of the combination. Just now, when the consumers of this country are being hard pressed for the necessities of life, it is proposed to put into the hands of a few men the power to control the provisions of the world.

If it be argued that this robbery in selling prices would be limited to consumers in foreign lands, I have four replies to make.

First. At a time when we are sacrificing the lives of America's sons and husbands in order to break the shackles political tyranny has welded upon the limbs of half the world, I am unwilling to fasten the shackles of financial tyranny upon these same people. I am unwilling to tear from the throats of the peasantry of the Old World the iron grip of a hereditary financial and military autocracy in order that American combinations may exploit those same starving and oppressed millions. I am not of that facile disposition that enables me to be a reformer, conferring benefits with my right hand, and a thief, picking the pockets of people with my left hand. The Senator from Oklahoma [Mr. GORE], interrupting, says in that respect I am exceptional.

Second. The robbery, if perpetrated, would not be limited to those in foreign lands, because world prices, having been brought within the control of these combinations, those exercising that control would fix prices so as to realize profits for themselves not only on their foreign business but upon their domestic business. In a word, the consumers of America would be within the grip of this world conspiracy.

That domestic prices would be controlled by such a combination is too plain for dispute. It is not conceivable that the great packing houses of this country would create one selling agency for all their surplus in Europe, and through that agency fix one common price, without such action directly resulting in a common price in America.

Think of it! Follow that. It would be as impossible for these men to have a common price in Europe and a real competition here in America as it would be to have a number of reservoirs filled with water standing at different levels while all the reservoirs were connected by one common system of pipes and the pipes open for the water to flow through.

Let me, I say, follow that a minute. Let me simplify it by assuming that all the packing business of America is in the hands of the Armours and the Swifts and the Cudahys; that they are now competing in the American market for American cattle and sheep and hogs; that they are selling in competition in Europe their surplus products, and that they are selling in competition in America the rest of their products. Assume, now, that these three concerns get together and organize themselves into a European combination known as the Armour-Swift-Cudahy Export Co., and that this company immediately contracts with all of its principals to take all of their surplus, and that immediately they agree in Europe to fix the price of beef at

any figure. I will say, 15 cents a pound. That, then, becomes the price of all the surplus America has to export, for that surplus is all controlled by the three companies which compose the European company.

Now, these three concerns are buying cattle in Chicago, in Kansas City, and in Fort Worth, Tex. They know that about 20 per cent of all that they produce is to go abroad and is to be sold through the common selling agency in which they are all partners. Knowing that, they go out to buy on the market, and they know that one-fifth of all they buy must go through that one common selling agency and be sold at one common price. Does it not inevitably follow that they will fix the price they pay for every hoof of cattle or hogs or sheep they buy in this market by the price they have fixed for the part they must send abroad? Does it not also follow that the price of every pound of meat these concerns sell to the American people will be summarily fixed? Does it not likewise follow that the Siamese-twin attachment which unites the three concerns in their export business connects them in fact? Is it not too plain for argument that the unification of these companies for the purpose of controlling the European market accomplishes a unification in America for the purpose of controlling the American market?

Desiring to employ moderate language, I nevertheless declare that any man who can believe that such a combination as that would not have its effect upon the American market, upon the prices these companies would pay the farmer, and upon the prices these companies would charge the consumer, any man who does not know that it would reach every farmer and every stock ranch of the United States and every table in the United States, is, in my opinion, very dull, indeed. Yet that is permitted by this bill, and that will be done when this bill is passed. You will have created a thing so powerful and so far-reaching that, in my opinion, it will speedily combine with all the other great packing houses of the world, and a few men will fix the prices upon all the countless herds of the farmers, and the same men will fix the price and limit the quantity of the meat that is to be upon the tables of all God's creatures. That is the sort of bill it is intended must be driven through in hot haste, with whip and spur, while the country wars, and while it does not have opportunity to pause and deliberate.

Mr. VARDAMAN. Mr. President, while the Senator is on that point of his very able discussion, I should like him to touch upon the question of whether or not the passage of this bill is necessary at this time. Even if the legislation were, as the proponents of the bill hope it to be, for the good of the masses of the people, does the Senator feel that it could be put into operation now? Is there any necessity for it? Is there any combination over there that would have to be met by a combination here?

Mr. REED. Mr. President, I have already stated that this is the most inopportune time in the world to pass such a bill. The Senator happened to be out at that moment.

Mr. VARDAMAN. I will not ask the Senator to repeat it, then.

Mr. REED. No; I thank the Senator, and I shall answer him in just a word, but not at the same length that I would otherwise.

The Congress has placed in the hands of the President of the United States during the period of the war the power to declare embargoes upon everything produced in this country, and under that power we understand that single agencies have been created through which goods are permitted to be sent to foreign countries. All this is the condition of affairs during the war. It follows, therefore, that whatever is necessary to be done in order to protect our commerce can now be done by the President, and that after this war is over, and after we have returned to normal conditions, legislation such as we now have before us would be pertinent to the then pending conditions. It is being forced, I say, now because the attention of the country can not be riveted upon it. If the attention of the country could be riveted upon it, we would hear from somebody besides the directly interested parties.

We would begin to hear from farmers' organizations. We would begin to hear from consumers' organizations. We would begin to hear from labor organizations. We would hear from somebody besides the United States Chamber of Commerce; the Steel Trust; Mr. Carson, the president of the Carson Naval Stores; the president of the Lackawanna Steel Co.; the managing director of the Westinghouse Electric Co.; the great Washburn-Crosby mills; the president of the International Mercantile Marine; Mr. McCormick, president of the International Harvester Co.; and Mr. Vanderlip, president of the National City Bank of New York—all of them very good men, but all of them on one side of the case, and they have been there always.

In the fourth place, I remark, a common selling price in Europe would mean a common buying price for Europe; and this common buying price for Europe would inevitably fix the domestic price. The certain result is that a combination controlling the export markets of the United States will control the prices paid to the producers of the United States. In a word, every farmer of the United States who has a single animal to sell on the market will be brought within the control of the gigantic combination which it is proposed to create in order to control the world market for our foreign products. What has been said, of course, applies to every other product as well as to meats.

Let us take the question as it will apply to the farmer upon his wheat. There are only a limited number of exporters. The ordinary farmer can not send his grain from his farm through to European markets. Accordingly, he sells to an exporter. That exporter is in competition with the domestic buyer. The farmer has the benefit of a buyer in Europe bidding against a buyer in the United States, but he only has that benefit because there are a number of exporters in the United States, each anxious to secure grain to ship, and each bidding against the others for grain to send to Europe. Under this bill these several buyers for the European market are authorized to come together in a room and to organize themselves into a corporation, to create agents and to put them into the market, and to cease competing with each other, because they are buying grain to sell to the European market. The moment that is done the active competition between Europe and the United States ceases. Moreover, the same man who ships abroad to-day is also a buyer for the domestic market. In the great majority of cases the man or the institution engaged in buying grain for the European market also handles grain for the domestic market.

Accordingly, when you permit these exporters of grain to Europe to combine for the purpose of taking over the European market and fixing a price, which, of course, they will do, you have arranged a scheme by which they, being the sole shippers of grain to Europe, can reduce the European market for our grains to any point they desire, short, of course, of some absurd figure.

The minute you have taken away from the farmer his competition in Europe and the bidding of Europe against the domestic purchaser has ceased, you have the farmer in this sort of shape: He has two markets, one of which is the domestic market, and which is insufficient to take all of his grain. The other his foreign market which is controlled by a monopoly. He must therefore sell in a market which is overfilled with grain or he must sell to a monopoly at its price. Such a condition would be ruinous to the agriculturist.

How easy, now, it is for exporters thus to combine. There are only, speaking broadly, a few men who export any great quantities of wheat to Europe. Why should those men continue to compete when the Federal Government authorizes them to come together and to create one common corporation?

The argument that is presented in support of this bill is that our poor grain dealers have to meet in Europe the competition of combinations and therefore we ought to let our grain dealers combine so that they can beat the continental octopus. But that leaves out of consideration the fact that when you have permitted that combination, great enough to control the European purchasing market, you have at the same time permitted a combination great enough to control the American selling market. That is to say, you have put the farmer of the United States in the hands of that combination.

That is not all you have done. You have put the American consumer in his hands, for that combination which can control the price of wheat and control the entire foreign shipment of wheat can at the same time, by virtue of that control, dominate the American market. Why should they not also combine over in Europe with the grain shippers from Australia and Canada? Why should not all these get together in a great world monopoly? Why should not that world monopoly take toll from the crust poverty raises to the mouth of hunger?

Senators, you may pass this bill in haste. You will repent it in leisure. You will repent it with the curses of a world ringing in your ears. It is a bill to enthrone monopoly, to authorize the creation of trusts. It is the denial of every line of Democratic history. It is a libel upon the traditions of our party. It is a surrender to the great sinister influences with which we have contended. It proposes to do that which we have always denounced as immoral and unjust and wicked.

The Senator from Mississippi [Mr. VARDAMAN] asked me a few minutes ago, What reason is there for it? Less reason

now than at any time in the history of our country; less reason now than at any time in the history of the world; and why? I have already given the reason that our markets are in the control of the President, but I will give you additional reasons.

During the years that have passed our export business in manufacturing has been increasing. Our export business in farm products has been decreasing. The decrease in the shipment of farm products abroad is brought about by the fact that there is a greater home market for those farm products. So far as the farmer is concerned, he has never asked for this bill for his protection. It will be used for his despoilment. It will be employed for his robbery; but he has never asked for its passage. The men who claim they need it are the manufacturers.

I listened to some figures that were given here the other day by the Senator from Minnesota [Mr. KELLOGG], and I want very briefly to consider those figures. Before I do so I desire to call attention to the fact that the Senator from Minnesota claimed that our merchants shipping abroad found their trade dwindling in proportion to the other business of the United States. Later on in my remarks I intend to give the figures. I assert now, broadly, that the export business of the United States has increased ever since this Government was formed. Every year the volume has increased. Every year of that time the proportion of our manufactured goods sent abroad to the total of all our products has increased. In recent years the proportionate increase has been large, and has indicated a high degree of prosperity and expansion, so that there is no emergency in the shape of a present existing calamitous condition.

Second, the Senator from Minnesota, having given figures that were misleading—of course, not intentionally so—proceeded to tell us that the reason was that our merchants were not allowed to combine, and that they had to meet the combinations authorized by the Prussian Government.

Mr. President, I am a little tired of hearing Prussia and Prussian methods cited as the proper example for America to follow.

The Prussian method in business is a part of the general Prussian governmental policy, which has for its central thought the idea that every human being born in Prussia belongs to the state, lives for the state, is a slave to the state, and must, at the will of an imperious master, die for the state; that God Almighty put all the power and all the right and all the intellect in the brains of one family and poured upon their heads the divine oil which authorizes them to roam over this world the masters of other men.

Proceeding upon the hypothesis that all power is concentered in them and that the rights and privileges of other men are to be doled out to them as gracious benefactions, the Hohenzollerns have done many things. They have assumed to set up a complete centralized Government, and a centralized financial power, a centralized commercial power, and a centralized military power. A part of that iniquitous system has brought forth a governmental authorization of combinations and trusts in the foreign markets of the world, and another part has authorized combinations in the domestic trade. The same Government gentlemen cite as an example to follow has brought forth other organizations. One of them is an organization of chemists, who make poisonous gases to burn out the lungs of men. Other organizations make bombs to be hurled upon sleeping babes and women at night. Such is the Prussian system; it should be treated as a whole.

I am not going to take my lessons in morals or my lessons in business from the house of Hohenzollern until pan-Germanism shall be a dream realized and the world shall lie prostrate at the feet of the monsters who occupy the throne of Prussia to the disgrace of civilization. "Germany does it." Yes; and Germany has made her people to eat the bread of sorrow: "Germany does it." Yes; and Germany teaches the doctrine that children are born that they may be food for cannon if the war lord so decrees. "Germany does it." Yes; and Germany has stood with a sneer upon her lips and watched the people of the conquered countries starve, and boasted that German craft would make the starvation work for Germany. And Germany has done it by compelling conquered people to labor in trenches and to set up cannon that are to kill their own compatriots who have not yet been starved into submission. We have not had to resort to the German system of government yet in the United States. I do not think we have to resort to the German system in order that our commerce shall prosper in other lands.

But while I listened to the Senator from Minnesota as he presented his argument that the whole trouble with our foreign business—an imaginary trouble, a trouble that does not exist—grew out of the fact that our merchants had to meet combinations over there, I wondered how long it would be until the Senator from Minnesota and other gentlemen of like philosophy would be saying that our merchants have likewise to meet combinations of foreigners selling goods in this country, and therefore we should permit combinations here to be created to compete with the combinations from abroad that are selling goods in this country.

But I wondered further than that, since the Senator assigned the lack of combinations as a cause for the decay of our foreign trade, which, as I have remarked, has not been decaying but growing—I wondered how long it was since the Senator abandoned the good old Republican doctrine that the reason why our merchants and our manufacturers could not compete in Europe was because of the difference in wages. That has been the Republican doctrine for 30 years; and upon every husting, upon every stump, you have stood and told the workingman that it was because of the difference in wages that our products could not compete abroad. When did you abandon that and conclude to tell them that it was the absence of combinations and of trusts?

But that is not the only argument we have heard as a reason why our merchants were at a disadvantage. We were told that it was the lack of merchant ships, and the Senator from Minnesota recognized that fact. Will the creation of combinations to control American markets result in building merchant ships? That must be done by some other means and some other method than by a law like this, and we are already doing it. The shipyards of America resound with the music of countless hammers as they are driving in the rivets to create that great fleet which will bear our arms, our sons, and our provisions to European shores during this war, and that later on, if in the providence of God we shall succeed, as we believe we will, will carry the merchandise of America to every port of the world. So that disadvantage will be removed.

But if that disadvantage exists now it would account in a large part perhaps for the discrepancy the Senator sees between our business as it is and as he thinks it should be.

Again, we have been told by the party to which the Senator belongs, and which he ornaments and graces, that one of the great things that made it possible for us to have a foreign business was the tariff, and that the taking off of that tariff was the reason why our foreign business fell off or the balance of trade did not run so strongly in our favor.

How many months is it since the distinguished Senator from Utah [Mr. SMOOT], leader of the other side of this Chamber, stood in the center aisle and read us long columns of figures, from which he undertook to demonstrate that we were losing the trade of the world, because we had reduced the tariff? Is that all forgotten? Is that Republican argument put into the dust-covered pigeonhole, to be stored away simply in order that the trusts may by the passage of this bill have the benefit of all these cumulative arguments that have been advanced in the past?

It is also said that we have been without foreign branch banks. That was another reason offered, but foreign branch banks have been established. Great American banks can be found in all the principal South American countries, in European countries, and in Asiatic countries. Thus we are gaining the financial support which must go with our foreign commerce everywhere.

Now, let me bring these threads together in answer to the argument of the Senator from Minnesota. His position was that our American commerce was not what it ought to be, and he urges to us one reason is the lack of ships. The other reason is the lack of banks. If the reasons are as he has stated them, then it is indeed nearly conclusive proof that our merchants with the banks and with the ships can meet competition anywhere without being empowered to combine and create great trusts and monopolies. The Senator's argument went too far and proved too much.

Now, Mr. President, the point I am trying to get to the Senate is this: We have been told that you must have combinations in order that the man who is selling goods in Europe may make money. We are asked to have our attention concentrated upon that, gentleman. But I want you to turn your back to that man and look at the American people and recognize the fact that the European market is their market; that they reach that market through human agencies, and that when you permit those human agencies through which they must reach that market to combine into a single agency, then all the producers of the United States are at the mercy of that one agency. When you have put into the hands of a single foreign selling agency the control of the surplus of a product you will at the same time have yielded to them the control of the prices received in the domestic markets for that same product.

Before closing I must refer to certain clauses in the bill which were, I think, intended as soothing sirup for doubting

Democrats. I refer to one such provision. It will serve as a sample:

Provided, That such association does not, either in the United States or elsewhere, enter into any agreement, understanding, or conspiracy, or do any act which artificially or intentionally and unduly enhances or depresses prices within the United States of commodities of the class exported by such association.

Mr. President, once you have created this concern no agreement is necessary, no conspiracy is necessary. You have made a single foreign selling agency, and having made a single foreign selling agency, it fixes its own price, without conspiracy with anybody; there is nobody to conspire with. Having fixed a single foreign selling price, you have by virtue of that practically fixed the domestic price.

There are other clauses similar to the one quoted in the bill. They are as innocuous as a declaration that you shall be thrown into a den of lions and devoured, "provided, however, that the lions shall not hurt you in the operation." You confer the power; you create the Frankenstein; you set it in motion; you license it to do everything necessary in order to control the price; and then you say, "provided, however, that in doing the thing we have told you you can do you shall not do any harm."

Let me say to these men who represent agricultural States, Take this bill and study it. Who is back of it? Some good men who think they are opposed to the existence of trusts. Some other good men have been opposed to all kinds of antitrust legislation and have been from the first. There are always some good men opposed to any kind of governmental control. Such men have said that usury laws were a bad thing and that the usurer ought to be allowed to extort whatever he pleased; and the usurer, every 10-per-cent-a-month man on earth, has believed in that sort of philosophy and has been an advocate of that doctrine. But the consensus of human judgment has been that there must be limits upon human rapacity and human greed.

There are other men who believe that corporations ought to be allowed to grow as large as they desire, that there should be no limit placed upon them. But that philosophy was repudiated in this country 28 years ago. Long and laboriously we have climbed the hill. It has taken all these years to finally amend those laws and to have them construed so that they possess virility and force and the courts and litigants understand what they mean. Now that this has been accomplished, we find, as I said in the beginning, two bills pressed upon the attention of Congress. One is to permit a few great concerns to monopolize the foreign market of the United States, and by monopolizing the foreign market of the United States to deny to the American producer access to that market.

The other is a bill to permit the manufacturers of the United States and wholesalers to fix a single price upon their products and to have that price continue with the product clear down to the ultimate consumer, thus reducing every middleman in the country, every merchant in the country, to the capacity of a mere factor or broker working for a fee fixed by the wholesaler or the manufacturer, and thus at the same time making the consumers of the country pay the price arbitrarily fixed by a manufacturer, and thus also affording a means by which manufacturers can in fact combine to rob the whole American people. These two bills, one affecting our foreign commerce, the other affecting our domestic commerce, are being urged.

Mr. President, I want to challenge your thought and the thought of the country to the monstrous and infamous thing proposed. It is proposed to permit a monopolization of our foreign market, and yet at this time we have hundreds of thousands of our boys upon the plains of France in training to fight and preparing their souls to die in the trenches, and the reason for that fight is that we have insisted that the seas of the world shall be kept open for the commerce of America. You propose to turn that commerce over to monopoly while you are asking the boys to die that the seas shall be kept open and free for its passage. Of what avail is the liberty of the seas, of what value is the liberty of the seas, why should vessels plow the waves of the ocean, except that our goods and our people may reach European ports?

Yet, sir, it is proposed that when the seas have been cleared for our commerce to pass we shall have ready great monopolies to seize that commerce. Our soldiers shall die that the combinations may grow rich. If that, sir, is to be the means to which this war is to be put, if we are to fight this battle for freedom of the seas and then turn over our foreign trade to a few trusts and combinations, then let those trusts and combinations fight this war. If we are to have East India companies, as suggested to me, to exploit the commerce of the world, let those who are to take the gold shed the blood. But if we are to wage this war, as I understand we do wage it, because a free people are entitled to free trade and free commerce of the world and, therefore, we propose to keep the highways of the seas open for man and for goods, for human beings, and for the grosser tonnage from whence we get our dollars and cents—if that is what we fight this war for, then well and good, our boys will die with cheers upon their lips, our women will send forth sons and brothers with tears upon their cheeks and benedictions for the cause they serve. Our soldiers will fight for these things because they are a part of America's greatness, but at the moment we fight, while the boys are prepared to die, let us not turn over an important part of that for which they fight and die to great monopolies and combinations that will despoil America while they also plunder the people of other lands.

Mr. President, you may do it, but an indignant people will repudiate it.

Mr. POMERENE. If there is no other Senator who desires to speak to-night, I move that the Senate adjourn until 12 o'clock meridian to-morrow.

The motion was agreed to; and (at 3 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 12, 1917, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 11, 1917.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Take us Almighty God, our Heavenly Father, into Thy care and keeping, and guide us by the light of Heaven, in the vale of tears, through which we are passing, to a larger conception of Thee and of our fellow men; that the world may come through it better prepared to fulfill the trust Thou has reposed in us; that Liberty, Truth, Justice, Righteousness, may shine on, as the stars in the firmament, when we have passed into the realm where the wicked cease from troubling and where the weary are at rest; and all glory and honor be Thine, through Him, who taught us the way, and the truth, and the life. Amen.

The Journal of the proceedings of Friday, December 7, 1917, was read and approved.

SWEARING IN OF MEMBER.

Mr. BROWNING. Mr. Speaker, my colleague from New Jersey Mr. CAPSTICK is here and desires to take the oath of office.

Mr. CAPSTICK appeared at the bar of the House and took the oath of office.

EXTENSION OF REMARKS.

Mr. BORLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter which I wrote to the Central Labor Union on the subject of the prohibition amendment.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD by printing a letter which he wrote to somebody about prohibition. Is there objection? [After a pause.] The Chair hears none.

LEAVE TO ADDRESS THE HOUSE.

Mr. COOPER of Wisconsin. Mr. Speaker, on Friday last the House granted unanimous consent for the gentleman from Illinois [Mr. MCCORMICK] to address the House on Friday of the present week, immediately after the reading of the Journal, for one hour. I have just received a telegram from Mr. MCCORMICK, in which he says:

By invitation of the National Council of Defense I am speaking before a State-wide meeting of the Indiana councils at Indianapolis Thursday. The severe weather has so upset all train schedules that it is gravely improbable that I can reach Washington on time Friday.

And then he asks the courtesy of the House for unanimous consent to postpone his remarks until Tuesday of next week, immediately after the reading of the Journal, and I ask unanimous consent that he may do so.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the leave extended to the gentleman from Illinois [Mr. MCCORMICK] to address the House for one hour next Friday be changed until next Tuesday.

Mr. GILLETT. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from North Carolina [Mr. KITCHIN] if, as I understood, next Monday and Tuesday would be given to the consideration of the two constitutional amendments?

Mr. KITCHIN. I understood that probably Monday next we would take a vote on the prohibition amendment.

Mr. GILLETT. And then on Tuesday——

Mr. KITCHIN. I understood that in all probability we would have the woman's suffrage amendment on Tuesday, but there seems to be some hitch in that, and possibly the House will

not vote on that then but during the first week after we get back in January.

Mr. GILLETT. I thought the Members would like to know, if you can tell definitely, what the program is.

Mr. KITCHIN. I can not tell definitely now about woman's suffrage. I suggest that if anything would interfere with either one of these subjects we could fix some other time for it. I think we can arrange that matter so that it will be satisfactory to the gentleman from Illinois.

Mr. GILLETT. Mr. Speaker, then I understand it is definitely understood that next Monday we will take up the prohibition amendment?

Mr. KITCHIN. I ask unanimous consent now that the House consider the prohibition amendment on next Monday.

Mr. GILLETT. Will it be reported by then?

Mr. KITCHIN. It will be reported. So we will set that day, in order that everybody will have a week's notice.

Mr. CAMPBELL of Kansas. The same resolution that passed the Senate is being considered by the Committee on the Judiciary of the House?

Mr. KITCHIN. Yes. And we will make it after the reading of the Journal next Monday, so that everybody will have notice, and it will not be necessary to bring in a rule.

Mr. SLAYDEN. What debate will there be on the resolution?

Mr. KITCHIN. I imagine it will run on. We can take a day on it.

Mr. SLAYDEN. On the constitutional amendment?

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. What has become of my request for unanimous consent?

The SPEAKER. Well, the gentleman from Massachusetts [Mr. GILLETT] impinged on the scene and started this interlocutory proceeding. The Chair will put the gentleman's request.

Mr. GARNER. Mr. Speaker, reserving the right to object, I thought the gentleman from North Carolina was suggesting to the gentleman from Wisconsin, in order to get his unanimous consent, that we make this arrangement he requested first, when we could determine whether or not the question could be taken up on Tuesday.

Mr. CAMPBELL of Kansas. Is the gentleman asking now that Monday be set aside for the consideration of the prohibition resolution?

Mr. KITCHIN. Yes.

Mr. CAMPBELL of Kansas. Would it not be well enough to include in the unanimous consent that the resolution be voted on before adjournment on Monday?

Mr. KITCHIN. We can come to that that morning. I will say to the gentleman from Kansas. We can get unanimous consent to come to an agreement.

Mr. CAMPBELL of Kansas. Otherwise general debate will run indefinitely.

Mr. GARNER. The House can control the question of general debate.

The SPEAKER. The gentleman from Wisconsin [Mr. COOPER] asks unanimous consent that the leave granted to the gentleman from Illinois [Mr. MCCORMICK] to address the House immediately after the reading of the Journal on next Friday be shifted until next Tuesday.

Mr. GARNER. Subject to privileged business.

Mr. COOPER of Wisconsin. Will the gentleman from North Carolina [Mr. KITCHIN] agree to that?

Mr. KITCHIN. Yes.

Mr. COOPER of Wisconsin. Privileged business having preference?

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. COOPER]?

There was no objection.

The SPEAKER. That means that the gentleman from Washington [Mr. MILLER] will begin immediately after the reading of the Journal, and so forth, Friday, with his hour. Now, has the gentleman from North Carolina [Mr. KITCHIN] anything to suggest?

Mr. KITCHIN. I ask unanimous consent, Mr. Speaker, that on next Monday it will be in order to consider and vote on the prohibition amendment.

Mr. STAFFORD. Immediately after the reading of the Journal?

Mr. KITCHIN. Yes; immediately after the reading of the Journal.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that next Monday, immediately after the reading of the Journal and the clearing up of business on the Speaker's table, the resolution submitting a constitutional prohibition amendment be taken up for consideration. Did the gentleman include voting on it on Monday?

Mr. KITCHIN. Yes, sir.

Mr. CANNON. I think the gentleman should suggest that the House can take care of that.

Mr. KITCHIN. Yes; I will modify my proposition in that respect.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. VINSON. Mr. Speaker, I am requested by my colleague, Mr. HOWARD, to ask for leave of absence in his behalf for 10 days, on account of illness in his family.

The SPEAKER. The gentleman from Georgia asks unanimous consent that his colleague, Mr. HOWARD, be granted leave of absence for 10 days on account of illness in his family. Is there objection?

There was no objection.

Mr. GARNER. Mr. Speaker, I want to make a similar request.

The SPEAKER. The Chair will state that the right way to get these requests is to write them on slips of paper and hand them to the Clerk, and then they will all go through together. Individual Members rising to make such requests consume unnecessary time.

Mr. GARNER. I will adopt that suggestion.

Mr. ELLSWORTH, by unanimous consent, obtained leave of absence, indefinitely, on account of the death of his father.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 106. Joint resolution extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 2334) to authorize absence by homestead settlers and entrymen, and for other purposes.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States were communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had, on December 8, 1917, approved and signed bill of the following title:

H. R. 5833. An act granting six months' pay to Ida Cottrell Hodgson, widow of Frederick Grady Hodgson, deceased, colonel, United States Army, retired.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I move that the House take up for consideration the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes; and, pending that motion, I ask unanimous consent that the general debate on this bill shall proceed not longer than 5.30 o'clock to-day, and that the gentleman from Minnesota [Mr. STEENERSON] shall control one half of the time and the chairman of the committee the other half.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill; and pending that, he asks unanimous consent that general debate shall not run later than 5.30 o'clock to-day, and that the gentleman from Minnesota [Mr. STEENERSON] control one half of the time and the chairman control the other half.

Mr. STEENERSON. Reserving the right to object, Mr. Speaker, I would like to inquire of the Chair if it would not be satisfactory to have five hours and a half of general debate? If we fix the hour, other business might interfere with us and we would be shut out. I have got requests for two hours and a half already. We might not have a quorum.

Mr. MOON. I will give the gentleman 30 minutes of my time.

Mr. STEENERSON. Could we not fix the business ourselves?

Mr. MOON. I do not object, if we can conclude it to-day.

Mr. STEENERSON. We can conclude it to-day, I hope. I shall do all I can to have it concluded to-day. I would like to have five hours' general debate.

Mr. MOON. Suppose we continue until 6 o'clock?

Mr. STEENERSON. Let us have five hours' general debate. I want my two and a half hours out of that.

Mr. MOON. Mr. Speaker, I modify my request, then, in compliance with the request of the gentleman from Minnesota, that the debate shall proceed not longer than five hours to-day.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. MOON. Yes.

Mr. STAFFORD. I understand, then, that the bill will not be taken up under the five-minute rule to-day?

Mr. MOON. I want to take up a page or two and get started.

Mr. STAFFORD. I understand that we will have only one paragraph read. With that understanding, I have no objection to it.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the general debate be limited to five hours, he to control one half and the gentleman from Minnesota [Mr. STEENERSON] the other half. Is there objection?

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. MOON. I yield to the gentleman from Illinois.

Mr. CANNON. I am not inclined to object. I take it for granted, however, that when the bill is read under the five-minute rule there will be some liberal chance, possibly, if it is indicated, or unanimous consent is given—at least that the gentleman will not be wolfish in rushing his bill. [Laughter.]

Mr. MOON. The gentleman from Tennessee will not be "wolfish." He will give you all the time he can. Of course, Mr. Speaker, there will be liberality in the discussion of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the motion to go into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] will take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7237, the Post Office appropriation bill, with Mr. FERRIS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7237, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

The CHAIRMAN. The gentleman from Tennessee [Mr. MOON] is recognized.

Mr. MOON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Tennessee is recognized.

Mr. MOON. Mr. Chairman, I do not desire to speak very long on the items of this bill. The estimates of the department, revised, are about $335,000,000, in round numbers. The bill itself carries one or two million dollars less. The amount recommended by the committee this year is about $900,000 less than was recommended last year.

I will not undertake to go into a detailed statement as to the amounts of expenditure in each of the offices of the Post Office Department. The report shows very fully and clearly the amount asked for, the amount recommended, the amount appropriated, and the purposes for which it is to be used, and I ask unanimous consent that the report of the committee setting forth the figures of the different items of the appropriations may be printed in the RECORD in connection with my remarks.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the report of the committee presented by him be printed as a part of his remarks. Is there objection?

There was no objection.

Mr. MOON. If I may be excused for a few moments and may have your attention, I will call to your consideration only a few of the main features of this bill.

Perhaps no bills are ever introduced into this House of late years that carry as much general legislation as the Post Office appropriation bills. I believe one recent bill carried thirty-odd new laws. Of course, we have had very much contention always over these questions of legislation, but the bill presented to you to-day is almost in conformity with the rules of the House, for it carries no new legislation except as to one or two items that are made necessary by the existence of the pending war. There is no material difference in the appropriations for this fiscal year from those of last year. Existing conditions and the normal increases in the service have made it necessary to increase some of the appropriations. The changes in the administration of postal affairs have brought about decreases in some of the bureaus in the department, and the fact that we appropriated more money in the last bill than heretofore has caused some large unexpended balances to appear in the adjustment of accounts of the department. Until a few years past this department has not been self-sustaining. It is estimated that under the bill for the current fiscal year there will probably be a surplus of $8,000,000 to go into the General Treasury of the United States, but that is yet to be determined by the balance of accounts on June 30 next.

About a year ago we passed some very material legislation affecting the Post Office Department, when we changed the basis of the computation of pay for railroads and passed from the weighing system to the space system under the provisions of the bill that gave the control of that question to the Interstate Commerce Commission. About 90 per cent of the mail is now being carried on the new basis, under the direction of the commission. It appears from the report of the expenditures and balances that under the new law we have been enabled to save about $5,600,000, and the appropriation for inland transportation of mails is therefore reduced about that sum in this bill.

I hope I may be excused if I take up these questions and discuss them for a moment as they occur to me, without attempting to take them up in the order in which they appear in the bill. The Post Office Department is still contending with a loss in the Rural Delivery Service. If I recollect correctly, the appropriation for the Rural Delivery Service last year was about $52,000,000, the same amount that is carried in this bill. The difference between the receipts from this service and the amount expended to carry it on is nearly $35,000,000.

Whether you call it a loss or not is hardly material. Whether you calculate in your computation the special benefits that arise to the people is not material to my present purposes. The actual loss, or the difference against the Government, is estimated by the department to be nearly $35,000,000. We have 43,000 rural routes. The average pay of a rural carrier for a year's work is about $1,175. Each carrier, on an average, works during the year a little less than four hours a day. Now, it would seem that from a business standpoint there ought to be some readjustment of this service. It hardly looks proper that the average daily service should be not longer than four hours and that the average yearly pay should be $1,175, yet that is true. On the other hand, the equipment that the rural carrier has to use is very costly now, and the money that he has to pay out for the care of his horses is greater than it ever has been, and the cost of his living is greater than it ever has been. I am not here to suggest that the rural carrier shall not have more compensation; but, regardless of the interest that I feel in these employees, I believe it is due to the people of the United States that in a legislative bill upon this subject there should be some change in the system. There is no legislation on this bill, because it is purely an appropriation bill, and new legislation can not be had in this bill. A close estimate of the cost shows that this same service could be performed as effectually by the contract method at a saving of more than $20,000,000, in comparison with the amount that we are now paying. In other words, under the present system of carrying the rural mails we are losing $35,000,000 per annum. If they were carried under a star-route system or some system similar to that, and the carriers were paid for the time that they actually serve in proportion to the amount that they are now receiving or a larger figure, there could be a saving to the Government of more than $20,000,000. I feel it my duty to call your attention to these facts.

I know that nearly every Member in this House representing a country district—I do not say it offensively—feels that he is the especial guardian of the rural carrier in some way. I want to speak about this now before the time comes when you will be excited about your carriers, and to ask you to take a little interest in the Treasury of the United States. It will be proposed after a while not to take from you your carriers but to adjust their pay and compensate them in proportion to the service that they render to the Government under a system of contracts. When we are voting billions of money, I call a small economy if we can save $20,000,000 on one item, and that is something that ought to be thought of. We do not change the appropriation at all for this purpose. I only mention the matter now that justice may be done to carriers who do the work, and that the pay shall be in proportion to the service

rendered. I express no opinion now as to merits of claims for reduced or increased compensation of rural carriers. We must do justice to them and to the public.

Mr. RUCKER. Will the gentleman yield?

Mr. MOON. I will.

Mr. RUCKER. I notice that the amount in this bill is the same as in the existing law.

Mr. MOON. Exactly.

Mr. RUCKER. There are more routes in operation to-day than there were a year ago.

Mr. MOON. Yes.

Mr. RUCKER. Ought not the appropriation be increased?

Mr. MOON. No; not in this bill. They can be adjusted so that the department does not need any more money. I want to say to the gentleman from Missouri that the committee hardly ever thinks of increasing an appropriation asked for by the department, because we have always found that they ask for a little more than they need.

Mr. RUCKER. They have never done that in reference to rural carriers.

Mr. MOON. Oh, yes.

Mr. RUCKER. This bill does not contemplate any reduction in the number of routes.

Mr. MOON. No.

Mr. RUCKER. The gentleman says that the average work of the rural carriers is four hours a day. Of course the gentleman knows that during a large part of the time the carrier goes out early in the morning and returns late at night.

Mr. MOON. That is true of some carriers; I am speaking of the average. The carrier who starts early in the morning and returns late at night ought to have more compensation than the man who goes out and spends only four hours on the route. The man who works 4 hours ought not to have the same compensation as the man who works 10 hours.

Mr. RUCKER. If the gentleman will pardon me, the carrier practically puts in his entire day in the service for the reason that under the regulations the carrier is not permitted to engage in any other work or business.

Mr. MOON. That regulation might be changed.

Mr. RUCKER. It ought to be changed. If a carrier can perform his work in six hours and then wants to work on something else, he ought to be permitted to do so.

Mr. SABATH. Will the gentleman from Tennessee yield?

Mr. MOON. I will.

Mr. SABATH. Do I understand that the rural carrier is not permitted to do any other work than that which is in direct line with his duty?

Mr. MOON. No; that is not the law, but the rule is that the letter carrier must be subject to the order of the department during all that time.

Mr. SABATH. He can work on his farm or his place, and is not precluded from doing it.

Mr. MOON. Oh, no.

Mr. RUCKER. The gentleman from Tennessee is no doubt accurate in one sense and not in another, in my judgment.

Mr. MOON. The fact that he is an employee of the Government makes him subject to the order and control of the Government. Of course, in idle hours he must make some preparation for the work he is to perform.

Mr. RUCKER. They will not allow a carrier to sell fire or life insurance when he is off duty.

Mr. MOON. I think it would be a good thing if they did not allow any of them to do it.

Mr. RUCKER. That may be. That is only one item that came into my mind.

Mr. STAFFORD. Will the gentleman from Tennessee yield?

Mr. MOON. I will.

Mr. STAFFORD. The chairman of the committee will recall that when the service was first installed carriers took advantage of the position by competing in certain lines of employment. We passed a law that forbade them to work in any line of employment where they would have an undoubted advantage over other competitors, but outside of that they are privileged to do anything.

Mr. RUCKER. There are very few things that they are doing outside of their work to-day, and I know as much about the rural carriers as some other gentlemen on the floor.

Mr. HAMILTON of Michigan. Will the gentleman from Tennessee yield?

Mr. MOON. I will yield to the gentleman from Michigan.

Mr. HAMILTON of Michigan. I assume that in the cases where the carrier only works four hours a day in covering his route, that generally he uses an automobile. Now, in cases like that, I suppose some consideration ought to be given to the fact that the automobile is expensive, the upkeep is considerable, and the pay ought to be regulated accordingly.

Mr. MOON. Of course, all those things ought to be properly considered, and I think no bill could be framed to settle the question that did not consider that and every other factor in it. But the naked fact remains that the general service in the United States by rural carriers is less than four hours a day, and that the pay is $1,175 a year. The naked fact also remains that you are losing $35,000,000 in the service when a simple change by an honest contract would save you $20,000,000.

Mr. HAMILTON of Michigan. The gentleman recognizes that in the North automobiles can only be used in the summer time; that in the winter the routes are difficult to travel and that automobiles can not be run, and, of course, it takes a much longer time with a team, and that is also to be considered.

Mr. MOON. Of course; every condition enters into the consideration—the difficulty of covering routes in certain sections of the country must be considered. The fact that there is a diversity of conditions does not alter the central fact that the administration of the law could be better if the department were permitted to make some changes.

Mr. HAMILTON of Michigan. I submitted the inquiry to the gentleman because I understood him early in his remarks to say that it was the proposition to regulate the salaries in accordance with the time put in by the carrier.

Mr. MOON. That is the main feature, of course, but everything that enters into the consideration of the salary in forming a just judgment as to what the employees should be paid must be considered.

Mr. DOWELL. Will the gentleman yield?

Mr. MOON. Yes.

Mr. DOWELL. Do I understand the chairman is in favor of letting these rural routes out by contract?

Mr. MOON. No; the gentleman must not understand me that way. I am only stating facts to the House and expressing no opinion myself as yet. He suggested, however, that possibly a proper method for the adjustment of it would be not to dismiss a single carrier in the Government of the United States, but to arrange for contract with them or with others we would have to employ on a basis that would give fair and just compensation for services rendered, and the department claims they can save $20,000,000 by that sort of thing.

Mr. DOWELL. That suggestion, then, comes from the department?

Mr. MOON. I am just discussing the matter generally. Those suggestions come from the department. You will find one hundred and seventy-odd pages of hearings here, a good deal of it upon that subject. It comes from the department, of course. In fact, there is mighty little that the chairman of a committee can say upon departmental appropriations that does not come from the department or some opposition to the department.

Mr. DOWELL. As I understand it, the committee does not favor the contract system?

Mr. MOON. The committee has not and does not consider that question in this bill. I am just calling your attention to that question, gentlemen, as one that might come before you in the future, and I am asking you to think of it not only in the interest of the carrier, because he must be protected, but in the interest of the Government that you represent. I have found upon the floor of this House the wildest madness when a sensible proposition is made in reference to these carriers, when nothing could be done except to increase the salary, and I want to try to tame you down a little to the point where you can think candidly and honestly for your Government instead of for the carrier altogether. Do him justice; do the people justice.

Mr. GRAHAM of Illinois. As I understand it, the question of the salary of the carrier is not immediately concerned in the disposition of this bill?

Mr. MOON. Oh, no. This bill does not make any change in the law on the subject.

Mr. GRAHAM of Illinois. Other legislation will be proposed or may be proposed or is now being considered by a committee having that matter in view?

Mr. MOON. Yes; I will say to the House, if you will permit me in this rather informal manner to discuss the question, that there is now a subcommittee of the Committee on the Post Office and Post Roads that is taking into consideration this question affecting the carriers, both the rural carriers and the city carriers, as well as post-office clerks, railway mail clerks, and fourth-class postmasters, especially and generally all employees of the Postal Department, looking to the determination of the question whether there shall or shall not be an increase in

salaries, and if an increase, how. Those are questions that we have left out of this bill almost exclusively, and they are proposing to take them up for consideration in another measure entirely.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. CANNON. As I understand it, this is a clean appropriation bill?

Mr. MOON. Yes.

Mr. CANNON. And matters changing the law will be submitted after consideration of your committee for consideration of the House upon their merits?

Mr. MOON. That is true.

Mr. CANNON. It is not contemplated to have the appropriation bill and the House swept off its feet in a hysteria touching legislation?

Mr. MOON. That is it exactly.

Mr. CANNON. I compliment the gentleman.

Mr. MOON. I want to say this, that this bill does not propose any new legislation at all except as to one item, as I stated in the beginning, and that is entirely new to the whole system, and I may as well speak of that for a moment now. It has become essential since the Government of the United States has entered into war with Germany and Austria-Hungary that a very close censorship be held of the mails. There is now what is known as a naval censorship and a War Department censorship, which is in a measure incomplete. There is a board that looks after these matters, and a representative of the Post Office Department is upon that board. It has been deemed by the administration as wise that special provision be made for the censorship of all letters for all classes of citizens coming into this country from a foreign country and going from this country to foreign countries. We have, therefore, included one item which, of course, is subject to a point of order if anyone desires to make it, but we thought it best to place it in the bill, of $1,200,000 for the censorship of foreign mails. That is about all the material new law that is in the bill.

We have increased the item for foreign mail transportation from $3,200,000 to $5,800,000, and yet the whole of the bill, with these increases and the deductions that have been made, carries only a million dollars more than the previous bill. I want to be candid with the House in respect to another little matter that would seem to be at variance with the statement that I have just made. We have declined to consider all increases in the salary of officers and their clerks in the department and in the service, and have relegated the whole question to the committee I refer to, except in the post office, I believe, at New York and at Chicago, where they have printing done by the Government. There are there a few men who are only getting $900 or $1,000 a year, and we have thought it wise not to wait for any legislation on the matter, but to ask the House to increase their salaries $100 per annum; and in the department here, where some salaries are as low as $900, there are nine men, who are known as requisition fillers, laborers, who get but $900. We have thought it best to ask that these men receive a raise of $100. Of course that item is also subject to the point of order. It adds only $900 to the whole bill; but while we are not engaged in the general consideration of this question, we thought that when it did come for general consideration, these men, who are getting wages far below the amount necessary for them to have in order to get bread and meat, these laborers who are getting $900 ought to be put at the $1,000 figure.

I would not have said a word upon this bill, because I feel that it could perhaps be better explained when we get to the reading of the paragraphs if any explanation of it is desired, but for the fact that as chairman of the committee it is possibly my duty to call your attention to the measure in its more important details. The general details of the bill are very familiar to the committee and all of you, and there are practically no changes from previous appropriations.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. MOORE of Pennsylvania. The gentleman states there is no new legislation in this bill with one or two exceptions, which he has mentioned.

Mr. MOON. That is all that I am aware of.

Mr. MOORE of Pennsylvania. But some old legislation has been left out of the bill?

Mr. MOON. Little old new legislation has been left out.

Mr. MOORE of Pennsylvania. The pneumatic-tube services are not provided for in this bill?

Mr. MOON. They are not provided for in the general law of the land, and therefore could not be put in this bill.

Mr. MOORE of Pennsylvania. They were provided for in the last bill to the extent of $1,100,000 in rentals?

Mr. MOON. I will explain to the gentleman this question: The pneumatic-tube service is one that exists in four or five cities, I believe—Boston, Philadelphia, New York, Chicago, Baltimore, and St. Louis. Now, a few years ago, perhaps 10 or 15 years ago, we had a pneumatic-tube law in force. It was my pleasure to move to strike that item from the bill some 10 or 12 years ago, because it seemed to me an unjust and unfair appropriation. The House sustained the motion and the Senate sustained that view, and the item of pneumatic-tube service disappeared from the bill. Two years afterward the present law was enacted, but the contest against the tubes was such that in the new law there was placed a provision to the effect that the 10-year contract should not be renewed unless a committee appointed by the department had first made an investigation and determined the necessity for a renewal of those contracts. That committee did, in pursuance of the law, make the investigation and report, and it reported against a renewal of the contracts and the continuation of the law as to all cities except a portion of New York below Forty-second Street. The further history of the question is that the last Congress in the consideration of this question did not reenact the law which had expired by limitation but provided for the continuation of the contract until the end of the fiscal year 1918 and appropriated $1,001,000.

Mr. MOORE of Pennsylvania. 1918?

Mr. MOON. 1918; and also appointed a commission who were to investigate the question of pneumatic tubes and the wisdom of their continuance as a part of the system of the Government for the transportation of mail. That committee was appointed, but it has not yet reported to Congress as I am aware, so we could not include the item for two reasons—one as a matter of law, I think, and the other a matter of policy.

The matter of policy was that it was not wise to include an appropriation for services pending an investigation as to the advisability of its continuance and because we have plenty of time yet, if the House should desire to continue the pneumatic-tube service, to make appropriation for that purpose. The next reason why we did not do it, and a most substantial one, was that there now exists no law upon which to predicate an appropriation, and that is the reason the department did not estimate for and that is the reason the committee did not include any appropriation for pneumatic tubes. I will say to gentlemen whom I know are deeply interested in this question that while it would be altogether improper under existing circumstances for us to make any appropriation on that question that if it should be the judgment of the House, when that report comes in on the pneumatic-tube question that the service should be continued to be appropriated for, I shall be the very last one to object to it, and will do what I can to have it done, although I have always insisted that it was a superfluous service.

Mr. MOORE of Pennsylvania. If that report were to come in after this bill had been passed, would it not then be too late to provide for the service?

Mr. MOON. No. This House can at any time provide for an appropriation and is not obliged to do it in one bill.

Mr. MOORE of Pennsylvania. I am seeking information, because it is a mooted question, as the gentleman knows. Did the Postmaster General continue the contracts for the year ending June, 1918?

Mr. MOON. Of course he had to do so under the law.

Mr. MOORE of Pennsylvania. The tubes have been used during the year?

Mr. MOON. Until the 30th of June, 1918, under the last appropriation, they may be used.

Mr. MOORE of Pennsylvania. And the committee has not included the appropriation now in the pending bill because the congressional committee that was authorized by the act of Congress last year has not yet completed its work?

Mr. MOON. That is one reason, and the other is by reason of the expiration of the law by limitation that provided for an appropriation for pneumatic tubes they are without power to make an appropriation until there is some new law.

Mr. MOORE of Pennsylvania. Has the department given the committee any expression as to its attitude on the continuance of the tubes?

Mr. MOON. Beyond the present fiscal year?

Mr. MOORE of Pennsylvania. Yes.

Mr. MOON. None whatever beyond the official action.

Mr. MOORE of Pennsylvania. The gentleman from Tennessee is a member of the congressional committee to make inquiry as to the advisability of taking over the tubes?

Mr. MOON. The gentleman from Tennessee was appointed as a member of that committee to determine the question of the advisability of taking over the tubes, but as he had on several occasions expressed a very firm conviction that it was contrary to the interests of the Government of the United States to do so, and having formally expressed that opinion, he declined to serve on the committee where the question was to be determined.

Mr. MOORE of Pennsylvania. I am familiar with the gentleman's views and he has been very fair in stating them heretofore. He has been in opposition to the use of the pneumatic tubes and opposed to taking them over.

Mr. MOON. And having been in opposition to the service I could not in fairness to those interested sit on the commission.

Mr. MOORE of Pennsylvania. The gentleman is not therefore a member of the commission?

Mr. MOON. No. I declined the appointment.

Mr. MOORE of Pennsylvania. Is the gentleman in position to say when the commission is likely to report?

Mr. MOON. I have not heard a word from them.

Mr. SNOOK. Will the gentleman yield?

Mr. MOON. I will.

Mr. SNOOK. Mr. Speaker, the gentleman said that the bill carries a new item of $1,200,000 for censorship of foreign mails.

Mr. MOON. Yes.

Mr. SNOOK. Is there any new legislation on the subject in the bill?

Mr. MOON. None whatever. It was just an appropriation. I assume the appropriation will be used by the department in continuation of censorship in connection with the War and Navy censorship service.

Mr. MEEKER. Is not the law already in existence which makes possible the use of these funds by these departments?

Mr. MOON. Yes; possibly so.

Mr. KINCHELOE. In connection with the question of the foreign mail, I want to ask for some other information. Does our franking privilege on public documents extend to France?

Mr. MOON. I doubt it, but I would not undertake to give the gentleman an opinion on that without examination.

Mr. STAFFORD. If the gentleman will permit, in that connection I might furnish the committee some information which I gleaned by calling up the department yesterday afternoon. My former secretary is now in France, and I received a letter from him yesterday, the first that I have received, requesting a copy of the CONGRESSIONAL RECORD. I immediately took the matter up with the RECORD clerk, Mr. Smith, and he advised me that the RECORD would require postage. I thereupon took the matter up with the superintendent of the classification division of the Third Assistant's office, and he informed me over the telephone last evening that the frank would be sufficient to convey to any of our enlisted force in France, without any extra postage.

Mr. MOON. The gentleman from Kentucky was not referring to mail for soldiers, but public documents.

Mr. KINCHELOE. Yes, sir; that is what I had reference to.

Mr. MOON. We have the soldier's frank.

Mr. KINCHELOE. The reason I asked you is to find out, if the gentleman will permit, as to whether our frank as Members of Congress is good to deliver public documents to soldiers in France.

Mr. MOON. You did not say "soldiers." I imagine it would be good for sending letter mail to soldiers, and probably public documents. The law is not before me.

Now, Mr. Chairman, I have gone far beyond what I desired to say about this bill. Yet there is one other item that I feel I ought to call to the attention of the House.

We have a provision in the bill, which is carried under the head of the Third Assistant Postmaster General, for the purchase by contract of stamped envelopes. It appears that the contractors felt that they were unable to continue to supply the Government under their contract, which has yet two years to run, with stamped envelopes at the old price, and that they would lose very heavily if the contract was enforced. There is a bond behind that contract of $500,000 for its faithful performance. The contractors are probably worth several millions of dollars, as it appears from the record. Unquestionably, on account of the increased cost of paper and the increased cost of the service necessary to make these envelopes, they are running behind under their contract. They desired relief, as other contractors desired relief from the Congress, but which Congress declined. But there was found in this particular contract a provision to the effect that the department might at any time, if it saw proper, change the character and quality of the envelopes that were to be purchased, and the price therefor.

The department applied to the Comptroller for a construction of that section, and he held that the contract might be changed as the language of it indicated, by the action of the department, in changing either the character of the paper or the size, or anything else in connection with the envelope, so as to bring about a modification of the old contract and necessarily forcing the adoption of a new contract with new prices attached to the envelopes. There is considerable proof, to which I call your attention in the RECORD, on that question. The purchasing agent of the Government said that he could not secure the envelope without a change in the contract. By the consent of the department the purchasing agent changed the contract and made a new one for the Government by which the same amount of stamped envelopes were to be furnished to this Government at an additional cost of $1,750,000. The committee was of the opinion that the change in this contract, rather than resorting to its enforcement and the collection of the penalty of the bond from the contractors was not to the advantage of the Government. The committee felt that if any change had to be made, if the Government of the United States desired to be liberal to the contractors, bound under bond and penalties for the performance of a duty, the power belonged to the Congress and not to the department to make those changes, unless within the strict letter of the law and for the purpose of securing better envelopes as provided in the terms. It appeared to the committee that the purpose was not to get a better envelope, but the purpose of it was to take advantage of the technicality of the law by which the contract could be changed and secure its continuation. This was done. The change cost the people $1,750,000. No reflection on the department should be made in connection with it. We simply think the department acted with bad judgment. We think that it ought to have stood upon the bond and ought to have held the contractor liable until the Congress, that has the power to determine that question, had given its authority to change. It is not so much the amount involved as it is the assertion under subterfuge of power in the executive department—power that belongs to this body—that we reject.

The committee, feeling that way about it, realizing at the time they did it that the House and the Senate might have to give the full amount of a new contract and entail a loss to be suffered by the people of the United States of $1,750,000, thought that we could not afford to do it except by a majority vote of this House, if it had to be done at all, and therefore we recommended for appropriation not the new amount but the old amount provided by the terms of the contract. We declined to recommend the appropriation in this bill of the amount recommended by the department in order that this question might come before you, and that you might determine it according to your best judgment.

It is in this connection that I desire to print in the RECORD the letter of the Postmaster General on that subject.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. MOON. In a moment. It is always a serious question, of course, to supply the people with their needs and wants under the instrumentalities furnished by the department in the course of administration, but I think the department would act more wisely and better if, when a contract could not be performed, it would not attempt to modify it and change it in order to obtain those benefits. Rather let the responsibility come where under the law it belongs—to the Congress of the United States. It is not my purpose or the purpose of any member of this committee to call in question the good motives or the honesty or the integrity of anybody connected with this matter in the department, but it is our intention to impress, if we can, upon this House the fact that the administrative officers ought not, for the purpose of securing that which they want, undertake to usurp power and authority under enforced changed conditions that would afford a pretext to change a contract.

Mr. STAFFORD. Now, will the gentleman yield?

Mr. MOON. I yield to the gentleman.

Mr. STAFFORD. If it is not a long letter, is it agreeable to the gentleman to have the letter read from the Clerk's desk?

Mr. MOON. I have no objection in the world to having it read. I want to conclude my remarks, already too long.

Mr. STAFFORD. I think the Members of the House would like to have the views of the department on this question.

Mr. MOON. In conclusion, now, I will ask permission to have the letter of the Postmaster General read to the House instead of its being incorporated in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. FESS. Reserving the right to object, Mr. Chairman, I do not object, but I would like to ask the chairman two questions before he takes his seat. May I do that?

Mr. MOON. Yes, sir.

Mr. FESS. In reference to the change from the weight to the space basis, I understood the gentleman to say there was a saving of over $5,000,000.

Mr. MOON. No. He does not attribute it all to that particular item. There is in that item a deduction of about $5,000,000, and the department attributes it largely to the change to the space basis.

Mr. FESS. I have a statement from an old employee of the postal work stating that the space basis is not a success. I do not know whether he means that it is inefficient or whether he had in mind the financial statement. The gentleman's answer would indicate the latter, especially. But what can the chairman say about the efficiency of the handling of the mail by the new method?

Mr. MOON. I once discussed that item alone for an hour on this floor. This House considered all that question when we went to the space basis. To my mind it is an absolute certainty that the continuation of the old weight basis, under which there was a quadrennial weighing of the mails and an estimate of the pay in each of the four sections every year, was unscientific and unjust. In the statement of three of the Postmasters General before the committee they said they could not come within $20,000,000 of what the pay should be. We do not want to give anything but adequate and reasonable pay. The expense had grown under the weight basis from $8,000,000 to over $60,000,000. Under the new space basis the pay the very first year of service under this law or under this administration of the law is demonstrating the fact that there will be no further increase in the pay except in proportion to the normal increase in the service, and that we can save yearly by space on the full railway post-office cars or the half cars or the quarters cars so as to recoup all possible losses and give a better and more efficient service.

I will say further to the gentleman from Ohio that the bottom of this fight all the time has been the express companies and the railroad companies, in order to destroy the parcel post and continue their graft and the subsidy upon the transportation of the mails. I know that there is going to be a difference of opinion about this. I know how the railroads and express people feel. I know how the department feels. We realize the fact that our views could not and ought not to obtain before everybody's else, although we felt they were right. But we realized that they had rights that they ought to have the power to assert, and therefore, instead of forcing the railroad companies to a subservient submission to the dictates and acts of Congress, we submitted the determination of that question to the Interstate Commerce Commission, and if they have any grievance on the question, if in any way they are not compensated fairly and justly, that tribunal has been opened by this body for their benefit, and the railroads and express companies of the United States have no longer any honest ground of contention against this law, in my judgment.

Mr. FESS. The chairman will understand that the statement I referred to did not come from any railroad man. It came from a member of the Postal Service.

Mr. MOON. Oh, yes. You can get a statement from a member of the Postal Service who does not know as much about the difference between the space basis and the weight basis as a rat—many of them. [Laughter.]

Mr. FESS. He had a service of 25 years.

Mr. MOON. I do not care if he has had service for 45 years. If he ever examined that question carefully and prayerfully for a long time he knows nothing about it.

Mr. FESS. The other question I wanted to ask the gentleman was in relation to any possible deficit for the next year. Has the chairman any information as to the probable effect on the revenue by the change in the cost of the stamp from 2 cents to 3 cents and from 1 cent to 2 cents?

Mr. MOON. No; we have had no definite information on that subject. It has not been in operation long enough to ascertain that. The gentleman will understand that the additional cent paid for a postage stamp does not go to the Post Office Department and does not inure to its benefit. That difference is a war revenue, which does not go into the postal receipts. So the accounting of the Post Office Department will be practically upon the old basis. The additional 1 cent will go as war revenue. I do not know, and there is no way to tell yet, what the general result in the Post Office Department will be for this year. Of course, conditions are very much unsettled by our being in a state of war; but the best information I could get upon the subject—which, of course, is largely a matter of guesswork at this time—is that there will probably be a surplus of about $8,000,000 from the ordinary revenues of the Post Office Department for the next fiscal year to go into the General Treasury. But upon that I can not speak with authority.

Mr. FESS. I notice the statement put out here at Washington that the increase in the cost of the stamps is going, not to reduce but to increase the revenue. The question is whether the increase in the price of the stamp will reduce the number of letters instead of increasing them.

Mr. MOON. I can not tell about that. No one can tell. I imagine that the addition of 1 cent to the postage on a letter will not make any very material diminution in the use of the mails. If it does, of course it will diminish the revenue that will go to the Post Office Department, because the additional 1 cent does not go to that department.

Mr. FESS. That is the point I am getting at.

Mr. MOON. Unquestionably the gentleman would be right about that.

Mr. SMITH of Michigan. Will the chairman of the committee answer one question before he sits down?

Mr. MOON. If I can.

Mr. SMITH of Michigan. Will the increase in the rates on second-class mail matter decrease the use of the mails, or the privileges of the reading public, in the opinion of the chairman?

Mr. MOON. I do not think it will at all. The increase is so very slight and is so readily shifted from the publisher to the American reading public that I do not think it will disturb conditions at all. It ought not. It may be that when Congress makes them pay at least half of what it costs to carry their matter, they may feel it a little, but they can not feel this change very much. We were losing, I think, some $70,000,000 upon this second-class matter, and I think we will still be losing somewhere around $50,000,000 or $60,000,000. I will say to my friend that this is a matter that is going to need some very careful consideration in the future, not only in connection with the rates but the zones and the character of matter that should bear the burden.

Mr. SMITH of Michigan. Do you think it will reduce the circulation of the newspapers or periodicals materially?

Mr. MOON. No. A newspaper has an ordinary circulation radius of not exceeding 300 miles, and most newspapers are circulated in 5, 10, 20, 50, or 100 miles. This will have no perceptible effect—very little effect, if any—on the daily papers. It is on the magazines that desire to cross the continent at the same price for which a newspaper travels 150 miles that the effect will be and ought to be.

Mr. SNYDER. May I ask the chairman of the committee a question?

Mr. MOON. Certainly.

Mr. SNYDER. Speaking of the change from the weight system to the space system, what has the gentleman to say as to the efficiency, with reference to the way the mails are carried now as compared with the way they were carried under the weight system, and has that anything to do with the increased time that it takes to get a letter from the central part of the State of New York to the city of Washington?

Mr. MOON. No; I think the space basis could not possibly have any effect upon that.

Mr. SNYDER. Something has happened in the department.

Mr. MOON. No doubt there will have to be a closer supervision by the Government under the space basis than under the weight basis.

Mr. SNYDER. Something has happened in the department which has created a very great delay.

Mr. MOON. Something is happening in these times every day that we do not like.

Mr. SNYDER. I think everyone here knows that there has been extreme delay in the delivery not only of political but of business mail throughout the entire United States, and that is illustrated by the fact that recently it has taken eight days to get a letter to Duluth and a reply back, whereas it formerly took four days.

Mr. MOON. From where?

Mr. SNYDER. From the city of New York to Duluth and back. It has taken eight days, whereas it formerly took four. Something serious has happened to the efficiency of the postal system of this country.

Mr. MOON. Not being entirely familiar, or even partially familiar, with the administration of affairs in the office of the Second Assistant, who has jurisdiction over this subject, I can not say; but if I were to venture a suggestion at all, I would say it was due to the fact that there has been an effort to cut down the crews on the railway post-office cars and to force distribution at terminal points instead of upon the cars, as heretofore, and to reduce the work to fixed hours instead of working until the distribution was finished, as heretofore. I think these

things have brought about the delay. They effect some economy in money, but the delay is more costly to the people than the benefit which results from the financial economy.

Mr. SNYDER. It takes just one day more now to get a letter from my office here to my office at home than it did one year ago, and just one day more to get a letter from my office in the city of Little Falls, N. Y., to the city of Washington than it did a year ago. This is a very serious and expensive handicap upon the business of this country.

Mr. MOON. Of course, there has to be some solution for it.

Mr. SNYDER. I did not know whether it was caused by the change from weight to space or not.

Mr. MOON. The change from weight to space has not had anything to do with it in the most remote degree, but if you attempt to reduce the number of men on every car and to reduce the hours of service and to change distribution from the railway post-office car to the terminal with an increase in mail matter, common sense would indicate that there is going to be some delay in the delivery of the mails.

Mr. SNYDER. I am not dealing with the question of common sense. I am dealing with the business economy of the condition that exists to-day.

Mr. MOON. I advise the gentleman that that is simply common sense.

Mr. SNYDER. You may call it common sense if you like.

Mr. BANKHEAD. Mr. Chairman, I would like to ask the gentleman from Tennessee a question.

Mr. MOON. I will yield to the gentleman.

Mr. BANKHEAD. In the early part of the gentleman's remarks he made a statement that it was possible that readjustments might be contemplated for the compensation of rural carriers. Did I understand that a subcommittee had that question under consideration?

Mr. MOON. No; the subcommittee has under consideration a more important question and one more tender and dearer to the heart of the gentleman from Alabama, which is the question of the increase of the pay of rural carriers.

Mr. BANKHEAD. And the gentleman suggested that it might be put on a profit basis.

Mr. MOON. No; I did not say that it might; I did not say that the committee was going to do it. I have been suggesting to the House, and I find we have to do it a long way in advance, that methods might be brought about whereby we might save $20,000,000.

Mr. BANKHEAD. Will the gentleman state whether any steps have been taken along that line?

Mr. MOON. No. We passed a bill in the House of Representatives in the last Congress that would have effected that purpose. It was not discussed; and it went through almost unanimously; but it did not reach a vote in the Senate.

Now, Mr. Chairman, I send to the desk a letter which the gentleman from Wisconsin [Mr. STAFFORD] desired to have read.

The Clerk read as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., December 10, 1917.

Hon. JOHN A. MOON,
Chairman Committee on the Post Office and Post Roads,
House of Representatives, Washington, D. C.

MY DEAR MR. MOON: It has come to my attention that the House Committee on the Post Office and Post Roads have indicated a desire for certain information relative to the contract for stamped envelopes and newspaper wrappers, and it is with the purpose of giving this information and stating the case from the standpoint of the Post Office Department that this letter is written.

In the autumn and winter of 1916 the stamped-envelope contractor was seriously behind in his deliveries, and when required to increase his production stated that the great advance in the price of paper and other materials entering into the manufacture of stamped envelopes made it increasingly difficult for him to comply with his contract. Moreover the labor situation was acute, his help was being offered higher wages by the munition plants, and his paper mills were threatening to stop furnishing paper. From the reports of the departments representative located at the contractor's factory it appeared that every effort was being made to comply with the contract, but despite these efforts orders were getting further behind, the quality of the paper was unsatisfactory, and the situation was becoming critical.

At about this time the contractor stated that one of his mills had actually stopped shipping paper and that the other (he was obtaining his paper supply from two concerns) had threatened to do so. This was confirmed by the United States stamped-envelope agent. The contractor was called to Washington and was required to make a definite statement of what he could do. He replied that paper had almost doubled in price, that the cost of other materials and labor had vastly increased, and that it was well-nigh impossible under these conditions to go on with the contract, although he promised to do the best he could. When it was proposed to proceed against his bond he stated that if relief was not afforded in some way he would be compelled to forfeit his bond rather than sustain the greater losses with which he was threatened. He stated further that in the event he was forced to the wall the department would probably have to pay an advance of from 75 to 100 per cent for stamped envelopes, if able to obtain them at all. He urged that some relief be given him, and when doubt was expressed as to the department's legal right to afford such relief, he asked that the matter be submitted to the Comptroller of the Treasury for decision.

For several years the department had contemplated adding extra-quality stamped envelopes of a better grade than had been sold before; window-stamped envelopes, for which there was a considerable demand from the business world; also envelopes of a style known as "high-back," since there was complaint from some sources that the low-back envelopes then being furnished adhered to bulky inclosures and were otherwise unsatisfactory.

There had also been complaints from time to time as to the quality of the paper, especially as to breaking at the folds. It was therefore decided that this would be an opportune time to consider the introduction of these new designs and qualities under the clause of the contract giving the Post Office Department authority to make changes of this character at any time. This clause is as follows:

"The right is reserved by the Postmaster General to require at any time during the contract term, in lieu of or in addition to the stamped envelopes and newspaper wrappers described in these specifications, envelopes or wrappers of other sizes, styles, cuts, qualities, or colors, upon condition that he shall pay to the contractor prices greater or less than those stated in the contract, the difference in price to be proportionate in each instance to the increase or decrease in the cost of manufacture, as determined by mutual agreement."

The matter was therefore submitted to the Comptroller of the Treasury along these lines, and he decided that the department had full authority to require envelopes of a different specification than those covered by the contract and to fix a remuneration therefor by mutual agreement with the contractor on the basis of the then existing cost of manufacture.

Acting upon this decision, specifications were drawn for new qualities and designs of stamped envelopes covering a line of extra-quality envelopes, a line of window envelopes, a line of high-back envelopes, and an improvement in the quality of the paper throughout. The contractor quoted prices for these proposed new grades. The auditing firm of Deloitte, Plender, Griffiths & Co., of New York City, a firm of certified public accountants of established reputation, made a careful examination of the contractor's books and submitted a sworn statement of the costs and the gross profit at the time the contract started, also of the probable cost of manufacture of the proposed new qualities and designs under the market conditions then existing. This statement was reviewed by a committee representing the department, consisting of the superintendent of the division of stamps and the United States stamped-envelope agent. The prices quoted by the contractor were deemed excessive, however, and reductions were made amounting to approximately $250,000 annually.

The comptroller had held that the same relative profit must be provided in the new arrangement as under the old. His exact language was as follows:

"In my opinion you will be justified in ordering stamped envelopes, different from those specifically provided for in the contract, conditioned upon an agreement as to the price to be paid. Such price will be greater than the contract price for the contract envelopes, not only because of the better grade of paper and more expensive form being required by you, but also on account of the present cost of the better grade of paper. The increase in the cost of manufacture to which the increase in price is to be proportioned has reference to the cost of manufacture at this time as compared to a smaller cost at the time the contract began, and the percentage of profit to be allowed on any new grade and form of envelope should not exceed the percentage of profit, if any, accruing at the time the contract began."

In determining the cost of manufacture the contractor insisted on limiting the factors of cost to materials, labor, taxes, and light, heat, and fuel. The department held, however, that it should also include other factors, such as overhead, supervision, and similar items. Since materials and wages had advanced in price, while the other items of cost remained practically stationary, the limitation of items to be considered as requested by the contractor would have operated unduly in his favor. The department therefore insisted on the inclusion of the constant items and reduced the prices accordingly. The contractor also repeatedly asked that old orders not yet filled be canceled, but this request was denied.

To verify the cost of materials prices were obtained from several firms, informal inquiries were made of dealers, etc., and the Chief of the Paper Laboratory of the Bureau of Standards visited paper manufacturers, dealers, and others, and submitted a report. Because of the fact that the contractor had certain subcontracts for paper and other materials then or previously, he was able to obtain prices considerably under the market for paper and for most of the other materials required. The market price of the grade of paper chiefly used, for example, was about 10 cents a pound, but the basis of cost to the department covered by the new agreement was 8 cents.

Although time was an essential element in all of these negotiations, since the contractor was threatened with bankruptcy, every possible precaution was taken to safeguard the interests of the Government. The action proposed was even brought incidentally to the attention of the Post Office Committees in both Houses of Congress.

Every step taken was submitted for my personal approval, and I was convinced then and am convinced now that the course followed was not only right, but that it was the only course possible for the protection of the Government and of the users of stamped envelopes. As an alternative the contractor might have been forced into bankruptcy, but the department would inevitably have been compelled to pay very much higher prices for the manufacture of envelopes than those represented under the present arrangement. Not only so, but we were faced by a probability amounting to a moral certainty that we could not obtain the envelopes from any other source, since no real competition had been offered in the past 10 years, despite the constant efforts of the department to obtain such competition, the commercial envelope companies refusing to bid on the contract and the Public Printer lacking the facilities to enable him to do so.

Another feature of the case is that the prices under the previous arrangement were so low that the department was being swamped with orders. Indeed, even at the increased prices under the new arrangement orders have abnormally increased, because the rates at which stamped envelopes are sold to the public are still materially less than for similar grades of unstamped envelopes.

In this connection it may be added that not one complaint as to the increased prices has been received from the buying public since this new arrangement has been made.

Still further to safeguard the interests of the department, the order authorizing this change was made terminable at the will of the Postmaster General, the concluding paragraph reading as follows: "It is

understood that if deemed fit to do so the department will order a reduction of these schedules of prices within the terms of the original contract."

Since this arrangement was concluded, however, the United States has entered into the war, and market conditions remain so disturbed that it is not deemed wise or just at this time to modify the arrangement, and it is therefore earnestly hoped that the original estimate submitted for the appropriation for the manufacture of stamped envelopes and newspaper wrappers for the coming year will be granted by the Congress.

It is also requested that this letter be made a part of the record.

Very truly, yours,

A. S. BURLESON.

Mr. MOON. Mr. Chairman, I ask unanimous consent to incorporate in my remarks the report of the committee.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to incorporate in his remarks the report of the committee. Is there objection?

There was no objection.

The report of the committee, by Mr. MOON, is as follows:

The Committee on the Post Office and Post Roads, in presenting the bill making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, submits the following:

The appropriations for the fiscal year ending June 30, 1918, were $331,316,070. The estimates of the Post Office Department for the fiscal year ending June 30, 1919, all revised estimates included, amount to $335,088,345. The committee recommends appropriations to the amount of $331,922,945.

The increases in the estimates of the Post Office Department are due in part to war conditions and in part to expenses incidental to the usual growth of the service.

The report of the Post Office Department sets forth the use of the money heretofore appropriated and the revenues to be expected and expended during the coming fiscal year.

The following tables set forth by items the appropriations for 1918, the estimates of the Post Office Department for 1919, and the committee recommendations for 1919 in the office of the Postmaster General and the four assistants:

Post office appropriation bill, 1919.

	Estimate for 1919.	Appropriated, 1918.	Committee recommendations for 1919.
POSTMASTER GENERAL.			
Rent of buildings		$8,000	
Gas, electric light, and power, mail-bag repair shop	$4,500	4,500	$4,500
Post-office inspectors:			
Salaries	783,700	783,700	783,700
Per diem	262,860	262,860	262,860
Post-office inspectors' clerks:			
Division headquarters	134,000	134,000	134,000
Traveling expenses	43,850	43,850	43,850
Livery hire	45,000	45,000	45,000
Miscellaneous expenses	7,500	7,500	7,500
Payment of rewards	25,000	25,000	25,000
Special Assistant Attorney General	6,000	6,000	6,000
Travel expenses, Postmaster General	1,000	1,000	1,000
Total	1,313,410	1,321,410	1,313,410
FIRST ASSISTANT POSTMASTER GENERAL.			
Compensation to postmasters	32,850,000	32,000,000	32,850,000
Compensation to assistant postmasters	3,500,000	3,500,000	3,500,000
Clerks and employees at first and second class post offices	52,600,000	[1] 50,200,000	50,508,700
Compensation to printers, mechanics, etc	61,800	61,800	61,800
Compensation to watchmen, messengers, etc	1,730,000	1,642,500	1,730,000
Clerks in charge contract stations	1,180,000	1,170,000	1,180,000
Temporary and auxiliary clerk hire	3,000,000	2,300,000	3,000,000
Separating mails	730,000	715,000	730,000
Unusual conditions	150,000	130,000	150,000
Allowance to third-class offices	2,000,000	1,900,000	2,000,000
Rent, light, and fuel, first, second, and third class post offices	6,200,000	5,900,000	6,200,000
Miscellaneous items, first and second class post offices	400,000	350,000	400,000
Letter carriers	41,700,000	40,500,000	41,700,000
Substitute for letter carriers	4,100,000	4,100,000	4,100,000
Letter carriers, new offices	75,000	75,000	75,000
Vehicle allowance	5,965,000	5,965,000	5,965,000
Mail-messenger service	2,600,000	2,243,000	2,600,000
Car-fare and bicycle allowance	625,000	625,000	625,000
Pneumatic-tube service		1,001,000	
Street-car collection service	9,000	9,000	9,000
Marine postal service, Detroit, Mich	7,250	7,250	7,250
Car fare, special-delivery service	13,000	13,000	13,000
Fees, special-delivery messengers	3,200,000	2,500,000	3,200,000
Travel expenses, First Assistant Postmaster General	1,000	1,000	1,000
Total	162,697,050	156,998,550	160,605,750
SECOND ASSISTANT POSTMASTER GENERAL.			
Inland transportation:			
Star routes, Alaska	430,000	312,000	430,000
Steamboats	1,185,000	1,224,000	1,185,000
Railroads	60,645,000	66,350,000	60,645,000
Freight or expressage, postal supplies	95,000	200,000	95,000
Railway Mail Service	28,190,000	28,385,500	28,190,000
Traveling expenses, railway mail clerks	1,613,959	1,638,959	1,613,959

[1] Correct amount by items, $50,735,100.

Post office appropriation bill, 1919—Continued.

	Estimate for 1919.	Appropriated, 1918.	Committee recommendations for 1919.
SECOND ASSISTANT POSTMASTER GENERAL—continued.			
Temporary clerk hire, railway mail clerks [1]		$60,000	
Substitutes, railway mail clerks [1]		864,585	
Actual necessary expenses, division superintendent	$48,000	50,000	$48,000
Rent, light, and fuel, etc., Railway Mail Service	532,156	557,156	532,156
Per diem allowance, assistant superintendents	2,420	2,660	2,420
Electric and cable car service	545,000	581,000	545,000
Transportation, foreign mails	[2] 5,800,000	3,720,900	5,800,000
Censorship of foreign mails	[3] 1,200,000		1,200,000
Assistant superintendent, foreign mails		2,500	
Balances due foreign countries	681,700	681,700	681,700
Travel expenses, Second Assistant Postmaster General	1,000	1,000	1,000
Total	100,969,235	104,631,960	100,969,235
THIRD ASSISTANT POSTMASTER GENERAL.			
Manufacture adhesive postage stamps, etc	1,100,000	962,000	1,100,000
Manufacture stamped envelopes, etc	3,000,000	1,825,000	1,825,000
Agent and assistants to distribute stamped envelopes	16,000	15,500	16,000
Manufacture postal cards	580,000	500,000	580,000
Ship, steamboat, and way letters	150	150	150
Limited indemnity:			
Domestic	670,000	320,000	670,000
International	10,000	10,000	10,000
Travel expenses, Third Assistant Postmaster General	1,000	1,000	1,000
Postal Savings System	500	500	500
Total	5,377,650	3,634,150	4,202,650
FOURTH ASSISTANT POSTMASTER GENERAL.			
Stationery for the Postal Service	580,000	522,000	580,000
Blank books, etc., Postal Savings System [3]		75,000	
Postmarking, rating, and other stamps	230,000	50,000	230,000
Twine, and tying devices	325,000	275,000	325,000
Purchase, exchange, and repair of typewriting machines, etc. [4]		180,000	
Miscellaneous equipment	370,000	20,000	370,000
Expenses, shipment of supplies	170,000	140,000	170,900
Miscellaneous expenses, Division of Supplies	20,000	25,000	20,000
Canceling machines	255,000	320,000	255,000
Mechanical and labor-saving devices [5]		75,000	
Supplies, City Delivery Service [6]		350,000	
Mail bags, etc	450,000	367,000	450,000
Compensation to labor, mail-bag shop, etc	155,000	155,000	155,000
Inland transportation, star routes	8,675,000	8,675,000	8,675,000
Pay of rural letter carriers	53,000,000	53,000,000	53,000,000
Village delivery service	500,000	500,000	600,000
Travel and miscellaneous expenses, Fourth Assistant Postmaster General	1,000	1,000	1,000
Total	64,731,000	64,730,000	64,831,900
RECAPITULATION.			
Office of the Postmaster General	1,313,410	1,321,410	1,313,410
Office of the First Assistant Postmaster General	162,697,050	156,998,550	160,605,750
Office of the Second Assistant Postmaster General	100,969,235	104,631,960	100,969,235
Office of the Third Assistant Postmaster General	5,377,650	3,634,150	4,202,650
Office of the Fourth Assistant Postmaster General	64,731,000	64,730,000	64,831,900
Total	335,088,345	331,316,070	331,922,945

[1] Estimated under "Railway Mail Service."
[2] Revised estimate.
[3] Estimated under "Stationery for the Postal Service."
[4] Estimated under "Postmarking stamps."
[5] Estimated under "Canceling machines."
[6] Estimated under "Miscellaneous equipment."

Mr. MOON. Having said all that I desire to say now, I yield to the gentleman from Minnesota.

Mr. STEENERSON. Mr. Chairman, in the few moments I will detain the House I propose to deal with the subject referred to in the report of the Postmaster General. This report covers some very important features of the Postal Service and deserves most careful consideration. The first thing mentioned in his annual report is the postal finances. I will take the liberty of reading a few sentences:

The revenues exceed the expenditures by $9,887,397.96. After deducting $51,186.06, losses of postal funds by fire, burglary, and other causes, the audited surplus for the year is $9,836,211.90. This surplus is the largest in the history of the Postal Service.

The surplus in postal receipts is payable into the United States Treasury, according to the provision of law, and is used in meeting the general expenses of the Government. Accordingly, $9,000,000 of the above reported surplus has recently been paid into the Treasury. This followed similar payments of $3,800,000, $3,500,000, and $5,200,000 on account of postal surpluses accruing during the fiscal years 1913, 1914, and 1916, respectively.

Now, the object of that statement must necessarily be to lead the people of the United States to believe that the Postal Service is enriching the Treasury by these amounts, which in the aggregate amount to $12,500,000. In addition to that the last surplus—1917—amounted to $9,000,000, making $21,500,000. No one who reads that report, or reads the synopsis furnished to all the leading newspapers, can reasonably come to any other conclusion than that the Postal Service is self-sustaining and profitable to the United States to the extent of $21,500,000 in the last four years.

Now, of course these people who follow somewhat closely the events of the times would have recalled that in 1915 there was a deficit of $11,333,000, according to the previous report. But the Postmaster General never mentions that here. It was no doubt unintentional, and therefore we must supply that deficiency and recall that we lost nearly $12,000,000, which reduces the aggregate alleged surplus somewhat.

But that is not all. I had occasion to speak about this at the last session, and very emphatic denials came from some Members on the other side, claiming that the Treasury Department showed a different result. I claimed at that time that there was no surplus whatever. So I submitted the question to the Treasury Department as to whether or not the Postal Service during the last five years—that would include 1912—had been a source of profit or a loss to the United States. They furnished me a statement, and not only the statement I will read, but a detailed statement which I printed at the time.

The statement is as follows:

Amounts drawn from the Treasury for postal deficiencies and amounts returned thereto, including deposits of surplus postal revenues, fiscal years 1912 to 1916, inclusive.

Part 1.

	Advances from the Treasury on account of postal deficiencies.	Repayments to the Treasury on account of postal deficiencies.	Net grants from the Treasury.	Surplus revenues deposited in the Treasury.	Treasury gained (+); Treasury lost (−).
1912	$3,568,194.88	$2,000,000.00	$1,568,194.88		−$1,568,194.88
1913	3,027,368.79	2,000,000.00	1,027,368.79	[1]$3,800,000.00	+ 2,772,631.21
1914				[1] 3,500,000.00	+ 3,500,000.00
1915	6,640,736.02	4,143.42	6,636,592.60		− 6,636,592.60
1916	5,500,000.00		5,500,000.00	[1] 5,200,000.00	− 300,000.00
Total	15,168,104.81	2,004,143.42	13,163,961.39	12,500,000.00	− 663,961.39

[1] Surplus revenue of the year indicated, but not deposited in the Treasury until the following year.

Certain additional payments from the Treasury under various laws on account of the Postal Service, fiscal years 1912 to 1916, inclusive.

(Part 2.)

[Treasury gained (+); Treasury lost (−).]

1912.	Miscellaneous payments under relief acts, etc		− $7,791.92
1913.	Parcel-post equipment	$370,217.26	
	Judgments, Court of Claims	8,400.28	
	Miscellaneous payments under relief acts, etc	4,995.55	
			−383,613.09
1914.	Parcel-post equipment	359,767.74	
	Equipment and moving expenses, new post office, Washington, D. C	5,000.00	
	Judgments, Court of Claims	25.00	
	Miscellaneous payments under relief acts, etc	234.20	
			−365,026.94
1915.	Equipment and moving expenses, new post office, Washington, D. C	55,000.00	
	Parcel-post equipment	19,352.11	
	Judgments, Court of Claims	1,256.97	
	Miscellaneous payments under relief acts, etc	12,073.59	
			− 87,682.67
1916.	Judgments, Court of Claims	114.95	
	Miscellaneous payments under relief acts, etc	247.27	
			− 362.22
	Additional payments		−844,476.84

Summary.

(Part 3.)

[Treasury gained (+); Treasury lost (−).]

1912	−$1,575,986.80
1913	+ 2,389,018.12
1914	+ 3,134,973.06
1915	− 6,724,275.27
1916	− 300,362.22
Net loss 1912–1916	− 3,076,633.11

TREASURY DEPARTMENT, *January 31, 1917.*

The summary is as follows: Treasury gain or loss—net loss, 1912 to 1916, $3,076,633.11. If we deduct 1912 it leaves the net loss for the four years 1913, 1914, 1915, and 1916, $1,500,346.80. The loss for the four years is a dead loss to the Government of over a million and a half dollars. That is including 1916. I will refer to 1917 a little later.

Now, I want to consider how this can be, that here is the Treasury statement which shows a loss, and the Postmaster General's report shows a surplus.

That is explained in this way: Under a law passed more than 80 years ago postal revenues are appropriated each year for the service of the Post Office Department, and then there is a clause in every Post Office appropriation bill to the effect, in substance, that if the revenues of the Postal Service shall be insufficient to pay the appropriations mentioned in the bill, then upon requisition of the Postmaster General the Treasury Department shall supply the deficiency. So you see that no money ought to be drawn or should be drawn from the Treasury in any year except upon the certificate of the Postmaster General that there is a postal deficit. Here is a remarkable situation. In 1916 there is a reported surplus, and yet the Treasury lost money. How can that occur? Let me explain to you. Under this law the amount of the surplus or deficit is determined by the difference between the postal receipts and the postal expenditures of any given fiscal year. It is just exactly the same as if you should appoint an agent to go out and carry on a business for you and you furnished him with $10,000. He would do a business, say, of $10,000, and then contract $10,000 of debts that he would not pay, and at the end of the year he would report that he now had on hand $20,000; but he would not have paid any bills. That would be his surplus under this system. You see that the surplus is determined by the difference between what you have paid out and what you have taken in. You can readily see that by postponing the payment of your debts beyond the fiscal year you will increase your surplus. It was so apparent that in the first report Postmaster General Burleson made he pointed this out. He said the difference between receipts and expenditures was not a true statement of the financial condition of the Postal Service, because you could postpone the payment of your debts toward the end of the fiscal year and thereby your receipts would exceed your disbursements.

He intimated that that had been done by his predecessor, Mr. Hitchcock, although he did not state that it was intentional; that by reason of delaying the payment of his bills beyond June 30, 1911, which was the year before the last of the last Republican administration, he claimed there was a surplus of $218,000, when as a matter of fact there should have been a deficit of some $700,000. Postmaster General Burleson has repeated this statement several times since, that the difference between the postal receipts and disbursements is not a true index of the financial condition of the service. The report shows that in 1911, the year Mr. Hitchcock was criticized for delaying the payment of bills in order to create a fictitious surplus, only $8,000,000 of bills were postponed. Of course, you must understand that where the receipts are around $1,000,000 a day, and the disbursements in proportion, it does not take very many days to run up delayed payments of that amount. It was claimed then that toward the end of the fiscal year there had been some $8,000,000 postponed and included in the next. That was true. There was that much. Of course, the delay of some is inevitable. The Postmaster General in his report recognizes that. You can not pay all of your bills in the year in which they are incurred. The services of the railroads, for instance, have to be estimated and adjusted, and it takes weeks and sometimes months to adjust those services rendered during the fiscal year.

The amount so postponed, or, I might say, deferred in 1913, was $8,000,000. In 1914, when Mr. Burleson was in charge, it amounted to $8,400,000; in 1915, to $9,000,000; and the next year, 1916, $8,400,000, and strange to note, in this year of our Lord, 1917, he says in his last report there were $13,000,000 of bills incurred during the fiscal years 1916 and 1915 and prior years that were not paid until after the end of the fiscal year 1916. So, so far as the postponement of the payment of bills is concerned, you will see that he out-Herods Herod. He postpones them to the tune of $13,000,000. I want to read to you now this clause in his report on this practice of delaying the payment of the postal expenditures:

The audited expenditures above stated include $306,480,767.43 for services performed and supplies purchased during the fiscal year 1917, and $13,357,950.97 paid in 1917 in liquidation of obligations incurred in previous years which it was impracticable to adjust during those years. To ascertain the true financial results for a given year all obligations for the business of a year, adjusted and unadjusted, should be taken into consideration, and payments in liquidation of obligations incurred for previous years excluded.

That is found on page 5 of his report.

Mr. MADDEN. So that if the $13,000,000 the gentleman suggests as having been unadjusted and unpaid had been deducted from the surplus, there would have been a deficiency?

Mr. STEENERSON. If they had paid them during the year in which they were incurred, surely. I shall now consider the financial statement of 1916. I do not charge that there has been any embezzlement or corruption, but there has been a management which makes a too favorable showing of the Postal Service, so that it looks as though it is prosperous when it is not. The fact is that in 1916, a campaign year, they reported that they paid in a surplus of $5,200,000 when in reality none existed if the debts incurred were paid; on the contrary, the real financial result was a loss. They drew out of the Treasury as a deficit under the certificate of the Postmaster General $5,500,000 and it is never mentioned anywhere. That does not appear in the report. I mentioned it during the last Congress, but I met with a storm of denials, and I made up my mind that I would nail it down fast, so I requested the Auditor for the Post Office Department to furnish me a certified copy of the requisitions upon which the Postmaster General drew out of the Treasury $5,500,000 as a deficit in 1916. I have got it here, certified by the auditor, dated December 8, 1917. The auditor's certificate follows:

AUDITOR'S OFFICE.

TREASURY DEPARTMENT,
OFFICE OF THE AUDITOR FOR THE POST OFFICE DEPARTMENT,
Washington, December 8, 1917.

I, Chas. A. Kram, Auditor for the Post Office Department, certify the annexed to be copies of 11 requisitions of the Postmaster General on the Secretary of the Treasury, dated August 4, 5, and 6, and September 1, 2, 3, 21, 22, 23, 24, and 25, 1915, each for the sum of $500,000.

In testimony whereof I have hereunto signed my name and caused to be affixed my seal of office, at the city of Washington, D. C., this 8th day of December, A. D. 1917.

[SEAL.] C. A. KRAM,
Auditor for the Post Office Department.

(See R. S., sec. 889, and sec. 3 of the act approved July 31, 1894, 28 Stat. L., 205.)

Then follows the first requisition, dated August 4, 1915:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., August 4, 1915.

Hon. WILLIAM G. MCADOO,
Secretary of the Treasury, Washington, D. C.

SIR: I have the honor to request that you have placed to the credit of the Post Office Department the sum of $500,000 on account of a deficiency in the postal revenues for the fiscal year ending June 30, 1916.

(Signed) A. S. BURLESON,
Postmaster General.

—

TREASURY DEPARTMENT,
OFFICE OF THE AUDITOR FOR THE POST OFFICE DEPARTMENT,
August 4, 1915.

This requisition is approved for $500,000.

CHARLES A. KRAM,
Auditor for the Post Office Department.

Then follows on August 5, 1915, another $500,000; another on August 6, 1915; another on September 1, 1915; another on September 2, 1915; another on September 3, 1915; then on September 21, 1915; also September 22, 1915; September 23, 1915; September 24, 1915; and another one on September 25, 1915, each for $500,000; eleven, making, in all, $5,500,000.

Now, mind you, this was certified to as due to a deficit in the postal revenues for that fiscal year.

Mr. KNUTSON. Will the gentleman yield?

Mr. STEENERSON. I will.

Mr. KNUTSON. Was it claimed by the Democratic Party that the postal receipts showed a gain for that year?

Mr. STEENERSON. Certainly. They claimed they had earned a surplus. This money was drawn out on the certificate that there was a deficit in the postal receipts; otherwise the law would not have enabled them to take the money out of the Treasury. Not a single dollar of that has ever been paid back as a repayment of money borrowed. Not a single penny has been returned as a repayment. But what happened? After the fiscal year had expired 51 days, on the 26th day of August, when the campaign was getting pretty hot in 1916, $5,200,000 was deposited in the Treasury. How? As an alleged surplus! It was $300,000 less than the money that had been drawn out as deficits. Yet this so-called surplus was extensively advertised as an evidence of how profitable to the people the Postal Service was under the able management of Burleson. I think the law that permits such things ought to be changed. It is difficult to escape the conclusion that the business was so managed as to show a surplus when there was none. It looks as if the one who managed the matter said to himself, "If I wait and delay paying my debts until after the end of the fiscal year I will have a surplus." Actually $13,000,000 was postponed to 1917, as now appears. That is the way the surplus was created, a surplus that has no basis at all so far as the true financial status of the postal receipts is concerned.

The relation of the Postal Service to the Treasury at the close of the fiscal year of 1916, so far as that fiscal year was concerned, was this: The Treasury had never received a cent, but had paid out upon a deficit, certified by the Postmaster General, $5,500,000. On August 21, 1916, after the fiscal year 1916 had expired—51 days after—they paid in $5,200,000 and called it a "surplus," not a repayment. Now, this is a distinction quite important, because I have examined the past reports of the Auditor for the Post Office Department, who is a Treasury official, and of the Postmaster General, and I find that uniformly when money is drawn out as a deficit, as soon as the revenues of the department enable them to do so they pay it back as a repayment, but to this day that has never been done, thus leaving the Treasury, after crediting them with that surplus, behind to the extent of $300,000 that year.

Now, you will see in the RECORD that this Treasury statement, dated January 31, 1917, shows that there is not a dollar gained by the Treasury since the fiscal year of 1912, and that there is actually more money due the Treasury now than there was then. Now as to 1917. In 1917 they say they had a surplus of $9,000,000, which was paid into the Treasury. It was not paid till after the fiscal year had expired—on October 26 last.

The annual report this year is the first instance that can be found where the amount carried over to the second year, as this was from 1915 to 1917, is so large. Nearly all bills are usually paid within a year, so only few odds and ends remain longer. In this case more than $3,000,000 was held back from 1915 to 1917. From this it follows that the Postal Service from 1912 up to 1917 has not been run at a profit, but at a dead loss. Whether 1917 was profitable can only be told when we know how much we owe on account of that year. Perhaps in a year we can tell, but not now. It is very important that the people shall know the truth. The official reports ought to be plain and reliable. In these times, when the people are taxed to the amount of billions, they should know what is done with their money.

Mr. SMITH of Michigan. Will the gentleman yield for a question there?

Mr. STEENERSON. Yes.

Mr. SMITH of Michigan. Is the same system of bookkeeping observed now as before the year 1912?

Mr. STEENERSON. Exactly the same.

Mr. SMITH of Michigan. And did the same discrepancies occur previous to 1912?

Mr. STEENERSON. Never before 1912 were there so many unpaid bills carried over to the next fiscal year. And that is the key to the whole situation. When you do not pay your bills until the next fiscal year your receipts exceed your payments. And that was the point which Mr. Burleson emphasized when he came into office. The first word he uttered in his official report was to the effect that that was a defective system. He criticized Mr. Hitchcock because that gentleman had showed a surplus of $218,600 in 1911, and he said that he did that because the unpaid bills were delayed beyond the fiscal year. And he went so far as to make an estimate of what they ought to have paid.

Mr. SMITH of Michigan. And still he pursued the same system he criticized?

Mr. STEENERSON. Why, he went Mr. Hitchcock a point or two better.

Mr. SMITH of Michigan. Worse.

Mr. STEENERSON. Better or worse. He certainly outdid him, because the thing he criticized in Hitchcock he has repeated from the first. Hitchcock postponed the payment of $8,000,000 to the next year, whereas Mr. Burleson says he postponed $13,000,000 last year.

Now, the Government does not actually lose anything by the postponement of the payment of these bills, but you deceive the people as to whether the Postal Service is self-sustaining or not self-sustaining. That is all there is to it. The Treasury books show. For instance, you have the auditor's financial statement, and it shows how much the Postal Service is indebted to the Treasury. That has been adjusted some years back. It does not start from the beginning, but in 1912 they said that the Postal Service was indebted to the Treasury $7,000,000. That was the end of the fiscal year when Mr. Burleson took hold; that is, the end of the fiscal year 1912 and the beginning of the fiscal year 1913, for which he claims credit. I might say right here, in parentheses, that he does not deserve credit for 1913, in which there was a surplus of $3,800,000, because 8 months and 4 days of it was under Mr. Taft's administration, and only 3 months and 26 days of that fiscal year was in Mr. Wilson's administration.

Mr. Burleson claims credit for that $3,800,000 surplus that was paid into the Treasury that year, while he was in there only 3 months and 26 days. At the end of the fiscal year which preceded 1913 there was $7,000,000 due the United States Treasury, according to the auditor's financial statement. On June 30, 1913, the day before the beginning of the fiscal year 1914, there was $12,922,000; in 1914 there was $13,498,000; in 1915 there was $5,302,000; in 1916 there was $16,631,000; and in 1917 there was $21,267,000.

Now, of course, this is not a safe guide to go by, for this reason—that is, when you are trying to ascertain whether the Postal Service is a profit or loss to the United States Treasury—because whenever the Post Office Department reports a surplus they are charged with it; they are charged with all the receipts they report, and also charged with a surplus, and therefore they get credit whenever they pay anything. Here you see that beginning with the last fiscal year they owed $21,000,000, but if you take the financial statement made after the first quarter it is reduced by $9,000,000, which is the amount paid last October. The current financial statement of the auditor will show that. But there still remains an indebtedness of $12,000,000, which is more than the indebtedness to the Treasury that existed five years ago. From these figures, as I have said repeatedly, it can be nailed down as the truth that the United States Treasury has not been enriched by its connection with the Postal Service during the last five years.

Now, the Postmaster General's report makes some very important recommendations. For instance, the recommendation as to the contract system for rural carriers. That recommendation has been made to the committee, I think, every year since this administration came into power, but it never received any support. Now, it is a rather remarkable thing that a recommendation of this vast importance, after Congress has turned it down, should be repeated. But we find ourselves in this position: The department, with all its influence and power, comes here to ask us to inaugurate a contract system for the Postal Service. I do not want to discuss that proposition, except to say this for the benefit of the people from the cities, that if you propose to substitute a contract system of rural service, the same system should be adopted for the city service. If you want a contract system in the country, you ought to have it in the city also, because the people are just as good people in the country as in the city. A prominent lady—I think she represents the New York State Woman Suffrage Party, Mrs. Harriet B. Laidlaw—sent me a letter advocating increased pay for city carriers. Among other things, she says:

> I think the women have a special interest in the welfare of the letter carriers who come daily to their homes bringing the news of their friends and the outside world. It means considerable to the woman in the home as well as to the woman in business to come in daily contact with men of fine caliber, such as does characterize the personnel of the letter carriers' force at present; and, in view of the tremendous increase in the high cost of living and the great readjustments economically that have had to be made in the last two or three years, I think you will agree that the provisions of this bill for the increase of salaries should be considered.

Now, in addition to what she refers to there as to the desirability of having respectable men, reliable men, come around and call at the houses of the people, I will say that it is also desirable to have good equipment. If you have a contract service it will be very similar to the star-route service. Some of you, perhaps, who have lived on the frontier can remember when the star-route service was the prevailing service, and you would have a worn-out buggy, a spavined horse, or an old mule hitched up to any kind of a vehicle, and the service was irregular and delayed and undependable. It could not be relied upon. Besides that, the carrier was sometimes known to you and sometimes he was a stranger. It seems to me that to substitute a contract service would be unfair to the farmers' wives and daughters and children. The rural carrier has to do more than the city carrier. He has to do more business of various kinds. He has to sell stamps and money orders, to insure packages, and he has to do all these clerical things that the postmaster does in the city. He is really a traveling postmaster, and to have that let out on contract, it seems to me, would entail great hardship upon the people, and it would not be desirable. It would be too risky. We do not want such unknown and irresponsible persons to come around to our houses and deal with our children and wives and daughters. We want reliable men, such as we have now, and I think we ought to provide so that they could render this Rural Delivery Service efficiently by increasing their compensation to a reasonable amount. That, of course, is a matter that comes before this subcommittee of which Chairman MOON spoke.

Now, another recommendation of vast importance that the Postmaster General makes is that the United States Government shall own and operate all the telegraph and telephone lines in the United States—government ownership and operation of the telephone and telegraph lines. It is not very consistent, because his proposition of contract service would be private ownership of rural delivery, while he favors public ownership of the telegraph and telephone. A contract system is more comparable to private ownership than anything I know of, because the Government has no control of the appointment and salary of the people who do the work, so that I think there is a lack of consistency there. But imagine what a field for a skillful politician there would be for an official acting as Postmaster General if you had the telephone and telegraph companies as government-operated institutions. The receipts would be close on to a billion dollars a year; and, mind you, by postponing the payment of the bills for two weeks you would have a surplus of $100,000,000, or, at least, $50,000,000. Under the system I have explained, whereby you determine the surplus by the difference between the receipts and expenditures, all you would have to do would be to refuse to pay your bills for a few days and then you would have apparently a most prosperous institution, and might be able to make the people believe it. [Laughter.]

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. SMITH of Michigan. Is it not true that some people in Europe have public ownership of those means and avenues of intelligence?

Mr. STEENERSON. No doubt there are a great many people in Europe who have government-owned telegraphs and telephones; but let me tell you that the American people are ahead of any European people to-day. We are the ones who invented the telegraph and the telephone. You would never have had them invented in God's world if you had left it to the department. They never invent anything. It is the spur of private enterprise that makes people invent.

Mr. SMITH of Michigan. Is it not true that in those countries where they have public ownership of the telephone and telegraph they perform the service for less than one-half of what they perform it for here?

Mr. CANNON. Mr. Chairman, will the gentleman allow one word there?

Mr. STEENERSON. I do not know anything about what they pay, but I doubt it. I know that Mr. Lewis, who used to be a Member of this House——

Mr. MADDEN. They give you less than one-fourth of the value of the service.

Mr. SMITH of Michigan. They give what is wanted, and the service is not worse than the service here. It is bad enough here.

Mr. MADDEN. If you want to use it, you must serve notice about eight hours in advance of the time you use it, and even then you can not get it before 8 o'clock in the morning and not after 6 o'clock in the evening.

Mr. STEENERSON. I had a little experience abroad, when I spent about six weeks in England in 1914, and I only tried to use the telephone twice and then I was unsuccessful. I tried it and then gave it up.

Mr. SMITH of Michigan. Is it not true that it is used more abroad than it is in this country per capita?

Mr. STEENERSON. Well, if the gentleman wants to advocate that, and support the Postmaster General in this proposition, all right. I am not here to argue the proposition.

Mr. SMITH of Michigan. I am asking for information, simply.

Mr. STEENERSON. Well, in my opinion the service over there is not nearly as good as it is claimed to be. The service I have seen in England was very poor, and, as stated by the gentleman from Illinois [Mr. MADDEN], you have to call at certain hours. It is under strict regulation. It is government service, and it is not satisfactory. I would rather pay a little more and have a private institution do my business. However, I am not especially debating the wisdom of that.

But I am calling attention to the fact that the Postmaster General has made a proposition here, and repeated it at every session of Congress, I believe, that the Government shall take over the telephone and telegraph lines. Yet, so far as Congress knows, we are unable to say what the attitude of the President is. How is it that this proposition, of vast importance to the people, has never received the indorsement of the Chief Executive? In olden times when the President sent his message to Congress he dealt with each department and mentioned what he desired Congress to do, but we have no reason to believe that the President has ever indorsed this proposition. It is simply

the proposition of a Cabinet officer who never was elected by anybody; who was appointed five years ago and has never been reappointed, so far as I have heard.

Mr. COX. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. COX. I will ask the gentleman, did he approve of Postmaster General Hitchcock's recommendation for Government ownership of telephones and telegraphs?

Mr. STEENERSON. No; I do not think he did.

Mr. COX. I know he did not.

Mr. STEENERSON. He never sent any message to Congress.

Mr. COX. I say, did the gentleman approve of Postmaster General Hitchcock's recommendation for Government ownership of telegraphs and telephones?

Mr. STEENERSON. No; I never approved it, and President Taft never approved it, either. That is where the Post Office Department is traveling outside of its jurisdiction. It ought not to submit its recommendations before they are authorized, so we shall know whom to hold responsible. Shall we go before the American people and say that this administration favors Government ownership of telegraphs and telephones? Shall all the thousands of miles of telephone lines that the farmers themselves own be taken over by the Government? Why, in my country you can go to the telephone, take it off the hook, and listen and hear half the gossip of the county free of charge. Just think what would happen if the Postmaster General was to run all those farmers' telephone lines. You would be cut off unless you paid for it.

Mr. MADDEN. He might find out what the people were thinking about his attitude.

Mr. STEENERSON. I guess he would.

Another important proposition is his recommendation that there ought to be no organization of Government employees. He opposes the organization of Government employees and their coming before Congress, notwithstanding the fact that his party came into power on a plank that pledged that legislation. Under the head of "Civil Service" in the Democratic platform of 1912 this matter was specifically mentioned, and shortly after that the statute was passed through the House and Senate giving them the privilege. So you see he has made a recommendation here contrary to the platform upon which his party gained power. I do not want to say that I am opposed to his attitude, but it strikes me that it should not come from that source.

Another thing on that subject. Have not the American people a right to expect that an administration will be consistent with itself? These are days of efficiency. We like to have unified control. We have noticed lately that there is an attempt to have unified control of the railroads. We read in the papers that there should be unified control of the forces of the allies in the great war, and that the reason why they have not been as successful as they otherwise would have been is because they have lacked unified control.

This administration is sadly lacking in unified control on this subject of organization of Government employees. I have in my office a magazine printed by the new organization, the union of Federal employees. It gives an account of a banquet held at the New Ebbitt House last September. I also have here a clipping from the Washington Post, giving an account of that banquet. Without reading the eloquent speeches which were made I will say that the report shows that the Assistant Secretary of the Treasury, Mr. Newton, was there and made a very strong argument in favor of the organization of Government employees. Mr. Post, Assistant Secretary of Commerce, was there, and, last but not least, the eloquent Mr. Vrooman, Assistant Secretary of Agriculture, was there and strongly advocated the organization of Government employees into this union which Mr. Burleson now criticises. Now the question arises, are not three Assistant Secretaries equal in influence to one Cabinet officer? Here are the Assistant Secretary of Commerce, the Assistant Secretary of the Treasury, and the Assistant Secretary of Agriculture, all favoring the organization of Government employees into an association and saying it is a good thing, and wanting to have them affiliate with the American Federation of Labor. Does not that counterbalance the opposition of the Postmaster General? It seems to me that on this point the administration is lacking in unity. Why should the administration permit three Assistant Secretaries of these departments to blazon to the world that Federal employees ought to organize into unions and affiliate with the Federation of Labor, and then have a Cabinet officer denounce it? It seems to me that this administration ought to take an account of their resources and coordinate them, so that they will not be in opposition to one another. They certainly can not carry on business in that way, one pulling in one direction and one pulling in another. We ought to know. For one thing, we ought to know how the President stands when there is such a dispute as that. Does Mr. Burleson speak for the President when he denounces these Federal unions, or is he alone? Can the administration ride two horses going in different directions at the same time? The President spoke recently in Buffalo at the labor convention, and he was apparently in harmony with them, and I was glad to see it, but here a discordant note comes from one of his chief Cabinet officers. I think something ought to be said as to whether he approves or disapproves. Is there not some way by which the House of Representatives can smoke him out? I think when we are considering this bill, before we get through we ought to know whether this recommendation of the Postmaster General has the support of the President of the United States.

I think those are the principal recommendations contained in the Postmaster General's report—the recommendation of legislation against these Federal union employees, the substitution of contract carriers for rural carriers.

Something has been said about the change in the Railway Mail Service. Has it improved or deteriorated? From what the chairman has said here and at the hearings it is clear he is not satisfied with the mail service we are now getting. In examining the department officials before the committee he suggested that letters had been unduly delayed and the service was not satisfactory. The gentleman from Nebraska stated that his experience was that mail had been delayed at least one day between his home and Washington, and from expressions coming from other members of the committee, which are printed in the hearings, it is the universal opinion that the mail service has deteriorated during the last year. The chairman of the committee said that he could not tell whether or not the deterioration was due to a reduction in the number of railway mail clerks and the consequent increase in the amount of separation of mail that occurred in the post office and in the terminals. It must be due to something, because the complaint is universal. As a member of the commission on pneumatic-tube service, I was present at the hearings at New York, Boston, Philadelphia, Chicago, and St. Louis. Especially the New York merchants complained of the mail service—it was not put in the hearings, because it did not relate to the subject under consideration—but they manifested a universal opinion that the mail service had deteriorated. These men use the mail to a very great extent and are good witnesses, and if there should be an investigation I think they would be very ready to come here and show it. But I think the reason for the poor service is not inherent in the space plan. We must not do the space plan that injustice. I think the deterioration in the mail service that we have had during the last year is due to the inordinate desire to reduce expenses. Now, to reduce expenses is a laudable thing, but when you reduce them at the expense of efficiency it is a foolish thing.

Mr. AYRES. Will the gentleman yield?

Mr. STEENERSON. I will.

Mr. AYRES. Has not there been delay also in the transportation of freight and express?

Mr. STEENERSON. The gentleman is correct.

Mr. AYRES. Is not that due to lack of transportation facilities?

Mr. STEENERSON. Probably.

Mr. AYRES. Does not the gentleman think that that might be the cause of the delay in the mail service?

Mr. STEENERSON. No.

Mr. AYRES. Does the gentleman think that the delay in the freight and express business is due to the change in the mail system from weight to space system?

Mr. STEENERSON. Very largely. In fact, I do not complain a great deal, for I do not think anybody ought to complain of delay in freight. Freight should not move as expeditiously as first-class mail. The movement of anything expeditiously on fast trains is expensive. It was the hope of Congress when they enacted the space plan that it would enable the department to transport freight, such as parcels, more cheaply by grouping the parcels when they had a sufficient quantity to put them into a car—the equivalent of a freight car. Therefore it was hoped that the separation of these parcels would be done in the terminals and delayed until a sufficient load between two large cities like Washington and Chicago and Chicago and St. Paul, and thereby cheapen the expense of carriage.

Our expectations in that regard have been fulfilled. There has been a great economy in loading the freight cars with parcels. But the delay in first-class mail has been due, I think, to the inordinate desire to economize. Now, as I said before,

it is a laudable thing to economize, but when you go too far and there is a deterioration in the service, the business world is losing more than it gains.

They have dismissed a large number of postal clerks. That is the complaint of the postal clerks themselves. The chairman of the committee said that in Nashville there had been mail clerks discharged, and it occurred in the period when the transmission of first-class mail was delayed. So we have a right to conclude with fairness that there has been a little too great economy in the Railway Mail Service and that that is the cause of these complaints that are made. I do not think it is due to a change from the weight to the space plan.

I do not know that I care to discuss any of the other features mentioned by the chairman. The clerks pay and all that we will probably bring in in a separate bill, and we will seek to do justice to all postal employees. I want to say, however, that in the increase of pay last year for Government employees the postal clerks were not included. They got some extra promotions, but they have a very good claim for the adjustment of salaries. It seems to me the equities in their favor are a little greater than in other classes of employees, and for that reason I hope that when that measure comes up it will receive the careful consideration of the House and of the Congress. The rural carriers especially have suffered in late years by an increase in the expense of carrying on their work, not only in the cost of living but in the cost of equipment.

Mr. WATSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. WATSON of Pennsylvania. The distinguished chairman of the committee stated that the service rendered by the rural mail carriers amounted to about 4 hours a day on an average. In my district many of them work 10 or 11 hours a day. How does the gentleman get the average? Is it fair that a man who works 4 hours a day should get as much as a man who works 10 or 12 hours a day?

Mr. STEENERSON. I heard statements made by the Fourth Assistant Postmaster General as to this 4-hour-a-day proposition, but so far as I am concerned it is a myth. I live in a district where the country is rather sparsely settled. It is in the Red River Valley, where the farms are large and the neighbors are far apart. Consequently to get a rural route established you have to cover many miles. The routes in my district will probably average 30 miles, and some of them exceed that. I am sure that the carriers on those routes never can perform their duties in 4 hours. I have never known it to happen.

It may be that in a State like California, where there is a balmy summer climate the year around, where they have macadamized roads as good as asphalt pavement, they can travel 24 miles and deliver the letters, papers, and parcels in four hours. Possibly it may be done in certain districts.

Mr. WATSON of Pennsylvania. It can not in my district. Some of the routes cover 30 miles.

Mr. STEENERSON. The gentleman's district is similar to mine. I do not know of any way of discriminating so as to adjust the salaries of those who work so few hours.

Mr. WATSON of Pennsylvania. Has the gentleman ever considered a mileage system? Would that be practicable?

Mr. STEENERSON. Any system I think would be practicable, but I do not see how you could do it under the plan of having Government employees for carriers, because you pay them by the year and not by the mile. Although it has some relation to the length of the route, yet it is not based on mileage.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. TOWNER. Regarding the four-hours-a-day-service on rural routes, in most of the Middle West, in the Mississippi Valley, the conditions are such that in most instances during the summer time and perhaps eight months of the year it will be possible perhaps to attain an average of 4 hours a day in the completion of the service, but the difficulty is that during the four months of the winter, when it is impossible most of the time to run an automobile, carriers have to maintain a horse service, which of course is an additional expense of large amount to them, and under those circumstances it is impossible during those months to make anything like 8 hours a day; in many instances, during bad weather, they take 12 and even 14 hours a day to cover the route.

Mr. STEENERSON. The gentleman's statement corresponds somewhat with the conditions familiar to me, except that I do not think there is any region in my State where they can perform the service in four hours. It seems to me that that is an exaggeration.

Mr. Chairman, with reference to the appropriation bill which we are about to take up. I join with the chairman in saying that there is no dispute about these items. They are items that are authorized by existing law and based upon the estimates by the department, as revised by the committee. We have no disputes about them.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. STAFFORD. Will the gentleman inform the committee the reason why the committee did not support the recommendations of the department, so far as providing additional wages in the supervisory officials' force?

Mr. STEENERSON. Because the Madden bill, I think, would cover that. We are not considering legislation in this bill.

Mr. STAFFORD. The committee, then, purposely declined to follow the recommendations of the department providing for increases of salary in the supervisory officials' force, because they contemplate considering that in separate legislation, to be reported later?

Mr. STEENERSON. If the gentleman wants to put it in that way, I think that is correct. I would not want to say that the committee did it with malice aforethought.

Mr. STAFFORD. Of course, the recommendations of the committee here merely provide the same places as are carried in existing law?

Mr. STEENERSON. Yes.

Mr. STAFFORD. It has not permitted any promotions whatsoever in that force?

Mr. STEENERSON. No; but there is a bill, referred to a subcommittee, that will cover all employees in the first and second class post offices.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. FESS. I notice an item in the bill of over $1,000,000 for the transportation of mail by boat and aeroplane service. Is there any well-defined plan of aeroplane transportation now in the minds of the committee?

Mr. STEENERSON. The committee did not examine the department officials at length upon the aeroplane item. They have stated, however, that there is some aeroplane service and that they were very anxious to have this appropriation.

Mr. FESS. That is a pretty large appropriation, and it indicates that there is something specific in mind.

Mr. STEENERSON. It will undoubtedly be explained more at length when we reach that item in the bill. I have not reviewed the hearings upon that point and I can not give any details.

Mr. FESS. Would the gentleman please state the source of so much outlay for the censorship of foreign mails? Over a million dollars is allowed.

Mr. STEENERSON. The censorship of foreign mails was discussed by one of the officials or clerks in the department who had charge of that matter, I think from the Second Assistant's office. As a matter of fact, this provides only for a very limited censorship, because the censorship of all mail to Europe is conducted by the allies. This only relates to mail to Canada and the west coast, the Pacific, and to Mexico, and to countries of this continent.

Mr. FESS. Is mail censored that goes to Canada?

Mr. STEENERSON. It is proposed to censor all mails that go out.

Mr. BLACK. If the gentleman from Minnesota will permit, I think he is in error about that statement. It was stated to us that this item for censorship of the mails was for censorship to Latin-American countries, Mexico, and, I think, Spain. In other words, those neutral nations whose mail is not now being censored by our allies.

Mr. STEENERSON. I thank the gentleman for the correction, if that is correct. I thought they included also the mail to Asia.

Mr. BLACK. No.

Mr. STEENERSON. I think the intention is to censor all mail that goes out except that censored by our allies.

Mr. BLACK. That is probably so.

Mr. FESS. The amount of a million dollars would seem to involve a tremendous amount of clerical work?

Mr. STEENERSON. I presume the amount used by the allies in censoring mail coming over to this country is many times that amount.

Mr. AYRES. I think the gentleman from Ohio is mistaken about the million dollars being appropriated for aeroplanes. The gentleman spoke of a million dollars.

Mr. FESS. I am now speaking about the censoring of mail.

Mr. AYRES. But a moment or so ago the gentleman said there was an appropriation of over a million for aeroplane service.

Mr. FESS. I said over a million dollars for transportation by boats and aeroplanes, and asked the question whether there is any definite plan for the transportation of mail by aeroplane.

Mr. COX. If the gentleman will permit, I just want to make this suggestion.

Mr. STEENERSON. I yield to my colleague.

Mr. COX. Not by way of correction of the gentleman, but the amount England is paying for censoring the mails—we did not want to go into our records down here, and I was wondering if the gentleman did not think it had better be stricken out here?

Mr. STEENERSON. I will say in answer to the gentleman from Ohio that the committee carefully considered the question whether the amount was excessive or not, and they concluded from the statements it was absolutely necessary in order to have the work done, and I think they also stated to us that the clerks were paid——

Mr. BLACK. About $1,500 a year.

Mr. STEENERSON. That their highest-paid clerk was $1,600, so that there were not any high salaries; but they have to get translators who can translate these letters.

Mr. FESS. My colleague will understand what inspired the question. We are dealing with millions so flippantly that it seems to me we ought to make sure whether it is needed or not.

Mr. STEENERSON. Certainly; but we are giving what is asked for on account of the safety of the country. As a matter of war, of course, we can not scrutinize so closely. Now, there is one matter that was mentioned by the chairman in his speech here that I had almost forgotten, and that was with relation to the increase in letter postage and second-class mail rates. I want to say that the Committee on the Post Office and Post Roads was not responsible for that increase.

I want to say further that it is the first time in the history of the United States that the Postal Service has been used for the purpose of raising revenues for the Government. The intention was perhaps to furnish the service, and if the Postal Service should be self-sustaining and then we could make some money, we could spend it in improving the service and managing it along those lines so as to improve the condition of the service and the laboring men in the service, so as to have it balance. Even in the darkest days of the Civil War, in 1863, the postage was reduced from 5 to 3 cents on letters, and it was a good thing because business increased and was more profitable than it was at the old rate. When postage was decreased to 2 cents in 1883 or 1884 the same result followed, that after a few months business increased and it resulted in really an increased revenue. I am afraid that the increase on post cards especially to 2 cents and the increase to 3 cents on letter mail will have a tendency to decrease business and that we will not have the revenue from it that was anticipated. Of course we will get some. Canada has reported that they have gained 40 per cent; that is, that instead of gaining 50 per cent they gained 40 per cent. They raised the rates 50 per cent, but instead of getting the 50 per cent increase of revenue they only got 40 per cent. I do not think we will be able to show as well as that, and that it will have a tendency to hamper business. I believe that it would have been wiser for the Committee on Ways and Means and Congress if they had provided some other way of raising the revenue except from this increase on first-class mail and postage rates.

Mr. CRISP. Will the gentleman yield for a question?

Mr. STEENERSON. Yes.

Mr. CRISP. Did the committee make any inquiry of the post-office officials as to whether or not there has been any falling off of receipts from the postal rates since this increase went into effect?

Mr. STEENERSON. No; but the gentleman from Tennessee [Mr. MOON] said in his remarks a moment ago that it would be impossible to determine whether there was any difference.

Mr. CRISP. While I was at home going around somewhat over my district, in two post offices I had the day book of the post offices as to the receipts for 30 days in each office before the increase went into effect and for 30 days after the increase went into effect, and the sales and receipts were very much larger with the increase, and they raised fully as much money in those two offices as was expected.

Mr. STEENERSON. The increase amounted to 50 per cent?

Mr. CRISP. Fully 50 per cent.

Mr. STAFFORD. If the gentleman will yield, I would like to ask the gentleman from Georgia [Mr. CRISP] a question. Can the gentleman inform the committee whether he has any information as to whether there is a corresponding use of postal cards? It has been claimed that the drop mail of our cities remaining at the low rate of 2 cents for not more than an ounce and the rate on postal cards at 2 cents, it has resulted materially in curtailing the use of postal cards.

Mr. CRISP. I have not any data on that question. I simply saw the day book showing the receipts from the sale of stamps.

Mr. STEENERSON. The gentleman is aware of the fact that the increase did not go into effect until the 1st of November?

Mr. CRISP. Yes, sir. This was a few days before I left home.

Mr. STEENERSON. I thought the gentleman said two months.

Mr. CRISP. If the gentleman will permit me, we were away from here only two months. Congress adjourned on the 6th of last October.

Mr. STEENERSON. I would like to say this, that what I referred to and what I had in mind in regard to decrease or increase in the volume of first-class mail had reference to business principally. Now, of course we know that personal letters would not be affected to any great extent, and in view of the fact that so many soldiers have been called away from their homes, nearly a million, and perhaps more, of course it has increased the correspondence of a personal nature, and that should not be considered when we are talking about it as a business proposition. My idea is that the 3-cent rate on letters will have a tendency to decrease business mail.

Mr. AYRES. If the gentleman will yield, has he heard anything about the increased postage on first-class mail from any individual?

Mr. STEENERSON. I have not heard anything so far as that is concerned, except this, that I have received letters that evidently are due to a propaganda, where they say we ought not to reduce second-class mail rates, because they are paying such an enormous rate on first-class mail.

Mr. AYRES. If my colleague will yield further, that comes from magazine people and periodicals?

Mr. STEENERSON. It is an inspired propaganda.

Mr. AYRES. But not from the individuals that use the first-class postage?

Mr. STEENERSON. It comes from people who use first-class postage.

Mr. WATSON of Pennsylvania. On page 11 of the bill there is a line which says "unusual conditions at post offices, $150,000." How do you interpret the word "unusual"?

Mr. STEENERSON. If there was a cantonment in the neighborhood of the gentleman's post office it would be an unusual condition, and there are several other unusual conditions that are covered by that provision.

Mr. WATSON of Pennsylvania. It is difficult to understand the meaning of it. It may be very broad and it may be very narrow.

Mr. STEENERSON. It is intended to cover extraordinary increases.

Mr. KINKAID. Will the gentleman yield?

Mr. STEENERSON. I yield to the gentleman from Nebraska.

Mr. KINKAID. Does the bill propose any change in the compensation of fourth-class postmasters?

Mr. STEENERSON. No. There are no changes to speak of in this appropriation bill. There is a bill, or, at least, a proposition from the gentleman from Georgia [Mr. BELL], which will be considered by the subcommittee on legislation of the Committee on the Post Office and Post Roads.

Mr. KINKAID. Is that a proposition to increase the compensation of fourth-class postmasters?

Mr. STEENERSON. I do not think there is any proposition to decrease it. Of course, it is so small now there would not be anything left if you decreased it.

Mr. KINKAID. There are a great many in Nebraska who think that on account of the inadequacy of the compensation of fourth-class postmasters it ought to be increased.

Mr. STEENERSON. I am satisfied the gentleman is not alone in that position.

Mr. KINKAID. I think a large majority of the people are in favor of its being materially increased, and I think it ought to be.

Mr. STEENERSON. Of course, there is a question of whether or not we ought to increase salaries now during the war when we need the money for other purposes, and we will proceed with caution in that regard.

Mr. KINKAID. Will the gentleman pardon another question?

Mr. STEENERSON. I will.

Mr. KINKAID. This bill does not propose any reduction as to second-class rates?

Mr. STEENERSON. No. Mr. Chairman, I reserve the balance of my time. [Applause.] Mr. Chairman, how much time did I occupy?

The CHAIRMAN. One hour and thirty minutes.

Mr. STEENERSON. How much time did the gentleman from Tennessee [Mr. MOON] occupy?

The CHAIRMAN. One hour and ten minutes.

Mr. MOON. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Chairman, I desire to apologize to the gentlemen here present for discussing, even briefly, a matter not related to the bill that is before the committee. But there is a subject concerning which there has been considerable public discussion and concerning which I think in justice to the House, and to the public as well, some few words may very well be said. It was not surprising at all that in the passing of a revenue law covering so extensive an area as that covered by the act of October 3, 1917, there should creep into it here and there some minor errors which would require subsequent correction. And we need not be surprised that some of the administrative features of the law may need some legislation in order to clarify them for their future usefulness.

But the particular thing of which I wish to speak is that concerning which I presume all the Members have heard, and that is the so-called exemption of the salaries of Members of Congress from taxation. There has been, unfortunately, a very considerable misunderstanding about it, and the impression prevails among some people that the Representatives and the Senators exempted their own salaries from all taxes.

This impression ought to be corrected and the exact facts ought to be laid before the country. It involves—I will not say a question of ethics, because I think that is too strong a word—but it involves a question of good taste. As a matter of fact, the salaries of Representatives and Senators and other Government officials, except those concerning whose salaries it is provided in the Constitution that they shall not be diminished during the time for which they were elected or appointed, are taxed under the normal tax just as the income of all other people. In other words, if the $7,500 received as salary by Senators and Representatives were all net income there would be paid upon it, if I have the figures correctly, 2 per cent on the net income above $2,000, and 2 per cent additional on the net income over $4,000; or if, as I said, the entire $7,500 was net income, then the actual amount paid on such salary would be $180 per annum.

Mr. CRISP. The gentleman is in error. It is higher than that. A single man with no other income except his salary as Congressman would pay $245, and a married man $205.

Mr. GARRETT of Tennessee. That would be in a case where the entire $7,500 was exempt?

Mr. CRISP. No. If a Member of Congress has no income except his salary, if he is a single man, he is entitled now to $1,000 exemption, or if a married man he is entitled to $2,000 exemption. But if under the law he has no other income, a single man would pay $245 and a married man $205.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. MADDEN. I have the figures here on the different incomes. May I supply them to the gentleman?

Mr. GARRETT of Tennessee. Yes.

Mr. MADDEN. A married man would not pay anything on $2,000, and a single man would not pay anything on $1,000. A married man on $3,000 would pay $20, and on $4,000 he would pay $40. On $5,000 he would pay $80, and on $7,500 he would pay $205, whereas a single man would pay $245.

Mr. GORDON. That is true of Congressmen as well as others?

Mr. MADDEN. Yes.

Mr. GARRETT of Tennessee. That applies to Representatives and Senators as well as all other people. I wish to thank the gentleman from Georgia [Mr. CRISP] and also the gentleman from Illinois [Mr. MADDEN] for the correct figures. I see I made a miscalculation.

Mr. MADDEN. It is only 8 per cent on all above $6,000, and the extreme tax does not apply to them at all. But it does apply to Members of Congress who have incomes of $7,500, or over $5,000.

Mr. KINKAID. Mr. Chairman, will the gentleman yield there?

Mr. GARRETT of Tennessee. Yes; I yield to the gentleman from Nebraska.

Mr. KINKAID. I was unaware of the exemption of Congressmen's salaries from the income-tax imposition until I reached Nebraska after the adjournment of the session, and at first I contradicted the statement that such was the case. Then afterwards I stated that it was by oversight that it occurred. Now, I want to know how that is. [Laughter.]

Mr. GARRETT of Tennessee. I will state to the gentleman from Nebraska that I can not give him the information. I will state very frankly that, so far as I am personally concerned, I was not aware of the fact at the time we voted on the conference report that the language which is capable of the construction that has been given to it was contained in the report, but I desire to say with equal candor that even if I had known it I should of course have voted for the conference report, as we all would, because the parliamentary situation being such as it was we could not have afforded to have voted down the conference report as a whole simply because of this relatively unimportant matter. This is not a matter which, so far as the revenues to the Government are concerned, is of any great degree of importance, but the question, gentlemen of the House, in it is, as I have expressed it, a question of good taste.

Section 209 of the act provides as follows:

That in case of a trade or business having no invested capital or not more than a nominal capital there shall be levied, assessed, collected, and paid, in addition to the taxes under existing law and under this act, in lieu of the tax imposed by section 201, a tax equivalent to 8 per cent of the net income of such trade or business in excess of the following deductions: In the case of a domestic corporation, $3,000, and in the case of a domestic partnership or a citizen or resident of the United States, $6,000; in the case of all other trades or business, no deduction.

Now that standing alone, without anything more, would place a tax of 8 per cent upon $1,500 of the salary of the Representatives and Senators. But in paragraph (a) of section 201 appears this language; and first let me read—

this title shall apply to all trades or businesses of whatever description, whether continuously carried on or not, except—

(a) In the case of officers and employees under the United States, or any State, Territory, or the District of Columbia, or any legal subdivision thereof, the compensation or fees received by them as such officers or employees.

Now, answering further the question of the gentleman from Nebraska, I will say that I really have an idea that the conferees upon this bill who framed this language—it was not in the bill as it passed the House originally, and, as I remember it, it was not in the bill as it passed the Senate—this language was prepared by the conferees, and I really have supposed that what they had in mind was to prevent any question of the constitutionality of the act arising by making it clear that those concerning whose salaries the Constitution provides they shall not be diminished during the term for which they are elected or appointed would not come under the provisions of the law, and that they used the language read, which possibly covers other classes of officers and employees.

Mr. TOWNER. If the gentleman will permit——

Mr. GARRETT of Tennessee. I yield to the gentleman.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. MOON. I yield five minutes more to my colleague.

Mr. TOWNER. Let me call the gentleman's attention to this fact, that he is entirely correct in saying that section 209 did not appear in the bill as it passed the House and Senate and that it was placed in the bill by the conferees, and that when the exemption statute was enacted the excess-profits tax only applied to profits arising under a condition where men engaged in trade and business must have capital invested in that business, and the amount of the tax was computed on the relationship or proportion of the amount collected in the taxable year compared with the prewar period, and the question of capital was taken into consideration in determining the amount of these profits, so that it was utterly impossible to have the salaries of anybody computed upon the terms and conditions contained in the excess-profits tax act as passed by the House and Senate.

Mr. GARRETT of Tennessee. I think that is a very timely and proper statement to go into the RECORD and to go to the country. This matter has occasioned criticism, some of it rather caustic and severe; but such as fell under my immediate observation has been upon the whole very good-tempered and pleasant. I think, gentlemen of the House, that the criticism is just. That is to say, if this thing had been done deliberately I think the criticism would be just. I want to say that I do not enthuse over any proposition to decrease the salaries of Representatives and Senators, either directly or indirectly. I never had any particular enthusiasm over the matter of reducing mileage. I do not think the people of the United States care anything about that. I do not think they ask us to break the contract which we have, under which we are working for a certain compensation for a fixed time; but this proposition is quite different from any question of our salaries or our mileage or our clerk hire. It is a question of taxation. This Congress has already been called upon to reach out for new sources of revenue, and in the days that are to come it will be called upon to reach out for other and larger sources, and while the amount that will arise from this particular tax on Members' salaries is relatively small and of

practically no consequence in so far as revenue is really concerned, yet it seems to me the good taste of the proposition does demand that the Congress should take speedy action to remedy that error which was thus inadvertently made and place the Members of Congress upon the same plane as other people.

Mr. TOWNER. I want to say to the gentleman that I shall this afternoon present for the consideration of the House an argument that under conditions as they now exist the salaries of Congressmen are not exempt from the operation of section 209.

Mr. GARRETT of Tennessee. I have taken it for granted that the construction generally given was the proper construction. But however that may be, I think it should be placed beyond all doubt.

Now, my colleague, the gentleman from Tennessee [Mr. HULL], has introduced a bill which I have examined, and I think a number of other gentlemen have introduced bills to reach this very thing, and I for one will be very glad if the Ways and Means Committee will take speedy action upon it.

Mr. CRISP. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield to the gentleman from Georgia, a member of the Ways and Means Committee.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MOON. I yield to the gentleman three minutes more.

Mr. CRISP. Mr. Chairman, as a member of the Ways and Means Committee I simply desire to state that I have talked to a number of the members of that committee, and I think we all feel alike that the House ought to be given an opportunity to correct the matter to which the gentleman calls attention. I want to say further that a number of us felt that the bill ought to be brought in at once, before Christmas, but the Treasury Department is construing the bill, and there are a number of corrections to be made in the administrative features of the law. The chairman of the Ways and Means Committee and some of us felt that the thing to do was to wait until the Treasury Department made its recommendation as to amendments to be made in the law, and then the committee would report a bill to the House correcting the matter the gentleman refers to, along with the other corrections to be made, all being brought in at one time in one bill. It will be impossible to do all that before Christmas. But I think I can assure the gentleman and the House and the country that the Ways and Means Committee will bring in a bill making the salaries of Members subject to the excess-profits tax.

Mr. GARRETT of Tennessee. Mr. Chairman, of course I do not think the time when it is done is especially important, but I think it rather important for the psychological effect upon the country that it be very well understood that it is to be done. I think the gentleman from Georgia agrees with me that it ought to be done just as a matter of good taste.

Mr. CRISP. I do.

Mr. SMITH of Michigan. I should like to ask whether the salary of a Member of Congress is not subject to the same income tax as the income of any other person?

Mr. GARRETT of Tennessee. It is subject to the same normal income tax as the income of anyone else.

Mr. SMITH of Michigan. And the law only exempts a Member of Congress from the excess-profits tax?

Mr. GARRETT of Tennessee. On the excess above $6,000.

Mr. STEENERSON. Has the gentleman read the letter appearing in to-day's RECORD, written by Hon. WILLIAM R. GREEN of Iowa, in which he comes to the conclusion that Congressmen are not officers within the meaning of this clause?

Mr. GARRETT of Tennessee. I have not.

Mr. STEENERSON. He concludes that they are not exempted and that they are liable for the surtax just the same as anyone else.

Mr. GARRETT of Tennessee. I have not read it; but it is a matter about which there ought to be no question at all. We can correct it very easily here and put it beyond all doubt, and the Treasury Department ought not to be called upon to rule upon it, but we ought to act upon it ourselves.

Mr. MOON. I yield 10 minutes to the gentleman from Louisiana [Mr. WATKINS].

Mr. WATKINS. Mr. Chairman, during the few minutes allotted to me I shall call attention to the fact that while the bill which we now have under consideration is wisely and economically drawn, there is one feature of it which I think ought to be amended. That is the compensation for rural free-delivery carriers. Recently I attended a convention of rural free-delivery carriers, and to my surprise I found that a large number of them—if not a majority of them—are working at an absolute loss; or if not at a loss in the expenses which they incur, at least to loss in the compensation which they receive for the time consumed.

In every other vocation wages have increased. We are talking now about a special committee sitting for the purpose of considering the question of increases along other lines. The increase of the rural free-delivery carriers' salaries should certainly be included in that investigation. During the presentation of their expense account at the convention to which I have referred, it was shown that when the salary was $720 a few years ago, the price of feedstuffs—corn, oats, chops, hay, and other commodities—were one-quarter and sometimes one-third of what they are at the present time. Corn at that time was 50 cents a bushel, and now in that same section of the country it is $1.50 or $2 a bushel. Oats were 40 cents and are now selling at 85 cents. Chops in the same proportion and hay in the same proportion. The upkeep of horses for those who use the horse-drawn vehicles is three or four times what it was when the compensation was $720, the compensation now being on the standard routes $1,200 a year. The vehicle and the repairs upon it cost nearly if not twice as much, and all other expenses have doubled or trebled during that time. For those who use motor vehicles the cost of gasoline was 12½ cents, and it is now 25 cents. The time which they now take in making their trips is worth to them at least 75 or 100 per cent more than it was at that time. Carpenters were then receiving $2.50 a day and are now getting $5 or $6 a day. It is the same way with the blacksmiths and the same way with the common laborers. In that section of the country the common laborer got 50 to 75 cents a day, and he now gets $2 or $2.50 a day. The time of these carriers is worth more. The rural free-delivery carrier has to stand a civil-service examination. In other words, he is a high-class man. His service should be, on account of his education necessary as a prerequisite, more adequately compensated for.

Speaking of education, I was reading a short time ago about a negro who was standing an examination for the position of rural free-delivery carrier. The question was written for him to answer, "What is the distance between the earth and the moon?" His answer was, "If you are going to put me on that route, I quit right now." [Laughter.]

A great many of these rural free delivery carriers are quitting right now. A great many are refusing to do the work on account of the compensation received. Every day I receive communications from rural free delivery carriers saying that it will be absolutely necessary for them to quit work unless the compensation is increased. There are several who have submitted resignations, and there are vacancies now existing on account of the resignation of these carriers because of the high cost of living and inability to pay expenses out of the compensation that they are receiving.

The Rural Free Delivery Service is one of the greatest boons to the agricultural community that they receive at the hands of the Government. It is not supposed to be put on a paying basis any more than the advantages which they receive out of the Agricultural Department.

Only a few years ago in my section of the country the ravages by the boll weevil were enormous, and appropriations were made for the purpose of exterminating the boll weevil. Hundreds of thousands of dollars were appropriated for that purpose. That section of the country was devoted almost exclusively to the raising of cotton. The people have resorted to diversification because the boll weevil at that time was considered as a pest and a terror. Now the country is blossoming like a rose—never was so prosperous in our section of the country before—partly on account of the diversification of crops and partly on account of the high price of agricultural products. We find the Rural Free Delivery System has expanded in many ways. Not only in the number of routes but in the increased facilities for the patrons. It has caused the upbuilding of good roads. It has caused the extension of rural telephones and putting the people in the rural community in touch with each other to the betterment of churches and schools, and in many ways has been a blessing to the country. If there is any part of the Government service to which we should look for bettering the conditions of the rural sections and for which adequate compensation for its employees should be provided, in my opinion it is the Rural Free Delivery Service.

In referring a while ago to the fact that a special subcommittee is making an examination into the compensation of others engaged in the Postal Service, I did not desire or intend to reflect or criticize the increase of salaries of letter carriers in the cities. The cost of living has largely increased so that they can not live on the same amount they did in previous years. We are not complaining of that at all, and not making a comparison for the purpose of objecting to it or intimating that there is any criticism on that account. But the agricultural class of people are entitled to every consideration.

Mr. MOON. Will the gentleman yield?

Mr. WATKINS. I will.

Mr. MOON. The same committee that is making the inquiry into the increase of city carriers' compensation and post-office clerks is making a like inquiry as to the pay of rural free delivery carriers.

Mr. WATKINS. I am glad to be informed of that fact, and I hope it will result in some substantial increase in the compensation of the rural free delivery carriers. They carried the mail before the Parcel Post System was adopted, and they are now encumbered with a vast amount of heavy mail which they did not carry before that. Their labor has been increased and the salary ought to be increased in proportion.

Mr. MOON. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Chairman, it is a timely thought which has just been expressed by the gentleman from Louisiana [Mr. WATKINS]. The postal employees are facing an impossible task—that of trying to make their 1907 compensation meet a 1917 condition. It can not be done and I feel assured that Congress will recognize the facts and relieve an intolerable situation.

There are no more efficient and faithful and hard-working employees in any line of Government service than those who carry on the vast postal system. They have performed a miracle of progress in building up the American Postal Service, which is the greatest in the world. But in spite of their work along splendidly constructive lines they are receiving less compensation than ever before.

I make that statement advisedly. Wages do not consist solely in the number of dollars received. Men do not labor for dollars, for they can not eat them nor wear them. They work for dollars as symbols of exchange which will purchase food, clothing, and shelter. When the wages received at any time will not purchase as many of the necessaries of life as before there has been a reduction of wages.

That has been the case in regard to the postal employees. No one argues for an increase in real wages, but every fair-minded man should earnestly seek to restore their compensation to where it was 10 years ago.

I took occassion last night to study the very thorough and painstaking report on retail prices issued by the Bureau of Labor Statistics. Taking the figures given in that report for 1907, when the compensation of postal employees was fixed by Congress, and comparing them with prices quoted this week in the leading markets of this city, I find that the dollar to-day will purchase less than half what it purchased 10 years ago.

For instance, if a postal employee went to a market in 1907 and spent a dollar for round steak, he received 6.7 pounds. To-day he receives but 2.9 pounds. In 1907 his dollar would buy 5.5 pounds of sirloin steak. To-day it will buy only 2.2 pounds. If he wished rib roast in 1907, he received 6.7 pounds for his dollar, while to-day he takes home 2.9 pounds. Pork chops in 1907 sold at 6.4 pounds for a dollar. To-day they sell 2.2 pounds for the same sum. In 1907 if he ordered bacon he received 4.9 pounds for his dollar, while to-day if he has the audacity to order bacon he gets 2 pounds for his dollar.

If he ordered ham in 1907, he took home 5 pounds for the dollar. To-day he gets 2.5 pounds. Lard in 1907 sold at 7.9 pounds for a dollar. To-day it sells at 2.9 pounds for the same sum. If he decided on a chicken dinner in 1907, he could get 5.7 pounds, but to-day he gets 2.9 pounds for his dollar. Butter in 1907 was 3 pounds for a dollar, but to-day it sells at 1.7 pounds. Milk in 1907 was sold 12.7 quarts for a dollar, but to-day it sells 7 quarts for the dollar.

If the postal employee spent a dollar for flour in 1907, he took home a 24-pound sack, but his dollar to-day will buy only half a sack. If he decided on corn meal, he could get 40 pounds for his dollar then; now he gets 10 pounds. When he bought potatoes in 1907 he took home 3.7 pecks. Now if he orders potatoes he gets 2 pecks. Sugar in 1907 cost him at the rate of 17.2 pounds for a dollar; to-day it costs him at the rate of 10 pounds for the dollar when he can get it at all.

Now, in these articles I have taken those used by the Bureau of Labor Statistics, which classes them as the necessaries of life in the average American family. It is also stated that the cost of food makes up 40 to 45 per cent of the living cost for American families. That means that the postal employee who received $1,200 a year in 1907 spent at least $480 for food. To-day if he desires to maintain the same standard of living, which no one will say was too high then, he must spend $960 in order to attain it. With other absolutely necessary expenses pressing upon him, such as rent, fuel, and clothing, he can not spend anything like that sum for food. The inevitable result is a lowering of the standard of living, and scarcity and privation besides. Such a condition is not just nor right. The employees of this Nation, who are rendering necessary service in faithful and efficient manner, are worthy of a living wage and they are not receiving it.

I am speaking for all branches of the Postal Service—clerks, city carriers, rural carriers, and railway-mail employees. With somewhat different tasks, they all face the same conditions.

Take the city letter carrier. I have been informed that the average letter carrier serves an apprenticeship as a substitute for four years at an average income of $420 a year. With his appointment as regular he receives $800 for the first year and then may be increased with each year to the maximum of $1,200 a year. That means that during his first nine years' service he receives an average income of $742 a year, or about $2 a day. Is there any other highly specialized business in this country requiring nine years' service before such a wage can be earned by those engaging in it?

The clerks, rural carriers, and Railway Mail Service employees make up a magnificent organization of Postal Service. All in all they handle 20,000,000,000 pieces of mail a year, and they do it efficiently and well. They deserve just treatment from this Congress.

And they have been open and fair in their requests for action. Never has there been a more reasonable and creditable campaign for consideration than that made by these employees of a great department of the Government. They have taken the public into their confidence and the public has responded with support. They have held great mass meetings in almost every city in the country, with urgent requests to all to attend. Such a meeting was attended by almost 10,000 people in Pittsburgh and the facts were given clearly and emphatically in an open and frank appeal to the public. There have been no subterranean and secret tactics, no underground influences.

As a result those not connected with the service in any way have petitioned Congress for action. I have received, and doubtless all Members have received, letters and petitions asking for fair and full consideration of the situation of the postal employees. I am confident that the American people desire that present conditions be remedied.

These employees are at the mercy of Congress. They must submit to whatever this body decrees. I maintain that that very situation—this impossibility of using tactics open to other bodies of workers—lays a double responsibility upon those who fix their wages. Surely, it will not be said of Congress that having a tyrant's power over this vast body of employees it used that power like a tyrant in denying a fair and just request.

I believe action should be taken now. This is an emergency situation and delay spells injustice. I introduced on the first day of this session a bill to provide a remedy and to take effect January 1. I regret that the increase necessary was not made in order and incorporated in this measure we are considering—the appropriation bill for the Post Office Department. I believe action should be taken as quickly as possible to make the compensation of all postal employees at least as great as it was 10 years ago. [Applause.]

Mr. MOON. Mr. Chairman, I make no contention with the gentleman from Pennsylvania [Mr. KELLY] in reference to the high cost of living or the necessity for prompt action upon the part of Congress, but I can not afford to have him leave the impression that the changes in the law that he suggests properly come upon this bill. This is an appropriation bill, and it is a violation of the rules of the House to add new legislation of this character to it. We have attempted this time to live as nearly as possible up to that rule because of the fact that the legislation to which he refers ought to have very full and complete consideration, separate and apart from the consideration of appropriations. The Committee on the Post Office and Post Roads is giving the suggestion which the gentleman has made and which other gentlemen have made that full consideration that it is entitled to. It is not wise to make haste in matters of this sort. We will pass this appropriation bill and then take up the other measure looking to the increase of the salaries and consider it, I hope, carefully and attentively.

I yield 20 minutes to the gentleman from Indiana [Mr. COX].

Mr. COX. Mr. Chairman and gentlemen of the committee, I made up my mind I would not say anything on this bill at this time, but reserve what I had to say later when the general bill comes in proposing to increase the wages of postal employees; but I can not afford to let some of the things that have been said here to-day go unanswered or unreplied to. My dear friend from the State of Minnesota [Mr. STEENERSON] to my mind can never present his side of a Post Office appropriation bill without entering into politics. I do not believe that he is able to see very much good in a Democratic Postmaster General presiding over one of the greatest departments of the Government. At any

rate, the gentleman from Minnesota never fails to take a fling or criticism at Mr. Burleson. His criticism of the apparent inconsistency of Mr. Burleson's position for Government ownership of telegraphs and telephones does not strike me very favorably. Now, I do not like to enter into a political discussion here at all. I served on this committee four years while Mr. Hitchcock was Postmaster General, and time and time again on the floor of this House and in the committee room I defended Mr. Hitchcock when your party was criticizing him, because I regarded then, and I regard now, Mr. Hitchcock as a good Postmaster General. I do not think he had the loyal support of his own party to which he was entitled, and I felt that way about it then.

Now, the Republican platform of 1916, on which the gentleman from Minnesota was elected, practically declared for Government ownership of railroads. I presume the gentleman in the State of Minnesota and in his district loyally and patriotically supported that plank in his party's platform, and I am not saying it was right or saying it was wrong; but if that was right Mr. Burleson should not be criticized for standing for Government ownership of telegraphs and telephones. But enough of that.

Mr. MADDEN. Will the gentleman yield?

Mr. COX. For a question.

Mr. MADDEN. Did not the gentleman from Indiana rather overstate the provision of the Republican platform of 1916? Suppose he reads it. I think I helped to write that.

Mr. COX. I am not saying the gentleman did not write a good platform, and I am not saying he made a mistake in his platform, but I do not know that I will take the time to read it——

Mr. MADDEN. I would like for the gentleman to read one sentence.

Mr. COX (reading)—

> The entire transportation system of the country has become essentially national. We therefore favor such action by legislation or, if necessary, through an amendment to the Constitution of the United States as will result in placing it under complete Federal control.

Mr. MADDEN. That meant to give authority to the Federal Government——

Mr. COX. That may mean Federal ownership.

Mr. MADDEN. If the gentleman will yield, it was intended by that language to mean that authority should be granted the Government of the United States to issue the charters under which railroads could operate.

Mr. COX. Well now, here is the thing to which I desire to reply. I think the Postmaster General has been placed in a false light before the country in regard to his position or in regard to his opposition to postal employees organizing themselves into a union and affiliating themselves with other allied bodies. It has gone to the country, and I have read it in the press that the Postmaster General opposes postal employees forming themselves into organizations. Now, gentlemen, that is far from the fact. We ought to get right on these questions, especially while we have it in black and white from the Postmaster General himself as to what he thinks and where he does stand on this question. It is wrong for men or papers or any organization in this country to report the Postmaster General in a false and erroneous light. If you will get the Postmaster General's report and read what he has to say on this subject from page 31 to the middle of the page 35, you will find that the Postmaster General does not oppose postal employees forming organizations. Here is what he says:

> They should be permitted to form organizations for their social and mutual welfare, appear before committees in Congress when requested, and give any information concerning the Postal Service of which they have knowledge.

He says they should be permitted to organize themselves into associations to better their social and moral conditions, to appear before committees of Congress, and there present their wants and their wishes; but he says:

> But the forming of organizations for other purposes, such as interfering with the discipline and administration of the service, the control of the election of persons nominated for public office, or enactment of legislation for their selfish interests and not for the welfare of the public, should cease.

Now, that thought, gentlemen, may not impress you very much, and, while I am not a prophet nor the son of a prophet, mark my words and remember them well, the time is not far distant when you men in this House will be called upon to meet that proposition. Have they organized for the purpose of controlling election? Have they? I say here this afternoon that in the State of Indiana last election civil-service employees of that State had an organization composed of 10,000 voters, as they claimed, designed for the sole and express purpose of defeating certain men for Congress and carrying the State for Mr. Hughes. I am telling what I know of conditions in the State of Indiana. So Mr. Burleson is in favor of these people organizing for the betterment of their social and moral conditions and giving them all the rights and privileges of any person whatever to appear before the committees of Congress and urge their increases of salary and urge a better working condition, but he opposes these employees or these people affiliating with other organizations.

We are not without history on this subject, gentlemen. Oh, no! France permitted its civil-service employees a few years ago to affiliate with labor organizations, and what was the result? France awoke one day and found every wheel of her entire Government at a standstill. Why? Because the postal employees were affiliated with labor unions, and not only that type of industries of France were at a standstill, but all the machinery of France was at a standstill. Before they got the matters finally adjusted it practically took the Army of France to settle it. So let no man pass this thought of Postmaster General Burleson's over lightly.

I think I am within the bounds of the history of the case when I repeat here this evening that I have seen the rural route carriers of the United States drive Members of Congress into doing things that they did not want to do, of seeing rural route carriers in a measure compel Congress to increase their salaries over the protest and objection of the Postmaster General. I recognize that the rural route carrier is a potential factor in politics. Six times a week he sees 100 voters on his route. A kind word from this rural route carrier about this candidate and an ill word about the other to his patrons goes a long way. I have felt the force and effect of them. But they have no terrors for me. When the time comes that 130 rural route carriers in my district can defeat me, I have no business staying here; I am unable to hold my own, and I shall retire to private life and let a stronger man come here to represent my district.

Now, my friend from Minnesota [Mr. STEENERSON] a moment ago made the statement that the postal facilities had deteriorated in this country because of the inordinate desire on the part of the Post Office Department to economize. Gentlemen, do you not believe that the time is here, Republican and Democrat, knocking at your doors now, when we should all begin to practice some economy? The folks back home have not yet felt the very forceful effect of our war-tax legislation, but they are soon going to feel it.

Now, mark what I tell you. Is it fair to say, gentlemen, that the Postmaster General intentionally has deteriorated this service for the sole purpose of economizing and then criticize him for effecting that economy? Ought he not to be commended for it? And if he was a Republican Postmaster General I would defend him whenever he was able to say he had actually turned into the Treasury of the United States a surplus of millions of dollars. Is it fair to say that the Postal Service has deteriorated for that reason, when war has upset everything, when the transportation systems in the country in a measure have completely broken down and have, more or less, disorganized the transportation of the mails? Why, gentlemen, you know it to be a fact that the passenger trains that haul the mails are to-day sidetracked for the freight trains. They give way to the transportation of troops; they give way to transportation of munitions of war and food supplies. It is due, gentlemen, to the war, that has disorganized the mail facilities of this country. Then is it fair to say that Mr. Burleson has deteriorated the mail service solely for the purpose of making a record for himself? It is unfair. It is an argument, gentlemen, that will come home to you on that side of the Chamber, mark my words, if you carry the next Congress and this war goes on, when you will be called upon to raise the revenue to support the war.

Now, I had thought I would not discuss this question of increase of salaries. I hope you gentlemen, some of you, at any rate, will get the hearings before our committee. The country is led to believe to-day that because of lack of increase of salaries the postal clerks and city letter carriers are quitting by the thousands. What are the cold, stern facts in regard to that, gentlemen? I will ask you to turn to the hearings, on page 13. You can not get away from these hearings, because they are made by the records in the Post Office Department. Bear with me just a moment. I will not burden you very much with a lot of figures here.

In 1910 there were 1,535 postal clerks who resigned. At that time there were 31,825 clerks in the Post Office Department. In 1917 there were 2,020 clerks who resigned, but there were 41,805 clerks in the Post Office Department. In 1910 there were but 5 per cent of the clerks who resigned. In 1917 there were but 5 per cent of the clerks who resigned. So, gentlemen, is the argument that is now being sown broadcast all over the country true that the clerks are resigning by battalions, brigades, and divisions for want of the proper salary? It is not true.

Mr. TOWNER. Will the gentleman yield?

Mr. COX. For a question.

Mr. TOWNER. You spoke about clerks. Does that include carriers?

Mr. COX. I will come to that.

In 1909—and this means city carriers—there resigned 368 letter carriers in cities; but at that time there were 27,620 carriers. In 1917 there were 627 who resigned, but there were 34,592 city carriers. Again, gentlemen, in 1909 there were about 5 per cent of the city letter carriers who resigned. In 1917 there were still only 5 per cent of them resigning. So whence comes this argument that city letter carriers and postal employees, persons in second-class post offices, are resigning by brigades and platoons, because, forsooth, of a lack of high salary? Is that propaganda true? Is it based upon solid facts as disclosed by the Post Office Department? When you get at the facts, gentlemen, you find it is a delusion and a snare. It is something to deceive Congress and force them into an increase of salary.

Mr. TOWNER. Will the gentleman cover the question of rural delivery?

Mr. COX. I have not it here, but I will put it in the RECORD. But the same condition is true there, too.

Mr. FESS. Will the gentleman yield?

Mr. COX. I will.

Mr. FESS. The fact that they do not resign is not a conclusive argument in your mind that they are adequately paid, is it?

Mr. COX. Now, I will answer the question. I intended to say I expected it would stand alone on this question; that I did not believe it would have a single man to support it. Now, I am a member of the committee to frame up this legislation. I am in favor of a moderate increase up to a certain amount. [Applause.]

But I am unalterably opposed, and I will never agree to the report on that committee, or one coming from the whole committee, to increase any postal employee where his salary is $1,500 a year or in excess of that amount.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. COX. I will just yield myself five minutes more, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for five minutes more.

Mr. FESS. Mr. Chairman, will the gentleman yield for one interruption?

Mr. COX. I will yield for one question.

Mr. FESS. I have repeatedly heard it said that men who do not like the service can resign.

Mr. COX. Yes. I think that is fair. The gentleman's position is the same as mine. The argument has been made here, and will be made, that there has been no increase of salary for the city letter carriers and the clerks in the first and second class post offices. Now, gentlemen, I appeal to you again, before you make that argument, to look at the facts in the case and know what you are talking about before you make that kind of a statement. In 1912 the grade and salary of city letter carriers and of clerks in first and second class post offices was increased from $600 to $800 per year. That is to say, the minimum salary was increased $200 per year.

Mr. JACOWAY. Mr. Chairman, will the gentleman yield?

Mr. COX. Just for a question.

Mr. JACOWAY. That is what I want to ask. You say you have studied the question?

Mr. COX. No; I have not.

Mr. JACOWAY. What per cent of increase are the rural carriers entitled to?

Mr. COX. If a letter carrier were appointed on June 30, 1912, he would be advanced on July 1, 1913, to $1,200, or on July 1, 1917, at this time, he would be receiving a salary of $1,200 per annum if employed at a first-class office. This is an increase of 100 per cent since 1912. I challenge you to name the private employer, if you please, that has increased the salary of his employees in five years 100 per cent, unless it be in places where they have deliberately held up the Government, as some of the coal miners did in this country and some of the shipbuilders have.

Mr. MADDEN. I do not think I quite understood my colleague. Will the gentleman yield?

Mr. COX. Yes.

Mr. MADDEN. I do not think I understand the basis on which he makes the claim that an increase of 100 per cent was made.

Mr. COX. That was under the automatic promotion provided for under the act of 1912.

Mr. MADDEN. That makes 100 per cent increase?

Mr. COX. Yes.

Mr. MADDEN. What percentage of the mail clerks and carriers on rural routes received that per cent?

Mr. COX. Eighty-five per cent of the postal clerks and city carriers. Of course, the rural-route carriers are not entitled to any promotion at all!

Now, gentlemen, of all men in the Post Office Department who have a call for an increase of salary at this time, it is the rural route carrier; and I think, with the exception of my friend MOON, of Tennessee, we are the only two men who have stood on the floor and have heretofore opposed an increase in salary to the rural route carriers. Why do I say that? As to the employees working in first and second class post offices and the city letter carriers the only investment they have on earth is a pair of shoes and what little brain power they may require to do their work. That is the only investment they have got, while the rural route carrier can not possibly equip himself to-day with an investment of less than $350 per year, and it takes about the same amount of brain power to fill a rural route carrier's job as it does to deliver the mail in the city or to work in first and second class post offices. I am unable to draw any distinction between the brain power of the two kinds and classes of employees.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. COX. Yes.

Mr. GORDON. What was the salary of the rural carrier when first appointed, and what is it now?

Mr. COX. At first it was $60 a month, I believe.

Mr. GORDON. In 1897, $300; 1898, $400; 1900, $500; 1902, $600; 1904, $720; 1908; $900; 1912, $1,000; 1913, $1,100; 1915, $1,200.

Mr. COX. Gentlemen, I come from an agricultural country. There are few places in the United States better than my district. I know that those carriers out there are paying $1.50 for green corn now in my district. I know that they are paying $30 a ton for hay in my district. I know that they are paying $25 a ton for clover hay in my district. I know that an ordinary horse that they are required to buy can not be bought for less than $125. I know they can not get along with less than two horses. I know that in many districts in the United States they have got to have three horses, and in many districts they have got to have four. That is, in the winter time. So I repeat that out of all men who are in the Postal Service to-day the rural carrier has the call.

I am in favor of answering your question by saying that all men below $1,200 shall have 15 per cent increase, and all those above that shall have 5 per cent up to a certain amount, say, $1,500 per annum.

Mr. STEENERSON. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. MADDEN].

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] is recognized for 30 minutes.

Mr. MADDEN. Mr. Chairman, I had no intention of saying anything on this bill when we first began to consider it, but I am rather inclined to begin what I have to say now with a query as to whether my friend, the gentleman from Indiana [Mr. COX], did not make a mistake when he said that the salary of the carriers and clerks had been increased 100 per cent since 1907. When the question was asked him as to what he based it on, I think he replied to me that it was based on the fact that 85 per cent of the men drawing $1,100 a year were increased to $1,200. That would not make an increase of 100 per cent. It would make an increase of $100 to the man who had previously been getting $1,100. That would be about 9 per cent under the automatic promotion.

Mr. COX. I said it was an increase of 100 per cent from 1907 to 1912, resulting from automatic promotion. That is what I intended to say.

Mr. MADDEN. That is to say that a man who originally went into the service at $600 is now getting $1,200, and that would be an increase of 100 per cent. I might just as well begin to state the case on which these facts are based. I have no viewpoint from which I intended to discuss this bill, but I will just commence right there.

To begin with, a man who goes into the Postal Service as a carrier or a clerk in either a first or second class office goes in as a substitute, and the average time he serves as a substitute is four years. During that time he gets no fixed pay. What is he called upon to do for the Government of the United States as a substitute? To report at the post office every morning, and if he lives in a large city that means the payment of car fare, for he may have to travel 4 or 5 miles. Then what does he have to do after he reaches the post office? He sits on a bench and waits until all the regular men are assigned to duty; and if at the end of that period, when all the men regularly employed are assigned to duty, it is found that some man is miss-

ing they give the substitute something to do for a part of the day. How do they pay him for what he does? Thirty-five cents an hour.

But he may have to come day after day without getting any employment, and every time he comes and goes he must pay his car fare back and forth; and the record shows that for the period of four years during which he serves as a substitute he earns an average of $35 a month. Now, everybody knows that in these times no man with a family can live on $35 a month in a big city. Most of these men in the Postal Service have families. Well, after this man has served four years, with an average earning power of $35 a month, and has borrowed money from everybody from whom he could borrow money to keep from the poorhouse, he gets a regular appointment. Before 1912 the regular appointment entitled him to the munificent sum of $600 a year. And what did he have to do for $600 a year? He had to report for duty at his post office and be on call for 12 hours a day. During the 12 hours a day he was compelled to work 8 hours. Now, why should he be called for 12 hours if he had to work only 8 hours? Simply because the trains coming in from all sections of the country come in at such irregular times that they had to have the men on call for distribution of the mail no matter when the trains arrive. What else did he have to do for this munificent compensation of $600? He had to take two hours of his own time after he left his work to study in his home and learn a scheme of distribution. What is a scheme of distribution? It is a thing that requires a man to learn anywhere from 3,000 to 10,000 names of post offices, where they are located, and what train reaches them first, and how the mail should be thrown into the distribution boxes in the post office to reach most promptly any one of these 3,000 or 10,000 towns. He has to give this time to the Government of the United States without any compensation after he has given them 12 hours of his time either waiting or at work. When men in other callings are asleep or enjoying some social activity somewhere or reading, this man is throwing this scheme, and he has to commit it to memory. He is required to take an examination every 30 days on the scheme in order to prove that he is qualified for his work. He is required to attain an average of 98 per cent perfect in the throwing of the scheme. That is, he must throw not less than 98 per cent of the letters into the correct distribution case. After he has learned this scheme that may cover half a State and has committed it to memory, he is required to take the whole State and study that.

When he has the whole State committed to memory they give him another State, and he may be changed from the scheme that he has taken years to learn and given work in another State, and he has to forget the scheme that he has taken a year or two to learn and commit a new scheme to memory, and all this in his own time. I submit that that is no sinecure of a job. And everything that he learns as a result of his service to the Government in the post office is not worth a cent to him anywhere else on earth. He becomes proficient, he becomes an expert in the Postal Service, but if he went out onto the street to look for a job in a commercial house, everything that he learned in the post office would be worth nothing whatever to him. So when you say these men do not resign, the answer is that they have learned to be expert in their line of business. They are proficient in the Postal Service. They have become expert in their knowledge of what is to be done there, but their expert knowledge is of no use to them anywhere else on earth, and they have reached a period of life when they are no longer able to take up new lines of endeavor and absorb them as they did when their minds were in an adolescent state. Well, if their record is good, at the end of a year they get promoted automatically to $700. Now, they enter the service at $800, and at the end of a year they get promoted to $900. But what must they do during the year? Do you gentlemen know that 70 per cent of all the men who are employed as clerks in the Post Office Department work at night under artificial light? During the whole period of their post-office service they see their families only once a week? They work while we are asleep. They work under artificial light, amid the dust that has accumulated on the mail bags from every section of the country, and they contract disease, and their eyesight becomes defective. They go home when the sun is shining on a summer day, and are compelled to sleep in a room that is overheated by a tropical sun. And then they are required during most of their sleepless day to take a part of the hours that should be used for sleep to study the new questions involved in the scheme of distribution. Oh, it is no sinecure. Men will say that these postal men are overpaid, but I do not believe it. Then they get at the end of another year, if their record justifies it, an increase from $900 to $1,000. That is in the first-class post offices. At the end of another year, if the record justifies it, they get $1,100, and in second-class post offices they get $1,000 as the maximum. After that it depends altogether on the favor of the postmaster whether they get a promotion from ten hundred to eleven hundred dollars in second-class offices or from eleven hundred to twelve hundred dollars in first-class offices. There is no automatic promotion from $1,000 to $1,100 in the one case and from $1,100 to $1,200 in the other.

Why, the record shows that the cost of living has gone up over 60 per cent since the rate of compensation of these men was fixed. The record of increase in the rents prove that they have gone up anywhere from 10 to 25 per cent. The cost of clothing has been increased so much that no one knows what the percentage of increase has been. Everything they have to buy, even the air they breathe is surcharged with increased cost. You can not buy the light consumed in your house any more without paying for the machinery that forces the light to operate at a quicker rate than it ought to—the meter that is employed to register the amount of light is made to operate faster than it should, and so it goes all along the line. A pair of shoes which you could buy three or four years ago for $3 to-day costs you anywhere from $5 to $6 or $7. If you want to buy a hat to-day, you will pay $5 for one that you bought three years ago for $2.

These men in the Postal Service have to wear clothing; they have to look neat and present a respectable appearance. They call at everybody's home; they must appear as gentlemen, and they ought to be paid in proportion to the responsibility involved in the work they perform for the Government.

The city delivery and the clerical forces are not alone in need of recognition. The railway mail clerks have arduous duties to perform. They have been called upon to do more work within the last year for the compensation they receive than ever before. Men have been laid off here, there, and everywhere and additional work loaded on those who remain. Twelve hundred men in the Railway Mail Service have been dismissed during the last year, in its reorganization, and that has resulted in compelling those who were held to work more hours than ever before. It is a fact that the service to the people of the country is worse to-day than it ever was before, and the Second Assistant Postmaster General pays no attention whatever to the complaints that are filed. I have sent letters received by me to the Second Assistant Postmaster General showing that it has taken five days or more to deliver a letter within a radius of 60 or 75 miles, and no attempt has been made to remedy the situation.

The public is tired of the inefficiency of the Second Assistant Postmaster General's branch of the Post Office Department. [Applause.] I have no complaint to make of any other branch of the service. The Second Assistant Postmaster General has persistently refused to grant any relief, and the business people of the country are compelled to submit to a service so inadequate that they are constantly obliged to appeal to their Representatives in Congress for relief.

I had an interview with a gentleman to-day, in the course of which he told me that a note was inclosed in a letter to him for collection; that it should have been received two days before it was received; and the fact that it was not received when it ought to have been made it one day late for presentation. This note was indorsed. The fact that the note was not presented when it fell due relieved the indorsers. The note amounted to $5,000. The maker of the note was financially irresponsible, and the result was that the payee lost the amount of the note. I submit that cases of that sort ought not to exist. I do not mean to say that the postmaster or the Second Assistant Postmaster General is responsible for all delays in the mail, but I do say that when the Second Assistant Postmaster General refuses to employ clerks to distribute mail along the lines and thus insure prompt delivery along these lines, he is to blame.

What does he do, and why do I complain? Instead of carrying the necessary clerks on trains to distribute the mail in order that it may be promptly delivered, he directs the postmasters along many lines, where railway mail clerks were formerly employed, to put the mail in closed pouches for delivery to its destination. In order to get the closed pouch on the train the postmaster must have it closed 30 minutes before the train departs. And all mail reaching the post office after the pouch is closed must wait 24 hours before being sent forward. Grant that the department saves money by this practice, but it does so at the expense of the public, who pay to maintain the department.

The Railway Mail Service, as at present conducted, is, to say the least, a menace to the successful conduct of the country's business.

I want now to call attention to one more matter. Beginning on page 112 of the hearings of the Post Office Committee and

running to page 130 the fact is disclosed that the department had a contract with the Middle West Supply Co., originally of Columbus, Ohio, but now of Dayton, Ohio, and New York, for the manufacture of stamped envelopes. This contract was made July 1, 1915. The aggregate amount of the contract was about $7,000,000. A very short time ago the purchasing agent of the Post Office Department conceived the idea that there ought to be a better class of paper used in the envelopes. The paper that was being used in the envelopes was the same that had been used for more than 10 years. When the contract was let the price at which it was let was 80 cents a thousand. Without any authority of law the department canceled the old contract and made a new one, and instead of paying 80 cents a thousand, which they had been paying under the old contract, they agreed to pay and are paying $1.22 a thousand under the new contract. The difference between $1.22 a thousand and 80 cents a thousand amounts to $1,175,000 on the contract. This committee has not reported that item of $1,175,000 in the bill which is pending because we believe the Post Office Department had no authority to make the contract, and we do not think it is our duty to ratify the contract by reporting an appropriation to pay the difference in the cost. There must be some reason for changing this contract. I do not know what it is, but I understand there are 14 other contracts existing under which people make envelopes for the Government and that in none of the other 14 cases was it thought necessary or advisable to change the terms of the contract.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLACK. Is it not true that most of those other 13 or 14 contracts were for manila paper, and the envelopes would be entirely different from the class of envelopes that are furnished the Government under the stamped-envelope contract?

Mr. MADDEN. Perhaps so; I am not sure about that.

Mr. BLACK. I think there has been a much greater advance in the cost of white paper than in manila paper, and I think it is fair to state that.

Mr. MADDEN. I think that is right. Of course, the excuse given for changing the contract was that the price of paper had gone up and that the contractor was losing money, but the contractor had given a bond for $500,000 to the Government for the faithful performance of the contract.

Mr. AYRES. As a matter of fact, the excuse given by the purchasing agent was to the effect that they wanted a better grade of envelopes.

Mr. MADDEN. True; he gave that as one of the excuses. He said he was concerned also about the man's loss, but that he thought the character of paper used in the envelopes under the old contract was not sufficiently good to justify its continued use; that he wanted to improve it. We have been using the same quality of paper for 10 years in time of peace, and the department did not decide that we ought to have a higher grade of paper until we came to a period of war; and while we are urged every moment from every quarter to economize in everything we do, to economize in the compensation we pay to the men who run the department, yet the men who are in control of the management forget their own advice, and whenever they find a man whom they want to favor they change the contract that exists between him and the Government, and to the question why we should unload an additional burden upon the people of $1,175,000 through favoring this contractor, the answer comes from the purchasing agent that it does not cost the Government anything. When we ask him why it does not cost the Government anything he tells us that it is the purpose to charge the consumer of the envelopes the additional cost.

So that we find ourselves with a purchasing agent in the post office canceling a contract which is perfectly valid, which could be enforced, on which there was a bond of $500,000 to indemnify the Government against loss, paying no attention whatever to the obligation of the contractor, paying no attention whatever to the fact that we had a bond upon which we could collect, increasing the income of the contractor by $1,175,000 without any authority of law and then having the presumption to say to the Committee on the Post Office and Post Roads that it does not cost the Government anything; that they are taxing the people the additional cost. I wonder what the people will think about that. The people are being loaded with every kind of taxation, but what taxation is being placed upon them ought to be placed upon them by law, and it ought to be done in the open. We are here for the purpose of levying taxes and not permitting some purchasing agent in the Post Office Department or any other department to create and levy a tax upon the American people without justification in law.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GARRETT of Tennessee. Is this new contract in force now?

Mr. MADDEN. Yes.

Mr. GARRETT of Tennessee. And the old one has been canceled?

Mr. MADDEN. They say it has not been canceled; that they can go back to the old one under the provisions of the new one, but they do not want to do that; they want to increase the price, because they say they want to raise the standard of the envelope.

Mr. GARRETT of Tennessee. I was just wondering in what sort of shape we were really in as a practical proposition.

Mr. MADDEN. Well, the committee has refused to report an appropriation for the excess cost, and I doubt very much, if the House sustains it, whether these contractors will be able to get their money under the new contract.

Mr. GARRETT of Tennessee. They have already, I suppose, made some envelopes?

Mr. MADDEN. Yes, they have; and there is a two-and-a-half-year contract period to run under the new contract.

Mr. GARRETT of Tennessee. How long has the new contract been in existence?

Mr. MADDEN. It has been in existence about six months, I think—six or seven.

Mr. GARRETT of Tennessee. Making a three-year contract?

Mr. MADDEN. About a three-year contract. I now yield to the gentleman from Missouri.

Mr. BORLAND. I do not undertake to defend this particular contract——

Mr. MADDEN. I do not think the gentleman would.

Mr. BORLAND. I do not know anything about it, but, as I understand, these envelopes are resold to the public.

Mr. MADDEN. Yes.

Mr. BORLAND. And if the public does not feel they want to buy at the increased price the stamped envelope they can buy the envelopes elsewhere, can they not?

Mr. MADDEN. They can.

Mr. BORLAND. Is not that a perfectly plain business proposition, as far as the public is concerned?

Mr. MADDEN. Does the gentleman think that a purchasing agent employed by the Government of the United States has any right whatever to increase the price of envelopes, when we have a contract already in existence, just because he can impose an additional burden upon the people who have to buy the envelopes?

Mr. BORLAND. What I am getting at is this: The gentleman used some very intemperate language——

Mr. MADDEN. I did not.

Mr. BORLAND (continuing). About the Post Office Department taxing the people——

Mr. MADDEN. It is taxing them.

Mr. BORLAND. I do not think the gentleman wants to go that far.

Mr. MADDEN. I do.

Mr. BORLAND. The Post Office Department can not tax the people, but simply offers envelopes at a certain price. That is all there is to it.

Mr. MADDEN. If people are obliged to use a commodity——

Mr. BORLAND. But they are not obliged to use a commodity.

Mr. MADDEN. That the Government has to supply——

Mr. BORLAND. The gentleman does not contend the people have to use that commodity?

Mr. MADDEN. I say it is equivalent to taxation.

Mr. BORLAND. I want the gentleman to confine his statements to reason.

Mr. MADDEN. I assume responsibility for what I said.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. I would like to ask for five minutes more in order to answer these several gentlemen who are now standing. I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. I would like to ask the gentleman with just what authority of law does the purchasing agent claim to have been clothed?

Mr. MADDEN. He claims that the provision in the original contract gave them the right to change the character of material if they chose.

Mr. GARRETT of Tennessee. I am not familiar with the law under which he is acting. Of course, the law itself does not fix the terms or undertake, I suppose, to say the character of paper——

Mr. MADDEN. The contract fixes the character of the paper.

Mr. GARRETT of Tennessee. I say the law itself.

Mr. MADDEN. No; the law does not.

Mr. SNYDER. I would like to ask, from whom would the man buy a stamped envelope if not from the Government?

Mr. MADDEN. I really do not know anyone who makes a stamped envelope except the Government.

Mr. AYRES. Is it not a fact also disclosed on inquiry of the purchasing agent that all of those contracts were let upon competitive bidding?

Mr. MADDEN. Yes.

Mr. AYRES. And that the new contract entered into was not let upon competitive bidding?

Mr. MADDEN. That is true.

Mr. RANDALL. Will the gentleman yield?

Mr. MADDEN. Surely.

Mr. RANDALL. To be entirely fair to the purchasing agent, as a matter of fact, in the original contract was not there a provision authorizing the purchasing agent to change the specifications for envelopes and buy a different grade of paper, therefor necessitating a new contract for that particular purchase?

Mr. MADDEN. I think this. I will answer the question this way.

Mr. RANDALL. That is what it was based on.

Mr. MADDEN. In the first place, the man who had the contract complained he was losing money, and the man who had the contract for postal cards complained he was also losing money. It seems the question of entering into a new contract was submitted to the Comptroller of the Treasury for authority to let the contract. The Comptroller of the Treasury submitted a decision to the effect that inasmuch as the contract for the envelopes had a provision that authorized a change of material——

Mr. AYRES. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. AYRES. I think the gentleman is in error there. It was the solicitor and not the comptroller.

Mr. MADDEN. That is right. Inasmuch as the contract for the envelopes had a provision that authorized the change of material they could make a new contract, but while the old contract was let as the result of competitive bidding, the new contract was let without any bids whatever and was based upon the demands of the contractor. Now, it was determined that inasmuch as there was no such clause as I have described in the contract for postal cards, the department had no authority to make a new contract. So that the man who had the contract to make the postal cards is still furnishing the postal cards under the contract and he has not failed, and there is no knowledge on anyone's part that he is likely to do so. And, I presume, if the contractor for the envelopes was compelled to carry out the contract into which he originally entered he would not have failed. If he had failed, we had his bond for $500,000. And I think it is bad practice to allow any purchasing agent, no matter who directs him to do it, unless he is directed by law, to change a contract once entered into.

And my judgment is that there should be power in the Assistant Postmaster General having jurisdiction over the branch of the department for which the purchases are to be made to visé the purchases, to reject them, or accept them, and not allow the purchasing agent, as I understand the case, to be supreme. And I think a still better proposition would involve the creation of a board consisting of all the Assistant Postmasters General, who would have jurisdiction over all the purchases made through the purchasing agent of the department, and then before he had the power to let any contract a majority of these men should vote to adopt such bids as were thought to be the best. It is a great power to be placed in the hands of any one man. It is subject to abuse, as has been proved in this case. And there ought to be the closest scrutiny on the part of men who have been appointed to high office as to what is done by their subordinates, for this man is, after all, a subordinate. Yet he claims to have had the sanction of men high in power. The Third Assistant Postmaster General denies that he knew anything about the matter or that he had any part in it. This man assumes the responsibility. He ought to be reprimanded and the contract should be canceled. [Applause.]

Mr. STEENERSON. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. GRIEST], a member of the committee.

Mr. GRIEST. Mr. Chairman, prior to the present war the Postal Service appropriation bill was the largest money bill considered by Congress. The bill this year carries appropriations aggregating $333,000,000, a large amount of money, but a comparatively small figure when considered to-day in connection with appropriations for war purposes. One commendable feature of the bill now before the House is the absence of offensive legislative riders, as the bill deals almost exclusively with matters pertaining to the maintenance of the postal establishment. The postal receipts for the fiscal year ended June 30, 1917, amount to $529,726,116.37, an increase of more than $17,000,000, or 5.66 per cent, over the preceding year. Of that amount the Postmaster General reports that during the last fiscal year the receipts from postage paid on mail matter amounted to $302,980,682.55, or 91.89 per cent of the total revenues and an increase of 5.57 per cent over the postage receipts of the previous year. It is interesting to note that the average per capita expenditure for postage for the year was $2.90. These figures have been quoted because they form an interesting comparison with the per capita cost of postal expenditures, to which subsequent reference will be made.

POST OFFICES FOR THE ARMY AT HOME AND ABROAD.

Probably one of the most interesting features of the post office appropriation bill now pending relates to the organization of a new branch of the Postal Service for the American war forces, both at home and abroad. It became necessary for the department to speedily organize this service for the 80 existing camps and cantonments at home and for the military and naval expeditionary forces abroad, where the mail service is at present being conducted by 86 postal employees, and for the transportation and maintenance of which $2,000,000 is appropriated in this bill. Postal stations have been established in all camps for the handling of mail and for delivery to the various companies and other military units. It is natural that confusions and delays existed at the time of the initial establishment of the Army camps, but the magnitude of the service and the necessity for speed in the development of the field organizations can be accepted as a reasonable excuse for the conditions as they temporarily existed. It is believed that the service is now working well in the camps at home, where more than 1,000,000 men are mobilized. The foreign service, however, is subject to delays, due largely to the irregularity of ocean transportation.

In his statement to the committee concerning this service First Assistant Postmaster General Praeger stated that the request for $2,000,000 for the postal service in France is based on the assumption that we are to have 1,000,000 men in France by June 30, 1918. To furnish postal service for 1,000,000 of our men in France will require about a million and a quarter dollars, or 12 cents per man per month. The appropriation in excess of one and a quarter million dollars will be utilized in the event of our Army in France exceeding 1,000,000 men.

CENSORSHIP OF THE MAILS.

Another war feature of the postal bill is an item of $1,200,000 for censorship of foreign mails, which is now being conducted by the censorship board created by Executive order under the following provision of the trading-with-the-enemy act, which was passed at the special war session of this Congress:

Whenever, during the present war, the President shall deem that the public safety demands it, he may cause to be censored under such rules and regulations as he may from time to time establish, communications by mail, radio, or other means of transmission passing between the United States and any foreign country he may from time to time specify, or which may be carried by any vessel or other means of transportation touching at any port, place, or territory of the United States and bound to or from any foreign country. Any person who wilfully evades or attempts to evade the submission of any such communication to such censorship or wilfully uses or attempts to use any code or other device for the purpose of concealing from such censorship the intended meaning of such communication shall be punished as provided in section 16 of this act.

At present the only mail being censored by our Government under this provision of law is mail that is addressed to the Latin American countries and to Spain. Mail to other European countries, such as Sweden, Norway, Denmark, and Holland, is censored by the English Government, and the expense does not devolve upon the United States. This censorship applies to both letters and newspapers. The Government is fully justified in time of war in the exercise of drastic and effective methods of preventing valuable information from reaching the enemy, and Congress should unhesitatingly provide the necessary funds.

AN UNNECESSARY FEE TO POSTMASTERS.

While mothers and fathers in these days of patriotic fervor and devotion to duty are giving their boys to the service of their country, and every good citizen is doing his bit without thought of compensation, the sum of $47,115 has during the year been paid out of the Treasury of the United States to postmasters, salaried officials of the Government, for securing recruits for the Army. What amounts of money have been paid to postmasters for securing recruits for the Navy and the Marine Corps I have been unable to ascertain. These payments are authorized by the Army bill approved June 3, 1916, and the Navy bill approved August 29, 1916, whereby postmasters of second, third, and fourth class post offices are paid $5 for each recruit secured by them and accepted for the Army, the Navy, or the Marine Corps.

In June last I communicated with the Postmaster General regarding the advisability of discontinuing the payment of this fee. In his annual report recently issued the Postmaster General recommends the repeal of the sections of the laws which authorize these payments. I heartily concur that this is a patriotic duty which postmasters should be willing to perform, and be required to perform, without additional compensation, and I have to-day introduced in the House a bill in conformity with the recommendation of the Postmaster General.

The expenditure by the Government of many thousands of dollars to compensate postmasters claiming to have secured recruits is unjustified, and I am surprised to learn from the official records that hundreds of postmasters have taken advantage of this law as an opportunity of increasing the emoluments of public office. Their action has been in strong contrast with the gratuitous public service rendered by thousands of private citizens who have given service to the Government in connection with the draft, the creation of the National Army, the selling of liberty bonds, and in the performance of numerous other patriotic duties. The recommendation of the Postmaster General for the repeal of these sections of the acts named should be heartily indorsed.

The First Assistant Postmaster General, Mr. Koons, made an investigation and found that a good many postmasters were refusing to accept this fee, and that some postmasters who did accept it used the funds for the purpose of advertising for recruits; but others, with mercenary motives, exerted their efforts for obtaining recruits and the collection of the bonus. I called the facts to the attention of the Secretary of the Navy, but at that time he did not believe it to be good policy to request the President to withdraw the authority governing the payment for securing recruits for another branch of the military service. He stated, however, that "a little later, when our quota is full, I think it might well be withdrawn." Believing that it was unpatriotic for postmasters to claim this bonus, I communicated with the President, and, recognizing the existence of an abuse, he directed that an inquiry be made into the matter by the War, Navy, and Post Office Departments. The Post Office Department did not recommend these provisions for the payment of the $5 bonus to postmasters, and I have correspondence from officials of the department who expressed themselves as personally believing that while the services of the postmasters should be utilized for the purpose of obtaining recruits, yet such services should be rendered in connection with their other duties free of charge. The War Department, however, in last July expressed the belief that the expense to the Government would not be great, and it did not consider it advisable to take steps at that time to change the provision of law which authorized the payment of a premium. The Adjutant General, however, in a memorandum to the Secretary of War on July 19, admitted that with the operation of the selective-draft system an effective army could be raised and maintained.

Inasmuch as the selective-draft system is now in full operation, and as the War Department has announced that no volunteer enlistments will be permitted after December 15, 1917, by men who come within the age provision of the conscription law, there seems to be no further reason why the bonus should be paid to postmasters who claim that they induced men to voluntarily enlist. The desire to render patriotic service is so strongly imbued in the American people to-day that the loyal citizen, whether he be in public or private life, should be willing to encourage enlistments without asking his Government to swell the burden of taxation by payment of a $5 fee.

Owing to the methods of accounting in the War and the Navy Departments it appears that the authorities are unable to furnish specific information as to the amount of bonus fees paid to postmasters, but in recent months not less than $50,000 was expended.

THE TOWN MAIL DELIVERY.

Since 1909, when I introduced the first bill for the establishment of mail-delivery service in the towns and villages which are not entitled to city delivery service by law, I have witnessed continually growing evidences of the necessity for the extension of the mail-carrier facilities to these important communities which have postal receipts greatly in excess of the expense at such offices, producing a healthy profit to the Government in the operation of the postal business. In my remarks on February 24, 1910, January 16, 1914, February 14, 1917, and April 16, 1917, there will be found many expressions of favorable comment from postmasters, municipal officials, and Members of Congress and other prominent citizens giving their opinions of the value of the mail-delivery servce from a commercial viewpoint. There is no better way whereby the efficiency of business can be increased than through the operation of a mail facility which guarantees both civic and business benefit to the people of the country. This is especially true in view of conditions during the war. It is gratifying to note that the officials of the Post Office Department are now in accord with this system of letter-delivery service and that 453 offices are now in successful operation. These have all been established since 1912, in which year the first village delivery office in the United States was established in the borough of Ephrata in my own congressional district in Pennsylvania.

There are yet many hundred towns entitled to letter-carrier facilities which can not by law secure city delivery service, because they do not have more than 10,000 population or more than $50,000 gross annual postal receipts.

The information furnished me by the Post Office Department indicates that this service has been established at 453 post offices and that the annual rate of expenditures for the entire service approximates $415,870. As this amount does not include the increased compensation for certain employees provided in the post office act for the fiscal year 1917, the rate of expenditure will probably approximate $475,000, and it will therefore be seen that the department needs an increased appropriation for village mail-delivery service for the fiscal year 1919 in order to extend the facilities in compliance with the public demand, and for that reason the committee increased the appropriation in the pending appropriation bill from $500,000 to $600,000.

Inasmuch as the village mail-delivery service has been established at post offices in more than 200 congressional districts, and for the information of Members who are interested in this branch of the Postal Service, which is much appreciated by the public, I have prepared and submit the following compilation of the post offices at which the village mail-delivery service is now in operation or becomes effective January 1, 1918:

Offices where village delivery service is effective Jan. 1, 1918.

State.	Office.	Population.	In congressional district of—
Alabama	Florala	2,439	Hon. S. Hubert Dent.
Do	Hartselle	1,374	Hon. Edward B. Almon.
Do	Sheffield	4,865	Do.
Do	Sylacauga	1,456	Do.
Do	Montevallo	923	Hon. Fred L. Blackmon.
Do	Piedmont	2,226	Do.
Do	Roanoke	2,034	Do.
Do	Tuscumbia	3,324	Do.
Do	Russellville	2,400	Hon. John L. Burnett.
Arizona	Temple	1,800	Hon. Carl Hayden.
Arkansas	Benton	2,400	Hon. Samuel M. Taylor.
Do	Malvern	2,778	Do.
Do	McGehee	1,157	Do.
Arkansas	Monticello	2,274	Hon. Samuel M. Taylor.
Do	Booneville	1,631	Hon. Otis Wingo.
Do	De Queen	2,018	Do.
Do	Nashville	2,374	Do.
Do	Van Buren	4,500	Do.
Do	Clarksville	1,700	Hon. Henderson M. Jacoway.
Do	Dardanelle	1,757	Do.
Do	Morrillton	2,900	Do.
Do	Ozark	1,146	Do.
Do	Crossett	2,038	Hon. Wm. S. Goodwin.
Do	Magnolia	2,046	Do.
Do	Wynne	2,353	Hon. T. H. Caraway.
Do	Harrison	2,000	Hon. J. N. Tillman.
California	Huntington Beach	815	Hon. William Kettner.
Do	Willits	2,000	Hon. Clarence F. Lea.
Colorado	Littleton	1,000	Hon. C. B. Timberlake.
Connecticut	Glastonbury	4,796	Hon. Augustine Lonergan.
Do	Guilford	1,475	Hon. John Q. Tilson.
Do	Windsor	4,178	Do.
Delaware	Delmar	530	Hon. Albert F. Polk.
Do	Harrington	1,500	Do.
Do	Lewes	2,158	Do.
Do	Middletown	1,399	Do.
Do	New Castle	3,351	Do.
Do	Smyrna	1,843	Do.
Florida	De Funiak Springs	2,017	Hon. Walter Kehoe.
Do	Mariana	1,915	Do.
Do	Milton	831	Do.
Do	Panama City	422	Do.
Do	Monticello	2,000	Hon. Frank Clark.
Georgia	Ashburn	2,214	Hon. Thomas M. Bell.
Do	Buford	1,683	Do.
Do	Commerce	2,238	Do.
Do	Lawrenceville	1,518	Do.
Do	Winder	2,443	Do.
Do	Blakely	1,838	Hon. Frank Park.
Do	Cairo	1,505	Do.
Do	Camilla	1,927	Do.
Do	Pelham	1,880	Do.
Do	Sylvester	1,947	Do.
Do	Calhoun	1,850	Hon. Gordon Lee.
Do	Lafayette	1,590	Do.
Do	Rock Mart	1,034	Do.
Do	Rossville	1,059	Do.
Do	Conyers	1,919	Hon. William S. Howard.
Do	Decatur	3,000	Do.
Do	Douglasville	1,462	Do.
Do	Cuthbert	3,210	Hon. Charles R. Crisp.
Do	Montezuma	1,630	Do.
Do	Richland	1,350	Do.
Do	Vienna	1,564	Do.
Do	Eastman	2,358	Hon. William W. Larsen.

Offices where village delivery service is effective Jan. 1, 1918—Continued.

State.	Office.	Population.	In congressional district of—
Georgia—Con	Hawkinsville	4,200	Hon. William W. Larsen.
Do	McRae	1,160	Do.
Do	Vidalia	1,776	Do.
Do	Wrightsville	1,389	Do.
Do	Forsyth	2,500	Hon. J. W. Wise.
Do	Jackson	1,802	Do.
Do	Monticello	1,508	Do.
Do	Thomaston	1,645	Do.
Do	Hartwell	2,007	Hon. Charles H. Brand.
Do	Madison	2,412	Do.
Do	Washington [1]	3,065	Do.
Do	Monroe	3,029	Do.
Do	Louisville	1,039	Hon. Carl Vinson.
Do	Sandersville	2,641	Do.
Do	Tennille	1,622	Do.
Do	Warrenton	1,368	Do.
Do	Sparta	1,715	Do.
Do	Millen	2,030	Hon. James W. Overstreet.
Do	Sylvania	1,500	Do.
Do	Waynesboro	2,720	Do.
Illinois	Altamont	1,328	Hon. Martin D. Foster.
Do	Carlyle	1,932	Do.
Do	Oblong	1,482	Do.
Do	Sumner	1,413	Do.
Do	Carrollton	2,323	Hon. Henry T. Rainey.
Do	Casey	2,157	Hon. Joseph G. Cannon.
Do	Chrisman	1,193	Do.
Do	Georgetown	3,000	Do.
Do	Caterville	3,100	Hon. Edward E. Denison.
Do	Chester	2,747	Do.
Do	Christopher	1,825	Do.
Do	Pinckneyville	2,800	Do.
Do	Eldorado	3,366	Hon. Thomas S. Williams.
Do	Homer	1,130	Hon. William B. McKinley.
Do	Windsor	987	Do.
Do	Lanark	1,175	Hon. John C. McKenzie.
Do	New Athens	1,200	Hon. Wm. A. Rodenberg.
Do	Le Roy	1,702	Hon. John A. Sterling.
Do	Staunton	5,048	Hon. Loren E. Wheeler.
Do	Lockport	2,555	Hon. Ira C. Copley.
Do	West Chicago	2,378	Do.
Do	Chillicothe	1,851	Hon. Clifford Ireland.
Do	Knoxville	1,818	Hon. Edward J. King.
Idaho	St. Maries	1,500	Hon. Burton L. French. Hon. Addison T. Smith.
Indiana	Albion	1,213	Hon. Louis W. Fairfield.
Do	Garrett	4,149	Do.
Do	LaGrange	1,772	Do.
Do	Butler	1,213	Do.
Do	Argos	1,089	Hon. Henry A. Barnhart.
Do	Knox	1,544	Do.
Do	Batesville	2,151	Hon. Lincoln Dixon.
Do	Edinburg	2,010	Do.
Do	Greenwood	1,608	Do.
Do	Hope	1,400	Do.
Do	Vevay	1,256	Do.
Do	Brookville	2,169	Hon. Richard N. Elliott.
Do	Cambridge City	2,237	Do.
Do	Knightstown	2,008	Do.
Do	Liberty	1,333	Do.
Do	Cannelton	2,130	Hon. William E. Cox.
Do	Corydon	1,703	Do.
Do	Huntingburg	2,464	Do.
Do	Jasper	2,196	Do.
Do	Mitchell	3,434	Do.
Do	Salem	2,283	Do.
Do	Tell City	3,369	Do.
Do	Clay City	1,213	Hon. Everett Sanders.
Do	Danville	1,640	Do.
Do	Rockville	1,943	Do.
Do	Jasonville	3,260	Hon. Oscar E. Bland.
Do	Loogootee	2,154	Do.
Do	Moresville	1,608	Do.
Do	Worthington	1,732	Do.
Do	Dunkirk	3,031	Hon. Albert H. Vestal. Hon. Milton Kraus.
Do	Oakland City	2,370	Hon. George K. Benton.
Do	Petersburg	2,170	Do.
Do	Rock Port	3,000	Do.
Iowa	Belmond	1,359	Hon. Burton E. Sweet.
Do	Columbus Junction	1,185	Hon. Charles A. Kennedy.
Do	New London	1,144	Do.
Do	Wapello	1,326	Do.
Do	Coon Rapids	1,200	Hon. Frank P. Woods.
Do	Guthrie Center	1,600	Hon. W. R. Green.
Do	Lennox	1,274	Hon. Horace M. Towner.
Do	Seymour	2,200	Do.
Do	Mapelton	1,100	Hon. George C. Scott.
Do	Marengo	1,786	Hon. Harry E. Hull.
Do	West Liberty	1,666	Do.
Kansas	Bonner Springs	1,462	Hon. Edward C. Little.
Do	Garnett	2,334	Do.
Do	Burlingame	1,422	Hon. Dudley Doolittle.
Do	Burlington	2,180	Do.
Do	Eureka	2,333	Do.
Do	Marion	1,841	Do.
Do	Peabody	1,416	Do.
Do	St. Marys	1,397	Do.
Do	Wamego	1,900	Do.
Do	Yates Center	2,024	Do.
Do	Sabetha	1,768	Hon. Daniel R. Anthony.
Do	Goodland	1,993	Hon. John R. Connelly.
Do	Mankato	1,155	Do.
Do	Halsted	1,004	Hon. Wm. A. Ayres.
Do	Lindsborg	1,939	Do.
Do	Augusta [1]	1,235	Do.

[1] Superseded by city delivery.

Offices where village delivery service is effective Jan. 1, 1918—Continued.

State.	Office.	Population.	In congressional district of—
Kansas—Con	Meade	664	Hon. Jouett Shouse.
Do	Medicine Lodge	1,229	Do.
Do	Hoisington	1,975	Do.
Do	Ness City	712	Do.
Do	St. Johns	1,800	Do.
Do	Stafford	1,927	Do.
Do	Minneapolis	1,925	Hon. Guy T. Helvering.
Do	Sheridan	1,768	Hon. Fred S. Purnell.
Kentucky	Carlisle	1,433	Hon. Wm. J. Fields.
Do	Carrollton	3,000	Hon. A. B. Rouse.
Do	Falmouth	1,180	Do.
Do	Williamstown	800	Do.
Do	Eminence	1,274	Hon. James C. Cantrill.
Do	La Grange	1,152	Do.
Do	Franklin	3,063	Hon. Robert Y. Thomas.
Do	Russellville	3,300	Do.
Do	Dawson Springs	1,350	Hon. David H. Kincheloe.
Do	Morganfield	2,725	Do.
Do	Providence	2,084	Do.
Do	Sturgis	1,467	Do.
Do	Lawrenceburg	1,723	Hon. Harvey Helm.
Do	Stanford	1,700	Do.
Do	Clinton	1,497	Hon. Alben W. Barkley.
Do	Murray	2,089	Do.
Do	Princeton	3,015	Do.
Louisiana	Mansfield	2,600	Hon. John T. Watkins.
Maine	Boothbay Harbor	2,721	Hon. W. H. White, jr.
Do	Richmond	1,888	Do.
Do	Thomaston	2,205	Do.
Do	Dover		Hon. Ira Greenleaf Hersey.
Do	Orono	3,555	Do.
Do	Fort Fairfield	1,620	Do
Do	Fairfield	2,801	Hon. John A. Peters.
Do	Lubec	3,363	Do.
Do	Machias	2,080	Do.
Do	Oakland	2,257	Do.
Do	Winthrop	1,114	Do.
Do	Kennebunk	2,300	Hon. Louis B. Goodall.
Do	Bridgton	1,474	Do.
Do	Old Orchard	961	Do.
Do	Springvale		Do.
Do	Mechanic Falls		Hon. W. H. White, Jr.
Maryland	Princess Ann	1,000	Hon. Jesse D. Price.
Massachusetts	Baldwinsville	2,000	Hon. Calvin DeWitt Paige.
Do	Indian Orchard	6,000	Hon. Frederick H. Gillett.
Do	North Easton		Hon. Richard Olney
Do	Yarmouthport	800	Hon. Joseph Walsh.
Michigan	Clare	1,350	Hon. Gilbert A. Currie.
Do	Reed City	1,699	Do.
Do	Durand	2,315	Hon. Joseph W. Fordney.
Do	Freemont	2,000	Hon. Jas. C. McLaughlin.
Do	Morencie	1,700	Hon. Samuel W. Beakes.
Do	Plainwell	1,600	Hon. Edward L. Hamilton.
Do	Quincy	1,347	Hon. J. M. C. Smith.
Do	Vicksburg	1,624	Do.
Do	Harbor Beach	1,556	Hon. Louis C. Crampton.
Do	Birmingham	1,607	Hon. Patrick H. Kelley.
Minnesota	Ada	1,432	Hon. Halvor Steenerson.
Do	North St. Paul	1,404	Hon. Carl C. Van Dyke.
Do	White Bear Lake	1,505	Do.
Do	Zumbrota	1,200	Hon. Charles R. Davis.
Mississippi	Booneville	1,378	Hon. E. S. Candler.
Do	Starkville	2,698	Do.
Do	Ittabena	1,800	Hon. Benj. G. Humphreys.
Missouri	Bolivar	1,975	Hon. Courtney W. Hamlin.
Do	Higginsville	2,628	Do.
Do	Odessa	1,531	Do.
Do	Brunswick	1,606	Hon. William W. Rucker.
Do	Huntsville	2,247	Do.
Do	Keytesville	963	Do.
Do	Marceline	3,920	Do.
Do	Milan	2,191	Do.
Do	Monroe City	1,949	Do.
Do	Nortorne	1,341	Do.
Do	Paris	1,474	Do.
Do	Salisbury	1,834	Do.
Do	Canton	2,218	Hon. Milton A. Romjue.
Do	Edina	1,562	Do.
Do	Kahoka	1,758	Do.
Do	Memphis	1,984	Do.
Do	Shelbine	2,174	Do.
Do	Festus	2,556	Hon. Walter L. Hensley.
Do	Holden	2,007	Hon. Clement C. Dickinson.
Do	Eldorado Springs	2,503	Do.
Do	Jackson	2,300	Hon. Joseph J. Russell.
Do	Lebanon	2,500	Hon. Thomas L. Rubey.
Do	Carterville	4,539	Hon. Perl D. Decker.
Do	Pierce City	2,000	Do.
Do	Plattsburg	1,960	Hon. Joshua W. Alexander.
Do	Savannah	1,860	Hon. Charles F. Bucher.
Do	Tarkio	1,966	Do.
Nebraska	Franklin	949	Hon. A. C. Shallenberger.
Do	Minden	1,559	Do.
Do	Pierce	1,500	Hon. Dan V. Stevens.
Do	Wymore	2,613	Hon. Charles H. Sloan.
New Hampshire	Woodsville	2,200	Hon. E. H. Wason.
New Jersey	Allenhurst	306	Hon. Thomas J. Scully.
Do	Dunnellen	1,990	Do.
Do	Keansburg		Do.
Do	Leonia	2,200	Hon. John R. Ramsey.
Do	Pleasantville	2,500	Hon. Isaac Bacharach.
New York	Dundee	1,227	Hon. Norman J. Gould.
Do	East Syracuse	2,374	Hon. W. W. Magee.
Do	Franklinville	1,568	Hon. Charles M. Hamilton.
Do	Mayville	1,200	Do.
Do	Lancaster	4,364	Hon. Charles B. Smith.
Do	Middleport	1,530	Hon. Steven W. Dempsey.

Offices where village delivery service is effective Jan. 1, 1918—Continued.

State.	Office.	Population.	In congressional district of—
New York—Con	Norwood	2,000	Hon. Bertrand H. Snell.
Do	Painted Post	1,400	Hon. Harry H. Pratt.
Do	Schuylerville	1,014	Hon. James S. Parker.
Do	Union	1,544	Hon. George W. Fairchild.
Do	Hamburg	2,134	Hon. Wm. F. Waldow.
Do	Manhasset		
North Carolina	Albemarle	2,116	Hon. Robert L. Doughton.
Do	Morehead City	2,039	Hon. George E. Hood.
North Carolina	Newton	3,000	Hon. Edwin Y. Webb.
Do	Smithfield	1,347	Hon. Edward W. Pou.
Do	Williamstown	1,574	Hon. John H. Small.
North Dakota	Cresby	206	Hon. Patrick D. Norton.
Do	Enderlin	1,540	Hon. John M. Baer.
Ohio	Amherst	2,166	Hon. Ellsworth R. Bathrick.
Do	Bluffton	1,933	Hon. Benjamin F. Welty.
Do	Coldwater	869	Do.
Do	Covington	1,848	Do.
Do	Versailles	1,580	Do.
Do	Camden	899	Hon. Warren Gard.
Do	Germantown	1,778	Do.
Do	West Carrollton	1,285	Do.
Do	Chicago Junction	1,950	Hon. Arthur W. Overmyer.
Do	Gibsonburg	1,864	Do.
Do	North Baltimore	2,503	Do.
Do	Perrysburg	1,913	Do.
Do	Dunkirk	1,109	Hon. John A. Key.
Do	Carey	2,225	Do.
Do	Cardington	1,349	Do.
Do	Forest	1,285	Do.
Do	Girard	3,736	Hon. John G. Cooper.
Do	Jeffersonville	628	Hon. Simeon D. Fess.
Do	Montpelier	2,759	Hon. John S. Snook.
Do	Paulding	2,500	Do.
Do	Swanton	1,200	Do.
Do	Loudonville	1,800	Hon. Wm. H. Ashbrook.
Oklahoma	Checotah	1,683	Hon. William W. Hastings.
Do	Eufaula	1,307	Do.
Do	Sallisaw	2,479	Do.
Do	Stigler	1,583	Do.
Do	Tahlequah	2,891	Do.
Do	Dewey	2,400	Hon. Thomas A. Chandler.
Do	Edmond	2,090	Hon. Joseph B. Thompson.
Do	Sulphur	3,225	Do.
Do	Wynnewood	2,002	Do.
Do	Poteau	1,830	Hon. Charles D. Carter.
Do	Cordell	1,950	Hon. James V. McClintic.
Do	Snyder	1,122	Do.
Pennsylvania	Annville		Hon. A. S. Kreider.
Do	Bellwood	2,277	Hon. John M. Rose.
Do	Everett	1,725	Do.
Do	Gallitzin	3,504	Do.
Do	Roaring Spring	1,903	Do.
Do	South Fork	4,592	Do.
Do	Troy	1,288	Do.
Do	Berlin	1,336	Hon. Bruce F. Sterling.
Do	Dunbar	1,970	Do.
Do	Masontown	890	Do.
Do	Point Marion	1,389	Do.
Do	South Brownsville	3,943	Do.
Do	Bridgeville	1,983	Hon. Guy E. Campbell.
Do	Clairton	3,326	Do.
Do	Curwensville	2,549	Hon. Charles H. Rowland.
Do	Elizabeth	2,311	Hon. M. Clyde Kelly.
Do	Ephrata	3,300	Hon. W. W. Griest.
Do	Marietta	2,079	Do.
Do	Freeland	7,300	Hon. Thomas W. Templeton.
Do	White Haven	1,500	Do.
Do	Girardville	4,396	Hon. Robert D. Heaton.
Do	Orwigsburg	1,801	Do.
Do	Glassport		
Do	Hawley	2,018	Hon. Louis T. McFadden.
Do	Tunkhannock	2,100	Do.
Do	Mifflinburg	1,559	Hon. Benjamin K. Focht.
Do	Newport	1,009	Do.
Do	Milford	872	Hon. Henry J. Steele.
Do	Mount Pocono		Hon. Henry J. Steele.
Do	Palmerton	5,200	Do.
Do	Weatherly	2,501	Do.
Do	Natrona		
Do	Parkesburg	2,522	Hon. Thomas S. Butler.
Do	Spring City	3,000	Do.
Do	Peckville	4,000	Hon. John R. Farr.
Do	Bridgeport	3,860	Hon. Henry W. Watson.
Do	Perkasie	2,779	Do.
Do	Sharpsville	3,634	Hon. Stephen G. Porter.
Do	Watsontown	1,950	Hon. John V. Lesher.
Do	Williamstown	2,904	Hon. Edgar R. Kiess.
Do	Wrightsville	2,025	Hon. Andrew R. Brodbeck.
Rhode Island	Pascoag	2,500	Hon. Ambrose Kennedy.
South Carolina	Allendale	1,453	Hon. James Francis Byrne.
Do	Blackville	2,400	Do.
Do	Bamberg	1,937	Do.
Do	Barnwell	1,324	Do.
Do	Beaufort	2,486	Do.
Do	Edgefield	1,771	Do.
Do	Johnston	943	Do.
Do	Belton	1,650	Hon. Fred H. Dominick.
Do	Easley	2,983	Do.
Do	Walhalla	1,595	Do.
Do	Seneca	1,313	Do.
Do	Westminster	1,576	Do.
Do	Batesburg	1,955	Hon. Asbury F. Lever.
Do	Bishopville	1,659	Do.
Do	St. Matthews	1,377	Do.
Do	Branchville	2,500	Do.
Do	Cheraw	2,873	Hon. William F. Stevenson.
Do	Lancaster	2,200	Do.

Offices where village delivery service is effective Jan. 1, 1918—Continued.

State.	Office.	Population.	In congressional district of—
South Carolina—Con	Yorkville	2,326	Hon. William F. Stevenson.
Do	Winnsboro	2,000	Do.
Do	Conway	1,228	Hon. J. Willard Ragsdale.
Do	Kingstree	1,372	Do.
Do	Lake City	1,074	Do.
Do	Mullins	1,832	Do.
Do	Timmonsville	1,708	Do.
Do	Dillon	2,000	Do.
Do	Hartsville	2,365	Do.
Do	Greer	1,673	Hon. Samuel J. Nichols.
Do	Woodruff	2,000	Do.
Do	Walterboro	1,677	Hon. Richard S. Whaley.
Do	Manning	1,854	Do.
South Dakota	Chamberlain	1,275	Hon. Charles H. Dillon.
Do	Gregory	1,142	Hon. Harry L. Gandy.
Do	Winner		Do.
Do	Miller	1,202	Hon. Royal C. Johnson.
Tennessee	Cookeville	1,848	Hon. Cordell Hull.
Do	Dayton	1,991	Do.
Do	Gallatin	3,000	Do.
Do	Elizabethtown	2,478	Hon. Sam R. Sells.
Do	Newport	2,003	Do.
Do	Etowah	1,685	Hon. John A. Moon.
Do	McMinnville	2,300	Do.
Do	South Pittsburg	2,106	Do.
Do	Sparta	1,400	Do.
Do	Sweetwater	1,850	Do.
Do	Huntingdon	1,112	Hon. Thetus W. Sims.
Do	Lexington	1,497	Do.
Do	McKensie	2,000	Do.
Do	Kenton	1,200	Hon. Finis J. Garrett.
Do	Lawrenceburg	1,637	Hon. Lemuel P. Padgett.
Do	Mount Pleasant	1,973	Do.
Do	Lenoir City	3,392	Hon. Richard W. Austin.
Do	Lewisburg	1,830	Hon. William C. Houston.
Texas	Atlanta	1,604	Hon. Eugene Black.
Do	Cooper	1,513	Do.
Texas	Caldwell	1,600	Hon. James P. Buchanan.
Do	Elgin	2,000	Do.
Do	Gilmer	1,484	Hon. James Young.
Do	Halletsville	1,379	Hon. Joseph J. Mansfield.
Do	Whitesboro	1,500	Hon. Sam Rayburn.
Vermont	Ludlow	1,700	Hon. Porter H. Dale.
Do	Richford	2,907	Hon. Frank L. Greene.
Virginia	Berryville	1,150	Hon. Thomas W. Harrison
Do	Cape Charles	3,000	Hon. William A. Jones.
Do	Onancock	1,001	Do.
Do	Phoebus	2,200	Do.
Do	Marion	3,000	Hon. C. Bascom Slemp.
Washington	Kent	2,400	Hon. Lindley H. Hadley.
West Virginia	Chester	3,184	Hon. M. M. Neely.
Do	Piedmont	2,054	Hon. George M. Bowers.
Do	Princeton	5,000	Hon. Edward Cooper.
Do	St. Marys	1,358	Hon. Harry C. Woodyard.
Do	Spencer	1,224	Do.
Wisconsin	Cedarburg	1,777	Hon. Edward Voigt.
Do	Horicon	1,881	Do.
Do	Juneau	1,003	Do.
Do	Kilbourn	1,170	Do.
Do	Lakemills	1,672	Do.
Do	Lodi	1,044	Do.
Do	Waterloo	1,220	Do.
Do	Dodgeville	2,500	Hon. John M. Nelson.
Do	Durand	1,503	Hon. James A. Frear.
Do	Evansville	2,250	Hon. Henry A. Cooper.
Do	Kewaunee	2,000	Hon. David G. Classon.
Do	North Milwaukee	1,860	Hon. William H. Stafford.
Do	New Lisbon	1,074	Hon. John J. Esch.
Do	Viroqua	2,059	Do.
Do	Tomahawk [1]	2,907	Hon. Irvine L. Lenroot.

[1] Superseded by city delivery.

RURAL MAIL DELIVERY.

The Rural Mail Service has become so well known that there is little cause for adverse discussion in the House concerning this valuable branch of the Post Office Department. The annual rate of expenditure on June 30, 1917, was $52,920,408, and the Postmaster General reports that the rural carriers served 5,882,795 families representing a total population of 27,060,857 persons, or about one-fourth of the population of the United States. With postal revenues exceeding $300,000,000 it appears that the per capita cost of the Postal Service is about $3, and the Postmaster General reports that the per capita cost of the rural service for the year ended June 30, 1917, was $1.955, a slight decrease in the cost per capita for the previous year. Comparing the per capita cost on the rural routes as against the total cost for the country, and considering the great economic value of the rural service to the agricultural residents of the Nation, it must be admitted that the rural service is to-day one of the beneficial adjuncts of the Postal Service, especially when we recognize the importance of foodstuffs as a means to the winning of this awful war in which the country has become engaged in the cause of humanity.

The Postmaster General reports having experienced difficulty in securing a sufficient number of rural carriers during the past year. Similar difficulties in securing labor have confronted all employers. Especially is this true of the rural carriers in view

of the fact that they are compelled to maintain their equipment under abnormal conditions. The cost of keeping horses has greatly increased, and those who use automobiles well know the expense of operating machines with gasoline at 27 cents a gallon.

This condition, however, does not seem to warrant the placing of the Rural Delivery Service as a whole under a contract system, as now applies to the so-called star-route service.

The present cost per mile of star-route service is $0.1024, while the cost per mile of travel by rural carriers is $0.151, there being a difference in cost of between 4 and 5 cents per mile. We must not overlook the fact, however, that the rural carrier is an employee in a class somewhat different from the star-route contractor, as the latter generally engages the cheapest service and the poorest equipment available. Of course, there are exceptions to this rule but with the record and experience of the star-route service in the past under the contract system, compared with the greater efficiency of the present rural service, the general public would undoubtedly approve the continuance of the salaried rural carriers. The present cost per mile of travel of star-route contractors is low, mainly due to the fact that a large percentage of the star routes awarded for a four-year contract term were awarded two and three years ago, and within the past two years it will be noted that the rate per mile at which the new contracts are being awarded is very much higher than it used to be. The fact that there could be no resignation or declination to perform service if the carriers were placed under the contract system would not compensate the public for conditions which are sure to be revived if the rural routes are operated under the star-route contract system. Many of the star-route contractors to-day are laboring under serious difficulties because they entered into the contracts two and three years ago at an annual rate which is to-day inadequate to maintain the contractor and his equipment. He is, however, compelled to continue the service because he is bonded in an amount which he could not afford to lose were he to violate his contract. In fairness, we must all agree with the comment in the Postmaster General's report that the carriers "should receive a fair day's pay for a fair day's work," and it is hoped that the committee will work out a plan and recommend to Congress some fair method of giving to these carriers a rate of compensation commensurate with the value of their services and the cost of keeping the equipment, or grant them an expense allowance for the upkeep of their horses and motor cars.

THE RAILWAY-MAIL SERVICE.

The railway-mail service, one of the most important branches of the postal establishment, has been the subject of considerable "reorganization" during recent years. Many Members of the House have looked with concern upon the conditions of unrest which have existed in the railway-mail service due to the constant reorganization of the service. Protests have been heard from various sections of the country where it is claimed that the service had been curtailed, and many employees of the service have suffered by reason of readjustments which have been made. Many of these readjustments have been for the betterment of the postal system no doubt, but we are all glad to note that the Postmaster General in his annual report states that the reorganization is now practically completed. It is unfortunate, however, that these reorganization plans have in many cases worked a hardship upon the men and their families when they have been compelled to remove from one locality to another at their own expense, giving up established homes—many of them having been purchased with full confidence that the Government would not violate the contract made when the men entered the service and established their residences at points adjacent to the line upon which they were assigned to duty. It is true that the men were in most instances offered transfers to lines which they might select and that their assignments were made to points where their services were needed, but in many cases these assignments have proven costly to the men and their families. In view of the high degree of efficiency required of men who operate the railway post-office lines it is urged that the department should seriously consider the personal interests of the men involved when it becomes necessary to make transfers which require change of residence from one town to another, and it is hoped that the Postmaster General will suggest some relief for cases of this kind before further reorganizations occur.

POST-OFFICE CLERKS AND CARRIERS.

The post-office clerks and carriers employed in the various post offices throughout the country are another class of men who deserve the considerate attention of the department officials and of Congress. Members of the Post Office Committee have heard numerous complaints of the treatment accorded these employees. Many of the postmasters at presidential offices have not had business experience, and favoritism has existed to a degree which naturally discourages conscientious workers. No doubt these unsatisfactory conditions will be ultimately remedied under the presidential order of March 31, 1917, providing a method for the selection of first, second, and third class postmasters. This order, however, does not affect the tenure of office of any present postmaster, and under existing conditions it is believed that the relief which the President and the Postmaster General seek will not be attained until many of the postmasters now holding office die or are otherwise displaced. Many of the post-office clerks and carriers are receiving compensation below that which they should receive, considering the nature of their duties and the general increase in commodities. These are matters which can be remedied through the recommendations and administrative acts of the department, and it is hoped that the officials in authority will present to Congress recommendations for the removal of the causes of unrest and to insure the maintenance of a high degree of efficiency and contentment in the Postal Service. This is necessary because of the great importance of the Postal Service to the domestic and business conditions of the country—especially during the war.

PNEUMATIC-TUBE SERVICE.

The Postmaster General has again renewed his recommendations for the discontinuance of the pneumatic-tube service in the five cities where the tubes have been used for mail transportation. Nearly every Congress for a number of years has given serious consideration to the cost and merit of the tube service in Philadelphia, New York, Chicago, Boston, and St. Louis. As one of these cities, Philadelphia, is in my own State, I have inquired regarding the importance and value of the tube service as a postal facility. The annual rate of rental, $17,000 per mile, has seemed large, and there is merit in the argument advanced by the Postmaster General to the effect that the tubes constructed about 15 years ago are not of sufficient size to handle a great quantity of mail expeditiously. It is evident, however, that a considerable quantity of local mail, including special-delivery matter, can be expedited between the central post office and main stations located in the congested sections of the large cities by means of the tubes, and the constantly increasing street traffic in these large cities named is a cogent reason for the continuance of the tubes for letter-mail transportation. While a committee of postal experts, employees of the department, have reported adversely regarding the continuance of the tube service, we can not overlook the fact that commercial organizations in these cities have appointed committees composed of capable and practical men, who have investigated the matter and who urge the continuance of the service. These commercial organizations and the local business men who have made the investigations are certainly not interested in the continuance of the tubes from a financial viewpoint; and before Congress takes action to deprive the business men and other postal patrons of these cities of the service which they have had for a number of years, and which is more needed now than ever before, the question deserves serious consideration by Congress.

FEDERAL AID TO GOOD ROADS.

The necessity for good roads is closely allied with the economical and efficient administration of the rural delivery service, and the act of July 11, 1916, providing for Federal aid in the construction of good roads, vested in the Secretary of Agriculture authority to designate the roads to be improved. The Postmaster General has recommended in his annual report that his department should be authorized to designate the roads under the Federal aid act, and this seems to be a very appropriate recommendation.

It is believed that the Federal aid road act should be further amended, however, so as to take into consideration the population of the State or rural community as a factor in establishing the basis for the allotment of funds among the several States. An examination of the apportionment of $14,550,000 to the States for aid in the construction and maintenance of rural post roads for the fiscal year ending June 30, 1919, indicates the absence of a fair distribution to those States which have the largest population both urban and rural and which return to the Government the largest revenues both from taxes and postal receipts. As an illustration, Pennsylvania received an allotment of $690,145 and New York $749,674; Illinois, $658,323; and Ohio, $558,043, while large States with thinly populated rural communities and greater road mileage received as much as did these States, and in one or two instances from one to two hundred thousand dollars more than was allotted to the States named.

An unprejudiced study of this subject by any Member of the House will prove convincingly that there should be a modification of the Federal road aid act, especially in view of the fact

that the maintenance of roads in the thickly populated rural communities is more costly than the maintenance of the roads in the thinly populated States.

ONE-CENT POSTAGE IMPOSSIBLE NOW.

The subject of postage rates with particular reference to letter mail has received my attention for several years, and the bill for 1-cent local letter postage, which I introduced in the Sixty-first Congress, is believed to be the initial measure of that character. In remarks heretofore made I have included statistics showing the very great profit on the handling of so-called local or drop letters and advocated the adoption of a 1-cent letter postage rate for drop letters. Owing to the war it became necessary to raise additional revenues, and we now have in effect a 3-cent general postage rate and a 2-cent drop letter rate. These rates must be continued for some time in order to pay the expenses of the war, and the general public has accepted the increase without complaint as a patriotic duty and in support of the Government. No reduction in the postal rates can be expected in the near future, but when peace shall again prevail among the nations of the earth and the revenues of the Government become adequate for the normal conduct of governmental business, it is hoped that the postage rates will be speedily readjusted on a satisfactory basis.

NEW POST-OFFICE BUILDINGS.

The Postmaster General offers a timely suggestion with reference to the present system of constructing Government buildings for post offices. It is proper that the plans for Government-owned post-office buildings should have the approval of the Postmaster General, and that the plans for such buildings should be determined with the purpose of promoting the convenient and expeditious handling of the mail. It is more essential that the public buildings should have ample space, light, and ventilation and provide satisfactory working conditions than that these buildings should be constructed of monumental design. We will all no doubt further concur in the suggestion of the Postmaster General that because of the prevailing war conditions which have greatly increased the cost of materials and labor that the erection of public buildings be deferred except in cases where the necessity for the building is urgent.

Mr. GRIEST. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GRIEST. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back four minutes.

Mr. STEENERSON. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Chairman, while the great Post Office appropriation bill is under consideration I wish to refer to a matter which is of vital importance to many people and of much importance to all. I refer to the quick delivery of mail. I present it for the consideration of the very able Committee on the Post Office and Post Roads.

First, as to over-seas mail, which at present is necessarily only partially under control of the Post Office Department. In response to numerous inquiries from anxious relatives and friends of our boys "over there," I have made such investigation as I could as to the causes of the well-known delay in the mails between the United States and our expeditionary forces. It has not been explained to my entire satisfaction why many letters should be 60 days going from an Atlantic port to our soldiers in France. The most reasonable partial explanation was made to me by the postmaster at New York, to the effect that the tremendous increase in the quantity of mail has literally swamped the available facilities for handling it. He said that under the stress of war not only the actual transportation but the receiving and handling facilities on the other side have proved entirely inadequate. He described to me the mountains of mail sacks piled high upon departing ships and even higher on French docks. The handling of such enormous quantities of mail necessarily requires time. His recommendation of a partial remedy, while not very satisfying, is nevertheless founded on reason and may have to be adopted, at least temporarily until a better and more satisfactory solution of the problem is worked out. His advice is to cease sending to our boys so many packages, especially large, bulky ones.

We had the same problem on a miniature scale on the Mexican border last year. My regiment and nearly a dozen others were stationed near a small town at the end of a single-tracked branch of the Southern Pacific Railroad. For a time neither the railroad nor the small post office was able to handle properly the suddenly increased burden. Large boxes, filled sometimes with articles of little or no value, were especially burdensome, so that my own experience corroborates in a measure that of the New York postmaster.

My own advice, founded upon a somewhat brief experience in the Spanish War as well as on the Mexican border, is that until facilities for handling packages are much improved over what they are now relatives and friends of our boys over seas should send fewer packages and write more letters. There is nothing so comforting to the average soldier boy far away from home as a good cheerful letter from some loved one. Letters occupy little space and are readily handled, while great numbers of large packages clog the mails and help delay the letters.

A few words in regard to the more rapid delivery of mail in this country, which has been referred to a number of times here to-day. It is a well-known fact that the transmission and delivery of our domestic mail is provokingly slow. Business men often protest against it and complain of the loss they suffer on account of it. A short time ago I was talking with a man of very large business connections, whose annual postage bill runs into thousands of dollars. I referred to the desirability of 1-cent letter postage. He said that what business men want is not cheap postage, but quicker service. He explained how it would pay him to double his postage bill if by so doing he could have quicker service. Others have corroborated his views.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. TILSON. I yield to the gentleman from New York.

Mr. SNYDER. I do not like to be "butting into" this proposition, but I look upon this post-office business as a purely business proposition.

Mr. TILSON. I recognize the gentleman as a business man of large experience, so I shall be glad to have him state whether his views correspond with those I have just expressed.

Mr. SNYDER. They do, most fully; and I would like to ask the gentleman if he thinks this matter will be any better off by practicing so-called economy in the Post Office Department, thereby wronging to a certain extent the general business of the country?

Mr. TILSON. I should regard it as a national economic loss to do so.

Mr. SNYDER. It is an absolute fact to-day that there is scarcely a business man in the whole United States who is not complaining of the fact that it takes so long to get a letter from one point to another and an answer to the same. I am speaking practically the universal thought of the business men of the country when I state that it takes substantially double the time to-day to cover a given distance that it required a year ago in getting letters and packages back and forth.

Mr. TILSON. I have heard the experiences of a large number of business men and will say that they agree in effect with what the gentleman from New York has just stated. During the present year I have carefully noted the exact day and hour of the postmark on a number of letters and compared it with the time of actual delivery. I am sorry to say that the result of my investigation is not at all creditable to our great Postal Service. The trouble is not local or confined to any one place. It is general, I believe, though naturally not to the same degree on transcontinental and other long routes as on shorter distances, especially here in the East. Last spring my family were at Asheville, N. C., for a number of weeks. I was here. I noted the time required for letters to reach me from Asheville. It averaged nearly 36 hours, whereas the train schedule time is less than 16 hours. From New England points the record is worse, although the number of trains is very much greater. I have tabulated the time between postmark and delivery here on a considerable number of letters from Connecticut post offices all the way from Stamford to Hartford and find the time seldom as low as 24 hours, frequently as high as 48 hours, never taking into account letters that might have been delayed by Sundays or holidays. The train schedule time from Stamford to Washington is about seven hours, from New Haven eight hours, from Hartford nine hours. Naturally, a large portion of the letters tabulated are from New Haven, my home city, but my investigation has shown that the trouble is not local and certainly not confined to New Haven, for letters from other post offices show up just as bad or worse than those from New Haven.

Mr. SNYDER. I should like to break in just once more.

Mr. TILSON. I yield to the gentleman.

Mr. SNYDER. A letter mailed in my home city of Little Falls at 12 o'clock to-day should be on my desk here in Washington to-morrow morning. That was the rule the first two years that I was in this House. To-day a letter mailed at the same hour arrives in my office the second day in the morning, which I think must be conceded to be an absurd situation.

Mr. TILSON. In my judgment, there is no good reason for letters requiring from three to six times as long to come to Washington as is required for a passenger to make the same

trip. That there is great room for improvement in the Postal Service no one will attempt to deny. I do not attempt to point out where the trouble is, but would like to have you gentlemen of the committee who are experts in these matters try to find the trouble and the remedy for it. I do not know whether it is because we do not pay our clerks and carriers enough, or because we overwork and underpay our railway mail clerks, or because we have been confiscating the property of the stockholders of the railroads that carry the mail. All of these things should have your attention as possibly bearing upon the question. If you should succeed in finding the trouble or troubles and applying the proper remedy, you will deserve the gratitude of all, including both employee and patron of our great Postal Service.

One other matter in this connection. When the Post Office appropriation bill was pending at the last session of the Sixty-fourth Congress, I urged upon your consideration the matter of a much larger use of the aeroplane for carrying the mail. At that time I pointed out the possibilities in this direction and urged a serious beginning to develop them. War has made certainties out of some of these possibilities.

With the great development that has taken place since that time in the use of air craft, especially in such as the British Handley-Page and the Italian Caproni type, there has come the firm belief that in the future such machines will be used extensively for peaceful purposes. Many of these machines now carry more than a ton of burden. We should begin using them now for carrying first-class mail.

Mr. COX. I quite agree with the gentleman as to the use of aeroplanes, but does he think it is advisable now to ask the organizations which are manufacturing aeroplanes for war purposes to stop that, and to manufacture aeroplanes for the Post Office Department, when we are using every man we can get hold of and every piece of machinery we can get hold of to manufacture aeroplanes for military purposes?

Mr. TILSON. I think the use of a few machines for this purpose would not only not interfere with their construction and use for military purposes, but really would add a benefit by testing them in actual service and by training more fliers. That is my opinion about it.

Mr. COX. Where shall we get the machines?

Mr. TILSON. Of course, I do not believe the Government ought to interfere with the conduct of the war in order to do it.

Mr. COX. The gentleman understands that the Post Office Department started in upon this enthusiastically, but found that to carry it out would disrupt the organization now engaged in the manufacture of aeroplanes for the Army.

Mr. TILSON. I trust that at the earliest possible moment they will increase the use of these machines.

Mr. COX. They will as soon as they can get them.

Mr. TILSON. America invented the flying machine. Europe has developed it to a marvelous degree for war purposes. Let us be the first to use it for purposes of peace even in the midst of war. The use of a few machines for this purpose, instead of interfering with their construction and use for military purposes would help by trying them out in actual service. Then when peace comes we shall be ready, without delay or waste, to change many of our air machines, made for war use, into peaceful burden bearers and utilize them for the benefit of mankind.

Mr. MOON. I yield one minute to the gentleman from Indiana [Mr. Cox].

Mr. COX. Mr. Chairman, I want to ask unanimous consent to put in the RECORD a letter from Mr. Praeger, Second Assistant Postmaster General, in response to what the gentleman from Connecticut kindly said about the lack of mail getting to the soldiers in France. I think it is an extremely valuable document and one which every Member of the House should read. It ought to go in the RECORD. It contains no criticism, but states the facts and circumstances.

Mr. TILSON. The gentleman will understand that there was no criticism on my part.

Mr. COX. Yes; and I compliment the gentleman for not criticizing.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The letter is as follows:

POST OFFICE DEPARTMENT,
Washington, December 11, 1917.

Hon. W. E. COX,
House of Representatives.

MY DEAR MR. COX: Referring to your request for detailed information as to the delivery of mail to our troops in Europe and the factors entering into the causes for the delay to mail, I beg to say that there are now comparatively few complaints from troops that have become established at the front, but, as new troops go abroad, new complaints will always arise during the first few months of their location in France.

Mail for American troops stationed in England is transmitted by the Post Office Department to the Army post office, London, England, which gives the mail to the proper military authorities for delivery to the addressee.

Mail for Americans who may be serving in the English, the Canadian, or the French Army is dispatched as foreign mail to the postal service of the foreign Government with which such American is identified, and the delivery of such mail is effected by such Government.

Mail for members of the American Expeditionary Forces in France, including civilians and independent organizations attached to the American Expeditionary Forces, is handled by the United States Army postal service, which delivers the mail in bulk to the proper military mail authorities, who undertake the delivery of the letters, papers, or parcels to the individuals to whom they are addressed. All mail for the American Expeditionary Forces in France is made up in this country to companies and other units, and under military regulations is delivered to the postal authorities in France to the regular military mail orderlies or their agents, who, upon returning to the camps or stations of the troops, undertakes the delivery of this mail to the individuals to whom it is addressed, or, if they can not deliver it, undertake to have it sent to such other unit to which the addressees may have been transferred. Should an addressee not be known in the regiment, his letters are returned to the postal authorities, who endeavor to locate him at the general military headquarters. Should the addressee have been transferred to some other unit, the mail orderlies are under instructions to readdress his letters to the proper unit. Every effort is being made by the American authorities in France to effect, as promptly as war conditions admit, the delivery of mail for our troops. It should be borne in mind that the Army postal service does not deliver the mail to the individual soldiers, but that this is done by the military machinery, which receives the mail in bulk at the various postal stations or the nearest railroad terminus as it is made up in this country and as it is received from the ships.

Delay in delivery of mail to the soldiers in Europe is due sometimes to individual delinquencies, as failure of the addressee to sufficiently or correctly address the letter, misthrowing of mail by individual clerks, or, again, failure on the part of the mail orderlies to make prompt dispatches to the individual soldiers or prompt transfer of the mail to some other command in the event the addressee has been transferred.

Some other delays are due to systems, methods, and policies, in which event the mail of a large number of soldiers is affected. Thus, when the many hundreds of officers first went to France all of their mail, apparently by direction, was addressed to the name of the officer and "American Expeditionary Forces." The War Department's mail to these officers was simply addressed "American Expeditionary Forces." The officers were assigned to special work in many towns and villages in France and it was impossible for some of them to receive their letters, which were accumulating at the headquarters in Paris for months, as their addresses could not be furnished to the postal authorities. Again, all units did not go to France—some were sent to England temporarily—but it was deemed inexpedient by the War Department to inform the Post Office Department, in answer to urgent requests, as to which units, regiments, etc., were in England, which were in France, and whether regiments for which mail was being received marked for the "American Expeditionary Forces" had gone abroad or were still in this country. This secrecy was considered by the War Department as a necessary military expediency, but it resulted in thousands of letters going to France for troops which were still in England, and vice versa. As a result of this caution on the part of the War Department to safeguard the troops, many soldiers were complaining that they were not receiving letters which they felt their relatives at home were writing to them. The reports of the large military terminal post office in New York show that all letter mail was made up to the companies or other units and was all dispatched each time a transport or commercial liner went abroad.

For obvious reasons it is not desirable to publish the volume of mail in each dispatch, but all the mail for which room could be found on the ships was dispatched with each outgoing vessel.

Complaints as to delay or failure to deliver letters, papers, or parcels arise in the main from the fact that persons communicating with our troops do not take into consideration that approximately 30 days are required from the time of mailing for a letter to reach the addressee, owing to the disturbed ocean traffic. By far the larger part of the mail is taken to France on the Army transports, which of necessity must give preference to men and supplies, and the movement of mail across the water consequently is very irregular. Again, the railroad transportation in France is strained to the utmost to meet military needs. Many persons who have complained to the Post Office Department have later advised that the mail is reaching the persons to whom it is addressed in a satisfactory manner. Their original complaints were due to not allowing sufficient time for their letters to get across and the answers to return.

Whenever complaint is received from an individual as to delay to his mail the United States postal agent in France is advised, and the military mail handlers are advised, and a watch is set for mail coming to the address of the person complaining. Undeliverable letters are printed in an advertised list, which is circulated in all the camps, and as a result of these measures a large amount of otherwise undeliverable mail has been readily disposed of.

The delivery of mail to some of the units, and especially to the unassigned officers, has been a very great problem, but it is expected that even this obstacle has now been overcome, inasmuch as during the early part of November a full Army card index system of all the soldiers in France and their location was being completed. Up to November 1, and before the card index referred to was available to the postal authorities in France, out of more than 2,000,000 letters all except 4,300 had been delivered, and out of approximately 300,000 pieces of parcel post there were only 71 pieces at the postal headquarters. It was stated by the post-office inspector who made the investigation that at that time without the aid of the Army's card index, these undelivered letters were being put into the hands of the addressees at the rate of more than 80 a day, and that upon the completion of the index he expected that every letter which could be delivered would be disposed of in a very short time.

The greatest cause of complaint affecting newly arrived soldiers in France is due to the fact that the public does not allow enough time for mail to go to France and to return. While it does not always take 30 days for a letter, from the time of mailing in the central part of the United States, to get to the boy at the farthermost camp, it is a safe average to allow, and it sometimes takes as long as 40 days. This is due to the irregular ocean movement, and it is sometimes necessary to wait weeks before a French liner goes out or a transport is found on

which room is available to carry mail. Sometimes transports cross the ocean with the rapidity of a liner, and again it will take weeks. On one occasion a ship started out of port with many thousands of letters, but for some reason it returned with the same mail eight days later, and after a few days in port resumed its journey across the water. There have been two instances of this kind and numerous minor delays. On one occasion, after waiting several days for a ship to go out, one of the vessels would take only 1,200 out of 2,800 sacks of mail, adding more than a week's delay additional to the other 1,600. I can say this, however, that all the mail placed on a ship is finally distributed to the companies and other small units, and that its delivery is made as promptly as it can be moved over the French railroads to the postal stations among the troops, where it is turned over in bulk, as it was made up in New York and received from the ship, to the mail orderlies of the various military organizations, who are charged with the responsibility by the Military Establishment of sorting this mail and delivering it to the individuals to whom it is addressed. The jurisdiction of the Post Office Department ends with the delivery in bulk of this mail to the military authorities, except as to such letters as are returned to the Postal Service by reason of change of unit of the addressee.

The general public not understanding these things is prone to rush into print or to Congress with its complaints, and, although word may be received from the addressee on the other side within a very short time after the complaint, the public does not rush back into print or to Congress with the voluntary information that the trouble has been corrected, and that the mail is now being promptly received. A number of considerate citizens, however, have been kind enough to advise the Post Office Department of the remedying of their complaints.

Let me give you a typical case: On September 6, 1917, I received a letter from the postmaster at Binghamton, N. Y., stating that a patron of his office had received a letter dated August 21 from the American field service, saying: "From what we understand and know by experience parcel post to France at the present time is very unsatisfactory as well as unsafe," and declaring that it is safer to send packages for the men of the field service to the American field service office in New York. The postmaster stated that his patron wanted to publish the letter in the newspapers against the Post Office Department, but was pursuaded to take it up with the department itself instead of rushing into print. Practically at the same time the Post Office Department received a complaint from Mr. C. Henry Stinson, of Norristown, Pa., complaining of delay and supposed loss of parcels addressed to his son in the American field service at 21 Rue Raynouard, Paris. The matter was promptly investigated, and while the investigation was pending the department received a letter from Mr. Stinson containing this paragraph:

"I would say that my son, Robert Stinson, has received two packages of tobacco and one of candy at his last writing, October 3. Two of them were gotten at the Rue Raynouard by one of his friends, who went there and hunted through a large amount of mail matter that was lying there undelivered. Judging from what my son writes, the mail for the American field service is delivered by the post office authorities to the Rue Raynouard, but the field service have 'fallen down' in getting it to the individual addressee."

A week later Mr. Stinson again advised the department, "All letters to my son and all first-class matter has been received by him, comparatively speaking, with regularity." He also reported the receipt of additional parcels, which were found in the Paris headquarters of the American field service. This state of affairs was called to the attention of the American field service, from whom an appreciative letter was received for the information thus given them and the prompt action taken by the service to remedy the trouble in their headquarters in Paris, for which the Post Office Department was to be blamed and attacked by a gentleman in Binghamton, N. Y., who had a grievance, but not against the Postal Service.

Considering the enormous amount of letters, parcel-post packages, and newspapers that are going to France, with chance opportunity for transmission across the water, the inability thus far to obtain detailed information from the War Department as to the identity and location of the units in the countries in Europe, the constant change in location in France of the units themselves, the large number of unassigned officers and enlisted nonfighting units scattered over France, and the tremendous task which the Army has, requiring first consideration always to be given to the disposition of men and supplies, the Postal Service has unquestionably been very successful. Nobody appreciates this more than the American Army officers in command in Europe. In a report dated December 4, R. E. Cowart, who was sent by the Postmaster General to France to make a special investigation as to the efficiency of the service, says:

"I called upon Gen. Pershing, commanding general of the American forces in France, and he informed me that he thought the service upon a whole had been satisfactory. In a conversation that I had with Gen. Seibert, he said that he considered the Postal Service under the circumstances had been very successfully and efficiently administered. I also inquired often and conferred fully with many private soldiers in the American Expeditionary Forces as to the character of the mail service. A large majority of them expressed themselves as highly pleased with the service. A few of them complained of delays, but, as I stated above, these delays in the circumstances were inevitable. Our postal authorities can not be justly criticized for the delay that was caused by the arming of the steamers of the French line."

On the return to this country of the superintendent of foreign mails, under whose personal direction the Army postal service was established in France, Maj. Gen. Pershing addressed the following communication to the Postmaster General:

"Mr. R. L. Maddox, United States Postal Service, inaugurated the United States Army postal service in France last June, and has conducted it very satisfactorily ever since.

"I take pleasure in commending him to you accordingly."

I have thus gone into detail on this subject because I know that from time to time, especially every time a new division lands in France, there will be complaints in the press and to Congress over delays to the mails. When you consider the conditions under which mail in a war-torn country and under actual war conditions is being delivered and the immense quantity of mail involved, I think you will agree with me that the complaints made represent but isolated cases and do not reflect the actual state of the service.

Sincerely yours,

OTTO PRAEGER,
Second Assistant Postmaster General.

Mr. STEENERSON. Mr. Chairman, I yield 15 minutes to the gentleman from Iowa [Mr. TOWNER].

The CHAIRMAN. The gentleman from Minnesota has but nine minutes remaining.

Mr. STEENERSON. But the gentleman from Tennessee agreed to yield me some time.

Mr. MOON. How much time does the gentleman want?

Mr. TOWNER. Six minutes will suffice.

Mr. MOON. I gladly yield to the gentleman six minutes.

The CHAIRMAN. The gentleman from Iowa is recognized for 15 minutes.

Mr. TOWNER. Mr. Chairman, in the first session of the Sixty-fifth Congress the House Committee on Ways and Means reported the revenue bill to the House May 9, 1917. The Senate Finance Committee reported the bill to the Senate July 3. The House and Senate not agreeing, a conference committee was appointed, which reported October 1, and the bill became a law October 3.

During the long interval that ensued between the introduction of the bill and its final passage many changes were made, principally occasioned by the continually increasing requirements of the Government growing out of our preparations for war. The original estimates were about $1,800,000,000. As the bill was finally passed it provided for about $2,600,000,000.

Section 209, of Title II, being the war excess-profits tax title, was not in either the House or Senate bills. It was inserted by the conferees, and was first brought to the attention of the House and Senate in the conference report.

The section provides as follows:

SEC. 209. That in the case of a trade or business having no invested capital, or not more than a nominal capital, there shall be levied, assessed, collected, and paid, in addition to the taxes under existing law and under this act, in lieu of the tax imposed by section 201, a tax equivalent to 8 per cent of the net income of such trade or business in excess of the following deductions: In the case of a domestic corporation, $3,000 and in the case of a domestic partnership or a citizen or resident of the United States, $6,000; in the case of all other trades or business, no deduction.

The gentleman from North Carolina [Mr. KITCHIN], in explanation of the insertion of this section by the conferees, stated to the House that the excess-profits tax title, as passed by the House, only applied to corporations and partnerships. The Senate extended its provisions to include individuals, but exempted lawyers, doctors, and all professional men. The House conferees insisted that if the bill applied to individuals at all it should apply to the classes which the Senate had exempted as well. A compromise was agreed upon, by which the House view was adopted with a special exemption to all individuals of $6,000. As it was presented and understood it was an endeavor to place the lawyer, doctor, or other professional man on an equality with the farmer, the merchant, or the manufacturer who had capital invested in their business.

The provisions of the title which imposes the war excess-profits tax levies an imposition upon the profits of those engaged in trade and business computed upon the amount of such profits received during the taxable year over the "prewar period," which is specified as the years 1911, 1912, and 1913. It was especially designed to reach the excessive profits made by certain corporations on contracts for materials and supplies growing out of the war.

Certain exemptions were made. Among others, the following: "In the case of officers and employees under the United States, or any State, Territory, or the District of Columbia, or any local subdivision thereof, the compensation or fees received by them as such officers or employees," shall be exempt—section 201 (a).

This was done because, under the provisions of the title as it then stood, in order to determine what were war profits the percentage of the income to the invested capital had to be determined and a comparison made of the taxable year with the "prewar period." Such provisions, it is evident, were not applicable to an officer or employee who had no capital and no profits derived from trade or business. The exemption provision was predicated upon conditions which existed before section 209 was inserted, but was not intended to apply to the new taxes imposed by that inserted section.

The section was not considered by the House, because there was no opportunity to consider it. It was not debated, and except for the statement made by the chairman of the Ways and Means Committee it was not explained. It was not voted on as a separate proposition and no opportunity was given to either vote for it or against it. It is not likely, however, that the section would have been rejected if it had been considered, for it presented a new method of raising money and a new subject of taxation, and Congress was anxiously looking for both.

Some serious misstatements have been made throughout the country regarding the insertion of section 209 in the act. It has been stated that Congress inserted a section in the law exempt-

ing themselves from the income tax. It is charged that at the last minute Congress surreptitiously inserted a "joker," exempting themselves from the tax they were imposing on everyone else.

In the first place, it should be stated that Congressmen have no exemption on the income-tax title, except such as is given to every other person. They pay just as much income tax as anyone else. Section 209 was inserted not as an amendment to the income-tax title of the law but to the excess-profits tax title.

Mr. PLATT. Does not the gentleman think it is a great mistake to bring in a conference report on an important bill like that on a Saturday night and rush it through on Monday before anyone has a real chance to find out what it means, as was done in this case?

Mr. TOWNER. Certainly, and especially when it contains, as this did, new legislation.

Mr. PLATT. I recall asking a question——

Mr. TOWNER. I want to say further, in reply to the gentleman, if he will pardon me for a moment, that it was not so much the insistence of Congress as it was the insistence of the country that we should speedily pass that bill that pressed the bill to an immediate adoption. It had been so long delayed that the whole country was clamoring that we should pass it, and of course that had its influence upon Congress. I am not criticizing, especially I am not criticizing any of the members of the Committee on Ways and Means, because the conference committee of the House did everything it possibly could to expedite the passage of the bill through the House. Was there anything else the gentleman desired to suggest?

Mr. PLATT. I think that is all.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. TOWNER. Yes.

Mr. MADDEN. Is the gentleman prepared to say whether the 8 per cent tax on excess profits of individuals is the only tax they are called upon to pay, or are they, in addition to that 8 per cent, compelled to pay the supertax that other people are compelled to pay?

Mr. TOWNER. They are. There is no exemption whatever to a Congressman or to anyone in the income-tax title, which is Title 1 of the bill. We are compelled to pay all of the taxes that are imposed under the income-tax title, and the 8 per cent, of course, imposed in addition to the taxes that are otherwise imposed by the bill.

Section 209 is not an exemption provision. It is a provision imposing a tax, not exempting from one. If Congress "surreptitiously" inserted this "joker" they were adding a burden, not relieving from one.

It should be understood that the exemption provision of the title was in the act before section 209 was inserted. The exemption provision was properly applicable to the war excess-profits tax title before section 209 was inserted, because the provisions of the title as it then stood could not have been applied to salaries of an officer or employee. It follows that the exemption provision was not intended to apply to section 209. By the insertion of section 209 Congress created a new item in the war excess-profits tax title which will apply to salaries of Congressmen, unless such salaries are exempted under the provision which was not intended to apply to such a provision.

I shall endeavor to show that the exemption provision does not apply to section 209, and that the salaries of Congressmen are not exempt from the tax imposed by that section.

Section 200 of the revenue act provides that "the terms 'trade' and 'business' include professions and occupations." Undoubtedly a Congressman while so serving is engaged in an "occupation." His salary would therefore be within the imposition of section 206, unless exempt under the exemption provision contained in section 201, already quoted. That being true, the question resolves itself to this: Is a Congressman an officer or employee of the United States within the meaning of the provision of section 201, which exempts the compensation of officers or employees" from the operation of the war excess-profits tax title?

IS A CONGRESSMAN AN "OFFICER"?

It must, of course, be conceded that a member of any legislative body may be designated in general terms as an "officer." As the word is popularly understood, a Congressman would be considered as being an "officer" of the Government. He is a person commissioned or authorized to perform a particular public duty or to fill a particular public position, and that would bring him within the general and popular definition of the word.

But the Constitution of the United States has stated in explicit terms just who shall be considered as "officers" of the United States, and our Supreme Court has unequivocally decided in many cases that the constitutional and not the popular definition shall be held to be the true meaning of the word when used in statutes enacted by Congress.

Article 2, section 2 of the Constitution, is as follows:

The President shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for and which shall be established by law. But the Congress may by law vest the appointment of such inferior officers as they may think proper in the President alone, in the courts of law, or in the heads of departments.

Under the Constitution the only persons who can be considered officers of the United States are those appointed by the President, the courts of law, or the heads of departments.

In other parts of the Constitution are provisions which clearly indicate that Senators and Representatives are not classed as officers.

Mr. FESS. Will the gentleman yield for one question?

Mr. TOWNER. Certainly.

Mr. FESS. Is it not true in the impeachment case of Senator Blount in 1796——

Mr. TOWNER. Yes; I shall presently refer to that case.

Mr. FESS. And it was decided he was not an officer and could not be impeached?

Mr. TOWNER. Surely.

Article 1, section 6, provides:

And no person holding any office under the United States shall be a Member of either House during his continuance in office.

In this provision it is apparent the word "officer" does not include Congressmen.

Article 2, section 1, provides:

But no Senator or Representative or person holding an office of trust or profit under the United States shall be appointed an elector.

Still more clearly in this provision are officers differentiated from Members of Congress, for Senators and Representatives are not considered as "holding an office."

Article 6, section 3, provides:

The Senators and Representatives before mentioned and the members of the several State legislatures and all executive and judicial officers, both of the United States and of the several States, shall be bound by an oath or affirmation to support this Constitution.

Here Senators and Representatives and officers of the United States are put into separate classes.

Article 2, section 4, provides:

The President, Vice President, and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

The first case of impeachment ever presented by the House and tried by the Senate was the case of William Blount, a Senator from Tennessee, the case referred to by the gentleman from Ohio [Mr. FESS]. He was impeached for high crimes and misdemeanors by the House in 1797. As a defense Blount alleged that a Senator was not an officer of the United States, within the meaning of the Constitution, and hence not liable to impeachment. The proposition was elaborately argued and the Senate decided that it had no jurisdiction under the Constitution to impeach a Senator of the United States. This view has held ever since, and it is not now contended that a Senator or a Representative in Congress is subject to impeachment. That is a determination explicit and conclusive, that a Congressman is not an officer within the meaning of the Constitution.

This view was held by the authors of the Federalist. See the Federalist, No. 66.

The question whether a Member of Congress was subject to impeachment was a subject of discussion in the debates in the State conventions called to consider ratifying the Constitution, and it was admitted by the friends of the Constitution that Members of Congress were not liable to impeachment. (3 Elliot's Debates, 43 et seq.)

This view is also sustained by Story in his commentaries on the Constitution (vol. 1, secs. 791–795). A Member of either House may be removed, but he can not be impeached. And yet if Senators and Representatives are "civil officers of the United States" they are subject to impeachment under the explicit declaration of the Constitution. The only ground upon which it can be contended that Congressmen are not subject to impeachment is that they are not "officers of the United States."

The Supreme Court interpreting statutes of the United States has many times held that no one could be considered an officer of the United States unless appointed by the President, a court of law, or the head of a department.

Mr. MADDEN. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. MADDEN. So, under the construction of section 209 by the gentleman from Iowa a Member of Congress would be called

upon not only to pay the normal tax and a supertax, if he had sufficient income, but on all of his salary in excess of $6,000 he would be obliged to pay 8 per cent tax?

Mr. TOWNER. That is exactly the case.

SUPREME COURT INTERPRETATION.

In United States v. Germaine (99 U. S., 508) a surgeon, appointed by the Commissioner of Pensions, was indicted for extortion in taking fees under a provision of law which defined the crime as follows:

Every officer of the United States who is guilty of extortion under color of his office shall be punished by a fine of not more than $500 or by imprisonment not more than one year, according to the aggravation of his offense. (Act of 1825, 4 Stat. L., 118.)

To this indictment the Supreme Court sustained a demurrer and discharged the defendant, holding that as he had not been appointed either by the President, a court of law, or the head of a department he was not an "officer" within the meaning of the statute.

In the opinion rendered by Mr. Justice Miller it was stated:

The Constitution, for purposes of appointment, very clearly divides all its officers into two classes. The primary class requires a nomination by the President and confirmation by the Senate; but, foreseeing that when officers became numerous and sudden removals necessary, this mode might be inconvenient, it was provided that in regard to officers inferior to those specially mentioned Congress might by law vest their appointment in the President alone, in the courts of law, or in the heads of departments. That all persons who can be said to hold an office under the Government about to be established under the Constitution were intended to be included within one or the other of these modes of appointment there can be but little doubt. This Constitution is the supreme law of the land, and no act of Congress is of any validity which does not rest on authority conferred by that instrument. It is therefore not to be supposed that Congress, when enacting a criminal law for the punishment of officers of the United States intended to punish anyone not appointed in one of those modes. If the punishment was designed for others than officers as defined by the Constitution, words to that effect would be used, as servant, agent, person in the service or employment of the Government, and this has been done where it was so intended, as in the sixteenth section of the act of 1846 concerning embezzlement by which any officer or agent of the United States, and all persons participating in the act, are made liable. (9 Stat. L., 59.)

In United States v. Smith (124 U. S., 525) an indictment was returned against a clerk of a collector of customs for the unlawful conversion of public money, under a statute which punished "every officer or other person charged by any act of Congress with the safe-keeping of public money." It was held that the clerk was not an "officer" and was not charged by any act of Congress "with the safe-keeping of public money."

In delivering the opinion of the court, Mr. Justice Field said:

A clerk of the collector is not an officer of the United States within the provision of this section, and it is only to persons of that rank that the term public officer, as there used, applies. An officer of the United States can only be appointed by the President and with the advice and consent of the Senate, or by a court of law, or the head of a department.

It may be of interest to add that Thomas B. Reed appeared for the defendant in the first case cited and Elihu Root in the second case.

This rule has been adopted in the Federal courts without exception.

Thus in United States v. Cole (130 Fed., 614) it was held that a cashier of the mint was not an officer of the United States.

In United States v. Haas (167 Fed., 211) it was held that a clerk in a Government office not appointed by the head of the department was not an officer.

In United States v. Schlierholz (137 Fed., 616) it was held that a special agent of the Land Department was not an officer.

It has also been held that mail carriers, railway postal clerks, and rural carriers were not officers. (3 Words and Phrases, p. 717.)

The same rule of interpretation has been followed by the State courts.

In re Doe's Estate (151 Wis., 136) it was held that the governor of the National Home for Disabled Volunteer Soldiers, a Government institution and supported by Government appropriations, was not an officer of the United States.

In Hand v. Cook (29 Nev., 518) it was held that a Government mineral inspector was not an officer.

In all these cases it is important to observe that the rulings are based upon the fact that legally there are no officers of the United States except those that are authorized by the Constitution; that none are such officers unless appointed by the President, by the courts of law, or by the heads of departments.

EXCEPTIONS.

It may fairly be claimed that such is the rule. Our Supreme Court, however, has held that the same word used more than once in the Constitution may have different meanings. It has also held that a word used in a statute may not have the same signification as it had in the Constitution. Just as far as possible and without doing violence to the language used the intent of the legislature is to be made effective. Statutes are to be construed to give effect to the presumed and reasonably probable intention of the legislature. (Webster v. Cooper, 14 How. (U. S.), 488.)

Even the word "officer," whose meaning would appear so clearly to be limited to its constitutional definition as interpreted by the decisions of the Supreme Court in the cases referred to, in some exceptional cases has been given its general and popular meaning. In these cases the language of the statute is such as to warrant or even require such interpretation in order to effectuate the purpose of the lawmakers.

Thus in section 5500, Revised Statutes, there is a provision punishing Congressmen for bribery, and section 5502 affixes as part of the punishment forfeiture of his "office or place." In this case it is evident the word "office" could refer only to that of Congressmen, and yet, to make sure that it would reach the persons intended, the position is also referred to as "place."

In the test-oath act of July 2, 1862, since repealed, it was provided that every person "elected or appointed to any office of honor or profit under the Government of the United States" should take the prescribed oath. It was held this required Congressmen to take the oath, and this was done as long as the law remained in force. In this case, however, it was also provided that a record of the oath should be preserved "among the files of the court, House of Congress, or department." It was rightly concluded that this was a clear indication that the intent was to include Congressmen.

In the recently decided Lamar cases the question arose as to whether impersonating a Congressman was a crime within the meaning of the statute.

It will be remembered that Lamar was tried and convicted in the United States District Court for the Southern District of New York upon an indictment charging him with having "falsely pretended to be an officer of the Government of the United States, to wit, a Member of the House of Representatives; that is to say, A. Mitchell Palmer, a Member of Congress, with intent to defraud J. P. Morgan & Co. and the United States Steel Corporation."

The case was first taken to the Supreme Court of the United States on writ of error sued out directly from that court on the ground that the district court had no jurisdiction. This was claimed for the reason that the interpretation of the Constitution was involved in the decision that a Congressman is an officer of the United States. That contention was not sustained. Mr. Justice Holmes in the opinion said:

As to the construction of the Constitution being involved, it obviously is not. The question is in what sense the word "officer" is used in the Criminal Code of March 4, 1909, chapter 321, section 32. The same words may have different meanings in different parts of the same act, and of course words may be used in a statute in a different sense in which they are used in the Constitution.

On motion the writ of error was dismissed. (Lamar v. United States, 240 U. S., 60.)

Subsequently on a writ of error sued out from the court below the Supreme Court considered the case on its merits on the errors assigned.

Referring to the contention that a Member of the House of Representatives was not an officer within the meaning of the Constitution, Mr. Chief Justice White, delivering the opinion, said:

The issue here is not a constitutional one, but who is an officer acting under the authority of the United States within the provisions of the penal code under consideration.

The section of the penal code charged to have been violated punishes anyone who "with intent to defraud either the United States or any person shall falsely assume or pretend to be an officer or employee acting under the authority of the United States, or any department, or any officer of the Government thereof."

It will be noticed that the language of the statute is much broader than simply whether a Congressman is an officer of the United States, the penalty attaches to anyone who falsely assumed to be any kind of an officer claiming to act under the authority of the United States. It would apply to anyone who falsely claimed to be acting as an officer, whether there was any such office or not.

So interpreting the statute, Mr. Chief Justice White, rendering the opinion, said:

We are clearly of the opinion that such Members are embraced by the comprehensive terms of the statute. (Lamar v. United States, 241 U. S., 103.)

What is further stated by the Chief Justice about the fact that, as generally understood, a Congressman would be con-

sidered an officer is certainly justified. The inquiry in every case must be whether the constitutional or the popular sense was intended by the language used. It is not going too far to claim that unless the language used contravenes such intent, the presumption is that a statute which is enacted under authority of the Constitution shall be interpreted according to the terms of the Constitution, and that unless such intent is negatived by the terms of the statute itself, such will be presumed to be its meaning.

Two cases may with profit be considered as clearly showing the line of distinction and as emphasizing the rule that when the language of the statute is not qualified by provisions which indicate a contrary intent the constitutional interpretation should prevail.

In United States *v.* Mouat (124 U. S., 303), Mouat, a paymaster's clerk in the Navy, brought suit in the Court of Claims and recovered for compensation for traveling expenses, under an act of Congress providing for such payment to officers of the Government. It was for a long time the practice to allow a specific amount per mile, regardless of the amount actually expended. Later it was enacted that "all allowances for mileage and transportation in excess of the amount actually paid are hereby declared illegal." Two years later a law was passed which gave officers of the Navy Department 8 cents per mile for traveling expenses in lieu of their actual expenses. It was under this statute that the claim arose.

On appeal the Supreme Court of the United States reversed the decision of the Court of Claims allowing the claim on the ground that as this was "a special statute, exempting for particular reasons a certain class of persons from the operation of a general law, it is obviously proper to confine that class to those who are, properly speaking, officers of the Navy."

It was held that as a paymaster's clerk was appointed neither by the President, a court of law, nor the head of a department he was not an officer of the United States.

Summing up the arguments, the court said:

> From all this it is clear that neither by the regulations nor by the statutes nor by any constitutional provision is the present claimant an officer of the Navy. Undoubtedly Congress may have used the word "officer" in some other connection in a more popular sense, as will be shown in the case of United States *v.* Hendee, immediately following this, in which case it will be the duty of the court in construing such an act of Congress to ascertain its true meaning and be governed accordingly.

In the Hendee case (124 U. S., 309), referred to above, the question arose as to the amount of the salary of a paymaster's clerk. This time the claim was made under a statute which provided:

> All officers of the Navy shall be credited with the actual time they may have served as officers or enlisted men in the Regular or Volunteer Army or Navy, or both, and shall receive all the benefits of such actual service in all respects in the same manner as if all said service had been continuous and in the Regular Navy in the lowest grade having graduated pay held by such officer since last entering the service.

In sustaining the judgment of the Court of Claims in the allowance, the Supreme Court said:

> We think the words "officers or enlisted men in the Regular or Volunteer Army or Navy, or both," were intended to include all men regularly in service in the Army or Navy, and that the expression "officers or enlisted men" is not to be construed distributively as requiring that a person should be an enlisted man or an officer nominated and appointed by the President or the head of a department, but that it meant to include all men in service, either by enlistment or regular appointment, in the Army or Navy. We are of opinion that the word "officer" is used in the statute in the more general sense which would include a paymaster's clerk; that was the intention of Congress in its enactment, and that the collocation of the words means this, especially, when it is added that they shall receive all the benefits of such actual service in all respects and in the same manner as if said service had been continuous and in the Regular Navy.

Applying the rule of these cases to the present case, as it is shown not only that the word "officer" used in a statute enacted by Congress does not in all cases include Congressmen, but that unless a contrary intent is affirmatively shown it does not in any case include Congressmen, it will not be presumed that Congress sanctioned an evasion of or escape from liabilities, the creation of which is imposed in general terms by the provisions of section 206.

In the Hendee case, supra, the Supreme Court found that it was clearly the intent of Congress to have the word "officer" include all men regularly in the service. In this case the statute interpreted created a benefit, and did not, as in the Mouat case, create an exception.

RULES OF CONSTRUCTION.

It is a familiar rule for the interpretation of statutes that when an exemption is claimed from the operation of a general provision the language of the exemption must be strictly construed as against the person claiming it.

In the present case if Congressmen should claim exemption from the general provisions of section 209 under the exemption clause of section 201, the provisions of the exemption clause should be strictly construed against such claim. If the word "officer" is susceptible of two constructions, one of which would support and the other deny the exemption, that construction which would deny the exemption should be adopted. In the Mouat case, supra, the Supreme Court said that when one claimed an exemption under "a special statute exempting for particular reasons a certain class of persons from the operations of a general law * * * it is obviously proper to confine the class to those who are properly speaking officers of the Navy." In the present case if any Congressman should claim an exemption from the operation of the general law imposing a tax, it would be proper to interpose the objection that the exemption should be confined to those who are properly and constitutionally officers of the Government.

In Broughton *v.* Pensacola (93 U. S., 266) it was held that where legislation is susceptible of another construction it will not be presumed that the Government has sanctioned an evasion of or escape from liabilities the creation of which is authorized by the statute. In the present instance it will not be presumed that Congress sanctioned an evasion of or escape from liabilities which are generally imposed by the statute unless such intent is clearly indicated by the language used.

In all the cases where the general and not the constitutional meaning of the word "officer" was given, the intent to use the word in its popular sense was found by the court.

In the present instance it certainly can not be claimed that Congress by enacting the exemption intended to exempt Congressmen from the operation of section 209. When the exemption provision was provided there was no section 209 in existence; neither was there any provision of the title that would in any way affect Congressmen or their salaries. The exemption was intended to apply to conditions which made the exemption proper if not necessary. It could not therefore have been intended to apply to section 209.

If no intent can be implied from the circumstances of its enactment or from the other terms of the statute, or necessarily from the language used, then the exemption provision does not apply to Congressmen and they can not claim to be excepted from the imposition of the tax.

AS TO EMPLOYEES.

It is hardly necessary to argue that a Senator or Representative of the Congress of the United States is not an employee within the meaning of that word as used in the statute.

An employee as defined in the Century Dictionary is "One who works for an employer; a person working for salary or wages; applied to anyone so working, but usually only to clerks, workmen, laborers, etc., and but rarely to the higher officers of a corporation or government."

This definition has been substantially adopted by both Federal and State courts. (State *v.* Craig, 69 Ohio, 236; Atlantic Railway *v.* Beasley, 54 Fla., 311; In re Courtland Manufacturing Co., 45 N. Y. Supp., 630; Coddy *v.* Transit Co., 110 N. Y. Supp.; Palmer *v.* Vantwood, 153 N. Y., 612; United States *v.* Schlierholz, 137 Fed., 616.)

In case of doubt it is at least questionable whether a Congressman ought to claim an exemption such as the one we are considering, but this is more than a doubtful case; the weight of authority and the stronger reason is against the exemption. I have called the attention of the commissioner and the advisory board to the matter, and it is to be hoped the department will hold against the exemption. If it does and any Congressman believes he can support a claim of exemption, he can go to the courts and present it.

If it does not so hold, then the appeal should be to the conscience and sense of honor of each individual Senator and Representative.

I have gone into the matter involved with perhaps undue particularity, because, first, I desire to clear Senators and Representatives from any possible imputation of dishonor or cupidity; and, second, because I am clearly of the opinion that, legally, a claim of exemption on the part of Congressmen can not be sustained.

At least some of us have felt deeply pained that at this time a charge that Congress deliberately exempted its Members from the operation of a general tax should be made, for it would be indeed unfortunate if the people of the country should be led to believe their Representatives were trying to escape their share of the burdens of this war. It has been a source of pride to us that we have been able to bring a greater unanimity to the support of the administration in

its prosecution of the war than is given by any other legislative body of any other nation engaged in the war and a more generous and whole-hearted support than has ever before been given any other administration in the prosecution of any other war in our own country. If what I have said shall assist to explain the situation and in any measure relieve the Congress of the United States from the imputation of dishonor or self-interest which has been made in the charge referred to, I shall be satisfied. [Applause.]

The CHAIRMAN. The gentleman from Tennessee has 10 minutes remaining.

Mr. MOON. I will ask the Clerk to read the bill.

The Clerk read as follows:

OFFICE OF THE POSTMASTER GENERAL.

For gas, electric power and light, and the repair of machinery, United States Post Office Department equipment shops buildings, $4,500.

Mr. MOON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the Chair, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, and had come to no resolution thereon.

CONTESTED-ELECTION CASE—WICKERSHAM V. SULZER (H. DOC. NO. 561).

The SPEAKER laid before the House the following communication from the Clerk of the House, which, together with the case, was referred to Election Committee No. 1:

HOUSE OF REPRESENTATIVES,
CLERK'S OFFICE,
Washington, D. C., December 11, 1917.

The SPEAKER,
House of Representatives.

SIR: I have the honor to lay before the House of Representatives the contest for a seat in the House of Representatives for the Sixty-fifth Congress of the United States for the district of Alaska, James Wickersham v. Charles A. Sulzer, notice of which has been filed in the office of the Clerk of the House, and also transmit herewith original testimony, papers, and documents relating thereto.

The Clerk has opened and printed the testimony in the above case. In compliance with the act approved March 2, 1897, entitled "An act relating to contested election cases," such portion of the testimony in the above case as the parties in interest agreed upon or as seemed proper to the Clerk, after giving the requisite notice, have been printed and indexed, together with the notices of the contest and the answer thereto, and such portions of the testimony as were not printed with the original papers have been sealed up and are ready to be laid before the Committee on Elections.

Two copies of the printed testimony in the aforesaid case have been mailed the contestant and the same number to the contestee. The law in reference to the briefs of both the contestant and contestee has been complied with as far as possible upon receipt by the Clerk of said briefs.

So far as the briefs have been furnished to the Clerk, they are ready to be laid before the Committee on Elections upon the order of the House, together with a tabulated statement which has been prepared by the Clerk, showing the number of pages of testimony and the present status of said contested-election case, and all papers in connection therewith.

Yours, respectfully, SOUTH TRIMBLE,
Clerk of the House of Representatives.

VOTE ON WAR RESOLUTION.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to print in the RECORD a statement of my colleague Mr. NOLAN, who was not in the House to vote on the war resolution, but who was engaged in one of the departments at the time. Mr. NOLAN is unavoidably absent from the city.

The SPEAKER. Without objection, it is so ordered.

The following is the statement referred to:

HOUSE OF REPRESENTATIVES,
Washington, D. C.

Mr. SPEAKER: I take this opportunity of explaining my absence and failure to vote on the resolution declaring war with Austria-Hungary passed by the House on Friday, December 7.

I was in the House up to 2.40 p. m. and notified the Republican cloak room to call me at the labor adjustment board, connected with the United States Shipping Board. From failure of the operator at the United States Shipping Board to properly notify me I lost my opportunity to vote upon this important measure, and were I present I would have voted for the resolution.

The work that I was engaged upon was very important, serving on a committee with the representatives of the United States Navy, the Emergency Fleet Corporation, and the representatives of the different national and international unions engaged in the metal-trades industry, working out the solution of the difficult war problem in the shipyards along the entire Pacific coast, as well as working out some plan whereby strikes and lockouts will be eliminated in the future, and providing a plan insuring industrial peace for the duration of the war, thereby assuring the continuity of production of ships for both the Shipping Board and the United States Navy.

I am happy to say that after several days of uninterrupted conference a happy medium was struck and a basis laid to avoid all future controversy.

This is the important work that I was engaged upon, otherwise I would have been in the House an enthusiastic supporter of the resolution reported by the Foreign Affairs Committee.

JOHN I. NOLAN.

THE PHILIPPINES (S. DOC. NO. 130).

The SPEAKER laid before the House the following message from the President of the United States, which was referred to the Committee on Insular Affairs and ordered printed:

To the Senate and House of Representatives:

As required by section 21 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith, for the information of the Congress, the report of the Governor General of the Philippine Islands for the fiscal year ended December 31, 1916, together with the reports of the governor of the Department of Mindanao and Sulu and the executive secretary of the Philippine Government.

WOODROW WILSON.

THE WHITE HOUSE, *10 December, 1917.*

PORTO RICO.

The SPEAKER also laid before the House the following message from the President of the United States (S. Doc. No. 129), which was referred to the Committee on Insular Affairs and ordered printed.

To the Senate and House of Representatives:

As required by section 12 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith, for the information of the Congress, the report of the governor of Porto Rico for the fiscal year ended June 30, 1917, together with the reports of the heads of the several executive departments of the Porto Rican government for the same period.

WOODROW WILSON.

THE WHITE HOUSE, *10 December, 1917.*

The SPEAKER also laid before the House the following message from the President of the United States (S. Doc. No. 128), which was referred to the Committee on Insular Affairs and ordered to be printed:

To the Senate and House of Representatives:

As required by section 32 of the act of Congress approved April 12, 1900 (31 Stat., 83), entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith certified copies of franchises granted by the Executive Council of Porto Rico up to the time such functions of the Executive Council were superseded by the Public Service Commission provided for by section 38 of the act of March 2, 1917 (39 Stat., 951, 964), entitled "An act to provide a civil government for Porto Rico, and for other purposes." The copies of the franchises inclosed are described in the accompanying letter from the Secretary of War in transmitting them to me.

WOODROW WILSON.

THE WHITE HOUSE, *10 December, 1917.*

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2334. An act to authorize absence by homestead settlers and entrymen, and for other purposes.

LEAVE OF ABSENCE.

Mr. YOUNG of Texas, by unanimous consent, was granted leave of absence for one week on account of illness.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned until to-morrow, Wednesday, December 12, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting reports showing the number of typewriting and other machines exchanged as part payment by the War Department during the fiscal year 1917 (H. Doc. No. 538); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting a statement of expenditures under said act, as far as such expenditures have been submitted to the department, up to December 1, 1917 (H. Doc. No. 539); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

3. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers of the United States Army, together with copies of reports from Col. F. V. Abbot, Corps of Engineers, with map on preliminary examination and survey, respectively, of Sheepshead Bay, N. Y. (H. Doc. No. 540); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

4. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers of the United States Army, together with copy of a report from Col. William T. Rossell, Corps of Engineers; also copy of a report from Brig. Gen. William T. Rossell, United States Army, retired, with map, on a preliminary examination and survey of Rahway River, N. J. (H. Doc. No. 541); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

5. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of harbor at Clason Point, N. Y. (H. Doc. No. 542); to the Committee on Rivers and Harbors and ordered to be printed.

6. A letter from the president of the United States Civil Service Commission, transmitting a statement showing the typewriters, adding machines, and other similar labor-saving devices exchanged in part payment for new machines during the fiscal year 1917 (H. Doc. No. 543); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Navy, transmitting tentative draft of a provision to authorize the President to drop from the rolls of the Navy or Marine Corps any officer thereof who is absent from duty for three months without leave (H. Doc. No. 544); to the Committee on Naval Affairs and ordered to be printed.

8. A letter from the Secretary of the Navy, transmitting tentative draft of a bill to amend section 1570 of the Revised Statutes of the United States (H. Doc. No. 545); to the Committee on Naval Affairs and ordered to be printed.

9. A letter from the Secretary of the Navy, transmitting tentative draft of a bill to provide for the disposition of the effects of deceased persons in the naval service (H. Doc. No. 546); to the Committee on Naval Affairs and ordered to be printed.

10. A letter from the Secretary of the Navy, transmitting tentative draft of a bill to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916 (H. Doc. No. 547); to the Committee on Naval Affairs and ordered to be printed.

11. A letter from the Secretary of the Navy transmitting a tentative draft of a bill to authorize additional pay for enlisted men detained beyond the expiration of their terms of enlistment (H. Doc. No. 548); to the Committee on Naval Affairs and ordered to be printed.

12. A letter from the Secretary of Commerce, transmitting reports of expenditures by the several bureaus and divisions of the Department of Commerce for the fiscal year ended June 30, 1917 (H. Doc. No. 549); to the Committee on Expenditures in the Department of Commerce and ordered to be printed.

13. A letter from the superintendent of the State, War, and Navy Department Building, transmitting report concerning purchase of typewriters and other labor-saving devices (H. Doc. No. 550); to the Committee on Appropriations and ordered to be printed.

14. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, together with copy of a report from Lieut. Col. (now Col.) Thomas H. Rees, Corps of Engineers, and copy of a report from Col. W. H. Houer, United States Army, retired, with map on a preliminary examination and survey of Redwood City Harbor, Cal. (H. Doc. No. 551); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

15. A letter from the Secretary of the Navy, transmitting draft of proposed bill for the relief of Brig. Gen. Littleton W. T. Waller (H. Doc. No. 552); to the Committee on Claims and ordered to be printed.

16. A letter from the Secretary of the Navy, transmitting statement showing the number and designation of persons employed under the appropriation for additional temporary employees, Navy Department, and the annual rate of compensation paid to each (H. Doc. No. 553); to the Committee on Appropriations and ordered to be printed.

17. A letter from the superintendent of the State, War, and Navy Department Building, transmitting detailed report showing the number of persons, the grades or character of position, the original rates of compensation, and the increased rates of compensation for the employees of the office of the superintendent of the State, War, and Navy Building (H. Doc. No. 554); to the Committee on Appropriations and ordered to be printed.

18. A letter from the Secretary of the Treasury, transmitting the report of the Surgeon General of the Public Health Service for the fiscal year 1917 (H. Doc. No. 615); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

19. A letter from the Assistant Secretary of War, transmitting a report of the publications received and distributed by the War Department during the fiscal year ended June 30, 1917 (H. Doc. No. 555); to the Committee on Printing and ordered to be printed.

20. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War submitting a supplemental estimate of appropriation for the fiscal year 1918, to cover the purchase and installation of new cables for the elevator at the Washington Monument (H. Doc. No. 556); to the Committee on Appropriations and ordered to be printed.

21. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting a supplemental estimate of appropriation required by the Post Office Department for the fiscal year 1918 for expenses of postal censorship of the mails (H. Doc. No. 557); to the Committee on Appropriations and ordered to be printed.

22. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting supplemental estimate of appropriations for the Postal Service, payable from the postal revenues, for the fiscal year 1918 (H. Doc. No. 558); to the Committee on Appropriations and ordered to be printed.

23. A letter from the Secretary of the Treasury, transmitting copy of communication from the Acting Secretary of Commerce of list of claims which have been considered, adjusted, and determined to be due claimants by the Commissioner of Lighthouses on account of damages caused by collisions for which the vessels of the Lighthouse Service have been found responsible (H. Doc. No. 559); to the Committee on Appropriations and ordered to be printed.

24. A letter from the Secretary of the Treasury, transmitting statement of the proceeds of all sales of old material, condemned stores, supplies, and other public property for the fiscal year ended June 30, 1917, deposited and covered into the Treasury as miscellaneous receipts (H. Doc. No. 560); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FERRIS, from the Committee on the Public Lands, to which was referred the bill (H. R. 3232) to authorize exploration for and disposition of coal, phosphate, oil, gas, potassium, or sodium, reported the same with amendment, accompanied by a report (No. 206), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PADGETT, from the Committee on Naval Affairs, to which was referred the bill (H. R. 6967) to increase the number of midshipmen at the United States Naval Academy, reported the same without amendment, accompanied by a report (No. 209), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 6975) to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes, reported the same without amendment, accompanied by a report (No. 208), which said bill and report were referred to the House Calendar.

Mr. MORGAN, from the Committee on the Judiciary, to which was referred the bill (H. R. 5558) to amend section 101 of the Judicial Code, reported the same without amendment, accompanied by a report (No. 207), which said bill and report were referred to the House Calendar.

Mr. STEELE, from the Committee on the Judiciary, to which was referred the bill (H. R. 294) to provide for the appointment of an additional judge of the district court of the United States for the eastern district of Missouri, reported the same with amendment, accompanied by a report (No. 210), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 4573) granting a pension to Otto Henkle; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6910) granting an increase of pension to Mary Cavanagh; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6929) granting an increase of pension to Laura G. Hight; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6930) granting an increase of pension to Martha Johnson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6931) granting an increase of pension to Susan E. Bell; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7163) granting a pension to Freda Burow; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERWOOD: A bill (H. R. 7323) for the relief of transportation on the Great Lakes and connecting waterways; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 7324) to pay the several sums of money found due certain navy-yard employees by the Court of Claims; to the Committee on Claims.

By Mr. RAMSEYER: A bill (H. R. 7325) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. PADGETT: A bill (H. R. 7326) to authorize the President to drop from the rolls of the Navy or Marine Corps any officer thereof who is absent from duty without leave for three months or more, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 7327) to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916; to the Committee on Naval Affairs.

Also, a bill (H. R. 7328) to amend section 1570 of the Revised Statutes of the United States; to the Committee on Naval Affairs.

Also, a bill (H. R. 7329) to provide for the disposition of the effects of deceased persons in the naval service; to the Committee on Naval Affairs.

By Mr. FESS: A bill (H. R. 7330) to create a national university at the seat of the Federal Government; to the Committee on Education.

By Mr. WATKINS: A bill (H. R. 7331) to appropriate $30,000 to remove logs from Sabine River and condemn and expropriate them; to the Committee on Rivers and Harbors.

By Mr. PARK: A bill (H. R. 7332) to appropriate $50,000 for the further improvement of Flint River, Ga., with a view of continuing improvement thereof; to the Committee on Rivers and Harbors.

By Mr. FULLER of Illinois: A bill (H. R. 7333) providing for the purchase of a site and the erection thereon of a public building at Peru, in the State of Illinois; to the Committee on Public Buildings and Grounds.

By Mr. HULBERT (by request): A bill (H. R. 7334) making an appropriation for making demonstrative test of a new patented form of railroad construction and equipment; to the Committee on Appropriations.

By Mr. AYRES: A bill (H. R. 7335) providing a pension at the rate of $30 per month for certain soldiers and sailors of the Civil War, and at a rate of $40 and a further rate of $50 per month according to age; to the Committee on Invalid Pensions.

By Mr. HULBERT (by request): A bill (H. R. 7336) to amend an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913; to the Committee on Ways and Means.

By Mr. DYER: A bill (H. R. 7337) to amend section 37 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

Also, a bill (H. R. 7338) to reduce the tax on oleomargarine; to the Committee on Agriculture.

By Mr. HULL of Tennessee: A bill (H. R. 7339) to adopt the project and plan of improving the Cumberland River above Nashville, in Tennessee and Kentucky, as recommended by the Department of Engineers in the report made on February 4, 1914; and to authorize the Secretary of War to commence, continue, and complete the locking and damming of said river from Lock No. 7 to Lock No. 21 in accordance with said plan recommended by the Department of Engineers; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7340) for removing obstructions, etc., from Obed River; to the Committee on Rivers and Harbors.

By Mr. WATKINS: A bill (H. R. 7341) to provide for a site and public building at Mansfield, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7342) to establish and maintain a fish-hatching and fish-culture station in the State of Louisiana; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 7343) regulating the method of keeping mortality statistics by the Census Bureau, and providing for tabulating and rating separately white and colored people, and requiring that the mortality rates of cities be based upon deaths of those residing in the city, and nonresident deaths or deaths of transients be tabulated separately; to the Committee on the Census.

By Mr. SULZER: A bill (H. R. 7344) to regulate the killing and sale of certain game animals in northern Alaska during the existing state of war, and for other purposes; to the Committee on the Territories.

By Mr. WATKINS: A bill (H. R. 7345) to provide for an increase in the compensation of rural free delivery carriers; to the Committee on the Post Office and Post Roads.

By Mr. FITZGERALD: A bill (H. R. 7346) continuing until June 30, 1918, the appropriation of $100,000,000 for the national security and defense; to the Committee on Appropriations.

By Mr. WATKINS: A bill (H. R. 7347) providing for an increase in salary of the United States marshal for the western district of Louisiana; to the Committee on the Judiciary.

By Mr. HOOD: A bill (H. R. 7348) to provide for the retirement of officers and employees in the Bureau of Lighthouses and the Lighthouse Service; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7349) to regulate the salaries of keepers of lighthouses; to the Committee on Interstate and Foreign Commerce.

By Mr. FOCHT: A bill (H. R. 7350) granting annuities to all native or naturalized American citizens 65 years of age and over who have been residents of the country for 20 years and whose income is less than $300 per year; to the Committee on the Judiciary.

Also, a bill (H. R. 7351) extending the benefits of the general pension laws to the members of the Eighth, Twentieth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, and Thirty-third Regiments, the several batteries of Artillery, the several troops of Cavalry, and the several independent companies which comprised the Pennsylvania Volunteer Militia, otherwise known as the "Emergency Men," who were called into service by the President of the United States of America, officered by United States officers, and sworn into the service of the United States for an indefinite period the same as if they had been in the service of the United States for a period of 90 days or more; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7352) to provide pensions for all soldiers and marines of the Civil War, the Spanish-American War, and the Mexican War, who now receive pensions, at a minimum rate of $50 per month; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 7353) to employ convict labor for the production of war supplies and to authorize their purchase by the Federal Government; to regulate the compensation and hours of labor and fix standards; to prohibit the purchase of war supplies manufactured by convicts under private contract; to limit the effect of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured, mined, or produced by convict labor or in any prison or reformatory; and to equip the United States penitentiaries at Atlanta, Ga.; Leavenworth, Kans.; and McNeill Island, Wash., and the United States Army prison and disciplinary barracks, and the United States naval prison for the manufacture of supplies for the use of the Government, for the compensation of the prisoners for their labor, and for other purposes; to the Committee on Labor.

By Mr. NEELY: A bill (H. R. 7354) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912, and for other purposes; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 7355) to amend section 1 of an act entitled "An act granting pensions to certain enlisted

men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 7356) providing for increase pay for all civilian employees of the United States and of the District of Columbia; to the Committee on Appropriations.

By Mr. WALSH: A bill (H. R. 7357) to provide for the establishment of a fog signal on the East Breakwater, Nantucket Harbor, Mass.; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Washington: A bill (H. R. 7358) amending the act of June 9, 1916, and granting a preference right to make homestead entry to all persons enlisted in the military or naval service of the United States; to the Committee on the Public Lands.

By Mr. SCHALL: A bill (H. R. 7359) to authorize James D. Markham and Chauncey A. Kelsey and others to construct a dam across the St. Croix River between Minnesota and Wisconsin; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Illinois: A bill (H. R. 7360) to prohibit the killing, trapping, netting, ensnaring, hunting, having in possession, and sale of certain wild birds in the District of Columbia; to the Committee on the District of Columbia.

By Mr. KING: A bill (H. R. 7361) for the erection of a public building at Galva, Ill., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. GREGG: A bill (H. R. 7362) to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water; to the Committee on Interstate and Foreign Commerce.

By Mr. KETTNER: A bill (H. R. 7363) for the protection of lands and property in the Palo Verde Valley, Cal., and for other purposes; to the Committee on Appropriations.

By Mr. GARLAND: A bill (H. R. 7364) incorporating the Supreme Lodge of the World, Loyal Order of Moose; to the Committee on the Judiciary.

By Mr. PARK: Resolution (H. Res. 191) authorizing clerks to certain committees of the House; to the Committee on Accounts.

Also, a resolution (H. Res. 192) assigning clerks to certain committees of the House; to the Committee on Accounts.

By Mr. EMERSON: Resolution (H. Res. 193) to authorize the fuel administrator to commandeer necessary freight cars to ship coal to the sections in Ohio needing coal; to the Committee on Agriculture.

By Mr. KNUTSON: Joint resolution (H. J. Res. 182) providing for a change of policy in the manner of handling the reservoir waters at the headwaters of the Mississippi River and its tributaries in Minnesota; to the Committee on Interstate and Foreign Commerce.

By Mr. HULL of Tennessee: Joint resolution (H. J. Res. 183) to amend Senate joint resolution 8, approved May 4, 1898, entitled "Joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States," to the Committee on War Claims.

By Mr. COPLEY: Joint resolution (H. J. Res. 184) to permit any soldier, sailor, marine, or other person engaged in the service of the United States during the present war, to accept decorations for valor from any of the nations allied with the United States in the prosecution of said war; to the Committee on Foreign Affairs.

By Mr. SLAYDEN: Joint resolution (H. J. Res. 185) to authorize retired officers of the Army on duty at the United States Soldiers' Home to be considered as performing active military duty during the present war; to the Committee on Military Affairs.

By Mr. BELL: Joint resolution (H. J. Res. 186) extending the commission provided for in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, with the same authorities, powers, and provisions until on or before March 1, 1918; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 7365) granting an increase of pension to William C. Martin; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 7366) granting an increase of pension to James McCoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7367) granting an increase of pension to Daniel Felton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7368) granting a pension to Nettie B. Shores; to the Committee on Pensions.

By Mr. AYRES: A bill (H. R. 7369) granting an increase of pension to J. Conley Rich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7370) granting an increase of pension to Erwin Beach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7371) granting an increase of pension to Robert Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7372) granting an increase of pension to John M. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7373) granting an increase of pension to Esta A. Makepeace; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 7374) granting a pension to Edith King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7375) granting a pension to Frances Revena Lewars; to the Committee on Pensions.

Also, a bill (H. R. 7376) granting an increase of pension to John F. Newman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7377) granting an increase of pension to Amos R. Westbrook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7378) for the relief of George Welty; to the Committee on Claims.

By Mr. BURROUGHS: A bill (H. R. 7379) granting an increase of pension to Alonzo Whitehouse; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 7380) granting a pension to Claude H. Johnson; to the Committee on Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 7381) granting a pension to Henry Blankenship; to the Committee on Pensions.

Also, a bill (H. R. 7382) granting a pension to Henry Humphries; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7383) granting an increase of pension to Frank W. Tuttle; to the Committee on Pensions.

Also, a bill (H. R. 7384) granting an increase of pension to John S. Skeels; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7385) granting an increase of pension to Edwin C. Beall; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 7386) granting a pension to Lois Stubbs; to the Committee on Pensions.

Also, a bill (H. R. 7387) granting a pension to Lavonia Colley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7388) granting a pension to Maggie J. Stroud; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7389) granting an increase of pension to David Byers; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 7390) granting an increase of pension to Joseph McGuire; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 7391) for the relief of Patrick Powers; to the Committee on Military Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 7392) granting an increase of pension to Collins South; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7393) granting an increase of pension to Albert Fields; to the Committee on Invalid Pensions.

By Mr. CLARK of Pennsylvania: A bill (H. R. 7394) granting a pension to Hattie L. Rouse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7395) granting a pension to Edward J. Sweeney, a feeble-minded person; to the Committee on Pensions.

By Mr. COPLEY: A bill (H. R. 7396) granting a pension to Rebecca J. Bagley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7397) granting a pension to Julia and Katherine Sherwood; to the Committee on Pensions.

Also, a bill (H. R. 7398) granting an increase of pension to Elisha S. Peck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7399) granting an increase of pension to Josephine Freeman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7400) granting an increase of pension to Alonzo Ackerman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7401) granting an increase of pension to John W. Groesbeck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7402) granting an increase of pension to Emily C. Sperry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7403) granting an increase of pension to Michael Kouth; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 7404) granting an increase of pension to Franklin Kirby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7405) granting an increase of pension to W. W. Pavy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7406) granting an increase of pension to John S. Brademeyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7407) granting a pension to Ida I. Goldman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7408) granting an increase of pension to Enoch T. Leach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7409) grating an increase of pension to William T. Kimbrel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7410) granting an increase of pension to Levi Blume; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7411) granting an increase of pension to Jasper Wood; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 7412) granting a pension to George W. Sanders; to the Committee on Pensions.

By Mr. DALLINGER: A bill (H. R. 7413) for the relief of the legal heirs of Herbert H. Russell; to the Committee on Claims.

By Mr. DILLON: A bill (H. R. 7414) for the relief of Patrick Dwyer; to the Committee on Military Affairs.

By Mr. DIXON: A bill (H. R. 7415) granting a pension to Jacob L. Hinkle; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 7416) granting a pension to Fred D. Marshall; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 7417) granting a pension to William Comstock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7418) granting a pension to David Moreland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7419) granting a pension to Thomas Gray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7420) granting a pension to James D. Webb; to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 7421) granting a pension to Dora Hewey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7422) granting a pension to Emma A. Carroll; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 7423) granting a pension to Elizabeth A. Mueller; to the Committee on Pensions.

Also, a bill (H. R. 7424) granting a pension to Henry C. Clausen; to the Committee on Pensions.

Also, a bill (H. R. 7425) granting an increase of pension to Absolom Erickson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7426) granting an increase of pension to John R. Ogden; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 7427) granting a pension to John R. Houchin; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 7428) granting an increase of pension to Frank M. Gibson; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 7429) granting an increase of pension to Charles H. Birley; to the Committee on Pensions.

Also, a bill (H. R. 7430) granting an increase of pension to William A. Ellis; to the Committee on Pensions.

Also, a bill (H. R. 7431) granting an increase of pension to Peter Beichler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7432) granting an increase of pension to John H. Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7433) granting an increase of pension to Henry H. Schrawder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7434) granting an increase of pension to Thomas D. Hummel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7435) granting an increase of pension to David H. Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7436) granting an increase of pension to Samuel P. Burns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7437) granting an increase of pension to Calvin M. Skinner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7438) granting an increase of pension to Nathaniel S. Agnew; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7439) granting an increase of pension to Richard A. M. Harner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7440) granting a pension to William Zimmerman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7441) granting an increase of pension to William S. Nail; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7442) granting an increase of pension to A. L. Burket; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7443) granting an increase of pension to Perry Jarrett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7444) granting an increase of pension to John C. Kuhn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7445) granting an increase of pension to Levi R. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7446) granting an increase of pension to Christian Bechtel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7447) granting an increase of pension to Daniel Pope; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7448) granting an increase of pension to Riley R. Zerbe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7449) granting an increase of pension to William E. Beistline; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7450) granting an increase of pension to John E. Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7451) granting a pension to Arthur V. B. Suders; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7452) granting a pension to George P. Vance; to the Committee on Pensions.

Also, a bill (H. R. 7453) granting a pension to John W. Ferguson; to the Committee on Pensions.

Also, a bill (H. R. 7454) for the relief of George D. Jones; to the Committee on Military Affairs.

Also, a bill (H. R. 7455) for the relief of Jacob F. Schild; to the Committee on Military Affairs.

Also, a bill (H. R. 7456) for the relief of Cyrus Kennedy; to the Committee on Military Affairs.

Also, a bill (H. R. 7457) for the relief of James A. Bell; to the Committee on Military Affairs.

By Mr. FOSTER: A bill (H. R. 7458) granting an increase of pension to George W. Boling; to the Committee on Pensions.

Also, a bill (H. R. 7459) granting an increase of pension to Andrew Hansen; to the Committee on Pensions.

Also, a bill (H. R. 7460) granting an increase of pension to George W. Hicks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7461) granting an increase of pension to George A. C. Coffey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7462) for the relief of Peter Helfman; to the Committee on Claims.

By Mr. FULLER of Illinois: A bill (H. R. 7463) granting an increase of pension to Theodore W. Goodsell; to the Committee on Invalid Pensions.

By Mr. GILLETT: A bill (H. R. 7464) granting an increase of pension to Wallace Chamberlain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7465) granting an increase of pension to John E. Stanton; to the Committee on Invalid Pensions.

By Mr. GOODALL: A bill (H. R. 7466) granting an increase of pension to Alvas W. Trickey; to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: A bill (H. R. 7467) granting a pension to Lewis B. Force; to the Committee on Pensions.

By Mr. HELVERING: A bill (H. R. 7468) granting a pension to Lizzie A. Seamans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7469) granting a pension to Clarissa Pells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7470) granting a pension to William L. Blizzard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7471) granting an increase of pension to Eli Sherman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7472) granting an increase of pension to George N. Morse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7473) granting an increase of pension to David Hood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7474) granting an increase of pension to Daniel Dietrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7475) granting an increase of pension to Enoch C. Ward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7476) granting an increase of pension to Charles L. Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7477) granting an increase of pension to James McKittrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7478) granting an increase of pension to Theodore M. Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7479) granting an increase of pension to William A. Burns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7480) granting an increase of pension to John W. Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7481) granting an increase of pension to Thomas Haxton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7482) granting an increase of pension to Nicholas H. Wetzel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7483) granting an increase of pension to Tilman H. Elrod; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7484) granting an increase of pension to Morton B. Fitts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7485) granting an increase of pension to Charles Schiller; to the Committee on Pensions.

By Mr. HUDDLESTON: A bill (H. R. 7486) granting an increase of pension to William G. Beckley; to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 7487) granting a pension to Isaiah P. Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7488) granting an increase of pension to John C. James; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7489) granting an increase of pension to Addis E. Underwood; to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 7490) granting a pension to John B. Peters; to the Committee on Pensions.

Also, a bill (H. R. 7491) granting a pension to John R. Hamilton; to the Committee on Pensions.

Also, a bill (H. R. 7492) granting a pension to J. M. Luck; to the Committee on Pensions.

Also, a bill (H. R. 7493) granting a pension to Joel Dyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7494) granting a pension to John McCabe; to the Committee on Pensions.

Also, a bill (H. R. 7495) granting an increase of pension to James N. Davis; to the Committee on Pensions.

Also, a bill (H. R. 7496) granting an increase of pension to Harmon L. Jones; to the Committee on Pensions.

Also, a bill (H. R. 7497) granting an increase of pension to John Bardill; to the Committee on Invalid Pensions.

By Mr. HOLLAND: A bill (H. R. 7498) granting a pension to Ella Godfrey; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 7499) granting an increase of pension to James W. Page; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 7500) granting a pension to Linsley Herrington; to the Committee on Pensions.

Also, a bill (H. R. 7501) granting an increase of pension to James Wardwell Newton; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 7502) granting an increase of pension to David Simpkins; to the Committee on Pensions.

Also, a bill (H. R. 7503) granting an increase of pension to Walter F. Davidson; to the Committee on Pensions.

Also, a bill (H. R. 7504) granting an increase of pension to Robert Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7505) granting an increase of pension to William L. Saxon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7506) granting an increase of pension to Thomas Culbertson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7507) granting an increase of pension to Job V. Pownall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7508) granting an increase of pension to James Van Riper; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 7509) granting an increase of pension to John Fagley; to the Committee on Invalid Pensions.

By Mr. McKEOWN: A bill (H. R. 7510) granting an increase of pension to Edwin Downs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7511) granting a pension to Mary A. Barber; to the Committee on Pensions.

By Mr. McKINLEY: A bill (H. R. 7512) granting a pension to Della B. Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7513) granting an increase of pension to William Landis; to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 7514) granting an increase of pension to Joseph Smolinski; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7515) granting a pension to James E. Howard; to the Committee on Pensions.

By Mr. NEELY: A bill (H. R. 7516) granting an increase of pension to Woodman S. Sample; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 7517) granting an increase of pension to Isaiah Hilliard; to the Committee on Invalid Pensions.

By Mr. OLNEY: A bill (H. R. 7518) granting an increase of pension to Catherine O'Connor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7519) granting an increase of pension to Ansil T. Bartlett; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 7520) granting an increase of pension to Frederick Christy; to the Committee on Invalid Pensions.

By Mr. PLATT: A bill (H. R. 7521) granting a pension to George Garrett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7522) granting a pension to Leander Platt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7523) granting a pension to John Cornell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7524) granting a pension to Robert Dinsmore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7525) for the relief of Charles D. Shay; to the Committee on Claims.

Also, a bill (H. R. 7526) for the relief of William H. Miller; to the Committee on Claims.

By Mr. POLK: A bill (H. R. 7527) granting an increase of pension to Charles W. Stigers; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 7528) granting a pension to James Lee; to the Committee on Pensions.

Also, a bill (H. R. 7529) granting a pension to Wheeler A. Wallace; to the Committee on Pensions.

Also, a bill (H. R. 7530) granting a pension to David Turner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7531) granting a pension to William S. Stearns; to the Committee on Pensions.

Also, a bill (H. R. 7532) granting a pension to James H. Sims; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7533) granting an increase of pension to William Petry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7534) granting an increase of pension to William A. Minks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7535) granting an increase of pension to William Wooten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7536) granting an increase of pension to George W. Parks; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 7537) granting an increase of pension to George W. Wright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7538) granting an increase of pension to Charles H. Kindle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7539) granting an increase of pension to Hobart Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7540) granting an increase of pension to Henry Daniels; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7541) granting an increase of pension to John T. Temple; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7542) granting an increase of pension to James Andell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7543) granting a pension to Amanda Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7544) granting a pension to Ida L. Clark; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 7545) granting a pension to Mary Ann Baldridge; to the Committee on Pensions.

Also, a bill (H. R. 7546) granting a pension to Nancy White; to the Committee on Pensions.

Also, a bill (H. R. 7547) granting an increase of pension to Joseph Ohman; to the Committee on Pensions.

Also, a bill (H. R. 7548) granting an increase of pension to John L. Sanders; to the Committee on Invalid Pensions.

By Mr. ROWLAND: A bill (H. R. 7549) for the relief of Clement H. Cole; to the Committee on Pensions.

By Mr. RUSSELL: A bill (H. R. 7550) granting an increase of pension to William L. Smith; to the Committee on Invalid Pensions.

By Mr. SHALLENBERGER: A bill (H. R. 7551) granting a pension to Frances A. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7552) granting a pension to Mathilda Richter; to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 7553) granting an increase of pension to Alexander Frazier; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 7554) granting a pension to Ann Diltz; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 7555) granting a pension to John A. Lovens; to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 7556) granting an increase of pension to John R. King; to the Committee on Pensions.

Also, a bill (H. R. 7557) for the relief of William J. Arthur; to the Committee on Claims.

By Mr. TAYLOR of Arkansas: A bill (H. R. 7558) granting an increase of pension to William A. Strong; to the Committee on Invalid Pensions.

By Mr. TILLMAN: A bill (H. R. 7559) granting an increase of pension to Henry J. Loughmiller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7560) granting an increase of pension to William W. Kimball; to the Committee on Invalid Pensions.

By Mr. VAN DYKE: A bill (H. R. 7561) granting a pension to Gertrude H. Bird; to the Committee on Pensions.

By Mr. WHEELER: A bill (H. R. 7562) granting a pension to Olive V. Metz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7563) granting an increase of pension to Andrew J. Callahan; to the Committee on Invalid Pensions.

By Mr. WISE: A bill (H. R. 7564) granting a pension to Sally Speer Signor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7565) granting six months' pay to Sally Speer Signor, widow of Matt Howland Signor, deceased, late captain, United States Navy, retired; to the Committee on Pensions.

By Mr. WOODYARD: A bill (H. R. 7566) granting a pension to Mary Cremeens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7567) granting an increase of pension to Oscar N. Greer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Alabama, California, Colorado, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Vermont, and West Virginia, favoring the Moore Purple Cross bill, H. R. 5410, or the Wolcott Purple Cross bill, S. 2692; to the Committee on Military Affairs.

Also (by request), resolutions of undertakers and embalmers of Jacksonville, Fla., and of a mass meeting held in the First Presbyterian Church, of East Liverpool, Ohio, indorsing the Moore Purple Cross bill; to the Committee on the Judiciary.

Also (by request), memorials of various churches and church organizations of the State of Missouri, favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of Phoenix and Tucson (Ariz.) citizens, protesting against illegal arrest and imprisonment of American women; to the Committee on the Judiciary.

Also (by request), petition of Toledo (Ohio) postal employees, favoring increase in salaries of postal employees; to the Committee on the Post Office and Post Roads.

Also (by request), memorial of the Mayor and Board of Aldermen of Union, Miss., favoring legislation by Congress for benefit of Choctaw Indians living in Mississippi; to the Committee on Indian Affairs.

Also (by request), petition of sundry citizens of Johnstown, Pa., in sympathy with President and Congress in declaration of war on Austria; to the Committee on Foreign Affairs.

Also (by request), petition of Amalgamated Lithographers of America, against national prohibition; to the Committee on the Judiciary.

By Mr. BURNETT: Petition and resolutions of Washington Camp No. 741, of Pennsylvania; Junion Order, Council No. 406, of Pennsylvania; Odd Fellows Lodge No. 933, of Pennsylvania; Castle 293 of Golden Eagle; Tribe No. 96, Improved Order Red Men, of Pennsylvania; Knights of Pythias Lodge No. 161, of Pennsylvania; and United Mine Workers Union No. 609, of Pennsylvania, urging upon the President and Congress the revision of treaties and enactment of laws that will deport aliens of conscription age or compel them to enlist in our Army and Navy; to the Committee on Military Affairs.

By Mr. DALE of New York: Petition of Dr. John M. Bruno, of Brooklyn, N. Y., favoring the Edmonds bill providing for pharmaceutical corps; to the Committee on Military Affairs.

Also, petition of Lieut. Walter Kempster, of Milwaukee, Wis., favoring the bill to form a Civil War Volunteer officers' retired list; to the Committee on Military Affairs.

Also, petition of S. G. Rosenbaum, president of the National Cloak & Suit Co., of New York, protesting against the needless illumination of cities during the coal shortage and favoring the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Volunteer Officers' Retired List Association, of San Francisco, Cal., favoring a bill to create in the War Department and Navy Department, respectively, a roll designated as the Civil War officers' retired list, etc.; to the Committee on Military Affairs.

By Mr. DILLON: Petition of employees of the Post Office, favoring maximum salary of $1,500 for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. DOOLITTLE: Petition by 27 members of the Women's Christian Missionary Society of the Christian Church, of Emporia, Kans., in behalf of national prohibition; to the Committee on the Judiciary.

By Mr. ELSTON: Resolution of the City Council of Alameda, Cal., urging stringent legislation against spies and traitors; to the Committee on Military Affairs.

By Mr. FESS: Evidence to accompany House bill 3594, granting an increase of pension to William Locust; to the Committee on Invalid Pensions.

Also, evidence to accompany House bill 3590, granting an increase of pension to Joseph Zimmerman; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolutions of the Bath Beach Taxpayers' Club, Brooklyn, N. Y., favoring an increase in remuneration of the postal employees of the United States Government; to the Committee on the Post Offices and Post Roads.

Also, a resolution of the Twenty-eighth Ward Taxpayers' Protective Association, Brooklyn, N. Y., favoring the reduction of the postal rates between New York City and Brooklyn; to the Committee on the Post Offices and Post Roads.

Also, a resolution of the Twenty-eighth Ward Taxpayers' Association of Brooklyn, N. Y., favoring free mail service to and from soldiers of the United States now in the service; to the Committee on the Post Offices and Post Roads.

By Mr. FOSTER: Petition of 128 veterans of the Civil War, of Crawford County, Ill., urging increase of pensions to all Civil War veterans to $50 per month; to the Committee on Invalid Pensions.

Also, petition of the members of the Women's Foreign Missionary Society, of Vandalia, Ill., favoring the prohibition amendment; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Memorial of the Woman's Home Missionary Union of Chicago, Ill., favoring the passage of the Federal prohibition amendment; to the Committee on the Judiciary.

Also, petition of the East St. Louis Lumber Co., opposing the repeal of the provisions of the revenue law relating to second-class postage; to the Committee on Ways and Means.

Also, memorial of Chicago Local No. 1 of the National Federation of Postal Employees and members of the Chicago Letter Carriers' Association relative to the necessity for increased pay to such employees; to the Committee on the Post Office and Post Roads.

By Mr. HAMILTON of Michigan: Petition of sundry citizens of the State of Michigan, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HERSEY: Resolution adopted by Penobscot and Piscataquis Rural Letter Carriers' Association, favoring a civil-service court of appeals; to the Committee on Reform in the Civil Service.

Also, memorial of Rural Letter Carriers' Association of Penobscot and Piscataquis Counties, urging increase in allowance for equipment of carriers; to the Committee on the Post Office and Post Roads.

By Mr. JOHNSON of Washington: Resolutions of Mount Pleasant Grange, No. 73, Washougal, Wash., favoring the Kelley bill; to the Committee on Agriculture.

By Mr. KAHN: Papers to accompany a bill to increase the pension of James Wardwell Newton; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 7500, to grant a pension to Lindley Herrington; to the Committee on Pensions.

By Mr. KENNEDY of Rhode Island: Petitions of James L. Jenks, jr., and E. M. Docherty, of Providence; William Bailey and Joseph Coates, of Lonsdale; congregation of Church of the Mediator, Providence; and Gilbert Swain and Lester E. Swain, of Providence, all in the State of Rhode Island, favoring national prohibition legislation; to the Committee on the Judiciary.

Also, petitions of Margaret D. Du Villard, Louise M. M. Nightingale, Mrs. A. E. Grafton, Edith Nichols, and Hannah A. Coggeshall, all of Providence; Alice H. D. Greene, of Wickford; and Mrs. C. J. Steedman, of Providence, all in the State of Rhode Island, opposing woman suffrage; to the Committee on the Judiciary.

Also, petitions of Loomfixers' Union, No. 486, of Pawtucket, in State of Rhode Island, opposing national prohibition legislation; to the Committee on the Judiciary.

Also, petitions of Mr. William Gammell, Mrs. Charles Bradley, Irene Guild Cranston, Miss Louise C. Hoppin, Mrs. Robert Ives Gammell, and Arthur P. Sumner, all of Providence; Mrs. French Vanderbilt, of Newport; Ethel M. Wallace and Jessie L. Coggeshall, of Providence, all in the State of Rhode Island, opposing woman suffrage; to the Committee on the Judiciary.

Also, petitions of Thomas Turner, William R. Leach, Thomas B. Davis, John H. Spotwood, David Waugh, John H. Entwistle, Charles Slater, Richard Goodwin, James E. Ball, William Ball, John Tyson, Robert Tyson, Rev. William B. Taylor, Ph. D., John J. Spotwood, Ernest Proctor, George A. Tyson, Alfred Cockshutt, John Haworth, Alexander Haworth, William Haworth, Thomas W. Platt, James Goodier, Thomas Woods, James White, William Ball, jr., Daniel E. Hodgins, Hiram Smethurst, Edward Taylor, Thomas Johnston, James Broadbent, James Platt, Wilford Haworth, James Haworth, William Dawson, Albert Evans, James Gray, Alfred Hale, and Samuel

Crabtree, all of the P. M. Church, Lonsdale, in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of Baptist Young People's Union of Central Falls; E. H. Ingerson, of Providence; Woman's Christian Temperance Union of Rhode Island; and Methodist Episcopal Churches of Mapleville and Glendale, all in the State of Rhode Island, favoring passage of the national prohibition amendment; to the Committee on the Judiciary.

By Mr. LUFKIN: Petition of Post 47, Grand Army of the Republic, of Haverhill, Mass., urging increase in pensions of veterans of Civil War; to the Committee on Invalid Pensions.

By Mr. MEEKER: Resolution of Real Estate Exchange of St. Louis, Mo., praying for time extension for the completion of the municipal free bridge across the Mississippi River; to the Committee on Interstate and Foreign Commerce.

Also, petition of 56 citizens of St. Louis, Mo., protesting against the constitutional amendment for national prohibition; to the Committee on the Judiciary.

Also, petition of 161 citizens of St. Louis, Mo., in favor of House bill 5181, to amend an act to authorize the President to temporarily increase the Military Establishment of the United States; to the Committee on Military Affairs.

Also, resolutions of commercial organizations of St. Louis, Mo., and board of directors of the Real Estate Exchange of St. Louis, Mo., protesting against the constitutional amendment for national prohibition; to the Committee on the Judiciary.

By Mr. MILLER of Minnesota: Resolution of the executive board of the Minnesota Housewives' League, expressing the appreciation of the league for the services performed by Mr. Herbert Hoover and his assistants; to the Committee on Agriculture.

By Mr. OSBORNE: Memorial of the Highland Park United Presbyterian Church, Los Angeles, Cal., requesting the House of Representatives to support both constitutional and war measures for prohibition; to the Committee on the Judiciary.

By Mr. PLATT: Petitions of members of Mountainsville Grange, No. 946, Patrons of Husbandry, and citizens of Chester, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Petition of Vallejo (Cal.) Trades and Labor Council, protesting against importation of Chinese or Japanese coolies into the State of California; to the Committee on Immigration and Naturalization.

Also, memorial of Vallejo (Cal.) Trades and Labor Council, favoring retirement of all employees of the Federal Government; to the Committee on Reform in the Civil Service.

Also, resolution of California State Federation of Labor, indorsing the measure to grant postal clerks time and one-half for extra work; also indorsement of the salary classification bill; to the Committee on the Post Office and Post Roads.

Also, petition of A. A. Greenbaum, San Francisco, Cal., protesting against national prohibition; to the Committee on the Judiciary.

Also, resolution of California State Federation of Labor, favoring the establishment of a civil-service court of appeals; to the Committee on Reform in the Civil Service.

By Mr. RIORDAN (by request): Petition of sundry citizens of New York City, against the supply of tobacco to soldiers and sailors; to the Committee on Military Affairs.

By Mr. STEENERSON: Petition of Mrs. James L. Laidlaw, New York, N. Y., in support of legislation to readjust the hours of labor and salaries of postal employees; to the Committee on the Post Office and Post Roads.

Also, a petition of members of the Rural Carriers' Association, of Ottertail County, Minn., for equipment and maintenance allowance and increased compensation on routes over 24 miles in length; to the Committee on the Post Office and Post Roads.

Also, petition of N. B. Barsness, Duluth, Minn., in favor of an amendment to the war revenue law to eliminate taxation of employees otherwise taxed and to provide for split payments of taxes levied thereunder; to the Committee on Ways and Means.

Also, resolutions of Minnesota Branch, Woman's Board of Missions of the Interior, favoring constitutional prohibition; to the Committee on the Judiciary.

Also, petition of Cloquet Branch of the National Association of Letter Carriers, Cloquet, Minn., in favor of the Madden bill for increased compensation for letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. TAGUE: Resolutions of the semiannual directors' meeting of the New England Hardware Dealers' Association, requesting all employers and employees to refer all disputes to arbitration during the war, favoring all fair methods of keeping the American dollar at par, favoring the effort to reduce the expense of delivering goods to customers, favoring the keeping of the railroads in the best condition, and expressing their determination to stand with the President until victory is achieved; to the Committee on Interstate and Foreign Commerce.

Also, resolution of a mass meeting of the postal employees of Fall River, Mass., favoring increase of salary to postal employees; to the Committee on the Post Office and Post Roads.

By Mr. TAYLOR of Colorado: Memorials of Woman's Christian Temperance Union of La Salle and Paonia, and 34,000 members of protestant churches of Denver, Colo., urging national prohibition; to the Committee on the Judiciary.

By Mr. VESTAL: Petition by divers persons of Madison County, Ind., praying for woman suffrage; to the Committee on Woman Suffrage.

Also, petition for nation-wide prohibition during the war by various churches of Anderson, Ind.; to the Committee on the Judiciary.

By Mr. WINSLOW: Petitions of sundry citizens of the State of Massachusetts, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WOODYARD: Memorials of Andrew Mather Post, No. 14, Grand Army of the Republic, of Parkersburg, and Josiah Steele Post, No. 60, Grand Army of the Republic, of Elizabeth, W. Va., favoring bill to grant veterans of Civil War $50 a month pension; to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, *December 12, 1917.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in the midst of the confusion and strife of the world we pray for peace, for the peace of God which passeth all understanding, which keeps our hearts and minds in the knowledge of God, peace that the world can not give and can not take away, peace in our hearts which arises out of a sense of security and calm as we are responsive to Thy will and obedient to Thy law. Grant that nothing shall come into our lives which will separate between us and God, and that Thy Word may be our law and Thy will our guide in all the actions of life. For Christ's sake. Amen.

JOHN B. KENDRICK, a Senator from the State of Wyoming, and HENRY L. MYERS, a Senator from the State of Montana, appeared in their seats to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. VARDAMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. SMITH of Michigan. Mr. President, I have petitions signed by thousands of representative citizens of Michigan in favor of the immediate submission of a Federal suffrage amendment to the legislatures of the several States. I hold in my hand a fair sample of these petitions and desire to read one of them. It is very brief:

> The undersigned men of Wayne County, State of Michigan, do hereby petition you to work and vote for the immediate submission of a Federal suffrage amendment to the legislatures of the several States in order that the women of the United States may become the political equals of those of Great Britain, Australia, New Zealand, Canada, and the Scandinavian countries.

That petition is signed by Paul H. King, a very representative young man of our State; by Edward N. Hines, by Judge Webster, of the Wayne County Circuit Court, and Judge Sellers; by Milton Oakman, the treasurer of Wayne County, and numerous other very representative men. I think it calls for more than passing comment. I will say that these petitions have been circulated and signed by men who have never heretofore engaged in any propaganda in favor of this very just cause. In presenting the petitions not in a merely informal way I am presenting them with my sincere hope that the Senate will take up and pass the joint resolution which is now on the Calendar, and that Senators may thus be given an opportunity to vote upon it.

The VICE PRESIDENT. The joint resolution having been reported from the committee, the petitions will lie on the table.

Mr. GRONNA. I ask to have printed in the RECORD and referred to the Committee on Military Affairs a short resolution adopted by the Commercial Club of Bismarck, N. Dak., asking for a law establishing military training.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

> UNIVERSAL MILITARY TRAINING.
>
> Whereas we covet for the United States the high honor and prestige of a peaceful Nation engaged in the pursuits of trade and the advancement of learning; and

Whereas the present state of society local in the State and in the Nation seems to require police power to protect it in the proper pursuits of peace; and

Whereas the present world conflict might have been avoided under such just and fair protection; and

Whereas an effective police must not only be properly equipped and maintained but must be specifically trained: Be it

Resolved, That it is the sense of the Bismarck Commercial Club, at its annual meeting of 1917, held at the Grand Pacific Hotel December 4, that all male citizens within proper ages should be called into military training, with a view to their preparation for the exigency of attack or for the protection of the Nation's honor against a possible foe; and

Resolved, That we hereby petition our Representatives in Congress to use their best endeavor in the enactment of such law.

Mr. GRONNA presented petitions of sundry citizens of Williams County, N. Dak., praying for the immediate submission of the Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. GALLINGER presented a petition of the National Council of American Cotton Manufacturers, praying that liberal appropriations be made for the Bureau of Foreign and Domestic Commerce in the Department of Commerce, which was referred to the Committee on Appropriations.

Mr. NELSON presented petitions numerously signed by citizens of the State of Minnesota, praying for the submission of the Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. WATSON presented a petition of sundry citizens of Indianapolis and South Bend, in the State of Indiana, praying for increase in salary of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. BECKHAM presented petitions of sundry citizens of Nelson, Bullitt, Ohio, Grayson, Crittenden, Marion, Fleming, and Bell Counties, all in the State of Kentucky, praying for the passage of the Federal suffrage amendment of the legislatures of the several States, which were ordered to lie on the table.

Mr. MYERS presented a petition of the Commercial Club of Great Falls, Mont., praying for an increase in the salaries of city letter carriers, which was referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by the Commercial Club of Great Falls, Mont., expressing gratitude and appreciation of the action of the President, the Cabinet, Congress, and the Council of National Defense, in upholding and defending the Republic, which were referred to the Committee on Foreign Relations.

Mr. LODGE presented a petition of the city council of Lawrence, Mass., praying for an increase in the salaries of letter carriers and other postal employees, which was referred to the Committee on Post Offices and Post Roads.

DEVELOPMENT OF WATERPOWER.

Mr. SHIELDS. I desire at this time to submit a report (No. 179) to accompany the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, heretofore reported by me from the Committee on Commerce.

The VICE PRESIDENT. The report will be received and printed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 3178) to repeal section 209 of the act of October 3, 1917; to the Committee on Finance.

By Mr. STERLING:

A bill (S. 3179) granting an increase of pension to Edwin S. Metcalf (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 3180) authorizing the President to reappoint Maj. Jens Bugge, retired, to the Army; to the Committee on Military Affairs.

By Mr. SHAFROTH:

A bill (S. 3181) granting an increase of pension to John Alexander;

A bill (S. 3182) granting an increase of pension to Carolina M. Anthony;

A bill (S. 3183) granting a pension to Mary T. Beeson;

A bill (S. 3184) granting an increase of pension to William Butler;

A bill (S. 3185) granting an increase of pension to William H. Comstock;

A bill (S. 3186) granting a pension to Alfred Cushman;

A bill (S. 3187) granting a pension to Elizabeth H. Dunn;

A bill (S. 3188) granting a pension to Etta S. Jeffrey;

A bill (S. 3189) granting a pension to Rebecca Leymoyne;

A bill (S. 3190) granting an increase of pension to Alonzo A. P. V. McCoy;

A bill (S. 3191) granting a pension to Schuyler C. Morgan;

A bill (S. 3192) granting a pension to Martha H. Sners;

A bill (S. 3193) granting a pension to Elner H. Stroge;

A bill (S. 3194) granting a pension to Benjamin Thomas; and

A bill (S. 3195) granting a pension to Grace E. Waterbury; to the Committee on Pensions.

A bill (S. 3196) for the relief of Elizabeth Minier; to the Committee on Military Affairs.

By Mr. GOFF:

A bill (S. 3197) for the relief of James A. Showen; to the Committee on Claims.

A bill (S. 3198) for the relief of James H. Kelly; to the Committee on Military Affairs.

A bill (S. 3199) granting an increase of pension to Daniel Vanscoy (with accompanying papers);

A bill (S. 3200) granting a pension to Della Smith;

A bill (S. 3201) granting an increase of pension to Mary E. Allen;

A bill (S. 3202) granting an increase of pension to Isabel T. Congo;

A bill (S. 3203) granting an increase of pension to William S. Clark;

A bill (S. 3204) granting an increase of pension to John P. Fetty;

A bill (S. 3205) granting an increase of pension to Isaac Gour;

A bill (S. 3206) granting an increase of pension to Nancy E. Gatrell;

A bill (S. 3207) granting an increase of pension to John E. Hott; and

A bill (S. 3208) granting an increase of pension to Jacob P. Marling; to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 3209) granting an increase of pension to William H. McGovern (with accompanying papers); and

A bill (S. 3210) granting an increase of pension to Samuel H. McCormick (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 3211) to repeal section 209 of the act of October 3, 1917, entitled "An act to provide revenue to defray war expenses, and for other purposes; to the Committee on Finance.

A bill (S. 3212) to provide for the purchase of a site and the erection of a public building thereon in the city of Greenfield, Ind.; to the Committee on Public Buildings and Grounds.

A bill (S. 3213) granting a pension to Hester A. Doyle; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 3214) to amend section 25 of the act of December 23, 1913, known as the Federal reserve act, as amended by the act of September 7, 1916; to the Committee on Banking and Currency.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. CULBERSON submitted an amendment proposing to appropriate $4,226.14 for the completion of the bridge across the San Juan River at Shiprock, N. Mex., on the Navajo Indian Reservation, etc., intended to be proposed by him to the urgent deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

PROMOTION OF EXPORT TRADE.

The VICE PRESIDENT. Concurrent and other resolutions are in order. [After a pause.] The morning business is closed.

Mr. POMERENE. I ask unanimous consent that the unfinished business, House bill 2316, be laid before the Senate and proceeded with.

The VICE PRESIDENT. Is there objection?

Mr. KELLOGG. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Frelinghuysen	Jones, Wash.	McKellar
Beckham	Gallinger	Kellogg	McLean
Borah	Goff	Kendrick	McNary
Brady	Gore	Kenyon	Myers
Calder	Gronna	King	Nelson
Culberson	Hale	Knox	New
Cummins	James	La Follette	Newlands
Dillingham	Johnson, Cal.	Lewis	Overman
Fletcher	Johnson, S. Dak.	Lodge	Page
France	Jones, N. Mex.	McCumber	Penrose

Pittman	Sheppard	Smith, S. C.	Thompson
Poindexter	Shields	Smoot	Townsend
Pomerene	Simmons	Sterling	Trammell
Ransdell	Smith, Ariz.	Stone	Underwood
Robinson	Smith, Md.	Sutherland	Vardaman
Shafroth	Smith, Mich.	Swanson	Williams

Mr. FRELINGHUYSEN. I desire to announce that my colleague [Mr. HUGHES] is detained by illness.

Mr. VARDAMAN. I wish to announce the unavoidable absence of the Senator from Georgia [Mr. HARDWICK] on account of illness.

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] owing to illness.

Mr. SMOOT. I wish to announce the unavoidable absence of the Senator from Kansas [Mr. CURTIS] on official business.

Mr. MYERS. I desire to announce that my colleague [Mr. WALSH] is detained by illness.

Mr. LEWIS. I rise to make announcement of the absence of the senior Senator from South Carolina [Mr. TILLMAN] occasioned by illness. I ask to have the announcement remain for the day.

Mr. McNARY. I desire to announce the absence of my colleague [Mr. CHAMBERLAIN] on important committee business.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call, and there is a quorum present. Is there objection to the present consideration of the unfinished business?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2316) to promote export trade, and for other purposes.

Mr. POMERENE. Mr. President, in view of the course the discussion of the pending bill has taken in the last day or two, I feel as if I ought to make answer to some of the criticisms indulged in by its opponents. I hope I may be pardoned if I say that while the discussion was going on I was almost constrained to think that the bill which was being discussed was not the bill which was being considered by the Senate. I trust Senators will bear with me a little while while I shall aim to analyze the bill and try to demonstrate the importance of having legislation upon the subject at this particular time.

It has been repeatedly said, with all due respect to the able Senators who have discussed the bill, that it was substantially a repeal of our entire trust legislation. With that proposition I must take issue. The bill itself presents no suggestion of dissatisfaction with the general trust legislation or policy of this country. The purpose of the bill is only to modify the present legislation with a view to benefiting our country and increasing our export trade.

Senators, it will be observed that the words "export trade" are very clearly and definitely defined in the first section. It limits "export trade" to "mean solely trade or commerce in goods, wares, or merchandise exported or in the course of being exported from the United States or any Territory thereof to any foreign nation," and then it defines specifically what is not to be embraced in the phrase "export trade." It shall not include "the production, manufacture, or selling for consumption or for resale within the United States or any Territory thereof of such goods, wares, or merchandise or any act in the course of such production, manufacture, or selling for consumption or for resale."

On the second page of the bill the committee defines the associations which may have the privileges of the bill as meaning "any corporation or combination, by contract or otherwise, of two or more persons, partnerships, or corporations." I think the language is so explicit that whatever organization is formed will be so subject to the laws of the land that it would be impossible for foreigners to engage in this business and continue the association in violation of the laws of the United States.

But I want to suggest, for the consideration of Senators at this time, that if they have any doubt about this language it could be amended by providing that these associations could be composed only of two or more persons, partnerships, or corporations who are resident in or situate within the United States. Such an amendment would prevent absolutely any foreign corporation or cartel from becoming interested in the association. I do not believe it is necessary, but it may be that it would be a wise additional safeguard.

Much of the discussion on yesterday would lead Senators to believe that this bill, if enacted, would completely hamstring the Sherman law and the Clayton trust law, and I wish now to direct your attention for a few minutes to that objection.

In the first place, the bill provides that section 2 of the Sherman law shall not "be construed as declaring to be illegal an association entered into for the sole purpose of engaging in export trade and actually engaged solely in such export trade, or an agreement made or act done in the course of export trade by such association." I wish to emphasize the language—any act or agreement.

Further, while the debate was in progress it seemed to me the very able Senators failed to give proper effect to the provisos contained in this section. Now note, these associations may be organized only for the foreign trade and can engage in it only when they or the agreements they may enter into or the acts they may perform are, first, not in restraint of trade within the United States; and, secondly, not in restraint of the export trade of any domestic competitor of such association.

Some Senators seem to have difficulty in understanding the phrase "restraint of the export trade of any domestic competitor." In one of the earliest drafts of this bill the words used were "any American competitor," but on reflection it was believed they were comprehensive enough to include competitors who lived in the other American Republics; hence the word "domestic" was substituted for the word "American" and is in contradistinction to the word "foreign."

But that is not all. There is a third proviso, and, in my judgment, a very important one, to which it also seems to me Senators have failed to give proper effect. It is this:

> That such association does not, either in the United States or elsewhere, enter into any agreement, understanding, or conspiracy, or do any act which artificially or intentionally and unduly enhances or depresses prices within the United States of commodities of the class exported by such association.

I realize and every student of the subject must realize if he desires to continue the policy of the Sherman law, that the operations of these export associations must be so limited that they will not seriously interfere with the operation of the Sherman law within the United States; that they will not unnecessarily interfere with the foreign trade of a domestic competitor; and that their business should be so conducted that it will not unduly affect the prices of domestic commodities to the domestic consumer, either by way of increase or decrease. If we bear in mind this particular paragraph, many of the fears which Senators have been apprehending as a result of this proposed legislation will be dissipated.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. POMERENE. I will yield for a question. I am not feeling very well this morning, and I had a little rather not be interrupted. I will, however, yield for a question.

Mr. CUMMINS. What does the Senator from Ohio understand the words "in restraint of trade of a domestic competitor" to mean? I will put the question in this more specific way: Suppose a combination organized under the bill pursuing perfectly legitimate methods, but selling at a lower price than a rival can sell, takes away the trade of a domestic competitor, is the trade of that domestic competitor "restrained" under the terms of this proposed act, or must the combination pursue vicious or wrongful practices in order to bring about that result?

Mr. POMERENE. Mr. President, I take it the words "in restraint of trade" have been definitely defined by our Supreme Court in the Standard Oil, and the American Tobacco cases, and that judicially construed they mean any undue restraint of trade. The Senator from Iowa asks me as to what would be the effect of a reduction of prices by perfectly legitimate methods employed by these associations. I answer if they were to attempt by any method of unfair competition to interfere with the trade of a domestic competitor that act would be under the control of the Sherman antitrust law and would not be protected under the pending bill. If the larger association was able by reason of its greater efficiency or by exercise of greater economy in its methods of distribution and sale to reduce the price of the article, then, of course, that would be a kind of competition which would not be objectionable under the law.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. REED. After the Senator's expression that he did not want to be interrupted and would prefer not to be interrupted, I hesitate to ask a question; yet I should like to call the Senator's attention, by way of a question, to a matter which I think is of very great importance.

Suppose that the exporters of wheat in the United States, corporate and individual, were to organize themselves into one export company and thus embrace within themselves all of the people engaged in exporting wheat, is there anything in this bill that would prevent them doing that?

Mr. POMERENE. Mr. President, I will answer the question, but really I would prefer not to be interrupted. I will come to that later in my remarks, but in answer to the Senator's question, I will say this now: In the first place, he is putting an almost impossible proposition; and, in the second place, if

there should be such an organization as he has suggested, and it should artificially or intentionally and unduly affect prices either by depressing or increasing them in the United States, it would be an objectionable practice under this proposed law and the Federal Trade Commission would have the right to investigate the association and compel it to conform its entire business methods to the law as Congress has prescribed it.

Mr. REED. Mr. President, will not the Senator permit me to say that such an organization effected would undoubtedly have the right to go into the American market and offer whatever price it pleased for American wheat, and that if that would be regarded as illegal under the bill, then it would be the first time that a purchaser had been denied the right to offer his own price?

Mr. POMERENE. Well, Mr. President, I realize that the Senator has some conceptions of this measure which I do not have. I think that Senators lose sight of the fact in the discussion that it is not the larger aggregations of capital that are seeking this legislation; it is the smaller companies.

Mr. REED. The Steel Trust is seeking it.

Mr. POMERENE. If the Senator will bear with me, I shall hope to answer the Senator fully before I get through.

Mr. REED. Very well; I should like to keep within the record; that is all.

Mr. POMERENE. I should like to keep within the record also. It is true, I will say in further answer, that many of the organizations—in fact, nearly all of the export organizations of the country—are favorable to this legislation, and for reasons which I shall indicate later on. But the questions propounded by Senators have been diverting me from the course of the argument which I intended to pursue.

I desire now to call attention to the third section of the bill, that relating to the construction to be placed upon section 7 of the Clayton Act. Senators have referred to this section as if it were a repeal of section 7 of the Clayton Act. With all due respect to Senators who have taken that view, their statement must be accepted with a very material modification. Let me read:

SEC. 3. That nothing contained in section 7 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, shall be construed to forbid the acquisition or ownership by any corporation of the whole or any part of the stock or other capital of any corporation organized solely for the purpose of engaging in export trade, and actually engaged solely in such export trade—

And now note the following language—

unless the effect of such acquisition or ownership may be to restrain trade or substantially lessen competition within the United States.

And if the acquisition of any such stock by an association would either restrain trade or substantially lessen competition, then it would be a violation of this bill if it becomes a law.

Again, section 4 extends the control of the Federal Trade Commission under the Federal Trade Commission act to our extraterritorial commerce and all acts which may be performed in territory outside of the United States. This leads me to call attention to the very able argument made by the senior Senator from Iowa [Mr. CUMMINS] on yesterday. He cited a case in Two hundred and thirteenth United States Supreme Court Reports, which in substance held that an act which was done in foreign territory and conformed to the laws there could not be reached under the Sherman law. He was right as to that contention under the facts set forth in that case; but I desire to direct the Senator's attention to the further modification of that principle as contained in a case in Two hundred and twenty-third United States Supreme Court Reports, on page 512, where the court distinguishes the case then under consideration from the American Banana Co. against The United Fruit Co. case, reported in Two hundred and thirteenth United States, 347. The syllabus in part reads:

While a statute——

Mr. CUMMINS. Is the Senator now reading from the American Tobacco Co. case?

Mr. POMERENE. No; I am reading from the case of United States against Nord Deutscher Lloyd.

Mr. CUMMINS. In Two hundred and twenty-third United States?

Mr. POMERENE. In Two hundred and twenty-third United States, page 512:

While a statute has no extraterritorial force, and one can not be indicted here for what he does in a foreign country, the making of a contract in a foreign country may, as in this case, create a condition operative in this country, under which acts of omission or commission can be punished here.

A vessel owner taking security in a foreign country for the return passage of aliens brought to a port of the United States violates section 19 of the immigration act of 1907, and the retention of the money in the United States for the return passage is an offense at the place where it is retained.

So that, I conclude from the principle laid down in this case, although an association organized under the pending bill should enter into some agreement or perform some act in a foreign country which met the requirements of law there, if at the same time the effect of it were such as to materially interfere with the policy of the United States under its trust laws, then it would be subject to the jurisdiction of the authorities of this country, including both the Federal Trade Commission and the Department of Justice.

These associations are placed under vigorous supervision by the departments. In section 5 of the law they are required to register annually with the Federal Trade Commission, giving, among other things, their location, the names of the companies and corporations or individuals or partnerships that may be interested in them, the kind of business they are doing, copies of their charters, if any, or their articles of agreement forming the association; and later on, if the Federal Trade Commission at any time has reason to believe that they are violating any of the laws of the land, the commission can compel them to bring before them all of their books, all of their contracts, and everything pertaining to their business for their investigation; and it is made the duty of the Department of Justice, as well as the United States district attorneys, to see to the enforcement of this law.

These associations, as shown in section 2 of the bill, must not be in restraint of trade within the United States or of the trade of a domestic exporter, and their acts must not be such as to artificially or intentionally and unduly enhance or increase prices. If they do any of these acts or enter into any of these agreements, then the Federal Trade Commission has the right to inquire concerning them and to make recommendations requiring these associations to conform their business to the requirements of the statute. If they fail to do it, then the proceedings shall be certified over to the Department of Justice for such action as it may deem proper. I shall perhaps a little later on call attention to that subject, when I come to a discussion of some of the different illustrations which were placed before the Senate on yesterday.

Now, a word as to the necessity of this legislation.

In the debate the other day one of the Senators stated that there was nothing in the report of the committee showing the necessity for this legislation. With all due respect to the Senator's statement, I do not think he read the report. It may be that it fails to go as fully into the question of the necessity of this legislation as it should have gone; but I want Senators to bear in mind this fact: I think I fairly state the facts when I say that at the time of these hearings Senators did realize that our commerce was at a serious disadvantage under the present legislation in its competition with foreign cartels and combinations. The only question was, What, if anything, shall we do for the purpose of ameliorating conditions? In drafting this report the writer was content to make this simple statement concerning the necessity for the legislation:

The Federal Trade Commission, in a summary of a report made May 2, 1916, points out the liberality with which foreign and particularly European nations permit organizations or combinations with respect to their foreign trade. This is the common practice in Germany, England, France, Italy, Austria-Hungary, Switzerland, Holland, Sweden, and Belgium, as well as in Japan. In Germany alone prior to the beginning of the European war there were 600 important cartels or combinations embracing nearly every manufacturing and commercial industry in the Empire. Many of these organizations devoted themselves largely to the export trade, and they "carried on vigorous campaigns to extend their foreign business, to prevent competition among German producers in foreign markets, and to secure profitable prices."

Since the beginning of the European war the allies have even organized buying agencies for the benefit of their Governments and their people. Our merchants and manufacturers must meet this situation. Very few of them can compete single handed with these great combinations. Our belief is that it is necessary to permit our business men to form similar organizations or associations so as to enable them to meet foreign competitors on a more equal footing. In this way they will be able to reduce the selling cost and keep in closer touch with the demands of the foreign markets.

The most of the report was devoted to a consideration of certain amendments which had been suggested by the several members of the committee and which were later incorporated in the reported bill as it was presented to the Senate; and in the last bill passed by the House of Representatives, which is now before the Senate, most of those amendments were adopted.

The opponents of the bill insist there is no necessity of this legislation. There is a very full discussion of trade conditions in the foreign markets in the hearings before the committees, both of the House and of the Senate, as well as in the hearings held by the Federal Trade Commission. The question for us to meet, in my judgment, is this: Does the American Congress wish to place our American business man on an equal footing with his foreign competitor or does it not? If we are seeking foreign trade in some third country, should we compel our

people to go single-handed after a contract, while Germany and France and Great Britain and nearly all other competing countries allow their business men to enter into combination for the purpose of getting that contract? That is the situation.

The House passed a bill similar to this on September 2, 1916. The vote on it was 199 yeas and 25 nays. On June 13, 1917, the House voted on the bill now under consideration. The vote on it was, yeas 249, nays 29.

The different trade organizations of the country have been most earnestly in support of this legislation. I realize that some of them may be criticized because perhaps they have done things which they ought not to have done, and left undone the things that they ought to have done; but when organizations come as a whole and ask for legislation of this character in view of world conditions what shall we do? Do we want the foreign trade or do we not? Those Senators who fear that sales abroad may affect the price of sales at home, if they are going to be entirely consistent, would shut off entirely our foreign trade. But they want our foreign trade to increase, so why not take counsel of the experience of our competitors in our lands.

Of course, we realize that there can not be a pound of pork or a barrel of flour sold abroad which to some extent does not affect our local prices; but we have our surplus products. We want to sell them abroad. I care not whether these surplus products come from the farm or the factory or the mine; when they go abroad they are helping our domestic industries, and we want the best prices we can secure for them. Do we want to help them or do we not? That is the question for us to consider.

Mr. A. C. Pierson, representing the Associated Business Papers of New York, an association which represents more than 100 of the trade papers of the country, testified before the Interstate Commerce Committee that all of them favored the principle of this law. No one industry was against it.

The American Manufacturers' Export Association, with a membership of 550, favored it; and the hearings show that among the membership of this association were not only bankers and business men but farmers' associations as well.

Mr. REED. Mr. President, will the Senator permit an inquiry? Did he say the American Manufacturers' Association?

Mr. POMERENE. The American Manufacturers' Export Association.

Mr. REED. Is that the same concern that had its headquarters in Washington and was investigated by a committee of the Senate, and was found to be maintaining a lobby here?

Mr. POMERENE. I do not know. Perhaps the Senator from Missouri has some information on that subject.

Mr. REED. I do not know; but the names are very similar.

Mr. MYERS. Mr. President, I rise to suggest that the body which was investigated by a committee of which the Senator from Missouri was a member was the American Manufacturers' Association, I think, and had nothing to do with and was not the body to which the Senator from Ohio refers.

Mr. REED. Is the Senator familiar with the personnel of the two?

Mr. POMERENE. Well, Mr. President, I prefer not to be interrupted.

The VICE PRESIDENT. The Senator from Ohio has the floor. He does not desire to be interrupted, and he has a right to proceed without interruption.

Mr. POMERENE. A short time ago the Fourth National Foreign Trade Convention was held. There were present, so these hearings show, 1,305 delegates, representing all activities in foreign commerce in all sections of the country, and they unanimously supported the principle of this bill.

The Merchants' Association of New York, with a membership of 5,000, unanimously supported the principle of this bill. At the First National Foreign Trade Convention, with 400 American business men present, the principle of the bill was again indorsed.

A word on this subject from the distinguished American Ambassador at Berlin during the last three or four years may be of interest. I read from the Public Ledger of Saturday morning, September 8, 1917, under the subheading "Combine for selling abroad":

> The only thing that can maintain a fair price after the war for the products of American firms, miners, and manufacturers is permission to combine for selling abroad. There is before Congress a bill called the Webb bill permitting those engaged in export trade to combine, and this bill, which is manifestly for the benefit of the American producer of raw materials and foods and manufactured articles, should be passed.

I have before me a report of some hearings before the Federal Trade Commission. There appeared before this commission Mr. Ernest Thurnauer, who represented, it is true, one of the large electrical companies of this country. He was asked to discuss conditions as they existed abroad. I am only going to take the time of the Senate to read a paragraph:

> The cartels are perhaps more strongly and more largely organized in Germany than in any other country, but there are some in France and England as well, and there are some which are international. They are generally selling organizations. They contract between the different producers of a certain article or commodity or a material. These are contracts under which they arrange for the sale of the products, either jointly or they divide them up pro rata, or they aid each other financially, even. These cartels are very frequently under government control. They are very much favored by the government, especially for export purposes. In certain cases the government has been directly interested in them as partners.
>
> For instance, there are some coal cartels in Germany. The German Government own certain coal mines, and they are in these cartels just like others. They take part in them, they get their share of the sales, they participate in the fixing of prices, and they are really partners, like the private enterprises.

Consul General Julius G. Lay, Berlin, Germany, in November, 1915, made a report to the State Department on cartelization in Germany. This report is printed in volume 2 of the Federal Trade Commissioner's Report on American Cooperative Export Trade.

If anyone has any doubts as to the extent to which combinations are organized and operated, both in the domestic trade and in her foreign trade, I am satisfied they will be clarified by reading this report. It shows that nearly all of the important industries of Germany are combined in cartels of one kind or another. He speaks especially of the large combinations, among which he names—

1. The coal, iron, and steel industries.
2. The coal industries.
3. The potash industries.
4. The German Portland cement companies.
5. Electrical industries.
6. Wall-paper industries.
7. Print-paper combine.
8. Cartels in the textile industries.
9. Alcohol cartels.

Again, he speaks of the concentrated movements in other German industries, such as the plate-glass manufacturers, the Association of Window Glass Producers, concentration of the electrical glass industries, bottle industries, analine color combinations, Association of Linoleum Manufacturers, Soda Trust, aluminum and zinc organizations, German glue combination, dynamite agreement, German book trade, rubber combinations, German gold and silver plating works, incandescent-light industries, Artificial Silk Trust, stoneware combination, and the storage-battery industries, and so forth.

Mr. President, the other day there was some discussion as to the progress which was made in our foreign exports. One Senator drew the conclusion that we needed legislation of this character in order to encourage exports. Another Senator, after some analysis of the figures, suggests that we have made tremendous progress under the operation of the Sherman law. That is true; but I insist that, while these two facts may exist concurrently, there is no casual connection between them. And now, if we are to analyze these figures further, we will find this:

In the year 1913 the total value of manufactured products exported amounted to $776,297,360. Among these manufactured products were agricultural implements amounting to $40,572,352; exports of oils—mineral—refined, $129,666,995; iron and steel exports, $304,605,797; making a total of exports in these three classifications of $474,845,044. Or, in other words, 60 per cent and over of the exports of manufactured articles in this country were from these three classifications, which embrace within them the large integrated interests of the country—iron and steel, oil, and agricultural implements.

The only inference I seek to draw from these facts is this: If 60 per cent of our manufactured exports are of classes of manufacture which are produced by highly integrated companies with large investments of capital, I think I am right when I say it is largely because they were better equipped by reason of that fact to invade the foreign market.

Mr. REED. If the Senator will permit one question at that point, it is, If every one of these industries that he has referred to as being successful in the European market at the present time—the steel industry, the harvester industry, and the oil industry—did not appear either directly or by their representatives in advocacy of this measure?

Mr. POMERENE. Mr. President, I do not know whether they did or not. I did not see them. Certain students of the subject came. Certain representatives, speaking for all these exporters, came. I am not able to distinguish them. I shall try to determine this matter upon the facts as I see them and not because certain persons appeared or did not appear before the committee.

Mr. REED. Mr. President, if the Senator will pardon me, that is a very high position to take, but it is not the position the Senator took a moment ago when reading us as persuasive of our action a long list of gentlemen who had advocated the bill.

Mr. POMERENE. Mr. President, I realize that I can not agree with the Senator. There is no use in our trying to agree upon the subject.

I desire to say that it is not the large industries of this country that will be principally affected by this legislation. It will be the small industries—the class of industries which do not have capital enough to permit them to invade the foreign market, to cultivate the trade, and to dispose of their goods.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER (Mr. BECKHAM in the chair). Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. POMERENE. I have repeatedly asked not to be disturbed. I shall be glad to answer any question I can when I shall have finished this subject, but I want to hurry along.

This subject has been very carefully considered by many very able students, and I am going to take the liberty of reading just a paragraph from one of them which is quoted in the Senate hearings on page 40. I may say it is the thought of Mr. Gilbert H. Montague, who appeared before this committee. He describes the condition, which our people meet in seeking trade abroad, so well that I believe the language will interest Senators.

> Imagine a squad of recruits, responding patriotically to their country's call for foreign service, paying out of their own pockets for their equipment and training; studying in solitude the use of their equipment, with no assistance from the Government except a correspondence course of instruction; and then, without ever having had any company or battalion drill, being sent to the front with the plaudits and best wishes of their grateful country and with the warning that if they ever fight or even drill as a coordinated army or in any way except as unrelated individuals they will be liable, when they return home, to court-martial and public disgrace. That is the situation of our exporters to-day. (Gilbert H. Montague, Third National Foreign Trade Convention, New Orleans, January, 1916.)

I realize that whatever is done upon this subject must be done in such a way as to conserve our own institutions, our own industries, and our own system of laws, and I think we have succeeded in doing it.

The Senator from Missouri yesterday in a very eloquent address referred to the fact that there were two bills before the Congress, one the pending bill and the other the price-fixing bill, known as the Stephens bill. I have no more sympathy with the latter bill than he has. The purpose of that bill is one thing and the purpose of this bill another. He spoke of it as if they were the two jaws of a wild animal. He spoke of his dislike of the Prussian Government and of the Prussian institutions, and I share his dislike. He spoke of the rapacity of the cartels and combinations of Germany, which are permitted to operate not only in Germany with her domestic trade but in her foreign trade, and he feared that our associations which we are seeking to organize under this bill would have the same effect on our domestic commerce.

He did not want our people to be ground between the two jaws of the animal. Neither do I. But let me suggest to him and to those who think like him, at the present time when our exporters are seeking to get their share of the world's trade our men, as individuals, are compelled to come in contact with this Prussian-made animal, and often they are crushed by its jaws. They, as individuals, must meet foreign competitors in combination. We must determine now whether the American Congress has enough interest in the American business man to enable him to meet these German and other associations and cartels on the same footing. If we want that foreign trade we will be for this bill, and if we do not want it, I can understand why some Senators will be against it.

The Senator also in his eloquent argument referred to the fact that all the allied trusts and combinations of the country were back of this bill. I do not know what kind of institutions he embraces within that term, but assuming for the sake of the argument that some of them or all of them are back of this bill, because they want to meet the foreign producer on an equal footing, who in the world will be in opposition to this bill? I will tell you who. It will be the German Kaiser, the German Government, the German cartels and combinations all over the world. They will be lined up in opposition to this bill and will be glad to see it defeated.

Mr. REED. Mr. President, does the Senator mean to intimate that opposition to this bill is indicative of a sympathy with Germany?

Mr. POMERENE. Not at all, sir; and if the Senator regards that as a reflection upon him I want to explain that nothing of that kind was intended. I was simply resorting to his own logic.

Mr. REED. I would not want to say it was a reflection on me, because I do not think I am under suspicion, but I think that kind of an argument is——

Mr. POMERENE. Oh, I am applying the same argument to the Senator's attitude that he was applying to the position of the proponent's of this bill.

Mr. REED. Oh, no, Mr. President. The argument made by the proponents of it was that it was necessary, because Germany had cartels. The reply was that I did not think because Germany had authorized combinations this country was obliged to follow the lead of Germany.

Mr. POMERENE. I quote the Senator's language.

Mr. REED. Quote it. It is in the RECORD.

Mr. POMERENE (reading)—

> The allied trusts of the United States, together with their servants, agents, employees, and sympathizers, are for the bill.

Mr. REED. Undoubtedly.

Mr. POMERENE. Yes; and if the Senator is justified, and I find no fault with him, in trying to align those who favor this bill because they believe in it with the allied combinations and trusts, I do not think that he should be supersensitive when we apply the same logic to his position.

Mr. REED. If the Senator will permit me, I am not supersensitive. I shall take occasion to reply to his remarks.

Mr. POMERENE. Very well.

Mr. President, if I may refer to another phase of this debate, a very plausible argument was made on yesterday when the position was taken in substance that this bill was a repeal of the Sherman antitrust law, and if it became the law of the land and these associations were authorized they would at once seek to control the foreign market, and probably enter into a combination with foreign companies and cartels engaged in the same line of business, and thus reenforced and world-wide in their control of products they would reduce the prices of food animals, of grain, and of other products and raise the prices to the consumer when it suited their purposes.

If the Senator when making this argument had recited facts instead of fancies, there might have been some force in his utterances, but he was giving free rein to his imagination. The Senator overlooked the fact that this bill does not repeal the Sherman law. He had in mind one paragraph only and lost sight of all the restrictions and qualifications it contains. I submit that when this bill is construed judicially it will be analyzed as a whole and not one part separate from the other.

The Senator forgets that neither the associations, nor their agreements, nor their actions can be in restraint of trade within the United States, nor in restraint of the foreign trade of any domestic competitor, and they can not by any agreement, conspiracy, or act artificially or intentionally and unduly either enhance prices or reduce prices domestically, and if they do they violate the law of the land.

Mr. President, I do not believe anyone who has studied this question does not know that an association or a man or a company who is strong financially will not have an advantage over the individual or company that is seeking the foreign market and is not able to enter because of lack of funds. Financial strength and unity of effort beget power and bring success.

It was stated on yesterday that there was no occasion for legislation of this character at this particular time. I do not understand the position of Senators who assume that attitude. The papers have been full of information to the effect that the German Government for two years and more have been planning for the resumption of their foreign trade after the war. More than two years ago there was a conference in Paris between British business men and government officials and French business men and government officials looking to the trade after the war. Why? Because they believe and hope that this war is going to end, and when it ends and peace is restored they must live on, and make every effort to restore conditions as they were in their respective countries prior to the war. They are not waiting until the war is over to begin. They are planning now; and our business men are eager for the day when they can go into the foreign field for foreign commerce and meet their competitors on a fair field and in a fair fight, unrestricted by the legislative handicap of our own country.

One of the principal difficulties which has confronted the American business men in the past has been the fact that we did not have proper shipping facilities. That difficulty, I believe, is now solved because the Shipping Board, under the direction of the Congress, is building a merchant fleet such as was never before known either in the history of this or any other country.

Our opponents say we must do nothing now to help our business men to prepare for this great contest. The business men

of the Old World are not idle. They are looking to the future. Why should we be idle?

Oh, but it is said there is no commerce now. To-day the Government is forging cannon and making munitions not because it expects to use them to-day but because it does expect to use them during the war when American armies will be along the far-flung battle line. We are not waiting for that day to arrive before we begin preparation. To say that our business men must go single handed to seek this commerce against the methods which prevail in the Old World, is just about as logical as to say that we should send our soldiers abroad with a blunderbus in contest with the 42-centimeter guns of the Old World.

Mr. President, I do not feel that I care to occupy the time or the attention of the Senate further than to say this, with regard to the amendment which has been offered by the Senator from Iowa [Mr. CUMMINS]. He insists that all we need, if we need anything, is the authority to organize a selling association. I have yet to learn the distinction, in that regard, between his amendment and the bill which we have presented. I believe that our bill goes a little further. I believe that it is better, because it is impossible for us to anticipate all the things which it may be necessary for us to do. It may be that the phraseology of the pending bill is not what each Senator would have it if he were drawing the bill himself; but I submit that it is fashioned after the framework of the bill of the other House. It is not subject to any of the criticisms which Senators have been making against it. It modifies, to some extent, as I have tried to point out, the provisions of the Sherman law and the Clayton law, in so far as they may affect foreign trade. They are not repealed. It does not repeal, it does not affect the Sherman law so far as it applies to domestic commerce. It strengthens the Sherman law and the Federal Trade Commission law, in so far as unfair practices are concerned beyond territorial limits.

I hope the amendment of the Senator from Iowa will be voted down. That is all I care to say.

Mr. CURTIS rose.

Mr. REED. Mr. President, I suggest the absence of a quorum.

Mr. CURTIS. I intended to make the same suggestion at the request of the Senator from Iowa [Mr. CUMMINS].

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Harding	Norris	Smith, Ga.
Beckham	James	Overman	Smith, Md.
Borah	Johnson, S. Dak.	Page	Smith, S. C.
Calder	Jones, N. Mex.	Pittman	Smoot
Chamberlain	Jones, Wash.	Poindexter	Sterling
Cummins	Kenyon	Pomerene	Stone
Curtis	King	Ransdell	Sutherland
Dillingham	La Follette	Reed	Swanson
Fernald	Lodge	Robinson	Thompson
France	McKellar	Shafroth	Townsend
Gallinger	McNary	Sheppard	Underwood
Gore	Myers	Sherman	Vardaman
Gronna	New	Shields	Wadsworth
Hale	Newlands	Smith, Ariz.	Williams

Mr. VARDAMAN. I desire to announce the unavoidable absence of the junior Senator from Georgia [Mr. HARDWICK] on account of illness, and will let the announcement stand for the day.

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. A quorum is present. The question is on the amendment offered by the Senator from Iowa [Mr. CUMMINS].

Mr. CUMMINS. Mr. President, I do not intend to consume any considerable time in the further observations I shall make upon the bill. I rise for the purpose of having a clear understanding with the Senator from Ohio and with the Senate with respect to its meaning. In the course of the remarks that he has just made he said several times that it had been asserted that the bill, if passed, would constitute a repeal of the entire antitrust law. It may be that some one in the Senate has made an assertion of that character. If so, I did not hear it. It may be that he referred to the repeated statements which I have made with regard to its meaning. If so, he misunderstood those statements. What I have said, and what I now say, is that the bill, if it becomes a law, will repeal the antitrust law so far as foreign trade is concerned. What I say is, that it is the substantial equivalent of striking out of the antitrust law the phrase "and with foreign nations."

The Senate will remember that the antitrust law makes it unlawful to enter into contracts, combinations, or conspiracies in restraint of trade among the States and with foreign nations. It is in the language of the Constitution, which confers upon Congress the authority to regulate commerce among the States and with foreign nations. There ought not to be any doubt about this; we may differ with respect to the wisdom of doing what is proposed, and there is room for honest difference of opinion; we may not agree with regard to the policies which will best promote and most certainly expand our trade with foreign countries, but we ought not either to misunderstand or disagree concerning the effect of this bill.

The bill declares that the antitrust law shall not be construed to make illegal any combination, any association, any corporation, any agreement, or any act done by virtue of such combination, agreement, or association in the export trade. The export trade of the United States is the foreign trade of the United States. To export commodities means to sell them and transport them to some other country in the world. That is our foreign trade, and this bill nullifies the antitrust law so far as export trade is concerned. There must not be any difference of opinion or misunderstanding about that part of the measure.

Now, if the Senator from Ohio believes—and I am sure he does—that our export trade ought to be conducted free from any restriction, such as the antitrust law has thrown about commerce, then he is perfectly right in advocating and in endeavoring to secure the passage of this bill; but we must understand what we are doing. We are simply ridding the laws of this country of an absolute prohibition against restraint of export trade, and hereafter, if this bill is passed, we will have no regulation of commerce so far as exports are concerned.

Mr. STONE. So far as export trade is concerned, but the bill in no wise changes the law with respect to domestic trade.

Mr. CUMMINS. It does not. I answer that of course upon the phraseology of the bill. I have attempted to show, and other Senators have attempted to show, that when we repeal all of the restrictions with regard to export trade—that is, repeal all our regulations with regard to export trade—there will be a license and a liberty in this country that must necessarily affect our domestic trade. The two things are so inseparably connected with each other that you can not strike down the regulation that covers the one without very materially affecting the other. However, so far as this particular proposed bill is concerned, it is not intended to repeal the prohibition of the antitrust law so far as trade within the United States is concerned.

Mr. REED. Mr. President, will the Senator pardon an interruption?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. I yield.

Mr. REED. But the contention has been made that the control of the price of the surplus of a product controls the price of the product; that this bill authorizes the creation of trusts and combinations to control the foreign market of the United States; and that whoever controls that foreign market, to wit, the surplus of the United States, will necessarily dominate and control in the United States.

Mr. CUMMINS. Mr. President, having thus stated what I conceive to be the effect of this bill, I turn for a few moments to the saving provisos—at least they are thought to be saving provisos by the Senator from Ohio.

The first is that nothing in this act shall be construed to make legal restraints of trade within the United States; that is, that in repealing our regulations so far as export trade is concerned we are not repealing our regulations so far as domestic trade is concerned. The proviso is unobjectionable and unnecessary. We have fallen into the habit in legislation of attaching provisos to proposed enactments simply to satisfy the conscience or satisfy—what may I call it?—the fears of the people who are engaged in constructing the legislation. It is unnecessary because there is nothing in the effective or affirmative part of the section which pretends to repeal that part of the antitrust law which prohibits restraints of trade within the United States or among the States. I therefore put aside entirely the first proviso.

The second proviso declares that nothing in the act shall be construed to make legal restraints of the trade of a domestic competitor. I repeat that the language is absolutely meaningless. There is a wide, fundamental, philosophical difference between a prohibition against the restraint of trade generically and a prohibition against the restraint of trade of a particular competitor. If it means what the Senator from Ohio says it means, then it is simply a recognition of the law that we already have against unfair methods of competition or unfair or dishonest practices in business. But that is not what it says. It again, in my judgment, is inserted in this bill simply to appease those who instinctively are against the repeal or the modification of the antitrust law. It never can accomplish anything, because if construed in its literal sense it would make illegal the restriction of the trade of a competitor in a perfectly honest

and upright way. As I remarked yesterday, when you say that it is illegal to restrain the trade of a competitor, you say that there can be no business done at all, because every sale made by one of two rivals in the same business does, or may, at least, restrict or restrain the trade of the other.

I attach no importance whatever to it. I agree, however, that under the law which we now have in the act creating the Federal Trade Commission there would be found an effective prohibition against unfair methods of competition or dishonest or oppressive practices in business, but this particular proviso might as well be forgotten. There is no vitality, no efficiency in it, and I repeat that up to this time, at least, we have nothing in the statute but a plain repeal of the words "and with foreign nations" as found in the antitrust law, not disturbing, of course, the regulation, so far as our domestic trade is concerned, except that the inseparable association of foreign and domestic trade must not escape the minds of those who are about to pass on the question.

The third proviso is vicious in itself. It will have no effect, probably, upon the repeal of the antitrust law. It does not change at all the argument I am making with regard to the proposition that this is a plain, simple repeal of the antitrust law so far as export trade is concerned. But there is in the third proviso a thought which ought not for a single moment to be accepted by this Legislature or any other in the regulation of commerce. That proviso reads in this way——

Mr. SHAFROTH. From what page does the Senator read?

Mr. CUMMINS. I begin near the bottom of page 2:

And provided further, That such association does not, either in the United States or elsewhere, enter into any agreement, understanding, or conspiracy, or do any act which artificially or intentionally and unduly enhances or depresses prices within the United States of commodities of the class exported by such association.

I pass the word "artificially" with a single observation. What is it artificially to enhance or depress prices of commodities anywhere? What is meant by the word "artificially"? I shall not stop to answer that question. I content myself with saying that it defies answer, because it has never before been applied to a subject of this character, so far as I know. It is a new criterion, a new phrase, in connection with the regulation of industry or commerce. I may return to it a moment later. It is not, however, the part of the proviso which particularly challenges my criticism. I read it again with that left out, because that is independent of any other:

That such association does not, either in the United States or elsewhere, enter into any agreement, understanding, or conspiracy, or do any act which intentionally and—

Mark you, both—

intentionally and unduly enhances or depresses prices within the United States.

This proviso seems to provide for the people of this country a standard which never before has been recognized, and it is the equivalent of saying that any association or agreement organized under this act may enhance prices within the United States if it does not do it intentionally and unduly. Just what would be the practical application of the word "intentionally" I am not able to say. I suppose that the rule of the law would apply, however, namely, that any man is presumed to intend the natural consequences of the acts which he performs, and in applying the word "intentionally" to a particular case I assume that if what he did or what his association did naturally tended to enhance prices, then he would come within this provision. But what next?

He is to be protected by the law unless he intentionally increases prices, and, further, unless he unduly increases prices within the United States. I should like the Senator from Ohio or any other Senator to answer me this question: Who is to determine whether the prices that may result from any act performed by any such association or corporation or combination are undue prices or not? This is not applicable in time of war. I am not arguing it upon the assumption that we need it or could need it in time of war.

Everybody admits that until the war ends we do not need any modification of the antitrust law, for we meet no competitors in any markets in the world that we can not successfully meet. I am speaking, therefore, of a time of peace.

Imagine the combination or association brought to the bar of justice. Imagine that it is alleged against it that it has intentionally and unduly enhanced the prices of certain commodities in the United States. Who is to determine whether the increase or enhancement has been due or undue? Who is to determine what is a fair and a reasonable price for any commodity so affected?

This statute is intended to give, or does give, at least, to the courts of the United States a jurisdiction which has never before been conferred upon them, and which is repugnant to every American instinct. In order to test the validity of an association of this sort, we are to enter in the courts into an inquiry as to whether this particular association has lifted up beyond the point of reason and fairness the prices of commodities in which it deals in the United States.

What is the standard for the ascertainment of fair prices? We have a standard for ascertaining the value of a service when rendered by a public-utility company. From time immemorial the courts and legislatures have applied a standard. But what is the standard for oats, for wheat, for meat, for steel, for wood, for any other of the great commodities which make up our industrial activity? Tell me what the standard is. There is none. There can be none.

Here is one producer working under such conditions that we will assume that it costs him—and now I will refer to steel—$34 a ton to produce a certain form of steel. Here is another operating under such circumstances that it costs him $50 a ton to produce steel. What is a fair price for steel under those conditions? What is a fair profit to be reaped by those who are engaged in the industry?

Mr. POMERENE. Mr. President——

Mr. CUMMINS. I yield to the Senator from Ohio.

Mr. POMERENE. It has been some time since I have looked at the record of the Standard Oil Co. and the American Tobacco Co. cases; but one of the unfair practices complained of in those cases was that these companies would at times depress prices until they drove competitors out of the market, and then raise the prices. I take it that the court had to determine, in those cases, whether the prices were intentionally or unduly depressed or raised. Now, what is the difference between a case of that kind and a case such as this?

Mr. CUMMINS. Mr. President, the Senator from Ohio entirely misconceives the Standard Oil Co. case in that respect, as well as the American Tobacco Co. case. The court at no time in either case, as I recall, entered into any inquiry as to the reasonableness of the price at which the commodity dealt in by the one or the other was sold. It was alleged that in view of the great ramifications of each of these companies it could take a particular community, and in order to drive out a competitor who had risen up in that community the price would be lowered below the cost of production, and the competitor, being weak and new, could not endure that kind of competition. Then, with the competitor removed, the price would be again restored to its former point. It was in that connection that the Supreme Court reviewed the acts of these two companies in lowering and raising prices in particular communities.

But I suspect this word "unduly" crept in here because the word "undue" was used by the Supreme Court in the Standard Oil case in determining whether the restraint of trade practiced in that case was in violation of the statute or not. I am not going to quarrel with that decision; I have no disposition to do it; from my standpoint it can be justified; but what the Supreme Court really said there was that it was not every restraint of trade that came into conflict with the statute, that the restraint must be an unreasonable or an undue restraint of trade, so as to prejudicially affect the people of the country, so as to close up the channels of commerce and transportation and to a degree that really inflicted a hardship upon the people of the country. The use of the word "undue," however, in that connection has no relation to the use of the word "unduly" in this act. You are applying that word to the price of an article, and I repeat that it would be dangerous if not impossible to remit to the courts of this country the inquiry as to whether 20 cents a pound for a particular article was an unduly high price or not, for there would be but one way in which the courts could pursue the inquiry, and that would be to enter upon an investigation as to the cost of production and the cost of putting it upon the market and then allow the producer a fair profit upon the transaction. I have just pointed out, however, that that is a course that is impracticable on account of the wide variety of conditions which surround production.

I can not believe that we will deliberately adopt a statute which inferentially says that these combinations and associations may artificially increase prices in the United States, limiting their influence in that respect only by the qualifications that the increase must not lift the commodity to an unduly high point. We will have reversed our entire policy, we will have disregarded all the learning of the past, we will have launched our boat upon an uncharted sea, for, so far as I know, there is not a country in the world, even Germany, with her intimate connection with her industrial interests, that has ever pretended to establish any such standard or apply any such rule.

I have said so much because I feel deeply upon the question, upon the abandonment of all our former ideals and all our

former standards to enter upon an experiment in which this Nation will be the pioneer and which, in my judgment, can lead to nothing but disaster.

Mr. STONE rose.

Mr. CUMMINS. Does the Senator from Missouri desire to interrupt me?

Mr. STONE. If the Senator will yield.

Mr. CUMMINS. Certainly; I shall be very glad to yield.

Mr. STONE. If I may say a word before I put the question I desire to ask, I am in very hearty accord with what I understand to be the general purposes or purpose of the bill. I have for a good while thought it important that we should do whatever we could do safely to promote the export-trade business of the country. The purpose of the bill is to do that.

The Senator has been criticizing the phraseology of the bill. Just now he has been particularly criticizing the proviso in section 2 of the bill. I am in hearty sympathy with any effort the Senator from Iowa may make, for I know no Senator—I do not mean this as flattery at all—who has a finer capacity for criticizing and perfecting legislation than he.

I say I am in entire sympathy with any effort he may make to perfect the bill, but mere criticism does not perfect it. It aids it; it is the beginning of the work of perfection. But while the Senator criticizes the proviso to which I have referred, he is making no suggestion as to phraseology that would make it better to accomplish the evident intention of the bill.

Now, is the Senator against the principle or policy outlined in the bill itself? Is he against that, or is he against the mere phraseology of the bill? If it is his object to perfect the bill, then I want to work with him. If he is against the bill itself, then I would be under the necessity of parting company with the Senator. I should like to understand the attitude of the Senator from Iowa on the basic question involved. Are you for the bill, the principle of it, or against it?

Mr. CUMMINS. Mr. President, I would be very sorry to have the Senator from Missouri think that I am a mere critic.

Mr. STONE. Not at all. I do not say that.

Mr. CUMMINS. The committee of which the Senator from Ohio [Mr. POMERENE] is a member, from which this bill comes, and of which I am also a member, has been considering this subject for five years. This bill was the result of that consideration, although the bill came from the House. Three days ago I spoke upon the bill for about an hour and a half, giving my reasons for the conclusion that the export trade of this country, in order to do just what it says it wants to do, required no modification of the antitrust law.

Yesterday I spoke again for an hour upon the same general subject. Both these speeches were made in advocacy of an amendment which I have offered to the bill as a substitute for it, which is printed and upon the desks of all Senators. So the Senator will see I am not merely criticizing the bill. I am really trying to provide something which will meet the demand, although I think the demand for legislation grows out of an unreasonable fear of an interpretation of the antitrust law which never yet has been given to that law.

I know that the Senator from Missouri and I want to reach exactly the same end, and I hope he will make himself familiar with the amendments I have offered. In order to make the examination of those amendments easier I will say that instead of repealing the antitrust law, which is a prohibition against restraint of trade, I have proposed that we make it affirmatively lawful for exporters or manufacturers or producers in the United States who may be engaged in the poduction of the same kind of goods to establish and conduct in any foreign country a common selling agency. Of course, that agency must not be managed so as to restrain the trade of the United States, which is just the thing that we want to maintain, and we want to expand it. I am doing everything in my power to bring this legislation to a point that will give to the producers of the United States all they ought to have. I think they have it now, but it is said there is a fear with regard to it, and I have proposed to remove that fear in so far as it can be said to be based upon an unreasonable interpretation of the antitrust law.

Mr. KING. Will the Senator allow me?

Mr. CUMMINS. I yield to the Senator from Utah.

Mr. KING. I should like to ask the Senator whether he thinks the manufacturers of the United States who are seeking the export trade, in part or in whole, of the world would be satisfied with the mere opportunity, free from any legal restraint, to establish selling agencies in foreign countries? Do not the manufacturers want to go further and under the guise of securing the export trade, in part or in whole, of the world combine domestically for the purpose at least of securing raw material or combining for the purpose of securing economies in the production of the articles in our own country which they seek to export abroad? If that be their purpose, would they be permitted to accomplish it under the bill offered by the committee; and if they were permitted to accomplish that end, if I may embrace two questions in one, would not that be in the teeth of the Sherman antitrust law and be disadvantageous to the manufacturers?

Mr. CUMMINS. Mr. President, I endeavored to point out all phases of the matter yesterday. I believe that the common selling agency meets every requirement that the exporters or the manufacturing associations are willing to make public. That provision fulfills their demands, so far as I am able to understand them, as laid before our committee; but I feel that there is an ulterior design in giving or in seeking absolute freedom and liberty from any regulatory provision of the law. I know and the Senator from Utah knows there are a thousand things that they can do in the United States that will prejudicially affect the people of the United States if they are not held in leash by some provisions such as we now have in the law.

I am not willing to give them this blanket license. I am willing to give them affirmatively what they really need and what they say, or what most of them say, they really want, but I am not willing to accompany it with permission to organize any kind of an association, any kind of a combination, and label it an association for export trade, knowing that it is utterly impossible to disassociate the activity of an association organized for export trade and the industries carried on for consumption within the United States. Have I answered the inquiry?

Mr. KING. You have.

Mr. CUMMINS. Mr. President, I have said all I care to say with regard to the subject. I have been deeply interested in it. I have been very fearful about it, because I know the force of the seductive arguments under which the propaganda has been carried on. There are a great number of exporters who want some legislation who are absolutely sincere and who see an obstacle in the way of the enlargement of their trade with foreign countries. As I have said so many times, in my judgment that obstacle is purely imaginary under a proper interpretation of the law, but I am willing to remove even that misty obstruction in the way of commerce. But let us not hastily abandon a statute which has done something at any rate to curb the avarice and control the greed of the unconscionable people who are willing to take everything that their genius and audacity enable them to take. I want to hold fast to the essential parts of the protection we have enjoyed for so many years.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Iowa [Mr. CUMMINS].

Mr. REED. If the Senator from Iowa is willing to have a vote on his amendment at this time, I shall not interfere.

Mr. CUMMINS. In view of the many engagements of Senators and the imperative nature of the work they are impelled to do in these early days of the session, I am not willing to have it come to a vote now, but I have had to accept in times past many things that I was not willing to take.

Mr. REED. While I have a few words to say in regard to the bill, I would waive them if the Senator desired to have a vote at this time.

Mr. CUMMINS. No.

Mr. REED. Mr. President, I am perfectly aware, as is the Senator from Iowa and as everyone is, that the mind of the Senate is not on this bill. I have talked on the floor of the Senate this morning with at least four Senators, men of great earnestness of purpose, who expressed doubt with reference to this measure and yet who say that they absolutely can not take the time just now to listen to the debate or to carry on an investigation for themselves. One of those Senators said to me that the people of his State were freezing for want of coal. He said he was trying to do something to relieve that situation. Another Senator made a very similar statement to me. We know there is hardly a man in the Senate who does not have fifty to a hundred matters pending before the departments growing out of the military situation or growing out of the fuel or food situation. So we meet here and have roll calls, and the moment the roll call is over there is an exodus. I do not think this bill ought to be brought forward and forced to a vote under these circumstances. I think the Senate ought to adjourn for two or three days and let the committees catch up.

Mr. VARDAMAN. If the Senator is going to make a motion to adjourn, there are some matters of an executive nature which ought to be considered.

Mr. CUMMINS. I suggest to the Senator from Missouri—I do not see the Senator from Ohio——

Mr. REED. He is in the room.

Mr. CUMMINS. At some opportune time the motion ought to be made, and if no one else will make it I will, to recommit this bill to the committee. In view of the discussion which has now taken place upon it, I do not think it ought to come up before the holidays, at any rate, before we really settle down to legislative work.

Mr. REED. I was about to remark, in line with what I was saying a moment ago, that the Military Committee, which has, I think, 15 or 17 members, is engaged in an investigation of a far-reaching character relative to the entire military situation. They barely got started this morning when the bell rang for the assembling of the Senate. The investigation which they are conducting ought to go on. They are obliged to call before them Army officers, who are the busiest men in the world now and who ought not to be dragged back and forth. It is important that that committee should go on. It is important that whatever doubts Congress may have shall be cleared up and whatever suggestions Congress may have shall be elucidated and laid before the military authorities.

Mr. MYERS. Will the Senator yield to me to make an observation there?

Mr. REED. There is just a sentence more that I want to utter. The Committee on Manufactures has been instructed by the Senate to begin an investigation of the causes for the shortage in fuel and sugar. That investigation, if it is to be of any service, ought to begin at once, and it ought to be pressed without interruption or delay. Other committees of the Senate have before them matters of very great importance. It does seem to me that the committees ought to be allowed to work and that Senators ought to be allowed an opportunity to clear up their business, and that this legislation, which is as important as any which has been before Congress, outside of war measures, for years, should have the real serious attention of the Senate. I yield to the Senator from Montana.

Mr. MYERS. Mr. President, I am not in charge of this bill on the floor of the Senate. That is well placed in the hands of the very able Senator from Ohio [Mr. POMERENE], who is discharging his duties very faithfully and ably. Nevertheless, being a member of the committee from which the bill was reported and knowing something about it, I have a very strong interest in the bill, and I have my feeling as one member of the committee and a Member of the Senate.

I have not been able to hear all the arguments that have been made on the bill, as I have been unable until to-day to attend the sessions of the Senate. I appeared on the floor of the Senate to-day for the first time this session, and I have been greatly surprised at some of the statements given as reasons why the bill should not be considered at this time. Some of them have been made to-day and some of them have been made on other days, within the last few days, while the bill was under discussion.

It is urged that the bill should not be considered or passed now because the attendance of the Senate is so slight and because Senators are busy with other things. That argument is utterly fallacious and untenable. The same condition of affairs prevailed before we entered the European war, and the same condition of affairs prevailed before the beginning of the European war between the warring nations of Europe. I have seen hundreds of bills during my service in this Chamber debated for hours and for days with a very slight attendance. During the debate on the Canadian reciprocity bill in the summer of 1911 I heard able Senators deliver forceful speeches with not over three or four Senators in attendance. I saw one Senator speak for several hours on the Canadian reciprocity bill with only three occupants on the floor of the Chamber, being the speaker, the Presiding Officer, and one other Senator, who was waiting his turn to follow the speaker. There is nothing in that.

The attendance of the Senate is just as good as it has ever been upon an average since I have been here, and I do not believe that Senators have much more of other matters to distract their attention now than they have had for a number of years past.

We all have committee meetings and hearings. The forenoon is supposed to be devoted to those matters and the afternoon to legislation. If we do not stay here and hold the bill before the Senate, manifestly it never will pass. If some committees have to sit and have hearings at times during the afternoons, the Senate business should not be suspended on account of that.

About three years ago the committee of which I have the honor to be chairman, the Committee on Public Lands, held hearings on water-power legislation and land-leasing legislation for three months almost daily. It sat during the afternoon as well as the forenoon, more or less, for weeks and even months, but I did not ask, and no other member of the committee asked, on account of that that all other business of the Senate be suspended and that legislation should cease because we had some hearings and could not be present in the Senate at all times.

I notice that my esteemed friend the able Senator from Missouri [Mr. REED] yesterday complained because this bill had been under consideration by committees for five years, and stated that there was something suspicious about it, that it raised a very grave suspicion in his mind as to the merits of the bill because it had taken the committee five years to frame proposed legislation on the subject. Now, we have in all earnestness a suggestion to refer it back to the committee and put it under more suspicion with the Senator from Missouri by investigating it some more.

Mr. CUMMINS. Mr. President——

Mr. MYERS. I yield to the Senator.

Mr. CUMMINS. The Senator from Montana must not infer from anything I have said on the subject that I thought there was anything vicious other than my explanation upon the floor of the Senate. I made that remark because I wanted to advise the senior Senator from Missouri [Mr. STONE] that the subject was not a new one and had been for a long time under examination by a committee of the Senate. It was for the very opposite purpose from the one now suggested by the Senator from Montana.

Mr. MYERS. Mr. President, the Senator from Iowa misunderstood me. My words were uttered with reference to the Senator from Missouri [Mr. REED]; and while I have very warm regard for both the Senator from Iowa and the Senator from Missouri, I would not confuse them, because each might possibly object.

I will quote here from the Senator from Missouri. He said yesterday:

> The Senator from Ohio [Mr. POMERENE] states that it has been before his committee for five years. If it has taken the committee five years to make up its mind whether this bill ought to pass, it surely comes here under a considerable cloud of suspicion and distrust.

That was the language of the Senator from Missouri. I do not think I have misquoted him.

Mr. REED. I said that.

Mr. MYERS. Now, we have a suggestion made by the Senator from Iowa, who I know is a very earnest student of this subject and who has been a very highly valuable member of the committee which has handled it, to refer the bill back to the committee for further consideration. If having been under consideration for five years has made it the subject of suspicion, to consider it further surely would do the bill no good. If we have not sufficiently considered it in five years, I can not conceive of any good reason for referring it back to the committee, and I sincerely hope that such a motion will not prevail.

Mr. CUMMINS. Mr. President——

Mr. MYERS. I yield with pleasure to the Senator from Iowa.

Mr. CUMMINS. I hope the Senator from Montana will not misunderstand me.

Mr. MYERS. I hope not.

Mr. CUMMINS. I never conceal what I am attempting to do. I should vote to recommit the bill simply to prevent a vote upon it in the Senate at this time. I do not think the committee can do anything further with it.

Mr. MYERS. Does the Senator desire the bill referred right now, this afternoon, or to-morrow?

Mr. CUMMINS. But it will be a very good way to dispose of a measure which ought not to be considered at this time. There is no reason for its consideration, as I attempted to point out two or three days ago. I want the Senator to know that I have no concealed purpose about it.

Mr. MYERS. I am satisfied of that. I have never known the Senator to have a concealed purpose about anything. The Senator is always very frank and has afforded valuable contributions to the consideration of this measure; but I was somewhat surprised, after legislation of this character had been considered, off and on, for five years and over, at the Senator's suggestion that it ought to be recommitted to the committee. I certainly hope that suggestion, if again made, will not prevail.

I do not see any reason why this bill should not be kept before the Senate until it is finally disposed of. If the Senate is not ready and able to finally dispose of it now, I do not know when it will be. A bill of this character has been twice passed by the House of Representatives; it has been recommended twice by the Senate Interstate Commerce Committee; it has been advocated in presidential messages repeatedly by the President of the United States; it is recommended by the Fed-

eral Trade Commission, which has investigated the matter; and it is also favored by the Secretary of Commerce. If Senators are not ready to vote on it now, I should be glad to have the debate proceed until they are ready to vote on it, but I do not think the consideration of the bill ought to be postponed for an indefinite length of time.

Mr. REED. Mr. President, I did say that the Senator from Ohio [Mr. POMERENE] had stated that this bill had been before his committee for five years, and that, if it had taken the committee five years to make up its mind whether or not the bill had to pass, it surely comes here under a considerable cloud of suspicion and distrust, and I repeat that language.

If this bill has been during all these five years necessary for the carrying on of the foreign commerce of the United States, if our foreign commerce has been suffering and dwindling and shrinking up during these five years, it is very strange that the committee did not discover it long ago and make a report long ago. When the situation is such that it takes a committee five years to make up its mind whether anything at all ought to be done the Senate ought to regard the question with sufficient distrust at least to give it careful investigation.

A singular thing in connection with this bill is that when a Senator undertakes to point out that it will injure the American people by taking away their free foreign market, the answer we get is that "the Kaiser of Germany is against this bill." That is a species of logic that is becoming a little disgusting. Who knows that the Kaiser of Germany is against this bill? Who knows that the Kaiser of Germany ever heard of this bill or ever heard of its illustrious author? Who is it that has a right in the Senate of the United States to impugn the motives of a Senator and to insinuate that he is a compatriot of the Kaiser of Germany because that Senator is not willing to surrender the foreign business of the United States to a few trusts?

I took occasion to say that we did not need to follow the example of Germany; that I did not propose to take my philosophy or my politics from Germany; and I did take occasion to say that I was growing very weary of seeing Germany held up before the world as an example to be followed.

In my opinion, the writer of history, looking back and observing the events that have transpired from that distant perspective which enables a complete and perfect view, will set it down that every act of the German Government which destroyed the individuality of its citizens, which compelled them to act in response to the imperious will of an imperious master, although apparently of temporary advantage, in the end wrought for the destruction of the German people. I believe it will be written that this ghastly and bloody world war is the legitimate outgrowth of the centralizing, paternalistic, and imperial socialism of Germany. So I do not think we need to turn over the foreign business of the people of the United States to favored trusts and monopolies because Germany has handed over her foreign business to certain trusts and monopolies. But even Germany has not given these combinations, cartels, or whatever you call them, an unrestricted rein. The Government has retained some kind of jurisdiction over them; whereas it is proposed here to permit organizations to be created without any kind of restraint or control whatsoever.

Deny this as you may, there is no escape from the fact that the bill put in plain terms means this: The trust laws of the United States shall no longer apply to the foreign business. Accordingly, men may meet and organize for the purpose of controlling that foreign business. We are told that the purpose of these organizations is to compete in the European market; that side of the picture is constantly presented to us; but if they are to be organized so that they can compete in selling in the European market, they must buy somewhere, and they will buy in the United States. Hence the great monopoly or combination which you create for the purpose of controlling the selling of goods in the European market will be the great combination that will control the purchasing of goods in the American market to be sent to the European market. If these concerns are great enough to control the price of American products in the European market, then they must have an exclusive control, or substantially an exclusive control, of the selling for export market of the United States.

It follows, therefore, that the concern engaged in selling wheat that is strong enough to exercise a potential influence in the European market must be strong enough substantially to control the sales of all wheat or the purchase of all wheat for export to the European markets. In other words, you will have one exporter for the farmer's wheat where to-day there are a large number of exporters bidding against each other in the American market, and perhaps competing also with the European merchants who come here to buy for the European markets. This bill authorizes all these exporters to combine. We are told that there is an advantage in combination. If there is an advantage in combination, then naturally they will combine. We are to-day authorizing the creation of a single selling agency for American wheat. That means a single buying agency for American export wheat. If you set that sort of thing up in this country, I say to you the day will come when you will regret it.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. REED. I yield.

Mr. SMITH of Michigan. If the Senator from Missouri would like a concrete case of foreigners absolutely controlling the domestic market, he has only to raise his eyes and look at Cuba, where foreigners do control the production and the output of sugar as powerfully as it is possible for any combination of men to control the output of any natural product. Cuba is in a high state of prosperity, of course; she never was so prosperous as she is to-day; her export trade was never so large as it is to-day; but the sugar produced, I think averaging now about two and a half million tons, or perhaps a little more than that, is absolutely controlled by an organization made up largely, I think, of Americans, who conduct the business of raising and selling sugar. If its influence is helpful to Cuba, it is because Cuba has not a large population, and has a marvelous sugar productivity. But reverse the situation; suppose that here we were producing 2,500,000 tons of sugar a year and there was a demand for it outside the confines of the United States, how much influence would the men who owned that output have in fixing the price and in controlling the market? If they desired, why could they not cooperate with one another against the people of the United States?

Now, when we give this power to a domestic corporation controlled largely by foreigners—and we are giving them paramount rights in foreign trade which we withhold from our own people—it seems to me we are toying with a situation which is fraught with great danger to our own people.

Mr. REED. Let me take the Senator's sugar illustration. Let us suppose that the sugar production of Cuba was entirely in the hands of native owners and planters and that there were a half dozen exporters, Cubans, engaged in the business of exporting sugar, competing against each other, so that Cuba always got the benefit of the world's market for her sugar. Now, suppose that the Government of Cuba were to pass a law authorizing all the exporters to combine into one corporation, so that there would be no longer any rivalry, and so that they could substantially fix such price as they saw fit; what would we say about the Cubans? Would we not declare that they were not fit for self-government? Would we not say that the sugar combination had controlled them?

Now, what is the situation here? The proposition is to permit combinations to be formed to control the export business of the greatest people on earth. You say that that is for the purpose of enabling them to sell in the European market; but if they are great enough to dominate the selling market in Europe they must be great enough to dominate the purchasing market in America for export to Europe.

I illustrated this matter with cotton yesterday in the absence of some Senators who are now present. We know that until recently under war conditions there were a great number of foreigners who came to this country to buy cotton; also there were a great number of our citizens who bought cotton to be shipped abroad; there was an active cotton market. Suppose that this bill is passed and all exporters of cotton, as the bill contemplates, shall form themselves into a single great concern for the purpose of shipping cotton to Europe. Now, when that combination is formed for the purpose of selling in Europe, it will also be the one single concern to buy the cotton in this country for export to Europe. The cotton planter will speedily find himself with one single buyer. That is what we are proposing to set up by this bill.

Mr. VARDAMAN. Mr. President, if the Senator will permit me, if legislation of this character were needed at any time, I submit that the defect to be cured does not now exist. The social or economic ill that it proposes to correct is not in existence. I maintain that legislation of this character, which I am sure is not needed, had better be postponed until after this fever produced by war is over. It is most dangerous, and I would warn the Senate against the enactment of legislation of a permanent character under stress of war conditions that is not needed in the conduct of the war. Things may be done under present conditions that will be regretted when we reach that point

where we can see things in their due proportions and calculate accurately their consequences. I am opposed to legislation of this character at this time. I do not believe its purpose is to benefit the masses.

Mr. REED. I thank the Senator. Now, at the risk of further repetition of what I said yesterday, take the packing industry. It is well known, to begin with, that a few packing houses in the United States constitute to-day substantially the sole domestic market for all the countless herds raised in America. There is, however, a direct market for export. At the present time these various packing companies compete with each other in the purchase of the farmer's live stock. There may be some kind of an understanding or agreement which is too close for comfort, but there is at least a pretense of competition kept up. These packing companies also sell in competition with each other in the domestic market. But after the domestic market is supplied they have left a surplus which they must send to Europe and sell in competition with each other and also with the independent American exporters and with all the exporters of the world.

The result is that the farmer in America gets the European market price less the usual costs and charges incident to the business. Observe that he has the benefit of world prices because the packing houses to which he sells are throwing their surplus into the world market, and are at the same time in competition with each other in the American market for the live stock to supply the world market.

I am repeating substantially what I said yesterday, because it was as well said as I know how to say it, but I am repeating it because there are Senators here who were not here then. Let us say, instead of 25 or 30 packing houses of considerable size, there were only 3, the Cudahy's, the Armour's, and the Swift's.

Now, suppose that these three companies were carrying on the whole packing industry of the United States and shipping abroad and selling in competition with each other, then comes this bill, which authorizes them to organize themselves into one company for the purpose of carrying on the foreign business, and accordingly they organize the Swift-Armour-Cudahy Export Co. Thereupon each of these companies consigns all of its surplus to the combination company, in which they each own one-third; the combination company then proceeds to sell the goods turned over to it by the parent companies.

What follows? The first result is that immediately these three companies are able to control the price of the entire American meat export. They can put it down or they can put it up at will. The second result is that every farmer in the United States, in effect, has to market his stock that goes to Europe through that one company; for while he sells to one of the constituent companies, it in fact is all marketed through that one company. The result is that the farmer of the United States is at the mercy of the combination export company, not only as to his stock actually shipped abroad but also as to that consumed in the United States, for the price of the surplus of a product always fixes the price of the product. Moreover, when you have organized that Swift-Armour-Cudahy Export Co. and done away with all differences in prices paid by the constituent companies for export cattle, have you not necessarily done away with any difference of price on cattle purchased for the home market? How can Armour, who is buying from a farmer a thousand head of beef, 20 per cent of which will go through this export company to Europe, and Swift, who is buying a thousand head of beef, 20 per cent of which will go through this export company to Europe, and Cudahy, who is buying a thousand head of beef, 20 per cent of which will go through this export company to Europe, and there all be sold at one price, pay different prices for the cattle they buy?

Manifestly, they can not do it. Why, if Armour paid 7 cents for his cattle and 20 per cent of them went to the combine, and Swift paid 8 cents for his cattle and 20 per cent of them went to the combine, and Cudahy paid 10 cents for his cattle and 20 per cent of them went to the combine, there to be all sold at the same price, how could the parent concerns equalize the business?

The cold truth about the matter is that when you unite these companies in a common selling agency which takes care of their surplus, that common selling agency becomes the Siamese twin attachment that ties all three of them together, and all of their business will be brought under that one control. There is no escape from that conclusion if men will pause and reason about it. That is what this bill was intended to accomplish. That is not what the Senator who sponsors the bill intends, but it is what the trusts back of this bill know they mean to do.

Mr. President, this bill did not grow up, like Jonah's gourd, in a night. It is not the inspiration of a statesman. It is not the dream of some enthusiast. It is not the plan of some reformer. This bill had its origin in the brains of those men who want to form combinations for the purpose of controlling prices and making profits. A propaganda in favor of the bill has been waged for years. An organization was gotten up, I think, for the purpose of promoting this bill. This organization was known as the National Foreign Trade Council. I will not say it was gotten up on purpose for this bill, but one of the men who appeared in favor of it was the secretary of that council; and when we come to inquire who are the members of that council, notice:

The chairman of that organization, the first one on the list of these "small concerns" that need to be protected, is James Farrell, president of the United States Steel Corporation. I suppose the Steel Trust is not able to compete. Why, I know what the Steel Corporation wants to do in Europe. It wants to extend its American monopoly and make it a world monopoly, and this bill gives it the right to form that kind of a combination.

The treasurer is Mr. Walter Clark, manager of the Westinghouse Co., another weak and diminutive concern that needs to be protected lest it be crushed out by greater rivals.

One of its members is Morris Coster, managing director for the Westinghouse Electrical Export Co., of New York City.

Then come the great Washburn-Crosby Mills—I am omitting a number of great concerns—the Baldwin Locomotive Works; the International Harvester Co., by Cyrus H. McCormick; the Anaconda Copper Mining Co., by John D. Ryan, its president. Then there are Eugene P. Thomas, president of the United States Steel Products Co., and Frank A. Vanderlip, president of the National City Bank of New York, which means the entire Morgan interests.

These are the little concerns that are asking protection.

I am talking about these poor little follows that need protection. It appears they organized this foreign-trade commerce. I have no doubt it helped push the propaganda that reached all parts of the United States. The long list that the Senator from Ohio read of organizations that have petitioned Congress to pass this bill is evidence of a propaganda. The fact is plain that back of this bill is not the demand of the small exporter, is not the demand of the small business man, but is the conspiracy of the great trusts and combinations. We are presented with the spectacle of this powerful attack upon our trust legislation, being led by men who I have always thought were especially devoted to the interests of the people.

Why, I remember that when the Senator from Ohio [Mr. POMERENE] came here, he had hardly landed in the seat which he has ever since adorned and dignified until he introduced a resolution to once more disembowel the old Standard Oil Co.; and now behold the nose of the trust camel inside the "tent of Democracy," with the Senator from Ohio pulling at the bits, the Steel Trust and the Harvester Trust boosting at the hips, while the president of Morgan's bank twists the animal's tail. Surely a change has come over the spirit of our Democratic dreams.

Mr. President, the statement has been made here this afternoon that those who object to combinations to control trade abroad object to any trade abroad. Not at all. We want to keep the trade abroad for the American people. We object to a few combinations grabbing that trade for themselves. I repeat what I said yesterday, and I shall then yield the floor. I leave the thought with Senators.

We are fighting this war for the freedom of the seas, for the right of our commerce and our people to travel the highways of the ocean undisturbed. In order to maintain that right we are sacrificing the lives of our soldiers, the sons and brothers of our women, and at the moment we are asking them to die for the maintenance of the freedom of the seas and the right to trade with all the world it is proposed to turn over that foreign trade, for which, in part, they die, to a few combinations and trusts!

If this war is being waged that the trusts may have the trade of America, let the trusts shed the blood; but if it is being waged on behalf of a free people, of their trade and their commerce—their right to travel—then let the trade and commerce remain theirs, even as the duty of laying down of life and pouring out of blood is theirs.

EXECUTIVE SESSION.

Mr. HITCHCOCK. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After six minutes spent in executive session the doors were reopened.

PROMOTION OF EXPORT TRADE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2316) to promote export trade, and for other purposes.

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). The pending question is the amendment of the Senator from Iowa [Mr. CUMMINS].

Mr. HITCHCOCK. I move that the Senate adjourn.

Mr. TOWNSEND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

Mr. REED. I make the point of order that a motion to adjourn has precedence over any other motion.

Mr. TOWNSEND. I want to get a quorum on that question.

Mr. REED. Why, you can adjourn without a quorum. A motion to adjourn takes precedence over the question of a quorum or anything else.

The PRESIDING OFFICER. The point of order made by the Senator from Missouri is sustained. The motion before the Senate is the motion of the Senator from Nebraska that the Senate adjourn.

Mr. POMERENE. On that I ask for the yeas and nays.

Mr. STONE. I call for the yeas and nays.

Mr. SMOOT. Before that ruling stands, Mr. President, I want to say a word about it. A suggestion of the absence of a quorum is in order at any time under Rule V, paragraph 2, and when the motion to adjourn is offered any Senator has a right to suggest the absence of a quorum and the roll called. No motion is in order.

Mr. LODGE. Mr. President——

Mr. KING. I rise to a point of order. The Presiding Officer has already ruled, and there is no appeal from his decision. I call for the question on the motion.

Mr. LODGE. A motion to adjourn does not require a quorum, and it takes precedence, of course, of everything.

Mr. SMITH of South Carolina. That is right.

Mr. TOWNSEND. It does not.

Mr. SMOOT. A motion to adjourn takes precedence of any other motion that may be made; but suppose one Senator was in the Chamber, or two Senators were in the Chamber——

Mr. SMITH of South Carolina. He could adjourn.

Mr. SMOOT. And suppose one Senator offers a motion to adjourn and the other Senator suggests the absence of a quorum. It has been the practice of the Senate that the roll has been called.

Mr. SMITH of Michigan. The Senator is wrong.

Mr. SMOOT. No; I am not wrong.

Mr. STONE. Mr. President, I should like to inquire if the roll call has been commenced?

The PRESIDING OFFICER. One name has been called and no response has been made.

Mr. STONE. Mr. President, I believe that a motion to adjourn has precedence, although I am personally very much opposed to adjourning. I want the business of the Senate to proceed.

Mr. TOWNSEND. Mr. President, a parliamentary inquiry. What is the ruling of the Chair on the subject?

The PRESIDING OFFICER. The Chair ruled that the motion to adjourn was in order.

Mr. TOWNSEND. And the motion has been made?

The PRESIDING OFFICER. The motion has been made.

Mr. TOWNSEND. Upon that I demand the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are demanded. Those in favor of ordering the yeas and nays——

Mr. SMOOT. Mr. President, I wish to say to the Senator from Missouri that there is no question that the motion to adjourn, when made, was in order. That motion was certainly in order; but the suggestion of the absence of a quorum is always in order even if a motion for adjournment has been made.

Mr. SMITH of South Carolina. No; it is not.

Mr. SMOOT. I submit that it is.

Mr. JAMES. I call for the regular order.

The PRESIDING OFFICER. The Chair is advised by the parliamentary clerk that the uniform practice of the Senate is to allow the making of a point of no quorum while a motion to adjourn is pending. And therefore the Chair will be obliged, in order to be correct, to change the ruling in that matter.

Mr. GRONNA. Mr. President, I can not allow that ruling to stand without calling the attention of the Chair to Senate Rules, page 21, Rule XII. It shows so clearly that a motion to adjourn takes precedence over all other questions.

Mr. SMOOT. We know that.

Mr. GRONNA. In fact, the calling of the roll discloses whether or not a quorum is present. But, Mr. President, the point of no quorum can not take precedence over the question of a motion to adjourn after a roll call has been ordered.

I trust that the Chair will not revoke or change his first ruling, because the ruling of the Chair in the first instance I believe to be absolutely correct and in accordance with the rules.

Mr. CUMMINS. I call for the regular order.

Mr. SMOOT. Regular order!

The PRESIDING OFFICER. The point of no quorum having been made, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	James	Overman	Smith, Md.
Borah	Johnson, Cal.	Page	Smith, Mich.
Calder	Johnson, S. Dak.	Pittman	Smith, S. C.
Chamberlain	Jones, N. Mex.	Poindexter	Smoot
Culberson	Jones, Wash.	Pomerene	Sterling
Cummins	Kenyon	Ransdell	Stone
Curtis	King	Reed	Sutherland
Fernald	Knox	Robinson	Swanson
Fletcher	Lodge	Shafroth	Townsend
Frelinghuysen	McNary	Sheppard	Trammell
Gronna	Myers	Shields	Underwood
Hale	New	Simmons	Vardaman
Hitchcock	Newlands	Smith, Ariz.	Wadsworth
Hollis	Norris	Smith, Ga.	Weeks.

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. A quorum is present. The question is on the motion to adjourn. Before the question is put, with the permission of the Senate, the Chair will have the Secretary read the rule under which his decision was made, being section 2 of Rule V.

The Secretary read as follows:

V.

2. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

The PRESIDING OFFICER. The question is now upon the motion to adjourn.

Mr. POMERENE. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. MCLEAN], which I transfer to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

The roll call was concluded.

Mr. SWANSON. I desire to state that my colleague [Mr. MARTIN] is detained from the Senate on account of sickness in his family.

Mr. SHIELDS. I wish to announce the absence of my colleague [Mr. MCKELLAR] on official business.

Mr. MYERS. I announce the absence of the Senator from Arizona [Mr. ASHURST] on official business.

Mr. CURTIS. I am paired with the junior Senator from Georgia [Mr. HARDWICK] and withhold my vote.

The result was announced—yeas 11, nays 47, as follows:

YEAS—11.

Borah	Gronna	King	Sterling
Cummins	Hitchcock	Norris	Vardaman
Gore	Kenyon	Smith, S. C.	

NAYS—47.

Bankhead	Johnson, S. Dak.	Pittman	Smith, Mich.
Beckham	Jones, N. Mex.	Poindexter	Smoot
Calder	Jones, Wash.	Pomerene	Stone
Chamberlain	Knox	Ransdell	Sutherland
Culberson	Lodge	Robinson	Swanson
Dillingham	McLean	Shafroth	Thompson
Fernald	McNary	Sheppard	Townsend
Fletcher	Myers	Sherman	Trammell
Hale	New	Shields	Underwood
Hollis	Newlands	Simmons	Wadsworth
James	Overman	Smith, Ariz.	Weeks
Johnson, Cal.	Page	Smith, Md.	

NOT VOTING—37.

Ashurst	Gerry	McCumber	Thomas
Brady	Goff	McKellar	Tillman
Brandegee	Harding	Martin	Walsh
Broussard	Hardwick	Nelson	Warren
Colt	Hughes	Owen	Watson
Curtis	Kellogg	Penrose	Williams
Fall	Kendrick	Phelan	Wolcott
France	Kirby	Reed	
Frelinghuysen	La Follette	Saulsbury	
Gallinger	Lewis	Smith, Ga.	

So the Senate refused to adjourn.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Iowa [Mr. CUMMINS].

Mr. CUMMINS. Mr. President, I move to recommit the bill to the Committee on Interstate Commerce for its further consideration, and upon that motion I desire to be heard.

The debate of the last day or two is the first discussion of this subject, as I remember it, which has occurred in the Senate. I think it is true that by far the greater number of Senators had not until a few hours ago and possibly have not yet fully examined the bill nor investigated the matter which it covers. It is too serious and grave a departure from the established policy of the United States to be carried out hastily, without every opportunity for study and reflection.

I really think that the further consideration of the bill by the committee would be beneficial. I believe the discussion had on the floor of the Senate will be very helpful to the members of the committee and would fasten their minds upon the matter as they have never been fastened before.

I do not want unduly to use a word that is found in the bill itself to delay the consideration of the bill or its final disposition, but I am so unalterably opposed to it in its present form that I feel I would be lacking in my duty if I were not to insist upon every reasonable opportunity for consideration and debate.

I hope that my motion will prevail, and if it is then thought desirable by the committee that the subject shall be again brought to the attention of the Senate it will not be difficult to do so.

Upon my motion, whenever it reaches the stage of a vote, I ask for the yeas and nays.

Mr. POMERENE. Mr. President, I desire simply to say that I hope this motion will not prevail. This bill, or the subject matter of the bill, has been under consideration, as it has been repeatedly stated, for four or five years before the committee. I think the members of the committee at least have matured their views. I recognize that the Senator from Iowa is unalterably opposed to the bill in its present form. He is quite willing to accept the responsibility to vote against it. I certainly am willing to accept the responsibility of voting for it, and I join in the request for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are demanded on the motion of the Senator from Iowa [Mr. CUMMINS] to recommit the bill to the Committee on Interstate Commerce.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK]. Not knowing how he would vote if present, I withhold my vote.

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. Not knowing how he would vote on this question, I withhold my vote.

Mr. OVERMAN (when his name was called). I have a pair with the Senator from Wyoming [Mr. WARREN]. Not knowing how he would vote, I decline to vote. I would vote "nay" if I were not paired.

Mr. VARDAMAN (when his name was called). Has the junior Senator from Idaho [Mr. BRADY] voted?

The PRESIDING OFFICER. He has not voted.

Mr. VARDAMAN. I withhold my vote, being paired with that Senator.

The roll call was concluded.

Mr. FRELINGHUYSEN. I transfer my general pair with the junior Senator from Montana [Mr. WALSH] to the senior Senator from Connecticut [Mr. BRANDEGEE] and vote "nay."

Mr. SHIELDS. I wish to announce the absence of my colleague [Mr. MCKELLAR] on official business. If he were present, he would vote "nay."

Mr. UNDERWOOD. I transfer my general pair with the junior Senator from Ohio [Mr. HARDING] to the junior Senator from Louisiana [Mr. BROUSSARD] and vote "nay."

Mr. KING. I desire to announce that the Senator from Illinois [Mr. LEWIS] is detained on important business, and that the Senator from Rhode Island [Mr. GERRY] is detained on official business.

Mr. SAULSBURY. I wish to announce that my colleague, the junior Senator from Delaware [Mr. WOLCOTT] is detained from the Senate by illness.

Mr. FRELINGHUYSEN. I desire to announce that my colleague, the senior Senator from New Jersey [Mr. HUGHES] is detained on account of illness.

Mr. CURTIS. I was requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas, 12, nays 47, as follows:

YEAS—12.

Cummins	Hitchcock	King	Smith, Mich.
Gore	Johnson, Cal.	Norris	Sutherland
Gronna	Kenyon	Reed	Trammell

NAYS—47.

Bankhead	James	Newlands	Smith, Ariz.
Beckham	Johnson, S. D.	Page	Smith, Md.
Borah	Jones, N. Mex.	Pittman	Smoot
Chamberlain	Jones, Wash.	Pomerene	Sterling
Dillingham	Kellogg	Ransdell	Stone
Fernald	Knox	Robinson	Swanson
Fletcher	Lodge	Saulsbury	Thompson
France	McLean	Shafroth	Townsend
Frelinghuysen	McNary	Sheppard	Underwood
Gallinger	Myers	Sherman	Wadsworth
Hale	Nelson	Shields	Weeks
Hollis	New	Simmons	

NOT VOTING—36.

Ashurst	Gerry	McCumber	Smith, S. C.
Brady	Goff	McKellar	Thomas
Brandegee	Harding	Martin	Tillman
Broussard	Hardwick	Overman	Vardaman
Calder	Hughes	Owen	Walsh
Colt	Kendrick	Penrose	Warren
Culberson	Kirby	Phelan	Watson
Curtis	La Follette	Poindexter	Williams
Fall	Lewis	Smith, Ga.	Wolcott

So the Senate refused to recommit the bill.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Iowa [Mr. CUMMINS].

Mr. CUMMINS. Mr. President, a parliamentary inquiry. The pending question is the amendment which I offered?

The PRESIDING OFFICER. That is the question before the Senate.

Mr. CUMMINS. Inasmuch as we are about to vote upon the amendment, I take the last opportunity I shall have, if it shall be defeated, to make an observation merely in explanation, for I think there are Senators here now who were not here when the matter was debated yesterday or the day before.

The bill repeals the antitrust law, so far as export trade is concerned. It abandons a policy which we have maintained for many years, and this is the first attack upon it in a legislative assembly. Never before has it been proposed to abandon the policy of the antitrust law in a legislative assembly. I have heard a great many attacks upon that law; I have heard many men declare that it had hampered, if not destroyed, the growth and development of the United States; but those attacks have always emanated from those upon whom the hand of the law had fallen.

To say that I am surprised that the movement for a repeal of the law itself can find the number of supporters who seem to have gathered around the propaganda in this body is to express my amazement in very inadequate and imperfect language. But I do not conceal from myself, and I would not from anyone else, the significance of the vote that has just been had.

The amendment which I have proposed does not repeal the antitrust law nor does it modify it. It does make clear what is perfectly clear already to every good lawyer in America, but seems to be somewhat obscure to certain men of business in the United States. I am not criticizing them for entertaining the fear, but I am endeavoring to remove its cause. My amendment simply substitutes affirmatively for the repeal of the antitrust law the privilege of organizing and conducting in foreign countries common selling agencies established and conducted by those who may be rivals or competitors in the United States. It goes no further, and it is as far as any man who ever appeared before our committee dared to go. No one who has advocated this measure before the Committee on Interstate Commerce has avowed any other purpose. The real design I leave you to infer.

Upon my amendment, Mr. President, and I assume that the series of amendments will be voted upon together, I ask for the yeas and nays whenever the vote comes.

Mr. REED. I ask to have the amendment reported.

The PRESIDING OFFICER. The Secretary will read the amendment of the Senator from Iowa.

The Secretary read as follows:

Strike out sections 1, 2, and 3, and substitute the following therefor as section 1:

"It shall be lawful for two or more persons, partnerships, or corporations engaged in competitive business or otherwise to establish and conduct in any foreign country a common selling agency or agencies for the disposition of goods, wares, and merchandise exported by any such person, partnership, or corporation to such foreign country and by agreement or arrangement to thereby lessen or eliminate competition, as between themselves, in the markets of such foreign countries: *Pro-*

vided, however, That no unfair methods of competition shall be practiced by any such agency or through any such agreement or arrangement against any person, partnership, or corporation not a party thereto, engaged or proposing to engage in exporting goods, wares, and merchandise from the United States to any such foreign country."

Strike out of line 15, page 3, the numeral "4" and insert the numeral "2."

Strike out section 5 and in lieu thereof insert as section 3 the following:

"SEC. 3. That before establishing any such selling agency provided for in section 1 of this act the persons, partnerships, or corporations proposing to establish and conduct the same shall file with the Federal Trade Commission a copy, verified under oath, of all the agreements, arrangements, or other instruments which define the terms, purpose, scope, and conduct of such agency, and it shall set forth its location, with the names and addresses of all the persons, firms, or corporations which enter into it. Upon demand there shall also be furnished to the commission such further information as the commission may require concerning its organization, business, conduct, practices, management, and relation to other associations, corporations, partnerships, and individuals. A failure to comply with the foregoing provisions shall deprive the persons, partnerships, or corporations entering into the agency of all the benefits of this act, and each delinquent shall also forfeit to the United States the sum of $100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States and recoverable in a civil suit in the name of the United States in any district court of the United States having jurisdiction of any such person, partnership, or corporation. It shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of the forfeiture. The costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States.

"Whenever the Federal Trade Commission shall have reason to believe that any such common selling agency, or any member thereof, is violating any law of the United States it shall summon all the persons, partnerships, or corporations in such agency before it and thereafter conduct an investigation into the alleged violation of law. If, upon investigation, it shall be concluded that the law has been violated it may make such recommendations for the readjustment of the organization, business, conduct, practices, or management of the agency and its members as may be necessary in order to fully comply with the law. If there is a failure within such time as the commission may fix to comply with the recommendations so made, the commission shall refer its findings and recommendations to the Attorney General of the United States for such action thereon as he may deem proper.

"For the purpose of enforcing these provisions the Federal Trade Commission shall have all the powers, so far as applicable, given to it in 'An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes.'"

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Iowa [Mr. CUMMINS].

Mr. REED. Mr. President, the sole argument that has been advanced in favor of this legislation is that our merchants are at a disadvantage because they can not have a common selling agency. That is not the real reason back of this bill, but that is the only reason that anybody dares to state for the bill. It is the only reason that ought to appeal to any Member of this body.

The amendment proposed by the Senator from Iowa [Mr. CUMMINS] permits the organization of such a selling agency; it permits the organization of that agency and allows it to become as large and as powerful as it may be necessary for it to be. It does not, however, waive the terms of the Sherman Antitrust Act, so far as they would apply to other practices or other combinations than those specifically authorized by the amendment.

I desire, however, to offer an amendment to the amendment. If we are to permit common selling agencies, then they ought to be agencies that all of the citizens of the United States can avail themselves of. They ought not to be common selling agencies for a few people who may profit thereby and who may so employ them as to crowd out of the market the individual seller. They should be common selling agencies, so organized that any American citizen could have the benefit and advantage of them. I should like to have time to prepare an amendment of that character to the amendment. I have been engaged since early this morning; two important committee meetings took all my time this afternoon, and I should like to ask if this bill can not go over until to-morrow?

Mr. POMERENE. Mr. President, on Monday, at the request of the Senator from Missouri, I asked that we adjourn, and yesterday the Senator discussed the subject very fully and very ably from his standpoint. I can not agree with his argument. The issue seems to be drawn between this bill and the amendment proposed by the Senator from Iowa. I do not agree with the Senator from Iowa as to the merits of his amendment. I think the bill should be adopted as it now is. The Senator from Missouri has repeatedly urged that there was other business before our committees that needed attention, and I am more than anxious to get this bill out of the way so that Senators may give their attention to other business. I therefore hope that the Senator from Missouri will not insist upon having an adjournment at this time.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. Yes.

Mr. SMOOT. I desire to suggest to the Senator from Ohio that he ask for a unanimous-consent agreement to vote upon the bill at some time to-morrow.

Mr. POMERENE. I have not so asked.

Mr. SMOOT. I want to suggest that to the Senator. Perhaps that would give ample time for the Senator from Missouri to prepare the amendment which he desires to offer, and which I think he ought to have.

Mr. REED. Oh, Mr. President, I understand that the Senator in charge of the bill does not want to yield, and I can see no reason for entering into any unanimous-consent agreement to vote upon the bill at some time to-morrow. I know that there are half a dozen Senators in the Chamber who have expressed a feeling to me that they desire to investigate this bill, and who possibly would desire to speak upon it. I think they ought to have an opportunity to do so, but the disposition is to deny them that chance and to drive this bill on. If, however, the Senator in charge of the bill thinks—it is now 10 minutes past 4—after all that has been going on to-day, he can not afford to wait, I shall simply make a motion to adjourn, and we shall proceed in the ordinary manner.

Mr. POMERENE. Mr. President, I am very sorry that I do not see my way clear to yield to the request of the Senator from Missouri. I, too, have conferred with a large number of Senators in the Chamber, and I know that they are exceedingly anxious to have this matter disposed of. I think Senators have had an ample opportunity to consider this bill. It was discussed at the last session and has been critically discussed at this session. I do not believe that any advantage will arise from an adjournment until to-morrow, and I hope that we may proceed to a final vote upon the bill this afternoon.

Mr. HITCHCOCK. Mr. President, I sought during his speech to ask the Senator from Ohio [Mr. POMERENE] a question, and he postponed it at the time. I should like to put the question to him now. Suppose this bill passes, and under it associations for the sale of manufactured goods are made in other countries; suppose I am a manufacturer, and five or six other manufacturers form an association for sales abroad; they agree upon prices; they have common agents; and I apply to them for admission to that association and they decline to admit me; what can I do?

Mr. POMERENE. Mr. President, the Senator from Nebraska would be in no different position that I would be if I wanted to have an interest in the great paper which he owns and edits, and he should decline to allow me to do so. I suppose I would have the privilege of establishing a new paper if I so desired, and he as a manufacturer would have the privilege of joining his fortunes with others if he so desired.

Mr. HITCHCOCK. That is what I want to get at. Then, if this bill passes we should be in the position that with six manufacturers in the field, five of them can unite to control the foreign field, and one man alone will be left in a helpless position in competing with them abroad. Is that correct? If that is true, where does the protection come in to the small owner?

Mr. POMERENE. Mr. President, the Senator from Nebraska does not fairly, I think—I do not mean that disrespectfully, of course—state the issue. It is true that, under those circumstances, when it has come to the sale of American goods, there would perhaps be competition between the association to which he refers and himself. The purpose of this bill is to secure the foreign market in order that our people here may have an opportunity to meet foreign competitors—the large cartels and combinations there on an equal footing.

It is to be assumed that the sale of goods abroad will redound to the benefit of the American people. If that were not so we would not seek to encourage our foreign trade. It is to be assumed that the six men—if they are together—will be better able to get a portion of that foreign trade than they would be if they were acting as individuals. That is the purpose of the bill.

Mr. HITCHCOCK. Then the Senator construes the bill as meaning that these associations now being in existence, dividing the American market, and dividing also the foreign market, after the bill is passed, five of them can unite to control and dominate the foreign market, and the single institution left alone will be practically in an attitude of being driven out of the foreign market by this combination?

Mr. POMERENE. Mr. President, allow me to disabuse the mind of the Senator from Nebraska. There is nothing in this bill authorizing the division of territory abroad.

Mr. HITCHCOCK. I have not said that. The Senator from Ohio has stated, however, that five or six manufacturers can unite for the sale of their manufactured goods in foreign fields, and they can discriminate against and bar a competitor and refuse to admit him to the privileges of that union.

Mr. POMERENE. Mr. President, I assume that they would have the right to prevent another man, who was persona non grata to them, from going into that association; but that individual has the same right to go into that foreign field and to secure the trade if he can or he can form another association. That is one of the incidents of trade.

Mr. HITCHCOCK. He can not form an association by himself. As it is now he stands on an equality with all the others in the foreign field, just as in the domestic field; he has a show, but what show has he under this bill if five men can unite and leave the sixth manufacturer out in the cold? He then is in the position of competing against a trust—an American trust—in a foreign field. That means that he will be wiped out of the foreign field.

Mr. POMERENE. No, Mr. President; that does not necessarily follow. If the five or six can by superior business acumen, by larger capital, by larger resources, sell in the foreign market better in competition with foreign concerns by combining together, necessarily the country at large is going to get benefit from it, and I think that that privilege should be granted.

Mr. HITCHCOCK. Well, if combination in the foreign field is a desirable thing, why should not the Senator's bill provide that all American manufacturers shall be admitted to the combination?

Mr. POMERENE. For the very same reason that it would not be a wise thing to compel the Senator to take into his organization every newspaper man in Omaha who might be interested in that great paper.

Mr. HITCHCOCK. I am amazed at the Senator's illustration. There is no more highly competitive business in the world than the newspaper business. Every newspaper is a tub standing on its own bottom and fighting every other newspaper, and it is just as illegal for newspapers to unite in this country to crush competition as it is for other business institutions to unite. But the Senator has a bill here which is designed to permit American institutions to unite for the purpose of spreading trade in foreign countries, and yet he admits that combinations so formed can be used to exclude undesirable American competition and practically drive it out of the field. I think that is a decided weakness in the bill. It seems to me that if this is to be a bill for the propagation of foreign trade for American manufacturers in foreign fields it should at least be so drawn as to prevent any discrimination, and a combination should be compelled to admit American manufacturers of a certain class to it; otherwise we simply by legislation here are preparing a means by which manufacturers can combine to crush their smaller competitors.

Mr. President, I have been rather slow to come to this conclusion——

Mr. CUMMINS. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. CUMMINS. I want to suggest to the Senator from Nebraska what is really intended to be accomplished by this bill, or one of the things intended to be accomplished by it. It is not the establishing abroad of a common selling agency to which others might be admitted. What some ambitious men in this country desire is that corporations may be organized in the United States which shall buy all the material they care to buy of a particular kind and be the exporters of that material or commodity to the foreign country. The desire is to create a monopoly of the exporting business by organizing great institutions here for the purpose of buying everything it is desired to export to another country. Without the least imposition, as understood by the law, upon any individual, that policy will concentrate the export business to a particular country in a particular commodity or line of commodities in a single corporation. That is the thing that is wanted.

Mr. KING. Mr. President, will the Senator from Nebraska permit me to ask the Senator from Iowa one question?

Mr. HITCHCOCK. I yield.

Mr. KING. Would not the consequence of that also be, I ask the Senator from Iowa, that having organized the corporation of which he speaks for the purpose of controlling the export business, of necessity there would be a direct or a reflex action upon the domestic market, and that corporation would control the prices at least of the raw materials furnished by the American producer that went into the product shipped abroad?

Mr. CUMMINS. It is perfectly evident that it would be impossible to give any corporation in this country the power to control the exports of a particular commodity without affecting the price in the United States; it could not be done.

Mr. KING. Then, if a corporation were organized for the purpose of controlling, for instance, the copper export trade, that corporation would fix the price of the domestic product in this country; and so with every other article that could be enumerated. Is not that true?

Mr. CUMMINS. Mr. President, I will not mention any names, but I may reveal the information that came to the committee sufficiently to say this, inasmuch as the Senator from Utah has mentioned the subject of copper: It was claimed before the committee that the copper producers of the United States were in a bad way. I do not know whether or not that claim can be made at this time; I do not know whether or not it would be made at this time; but it was claimed that the buyers from other countries consolidated; that is, they united in some kind of an arrangement and presented to the sellers of the United States a single buyer, and that it was desirable to enable the copper producers also to unite so that there would be presented to the buyer a single seller. That is one of the arguments that was made before the committee by certain persons who represented that particular interest. Personally I have no sympathy with that proposal. I do not think it ought to be permitted; but that is one of the things, of course, which this bill in its present form is intended to accomplish. The other is the organization of a great corporation like the United States Steel Corporation that can take care of all our exports to other countries.

Mr. NEW. Mr. President, I was interested in the colloquy between the Senator from Ohio [Mr. POMERENE] and the Senator from Nebraska [Mr. HITCHCOCK] with reference to the publication of newspapers, and was especially interested in the reply the Senator from Nebraska made, having in mind the question of Associated Press memberships. It is true, as the Senator says, that there is no more highly competitive business than the newspaper business; and, yet, if I went to Omaha to-day and undertook to start a newspaper there I could not get a franchise in the Associated Press to save my life, even by the payment of any amount of money. The members of the Associated Press there would not permit it. I might be privileged to go in with Mr. Hearst, who runs a news agency of his own on similar lines with the Associated Press, or with the Scripps-McRae Syndicate, or possibly with somebody else, just as merchants will be permitted under this bill to become affiliated with various organizations; but I could not get into the Associated Press and I would have to avail myself of opportunities entirely outside of its agency. So I do not think the answer the Senator made is conclusive at all.

Mr. WEEKS and Mr. FLETCHER addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts asked recognition first, and is recognized.

Mr. WEEKS. Mr. President, I do not wish to discuss this bill to any extent, but one of the comments made by the Senator from Nebraska [Mr. HITCHCOCK] attracted my attention. What we want to do is to develop foreign trade, and it is not so important to us as a people who does that trade. The hypothetical question which he asked might have application; there might such an instance develop as the one which he brought to the attention of the Senate; but, as a matter of fact, under present conditions none but large corporations can consider engaging in foreign trade. Take, for example, banks that are doing business in South America. There are only a few banks in the United States—as a matter of fact, only two or three have gone into the business—that have sufficient capital and resources to warrant their going to South America to engage in the banking business. So that in effect we are to-day limiting that business to two or three large corporations, while, if this bill passes, it might enable a series of banks coming together to conduct their business in South America through a single agency. It is going to be on the whole beneficial to the small people and harmful to that degree to the larger ones, and while the instance cited by the Senator might possibly happen in the development of trade, I think there will be forty cases where such a law as is proposed will enable small traders, small business concerns, to combine and get some part of the trade where there will be one that would come under the category which he has instanced.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator from Massachusetts this question: What would be the objection to such a provision as would compel these combinations which we propose to legalize to admit any American manufacturer in a particular line?

Mr. WEEKS. Well, Mr. President, there are very few kinds of business in which there are only five or six people engaged, and to compel one business man to take another business man into partnership is a bad business principle and bad business ethics as well. I do not think it desirable or wise that Congress should attempt to do such a thing.

Mr. SAULSBURY. Mr. President, I may be able to furnish other instances like those referred to by the Senator from

Massachusetts [Mr. WEEKS]. I think this bill will materially assist the small manufacturer desiring to engage in foreign business. For example, take our business in the East. We have but four concerns doing business in China to any extent, as nearly as I can tell. One is the Standard Oil Co. or its combinations; another is the Steel Corporation; another the British-American Tobacco Co., which is, I think, owned and controlled by the American Tobacco Co. interest; and the other is the Singer Sewing Machine Co. Those are the only companies doing any considerable American business in China. The reason they can do business is because of their immense capital, because they can stand the great overhead charges, and because they can carry the great stocks that are necessary to supply the Chinese merchants, who buy in small quantities at short periods.

We have not any foreign commerce, practically, in China except by these great concerns that we can regulate. They are the only concerns that can do business there in competition with foreign traders. My idea of the effect of this bill and the great benefit—and I want to say that we have considered this bill for two years, I think, in the Interstate Commerce Committee—is that by passing it we will enable the small traders in this country to combine and place their various wares before the foreign purchasers; and we will have plenty of time to regulate all these horrible things that may occur when some of them do occur. What we are trying to do is to give as many of our people as can get a chance at foreign trade a chance to do foreign trade, which they can not do now.

This bill, I think, is the considered judgment of practically all the members of the Interstate Commerce Committee, with a very few exceptions; and we want to get action on this matter, because we have considered it in that committee for years. We considered it before we passed the Clayton bill. I remember that it was under consideration in the committee in connection with the Clayton bill before that bill came over from the House. At that time we were considering the two bills, the Federal Trade Commission bill and the Clayton bill, jointly, intending to bring them into the Senate as one bill; and I think practically all the considerations that have been referred to here had some discussion as long ago as the time before we brought in the Federal Trade Commission bill.

I sincerely think it is time we were doing something and giving, as I believe, the small traders of this country a chance to engage in foreign commerce. When these terrible conditions arise which have been so graphically pictured, then we will consider how we may best regulate them.

Mr. TOWNSEND. Mr. President, I had not expected to say anything on the bill, and do not wish to delay a vote at this time; but I have heard repeated so many, many times what the objects of this bill were by Senators who are opposed to it, and the influences which have brought it to pass, that I felt that as one member of that committee I desire to repudiate those statements.

There are reasons why this bill should pass, in my judgment. When this war is over we are going to be brought into the strongest and bitterest competition which this or any other country has ever known. Europe has laws which permit combinations in those countries. We are expected to go in there and share that market handicapped with that kind of a condition. It is one of the objects of this bill to liberate American genius and enterprise in those fields which it will be called upon to occupy hereafter.

Another reason which has been so well stated by the Senator from Delaware [Mr. SAULSBURY] just now was discussed freely, and that is to permit the man who is now prevented from entering the foreign field by the fact that he has not means wherewith to do business there to enter that field. Instead of promoting monopoly, this bill, in my judgment, will tend to reduce it. That is the object of the bill.

I know that the provisos that have been put in the bill have been scoffed at as of no consequence; but, in my judgment, at least, I think it is surrounded by every safeguard to prevent the imaginary evils which Senators have pointed out here. I say this because I believe the committee has given it very careful and conscientious attention. It is not laboring under any delusions. Most of these arguments have been made before the committee. Members of the committee have presented the same arguments, and they were met in the committee and understood thoroughly in the committee at that time.

While I do not wish to discount the sincerity or integrity of the Senators who have opposed the bill, yet I feel that it is absolutely unjust for them to say that there is some sinister motive back of this bill. There can be none, Mr. President. I think the members of the committee understood it very well and understand it now; and these imaginary things which have been brought up are intended, in my judgment, more for delay than for any other purpose. The whole trend of the argument has shown that; and I have been very glad, indeed, that the Senator who has the bill in charge, having given ample opportunity for full discussion, has insisted that the matter which the Senate is now ready to vote upon shall be held before the Senate until it is disposed of.

Mr. MYERS. Mr. President, as another member of the committee which has considered this bill or legislation of like character for several years, I desire to say a word about the influences back of this legislation, to which reference has been so freely made.

I can name some of the influences. Legislation of this character has been recommended repeatedly by the President of the United States in presidential messages to Congress. It is favored by the Secretary of Commerce. It is favored by the Federal Trade Commission, which has made an exhaustive study of our trade conditions in Europe, and has made a printed report, which is obtainable by the Members of this body, stating that there are combinations and organizations of buyers in Europe of our exported products which put our exporters at a very great disadvantage; and that body has recommended that some legislation such as this is needed in order to give our exporters a better opportunity to contend with those combinations in Europe. That report has been made and is obtainable by all the Members of this body.

This legislation is favored by the Chamber of Commerce of the United States of America and by numerous trade and export bodies of the United States, and has been really opposed by nobody, so far as I have learned, except some Members of this body who do not find themselves in accord with the principles embodied in the bill.

We not only have to combat those combinations and organizations in Europe but we have to combat similar organizations in South America and other parts of the world. One manufacturer of barrels in the State of Ohio stated before the Senate committee, in response to examination by me, that buyers of his product, barrels, in South America combined for the purpose of making purchases of that product from United States manufacturers, and would only offer so much, would offer less than the selling price in this country, and they would not buy until they got their terms. This gentleman stated that the large manufacturers could in a way and under some disadvantages do business under those conditions, but the small manufacturer, such as he, could not.

This is the gist of the entire situation, as I have gleaned from our extended hearings: That the large manufacturers and exporters in this country can, in a way, and do, carry on business with foreign buyers under those conditions, but they do it only at a disadvantage, and the small manufacturers and exporters oftentimes find themselves utterly unable to do business under those conditions; and, as set forth in the report of the Federal Trade Commission, legislation of this character is in the interest of the small manufacturer or exporter, and not of the large exporter. Large concerns can do foreign business without this legislation; small exporters can not, or only under a tremendous disadvantage.

The PRESIDING OFFICER (Mr. KING in the chair). The question is upon the amendment offered by the Senator from Iowa [Mr. CUMMINS].

Mr. CUMMINS. I ask for the yeas and nays upon that amendment.

The yeas and nays were ordered.

Mr. CUMMINS. Before the roll is called, I think we ought to have as full an attendance as possible. I therefore suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hollis	New	Simmons
Beckham	James	Newlands	Smith, Ariz.
Chamberlain	Johnson, Cal.	Norris	Smith, Md.
Culberson	Johnson, S. Dak.	Overman	Smoot
Cummins	Jones, N. Mex.	Page	Sterling
Curtis	Jones, Wash.	Penrose	Stone
Dillingham	Kellogg	Poindexter	Sutherland
Fernald	Kenyon	Pomerene	Thompson
Fletcher	King	Ransdell	Townsend
France	Knox	Reed	Trammell
Frelinghuysen	Lodge	Robinson	Underwood
Gallinger	McKellar	Saulsbury	Vardaman
Gore	McLean	Shafroth	Wadsworth
Gronna	McNary	Sheppard	Watson
Hale	Myers	Sherman	Weeks
Hitchcock	Nelson	Shields	

Mr. SAULSBURY. I am informed that my colleague [Mr. WOLCOTT] is still too unwell at his home in Delaware to come to the Senate.

The PRESIDING OFFICER. Sixty-three Senators having answered to their names, a quorum is present. The question is upon the amendment offered by the Senator from Iowa [Mr. CUMMINS], upon which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I am paired with the junior Senator from Georgia [Mr. HARDWICK], who is detained on account of illness. Not knowing how he would vote on this question, I withhold my vote.

Mr. FRELINGHUYSEN (when his name was called). I transfer my general pair with the junior Senator from Montana [Mr. WALSH] to the senior Senator from Connecticut [Mr. BRANDEGEE] and vote "nay."

Mr. OVERMAN (when his name was called). Again announcing my pair with the senior Senator from Wyoming [Mr. WARREN], and not knowing how he would vote, I withhold my vote.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). My colleague [Mr. SMITH of Michigan] has been called from the Chamber on departmental matters. He is necessarily absent.

Mr. UNDERWOOD (when his name was called). I transfer my general pair with the junior Senator from Ohio [Mr. HARDING] to the junior Senator from Louisiana [Mr. BROUSSARD] and vote "nay."

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY]. I therefore withhold my vote.

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. I understand that he is absent. In his absence I withhold my vote. If at liberty to vote, I should vote "nay."

The roll call having been concluded, the result was announced—yeas 18, nays 43, as follows:

YEAS—18.

Borah	Hitchcock	Norris	Sterling
Cummins	Johnson, Cal.	Poindexter	Sutherland
France	Kenyon	Reed	Trammell
Gore	King	Shafroth	
Gronna	La Follette	Smith, Ga.	

NAYS—43.

Bankhead	Johnson, S. Dak.	New	Smith, Ariz.
Beckham	Jones, N. Mex.	Newlands	Smith, Md.
Calder	Jones, Wash.	Page	Smoot
Chamberlain	Kellogg	Pomerene	Stone
Dillingham	Knox	Ransdell	Swanson
Fernald	Lodge	Robinson	Thompson
Fletcher	McKellar	Saulsbury	Townsend
Frelinghuysen	McLean	Sheppard	Underwood
Gallinger	McNary	Sherman	Wadsworth
Hale	Myers	Shields	Weeks
James	Nelson	Simmons	

NOT VOTING—34.

Ashurst	Goff	Martin	Tillman
Brady	Harding	Overman	Vardaman
Brandegee	Hardwick	Owen	Walsh
Broussard	Hollis	Penrose	Warren
Colt	Hughes	Phelan	Watson
Culberson	Kendrick	Pittman	Williams
Curtis	Kirby	Smith, Mich.	Wolcott
Fall	Lewis	Smith, S. C.	
Gerry	McCumber	Thomas	

So Mr. CUMMINS's amendment was rejected.

Mr. CUMMINS. Mr. President, I move to strike out of line 1, on page 3, the words "and unduly," so that the proviso will read:

Provided, That such association does not, either in the United States or elsewhere, enter into any agreement, understanding, or conspiracy, or do any act which artificially or intentionally enhances or depresses prices within the United States of commodities of the class exported by such association.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 3, on line 1, after the word "intentionally," it is proposed to strike out "and unduly."

Mr. CUMMINS. Mr. President, I commented at some length upon this proviso at a former time. I do not intend to repeat what I said then, but I desire to call the matter directly to the attention of the Senate at the instant they are about to vote on the bill.

The affirmative part of this section repeals the antitrust law with regard to export trade. The proviso is that the association which is legalized and the act or thing done which is legalized shall not artificially or intentionally and, as it is now in the measure, unduly enhance or depress prices within the United States. To me even the suggestion that an association of this sort, organized for export trade, shall be permitted under the law to artificially and intentionally increase the prices of commodities in this country is abhorrent. I should like to hear some defense for the use of the word "unduly." If the association or combination or conspiracy—I care not what you call it—intentionally and artificially enhances prices of commodities in the United States, why ought it not to be condemned? Why should it be permitted to enhance prices, provided it does not unduly enhance prices? And what is it to unduly enhance a price?

There is no one who can answer that question. I challenged an answer to it this afternoon, and I repeat the challenge. Such a thing never has been dreamed of in the legislation regulating commerce. If we are to abandon the antitrust law—as we evidently are about to do—at least let us not approve and fortify a corporation or association engaged in export trade which intentionally and artificially enhances prices in the country.

I can not understand why this language is insisted upon, and I move to strike it out.

Mr. GALLINGER. Mr. President, I ask that the amendment be stated, and that the text be read in connection with the proposed amendment, so that we will understand it.

The PRESIDING OFFICER. Without objection, the Secretary will state the amendment in connection with the text.

The SECRETARY. On page 3 of the bill, in line 1, it is proposed to strike out the words "and unduly," so that, if amended, the proviso will read:

And provided further, That such association does not, either in the United States or elsewhere, enter into any agreement, understanding, or conspiracy, or do any act which artificially or intentionally enhances or depresses prices within the United States of commodities of the class exported by such association.

The PRESIDING OFFICER. The question is upon the amendment offered by the Senator from Iowa [Mr. CUMMINS].

Mr. REED. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when Mr. CURTIS's name was called). The Senator from Kansas [Mr. CURTIS] has been called away on official business. He is paired with the junior Senator from Georgia [Mr. HARDWICK].

Mr. FRELINGHUYSEN (when his name was called). I make the transfer of my pair as before announced and vote "yea."

Mr. SUTHERLAND (when Mr. GOFF's name was called). I desire to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on official business. He is paired, however, with the senior Senator from South Carolina [Mr. TILLMAN].

Mr. PENROSE (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. He is absent, and I will transfer my pair to the senior Senator from Rhode Island [Mr. COLT] and will vote. I vote "nay."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to make the same announcement as before, that my colleague [Mr. SMITH of Michigan] was called from the Senate on official business.

Mr. UNDERWOOD (when his name was called). Making the same announcement as to my pair with the junior Senator from Ohio [Mr. HARDING] and its transfer that I made on the last roll call, I vote "yea."

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY]. He is absent, and I withhold my vote. If permitted to vote, I would vote "yea."

Mr. WATSON (when his name was called). In the absence of my pair, the junior Senator from Delaware [Mr. WOLCOTT], I withhold my vote.

The roll call was concluded.

Mr. TRAMMELL. I desire to announce the absence from the Chamber of the Senator from Illinois [Mr. LEWIS] on official business.

The result was announced—yeas 53, nays 9, as follows:

YEAS—53.

Bankhead	Hollis	New	Smith, Ga.
Beckham	James	Newlands	Sterling
Borah	Johnson, S. Dak.	Norris	Stone
Chamberlain	Jones, N. Mex.	Overman	Sutherland
Cummins	Jones, Wash.	Page	Swanson
Dillingham	Kenyon	Poindexter	Thompson
Fletcher	King	Reed	Townsend
France	Knox	Robinson	Trammell
Frelinghuysen	La Follette	Saulsbury	Underwood
Gallinger	Lodge	Shafroth	Wadsworth
Gore	McKellar	Sheppard	Weeks
Gronna	McLean	Shields	
Hale	McNary	Simmons	
Hitchcock	Nelson	Smith, Ariz.	

NAYS—9.

Calder	Myers	Pomerene	Sherman
Fernald	Penrose	Ransdell	Smoot
Kellogg			

NOT VOTING—33.

Ashurst	Goff	Martin	Vardaman
Brady	Harding	Owen	Walsh
Brandegee	Hardwick	Phelan	Warren
Broussard	Hughes	Pittman	Watson
Colt	Johnson, Cal.	Smith, Md.	Williams
Culberson	Kendrick	Smith, Mich.	Wolcott
Curtis	Kirby	Smith, S. C.	
Fall	Lewis	Thomas	
Gerry	McCumber	Tillman	

So Mr. CUMMINS's amendment was agreed to.

Mr. POINDEXTER. Mr. President, I think it is perfectly obvious that there ought to be an opportunity given to our exporters to maintain in foreign countries, where they are competing for trade, a common selling agency. My opinion is that permission to do that would meet the needs of our foreign commerce so far as they have been expressed by representations that have been made to the Interstate Commerce Committee or to Congress, and so far as they are in evidence anywhere through the experience of those who are engaged in that commerce. I would prefer that the bill should be confined to the granting in as few and as clear words as possible of that privilege. The bill ought to be affirmative, in my judgment, rather than to be burdened with so many negative provisos as to what can not be done under the authority that it purports to grant.

It is obvious, however, I think, that there is no opportunity to accomplish that object in any way except by the passage of the bill as it is reported by the committee and now stands before the Senate. While it is objectionable on account of the granting of certain authority and then qualifying and beclouding the authority granted, and the provisos that are loaded upon the bill will undoubtedly lead to litigation and uncertainty and difficulty in its application, I expect to vote for it as the only means of accomplishing the object which I have referred to.

I proposed an amendment, or rather a substitute for the bill, in the committee, and I am going to offer it here, not with any expectation that it will be passed, but in order to keep the record clear, have it printed, and voted on. I think that while it is only a few words it is in such clear language as to relieve the legislation of any possible doubt as to what authority is granted, and when we make up our minds as to what we want to do, if we are satisfied that that ought to be done, there is not any use in putting in provisos as to what the effect of that action shall be and what it shall not be. We shall have to take the consequences of the action if we are going to authorize it at all, whatever it may be.

I only want to add this statement of my position before voting on the bill. In the foreign countries in which the effects of this bill are to operate our exporters are competing with foreign merchants who are not subject in any way whatever to our laws, and competition with the world will regulate the trade and prevent any undue restraint.

There is another consideration which controls the situation. If there should possibly be any combination, or trust, or agreement in the foreign trade in the nature of monopoly between the merchants of different countries selling goods in some foreign country that monopoly can be controlled and can only be controlled and regulated by the jurisdiction in which it operates. So there are those two safety factors—the competition which necessarily must exist between the different countries engaging in the trade and the power of the country in which the trade is carried on to regulate, control, or prevent monopolies in restraint of trade.

For those reasons I can see no possible harm that will come to the people of this country, or of any other country for that matter, from this legislation. On the other hand, it ought to afford a means by which our merchants will be put upon an equal footing in the competition for the world's trade with merchants who are organized and who do maintain common selling agencies.

One purpose of it is to prevent the duplication of expenses. Those engaged in trade in South America or merchants engaged in attempting to establish business in Siberia or in China would now under our laws, or under the construction that is placed upon them by some of our lawyers, who are compelled to operate independently of each other and to maintain three or four high-salaried agents in those countries, are evidently at a disadvantage with the merchants of competing countries who have one agent, and who not only thereby reduce their expenses, but are enabled to develop the highest degree of efficiency in the fixing of prices and the distribution of commodities.

I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will report the amendment offered by the Senator from Washington.

The SECRETARY. Strike out all after the enacting clause and substitute the following:

It shall be permissible for any person, association, partnership, or corporation engaged in export trade to maintain, in cooperation with other such persons, associations, partnerships, or corporations so engaged in export trade, joint or common selling agencies abroad for the purpose of selling goods abroad exported from the United States.

Mr. POMERENE. Mr. President, just one word. This proposed amendment is substantially the same as the amendment proposed by the Senator from Iowa. I think the fullest authority is given in the bill as it is now before the Senate for everything that is authorized in the proposed amendment. I therefore hope that the amendment will not be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was rejected.

The PRESIDING OFFICER. The bill is in Committee of the Whole and still open to amendment.

Mr. CUMMINS. Mr. President, I am not rising to suggest other amendments, but there is in line 1, page 3, an amendment that was proposed by the committee. It has been, I understand, agreed to in Committee of the Whole. I desire to reserve for a separate vote the proposed amendment, found in italics in line 1, page 3, when the bill reaches the Senate.

The PRESIDING OFFICER. If there are no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole, with the exception of the one reserved by the Senator from Iowa.

The amendments were concurred in.

The PRESIDING OFFICER. The amendment made as in Committee of the Whole which was reserved by the Senator from Iowa will be stated.

The SECRETARY. On page 3, line 1, insert after the word "enhances" the words "or depresses."

The PRESIDING OFFICER. The question is on concurring in this amendment.

Mr. CUMMINS. Mr. President, whatever may be proper legislation on this subject, I think a moment's reflection will convince the Senator from Ohio that the committee amendment, to which I have referred, ought not to be adopted. The words "and unduly" have been stricken out so that the section now reads that such association or combination or conspiracy shall not do any act which "artificially or intentionally enhances or depresses prices" within the United States of commodities of the class exported by such association.

It surely can not be the intent of those who favor this bill to declare that it shall be unlawful for any association or combination or person, artificially or intentionally to depress prices in the United States.

I can understand that there are some circumstances under which a combination ought not to be permitted to depress prices, but to say that no person or association doing business under this bill shall be permitted intentionally or artificially to depress prices within the United States baldly, absolutely, is a proposal that I think will not meet the approval of the people of this country, and I do not believe it would meet the approval of Senators if they would give their time to it.

What the Senator from Ohio evidently intends is that for certain purposes they shall not be permitted to depress prices, but if such an association believes the price in the United States, of a particular commodity, is too high and reduces that price to the people of the country, to make that association or person a criminal is absurd upon its face. I do not say that there may not be some kind of legislation that is desirable if a bill upon the subject is to be adopted at all, but I can not refrain from entering my protest against that particular feature.

Mr. POMERENE. Mr. President, I hope that those words will be retained in the bill. The bill as originally drawn had only the word "enhances." When it was before the Senate during the last session of Congress the senior Senator from Mississippi [Mr. WILLIAMS] called attention to this phraseology, and with his fine discriminating mind suggested that the words "or depresses" should be inserted in the bill. The reason for it that he gave then was that where there were exporters doing business abroad—as, for instance, in the case of cotton—sometimes those exporters, for the purpose of depressing prices in the United States, would enter into some arrangement to depress prices abroad, with a view to the effect it might have on the prices in this country, so that they might buy up at these depressed prices to ship abroad, whereby serious injury might be done to the trade, just as well by unduly depressing prices as by unduly

enhancing them. It was for that reason that those words were inserted, and, with all due respect to the opinion expressed by the Senator from Iowa, I think they should be retained.

The PRESIDING OFFICER. The question is upon concurring in the amendment as reported. [Putting the question.] The amendment is concurred in.

Mr. CUMMINS. Mr. President, I think it would be only fair to state that this is an amendment proposed by the committee, and that the question is whether the amendment proposed by the committee shall be adopted by the Senate.

The PRESIDING OFFICER. Whether it shall be concurred in by the Senate. If there is any misunderstanding——

Mr. TOWNSEND. Mr. President, there was a misunderstanding. As I understand, this amendment was inserted by the Senate at the last session of Congress.

The PRESIDING OFFICER. This amendment was offered and adopted as in Committee of the Whole. The question is whether the amendment offered and adopted as in Committee of the Whole shall now be concurred in in the Senate? The Chair will put the motion again. As many as favor concurring in this amendment will say "aye." [A pause.] Those opposed will say "no." [A pause.] The amendment is concurred in.

Mr. SHIELDS. Mr. President, in line 1, page 3, I move to strike out the word "intentionally" and to insert in lieu thereof the words "the natural effect of which."

The PRESIDING OFFICER. The amendment proposed by the Senator from Tennessee will be stated.

The SECRETARY. On page 3, line 1, it is proposed to strike out the word "intentionally" and in lieu thereof to insert the words "the natural effect of which."

Mr. POMERENE. Mr. President, I rise to a point of order. An amendment of this kind was not proposed as in Committee of the Whole, and my understanding is that it would now be out of order.

The PRESIDING OFFICER. The Chair is under the impression that the bill being in the Senate is open to amendment. The question is on agreeing to the amendment proposed by the Senator from Tennessee [Mr. SHIELDS].

Mr. POMERENE. Mr. President, may the amendment be again reported?

The PRESIDING OFFICER. The Secretary will again state the amendment.

The SECRETARY. On page 3, line 1, it is proposed to strike out the word "intentionally" and to insert the words "the natural effect of which," so that it will read:

or do any act which artificially or the natural effect of which enhances or depresses prices within the United States."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Tennessee.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. STERLING. Mr. President, on that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when the name of Mr. CURTIS was called). I desire to announce that the Senator from Kansas [Mr. CURTIS] is absent on official business. He is paired with the junior Senator from Georgia [Mr. HARDWICK].

Mr. FRELINGHUYSEN (when his name was called). Making the same transfer of my pair as before, I vote "yea."

Mr. JAMES (when his name was called). The junior Senator from Massachusetts [Mr. WEEKS], with whom I have a pair, is necessarily absent from the Senate. As he would vote, if present, as I shall vote, I will cast my vote. I vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from California [Mr. PHELAN] and vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. I am not informed as to how he would vote, if present, and therefore withhold my vote. If permitted to vote, I should vote "yea."

The roll call was concluded.

Mr. SWANSON. I desire to state that my colleague, Mr. MARTIN, is detained from the Senate on account of illness in his family. If present, he would vote "yea."

Mr. ROBINSON. I wish to announce that my colleague, the junior Senator from Arkansas [Mr. KIRBY], is unavoidably absent on account of illness in his family.

Mr. GALLINGER. I wish to announce that the Senator from North Dakota [Mr. MCCUMBER] is paired with the Senator from Colorado [Mr. THOMAS].

Mr. KING. I have been requested to announce the absence of the Senator from Rhode Island [Mr. GERRY], the Senator from Illinois [Mr. LEWIS], and the Senator from Nevada [Mr. PITTMAN] on official business.

The result was announced—yeas 51, nays 11, as follows:

YEAS—51.

Ashurst	Hollis	Newlands	Simmons
Bankhead	James	Overman	Smith, Ariz.
Beckham	Jones, N. Mex.	Page	Smith, Ga.
Brady	Jones, Wash.	Penrose	Smith, Md.
Calder	Kellogg	Poindexter	Smoot
Chamberlain	Knox	Pomerene	Sterling
Dillingham	Lodge	Ransdell	Stone
Fernald	McKellar	Robinson	Sutherland
Fletcher	McLean	Saulsbury	Swanson
France	McNary	Shafroth	Thompson
Frelinghuysen	Myers	Sheppard	Townsend
Gallinger	Nelson	Sherman	Wadsworth
Hale	New	Shields	

NAYS—11.

Borah	Hitchcock	La Follette	Trammell
Cummins	Kenyon	Norris	Vardaman
Gronna	King	Reed	

NOT VOTING—33.

Brandegee	Harding	Martin	Walsh
Broussard	Hardwick	Owen	Warren
Colt	Hughes	Phelan	Watson
Culberson	Johnson, Cal.	Pittman	Weeks
Curtis	Johnson, S. Dak.	Smith, Mich.	Williams
Fall	Kendrick	Smith, S. C.	Wolcott
Gerry	Kirby	Thomas	
Goff	Lewis	Tillman	
Gore	McCumber	Underwood	

So the bill was passed.

Mr. POMERENE. I move that the Senate request a conference with the House of Representatives on the bill and amendments and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and Mr. POMERENE, Mr. ROBINSON, and Mr. CUMMINS were appointed the conferees on the part of the Senate.

DEVELOPMENT OF WATERPOWER.

Mr. SHIELDS. I move that the Senate proceed to the consideration of the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

It is not my intention to go on with the bill to-night, but after it has been made the unfinished business I will ask that it be temporarily laid aside.

The PRESIDING OFFICER. The question is on the motion of the Senator from Tennessee to proceed to consideration of the bill indicated by him.

The motion was agreed to.

The PRESIDING OFFICER. The bill is made the unfinished business.

Mr. SHIELDS. Now, I ask that the bill be laid aside temporarily.

Mr. LODGE. It is not necessary to do that.

The PRESIDING OFFICER. The Chair has announced that the bill has been made the unfinished business.

Mr. HITCHCOCK. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 13, 1917, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 12, 1917.

ASSISTANT SECRETARY OF THE TREASURY.

Thomas B. Love, of Dallas, Tex., to be Assistant Secretary of the Treasury. (New office.)

ASSISTANT SECRETARY OF WAR.

Benedict Crowell, of Ohio, to be Assistant Secretary of War, vice William M. Ingraham, resigned.

INTERSTATE COMMERCE COMMISSIONER.

Belthasar H. Meyer, of Wisconsin, to be a member of the Interstate Commerce Commission for the term of seven years, expiring December 31, 1924. (Reappointment.)

(FIRST) ASSISTANT CHIEF OF THE BUREAU OF FOREIGN AND DOMESTIC COMMERCE, DEPARTMENT OF COMMERCE.

Chauncey D. Snow, of Massachusetts, to be (First) Assistant Chief of the Bureau of Foreign and Domestic Commerce, De-

partment of Commerce, vice Burwell S. Cutler, promoted. (By promotion from (Second) Assistant Chief of Bureau of Foreign and Domestic Commerce.)

(SECOND) ASSISTANT CHIEF OF THE BUREAU OF FOREIGN AND DOMESTIC COMMERCE, DEPARTMENT OF COMMERCE.

Grosvenor M. Jones, of Ohio, to be (Second) Assistant Chief of the Bureau of Foreign and Domestic Commerce, Department of Commerce, vice Chauncey D. Snow, to be promoted. (By promotion from special agent in the Bureau of Foreign and Domestic Commerce.)

COLLECTOR OF INTERNAL REVENUE.

James J. Brady, of Detroit, Mich, to be collector of internal revenue for the first district of Michigan.

EXPLOSIVES INSPECTOR.

Michael R. Magner, of Yankton, S. Dak., to be explosives inspector for the State of South Dakota.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Charles S. McWhorter to be a lieutenant commander in the Navy from the 1st day of July, 1917.

Lieut. (Junior Grade) Robert R. Paunack to be a lieutenant in the Navy from the 5th day of June, 1917.

The following-named citizens to be assistant naval constructors in the Navy, for temporary service, from the 13th day of November, 1917:

Charles W. Colby,
Lowell Cady,
Harold C. Neumann,
Thomas F. O'Brien,
Emil A. Gramstorff,
Irving Fineman,
William W. Cargill,
Paul D. Childs,
George R. Duryea,
Irving B. McDaniel,
Geoorge T. Paine,
Robert G. Shand,
Walter G. Farr,
William A. Sullivan, and
Benjamin S. Wells.

Lieut. Col. Philip M. Bannon to be a colonel in the Marine Corps (subject to examination required by law) from the 26th day of March, 1917.

Maj. Richard M. Cutts to be a lieutenant colonel in the Marine Corps (subject to examination required by law) from the 26th day of March, 1917.

Maj. Henry C. Davis to be a lieutenant colonel in the Marine Corps to fill a vacancy occurring October 16, 1917, and to take rank from August 29, 1917.

Capt. Rush R. Wallace to be a major in the Marine Corps from the 29th day of August, 1916.

The following-named captains to be majors in the Marine Corps from the 26th day of March, 1917:

Robert O. Underwood,
Gerard M. Kincade,
Harry O. Smith,
Robert B. Farquharson, and
Lauren S. Willis.

The following-named captains to be majors in the Marine Corps, for temporary service, from the 22d day of May, 1917:

Sydney S. Lee,
Ross E. Rowell,
Harold H. Utley,
Howard C. Judson,
Paul A. Capron,
William F. Bevan,
John Potts,
Edward A. Ostermann,
Edward S. Willing,
Ralph S. Keyser,
Julian P. Willcox,
Benjamin S. Berry,
Ross S. Kingsbury,
Robert E. Adams,
Edwin N. McClellan,
Littleton W. T. Waller, jr.,
John Dixon, and
Henry M. Butler.

The following-named first lieutenants to be captains in the Marine Corps from the 26th day of March, 1917:

Louis E. Fagan, jr., and
Louis M. Bourne, jr.

First Lieut. Edward S. Chandler to be a captain in the Marine Corps, for temporary service, from the 23d day of May, 1917.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 16th day of June, 1917:

James Keeley,
Eugene B. Mimms,
William H. Stevens,
Henry Baptist,
Francis Fisk,
Robert W. Williams,
Peter Conachy,
Charles E. Mills,
Wilbur G. Gunn,
John Blanchfield,
Carl E. Clark, and
Arthur J. Stout.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 1st day of July, 1917:

Julius T. Wright,
Andrew E. Creesy,
Arthur H. Page, jr.,
Donald Curtis,
Jesse L. Perkins, and
Samuel J. Bartlett.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 26th day of July, 1917:

Clarence N. McClure,
Michael Kearney,
Edward H. W. Holt,
Bror G. Brodstrom,
Frederick W. Karstaedt,
Angus Wilson,
Fred Lueders,
Charlie Hansen,
Charles S. Beale,
Roswell Winans,
Raymond F. Dirksen,
Walter J. Eddington, jr.,
Frank Whitehead,
Ery M. Spencer,
Charles P. Holliday,
James P. Smith,
Frank E. Verner,
Norman M. Shaw,
Joseph Watson,
Abel E. LeBlanc,
Oliver A. Dow,
John P. Harvis,
William Borghart,
Gaines Moseley,
John F. Duffy,
William R. Perry,
William J. Holloway,
Bert Pearson,
Harry H. Couvrette,
John H. Fay,
Pink H. Stone,
Harry T. Rodenhoffer,
Frank Patterson,
Charles G. Knoechel,
Charles F. Merkel,
John F. Evans,
John A. McDonald,
Ray W. Jeter,
Albert J. Grimes,
Clarence H. Medairy,
Robert Yowell,
Louie W. Putnam,
Stephen F. Drew,
Charles F. Finger,
William S. Robinson,
Edward G. Huefe,
John Kearns, and
James H. McGan.

The following-named second lieutenants to be first lieutenants in the Marine Corps from the 29th day of August, 1916:

Louis E. Fagan, jr., and
Louis M. Bourne, jr.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 25th day of July, 1917:

Frederick W. Karstaedt,
Roswell Winans,
Ery M. Spencer,

Charles P. Holliday,
Gaines Moseley,
John H. Fay,
Arthur J. Trask,
Thomas B. Wood,
Archie Farquharson,
Glen C. Cole,
Orlando C. Crowther,
David T. Jackson,
John H. Nichols, and
George L. Littlefield.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 1st day of August, 1917:

Daniel J. Readey, and
Herman R. Holljes.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 7th day of August, 1917:

Franklin T. Steele,
William E. Campbell, jr.,
Stanford W. Hoffman, and
George F. Hill.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 11th day of August, 1917:

Walter T. H. Galliford,
Charles N. Muldrow,
John T. Walker,
Frank W. Wilson,
Robert C. Anthony,
Ralph L. Schlesswohl,
William A. Duckham,
Benjamin Goodman,
Harold D. Campbell,
James A. Nelms,
Raymond E. Knapp,
Samuel C. Cumming,
George H. Yarborough, jr.,
Edward L. Burwell, jr.,
Lemuel C. Shepherd, jr.,
John F. Blanton,
James F. Moriarty,
Arthur T. Elmore,
Edward B. Hope,
Charles P. Nash,
Durant S. Buchanan, and
Fielding S. Robinson.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 16th day of August, 1917:

William H. Taylor, jr.,
Charles Z. Lesher,
John C. Wood,
Thomas R. Jewett,
James R. Henderson,
William T. Evans,
George D. Hamilton,
Benjamin W. Gally,
Lloyd B. Dysart,
Joseph F. Gargan,
Charles I. Emery,
Clyde P. Matteson,
Rolla R. Hinkle,
William R. Mathews,
Charles T. Lawson,
David I. Garrett,
Nathaniel H. Massie,
Richard H. Jeschke,
Sidney W. Wentworth,
Frank L. Shannon,
Samuel M. Noblitt,
Francis P. Mulcahy,
Frederic C. Wheeler,
Benjamin H. Brown,
Thomas E. Kendrick,
Benjamin L. Harper,
Albert A. LeBoeuf,
Will H. Walter,
Alfred W. Ogle,
William van D. Jewett,
Robert S. Lytle,
Paul E. McDermott,
Albert P. Baston,
Donald J. Kendall,
Harold St. C. Wright,
Horace B. Derrick,
Leonard Stone,
Alton A. Gladden,
Lewis B. Reagan,
Dudley S. Brown,
Robert H. Pepper,
Robert L. Nelson,
John B. Wilson,
James McB. Sellers,
James D. Colomy,
Lathrop B. Flintom,
Clive E. Murray,
Joseph A. Hagan,
Ivan Langford,
Galen M. Sturgis,
Mordecai C. Chambers,
Carl W. Meigs,
Joseph W. Knighton,
Charles I. Murray,
James A. Poulter,
Karl S. Day,
George L. Maxwell, jr.,
Joseph C. Bennet,
Clarence W. Smith,
James A. Mixson,
Cecil B. Raleigh,
George L. Maynard, jr.,
William H. Hollingsworth,
Lades R. Warriner,
John O. Hyatt,
Oakley K. Brown,
Charles D. Roberts,
Gus L. Gloeckner, and
Graves B. Erskine.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 28th day of August, 1917:

Frederick I. Hicks,
Phillips B. Robinson,
Thomas W. Scott,
Leo F. S. Horan,
Felix Beauchamp,
Maurice Brulay,
James B. McCormick,
Walter R. Macatee,
Philip A. Murray, jr.,
John H. Craige,
Kortright Church,
John N. Popham, jr.,
Reginald C. M. Peirce,
Theodore C. Johnson,
Claude M. Bain,
Thomas A. Tighe,
Thomas W. Bowers,
John R. Foster,
Russell W. Duck,
David Bellamy,
Robert W. Claiborne,
Robert P. Jeter,
Lawrence B. Smith,
Richard O. Sanderson,
Louis S. Davis,
Archie W. French,
Jonathan Lucas, jr.,
William L. York,
Harry D. Gibbons,
John F. Williams, and
Howard B. Freeman.

The following-named noncommissioned officers to be second lieutenants in the Marine Corps, for temporary service, from the 21th day of July, 1917:

Quartermaster Sergt. Charles P. Holliday,
Gunnery Sergt. Arthur J. Trask,
Gunnery Sergt. Archie Farquharson, and
Gunnery Sergt. Glen C. Cole.

The following-named officers of the National Naval Volunteers (Marine Corps Branch) to be second lieutenants in the Marine Corps, for temporary service, from the 6th day of August, 1917:

Franklin T. Steele,
William E. Campbell, jr., and
George F. Hill.

The following-named citizens to be second lieutenants in the Marine Corps for a probationary period of two years from the 15th day of September, 1917:

Earle M. Randall, a citizen of Massachusetts.

Leland S. Swindler, a citizen of California.
John P. Manton, a citizen of Ohio.
Ernest H. Lowenthal, a citizen of Georgia.
Ray A. Robinson, a citizen of California.
Howard N. Stent, a citizen of Connecticut.
Gillis A. Johnson, a citizen of Texas.
Kenneth B. Collings, a citizen of the District of Columbia.
Basil Gordon, a citizen of Virginia.
Donald Spicer, a citizen of Massachusetts.
Ford O. Rogers, a citizen of Connecticut.
Creswell M. Micou, a citizen of the District of Columbia.
Walter G. Farrell, a citizen of Illinois.
Raymond T. Presnell, a citizen of Idaho.
Lloyd A. Houchin, a citizen of Minnesota.
Roy M. Simpson, a citizen of Massachusetts.
William L. Harding, jr., a citizen of Texas.
John B. Neill, jr., a citizen of Virginia.
David Duncan, a citizen of New York.
Lyle C. De Veaux, a citizen of Pennsylvania.
Charles G. Thoma, a citizen of Illinois.
Greenough Townsend, a citizen of New York.
Henley M. Goode, a citizen of Texas.
Ralph R. Robinson, a citizen of California.
Floyd W. Bennett, a citizen of Pennsylvania.
Norman E. True, a citizen of Maine.
Thurston J. Davies, a citizen of New Jersey.
Walter E. Bilisoly, a citizen of Colorado.
John K. Martenstein, a citizen of California.
Francis J. Kelly, jr., a citizen of New York.
Daniel B. Brewster, a citizen of Maryland.
Douglass P. Wingo, a citizen of Alabama.
Conrad S. Grove, 3d, a citizen of Pennsylvania.
Dale S. Young, a citizen of Illinois.
Charles M. Portis, a citizen of Alabama.
St. Julien R. Childs, a citizen of South Carolina.
Clifford C. Cowin, a citizen of Minnesota.
Hamilton M. H. Fleming, a citizen of Pennsylvania.
Walter I. Greth, a citizen of Pennsylvania.
Frederick E. Stack, a citizen of the District of Columbia.
George C. Collar, a citizen of Wisconsin.
John F. Roy, a citizen of Maryland.
Edward S. Shaw, a citizen of Maine.
Stanford H. Moses, a citizen of Minnesota.
Edward L. Pollock, jr., a citizen of Illinois.
William J. Parrish, jr., a citizen of Virginia.
Hascall F. Waterhouse, a citizen of California.
Gardiner Hawkins, a citizen of Texas.
Campbell R. Coxe, a citizen of New York.
Leland D. Breckinridge, a citizen of Texas.
Merritt A. Edson, a citizen of Vermont.
Laurence T. Stallings, jr., a citizen of Georgia.
Edgar A. Poe, jr., a citizen of Maryland.
Edward O. Bogert, a citizen of New York.
Randolph A. Christie, a citizen of California.
George Wale, jr., a citizen of California.
John A. Tebbs, a citizen of Virginia.
John C. Wemple, a citizen of the District of Columbia.
Curtis W. Le Gette, a citizen of South Carolina.
Cleghorn Foote, a citizen of New Jersey.
Thomas B. McMartin, a citizen of Wisconsin.
Thomas W. Ashley, a citizen of Massachusetts.
Thomas H. Raymond, a citizen of Louisiana.
David C. Levy, a citizen of Pennsylvania.
Joseph H. Fellows, a citizen of Pennsylvania.
Louis G. De Haven, a citizen of New Jersey.
John S. Tyler, a citizen of California.
Luther W. Jones, a citizen of South Carolina.
Harry E. Stovall, a citizen of Texas.
Chester R. Milham, a citizen of Kansas.
David P. Cowan, a citizen of Maryland.
Robert L. Montague, a citizen of Virginia.
Lester A. Dessez, a citizen of the District of Columbia.
John R. Minter, a citizen of Maryland.
Robert B. Stuart, a citizen of Virginia.
Edmond F. Fisher, a citizen of New Jersey.
James Wood, a citizen of New York.
Andrew R. Holderby, 3d, a citizen of Virginia.
Charles S. Willcox, a citizen of Virginia.

The following-named citizens to be second lieutenants in the Marine Corps, for temporary service, from the 17th day of September, 1917:

Fillmore W. Eiker, a citizen of Maryland.
Merton A. Richal, a citizen of Minnesota.
William B. Shealy, a citizen of South Carolina.
Francis B. Reed, a citizen of Massachusetts.
Lester D. Johnson, a citizen of Illinois.
Edgar B. Pendleton, a citizen of California.
John Kaluf, a citizen of Illinois.
Judson H. Fitzgerald, a citizen of the District of Columbia.
Samuel A. Milliken, a citizen of Massachusetts.

The following-named temporary second lieutenant to be a second lieutenant in the Marine Corps for a probationary period of two years from the 16th day of October, 1917:

Fillmore W. Eiker.

The following-named citizens to be second lieutenants in the Marine Corps, for temporary service, from the 20th day of October, 1917:

Timon J. Torkelson, a citizen of Washington.
Ross S. Wilson, a citizen of Washington.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 12, 1917.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

In grateful recognition, Almighty God, our Heavenly Father, of that Providence which has shaped and guided the destiny of our Republic through all the vicissitudes of the past and made it strong and great, we most humbly and devoutly pray that Thou wilt continue to uphold, sustain, and guide us.

Help us to remember that righteousness exalteth a nation, while sin is a reproach to any people.

Hear us when we commend to Thy care the lawmakers of the land, those who sit in judgment upon them, and those who execute them, that we may press forward toward the ideals which commend themselves to our judgment.

Help us as a people to appreciate the blessings of a Republic, that we may fix our minds upon one great thought, namely, the prosecution of the war in which we are involved, to lose which is to lose all; to gain which is to secure not only for ourselves but for all the world freedom in thought and action, especially the great privilege of worshiping Thee according to the dictates of our conscience. In the spirit of Christ Jesus our Lord, amen.

The Journal of yesterday's proceedings was read and approved.

PROHIBITION AMENDMENT.

Mr. DYER rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. DYER. To ask unanimous consent, Mr. Speaker, that I may have two days, as a member of the Committee on the Judiciary, in which to file minority views on the prohibition amendment.

The SPEAKER. The gentleman from Missouri asks that he be permitted to have two days in which to file the views of the minority of the Committee on the Judiciary——

Mr. DYER. My own personal views, Mr. Speaker.

The SPEAKER. His own personal and individual views on the prohibition amendment. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2860. An act transferring Hardeman County to the Wichita Falls division of the northern judicial district of Texas.

LEAVE OF ABSENCE.

Mr. TAYLOR of Colorado, by unanimous consent, was granted leave of absence indefinitely, on account of illness in his family.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

The Clerk called the Committee on Indian Affairs.

COAL AND ASPHALT, CHOCTAW AND CHICKASAW NATIONS.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 195.

The SPEAKER. You do not have to move it. The House automatically resolves itself into Committee of the Whole House on the state of the Union for the consideration of House bill 195, with the gentleman from North Carolina [Mr. POU] in the chair.

Thereupon the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 195, with Mr. POU in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 195. The gentleman from Oklahoma [Mr. CARTER] has used 30 minutes. No time has been used on the other side. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 195) providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma.

Mr. CAMPBELL of Kansas. Mr. Chairman, I ask for recognition on the bill. The bill is of the very greatest importance. The matter was before the Committee on Indian Affairs in a different form from that in which it was reported.

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes; I yield.

Mr. CARTER of Oklahoma. Mr. Chairman, I understand that I have 30 minutes left?

The CHAIRMAN. That is correct. The gentleman from Kansas [Mr. CAMPBELL] has used none of his time.

Mr. CAMPBELL of Kansas. None whatever. The bill was before the committee in a different form. There was a hearing, a series of hearings, on the bill. As a matter of fact, the general subject has been under consideration for some years. There has been a wide diversity of opinion upon the bills that were before the committee. I am not now raising a question as to the time that this bill was reported, but, as a matter of fact, I understand that the chairman of the Committee on Indian Affairs got the contending parties together and sought an agreement, and that agreement was embodied in amendments, and the amendments were incorporated in the bill as it has been reported.

I was not present in the Committee on Indian Affairs when these amendments were agreed to. I have not talked with those who are opposed to the bill in the form in which it was first introduced since the amendments were agreed upon.

I asked that this bill go over on last Wednesday for the purpose of giving time to those who were opposed to the bill, so that if they still have objections their objections might be laid before the House to-day. The chairman of the committee notified the coal operators in Oklahoma and others interested. I have had no word from Oklahoma nor from any one interested in the provisions of the bill, either for or against its passage in its present form.

I make this statement so that if any question should arise hereafter as to the agreements that have been incorporated in this bill as amendments said to have been agreed to by all the parties interested, those affected can not say that they have not had an opportunity to present the matter to the House.

Mr. CARTER of Oklahoma rose.

Mr. HARRISON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield to the chairman of the committee first.

Mr. CARTER of Oklahoma. Mr. Chairman, the statement made by the gentleman from Kansas is substantially correct, as the gentleman from New York [Mr. SNYDER], I think, can also testify. After the hearings were had upon this bill, the representative of the Choctaw and Chickasaw Tribes, who was also an employee of the Interior Department, agreed upon by the two chiefs of the tribes, a representative of the coal operators, and representatives of the citizens' committee, met and agreed upon these amendments, with one slight exception. The attorney for the tribes said he would offer no objection to the retention by the lessee of one-half of the advance royalty, but he did not want to unqualifiedly commit himself to that at this time. This, he stated, was because the bill might not pass at that session. If this bill did not pass, then he might be called into negotiations in the future and might be asked at a future time to make further concessions than that, which he considered as a concession, although the committee did not so consider it. That is about the status of the agreement.

Mr. HARRISON of Mississippi. Mr. Chairman, may I ask the gentleman from Kansas a question?

Mr. CAMPBELL of Kansas. Yes.

Mr. HARRISON of Mississippi. Has this land been offered for sale once before?

Mr. CAMPBELL of Kansas. The surface has been sold. The coal underlying it has been estimated or surveyed. It has not been sold.

Mr. CARTER of Oklahoma. The gentleman from Kansas is correct in so far as his statement goes; but these coal deposits were offered for sale once, in 1905. At that time no adequate bids were received and none of the coal lands were sold. Since that time, under the act of February 19, 1912, the surface of these lands has been disposed of, except that portion that was retained as necessary for the operation of the mines. That part was set apart and reserved from sale.

Mr. CAMPBELL of Kansas. That is, proper reservations were made of the surface.

Mr. CARTER of Oklahoma. Proper reservations were made and the lessees were given the right to buy them at the appraised value, but up to this time the lessees have not chosen to take them at that price.

Mr. BORLAND. Let me ask the gentleman from Kansas a question.

Mr. CAMPBELL of Kansas. I yield to the gentleman from Missouri for a question.

Mr. BORLAND. I understand that a portion of this land is now under lease and that the coal is being mined under lease.

Mr. CAMPBELL of Kansas. Probably more than 100,000 acres of it.

Mr. BORLAND. That probably embraces the best and all the available coal lands.

Mr. CAMPBELL of Kansas. Oh, no; there is much very good coal that is not under lease; but it is farther from the railroads or means of transportation than that which has been leased and is not now available, but it is a good investment as coal property.

Mr. BORLAND. It is designed to sell the land that is under lease, as well as the land that is not under lease?

Mr. CAMPBELL of Kansas. Yes.

Mr. BORLAND. Why is it not a very good proposition for the Indians to permit that coal land to remain under lease and let them get proper royalties under lease?

Mr. CAMPBELL of Kansas. The proposition is for the leases to go on. These leases, some of them, do not expire for from 12 to 14 years; but there is a desire on the part of citizens of Oklahoma—heretofore not generally concurred in by some others—that this estate be closed out, that the property be converted into money, that it be distributed among those who are entitled to it, and that the administrator be discharged.

Mr. BORLAND. I suppose that is in order that the Indians may finally be absorbed into the citizenship of Oklahoma and cease to be under the care of the Government.

Mr. CAMPBELL of Kansas. That, of course, is the ultimate ambition of the people of Oklahoma, to incorporate the Indians, with their property, as citizens of that State.

Mr. HARRISON of Mississippi. May I ask the gentleman a question?

Mr. CAMPBELL of Kansas. Yes.

Mr. HARRISON of Mississippi. What is the gentleman's opinion about this being a good time to dispose of this property? Does he think we can get a better price for the property now than to wait until later?

Mr. CAMPBELL of Kansas. I should hesitate to undertake at this time to float a large proposition similar to the one involved in this property. It is difficult to finance great enterprises just at this time; and yet it may be that organizations can be made, in Oklahoma or elsewhere, that will buy this land. It is estimated that it is worth all the way from $12,000,000 to $4,000,000,000. Nobody knows exactly the value of the residium of this estate, but it is large. There is no question that there is a valuable coal property remaining in Oklahoma to the Choctaw and Chickasaw Indians. Whether or not this is a good time to put it upon the market and sell it is a very serious question.

Mr. HARRISON of Mississippi. The gentleman stated a few moments ago that the interested parties had a meeting and agreed on certain amendments. I understood the gentleman to say that.

Mr. CAMPBELL of Kansas. That is correct.

Mr. HARRISON of Mississippi. I was going to ask the gentleman if in that meeting the Mississippi Choctaws had a representative.

Mr. CAMPBELL of Kansas. I have not been advised as to that. My suspicion is that the Mississippi Choctaws were not there.

Mr. HARRISON of Mississippi. May I ask the gentleman who were the interested parties who attended that meeting?

Mr. CAMPBELL of Kansas. The operators, the chiefs and attorneys of the tribes, and citizens adjacent to the property.

Mr. HARRISON of Mississippi. Was that meeting held here in Washington or was it held in Oklahoma?

Mr. CAMPBELL of Kansas. It was held here in Washington; and many hearings have been held before the Committee on Indian Affairs in the past four years upon this subject, par-

ticipated in by citizens of the towns and cities adjacent to these properties, by the lessees of the properties now under lease, by operators interested in the coal property, and by the attorneys and chiefs of the tribes. I do not recall that the Mississippi Choctaws ever submitted their views with respect to the immediate sale of this remaining portion of the estate belonging to the Choctaws and Chickasaws.

Mr. HARRISON of Mississippi. The gentleman does not doubt that heretofore they have submitted their claims?

Mr. CAMPBELL of Kansas. Upon other subjects, but not upon this.

Mr. ROBBINS. I should like to ask the gentleman a question.

Mr. CAMPBELL of Kansas. Yes.

Mr. ROBBINS. What royalty do the Indians get now under the leases they have?

Mr. CAMPBELL of Kansas. Eight cents a ton, as I understand.

Mr. CARTER of Oklahoma. That is correct.

Mr. ROBBINS. What is the yield per ton per acre?

Mr. CAMPBELL of Kansas. The royalty runs probably from $250 to $350 an acre.

Mr. ROBBINS. Then the vein must be very thin.

Mr. CAMPBELL of Kansas. It runs from 3 to 4 feet.

Mr. ROBBINS. Does not the gentleman think it would be better for the Indians to get their money in monthly allowances rather than to get it in a lump sum, in the way this bill proposes? Are they not noted for spending their money rather freely and being unable to care for their estates?

Mr. CAMPBELL of Kansas. That is true. That is one of the big questions involved in this proposition. But I will say to the gentleman from Pennsylvania the estate must be closed up at some time. We promised by treaty many years ago to close it up. There has been something carried over from one fiscal year to another, involving matters deemed to be of great importance, that have made it impossible to close up this estate.

Mr. ROBBINS. Why is it desirable to close it up? Would it not be better for the Government to continue to handle it and pay up gradually and yearly the sums derived from royalties on these coal leases?

Mr. CAMPBELL of Kansas. That is a view taken by many people who have an interest in the Indians but not an intimate acquaintance with them or with the local situation in the Five Civilized Tribes. Promises were made by this Government many years ago to release the Five Civilized Tribes from supervision by the Government as fast as it could be done, and the whole estate was to have been closed up on the 4th of March, 1906. That promise was looked forward to with a good deal of interest by the Indians. You will understand that many of the Five Civilized Tribes whose property is supervised by the Government are men of the highest education and business ability; they are men who are presidents of not one national bank but two, of interurban railways, owners and managers of great business properties, men who are rated financially from $25,000 to one-half a million dollars, and yet have their interests in this estate supervised by the Indian Office.

Mr. CARTER of Oklahoma. If the gentleman will permit, it is even worse than that.

Mr. CAMPBELL of Kansas. I am stating it mildly.

Mr. CARTER of Oklahoma. Not only supervised, but held as a community proposition; an individual is not permitted to use any of the funds that accrue from his royalties for his own purposes, it all goes for tribal schools. We have State schools established in Oklahoma which are almost ample to provide for the Indian children. It is not necessary to hoard up a large amount for schools, although it might be necessary to keep some.

Mr. CAMPBELL of Kansas. I will say this, having made the Indian question a study for years and having been vitally interested in the welfare of the Indian, I have always taken the position on this floor and in committee and in committees of investigation and elsewhere, that the first thing to be considered is the welfare of the Indians. The time has arrived when the Indian will have to cut loose from the supervision of clerks in the Indian Office [applause] and become an independent factor in the State of Oklahoma, or wherever he lives, and run his own affairs. I do not hesitate to say that as between the ability of some of these Indians, the scope of their vision, and their general business capacity, and the general scope of vision and business capacity of some of the clerks who control and supervise them that the Indian is far superior. [Applause.] There are agents—and this is outside of the Five Civilized Tribes—to-day who are squatting on Indian reservations pretending to look after the interest of the Indians whose services are absolutely useless. They are pretending to serve men of affairs in their community, men who own farms, living in good houses, heated with steam, having bathrooms, men who not only own one pair of horses but several pairs of well-bred horses, good breeding and milch cows, with splendid farms, and running them like good farmers. Every time these Indians turn around they have to go down to the Indian agent and consult him. He is a little fellow who has been sitting there for years and generally is without sufficient energy or enterprise even to cut his own wood or to take care of the lawn of the property in which he lives, or raise his own potatoes, and he tells these splendid farmers what they may do with their farms or the surplus of their stock, this, that, and the other thing, that the average farmer in a prosperous community has to do.

There are agents that are as useless as would be a supervisor or guardian for the most intelligent man you know in your community. In my judgment the time has arrived when the Indian Office ought to be simply cleaned out of everything that is not absolutely essential in the conduct of the affairs of incompetent Indians.

There has been more waste of money in proportion to the work done with respect to the Indians than in any other branch of the Government up to the last two or three years. I do not see any way of putting an end to it until Congress says, by legislation, not another dollar for this agency and that agency, for this purpose and that purpose, and let the men who are sitting around these agencies seek employment elsewhere, where their services may be useful. [Applause.] It is an injustice to an able young man to permit him to occupy a position of ease and indolence and uselessness for years and years.

I have in mind now a fine-looking young man who has sat for seven years in the same place and is now so indolent that, while there is ample ground surrounding the property, he does not even raise tomatoes or potatoes; with farm lands under his control, he buys his hay, or we buy it for him. He buys corn, or we buy it, to feed his driving horse. We buy wood all cut and delivered and furnish a man to make the fire for him. That is what we are doing at Indian agencies at the expense of the Government and the Indians. It is becoming absolutely intolerable.

Mr. FERRIS. If the gentleman will pardon me, his words are music to my ears, for I have made that same talk for 16 years. But is it not true that if a bill was reported now from any committee for that purpose seeking to take away the salary of one of these fellows it would be opposed by a lot of men who would say that we were trying to take away the protection from these Indians?

Mr. CAMPBELL of Kansas. Yes; and if you gave them time enough you would have magazine articles and newspaper articles charging graft, that you were laying plans for dishonest white men to get the remainder of the property of the Indians away from them.

Mr. HASTINGS. That has been the character of the attack on such legislation for the past 25 years, has it not?

Mr. CAMPBELL of Kansas. It is, and will continue to be while the Government of the United States makes appropriations in these bureaus and departments for publicity agents. There are men in the public service to-day whose only service is to prepare articles and newspaper interviews which furnish the country with a lot of misinformation, the purpose being to affect public opinion, to affect the action of Congress, not with a view to bettering Indian or other conditions but with the view of perpetuating a lot of men in soft jobs in which they are rendering no service of value to the country.

Something ought to be done to close out a lot of these useless positions. When we consider the Indian appropriation bill I shall insist that many agencies be left out entirely as absolutely useless, and I shall begin in my own State. The conservation of the useful manhood of the men in many of these positions will be affected by putting them out on their own resources. They are as useless and as indolent as any Indian, and will become as helpless as the Indian if they are permitted longer to be pampered by the Government in positions in which they are rendering no service of value.

Mr. Chairman, as to this bill, I have only one question and that is whether or not in a big way this is a good time to place the property upon the market? It is a very valuable property, and whether or not it will bring the price that it is worth at this time is a matter of very serious consideration. I suggest also that when the bill is taken up for consideration under the five-minute rule the provision for the expense of a further survey of the amount of coal be stricken out for the reason that there is now on file in the office of the Secretary of the Interior

ample data to enable the Secretary to ascertain the amount of the coal that underlies the surface that is now proposed to be sold.

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. CARTER of Oklahoma. The gentleman is aware of the fact that two appraisements have been made of this property?

Mr. CAMPBELL of Kansas. Yes.

Mr. CARTER of Oklahoma. One, of course, was a very exorbitant appraisement by people who knew nothing about the value of coal, running up to billions of dollars, I think, and the other was an appraisement by practical coal men amounting to something like $12,000,000, as I recollect. These two appraisements are so widely at variance that the Secretary thought he ought to have the right to fix another price on these lands, and he did not feel like taking the responsibility of selling this property without being given that right. As the gentleman knows, there is a proposition in the bill to have three appraisers, one to be appointed on the recommendation of the chief of the Choctaw Nation, one by the governor of the Chickasaw Nation, and a third upon the recommendation of the Secretary, all to be appointed by the President.

Mr. CAMPBELL of Kansas. Yes.

Mr. CARTER of Oklahoma. That provision was put in out of deference to the chief of the Choctaw Nation and the governor of the Chickasaw Nation. They thought that when the final value of these coal deposits was fixed they ought to have a man present to see something about it, and the provision was inserted out of deference to Gov. Johnson and Chief Lock. I have no interest in it except such deference as I have for those gentlemen.

Mr. CAMPBELL of Kansas. Such an appraisement as would be made by a committee of that kind would be a summary of the drill holes that have been made that are now on file in the office of the Secretary of the Interior and of the reports that are now on file. It is easy enough to take them from the office of the Secretary of the Interior or from the office in Oklahoma and estimate from the drills that have been made upon this property.

Mr. CARTER of Oklahoma. I think the appraisement ought to be made. I think the Secretary is right about that, but I have no objection whatever to having that appraisement made from the data now on hand without the taking of a single bit of other information.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. LENROOT. Does not the gentleman from Oklahoma think the entire matter of the appraisement should be left with the Secretary, and that if he is satisfied to take that data that exists, he should be permitted to do so?

Mr. CARTER of Oklahoma. I have just stated that I was content with that, and this other proposition is put in the bill only out of deference to the chief of the Choctaw and the governor of the Chickasaw Nations.

Mr. CAMPBELL of Kansas. Under the language of the bill I think there could be a very elaborate and expensive survey of the property.

Mr. CARTER of Oklahoma. We went into that with the Interior Department officials, and they assured us that they expected to make an appraisement from the records already on file in the Indian Bureau.

Mr. CAMPBELL of Kansas. But the language incorporated in the bill does not confine him to that.

Mr. CARTER of Oklahoma. I have no objection to confining him to the records now on file, because that is what the Secretary expects to do.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. CANNON. It has been claimed, and whether the claim is well founded or not I do not know, that there are Indians and Indians, and that the smart Indians have cheated those who are not so smart, and that most of them are not smart.

Mr. CAMPBELL of Kansas. There is a good deal of humanity about the Indian. He is very, very much like the white man. Some of them are smart and some of them are not. Some of them will beat a white man just as readily as they would an Indian. I would not take my chances with a great many Indians I have seen, in a business deal.

Mr. CANNON. And with opportunity given for the utilization of proper capital, the smart fellow would overreach if he could his red brother?

Mr. CAMPBELL of Kansas. There is no greater disparity between Indians than there is between white men.

Mr. CANNON. Does the gentleman measure his words covering Indians throughout the United States, or even those in Oklahoma; does the gentleman measure his words when he makes that statement?

Mr. CAMPBELL of Kansas. There is a cunning wisdom even in the blanket Indian. He knows a great deal more than he will tell. He measures a man's motives and protects himself in many ways against both the Indian and the white man.

Mr. FITZGERALD. Some white men tell more than they know.

Mr. CAMPBELL of Kansas. Yes.

Mr. CANNON. If the gentleman's statement is correct, now something has happened in the Indian territory or the balance of Oklahoma and throughout the country where it is alleged, and in some instances I believe to be true, that while the Indian gets good bargains once in a while he has been swindled twice in a while, and that is being done under the supervision we have to-day in Oklahoma.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. CARTER of Oklahoma. Mr. Chairman, what the gentleman from Illinois said is absolutely true. The Indian is no different from the white man. I have heard of cases of a smart white man taking advantage of his weaker brother, and the Indian is just as much a human being as the white man. Now, I agree with the gentleman from Illinois that sometimes Indians make good bargains, the uneducated Indians, but usually a bad one. The record shows us that when the Indian tribes made a good bargain with the white man's Government sometimes the white man has repudiated that bargain. This is an instance in which the Indian has made a good bargain with his white brother. The bargain for the sale of these coal deposits and the division of the funds among the different members of the tribe was made in 1902, the sales were to be made in three years, and the estate closed up by 1906. It is already some 12 or 15 years delayed, and what we ask now is that the white man keep his bargain with the Indian, which is a good bargain for the Indian.

Mr. CAMPBELL of Kansas. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 25 minutes remaining; he has used 35 minutes.

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. SNYDER], a member of the committee.

Mr. SNYDER. Mr. Chairman, as a member of the subcommittee on this measure I have attended, I think, all the hearings and have gone as deeply into this question as was possible during the time at our disposal. I believe that this is a proper measure; I believe that it has a tendency toward which the Government should carry on its activities with the Indians. It is the advertised policy, at least of the Government, to close up its affairs as quickly as possible with the Indians and get rid of them as quickly as possible. At least that has been my policy and my desire in the three sessions I have served on the committee. It seems to me that it is the policy of the Indian Department, however, not to let loose any Indian until he absolutely tears himself away from it. This is a measure that is justifiable and at this particular time I believe it would be proper to attempt to dispose of these mineral rights. There certainly, I think, never will be a time when coal will be more greatly needed than it is to-day and there need be no fear on the part of any gentleman of this House about the Indians getting their share of the property too quickly, whether it is in the form of royalty or in the form of purchase price. The department exercises the jurisdiction over what shall be given to the Indians from year to year and it has been very difficult since I have been a member of the committee to distribute the money that was actually on hand to which the Indian was entitled. I am heartily in favor of this measure inasmuch as all parties that are interested seem to agree that this is the time and this is the proper way to dispose of the property and eventually get the money from the Indian to the Treasury and finally into the hands of the Indian and get him finally broken away in his arrangements with the Government over his affairs.

Mr. HARRISON of Mississippi. Will the gentleman yield?

Mr. SNYDER. I will.

Mr. HARRISON of Mississippi. Did I understand that the primary object of this bill is to dispose of the property as soon as the money gets into the Treasury by distributing it to those entitled to it?

Mr. SNYDER. It would be my desire and my idea as a member of that committee to do that very thing. Whether it

is the committee's policy or not to do that I woud not undertake to say. This bill does not attempt to do that thing.

Mr. HARRISON of Mississippi. If there is some money in the Treasury, as soon as it comes in the object would be to distribute it?

Mr. SNYDER. My object would be that if we make an agreement with the Indians to do a certain thing, to do it as quickly as possible after the agreement is made and as nearly as possible upon the date agreed upon. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, I am lead to believe from the remarks of the gentleman from Kansas [Mr. CAMPBELL] that the Choctaws and Chickasaws and other Indians in Oklahoma are a far superior kind to the Indians that are general throughout the Northern States, and particularly those whom I know about in Wisconsin. But Indians the country over, I venture to say, have the same traits. A few are enterprising and industrious, but the great majority are indolent, shiftless, and are unable to conserve their own property.

I can not subscribe to the policy that we should sell and dispose of all of the property of the Indians throughout the country and apportion and allot the money to them, and then have them wards of the Government of the United States or wards of the individual States.

We have attempted in Wisconsin to try to make the Indians work. Some 10 years ago it was proposed to establish a Government sawmill on the Menominee Indian Reservation, with the idea that we could utilize the time and energies of the Menominee Indians. Some gentlemen on this floor opposed that very humanitarian, and I might say, judging from the results that have followed, chimerical proposition. The Indians had something like $3,000,000 in trust funds. We went ahead, following this proposal, and established a modern sawmill at Neopit. We built Government roads and railroads on the reservation and spent of the $3,000,000 of the trust fund of the Menominee Indians $2,000,000 as an investment in the plant, and yet nothing is there resulting to the benefit of the Indians save the standing buildings and roads and railroads that were established and erected by the Government at the expense of "Poor Lo."

They may have a different kind of Indian down in Oklahoma, but from my knowledge of the Indians, and I have seen a few of them, I believe they are the same everywhere. There are superior ones in each tribe, but they are the exception. They are our wards. It has been the policy of the Government for years back, recognizing their nature and characteristics, to protect them as wards of the Government and not dispose of their property to the highest bidder, but to hold the property in trust.

A very important proposal is before the House to-day, involving the disposal absolutely of 445,000 acres of good coal land belonging to these two Indian nations. Over 100,000 acres of those coal lands have been leased, and on very favorable terms for the Indians, running for a period of 30 years, and with leases which will expire in something like 15 years at the latest. True, the Government did enter into an agreement, through a duly authorized commission, providing for the sale of these Indian lands. But it is the first time, gentlemen, in the history of this House when we have subscribed to the policy of selling coal lands. We all know that coal lands are a monopoly, and if we were starting this Government to-day with the possession of the coal deposits throughout the country as we know them to be, there would not be anyone in this House, there would not be a majority of this House, at least, who would subscribe to the policy of allowing the coal lands to be sold outright. It would be necessary as a governmental policy to have the Government hold control of the coal fields and dispose of the coal mines under a leasing proposal. If there is a policy to which this House has subscribed in late years, it is the policy of leasing our natural resources.

It would be far better, in my opinion, and not only for the welfare of the Indians but for the welfare of the people of Oklahoma, to have the Government, if it was necessary to carry out the agreement to-day with these Indians, for the Government itself to purchase these lands and then to lease them for the benefit of the people, not only of Oklahoma, but the country tributary to Oklahoma.

This bill, I think, is open to criticism in another particular, and I direct the attention of the committee particularly to that. That is giving those who have a leasehold estate the prior right to purchase the fee at the price of the highest bidder. I can not understand just because a corporation has taken a leasehold on property why it should be given a prior right to purchase it at the maximum figure somebody else may wish to offer. Suppose an ordinary tenant of a business property should be given such a privilege, it would not be to the interest of the outside public to bid and raise the price for that property held by a lease. There is no interest in an outside bidder making a bid on a property which he knows he would not have the right to own when the holder of the leasehold estate has a prior right to obtain it. There should be no greater privilege extended to the owner of a leasehold than the one who has not a leasehold. And yet this bill provides that the owner of a leasehold shall have the right to purchase the property at the bid made by the highest bidder.

Mr. LENROOT. And that may be less than the appraised value?

Mr. CARTER of Oklahoma. If the gentleman will permit me, we have an amendment providing that it shall not be less than the appraised value.

Mr. STAFFORD. Of course. Even if the amendment as suggested be incorporated, it still takes away the incentive to any third party to go and bid on that property. As the bill was originally introduced by the gentleman from Oklahoma, and which the Department of the Interior reported on, there was no such privilege granted to the owners of the leasehold. That was an afterthought. This bill as it is framed seems to be, in that particular at least, entirely to the interest of the holder of the leasehold.

Now, coming to the question as to whether it is desirable at the present time to dispose of the land.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. McLAUGHLIN of Michigan. What is the situation? Does the lessee in some cases have a large investment of personal property that would be a loss to him in case he is not permitted to purchase the land?

Mr. STAFFORD. He has not a large investment, and even if he has it would be more to his interest to bid higher on the property than some outside person. The gentleman can see that. Why should the Government give a prior right, an exclusive right, to a person who happens to have the leasehold, running only maybe, in the longest tenure, for 15 years more, and say that he shall have the right to purchase it at the price fixed by somebody else?

There are two motives involved which I am protesting against. There is no interest in an outside party going and bidding on that leasehold estate, because he knows he will not be able to get it when the owner of the leasehold has the first right. Next, and the corollary, it is directly to the interest of the owner of the leasehold. Any person can see that that would be directly to the benefit of the holder of the leasehold and not to the benefit of the outsider.

Mr. CARTER of Oklahoma. I think, if the gentleman will permit me, that this leasehold is not permitted to be sold, according to former language in the bill, anyway, at less than the appraised value. I want to correct the gentleman's statement.

Mr. STAFFORD. Right in that connection, if the gentleman will permit——

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. If there is no bidder on this leasehold property, then under the general clause of the bill it will be open later on to other bidders. It all tends to benefit the owner of the leasehold. Now, I want to ask the chairman of the committee this question.

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. Why do you give that decided benefit to the owner of the leasehold?

The CHAIRMAN (Mr. SAUNDERS of Virginia). The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I ask that the gentleman give me more time.

Mr. CAMPBELL of Kansas. I give the gentleman two minutes.

Mr. STAFFORD. The gentleman from Oklahoma had a half hour of time.

Mr. CARTER of Oklahoma. My time has all been spoken for.

Mr. STAFFORD. Let me have three minutes, and the gentleman from Kansas [Mr. CAMPBELL] will give me two minutes.

Mr. CAMPBELL of Kansas. I give the gentleman two minutes.

Mr. CARTER of Oklahoma. Very well; I yield to the gentleman three minutes.

The CHAIRMAN. The gentleman is recognized for five minutes more.

Mr. CARTER of Oklahoma. With reference to the improvements on the land I know the gentleman does not want a wrong impression to get before the House.

Mr. STAFFORD. I admit that there is some improvement.

Mr. CARTER of Oklahoma. A vast amount of money is invested there by the lessees. In one instance a lessee who appeared before our committee said that he paid $100,000 for the improvements that he had purchased from another lessee and had placed $400,000 additional improvements on the property. That is half a million dollars.

Mr. STAFFORD. How many years has that lease yet to run?

Mr. CARTER of Oklahoma. Fifteen years. The leases were all made from 1900 to 1902 and for 30 years.

Mr. STAFFORD. But there is no denying the fact that the owner of the leasehold will have a decided advantage in bidding on that property under the terms of this bill. Now, why should he have such an advantage? It is far better for the interests of the owners that the money should accrue to the benefit of the Indians in the royalties that will be paid in the next 15 years.

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman yield there?

Mr. STAFFORD. Yes; I shall be very glad to yield, but my time is running. I had another thought to submit.

Mr. CARTER of Oklahoma. The gentleman asked why should the lessee be given this advantage. When the lessee took this lease with the Indian owners it was away back in 1900 and the lease was made for 30 years. He went in with the Indian as a landlord, and the Secretary of the Interior as an arbiter between him and the Indians. Now, you are changing the terms of the lease in the middle of the life of that contract.

Mr. STAFFORD. I say it is far better for the Indian trust fund to allow that lease to continue under favorable terms with the Indians than under such conditions as are provided here.

Mr. CARTER of Oklahoma. The Indians say not.

Mr. STAFFORD. Oh, there are always Indians who wish to get control of the money, and yet we have a fiduciary function to perform with reference to these holdings, to determine what is best for the interests of the Indians.

Mr. CARTER of Oklahoma. Yes; and we have given a pledge to them to sell these lands.

Mr. STAFFORD. We would be keeping that pledge by selling the remainder of the acreage that is not subject to this leasehold and selling the remainder of the estate that is subject to leases, so that the lessors will be protected and the lessee also will be protected.

Mr. CARTER of Oklahoma. The gentleman knows that only about 40,000 or 50,000 coal-bearing acres are left. There are only 100,000 acres leased and 335,000 acres not leased.

Mr. STAFFORD. Now, as to the question whether or not this is a favorable time at which to sell this property, I accept the statement that we are under agreement to sell this land for the benefit of the Indians, but I question whether the time at present is opportune for selling this property. We all know that banks are declining to advance loans; bankers are apprehensive of business conditions, and they are calling in their loans; they are declining to advance money on building projects, even when the security is gilt-edged. These properties will require, maybe, millions and millions of dollars in order to get the full value for them, so as to have the Indians' rights protected. The purchasers will necessarily be obliged to obtain loans from the banks. Although the price of coal is high that does not necessarily determine that the sale price will be accordingly high. The gentleman from New York [Mr. SNYDER] said that this is a most favorable time to sell coal, because coal is needed. Yes; it is needed, but it is not scarce because there is not coal to be mined, but it is scarce because there are not operatives and labor available to work the mines. That is the reason why coal is scarce. There are plenty of mines available for working, but the laborers are not present to mine the coal.

Mr. HARRISON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. HARRISON of Mississippi. I notice that of these appraisers one shall be appointed upon the recommendation of the Choctaw Tribe and one on the recommendation of the Chickasaw Tribe, and one on the recommendation of the Secretary of the Interior.

Mr. STAFFORD. Yes.

Mr. MADDEN. What becomes of the Choctaws of Mississippi?

Mr. HARRISON of Mississippi. That is what I want to ask.

Mr. STAFFORD. I know when the gentleman rises he always has the Choctaws of Mississippi at heart.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. STAFFORD. I am sorry my time has expired, so that I can not enlighten the gentleman from Mississippi on that subject.

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] is recognized.

Mr. CAMPBELL of Kansas. Does the chairman of the committee desire to use some of his time now?

Mr. CARTER of Oklahoma. Not at the present time.

The CHAIRMAN. Then the Clerk will read.

Mr. CAMPBELL of Kansas. No; one moment. I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

The CHAIRMAN. The gentleman from Wisconsin [Mr. LENROOT] is recognized for five minutes.

Mr. LENROOT. Mr. Chairman, last Wednesday we had some controversy as to whether the Secretary of the Interior had favorably recommended this bill. After some discussion, as those who were then present will remember, it was admitted by those in charge of the bill that there were certain provisions of the bill that had never been considered by the Secretary of the Interior, and hence there is really no report of the department on those provisions.

Since that time I have had opportunity to further examine this bill, and I have discovered other provisions in the bill that have not only not been recommended by the Secretary of the Interior, but in the bill that was pending in the last Congress on which the Secretary reported——

Mr. CARTER of Oklahoma. Does the gentleman say there is no report on this bill?

Mr. LENROOT. There was not last Wednesday, from the Secretary of the Interior.

Mr. CARTER of Oklahoma. The gentleman called attention to that last Wednesday, and I sent down to the Secretary and now have a report.

Mr. LENROOT. The House has not the benefit of that report.

Mr. CARTER of Oklahoma. I could not have it printed without printing another committee report. I tried to have it printed, but I could not print it without making another committee report.

Mr. LENROOT. I am entirely correct in my statement. If the gentleman has a report from the Secretary of the Interior that nobody has ever seen, the membership of the House can not be charged with knowledge of the existence of such a report.

But I want to repeat what I said a moment ago, that in the report which the Secretary of the Interior made upon the bill introduced in the last session he made a recommendation in very positive language that is not included in this present bill, notwithstanding the statement of the committee. That is, that in the bill providing for the reoffering of these coal lands at the end of one year the Secretary recommended that an amendment be inserted providing that at that reoffering the lands should be sold at not less than the appraised value. He recommends that amendment, notwithstanding the fact that the previous bill had a provision with regard to appraisement. No such provision as that recommended by the Secretary is found in the bill now before the committee, and as this bill now stands a premium is offered to responsible coal operators not to bid at all, because at the end of a year the Secretary is required to reoffer the land without regard to the appraised value.

Mr. HASTINGS rose.

Mr. LENROOT. I can not yield. I am stating the fact. At the end of a year the Secretary is required to reoffer the land for sale without regard to the appraised value, and then, if it is not sold, the Secretary is authorized, within six months, to advertise again, and to sell these coal lands without any regard to the value of the same, so far as the appraisement is concerned.

I shall take that up under the five-minute rule, but I want to say that much has been said here about a solemn agreement with the Chickasaw and Choctaw Indians for the sale of these lands. But in that very agreement it was provided that the Secretary of the Interior should have the right to reject any bids that he might deem inadequate.

Mr. CARTER of Oklahoma. That is certainly provided in the second and third sections of this bill.

Mr. LENROOT. I understand; but the gentleman has made the flat statement that here was a solemn agreement to sell these lands, while the fact is that here is an agreement to sell these lands provided a fair value can be obtained for them.

Mr. CARTER of Oklahoma. That is provided as to every sale under this bill.

Mr. LENROOT. We will see about that. And now as to the solemnity of this agreement: The very next bill that this committee will call up, I assume, is one appropriating $600,000 for certain Creek Indians, and so far as I know it is a meritorious bill, and I have given it some examination; but when we come to that bill we find that some years ago $600,000 was appropriated for these same Indians and accepted by them in full compensation for their claims against the Government. There was an agreement that was improvidently made upon the part of the Indians, and this committee says that in that case Congress

should pay no attention to the agreement, but that in this case it should be solemnly kept. The fact is that in all these cases, the Indians being the wards of the United States Government, we should have the welfare and the interest of the Indians at heart, and in the sale of these lands, if they are to be sold, they ought not to be given away. They ought to be sold only when the appraised value can be obtained. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Chairman, I reserve the remainder of my time.

Mr. CARTER of Oklahoma. What is the time remaining on each side?

The CHAIRMAN. The gentleman from Oklahoma has 28 minutes.

Mr. CARTER of Oklahoma. How much has the gentleman from Kansas?

The CHAIRMAN. The gentleman from Kansas has seven minutes.

Mr. CARTER of Oklahoma. I yield 10 minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Chairman, this bill, as I understand it, proposes to sell 445,000 acres of reserved coal lands, the property of the Choctaw and Chickasaw Indians in Oklahoma. One hundred and eighty thousand of the four hundred and forty-five thousand acres are covered by leases held by 113 mining companies or corporations.

A treaty was made with these Indians in 1902, 15 years ago, promising that if the Indians would allow the State to be opened up the Government would sell their coal lands, their town sites, and their other surplus property and divide the money and give them a final settlement. At all times during the 15 years since that treaty the Indians have earnestly hoped that the Government would do what it promised to do when they let the white men come in and settle the State. Both of their governors, or principal chiefs, as they are called, ask that this be done. Every Indian of every kind and character, whether savage or civilized, wishes to have these coal lands sold. When we step into the State the first question asked by them is, "When are you going to sell our property? When are you going to divide our money? When are you going to do what the Government said it would do?" The Oklahoma delegation have felt it their duty, and we have believed that the House would feel it to be its duty to do the exact thing that the Federal Government promised 15 years ago that it would do within a three-year period.

Now, a word about the bill itself. The first section authorizes the Secretary of the Interior to sell these 445,000 acres of coal lands under such rules and regulations as he may prescribe. What will the Secretary do? He will make a great book of rules, preparing for this sale and safeguarding it, and seeing to it that no fraud is had, and that there is no by-bidding, and seeing to it that no mistakes or errors are made in the securement of the highest sum possible for these Indians.

Now, the second paragraph provides for the appraisement. I understand there is a little controversy among the committee as to whether this land ought to be appraised a third time or not. Personally, I hope that will be done, if it can be done without too much delay and expense, although the lands have been appraised twice. This provides for a third appraisal.

What does the next paragraph do? It says that there shall be three appraisers, one appointed by the President, one by the principal chief of the Choctaws, and one by the principal chief of the Chickasaws. That makes a trio of the two tribes and the President of the United States appointing these three men.

Let us see what is next. The compensation to be paid these appraisers is to be fixed by the President. I assume that means the Secretary of the Interior, because, of course, the President will not have any time to give to it personally. It means that Mr. Secretary Lane will pay neither too much nor too little to the men who are to perform this task. I think every man in the House who knows Secretary Lane knows that is true.

The appraisal is to be made by legal subdivisions and within six months.

Section 2 provides for adequate advertisement, so that everyone will have a full opportunity to bid and buy in the open market, where he can buy under the best conditions.

The bill provides, on page 2, lines 20 and 21, that the property must bring the appraised value. If the Indians themselves and the President of the United States appoint the appraisers, and if the land must bring the appraised value, how can there be any chance for speculation there?

The bill provides that 20 per cent of the money shall be paid down and 20 per cent each year for the four succeeding years. It was thought by the Secretary of the Interior and by the committee and by the Indians that that was the way to get the highest price. If you sold for cash, the poor man could not buy and the rich man would buy too much.

The second sale is to be one year after the first sale is to be concluded. It, too, must bring the appraisement, and it, too, may be rejected.

Mr. LENROOT. If the gentleman will pardon me, in the second sale there is no provision for its bringing the appraised value.

Mr. CARTER of Oklahoma. If my colleague will yield, I would like to ask what this language means?—

The Secretary shall have the right to reject any and all bids.

Now, I do not object to a provision that it must bring the appraised value, if the gentleman from Wisconsin wants to put that in there.

Mr. FERRIS. Let us see who is right. Page 3, section 3, it provides that the sale shall be under rules and regulations prescribed by the Secretary of the Interior. What do you think the Secretary of the Interior would prescribe? Of course, that it must bring the appraisement in every instance.

Mr. SNYDER. If the gentleman from Oklahoma will pardon me, I will say that as far as the subcommittee was concerned, that was their understanding of the language.

Mr. FERRIS. Yes; but if the gentleman from Wisconsin [Mr. LENROOT] thinks it necessary, he can put that in.

Now, the third sale, after it has been offered twice under the rules and regulations by the Secretary of the Interior, with full power to reject any and every bid, at last it provides for a sale that is a final cleaning up and getting rid of it. The Congress itself, the Interior Department, and the Indians themselves do not want this to last forever, and after it has been twice offered under all the rules and regulations prescribed by the Secretary of the Interior, then it is provided that there shall be a final cleaning up, as it should be. This will relate to remnants. This has been twice appraised. It will have been twice offered. It must be wound up; there must be some finality to this treaty pledge.

Let me go a little further. All of these sales are subject to the rights of the lessee. The lessees who have valid contracts with the Federal Government do not want their rights swept away. To do that would be humiliation to the State, the Congress, and the Government that did it, and I assume that no one wants to do it. It makes rebates to those who purchased the surface under the act of 1912. Preference is given to the State to buy the coal lands on which the penitentiary is situated. They bought the surface, and the State does not want the land sold out from under them, but they are to pay the appraised price. I assume everyone will agree to this. I assume this is as it should be.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. COOPER of Wisconsin. In reference to the second sale, what does the gentleman think of this suggestion of Secretary Lane on page 4 of the report?—

This is too valuable an estate to offer for sale "without regard to the appraised value," as proposed in the second offer, and without conditions as proposed for the final sale.

Mr. FERRIS. That is the question raised by the gentleman from Wisconsin, but it is the opinion of the gentleman from New York [Mr. SNYDER] and good lawyers that the language provides for that. If there is any doubt about it, it can be made clear, but anyway the Secretary of the Interior has the power to make rules and regulations for each sale and has the power and the right to reject any and all bids.

Mr. COOPER of Wisconsin. But Congress ought to fix it and not leave it to the discretion of any executive officer. It is the property of the United States, or property over which the United States has supervision.

Mr. FERRIS. It is not national property at all. The gentleman from Wisconsin is too good a lawyer and too old a Member of this House to say that.

Mr. COOPER of Wisconsin. I did not mean to say that it owned it in fee, but it controls it as far as the sale is concerned.

Mr. FERRIS. It controls it so far as the Federal Government is willing to slap in the face their solemn promise. The property was given to these people 100 years ago if they would surrender their property in Mississippi and the East. They did what the Government wanted them to do, and they are now trying to get the Government to do what the Government promised to do.

Now, at the end of this bill there is an appropriation of $50,000 of the Indian money—not one cent during these war times is taken out of the Federal Treasury. There is a grave doubt whether or not the Federal Government is not obligated to pay for it out of its own money, but the provision here is that it

shall be paid out of the money belonging to the Indian tribes after the property is sold. And after the property is sold, after they have got all it could get from the highest bidder, the money is to be given to the Indian tribes to whom it belonged. The Indians have been very patient. They ask only their undoubted rights. They are entitled to it; it is theirs. We are truly representing them. It deserves to pass without a dissenting vote.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield two minutes to the gentleman from Oklahoma [Mr. MCKEOWN].

Mr. MCKEOWN. Mr. Chairman, a great deal of this land is in my district. I want for a moment to answer the argument of gentlemen in reference to the condition of these mines. These mines can not be operated as modern mines should be, in accordance with the laws of our State, with only a leasehold. The stripped pits that are adjacent to these mines, where the coal has been stripped from the surface, collect water, which flows or seeps into them and has destroyed valuable property, so that only about one-half of the coal can be taken from these lands under the present system of mining.

This occasions a serious loss to the Indians, as they are being paid a royalty of 8 cents a ton for all coal mined. The inability of the present operators to procure sufficient financial aid with which to construct modern mines with the latest mine equipment necessitates the mining under what is known as "the room-and-pillar method," which causes a loss of one-half the coal.

The failure to pass this bill would, in my judgment, indirectly affect the safety of hundreds of miners working in that district. The present mining conditions there are not what they ought to be, and as the years go by it follows that near the end of the term of the leases the conditions will grow worse and will result in the loss of the lives of miners and the abandonment of the mines.

Under the present lease system coal mining in this segregated district has not been satisfactory to the operators, miners, or the public generally.

Many of the miners remain in the field because they own their own homes and can not move without great financial loss, and the operators can not dispose of their mines, and the public is unable to get sufficient coal and at reasonable prices.

Gentlemen object to this bill on the ground that the Indians should be protected. They evidently overlook the purpose of this act. I have frequently heard a great deal of objection to efforts on the part of Indians to get their money out of the Treasury of the United States, but this is the first time I have heard objections being made to putting his money into the United States Treasury. This bill simply has for its purpose the changing of the character of the trust property of these tribes—a sale of the residue of their estate, namely, the coal and asphalt remaining under approximately 445,000 acres of land.

Some gentlemen are fearful of the consequences to the Indian. They certainly never have looked into the condition of the Choctaw and Chickasaw Indians. Whenever they investigate these conditions in Oklahoma where these people live they will be convinced beyond peradventure that these Indians are being troubled with too much red tape. The competent Indians of these tribes are the peer of any people anywhere. The incompetent Indians of these tribes ought to be and are protected by the United States Government, and I know that the pro rata portion of each Indian of the tribes who is incompetent will be properly safeguarded whenever Congress in its wisdom shall agree to pay the same out to them. I concur with the gentleman from Kansas [Mr. CAMPBELL] in his remarks as to the policy of cutting loose the competent Indian from the red tape of the Indian Bureau. The red tape in the Indian Bureau is causing greater dissatisfaction among the Indians of Oklahoma than the delays of the Government in carrying out Indian treaties.

Under the treaty of October 18, 1820, the Choctaw Indians agreed to cede to the United States 4,000,000 acres of land in the State of Mississippi in exchange for lands in the West, and at Dancing Rabbit Creek a treaty was concluded on September 27, 1830, in which the lands in the West were definitely described and fixed. In pursuance to the agreement the Choctaws moved west of the Mississippi into the country afterwards known as Indian Territory which was then inhabited by the wild tribes.

As the years passed, the Government, having observed the intelligent progress of the Five Civilized Tribes, determined upon the policy of giving to the members of these tribes an opportunity to make their own way in the world. The majority of the Choctaws and Chickasaws, having had the benefit of schools and colleges, demonstrated their ability to work out their destiny alongside the white man. In order to give this opportunity to the individual members of the tribes it was necessary to divide the lands and properties of the tribes among the individual members. In 1898 the United States entered into a treaty with the Choctaw and Chickasaw Indians which had for its purpose the division of the property among the members of the tribes. The parties to that treaty shortly after its completion found that the terms of the agreement were not full and explicit enough to carry out the purpose of the parties. So another treaty was entered into by the parties and was ratified at an election held by the Choctaws and Chickasaws on the 25th day of September, 1902. When this supplementary agreement was written, among the things made more definite and certain was the amount of tribal lands each Indian was to receive. It was agreed that each member living on the 25th day of September, 1902, should receive 320 acres of the average lands of the tribe.

Under the provisions of the first treaty, of June 20, 1908, provision for the leasing of these coal and asphalt lands for a period of 30 years was made, and further provision that the tracts should be 960 acres in a square as nearly as possible. When these tribes came to make the supplemental agreement they called the attention of the Government to the necessity of each Indian having sufficient funds with which to improve his allotted lands. The Government, in order to properly provide each Indian with funds sufficient to improve his farm, agreed not to lease any more of the coal and asphalt lands, but, on the other hand, that the Government would sell same within three years, it being contemplated that it would take approximately three years to complete the task of dividing the land of the tribes among the Indians. An effort was made to sell the lands at private bids, but the then Secretary of the Interior, failing to receive sufficient offers, refused to accept the bids. Then, without consulting the Indians, Congress by the act of April 26, 1906, withdrew the segregated coal and asphalt lands from sale.

Many hundreds of the members of these tribes who were living on the date of the ratification of the treaty, namely, September 25, 1902, have passed over the divide, and many of them went with a murmur of bitter disappointment at the failure of the United States to keep its treaty agreement made in good faith by the Choctaw and Chickasaw people.

If these mineral lands are sold and the tribal affairs of these nations wound up and the proceeds paid over to the competent Indians and the portion of the incompetent Indians properly safeguarded, then the Indians of these tribes who are trying to improve their farms and take their place along with their white neighbors will have an opportunity to demonstrate that they are worthy of their ancestors who for a hundred years conducted the affairs of their tribes under a written constitution and legislative acts executed by the governor or principal chief and construed by eminent judges of the judicial departments. They are only asking in this bill that simple justice be done them.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask the other side to use whatever time they have remaining.

Mr. SNYDER. Mr. Chairman, no one on this side seems desirous of occupying any more time.

Mr. CARTER of Oklahoma. I understand that I have the right to close general debate.

Mr. SNYDER. The gentleman may proceed and close it, so far as I am concerned.

Mr. CARTER of Oklahoma. If it is the understanding that I have the right to close general debate, I shall occupy a few minutes now.

The CHAIRMAN. The gentleman from Oklahoma has 17 minutes remaining.

Mr. SNYDER. Mr. Chairman, before the gentleman begins, I yield to the gentleman from California [Mr. ELSTON] to make a statement.

Mr. ELSTON. Mr. Chairman, I ask the privilege of half a minute in order to state that I was unavoidably absent from the House last week when a vote was taken upon the declaration of war against Austria. I wish to say that if I had been here I would have voted in favor of the resolution.

Mr. CARTER of Oklahoma. Mr. Chairman and gentlemen of the committee, a great deal has been said as to whether or not this is an opportune time to sell these lands. It is an opportune time, and the lands ought to be sold now, first, but not foremost, because coal conditions in Oklahoma are now just about the same as they are throughout the balance of the United States. There is a dearth, a scarcity, of fuel throughout the country, and it extends to Oklahoma. Secondly, they should be sold because these coal lands will bring the Indian owners more money now than we can ever expect they will bring after the war is over. Third, and most important, they should be sold for the reason that we have given a sacred pledge to the Choctaw and Chickasaw Indians that the coal deposits would be sold. It is now 15

years since we gave that pledge, and at that time it was agreed the lands would be sold within three years thereafter. Therefore our pledge is already 15 years delayed; but better late than never.

Some of the opponents of this bill have shown the usual disposition to disregard our treaty obligation to the Indians and to brush away our sacred pledge to these helpless wards as if it were a matter of slight importance, not involving a violation of plighted faith. Let me read to you just a moment a few words with reference to this matter in order that we may understand our moral obligation in this contention.

The treaty containing our promise to sell the coal lands is what is commonly known as the supplemental agreement entered into between the duly authorized commissioners on the part of the United States and on the part of the Choctaw and Chickasaw Tribes, ratified by popular vote of the Choctaw and Chickasaw people, and confirmed by Congress on July 1, 1902 (32 Stat. L., 641).

CHAP. 1362. An act to ratify and confirm an agreement with the Choctaw and Chickasaw Tribes of Indians, and for other purposes.

Be it enacted, etc., That the following agreement, made by the Commission to the Five Civilized Tribes with the commissions representing the Choctaw and Chickasaw Tribes of Indians on the 21st day of March, 1902, be, and the same is hereby, ratified and confirmed, to wit:

AGREEMENT BETWEEN THE UNITED STATES AND THE CHOCTAWS AND CHICKASAWS.

This agreement, by and between the United States, entered into in its behalf by Henry L. Dawes, Tams Bixby, Thomas B. Needles, and Clifton R. Breckinridge, commissioners duly appointed and authorized thereunto, and the Choctaw and Chickasaw Tribes of Indians in Indian Territory, respectively, entered into in behalf of such Choctaw and Chickasaw Tribes, by Gilbert W. Dukes, Green McCurtin, Thomas E. Sanguin, and Simon E. Lewis in behalf of the Choctaw Tribe of Indians; and Douglas H. Johnston, Calvin J. Grant, Holmes Willis, Edward B. Johnson, and Benjamin H. Colbert in behalf of the Chickasaw Tribe of Indians, commissioners duly appointed and authorized thereunto—

Witnesseth that, in consideration of the mutual undertakings herein contained, it is agreed as follows:

At the expiration of two years after the final ratification of this agreement all deposits of coal and asphalt which are in lands within the limits of any town site established under the Atoka agreement, or the act of Congress of May 31, 1900, or this agreement, and which are within the exterior limits of any lands reserved from allotment on account of their coal or asphalt deposits, as herein provided, and which are not at the time of the final ratification of this agreement embraced in any then existing coal or asphalt lease, shall be sold at public auction for cash under the direction of the President as hereinafter provided and the proceeds thereof disposed of as herein provided respecting the proceeds of the sale of coal and asphalt lands.

All coal and asphalt deposits which are within the limits of any town site so established, which are at the date of the final ratification of this agreement covered by any existing lease, shall, at the expiration of two years after the final ratification of this agreement, be sold at public auction under the direction of the President, as hereinafter provided, and the proceeds thereof disposed of as provided in the last preceding section. The coal or asphalt covered by each lease shall be separately sold. The purchaser shall take such coal or asphalt deposits subject to the existing lease, and shall by the purchase succeed to all the rights of the two tribes of every kind and character, under the lease, but all advanced royalties received by the tribe shall be retained by them.

Within six months after the final ratification of this agreement the Secretary of the Interior shall ascertain, so far as may be practicable, what lands are principally valuable because of their deposits of coal or asphalt, including therein all lands which at the time of the final ratification of this agreement shall be covered by then existing coal or asphalt leases, and within that time he shall, by a written order, segregate and reserve from allotment all of said lands. Such segregation and reservation shall conform to the subdivisions of the Government survey as nearly as may be, and the total segregation and reservation shall not exceed 500,000 acres. No lands so reserved shall be allotted to any member or freedman, and the improvements of any member or freedman existing upon any of the lands so segregated and reserved at the time of their segregation and reservation shall be appraised under the direction of the Secretary of the Interior, and shall be paid for out of any common funds of the two tribes in the Treasury of the United States, upon the order of the Secretary of the Interior. All coal and asphalt deposits, as well as other minerals which may be found in any lands not so segregated and reserved, shall be deemed a part of the land and shall pass to the allottee or other person who may lawfully acquire title to such lands.

All lands segregated and reserved under the last preceding section, excepting those embraced within the limits of a town site, established as hereinbefore provided, shall, within three years from the final ratification of this agreement and before the dissolution of the tribal governments, be sold at public auction for cash, under the direction of the President, by a commission composed of three persons, which shall be appointed by the President, one on the recommendation of the principal chief of the Choctaw Nation, who shall be a Choctaw by blood, and one on the recommendation of the governor of the Chickasaw Nation, who shall be a Chickasaw by blood. Either of said commissioners may, at any time, be removed by the President for good cause shown. Each of said commissioners shall be paid at the rate of $4,000 per annum, the Choctaw commissioner to be paid by the Choctaw Nation, the Chickasaw commissioner to be paid by the Chickasaw Nation, and the third commissioner to be paid by the United States. In the sale of coal and asphalt lands and coal and asphalt deposits hereunder the commission shall have the right to reject any or all bids which it considers below the value of any such lands or deposits. The proceeds arising from the sale of coal and asphalt lands and coal and asphalt deposits shall be deposited in the Treasury of the United States to the credit of said tribes and paid out per capita to the members of said tribes (freedmen excepted) with the other moneys belonging to said tribes in the manner provided by law. The lands embraced within any coal or asphalt lease shall be separately sold, subject to such lease, and the purchaser shall succeed to all the rights of the two tribes of every kind and character, under the lease, but all advanced royalties received by the tribes shall be retained by them. The lands so segregated and reserved, and not included within any existing coal or asphalt lease, shall be sold in tracts not exceeding in area a section under the Government survey.

Upon the recommendation of the chief executive of each of the two tribes, and where in the judgment of the President it is advantageous to the tribes so to do, the sale of any coal or asphalt lands which are herein directed to be sold may be made at any time after the expiration of six months from the final ratification of this agreement, without awaiting the expiration of the period of two years, as hereinbefore provided.

No lease of any coal or asphalt lands shall be made after the final ratification of this agreement, the provisions of the Atoka agreement to the contrary notwithstanding.

Where any lands so as aforesaid segregated and reserved on account of their coal or asphalt deposits are in this agreement specifically reserved from allotment for any other reason, the sale to be made hereunder shall be only of the coal and asphalt deposits contained therein, and in all other respects the other specified reservation of such lands herein provided for shall be fully respected.

The chief executives of the two tribes shall execute and deliver, with the approval of the Secretary of the Interior, to each purchaser of any coal or asphalt lands so sold, and to each purchaser of any coal or asphalt deposits so sold, an appropriate patent or instrument of conveyance, conveying to the purchaser the property so sold.

When allotments as herein provided have been made to all citizens and freedmen, the residue of lands not herein reserved or otherwise disposed of, if any there be, shall be sold at public auction under rules and regulations and on terms to be prescribed by the Secretary of the Interior, and so much of the proceeds as may be necessary for equalizing allotments shall be used for that purpose, and the balance shall be paid into the Treasury of the United States to the credit of the Choctaws and Chickasaws and distributed per capita as other funds of the tribes.

This agreement shall be binding upon the United States and upon the Choctaw and Chickasaw Nations and all Choctaws and Chickasaws, when ratified by Congress and by a majority of the whole number of votes cast by the legal voters of the Choctaw and Chickasaw Tribes in the manner following: The principal chief of the Choctaw Nation and the governor of the Chickasaw Nation shall, within 120 days after the ratification of this agreement by Congress make public proclamation that the same shall be voted upon at any special election to be held for that purpose within 30 days thereafter, on a certain day therein named; and all male citizens of each of the said tribes qualified to vote under the tribal laws shall have a right to vote at the election precinct most convenient to his residence, whether the same be within the bounds of his tribe or not. And if this agreement be ratified by said tribes as aforesaid the date upon which said election is held shall be deemed to be the date of final ratification.

The votes cast in both the Choctaw and Chickasaw Nations shall be forthwith returned and duly certified by the precinct officers to the national secretaries of said tribes, and shall be presented by said national secretaries to a board of commissioners consisting of the principal chief and the national secretary of the Choctaw Nation and the governor and national secretary of the Chickasaw Nation and two members of the Commission to the Five Civilized Tribes; and said board shall meet without delay at Atoka, Indian Territory, and canvass and count said votes, and make proclamation of the result.

In witness whereof the said commissioners do hereby affix their names at Washington, D. C., this 21st day of March, 1902.

Approved, July 1, 1902.

Mark the language, "This agreement shall be binding upon the United States and upon the Choctaw and Chickasaw Nations and all Choctaws and Chickasaws."

We are now engaged in a world war not only for our liberties but for our existence as a Nation. We have called upon our red brethren in Oklahoma and in other States to assist in defending our Nation's life. They have responded nobly and several thousand of them are now serving in various capacities reaching from that of lieutenant colonel and major to high private in the rear ranks. The Choctaws and Chickasaws are not seeking charity. They are only asking their just rights in compliance with our sacred promises, and again I repeat, the Choctaws and Chickasaws have lived up to these agreements to the letter.

Since these two races, the red and the white, first came in contact, a multitude of agreements and pledges have been made on both sides. It is a matter of record and history that the Indian has always observed and kept sacred any pledge made to his pale face brother. As a rule he has kept these pledges willingly and gracefully, but if the time ever came when he felt unable to keep his pledge with the white man, no matter how hard a bargain the pale face may have driven, no matter how much the shoe may have pinched the Indian, the red man has always been forced to keep his contract by the inhuman and inexorable law that might makes right.

But what is the record on the other side of the transaction; The keeping of the white man's pledge with the Indians? We all know full well that the history of these events is one of the blackest pages in our national records. They present to us a multitude of violated treaties, repudiated promises, and broken pledges.

We present here to-day an opportunity to redeem one of these pledges some 15 years delayed, but redeemable now at this late day, and while it is possible to dispose of this property at a good price for our wards. Shall we keep our word with our helpless wards as we have forced them to do with us? Or shall we continue to stand as disregarding our plighted faith, discredited in the eyes of our wards, whom we ask to follow us and help to fight our battles in this crucial crisis? I do not

believe this Congress will ever adopt any such disreputable course.

Now, what does this bill provide? Section 1 provides for the authorization of sale of these lands and appraisement as near as possible in accordance with the supplemental agreement of 15 years ago.

Section 2 provides for the first sale within a stipulated time after the appraisement has been completed.

Section 3 provides for the second sale and appraisement and for the third sale, all properly safeguarded and passed upon by the Secretary of the Interior and recommended for favorable action in this House after careful consideration by your House Committee on Indian Affairs.

Section 4 deals with the rights of the present lessees under the new conditions that will exist when the Indian ceases to be the landlord and the purchaser of the coal deposits takes up that responsibility.

First. The sale of the deposits is made subject to the rights of the lessees under their leases which is in accordance with vested rights.

Second. It provides for the cancellation of all departmental rules and regulations and for the operation of mines by lessees under applicable laws. Certainly this provision is necessary, for after the Indian ceases to be the owner of the coal properties, the Federal Government supervision should reach no further than it does over other property of other United States citizens.

Third. If the lessee becomes the purchaser under this bill he is given credit for advance royalties, and future royalties are fixed at 8 cents per ton. Permit me to say that advance royalties are required to be paid by the lessees of $100 for the first two years, $200 for the third and fourth year, and $500 thereafter. I have no interest whatever in the coal lessees except to give them that protection to which they are entitled under the terms of their leases. Let us bear in mind that this advance royalty is neither a penalty nor a bonus. It was required to be paid by the operators as evidence of their good faith to develop and work these mines, and was to be credited on their royalty account when the coal is mined, as is evidenced by the following extract from the Atoka agreement:

> All lessees shall pay on each coal or asphalt claim at the rate of $100 per annum, in advance, for the first and second years; $200 per annum, in advance, for the third and fourth years; and $500 for each succeeding year thereafter. All such payments shall be treated as advanced royalty on the mine or claim on which they are made, and shall be a credit as royalty when each said mine is developed and operated.

The reason for fixing a royalty at 8 cents a ton is that when these leases were made they were made on behalf of two contracting parties, to wit, the Indians and the proposed coal operators, and the Secretary of the Interior, who was given the right to either raise or lower the royalty, was not expected to be interested on either side of the transaction, but was to act as a kind of arbiter. Since this status of arbiter must be eliminated when the ownership of the mineral passes into the hands of the individuals, it is extremely necessary to have a fixed royalty in order to avoid future complications.

Fourth. It is stipulated that transfer of leases may be made without restriction. Many restrictions are now placed on these transfers by the Secretary which could not be intrusted to anyone but an arbiter.

Fifth. Lessees are given preferential right to purchase the deposits. About this I will have more to say when this item is reached in the reading of the bill.

Sixth. It is provided that the lessee may have credit for one-half of the advance royalties already paid by the lessee in case he becomes a purchaser. Again I call attention to the fact that the lessee is entitled to credit on a ton basis for all advance royalties paid. The lessees did not surrender one-half of these royalties without a vigorous protest, because they said they felt they would be surrendering money which actually belonged to them, and they should be permitted to apply not one-half but all on the purchase price. The tribal attorney, however, thought different, and this one-half advance royalty credit proposition was a compromise between the two contentions.

Seventh. The lessees are given the right to purchase additional surface in accordance with the act of February 19, 1912.

Section 5 defines the surface rights of certain lands purchased by the State of Oklahoma for the State penitentiary and gives the State an option to purchase at the appraised value 1,580 acres of coal lying adjacent to the State penitentiary.

Section 6 is the usual provision authorizing the Secretary of the Interior to prescribe rules and regulations and further provides for the establishment of an office at McAlester for advertisement and sale of this property.

Section 7 is with reference to patent and delivery thereof, and also stipulates that the purchaser may pay coal out at any time.

Section 8 carries an appropriation of $50,000 for the expense of appraisement and sale.

This explains all the provisions of the bill as I understand them, and I shall be very glad to have suggestions from any Member of the House with reference to anything that may be necessary and proper to be placed in the measure.

Since 1902, when this Atoka agreement was made pledging the sale of these lands and division of these funds, about 50 per cent of the Indians who were living at that time are dead. Unfortunately we can never redeem our pledge with them, but we can redeem it with the one-half who are now living and with the offspring of those now departed.

On last Wednesday gentlemen made complaint that some amendments to this bill recommended by the Indian Committee had not been submitted to the Secretary of the Interior for report. This was an unheard-of proceeding to me. I knew the usual procedure requiring the submission of all bills to the head of the department expected to administer thereon, and I recognize the necessity of such procedure, but I had never heard before that it was necessary for amendments to such a measure suggested by a committee or a Member or anyone else to have to run the gantlet of the head of any department. In a spirit of abundant precaution, however, I have again submitted this bill to the Secretary of the Interior and have now a report, under date of December 7, and this is what he says:

> WASHINGTON, *December 7, 1917.*
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> DEAR MR. CARTER: I am in receipt of your letter of December 6, 1917, requesting a report on H. R. 195, entitled "A bill providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla."
>
> Section 13 of the act approved April 26, 1906 (34 Stats. L., 137–142), provides:
>
> "That all coal and asphalt lands, whether leased or unleased, shall be reserved from sale under this act until the existing leases for coal and asphalt lands shall have expired, or until such time as may be otherwise provided by law."
>
> It therefore requires further legislation by Congress before the coal and asphalt deposits in the segregated mineral land of the Choctaw and Chickasaw Nations can be sold.
>
> I have given careful consideration to the provisions contained in H. R. 195—
>
> That is, this bill without amendment—
>
> and see no objections to the enactment of the bill, provided it is amended in line 18, page 2, by inserting after the word "sale" the words "at public auction to the highest bidder"—
>
> I gave notice at the meeting last Wednesday that we would propose that amendment—
>
> and by inserting after the word "appraisers," line 15, page 2, the following:
>
> "*Provided*, That said appraisement shall not be effective until approved by the Secretary of the Interior."
>
> If the bill is amended as herein suggested, I recommend that it receive the favorable consideration of Congress.
>
> Cordially, yours,
>
> FRANKLIN K. LANE, *Secretary.*
>
> Hon. C. D. CARTER,
> *Chairman Committee on Indian Affairs,*
> *House of Representatives.*

Mr. Chairman, how much time have I used?

The CHAIRMAN. The gentleman has five minutes remaining.

Mr. CARTER of Oklahoma. Now, Mr. Chairman, I do not believe this House is going further to repudiate its pledge with these Indians when we have such an opportune time to dispose of these coal deposits. If any amendment can be offered to strengthen or improve this bill, I have no objection. I have no pride of authorship in the bill, because really I was not the sole author. A great many others helped. I shall, of course, oppose any amendment that I think would tend to hurt the bill and cause delay in selling the land under appraisement or otherwise.

Mr. BOOHER. Will the gentleman yield?

Mr. CARTER of Oklahoma. I will.

Mr. BOOHER. Would the chairman of the committee have any objection to inserting a clause in the bill giving the Government the right to take over these coal and asphalt lands at their appraised values?

Mr. CARTER of Oklahoma. We have been following that "will o' the wisp" ever since I first came to Congress 10 years ago. Every time things have looked favorable for redeeming this pledge with our helpless wards some one has revived that hoary impossibility. I would rather the gentleman would not embarrass the bill with any such suggestion, because he must know we never could get such a thing through the House——

Mr. BOOHER. The gentleman is talking about taking over coal mines, and if we are going to take them over we had better do it before they get into the hands of the speculators.

Mr. CARTER of Oklahoma. I think the gentleman from Oklahoma [Mr. FERRIS] can give the gentleman some valuable information on that. He has told me we have more coal than we can use in the next 20 generations on the public lands of the United States and in Alaska.

Mr. BOOHER. But we have not got enough coal for the present generation, and that is what we want to get.

Mr. CARTER of Oklahoma. I have only the word of the gentleman from Oklahoma, chairman of the Committee on the Public Lands, about that; I am not familiar with it. However, Mr. Chairman, I have to close, because I want to yield to the gentleman from Oklahoma [Mr. HASTINGS] five minutes in which to address the House.

Mr. BOOHER. All I wanted to suggest now is that we need the coal. There is enough coal in the country, but we can not get it.

Mr. CARTER of Oklahoma. Just exactly. And if I failed to impress the gentleman with the idea that here is this vast acreage of coal land which can not under the present law be opened for use, then I have failed completely. Under present conditions coal can not be mined, but if it is sold, as this bill provides, then some fellow can open up the mines and increase the production of coal.

Mr. BOOHER. The coal area of the country is not short.

Mr. CARTER of Oklahoma. True, the coal area in Oklahoma is not short, but 335,000 acres—the major portion of that area—can not be worked under existing law, while our people are suffering for fuel. The adoption of this bill will open up production, badly needed, on this large area. Let me appeal to the gentleman, come on and help us, and do not let our people freeze to death while we are chasing some phantom of Government ownership.

Mr. BOOHER. If they had the coal on the banks, they could not get it to the people on account of transportation; the people can not get it.

Mr. FERRIS. Mr. Chairman, may I suggest to the gentleman from Missouri that we have 53,000,000 acres of public coal land now owned by the Government, free from monopoly, containing 450,000,000,000 tons, and at the normal rate of consumption that is enough to last until we are all gone. It is estimated it will last for more than 400 years at the normal rate of consumption.

Mr. BOOHER. But the people can not get it on account of transportation facilities.

Mr. FERRIS. Oh, we have a lot of transcontinental lines running. Of course, transportation always plays an important part in all bulky articles.

The CHAIRMAN. The time of the gentleman has expired; all time has expired, and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to sell the coal and asphalt deposits, leased and unleased, in the segregated mineral area of the Choctaw and Chickasaw Nations, in Oklahoma, in the manner hereinafter set forth.

Before offering such coal and asphalt deposits for sale the Secretary of the Interior, under such rules and regulations as he may prescribe, shall cause the same to be appraised by a board of appraisers, consisting of three members, to be appointed by the President, one upon the recommendation of the Secretary of the Interior, one upon the recommendation of the principal chief of the Choctaw Nation, and one upon the recommendation of the governor of the Chickasaw Nation, the compensation of each to be uniform and fixed by the President of the United States, and such appointments shall be made within 60 days after the passage of this act. Such appraisement, both as to leased and unleased lands, shall be described in tracts to conform to the descriptions of the legal subdivisions heretofore designated by the Secretary of the Interior, and shall be completed, sworn to by such appraisers, and final report made to the Secretary of the Interior within six months from the date of the appointment of the appraisers.

Mr. CARTER of Oklahoma. Mr. Chairman, I offer an amendment there.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CARTER of Oklahoma: Page 2, line 15, after the word "appraisers," insert:

"*Provided*, That said appraisement shall not be effective until approved by the Secretary of the Interior."

Mr. LENROOT. Will the gentleman yield for a suggestion?

Mr. CARTER of Oklahoma. Yes.

Mr. LENROOT. I understood from the gentleman that he was willing to accept an amendment simply authorizing and directing the Secretary himself to make the appraisement?

Mr. CARTER of Oklahoma. Has the gentleman an amendment to offer?

Mr. LENROOT. Yes.

Mr. CARTER of Oklahoma. Let my amendment be pending, and the gentleman can send his up and I will withdraw mine.

Mr. LENROOT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LENROOT: Page 2, line 1, after the word "appraised," strike out all of lines 1 to 8, inclusive, and the word "act" in line 9.

Mr. CARTER of Oklahoma. Mr. Chairman, we have no objection to that.

Mr. HASTINGS. Let the Clerk read the amendment.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Wisconsin [Mr. LENROOT].

Mr. CARTER of Oklahoma. Mr. Chairman, I have an amendment here which I would like to read to the gentleman.

The CHAIRMAN. The Chair understood there was no controversy about this amendment.

Mr. CARTER of Oklahoma. I have an amendment which I want to read for the information of the gentleman from Wisconsin, and which, I think, will perhaps settle the whole controversy and save a little time. It is as follows:

Page 1, line 7, strike out all of lines 7, 8, and 9, and the succeeding part of the section on page 2, and insert the following:

"Before offering such coal and asphalt deposits for sale the Secretary of the Interior, under such rules and regulations as he may prescribe, shall cause the same to be appraised. Such appraisement, both as to leased and unleased lands, shall be described in tracts to conform to the descriptions of the legal subdivisions heretofore designated by the Secretary of the Interior, and shall be completed within six months after the passage of this act."

Mr. LENROOT. Mr. Chairman, that covers entirely my thought, and I ask unanimous consent to withdraw my amendment.

Mr. CARTER of Oklahoma. I ask unanimous consent to withdraw my former amendment and insert this in its place.

The CHAIRMAN. Without objection, the requests will be agreed to.

There was no objection.

Mr. ROBBINS. Mr. Chairman, I would like to ask the chairman of the committee what these subdivisions contained in line 11, page 2, include.

Mr. CARTER of Oklahoma. They are the subdivisions under which the land was formerly appraised, of 960 acres each. When the leasing system began prior to 1898 there had been a national contract by the chiefs and citizens of the tribe, and the leases were circular in dimension. Now, when the new leases were made the law provided that they should be made as nearly in a square as possible, and when the Secretary issued regulations he issued them to the effect that they should be 960 acres.

Mr. ROBBINS. According to this bill as it now stands, the provisions of this section, they shall be in blocks of 960 acres?

Mr. CARTER of Oklahoma. Yes; unless there is some fractional tract somewhere where, on account of its isolation, the description has to be made smaller.

Mr. ROBBINS. Why make it rigid like that? That would exclude the small purchaser.

Mr. CARTER of Oklahoma. Mr. Chairman, with coal of that character you find very few places where less than 960 acres could be profitably mined. The coal is usually at a very steep pitch, and, the mining being done mainly by shafts, it requires an investment of $100,000 or $150,000 before a man can begin to take any coal out.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent for one minute more. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Requiring, as it does, this large investment of money, the coal could hardly be sold, in justice to the Indian, unless it was made in tracts at least of 960 acres. There are some tracts, of course, which would be smaller.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma [Mr. CARTER].

The Clerk read as follows:

Amendment offered by Mr. CARTER of Oklahoma: Page 1, line 7, strike out all of lines 7, 8, and 9 and the succeeding part of the section on page 2, and insert the following:

"Before offering such coal and asphalt deposits for sale the Secretary of the Interior, under such rules and regulations as he may prescribe, shall cause the same to be appraised. Such appraisement, both as to leased and unleased lands, shall be described in tracts to conform to the descriptions of the legal subdivisions heretofore designated by the Secretary of the Interior, and shall be completed within six months after the passage of this act."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CANNON. Mr. Chairman, I would like to move to strike out the last word in order to ask two or three questions. Do I understand that the top of the land has already been sold?

Mr. CARTER of Oklahoma. The surface of the land has practically all been sold, except the reservation that was made

on the leased lands necessary to the mining of the coal and asphalt.

Mr. CANNON. Yes. Now, then, this is a sale of the coal and asphalt?

Mr. CARTER of Oklahoma. This bill provides for the sale of the mineral deposits.

Mr. CANNON. Is there any oil down in that country?

Mr. CARTER of Oklahoma. There is none in that section.

Mr. CANNON. Has that been exhausted?

Mr. CARTER of Oklahoma. None has been discovered.

Mr. CANNON. Has there been any great attempt to discover it?

Mr. CARTER of Oklahoma. There has been a good deal of drilling for oil on portions of the land.

Mr. CANNON. The oil is not sold, then?

Mr. CARTER of Oklahoma. When the surface of the land was sold the surface was defined to mean everything except the coal and the asphalt.

Mr. CANNON. I understand. How many veins of coal are there?

Mr. CARTER of Oklahoma. There are two workable veins; in some instances one, and in some instances two.

Mr. CANNON. About how thick?

Mr. CARTER of Oklahoma. The workable veins are from about 2 feet 10 inches to 5 feet. In one place, where the anticlinal comes up separate from the other part of the coal, the coal is 7 or 8 feet thick.

Mr. CANNON. Is the 5-foot vein nearest the surface?

Mr. CARTER of Oklahoma. The coal all crops out. Some of it is at a very acute pitch.

Mr. CANNON. Which is the top?

Mr. CARTER of Oklahoma. In some instances the thin vein, and in some the thick. As I recall, the thin vein usually lies on top.

Mr. CANNON. What kind of a roof is it?

Mr. CARTER of Oklahoma. A very brittle roof of shale, which causes quite a bit of trouble in timbering and propping.

Mr. CANNON. After the coal is taken out it caves?

Mr. CARTER of Oklahoma. Yes.

Mr. CANNON. What is the land worth, the top of it, at a rough guess?

Mr. CARTER of Oklahoma. The top of the land sold all the way from $1 to $150 an acre.

Mr. CANNON. How much is it worth now?

Mr. CARTER of Oklahoma. It was just recently sold.

Mr. CANNON. At how much did the gentleman say?

Mr. CARTER of Oklahoma. From $1 to $150 an acre.

Mr. CANNON. Most of it at a dollar, I take it?

Mr. CARTER of Oklahoma. No. The majority of it sold for from $15 to $20.

Mr. CANNON. The average would be $15?

Mr. CARTER of Oklahoma. No; between $15 and $20.

Mr. CANNON. That is an agricultural country. The top is worth something?

Mr. CARTER of Oklahoma. Yes. I should judge that about one-fourth of it is agricultural country. The other is grazing land—rocky, mountainous land.

Mr. CANNON. How much is there—345,000 acres?

Mr. CARTER of Oklahoma. Four hundred and forty-five thousand acres; 100,000 acres have been leased.

Mr. CANNON. The reason I ask these questions is that I live in a coal country myself, where there are three veins of coal; and down in southern Illinois I think they have several veins, very valuable deposits. Now, what does the gentleman anticipate these lands will be appraised at, at a rough guess?

Mr. CARTER of Oklahoma. Well, Mr. Chairman, my ideas of the value of this coal are so much less than the ideas of some other gentlemen that I hesitate to say. We are going to sell this land, and I would not want any valuation of mine to be placed in the RECORD.

Mr. CANNON. That is satisfactory. I want to ask the gentleman if the coal land is not worth now greatly more than it was three years after this agreement was made?

Mr. CARTER of Oklahoma. Oh, yes, indeed.

Mr. CANNON. Double or triple, or possibly multiplied by 10?

Mr. CARTER of Oklahoma. The surface is worth three or four times as much, at least. If the gentleman will permit me, I wish to say that when this three-year period expired and the time came for the sale of this land the Federal Government found conditions very disadvantageous for the sale of the land. Oil had come into use and displaced the coal as fuel, and coal was very cheap.

Mr. CANNON. Now, then, that is a very good quality of bituminous coal in the coal field where I live. I suppose there is an output of about 4,000,000 tons annually; maybe a little more. It is being further developed. It takes time to sink the shafts and drive the entries. It is very fortunate that the Government did not keep its agreement with the Indians, if there was one made, to sell it within three years, because while it has just been lying there without any expense its value has been multiplied by four.

Mr. CARTER of Oklahoma. The Government made an honest effort to sell it.

Mr. CANNON. That is the good fortune of the owners of the coal. Now, I want to say to the gentleman that within, say, 40 years the fee of the land in my county in Illinois has advanced in price, say, from $15 per acre to $200 per acre, and the coal, reserving the surface, sold for a very small sum. Now, there coming a demand for coal, I apprehend, the coal, reserving the surface, would bring, say, $50 per acre.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I would like about five minutes more. I just want to satisfy myself about this matter.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. CANNON. The top of that land is worth now about $200, and the Lord only knows what coal is worth. It is very valuable. They have thrown away one vein because of a faulty roof. It took too much propping. They have mined the other, and in the fullness of time they will mine the third. I suppose the royalty would amount probably to 5 or 10 cents a ton; I do not know what. The mine run sells pretty high, and it is about the average of the Ohio coal; not quite so good as the southern Illinois coal.

Now, does my friend think that any considerable amount of this coal in Oklahoma could be mined by sinking shafts and driving entries before the price goes down? Are not our Indian friends who own it fairly well off now? Do they not have a large fund, and do they not get the interest on it annually? Are they not getting really enough income from the fund they now have to make a portion of them not of much account, not being compelled to work? [Laughter.] I am just asking for information. Well, silence gives consent. [Laughter.]

The conservationists, these "high brows," say, "My God, the coal will all be gone." I have heard it time and time again. They say, "In 50 years we will be coalless." The country will not be coalless in 50,000 years. There is more danger of your suffering as to this coal from the development of electricity and the improvement and distribution of electricity than there is from anything else.

Mr. STAFFORD. I hope you will not forget about that perpetual energy which Garabed has invented.

Mr. CANNON. Oh, I have an impression in my own mind that the energy will be gathered hereafter from the sun, the great center of energy of our solar system, and utilized for power. It may not come in my time nor your time, but I think it will come in the not distant future; and I do not say this as an argument for the sale of this land at once, because I think the coal will be worth more in the future than it is now.

I am not a prophet or the son of a prophet, so far as that is concerned, but there is the water power that has been running to waste for unnumbered millions of years. Before we develop the energy from the sun I apprehend that the water power will be used. Great heaven! how much of it did run to waste in the last two years? That Coosa River down South is not turning any wheels, nor will it ever be navigable [laughter]; but that is still before us, with all the other rivers.

I do not know that I am opposed to this bill, but I just thought I would ask these questions. My friend and colleague states that the value of this coal has been increased four times without any expense to these Indians, because the three-year agreement was not kept. I apprehend that if this coal should remain undeveloped for 20 years it would not hurt anybody. There is coal in Kansas, I believe, is there not?

Mr. CAMPBELL of Kansas. Yes.

Mr. CANNON. And there is coal in Missouri. How many square miles do these coal lands occupy? Will somebody state it in miles, so that I can get some idea about it?

Mr. CARTER of Oklahoma. It is something over 100 miles long, running from northeast to southwest, and wide enough to make it 445,000 acres.

Mr. CANNON. What is the width, on an average?

Mr. CARTER of Oklahoma. The width would be all the way from 2 miles up to 20 or 25 miles.

Mr. CANNON. Would it be an average of 15 miles by 100?

Mr. CARTER of Oklahoma. It is 445,000 acres.

Mr. CANNON. I am a little cloudy as to just how many square miles there are.

Mr. CARTER of Oklahoma. About 700 square miles, so some gentleman says.

Mr. KNUTSON. That would be pretty nearly 20 townships.

Mr. CANNON. That is pretty large. If I owned that coal I would not sell it on an appraisement made now, under all the circumstances and conditions.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That the sale of such deposits shall be thoroughly advertised, and shall at the end of 90 days from the final report of such appraisers be offered for sale in tracts to conform with the report of such appraisers at not less than the appraised value so fixed, except that isolated tracts of less than 960 acres may be sold separately under like provisions: *Provided*, That 20 per cent of the purchase price shall be paid in cash, and the remainder shall be paid in four equal annual payments from the date of the sale, and all deferred payments on all deposits sold under the provisions of this act shall bear interest at the rate of 5 per cent per annum, and shall mature and become due before the expiration of four years after the date of such sale.

Mr. CARTER of Oklahoma. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CARTER of Oklahoma: Page 2, line 18, after the word "sale," insert the words "to the highest bidder at public auction."

Mr. STAFFORD. Mr. Chairman, do I understand from the phraseology of this section that it is purposed to sell this property at the end of 90 days? The phraseology, I think, does not carry out the intendment of the committee. Permit me to read it:

That the sale of such deposits shall be thoroughly advertised, and shall at the end of 90 days from the final report of such appraisers be offered for sale.

Does that mean that at the expiration of 90 days from the filing of the report the property shall be sold?

Mr. CARTER of Oklahoma. Is the gentleman referring to section 2?

Mr. STAFFORD. I am reading from section 2. Literally construed that would require that on the ninetieth day after the final report of the appraisers the property should be sold. The gentleman does not contemplate having any such fixed time for the sale? I suppose he contemplates that a period of at least 90 days must elapse, and then advertisements shall be made providing for the sale.

Mr. CARTER of Oklahoma. The bill gives six months for the appraisement of the land, and then 90 days after the appraisement for advertising, before the sale. I had thought that would be better perhaps than a longer time, and I think the Secretary thought so, too.

Mr. STAFFORD. Here a final report will be submitted, perhaps sent here from Oklahoma. It has to go through various hands for approval, first, the Commissioner of Indian Affairs, and others. You can readily understand that a month or two months might elapse.

Mr. CARTER of Oklahoma. I would not object to the gentleman changing the words "final report" to the words "approval by the Secretary."

Mr. LENROOT. I have an amendment changing the word "report" to "appraisement," in lines 18 and 19.

Mr. CARTER of Oklahoma. I have no objection to either of these amendments.

Mr. LENROOT. That would harmonize the section.

Mr. STAFFORD. My only idea is to have an adequate time to enable the Secretary of the Interior to advertise this property. There might be conditions develop under which 90 days would not be sufficient time to advertise.

Mr. CARTER of Oklahoma. As I recall now in previous sales where we have sold the surface, including all the mineral except the coal and asphalt, the time for advertisement was 60 days, and the prices then obtained ran up far beyond what the land was appraised for.

Mr. STAFFORD. This advertisement will undoubtedly take place in Oklahoma.

Mr. CARTER of Oklahoma. No; the gentleman is mistaken about that. The advertisements will appear in all the great papers throughout the United States. The sum of $50,000 is provided for advertising, sale, and so forth.

Mr. STAFFORD. That argues all the greater need for giving ample time, so as to enable the Secretary of the Interior to advertise and to fix such a date as will give ample opportunity for bidders to consider the proposition and offer their bids.

Mr. CARTER of Oklahoma. Evidently the time fixed in this bill is all the time that the Secretary thought he needed, and I will say to the gentleman that it is more time than was given in the sale of other lands. The Secretary must have thought it ample, for he recommended the passage of the bill without suggesting any amendment to this provision.

Mr. HASTINGS. This only provides that these lands shall be offered for sale within that time.

Mr. CARTER of Oklahoma. At the end of that time.

Mr. STAFFORD. At the end of 90 days.

Mr. HASTINGS. They shall be offered for sale.

Mr. STAFFORD. My understanding is that 90 days after the filing of the final report these lands must be sold.

Mr. CARTER of Oklahoma. No; not that they must be sold, but bids received.

Mr. STAFFORD. Bids must be received?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. I can understand that conditions might arise under which they would not be able to advertise so as to give 90 days in which to submit bids, and there ought to be full opportunity.

Mr. CARTER of Oklahoma. If anything of that kind could occur, it would certainly have presented itself to the Secretary of the Interior. We went into that quite thoroughly, and he thought that 90 days would give sufficient time.

Mr. STAFFORD. This bill is different in that particular from the bill that was submitted to the attention of the Secretary of the Interior in the last Congress.

Mr. CARTER of Oklahoma. We submitted the bill to him recently and have a report, which I read in my remarks.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. STAFFORD. I ask unanimous consent that the time of the gentleman from Oklahoma be extended five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LENROOT. Will the gentleman yield for a suggestion?

Mr. CARTER of Oklahoma. Yes.

Mr. LENROOT. I want to ask the gentleman whether this language might not be inserted, "shall not later than six months from the final report," leaving it to the department.

Mr. CARTER of Oklahoma. I have no objection; I think it is a question of minor importance.

Mr. STAFFORD. That would meet the objection that I think might arise.

Mr. HASTINGS. Will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. HASTINGS. Does not the language simply require the Secretary to offer it for sale?

Mr. CARTER of Oklahoma. That is all.

Mr. HASTINGS. In other words, he has to prepare the advertisement, and the bids will be received at the end of 90 days after the final report is approved. In other words, there is a time limit in which he must put the advertisement in the paper, and then have a year to sell it.

Mr. STAFFORD. Yes; but this language would require the bids to be filed 90 days from the filing of the final report. Section 2 says that the sale of such deposits shall be thoroughly advertised, and shall at the end of 90 days from the final report of such appraisers be offered for sale, and so forth.

Mr. CARTER of Oklahoma. That means that on that day he can begin to accept bids.

Mr. LENROOT. The gentleman's own amendment reads "offered for sale at public auction."

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. It is too short a time limit. I should say it ought to be six months, so that there will be a special date which will be compatible with the interest of all concerned.

Mr. CARTER of Oklahoma. Against that I place the judgment of the Secretary of the Interior who agreed that he only wanted 90 days, but I will agree to the amendment, if the gentleman insists on it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. CARTER].

The question was taken, and the amendment was agreed to.

Mr. STAFFORD. Now, Mr. Chairman, I offer an amendment, on page 2, line 17, by striking out the words "at the end of 90 days" and insert in lieu thereof "not later than six months."

The Clerk read as follows:

On line 17, page 2, strike out the words "at the end of 90 days" and insert the words "not later than six months."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. LENROOT. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 18, after the word "the" strike out the words "final report of such appraisers" and insert in lieu thereof the words "final appraisement," and on line 19 strike out the words "the report of such appraisers" and insert the words "such appraisement."

Mr. CARTER of Oklahoma. We have no objection to that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 3. That immediately after the expiration of one year after the coal and asphalt deposits shall have been offered for sale, or forfeited for nonpayment under the terms of the sale, the Secretary of the Interior, under rules and regulations to be prescribed by him, shall readvertise and cause to be sold to the highest bidder at public auction all coal and asphalt deposits remaining unsold and all coal and asphalt deposits forfeited by reason of such nonpayment of any part of the purchase price: *Provided*, That the Secretary of the Interior, in his discretion, may reject any or all bids which he does not consider adequate, but at the expiration of six months thereafter the Secretary of the Interior may again readvertise and offer the same for final sale to the highest bidder at public auction, upon such terms as he may prescribe and at such valuation, independent of the appraised value, as he may fix.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I had intended to make some inquiry as to the section we have passed, as to whether some discretion should not be allowed the Secretary of the Interior as to the size of the tracts of land offered for sale. In the bill originally reported the unit tract was 960 acres. There is no such provision in this bill. The only provision is that it shall be described in tracts to conform to the descriptions of the legal subdivision heretofore designated by the Secretary of the Interior.

Mr. CARTER of Oklahoma. Yes; and the legal subdivision designated by former appraisements is 960 acres. That has all been made. As a mater of fact there will be no resurvey under this bill. The data will be taken in the Secretary of the Interior's office which he now has. These were all made in 960-acre tracts except in a few instances where the coal was so isolated that it could not be put in a tract as large as that.

Mr. STAFFORD. I construed the word "subdivision" as the regular subdivision of a township, and if that is the case there ought to be lodged in the Secretary of the Interior some authority to fix the size of the tracts of land that would be offered for sale. The language in section 1, lines 10 and 11, is "shall be described in tracts to conform to descriptions of the legal subdivisions heretofore designated by the Secretary of the Interior.

Mr. CARTER of Oklahoma. That means 960 acres.

Mr. STAFFORD. If that means 960 acres, then the gentleman from Oklahoma has furnished the information which I desired to obtain.

Mr. CARTER of Oklahoma. Was the gentleman speaking of the legal construction of the word "subdivision"? Heretofore the Secretary of the Interior has had these lands laid out in 960-acre tracts.

Mr. STAFFORD. Let me ask the gentleman in connection with the section under consideration whether in case certain of these subdivisions are not sold and another sale is readvertised, it is purposed to have them sold in lots according to the original subdivision, or is it the intention to sell them in bulk?

Mr. CARTER of Oklahoma. Does the gentleman mean the second or the third sale?

Mr. STAFFORD. The second sale. Section 3 provides:

SEC. 3. That immediately after the expiration of one year after the coal and asphalt deposits shall have been offered for sale, or forfeited for nonpayment under the terms of the sale, the Secretary of the Interior, under rules and regulations to be prescribed by him, shall readvertise and cause to be sold to the highest bidder at public auction all coal and asphalt deposits remaining unsold and all coal and asphalt deposits forfeited by reason of such nonpayment of any part of the purchase price.

That would be construed as requiring him to sell all the lands that had not been sold or had been forfeited in one lot, whereas I assume that it is the intention of the committee to have the land sold in tracts.

Mr. CARTER of Oklahoma. Yes; I think it would be under this language.

Mr. STAFFORD. I suggest to the gentleman that to make it clear he insert in line 10, page 3, after the word "auction," the words "in tracts as may be designated by the Secretary of the Interior."

Mr. CARTER of Oklahoma. That amendment is acceptable.

Mr. STAFFORD. Then, Mr. Chairman, I offer the following amendment, to insert after the word "auction" in line 10, page 3, the language to be found on page 2, lines 10, 11, and 12—

in tracts to conform to the descriptions of the legal subdivisions heretofore designated by the Secretary of the Interior.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 3, line 10, after the word "auction," insert the words "in tracts to conform to the descriptions of the legal subdivisions heretofore designated by the Secretary of the Interior."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LENROOT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. LENROOT: Page 3, line 10, after the word "auction," insert the words "at not less than such appraised value."

Mr. CARTER of Oklahoma. Mr. Chairman, that amendment is agreeable.

Mr. STAFFORD. Mr. Chairman, I believe the gentleman will notice that the word "and" should be incorporated, in view of the amendment just adopted.

Mr. LENROOT. Yes.

The CHAIRMAN. By unanimous consent the word "and" will be added.

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. ROMJUE. Mr. Chairman, I desire to call the attention of the chairman of the committee to the amendment which was inserted a moment ago. I think there is a conflict between sections 2 and 3. The amendment offered by the gentleman from Wisconsin [Mr. STAFFORD] a moment ago, in line 17, struck out the words "at the end of 90 days" and inserted "not later than six months." With that amendment it means that it must be offered for sale not later than six months. In conference with the chairman of the committee a moment ago, he thought that was cured in section 3, on page 3, but I would like to call his attention to the fact that that provision in section 3 provides that at the expiration of one year it can be readvertised. Therefore, that leaves six months of time in which there can be no sale of coal land. In other words, the amendment offered in section 2 makes the offer for sale to take place not later than the expiration of six months. Then you have no opportunity to resell it after the expiration of six months until after the expiration of one year. Thus six months intervenes at which no sale can take place.

Mr. CARTER of Oklahoma. Mr. Chairman, I will say to the gentleman that it is the intention not to have the first two sales closer together than one year, preferably, as suggested by the Department of the Interior, in the fall of the year. It was the intention of the committee and of the Secretary that the second sale should not be made until 12 months after the first had been finished.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

Mr. LENROOT. Mr. Chairman, I ask leave to make this correction: The amendment reads to be inserted after the word "auction" in line 10, page 3. My colleague's amendment comes in at the same place and has been adopted, and I ask that this be inserted immediately after the amendment suggested by him.

The CHAIRMAN. Is there objection to the request?

There was no objection.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. LENROOT].

The amendment was agreed to.

Mr. LENROOT. Mr. Chairman, I move to strike out the proviso in the section. I want to call the attention of the chairman first to the fact that in any event the proviso should be amended even if it remains in, because now that the amendment has been adopted that it can not be sold at less than the appraised value I do not assume that the gentleman will wish the Secretary to have the discretion to reject bids that he may consider inadequate, if they are to the amount of the appraised value.

Mr. CARTER of Oklahoma. I have no objection to the Secretary having the power.

Mr. LENROOT. I thought the gentleman would.

Mr. CARTER of Oklahoma. I want him to have every power that he can to protect the sale of these lands.

Mr. LENROOT. It is not in harmony with section 2, because you do not give him any such authority in the first offer. Upon the merits of striking out this proviso, as this bill now reads, it offers a premium to all bidders to not bid the appraised value. It means just one thing, that the Indians will get less for these lands than they would if this proviso were not included in the bill.

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. CARTER of Oklahoma. What is the gentleman going to do with the land that is not sold?

Mr. LENROOT. Come again to Congress at the end of 18 months, if they can not be sold.

Mr. CARTER of Oklahoma. And take a great deal more of the valuable time of Congress perhaps when we could dispose of the thing now. Why make two bites at the cherry?

Mr. LENROOT. Mr. Chairman, here are lands the very minimum value of which is $12,000,000. The gentleman talks about taking up the time of Congress in the matter of three or four million dollars to be paid to the Indians. I know and he knows we have occupied days and days here in Congress with relation to very much less amounts of money, involving the Creek, Choctaw, and Chickasaw Indians, and very properly so. He implies that the matter of a few million dollars where we are the guardians of the Indians should not be considered by us, because a year or two from now it might take a day's time of Congress. Is that the way to treat the Indians who are under our guardianship? But it is entirely plain that with this proviso these coal operators, these bidders, are not going to bid the appraised value, because in this very bill you will find a provision, and an invitation to them, that if they do not bid the appraised value, the Secretary of the Interior is compelled under the law to offer it to them later, and they will get it for less. Now, without this provision I frankly say I do not believe all of these lands will be sold in the near future, and from the standpoint of the Indian these lands ought not to be sold—445,000 acres—in bulk. If we sold 50,000 acres at a time the Indians would fare very much better than if you offer the entire tract of land. The gentleman from Illinois [Mr. CANNON] very properly called the attention of the committee to the fact that while there had been this failure to keep this solemn agreement upon the part of the United States with those Indians, nevertheless that failure to keep that agreement has resulted to the benefit of the Indians by 400 per cent increase in the amount of money they will get for these sales.

Mr. CARTER of Oklahoma. Four hundred per cent!

Mr. LENROOT. Yes; the gentleman said fourfold, at least, over what they would have received if they had then been sold.

Mr. CARTER of Oklahoma. Is fourfold 400 per cent?

Mr. LENROOT. Fourfold is 400 per cent. Where did the gentleman go to school?

Mr. CARTER of Oklahoma. Not in Wisconsin.

Mr. LENROOT. They must have a peculiar system of education in the gentleman's State if fourfold does not mean 400 per cent.

Mr. CARTER of Oklahoma. The lands are not now worth 400 per cent more than they were then.

Mr. LENROOT. Are they worth any more?

Mr. CARTER of Oklahoma. I think so.

Mr. LENROOT. One hundred per cent more?

Mr. CARTER of Oklahoma. I would not say that, but they are worth more. They will probably bring 50 per cent more, perhaps 25 to 50 per cent more.

Mr. LENROOT. So, upon the lowest estimate we save the Choctaw and Chickasaw Indians, according to the gentleman's lowest estimate, $6,000,000?

Mr. CARTER of Oklahoma. No; the gentleman again is wrong. I said 25 to 50 per cent.

Mr. LENROOT. The gentleman said 50 per cent a minute ago.

SEVERAL MEMBERS. He modified it.

Mr. LENROOT. Of course, $3,000,000 may be a bagatelle to the Choctaws and Chickasaws, but it would be something of an amount to most of us.

Mr. CARTER of Oklahoma. Mr. Chairman, the amendment of the gentleman from Wisconsin, if adopted, would affect the carrying out of our pledge to these Indians, and I think the gentleman does not want further to delay——

Mr. LENROOT. Does the gentleman want this pledge carried out to his Indians at the cost to them of several million dollars?

Mr. CARTER of Oklahoma. I certainly do not, Mr. Chairman. Neither do I want these Indians to die while gentlemen stand here and talk and prevent our pledge from being carried out with them, having their property held up in community when it should be divided among them in accordance with our sacred pledge made to them. Now, the gentleman speaks of selling 50,000 acres per year. That would mean that it will take 2 years before this sale can be made, and that would mean 11 years' delay before the pledge made to those Indian tribes can be carried out. It would mean 11 years more of supervision of this tribal estate, necessitating paying funds out of the Treasury and out of the tribal funds, as has been described to you by Mr. CAMPBELL of Kansas. Now, here is a chance where we have an opportunity to discharge a pledge to those two tribes of Indians and at the same time dispense with the supervision of what the gentleman says is $12,000,000 worth of property, which is to-day costing the United States a valuable sum of money.

Mr. LENROOT. Will the gentleman yield again?

Mr. CARTER of Oklahoma. Yes.

Mr. LENROOT. I merely wish again to correct Oklahoma arithmetic. The gentleman said 11 years. Nine times fifty is 450,000, and there are 445,000 acres.

Mr. CARTER of Oklahoma. I think that is some more Wisconsin arithmetic. This bill provides for an appraisement and lapse of one year before the first sale can be made, so the gentleman himself will stand corrected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

Mr. HASTINGS. Mr. Chairman, this is a very important bill, and no amendment of more consequence has been offered than the one up for consideration.

After the coal and asphalt deposits have been twice offered for sale the bill provides that the same shall be sold at the third sale, after the expiration of six months from the second offering, by the Secretary of the Interior "to the highest bidder at public auction upon such terms as he may prescribe and at such valuation, independent of the appraised value, that he may fix." The amendment to strike out this proviso should not prevail. These deposits should be sold at some time and this legislation should provide a complete scheme whereby they can be sold, and if they can not be sold after being offered for sale twice for not less than the appraised value, then the Secretary of the Interior should be clothed with authority to sell them at less than the appraised value.

If stricken out and the coal and asphalt deposits are not sold at the first and second sales, then there will be new legislation needed upon the subject and we shall be compelled to come back to Congress for relief.

The Choctaws and Chickasaws do not want to do this. They have been trying to dispose of their affairs for almost 25 years. Their first agreement was made on April 23, 1897, and ratified by an act of Congress dated June 28, 1898. By the terms of this agreement the coal and asphalt deposits were reserved as the common property of the tribe, and provision was made for leasing them for periods not longer than 30 years and for the renewal of leases theretofore made and in existence.

Being desirous of winding up their affairs and not holding any of their property in common, a supplemental agreement was made with the Choctaws and Chickasaws, which was ratified on July 1, 1902, providing that no further leases should be made, and that the coal and asphalt deposits should be sold within three years by a commission composed of three persons appointed by the President.

Without the consent of the Choctaws and Chickasaws Congress by the act of April 21, 1904, provided for the sale of the unleased lands by sealed bids and for the reservation of the leased lands from sale. The sales were to be made in tracts of 960 acres. None of the mineral deposits authorized to be sold under this act were in fact sold. The act of April 26, 1906, withdrew all these lands, both leased and unleased, from sale, and since that time the Choctaws and Chickasaws in Oklahoma through their representatives have been endeavoring to get legislation providing for the sale of these lands.

Leases were made under the original Atoka agreement to the number of 113, covering a period of 30 years. All these leases were made prior to July 1, 1902, and the last one expires in 1932. No lease covers more than 960 acres, and a few cover smaller fractional tracts. In the aggregate these 113 leases cover 100,080 acres of land. Including the leased and unleased lands reserved from sale there is a total of 445,000 acres of land in these deposits, out of which 100,080 acres have been leased.

Under existing law these leases provide for the payment of an advance royalty, whether the leases are operated or not. The royalty was authorized to be fixed by the Secretary of the Interior, and was placed by him at 8 cents per ton for coal taken out of the mines. There is enough coal mined to bring an annual revenue of about $250,000 to the tribes. The law provides that there shall be paid as advance royalty $100 for the first and second years, $200 for the second and third years, and $500 for each succeeding year thereafter, and when these mines are developed credit is given the lessees for the royalty advanced at the rate of 8 cents per ton of coal mined.

The value of these properties is variously estimated. I would hesitate to place any estimate upon them. In the first place, I am not an expert on the subject, and in the second place, I do not have sufficient information. Perhaps as reliable an estimate of the value as can be given was that placed by William Cameron, who made an appraisement of these lands

for the Department of the Interior. He had 50 years' experience in the coal-mining business and spent 25 years in that field. He returned an appraisement of $12,238,189.

We have already provided for the sale of the surface of these lands, separate and apart from the coal and asphalt deposits. This was done by the act of February 19, 1912, and the act of August 24, 1912. Under these acts nearly all the surface has been sold. The last was offered for sale in October of this year. The remainder can be, and in all probability will be, offered for sale at an early date. It can now be sold regardless of the appraised value.

This property belongs to the Choctaws and Chickasaws, who are enrolled as members of the two tribes. There are 20,799 Choctaws and 6,304 Chickasaws, making a total of 27,103.

Everybody in Oklahoma, so far as I know, unqualifiedly indorses this bill. The Dawes Commission was sent to the Indian Territory by the act of March 3, 1893, almost 25 years ago. The affairs of the Five Civilized Tribes have not as yet been wound up. With this piece of legislation enacted, their affairs can all be wound up under existing law. Congress at one time provided that they should be wound up by March 4, 1906, but enacted additional legislation from time to time. The principal chief of the Choctaw Nation, the Choctaw tribal attorney, the governor of the Chickasaw Nation, and the Chickasaw tribal attorney heartily indorse this bill. It has the approval of the Department of the Interior. The lessees in Oklahoma, who operate mines under leases made in accordance with existing law, are united in asking that Congress enact this legislation. This bill was prepared by the Oklahoma delegation in conference with the representatives of the tribes, the coal lessees, and committees representing the Indians and citizens of Oklahoma. It has had very careful consideration and meets with the unanimous approval of every person in Oklahoma, including Indian and white, citizen and noncitizen. It meets with the approval of every member of the Oklahoma delegation. Extended hearings have been had by the Committee on Indian Affairs on this and similar bills, and all the information that could be secured has been obtained. The Indian Committee visited McAlester, Okla., in March, 1917, and took a great deal of testimony from leading people, both Indian and white, and all asked for the enactment of this legislation. There is no division of opinion. It should be enacted and enacted now.

The bill, in brief, provides for reappraisement under the direction of the Secretary of the Interior of these coal and asphalt deposits and for their being offered for sale within six months thereafter at not less than the appraised value. A payment of 20 per cent of the amount offered must be paid down, and the rest may be paid in four equal annual installments. The deferred payments bear interest at the rate of 5 per cent. Upon full payment being made patents are issued. After one year from the first sale the lands are readvertised and sold to the highest bidder at public auction at not less than the appraised value. The second sale will include all lands not previously sold and any tracts upon which forfeitures have been declared for the nonpayment of the purchase price. After six months from the date of the second sale all the remaining unsold lands are offered for sale under the direction of the Secretary of the Interior at public auction upon such terms as he may prescribe and at such valuation, independent of the appraised value, as the Secretary may fix.

Section 4 provides that the coal and asphalt deposits shall be sold subject to these leases, and the lessees are given the preferential right to purchase the lands by paying the highest price offered, providing same is not less than the appraised value. The lessees are there by law. They have invested a great deal of money in these leases. Their rights are protected by this bill. They have shown the value of this property, and it was thought that this was a fair recognition for the money they had expended under existing law in the development of these deposits.

A provision is also contained in the bill whereby the State may acquire certain lands upon which the penitentiary is located upon the same terms as the lessees.

Section 6 gives general authority to the Secretary of the Interior to make rules and regulations not inconsistent with the act to carry out the provisions of the bill. There is an appropriation of $50,000 carried in the bill to pay the expenses of appraisement and sale. This will expedite the work and at the same time will permit extensive advertising of these valuable deposits, so that the highest price may be obtained therefor.

As at first stated, this is an important piece of legislation. It should be enacted. It carries out the promises made to the Chickasaws and Choctaws in the supplemental agreement ratified on July 1, 1902, 15 years thereafter. I think this is a splendid time to offer these mineral deposits for sale. Coal is in great demand, and it is believed that they will now bring as much money as could possibly be gotten for them at any time.

One-third of the enrolled Indians are now dead, and the Government should keep its word to these Indians and sell these lands, closing up their affairs as rapidly as possible. This legislation is the last thing necessary to be done. I hope that it will be adopted and that the proposed amendment will not be accepted.

Mr. EMERSON. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I expect the object of this bill is twofold, first, to do justice to the Indians; and, second, to furnish the country with a sufficient supply of coal. I will not talk about the first proposition, but on the second proposition I desire to call attention to the fact that in the State of Ohio, the State that I represent in part, during the past few days public utilities have had to close because of the lack of coal, and in some parts of the State people have actually died for the want of sufficient fuel.

Mr. CAMPBELL of Kansas. May I ask the gentleman a question?

Mr. EMERSON. Yes.

Mr. CAMPBELL of Kansas. Has that ever occurred before in the State of Ohio?

Mr. EMERSON. I do not know that it has.

Mr. CAMPBELL of Kansas. The gentleman is in favor of the Government running the coal business of the country. It would be more effective than appealing to the members of the committee at this time.

Mr. EMERSON. We have appealed to the fuel administrator and he is doing the best he can, but I would like to say a few words to Congress on the subject. I feel that instead of taking time to discuss new fields for the production of coal this Congress should be taking its time in discussing a proposition of how to transport the coal we now have in this country. When people are freezing to death because of the lack of fuel I think the proper thing to do is to spend the time of Congress in providing some means for furnishing fuel instead of producing more fuel that can not be furnished to them even if it was produced.

I have here a statement from some of the coal producers in this country, and it says this:

> Consumers rightly wish to know whether the difficulty results from any failure of endeavor on the part of the mine operators.
>
> On this subject the official reports of the United States Geological Survey are conclusive. They show that in 1916 the bituminous coal operators produced 60,000,000 tons more than in 1915; that in 1917 up to December 1 they produced approximately as much as during the entire year of 1916, and that the total output for 1917 will be at least 40,000,000 tons greater than the record tonnage of 1916.
>
> Plainly, therefore, since the bituminous mine operators in two years have added a round 100,000,000 tons to their production, the shortage of fuel is not due to any slackening of effort on their part.

Then it takes up the question of transportation of coal, and says:

> Producer and consumer must depend upon the railroads to bring the coal from the mines to the points of consumption.
>
> The coal operator can only bring his coal to the mouth of the mine. Unless there are empty railroad cars standing beneath his tipple into which the mine wagons can be dumped the mines can not operate, but must stop altogether. Storage bins have never been constructed at the bituminous mines because there is no special advantage in storing coal at the mines. The place to store it is, of course, at the points where it will be consumed.

Now, I want to say to the Members that I feel that something should be done by this Congress toward producing more freight cars to handle this coal and handle the food supply of this country if the executive department in the fuel and food administration branch can not do it. If it requires some act of Congress, we should do it. I for one feel that we owe an obligation to the people of this country to see to it that the food and the fuel that are produced within the confines of the United States should be distributed to those parts of the country where the food and fuel are absolutely needed at this time. [Applause.]

Why, the mayor of one of the cities in my district was indicted by a Federal grand jury for trying to assist the people of his stricken city in getting a supply of coal necessary to prevent suffering and death. I refer to the city of Willoughby, Ohio (Mayor Carmichael). This Congress must do something to relieve this situation.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GOOD. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, I believe the amendment of the gentleman from Wisconsin is a very important one. It is as important as

the bill itself. If I understand the proposition, there are about 445,000 acres of land. They are producing from this land about 3,000,000 tons of coal per year. This land has been appraised by two sets of appraisers. One set of appraisers fixed the valuation at $12,000,000 and the other set of appraisers fixed the valuation at $100,000,000; and now there is a provision, contrary to every law of the United States and every law of every State in the Union that I know anything about in cases like this, which provides that the Secretary of the Interior, in case he is unable to sell the land at the appraisement, may sell it at any price he may fix and upon any terms that he may prescribe.

I do not know of a single State in the Union wherein its laws do not provide in case of the sale of property of the estates of deceased persons or of guardians where an appraisement is required, and in case of sale the property must be sold at not less than the appraised value or at not less than a certain percentage of the appraised value. If such appraisement is too high the property can be reappraised. We stand here, and the Secretary of the Interior stands, as the guardian of this property, and I for one am not willing to let down every barrier for the protection of that property. I for one am not willing that we shall say that this property shall be sold for $12,000,000 when a set of appraisers has fixed the valuation at $100,000,000.

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. CARTER of Oklahoma. I call the gentleman's attention to the fact that there is in effect an appraised value of the land, and it sets out that it shall be sold at such valuation as the Secretary may prescribe.

Mr. GOOD. Yes; but the proviso also provides that he may sell it at any price.

Mr. CARTER of Oklahoma. No; I am reading from the proviso now.

Mr. GOOD. The proviso is, and I am reading from it:

> The Secretary of the Interior may, in his discretion, reject any or all bids that he does not consider adequate, but at the expiration of six months thereafter the Secretary of the Interior may again offer the land at public sale to the highest bidder at public auction upon such terms as he may prescribe and at such valuation, independent of the appraised valuation, as he may fix.

That is a power that we ought not to give to any public official, whether it relates to the land of the Indians or the public lands of the United States.

Mr. CARTER of Oklahoma. How can we place a value upon it if we do not give the power to appraise it to some official?

Mr. GOOD. The gentleman knows that a court in the case of an estate will order the property to be reappraised. So here we can direct a reappraisement. But to give to one man the power of appraisement and then the power to sell it upon any terms that he may prescribe and at any valuation he may fix is, I say, an unusual power, and in the best interest of these Indians it ought not to be granted to the Secretary of the Interior or to anybody.

Mr. HASTINGS. That is exactly what we do in the first section of the bill.

Mr. GOOD. But you kill it all in this proviso. If this delegation of Representatives from Oklahoma is not ready to protect these Indians, and as I happen to have an Indian reservation in my district, I ask that this proviso be stricken out in the interest of these Indians.

Mr. FERRIS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. That motion has already been made and exhausted.

Mr. FERRIS. Then I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask that all debate close on this paragraph in five minutes.

Mr. LENROOT. I would like to have five minutes in reply.

Mr. CARTER of Oklahoma. The gentleman had five minutes on his amendment.

Mr. LENROOT. Yes; but the gentleman is asking unanimous consent now.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask that the debate on this paragraph close in 25 minutes.

Mr. MADDEN. I would like to have about five minutes.

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] asks unanimous consent that the debate on this paragraph close in 25 minutes. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Chairman, the debate in this House very often runs very far afield, but the gentleman from Iowa [Mr. GOOD] has just made a speech here that does not do credit to himself or to the unusually good observation he generally makes. The gentleman from Iowa seeks to throw the House into a frenzy here over legislation that is not only well guarded, but doubly guarded.

In the first place, these lands will have been appraised three times before any sale is had. In the second place, this section 3 provides that the land shall be offered twice in pursuance to the appraisement and for a price not less than the appraisement. In the third place, the bill provides that the Secretary of the Interior may reject each and every bid made or offered; and in the fourth place, the provision that the gentleman from Iowa complains of provides that the land is to be sold at public auction under competitive bids, where each and every man can bid as much as he thinks the property is worth, and where every man has a fair chance, where the Indians have a fair chance.

It does more than that. On line 18, page 3, it is provided that it is to be sold on such terms as he may prescribe. The truth about it is, Mr. Chairman, that there ought to be an end to this thing some time. We go through two long tedious offerings, two long tedious sales, appraisals, public advertisements, public bidding, public sale, public valuation, public approval, first, and then we go through that entire performance again and see to it that no errors or mistakes are made. Then the gentleman from Iowa [Mr. GOOD] would have this property taken up by appraisers and hangers-on and the public nuisances that attach themselves to every piece of legislation that goes on down there.

There are men in our State who would like to serve on boards of appraisement at $5 or $10 a day for 5, 10, or 15 years more. I suppose the contract of the Government with these Indians to sell these lands within three years means nothing to the gentleman from Iowa; and the gentleman, with great solemnity, gets up and says, "If the Oklahoma delegation will not protect the Indians, I will do it." He would not know an Indian from a shock of corn if he should meet one in the road, and he knows it and the House knows it and the Indians know it. [Laughter.] The idea of the gentleman coming in here and dragging his wings on the ground and saying, "If the Oklahoma delegation will not protect the Indians, I will protect them!" We protect the Indian by paying most of the taxes while he votes, sits on the juries, and holds office. We have put into Statuary Hall in the United States Capitol a statue of Sequoyah as one of our most distinguished men. We pay most of the taxes, while the Indian goes to our white schools. We elect him to Congress, we elect him to the Senate, we elect him governor, and we do ourselves proud in so doing. I pause and ask what has the gentleman done in his State or elsewhere for the Indian? And then the gentleman says he "will protect him if we do not protect him!" [Laughter.] In the name of High Heaven, it does no credit to a gentleman who has been in the House as long as he has to throw any slurs like that upon the delegation in this House from a State struggling beneath a load almost too heavy to carry. The gentleman ought to be helping us and not obstructing us.

Let me plead with the gentleman from Iowa and other gentlemen here not to set up their own judgment against everyone who has given attention to it. We are only trying to carry out our treaty stipulations, and everyone ought to be willing to help do that.

Mr. GOOD. Will the gentleman yield?

Mr. FERRIS. I will, although I have only a moment.

Mr. GOOD. Does the gentleman think it is in the interest of good government and good administration to enact a law that will give the Secretary of the Interior or anyone the right to sell a part of the public domain——

Mr. FERRIS. This is not public domain. The gentleman discloses that he does not know anything about it. It has been 100 years since this was public domain.

Mr. GOOD. To sell the lands belonging to the Indians upon such terms as he may prescribe, at such price as he may prescribe, independent of any valuation that he may fix or that the appraisers may fix?

Mr. FERRIS. I know the gentleman does not want to make a whole speech in my five minutes.

Mr. GOOD. No; but I ask that question.

Mr. FERRIS. The gentleman is launching out on a thing he knows nothing about and obstructing and trying to interfere with the Oklahoma delegation and the Indians and the Interior Department, who have given long and careful study to this question. I call attention to the fact that every Indian in the

State is pleading that this be done. Everybody, from the lowest Indian to their chiefs, wants this to be done.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. FERRIS. I hope the gentleman will not occupy my time. I have but little remaining.

Mr. MADDEN. I will arrange to let the gentleman have a part of my time. I just want to ask the gentleman from Oklahoma whether he thinks it wise to authorize the Secretary of the Interior to make an appraisement, and then, if necessary, to set aside the appraisement which he has made?

Mr. FERRIS. After it has been offered twice, yes; because all that will be left will be some little remnants, odds and ends. The first two sales will dispose of all this property except some little odds and ends. I ask the gentleman in all seriousness, should 435 Members of this House and 96 Senators, engaged in legislating for the prosecution of a great war, and should the Interior Department be called upon to get into motion every day over some little Oklahoma matter? I assume that it is the wish and will of the House to dispose of Oklahoma's Indian matters and get through with them and finish them and turn their attention to something else; and if you will adopt this section as it stands it will make one bite of a cherry and finish it up and not let it drag along and come back for another bill. There are a lot of people who would like to have these jobs last forever. We have suffered from that for 19 years. Do not make us suffer for 19 years more. We have had enough of it and we want to get through with it.

Mr. LENROOT. Mr. Chairman, it is perfectly natural that the Oklahoma delegation should take the position that they take upon this matter. I do not blame them for one moment. In the attitude they take I am frank to say that I believe they represent the wishes both of the white people and the Indians in the State of Oklahoma; but that is no reason why we who are not from Oklahoma should follow them if they are wrong. Of course, these Indians down there would rather have $100 in cash to-day than $500 six months from now. I have Indians in my district. I know their nature, and I apprehend the Indians in Oklahoma are not unlike the Indians in other sections of the country. But that is no reason why we should not have a careful regard for the interests of the Indians. I understand very well why the white people of Oklahoma should favor the passage of this bill, even though it means depriving the Indians of 50 per cent of the value of their land. Anywhere from $12,000,000 to $100,000,000 going into circulation among the white people of the State of Oklahoma—I do not blame them for wanting it. But, Mr. Chairman, that is no reason why we should pass this bill in this form. Gentlemen talk about the propriety of authorizing the Secretary of the Interior, if the appraised value of the land can not be secured, to sell it for whatever he may see fit. Why, the gentleman from Oklahoma [Mr. FERRIS] is chairman of the Committee on the Public Lands. We have now before us in that committee a bill providing for the sale of coal lands at their appraised value. If such a provision as this in this bill should be brought before the House, it would be fought by the gentleman from Oklahoma, fought by myself, and would not receive 10 votes in this House. Shall we be less careful and tender of the rights of the Indians than we are of the public domain? That is all there is to this proposition, Mr. Chairman.

If they can not sell these lands at the end of two years at the appraised value, then let us direct the Secretary of the Interior to make a new appraisement, if necessary, and reoffer them upon those terms. But that is not the proposition. The language as it stands does not even require the Secretary of the Interior to fix any value upon it. The language as it stands in this bill is that he shall make an arbitrary valuation and reoffer them for sale, and if it is 50 per cent of what the land is worth, if this proviso remains in the bill, he must put such a value on the land as will result in the sale of the land. It means a combination of the coal purchasers not to bid on the first appraisal, not to bid on the second offering, but to wait until the offering comes under this proviso, knowing that they will get the land at perhaps 50 per cent of what they would be willing to pay if this proviso did not remain in the bill.

Mr. HASTINGS. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. HASTINGS. That was not the experience of Oklahoma when the surface was offered for sale.

Mr. LENROOT. There is no comparison between selling agricultural lands, the surface of land, to men who want to farm and selling these coal lands to large combinations of capital where it requires, as has been stated, $500,000 to operate a coal mine.

Mr. CARTER of Oklahoma. All the other minerals went with the surface.

Mr. LENROOT. The gentleman said he did not know of any oil; does he know of any other minerals in the land?

Mr. CARTER of Oklahoma. There might be some chance of lead and zinc.

Mr. LENROOT. Does the gentleman think that had anything to do with the value of the surface lands?

Mr. CARTER of Oklahoma. I think some of them were sold with a view to mining.

Mr. LENROOT. How much?

Mr. CARTER of Oklahoma. I do not know.

Mr. LENROOT. Did they get any more for the land in view of the fact that there might be other minerals there?

Mr. CARTER of Oklahoma. I should think that perhaps they did.

Mr. LENROOT. But the gentleman does not know.

Mr. MADDEN. Mr. Chairman, my only objection to this section of the bill is as to the authority proposed to be given to the Secretary of the Interior. I do not think it wise to authorize the Secretary of the Interior to fix an appraised value on the land and then in the same breath authorize the Secretary of the Interior to set aside that value. It may be very well seen that if he is given that authority men who are interested in the purchase of these lands will refuse to bid on the first and second offers for sale, wait until the Secretary is compelled to set aside the valuation which he himself has made, and then come in with prices that are far below the real value, and in that way do a great injustice to the people who own the land.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CARTER of Oklahoma. Does not the gentleman think that the Indians are fully protected by the words "at such valuation as he may fix"?

Mr. MADDEN. No; he may fix any valuation.

Mr. CARTER of Oklahoma. He makes the valuation at the start.

Mr. MADDEN. He is compelled to make an appraisal at the start, and then he is authorized to set it aside and sell the land at whatever price may be offered.

Mr. CARTER of Oklahoma. He is authorized to make an appraisal of the value which the land must bring at the first and second sale. At the third sale he may sell them at such valuation as he may fix, which means a new appraisal.

Mr. MADDEN. No; he may sell the land at any price that may be offered. If I come in and offer a price far below the value, the Secretary of the Interior under this provision of the bill is authorized to fix the price that I make. The Secretary of the Interior is authorized to accept the price offered, and consequently he fixes the price of the bidder.

Mr. HASTINGS. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HASTINGS. What does the language mean when it says "upon such terms as he may prescribe and at such valuation," unless it means that he is to make an appraisement of it?

Mr. MADDEN. He is not authorized to make an appraisal in the third sale.

Mr. HASTINGS. In the first and second he is.

Mr. MADDEN. And then he may set it aside.

Mr. HASTINGS. The third time he is to sell at such valuation, and what is the difference between the word "valuation" and "appraisement"?

Mr. MADDEN. At such valuation as he may fix. I may be the man who is bidding on the land and I may fix such a price as I think the land is worth, and the Secretary may accept the price fixed, and therefore he fixes my valuation.

Mr. CARTER of Oklahoma. And he may not accept it.

Mr. HASTINGS. What is the difference between appraisal and valuation by the same person?

Mr. MADDEN. It leaves the Secretary unlimited power to fix any valuation he sees fit.

Mr. HASTINGS. Could not he do it in the first place?

Mr. LENROOT. It does not contemplate any judgment on the part of the Secretary that he may exercise. He may sell it for the minimum amount arbitrarily fixed by him.

Mr. MADDEN. If there is any doubt about the language it ought to be rectified. It is our duty to make the language so clear that there should be no doubt about it. The Secretary of the Interior ought not to want authority to do anything about which there is any doubt as to the propriety of it.

Mr. HASTINGS. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HASTINGS. Probably the gentleman from Illinois has not been here during all the discussion in the House.

Mr. MADDEN. Yes; I have been present.

Mr. HASTINGS. This property has been appraised and a good deal of data collected, and it is contemplated that the Secretary will make the appraisement from the data that he already has in his office. That was stated in general debate on the bill. The Secretary is authorized to make an appraisement of the property in the first and second sales. Now, there is no difference between the word "valuation" and "appraisement" as used in the proviso.

Mr. MADDEN. Why put it in; why not give the Secretary the authority to sell at the third sale under an appraisal and not change it by other language?

Mr. HASTINGS. He is to offer it twice under an appraisement.

Mr. COOPER of Wisconsin. Mr. Chairman, I do not understand how there can be any dispute on the point which has been raised here. In lines 7, 8, and 9 on the first page we find that before offering such coal and asphalt deposits for sale the Secretary of the Interior, under such rules and regulations as he may prescribe, shall cause the same to be appraised by a board of appraisers consisting of three members, to be appointed by the President.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. HASTINGS. That was stricken out. The gentleman was not in the House at the time. In lieu of that an amendment has been adopted that the appraisement is to be made by the Secretary of the Interior.

Mr. COOPER of Wisconsin. Alone?

Mr. HASTINGS. Yes.

Mr. COOPER of Wisconsin. Without any board?

Mr. CARTER of Oklahoma. Under his direction he shall cause it to be made.

Mr. COOPER of Wisconsin. What was the theory upon which that was stricken out? So as to make it possible for him to do what is contemplated evidently by the proviso on page 3:

Provided, That the Secretary of the Interior, in his discretion, may reject any or all bids which he does not consider adequate, but at the expiration of six months thereafter the Secretary of the Interior may again readvertise and offer the same for final sale to the highest bidder at public auction, upon such terms as he may prescribe and at such valuation, independent of the appraised value, as he may fix.

Mr. CARTER of Oklahoma. It was done at the suggestion of the gentleman from Wisconsin [Mr. LENROOT] in deference to his request. That was the reason the amendment was placed in the bill.

Mr. COOPER of Wisconsin. But if that amendment remains in the bill and this proviso also is enacted into law, then we turn over the sale of all this enormously valuable land absolutely to the discretion of one man.

Mr. STAFFORD. The gentleman from Wisconsin [Mr. LENROOT] moves to strike out the proviso, and that is the pending amendment.

Mr. COOPER of Wisconsin. The present Secretary, Mr. Lane, is a man of high character and of quite unusual ability. There is no doubt about that. And therefore, in saying what I am about to say, I do not wish it to be understood as applicable in the remotest degree to him. But there have been members of the Cabinets of former Presidents of the United States, not in recent years, but in years well remembered by the membership of the House, to whom we would not commit such extreme power as is proposed by this bill, and especially by the proviso. One Cabinet officer was impeached for gross corruption and driven from office. This ought to be a Government of laws and not of men, and property under our control and worth a hundred million dollars should not be turned over to be sold at the discretion of and at a price fixed by any executive officer, no matter how exalted his reputation. We ourselves are trustees of this great property and it is our duty to see that there is no possibility of fraud being perpetrated on these Indians, helpless in our hands.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. CARTER of Oklahoma. Mr. Chairman, there was no intention upon the part of your Committee on Indian Affairs, the Secretary of the Interior, or anyone else to have these lands sold without the Secretary being permitted to fix a price for the last sale. Gentlemen have talked about these lands being offered for sale without appraisement as if they really were offered for sale without appraisement. Let me read the committee what the bill provides. Section 1 provides for an appraisement of the lands, as all gentlemen agree, and then provides that the sale of such deposits shall be thoroughly advertised and shall, at the end of 90 days from such appraisement, be offered for sale to the highest bidder at public auction, and so forth. That is sale No. 1. Section 3 provides that immediately after the expiration of one year, when asphalt deposits shall have been offered for sale, or forfeited for nonpayment under the terms of the sale, the Secretary of the Interior shall readvertise and cause to be sold to the highest bidder at public auction all coal and asphalt deposits remaining unsold, and so forth. An amendment has been adopted providing that they could not be sold for less than the appraised value. There are two sales completed, one of them 6 months after the appraisement and the other 18 months after the appraisement. Then comes the final cleaning up. If the history of the past can be used as a guide, all these minerals will be disposed of in the first two sales, except a few small tracts and perhaps some tracts that do not contain workable coal at this time. In order to take care of this, the following proviso is inserted:

Provided, That the Secretary of the Interior, in his discretion, may reject any or all bids which he does not consider adequate, but at the expiration of six months thereafter the Secretary of the Interior may again readvertise and offer the same for final sale to the highest bidder at public auction, upon such terms as he may prescribe and at such valuation, independent of the appraised value, as he may fix.

It seems to me clear that this means that the Secretary is to make a reappraisement of these lands for a third sale. Must we expect that he will stand up as the Secretary of the Interior and in haphazard manner say when a man makes an offer that those deposits he bids on are or are not worth that amount of money? The gentleman from Wisconsin [Mr. COOPER] has paid the present Secretary of the Interior a very high compliment, and I agree with him, and I think that he and all other Members will agree that that is not the way the present Secretary of the Interior does business.

Mr. LENROOT. Mr. Chairman, will the gentleman accept an amendment requiring the Secretary to make a new appraisement?

Mr. CARTER of Oklahoma. I have not any objection to a new appraisement being made if the gentleman is going to insist upon it. I would not object to it, but I do not see any occasion for it, because he is given the right to make the appraisement, and some of my friends on the committee have objected to any appraisement whatever being made of lands, as the gentleman knows, and I have stood for the reappraisement and have stated on the floor that I did not think the Secretary felt like taking the responsibility of selling this valuable property without some kind of an appraisement. I think there is full protection given under the terms of the bill. I do not believe it necessary to amend it except that there ought to be an amendment, as suggested a few moments ago by the gentleman from Wisconsin, striking out the part of the language in the beginning of the amendment to make it conform to another amendment already adopted. If the gentleman is not too insistent upon it, I would prefer that we permit this bill to pass in the language that has already been approved by the Secretary of the Interior, which he evidently considers as giving full protection to all parties concerned.

Mr. LENROOT. I do not want to take up the gentleman's time——

Mr. CARTER of Oklahoma. I yield to the gentleman.

Mr. LENROOT. I want to say to the gentleman that the whole discussion up to a few minutes ago has been upon the theory that the authority should not be upon the appraisement at all but the Secretary fix a bottom price irrespective of what he might consider its value.

Mr. CARTER of Oklahoma. I do not know to what the gentleman refers. I have certainly made no such contention.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER of Oklahoma. Mr. Chairman, I will ask for a vote.

Mr. SNYDER. Mr. Chairman, referring to the question——

The CHAIRMAN. The question is on the amendment.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask unanimous consent that the gentleman from New York may have one minute to ask his question.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SNYDER. Mr. Chairman, referring to the question which the gentleman from Wisconsin [Mr. LENROOT] has just put, how would you ever expect to get rid of the ends of this property which were left by simply having another appraisement, after having another appraisement and two sales by public letting? Would it not be the only possible way you could ever expect to get rid of the ends of this property by giving discretion to some one to sell at some price?

Mr. CARTER of Oklahoma. I think so.

Mr. SNYDER. It seems to me that is absolutely a business proposition and the only way it can ever be cleaned up; otherwise it will go on indefinitely year after year if we continue to have appraisals one following the other.

Mr. CARTER of Oklahoma. And all costing the Indians money.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin, which the Clerk will report.

The Clerk read as follows:

Strike out the proviso beginning in line 15, top of page 3, down to and including line 20.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. LENROOT) there were—ayes 31, noes 42.

So the amendment was rejected.

Mr. CARTER of Oklahoma. Mr. Chairman, I offer an amendment; page 3, line 15, strike out, after the word "that," the following language, "the Secretary of the Interior, in his discretion, may reject any or all bids which he does not consider adequate, but." That makes it conform to the amendment offered by the gentleman from Wisconsin.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 15, after the word "that" strike out the following: "The Secretary of the Interior, in his discretion, may reject any or all bids which he does not consider adequate, but."

Mr. GOOD. Mr. Chairman, I move an amendment to the amendment, to strike out lines 19 and 20 and insert a period after the word "prescribed."

Mr. CARTER of Oklahoma. That does not affect my amendment; let us dispose of that.

Mr. GOOD. I will withdraw the amendment.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to withdraw his amendment to the amendment. Is there objection? [After a pause.] The Chair hears none. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken, and the amendment was agreed to.

Mr. GOOD. Mr. Chairman, I move to strike out lines 19 and 20, on page 3.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 3, line 19, strike out "and at such valuation, independent of the appraised value, as he may fix."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. GOOD. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 3, line 16, after the word "again" add "cause the same to be reappraised and he may," and add a period after the word "prescribed," line 18, and strike out lines 19 and 20.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 4. *Provided*, That such deposits of coal or asphalt on the leased lands shall be sold subject to all rights of the lessee and that any person acquiring said deposits of coal or asphalt shall take the same subject to said rights and acquire the same under the express understanding and agreement that the Department of the Interior will cancel and withdraw all rules and regulations and relinquish all authority heretofore exercised over the operation of said mines by reason of the Indian ownership of said property and that said properties thereafter shall be operated under and in conformity with such laws as may be applicable thereto, and that advance royalty paid by any lessee and standing to the credit of said lessee shall be credited by said purchaser to the extent of the amount thereof, and that no royalties shall be paid by said lessee to said purchaser until the credit so given shall be exhausted at the rate of 8 cents per ton mine run, and that the royalty to be paid thereafter by said lessee to said purchaser shall be 8 cents per ton mine run of coal, and that any lessee may, at any time after completion of such sale, transfer or dispose of his leasehold interest without any restriction whatever; and that any lessee shall have the preferential right, provided the same is exercised within 90 days after the approval of the completion of the appraisement of the minerals as herein provided, to purchase at the appraised value any or all of the surface of the lands lying within such lease held by him and heretofore reserved by order of the Secretary of the Interior and upon the terms as above provided, and shall also have the preferential right to purchase the coal deposits embraced in any lease held by such lessee by taking same at the highest price offered by any responsible bidder at public auction; and if any lessee becomes the purchaser of any coal deposits on any undeveloped lease owned by him, then one-half of the advance royalties paid by any lessee on such lease shall be credited on the purchase price thereof, and the advance royalties heretofore paid by any lessee shall be credited to such lessee on account of any production of coal on any other lease which he may own and operate: *And provided*, That nothing herein contained shall be construed as limiting or curtailing the rights of any lessee from acquiring additional surface lands for mining operations as provided by the act of Congress of February 19, 1912.

Mr. CARTER of Oklahoma. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. CARTER of Oklahoma: Page 5, line 10, after the word "lessee," insert the words "or owner of mineral deposits."

Mr. STAFFORD. Mr. Chairman, I wish the gentleman would take some time to explain his amendment before we vote upon it.

Mr. CARTER of Oklahoma. Mr. Chairman, the purpose of this amendment is to give to the purchaser of coal deposit the same right which the lessee now has. Under the act of February, 1912, under which the surface of this land was sold, the lessees were given the right to purchase a certain amount of the surface that might be necessary for the operation of the mines. Only about a hundred thousand acres of the land, as I have stated, is leased. There will be 335,000 acres which will be purchased which is not complicated by leases. The purchaser ought to have the same right as the lessee has of ingress and egress and to go upon the land and prospect for coal or make development. Now, this proposes to give the same right given to the lessee. It was unintentionally omitted in the first place.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. CARTER of Oklahoma. Mr. Chairman, I have another amendment which I wish to offer.

The CHAIRMAN. The gentleman from Oklahoma offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CARTER of Oklahoma: Page 5, line 1, after the word "auction," insert the following: "At not less than the appraised value."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. CARTER of Oklahoma. Mr. Chairman, the language sought to be amended here provides that the lessees may have the preferential right of purchase. I do not think they should have that preferential right at less than the appraised value. As a protection to the Indians and a protection to the heirs we would like to have these words placed in, "at not less than the appraised value."

Mr. LENROOT. Will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. LENROOT. Under the previous provisions of the section these lessees are given the right to purchase at the appraised value any of these lands.

Mr. CARTER of Oklahoma. No; not any. They are given the right to purchase only those parts on which they may have a lease. It amounts now to about 50,000 acres.

Mr. LENROOT. I understand. But when they have that right why should they be given the additional right, if they do not see fit to exercise the right of purchasing them at the appraised value, and, after a bid has come in, go and take it away from the highest bidder by being willing to pay the same price.

Mr. CARTER of Oklahoma. That does not refer specifically to this amendment. I am satisfied the gentleman is in favor of this amendment.

Mr. LENROOT. I am.

Mr. CARTER of Oklahoma. Suppose, then, we take a vote on it?

Mr. LENROOT. All right.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. CARTER].

The question was taken, and the amendment was agreed to.

Mr. CARTER of Oklahoma. Mr. Chairman, I offer an amendment, on page 3, line 21, after the numeral "4," to strike out the word "*Provided*."

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CARTER of Oklahoma: Page 3, line 21, after the numeral "4," strike out the word "*Provided*."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken, and the amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

I wish to inquire of the chairman of the committee whether the position of my colleague is correct that these lessees would have the preferential right to purchase any of the coal lands other than that to which the lease now pertains. As I read the bill, they would only have the preferential right to purchase at the appraised value the surface of all such lands as are now under lease, and they would have the additional right to purchase the coal deposits embraced in any lease held by them at the highest price offered by any responsible bidder. As I understand the bill, they have not the right to purchase additional deposits which are not covered by their lease at the price bid in at public auction?

Mr. CARTER of Oklahoma. The gentleman is absolutely correct. The bill does not give the lessee the right to purchase any deposits except those on which he has a lease, and the existing

law, which is continued here, does not give him the right to purchase any of the surface except that on which he has a lease.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. I desire to ask a question.

On page 5, lines 6 and 7, there is a provision which says that where a lessee of this property is the purchaser he shall have the right to have credited on account of the purchase money the amount that he has paid for the production of coal. Now, I want to ask the chairman of the committee if that means where the lessee has been operating this coal for 8 or 10 years and, say, has paid $10,000 in royalty, and he would buy any of these 940-acre blocks for $900,000, would he only pay that for it? The owner of the surface is the owner of the fee, and here you propose to sell the coal-mining rights and to credit the purchaser, if he is lessee, with the amount of royalties paid prior thereto on that lease.

Mr. CARTER of Oklahoma. I will read the gentleman the law about that, and that will explain it better than I can tell him. It says:

All lessees shall pay on each coal or asphalt claim at the rate of $100 per annum in advance for the first and second years, $200 per annum in advance for the third and fourth years, and $500 for each succeeding year thereafter. All such payments shall be treated as advanced royalty on the mine or claim on which they are made, and shall be a credit as royalty when each said mine is developed and operated.

Now, under their leases they pay 8 cents royalty. This provision of law is carried in somewhat modified language in their lease, the intention of which is that he shall pay $100, $200, and $500 advance royalty; that is, the lessee shall and will be credited with the royalty as he mines the coal.

Mr. ROBBINS. That is all right. That is advance payment on the royalty per annum.

Mr. CARTER of Oklahoma. I thought that was what the gentleman was discussing.

Mr. ROBBINS. I know, but I am discussing this feature of the bill, that he is allowed a credit on the purchase price if he is the lessee of the amount of royalty he has heretofore paid.

Mr. CARTER of Oklahoma. Why not? The royalty is not forfeited except on failure to mine the coal during the life of the lease. This advanced royalty is not a penalty. It is simply a deposit in good faith for the operation of the mines, for which the lessee is given credit at 8 cents per ton when he takes the coal out. When he purchases the coal he still has 15 years to carry out that contract, which would probably enable him to get credit for all these advanced royalties. The only thing they ask here is that this right be not interfered with, but that he be allowed to apply the royalty paid on the purchase price.

Mr. STAFFORD. Only one-half of the royalty.

Mr. CARTER of Oklahoma. Yes; one-half.

Mr. ROBBINS. If he buys one of these blocks of 940 acres, of which 100 acres has been mined, and he has extracted 4,000 tons to the acre, he has paid $320 for that much coal. Now, if he buys a 940-acre tract he pays $500, and you credit him with——

Mr. CARTER of Oklahoma. No; we credit him with advance royalty of $100, $200, and $500 per annum, which he has already paid for coal still in the ground.

Mr. ROBBINS. Why don't you sell the coal with the acreage of coal that remains at the time and leave the royalty out of the question?

Mr. CARTER of Oklahoma. Another purchaser may come in. He has no lease on the land, and he wants to bid on all the coal in the land. We want to make the chances for bidding as nearly uniform as possible.

Mr. LENROOT. I will ask for information on this question; I confess I do not fully understand. Is there not a double credit here in this language? First you give him credit on one-half of the royalty if he becomes a purchaser and then he is given full credit for both halves on any coal in the mines that he has never leased.

Mr. CARTER of Oklahoma. No. Here is the situation: Under the lease as made by this lessee he is required to pay an advance royalty before the coal is mined. As the coal is produced he is permitted to apply advance royalty at 8 cents a ton only on the lease on which that advance royalty was paid. The intention of this provision is that we may close the matter up with him and end it. If he has paid $5,000 advance royalty on lease No. 1 and $2,500 on lease No. 2, and if he has operated on No. 2 and not on No. 1, we would give credit of $7,500 on the one lease instead of carrying it on as at the present time.

Mr. LENROOT. Suppose the purchaser becomes a purchaser of one tract of land. He is just given credit for $4,000 on his purchase price of that tract. Is that correct?

Mr. CARTER of Oklahoma. Yes.

Mr. LENROOT. If he has another lease on which he is producing coal he is given credit for $8,000 royalty on the coal?

Mr. CARTER of Oklahoma. No; I do not think the gentleman caught what I intended to say.

Mr. LENROOT. I call the gentleman's attention to the language, and ask him whether it is not a credit of $12,000?

Mr. CARTER of Oklahoma. Let us read the language.

Mr. LENROOT. It is on page 5, beginning with line 2.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER of Oklahoma. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CARTER of Oklahoma. The language is:

And if any lessee becomes the purchaser of any coal deposits on any undeveloped lease owned by him, then one-half of the advance royalties paid by any lessee on such lease shall be credited on the purchase price thereof.

Now, as a matter of fact, that lessee would be entitled to full credit for all the advance royalty he had paid, and he contended and claimed that, and fought for it for days. But the tribal attorney representing the Choctaws and Chickasaws would not agree to surrender more than one-half the value of that royalty. That disposed of that. The Indians make a distinct gain of 50 per cent of the advance royalty he has paid in. Now, what else? I read further:

And the advance royalties heretofore paid by any lessee shall be credited to such lessee on account of any production of coal on any other lease which he may own and operate.

What we intended to say there was that he might switch his royalty from one lease to another and close up.

Mr. LENROOT. Does not the gentleman agree with me that this language does not accomplish that thing? He gets credit for 50 per cent more than he has paid in on advance royalty if he happens to have a lease.

Mr. CARTER of Oklahoma. You might add a proviso there at the end of that which would prevent that, I think.

Mr. STAFFORD. Why could you not accomplish the purpose by inserting, before the word "advance," the words "and any balance of advance royalties remaining to the credit of the lessee"?

Mr. LENROOT. I suggest that we pass over the section temporarily. I think we can prepare and agree upon an amendment there.

Mr. CARTER of Oklahoma. I think that would cure it.

Mr. LENROOT. In some cases there would be no balance at all, because he would not become a purchaser.

Mr. STAFFORD. There would still be a balance.

Mr. CARTER of Oklahoma. I think the word "balance" would cover it.

Mr. STAFFORD. There would still be a balance, because some of the advance royalty would be credited.

Mr. CARTER of Oklahoma. Let the gentleman offer his amendment.

Mr. STAFFORD. Strike out the word "the" in line 5, page 5, and insert "any residue of," and after the word "royalties" insert the words "belonging to the lessee."

Mr. CARTER of Oklahoma. No. Let it be "paid by the lessee." I would not make a statutory admission of the lessee's ownership claim, because that is contested by the authorities of the tribes.

Mr. STAFFORD. I leave out that last suggestion. Just strike out the word "the" and insert "any residue of."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Amend, page 5, line 5, after the word "on," by striking out the word "the."

Mr. ROBBINS. No; after the word "and." There is no word "on" there.

The Clerk read as follows:

After the word "and" strike out the word "the," and insert in lieu thereof the following: "any residue of."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. That the surface of any segregated coal and asphalt lands in the Choctaw and Chickasaw Nations, in the State of Oklahoma, which may have been, or may be, condemned under the laws of the State of Oklahoma for State penal institutions, or for county or municipal purposes, as authorized by the Indian appropriation act approved March 3, 1909, shall be construed to include the entire estate, save the coal and asphalt reserved: *Provided*, That the State of Oklahoma shall have the preferential right of purchase, at the appraised value thereof, upon the same terms applying to other coal and asphalt deposit sales under this

act, all coal and asphalt deposits underlying the surface heretofore purchased by the said State of Oklahoma, and more particularly described as follows: Southeast quarter and south half of the northeast quarter of section 33; south half of and northeast quarter and south half of northwest quarter, and northeast quarter of northwest quarter of section 34; all of section 35, and the southeast quarter of southwest quarter of section 26; and south half of southeast quarter of section 26; and south half of southwest quarter of section 25; and northwest quarter and west half of southwest quarter and west half of east half of southwest quarter and northeast quarter of northeast quarter of southwest quarter and west half of southeast quarter of northeast quarter of southwest quarter and west half of east half of southeast quarter of southwest quarter of section 36, township 6 north, range 14 east.

Mr. STAFFORD. Mr. Chairman, I wish to offer an amendment. It is merely grammatical. It is to strike out the word "applying," on page 5, line 24, and insert in lieu thereof the words "as applied."

Mr. CARTER of Oklahoma. I have no objection to that, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Amend, page 5, line 24, by striking out the word "applying" and inserting in lieu thereof the words "as applied."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ROBBINS. Mr. Chairman, I offer an amendment, in line 21, page 5, after the word "asphalt," to add the words "with proper mining rights." I offer this amendment because——

Mr. STAFFORD. Let the amendment be reported.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROBBINS: Page 5, line 21, after the word "asphalt" insert the words "with proper mining rights."

Mr. ROBBINS. I want to ask the chairman of the committee a question about this. This is a severance of the coal from the surface. Most of the Commonwealths—I do not know how it is with Oklahoma—follow the English rule, which is that the conveyance of the title to the coal does not pass with it the right to injure or damage the superincumbent surface. If that right is not conveyed, it is impossible to mine the mineral without subjecting the owner of the mineral to large damages from the owner of the superincumbent surface and the superior estate. I ask the chairman whether there is a provision for that in this bill.

Mr. CARTER of Oklahoma. No; the present law, the act of February 19, 1912, provides fully and exhaustively for that. It defines the mining rights of the lessees and owners of the minerals, provides that they shall have ingress and egress, that they may enter upon the land and take possession of it for the purposes necessary to mining. I explained this the other day. It stipulates that whenever a dispute arises with reference to the price the question shall be submitted to two arbitrators, one to be appointed by the owner of the surface and one by the owner or lessee of the minerals; that a third appraiser may be appointed by the Federal judge of that district, and that their appraisement shall be final. In the meantime the owner of the coal deposit may enter upon the surface and use such part of it as is necessary during the pendency of the controversy.

Mr. ROBBINS. That is the statutory provision?

Mr. CARTER of Oklahoma. Yes.

Mr. ROBBINS. It does not depend on the common-law doctrine applicable to the rights of the owners of the surface and the overlying strata?

Mr. CARTER of Oklahoma. No. That was very carefully scrutinized and gone over by the gentleman from Illinois [Mr. MANN], and by the Solicitor of the Interior Department, and by the gentleman from Kansas [Mr. CAMPBELL], and several others at the time.

Mr. ROBBINS. That seems to be adequate for the mining of the coal, and in view of the explanation made by the gentleman from Oklahoma I withdraw the amendment.

Mr. HASTINGS. That provision of the statute is referred to and reenacted in line 12, page 5, of this bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. That the Secretary of the Interior be, and he is hereby, authorized to prescribe such rules, regulations, terms, and conditions, not inconsistent with this act, as he may deem necessary to carry out its provisions and shall establish an office for such purpose at McAlester, Pittsburg County, Okla.

Mr. LENROOT. Mr. Chairman, I offer an amendment to line 20, page 6, to strike out the word "shall" and insert the word "may."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LENROOT: Page 6, line 20, strike out the word "shall" and insert in lieu thereof the word "may."

Mr. LENROOT. Is there any objection to that amendment?

Mr. CARTER of Oklahoma. I do not think that ought to be adopted.

Mr. LENROOT. I hoped the chairman of the committee would accept this amendment. If he had I would not have cared to discuss it. We have here a very peculiar provision, requiring the Secretary of the Interior to establish an office in a particular town for the purpose of carrying out the provisions of this act, something entirely new to me in legislation. Certainly if the authority is granted, as it will be granted if my amendment is adopted, the Secretary will establish the office if he deems it necessary, and everything will be accomplished that ought to be accomplished. But I say Congress ought not to require the establishment of an office to carry out the provisions of this or any other law if the responsible party who is administering that law does not deem it necessary. It means only an additional expense, and if the Secretary of the Interior deems it unnecessary to establish an office in this place, or if he deems it necessary to establish it in some other place, surely it ought to be left to his discretion as to whether the office shall be established in a particular place or not.

Mr. CARTER of Oklahoma. Mr. Chairman, it has been left to the discretion of the Secretary of the Interior, and, as the gentleman knows, the Secretary has agreed to that provision along with the balance of the bill, and has made no objection whatever to it. If the Secretary had really made any objection to it I should not insist upon it.

Mr. LENROOT. Will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. LENROOT. The gentleman knows quite as well as I do that a Cabinet officer will not urge the placing of discretion upon him if Congress is willing to take the responsibility.

Mr. CARTER of Oklahoma. On the contrary, in my experience with Cabinet officers I have always found that they are anxious to take responsibility, and always prefer discretion rather than arbitrary legislation commanding them to do a certain thing. Now, if the Secretary had asked for this amendment I would not object at all; but his subordinates agreed that the office should be established there. As I recall, the Secretary himself said nothing about it. McAlester is in the center of the coal fields. Every activity of the coal mining there is carried on from this town. It does not make a particle of difference to me politically, because practically all the lands are in the district which I represent anyway, and the office would have to be located in that district, with McAlester as the logical place.

Mr. LENROOT. Does not the gentleman think the Secretary would have a better judgment upon this question than this House now has?

Mr. CARTER of Oklahoma. I think so; and I think he expressed that judgment when he sent a letter to us, recommending that this bill pass and suggesting certain amendments, and not suggesting any change in this.

Mr. LENROOT. The gentleman knows that the Secretary would not call attention to a very minor matter like this.

Mr. CARTER of Oklahoma. I think it a matter of minor importance, because that is where the office would be located, anyway.

Mr. GILLETT. The gentleman says that the Secretary of the Interior acquiesces in this. Of course, when the chairman of a committee of the House of Representatives asks for a certain location, a little piece of patronage as it really is, to get it located in his district, the Secretary is not going to object to it. He is going to acquiesce. But it does not follow that it ought to be done. I agree most heartily with what the gentleman from Wisconsin [Mr. LENROOT] says. I think it is an outrage. I have never known it to be done before——

Mr. CARTER of Oklahoma. Oh, the gentleman does not think it is an outrage, I know.

Mr. GILLETT. For the House of Representatives to fix it, on the pretense that the Secretary of the Interior does not object.

Mr. CARTER of Oklahoma. The gentleman is taking up a good deal of my time. I have only five minutes.

Mr. GILLETT. The gentleman has all the time there is. There has been no effort to curtail the gentleman's time, and I think there will not be. But if the gentleman from Oklahoma thinks the Secretary really feels that way, why is he not willing to leave it to his discretion and not establish a precedent of this kind? I do not wish to debate this subject much, for I do not

pretend to know much about it, but it seems to me that this is an innovation and a precedent which ought not to be established.

Mr. CARTER of Oklahoma. It is practically the same language that was carried in the act for the sale of the surface. It is not an innovation. I am free to confess that it does not make a great deal of difference to me.

Mr. GILLETT. Then why not agree to the amendment?

Mr. CARTER of Oklahoma. The Secretary of the Interior has agreed to the bill in this condition. Mr. Chairman, I think we ought not to waste our time—and if the gentleman wants that word in there it may go in, although I think any lawyer would agree that both words mean exactly the same thing. Let us vote on it, for I do not think we ought to take up time in discussing so unimportant a matter.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. ROBBINS].

The question was taken; and on a division (demanded by Mr. GARRETT of Texas) there were 85 ayes and 40 noes.

So the amendment was rejected.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment: Line 21, page 6, after the word "purpose," strike out the words "at McAlester, Pittsburg County," and insert in lieu thereof the words "in the State of."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 21, after the word "purpose," strike out the words "at McAlester, Pittsburg County," and in lieu thereof insert the words "in the State of."

Mr. STAFFORD. Mr. Chairman, there is a question of principle involved in Congress designating a place where this office shall be established without any knowledge of the fact. The chairman says that the words "may" and "shall" are interchangeable. I grant that if the words remain as they are they would be interchangeable, but the Secretary of the Interior should have the authority to determine the location, regardless of what any members of the committee may say as to there being only one place where it should be located. If the gentleman is correct that there is only one place, and that is McAlester, they should have no objection to the amendment proposed. If we provide that there must be an office established in Oklahoma, certainly they should be willing to leave it to the judgment of the Secretary of the Interior to locate it, especially if he must necessarily locate it at McAlester. Certainly we ought not in this legislation to designate a place without having any formal report from the Secretary of the Interior. I have no objection to a local office being established, but it should be left to the discretion of the Secretary of the Interior.

Mr. SNYDER. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. SNYDER. A few moments ago the gentleman was very much agitated about letting the Secretary of the Interior have some discretion, and now he wants to give him full authority.

Mr. STAFFORD. Oh, the gentleman misconstrues the position of those who opposed the provision in the bill which permitted the local mining capitalists to refuse to bid on the first and second sales and hold back so that they could get the property at any price they pleased. It was vital to the interests of the Indians that we should strike out the proviso. But no; you would not allow the Secretary to make a new appraisal, but you give these men a chance to hold back from the purchase at its appraised value and wait until the 18 months expired and then get the property at the lower price.

But, going back to the original proposition, we do not object to the office being established, but say it should be left to the Secretary to determine rather than have Congress determine the location. The Secretary has not recommended that the bill be adopted in this phraseology. The Secretary of the Interior did not send up a report saying that the bill in this phraseology should be passed. I took it on myself, in view of the fact that we had no report last week, to call up the Assistant Secretary of the Interior and ask him whether the bill met the approval of the Secretary. That is the reason why the Secretary has been prompted to send a letter indorsing the bill which has been read here. He indorses the principle of the bill, but he did not have the temerity to object to the principal city in the district of the gentleman who is sponsor for the bill. If the gentleman from Oklahoma says that McAlester is the only place suitable for the establishment of this office, he should have no objection to leaving it to the discretion of the Secretary of the Interior and let him exercise it.

Mr. CARTER of Oklahoma. This is the same provision carried in the act for the sale of the surface. The gentleman says that the Secretary of the Interior has not indorsed this bill. Here is a letter which has been read two or three times, and still gentlemen persist in saying that the Secretary does not indorse the bill. What the basis is upon which they make that statement is beyond me. The gentleman from Wisconsin is usually very careful, and yet he makes the statement. The Secretary says: "If the bill is amended as herein suggested I recommend that it receive favorable consideration of Congress."

Mr. LENROOT. What amendments does he propose?

Mr. CARTER of Oklahoma. He presents first an amendment that after the word "sale" the words "at public auction to the highest bidder" be included, which we have done. Then, after the word "appraisement," in line 15, page 2, the following be inserted: "*Provided*, That said appraisement shall not be effective until approved by the Secretary of the Interior."

Both of these amendments have been adopted. The date of the letter is December 11, 1917. Every line of this bill was submitted to him, and he says that after careful consideration of the matter he recommends that it be passed.

I just mentioned the fact that the surface act locates the office at McAlester. McAlester is in the immediate district where these lands are. The office would be placed there anyway. There is no doubt about that. About all that could be accomplished by such an amendment as this would be to discredit me with some of my friends back at home by showing that after the Secretary had recommended this location and the Committee on Indian Affairs had reported favorably, I was unable to retain the item in the bill.

Mr. STAFFORD. Mr. Chairman, it is furthest from my mind to humiliate my good friend before anyone, and if it will humiliate him at all, even though a principle is involved, I shall ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. LENROOT. Mr. Chairman, I want to say just a word with reference to the care and scrutiny given this bill by the Interior Department. The gentleman from Oklahoma [Mr. CARTER] has just read the report of the Secretary of the Interior, and I am not reflecting upon the Secretary, but I do want to say this: The gentleman suggests that the Secretary of the Interior, whom he would now have the House believe is so infallible, if there had been anything in this bill which he desired corrected, would have indicated it in his report. I call the attention of the House to this fact. The bill as reported by the committee and as now favorably recommended by the Secretary of the Interior provided that upon the second offering of these lands they need not be sold at their appraised value; yet the gentleman himself, the chairman of the committee, offered an amendment correcting that, although it was not suggested by the Secretary.

Mr. CARTER of Oklahoma. Yes; and I do not think the amendment was really necessary, but it was offered in deference to the suggestion made by the gentleman from Wisconsin.

Mr. LENROOT. I made that suggestion and I am glad I did, because it resulted in the protection of this second sale.

Mr. CARTER of Oklahoma. The gentleman and I differ about that.

Mr. LENROOT. There is one other matter that the gentleman will not differ with me about. As the bill was reported from the committee and favorably recommended by the Secretary of the Interior, it expressly provided that the lessee should have a preferential right to purchase the tract of land in which he had a leasehold interest at the price bid by the highest bidder, without any reference to the appraised value, and the gentleman himself, irrespective and regardless of the fact that the Secretary of the Interior had not suggested an amendment, offered an amendment providing that that preferential right to purchase could not be exercised at less than the appraised value, very much improving the bill. I only call attention to this to show that this House would make a most serious mistake if it would assume that it has no duties to perform in the examination of legislation because some department official has not recommended an amendment, and that therefore the House ought not to propose an amendment.

Mr. CARTER of Oklahoma. Mr. Chairman, I could read from the RECORD of a few days ago where the gentleman from Wisconsin not only wanted to have a bill reported upon favorably by the department before it was acted upon here but where he took up the bill and said every amendment ought to be acted upon by the department, and now the gentleman comes in here and says it is not necessary for us to have a report from the department.

Mr. LENROOT. I did not, and the gentleman knows I did not, make any such statement.

Mr. CARTER of Oklahoma. I understood the gentleman to say that,

Mr. LENROOT. Certainly not. This House is entitled to a report upon every bill, having the best judgment of every department that has jurisdiction of the bill, but this House, I hope, is not bound by the report and is free to make any changes in reference to any bill that it sees fit.

Mr. CARTER of Oklahoma. The gentleman and I agree perfectly about that, but I do not agree with him, even though this is an administration of the party to which I belong, that it is necessary, after a bill has been reported upon by a department of this Government, for this Congress to submit every amendment that every Member of the House or any member of the committee proposes to a bill to the head of some department.

Mr. LENROOT. No committee of this House, as this gentleman's committee did on this bill, should then mislead this House by stating in a report that it had been acted upon by the department when it had not.

Mr. CARTER of Oklahoma. The gentleman did not make that statement the other day. What our committee report said was that a bill similar in text and substance was submitted to the Secretary of the Interior, and it was.

Mr. LENROOT. That is not the fact.

Mr. CARTER of Oklahoma. It was.

Mr. LENROOT. It was not.

Mr. CARTER of Oklahoma. The bill came back, and we offered amendments to it, which the gentleman himself will agree simply provided for a definition of the rights that existed between the lessee and the man who might purchase the land in the future, most of which probably would have been taken care of by operation of law, but which it was thought, after conference taken with all those interested, should be reiterated in order that there might not be any misconstruction, and that is the way the bill was amended.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired, and the Clerk will read.

The Clerk concluded the reading of the bill.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise and report the bill as amended, with the recommendation that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. POU, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 195, and had directed him to report the same back to the House with sundry amendments, with the recommendations that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded upon any amendment? If not, the Chair will put them in gross. [After a pause.] The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. LONDON. Mr. Speaker, I move to recommit the bill.

The SPEAKER. The question is on the motion of the gentleman from New York to recommit the bill.

The motion was rejected.

The SPEAKER. The question now is on the passage of the bill.

The bill was passed.

On motion of Mr. CARTER of Oklahoma, a motion to reconsider the vote by which the bill was passed was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask that all Members who have spoken on this bill be given the right to extend their remarks in the RECORD.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that all Members who have spoken on this bill have the right to extend their remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

FUNDS TO MAINTAIN ROADS, ETC., WITHIN INDIAN RESERVATIONS.

The SPEAKER. The Clerk will proceed with the call.

Mr. HAYDEN. Mr. Speaker, I am authorized by the Committee on Indian Affairs to call up the bill H. R. 269, Calendar No. 66 on the Union Calendar.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union with the gentleman from Illinois [Mr. FOSTER] in the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. FOSTER in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of the bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 269) to authorize the advancement of funds to survey, construct, and maintain roads, trails, and bridges within Indian reservations.

Be it enacted, etc., That not more than the amount of the reimbursable appropriations made from time to time for such purposes may be expended under the direction of the Secretary of the Interior, for the survey, construction, improvement, and maintenance of roads, trails, and bridges within Indian reservations in the United States, when necessary for the use and development of the resources of such reservations and the advancement in civilization of the Indians residing thereon: *Provided*, That when, in the opinion of the Secretary of the Interior, the construction or improvement of any proposed road or bridge within or across any Indian reservation will not be chiefly for the benefit of the Indians of such reservation, the said Secretary is hereby authorized to enter into a cooperative agreement, conditioned upon its approval by Congress, with the State or county wherein such reservation or some part thereof is located for the survey, construction, improvement, or maintenance of such road or bridge upon a basis equitable to both the State or county and the Indians: *Provided further*, That the aggregate expenditures of the United States within any Indian reservation shall not exceed 25 per cent of the value, as determined by the Secretary of the Interior, of the timber, mining, forage, and other resources which are or will be available for income from the unallotted lands within the reservations wherein the roads, trails, or bridges will be constructed or improved, and the Secretary of the Interior shall make annual report to Congress of the amounts expended under authority of this act: *And provided further*, That no reimbursable appropriation shall be made under authority of this act which conflicts with existing treaties or agreements with Indians: *And provided, however*, That whenever practicable preference shall be given to Indians when labor is employed on any work done under authority of this act.

SEC. 2. That whenever expenditures are made under authority of this act within any Indian reservation not less than 10 nor more than 20 per cent of the money thereafter received from the sale of timber, from grazing permits, from mining leases, from the sale of unallotted lands, or from the disposal of any other resources of the unallotted lands within such Indian reservation shall be paid annually into the Treasury until the United States is reimbursed for the total amount of expenditures made under authority of this act for the construction, improvement, and maintenance of roads, trails, and bridges within such reservation.

SEC. 3. That the Secretary of the Interior is hereby authorized to prepare and submit to Congress plans for the construction or improvement of roads, trails, and bridges which in his opinion are necessary for the use and development of the resources of any or all of the Indian reservations in the United States and the advancement in civilization of the Indians residing thereon, together with estimates of the cost of constructing or improving said roads, trails, and bridges; and the said Secretary shall also submit an estimate of the value of the timber, mining, forage, and other resources that are or will be available for income from the unallotted lands within each Indian reservation.

SEC. 4. That tribal or trust funds may be appropriated by Congress to carry out the purposes of this act whenever the same may be used without violating existing treaties or agreements with the Indians.

The committee amendment was read, as follows:

Page 3, line 3, after the word "than," strike out the word "ten" and insert the word "five."

Mr. HAYDEN. Mr. Chairman, in view of the agreement that has been reached I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 269, had come to no resolution thereon.

LEAVE TO ADDRESS THE HOUSE.

Mr. GILLETT. Mr. Speaker, may I ask unanimous consent that on Friday, following the speech of Mr. MILLER of Washington, Mr. FREAR of Wisconsin be allowed to speak for 40 minutes on the President's message relative to the consolidation of appropriations in the hands of one committee, not to interfere with privileged business?

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that on Friday next, at the conclusion of the remarks of the gentleman from Washington [Mr. MILLER] the gentleman from Wisconsin [Mr. FREAR] shall be permitted to proceed not to exceed 40 minutes in discussing the suggestion in the President's message that all appropriations ought to be consolidated in the hands of one committee. Is there objection?

Mr. KITCHIN. Mr. Speaker, reserving the right to object, I understand that is subject to the provision that it is not to interfere with the appropriation bills and privileged matters.

Mr. GILLETT. Certainly; not to interfere with privileged business.

The SPEAKER. Not to interfere with privileged matter. Is there objection? [After a pause.] The Chair hears none.

FUNDS TO MAINTAIN ROADS, ETC., WITHIN INDIAN RESERVATIONS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the bills now on the calendar which are in order on Calendar Wednesday are disposed of that the bill which we have just a moment ago considered in the Committee of the Whole

House on the state of the Union—H. R. 269—be in order on Calendar Wednesday.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that when all the bills that are now in order on Calendar Wednesday are disposed of that the bill which has just been called up—H. R. 269—shall be in order on Calendar Wednesday. Is there objection? [After a pause.] The Chair hears none.

URGENT DEFICIENCY APPROPRIATION BILL (H. REPT. NO. 212).

Mr. FITZGERALD. Mr. Speaker, by direction of the Committee on Appropriations, I will report a bill to supply urgent deficiencies in appropriations for the fiscal year 1918.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 7572) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes.

The SPEAKER. Ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. GILLETT. Mr. Speaker, I reserve all points of order on the bill.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 14 minutes p. m.) the House adjourned to meet to-morrow, Thursday, December 13, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting a tentative draft of a bill to authorize the Secretary of the Navy to determine where and when there are no public quarters available for officers of the Navy and Marine Corps (H. Doc. No. 562); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the Secretary of the Navy, transmitting tentative draft of a bill to fix the age limits for candidates for admission to the United States Naval Academy (H. Doc. No. 563); to the Committee on Naval Affairs and ordered to be printed.

3. A letter from the chairman of the Federal Trade Commission, transmitting annual report of the Federal Trade Commission for the fiscal year ended June 30, 1917 (H. Doc. No. 614); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

4. A letter from the Secretary of War, transmitting report of the National Forest Reservation Commission for the fiscal year ended June 30, 1917 (H. Doc. No. 564); to the Committee on Agriculture and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CROSSER, from the Committee on Patents, to which was referred the joint resolution (H. J. Res. 174) for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy, reported the same with amendment, accompanied by a report (No. 213), which said joint resolution and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 7565) granting six months' pay to Sally Speer Signor, and the same was referred to the Committee on Naval Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GRIEST: A bill (H. R. 7568) to repeal provisions of law authorizing the payment of compensation to postmasters for procuring enlistments in the Army, the Navy, and the Marine Corps; to the Committee on Military Affairs.

By Mr. KEARNS: A bill (H. R. 7569) to increase the rates of pensions of certain enlisted men, soldiers, and officers who served in the Civil War; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (H. R. 7570) to amend an act increasing temporarily the Military Establishment of the United States, approved May 18, 1917; to the Committee on Military Affairs.

By Mr. WASON: A bill (H. R. 7571) to provide for the purchase of a site and the erection of a public building thereon at Claremont, in the State of New Hampshire; to the Committee on Public Buildings and Grounds.

By Mr. FITZGERALD: A bill (H. R. 7572) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. SMITH of Idaho: A bill (H. R. 7628) to provide for an auxiliary reclamation project in connection with the Minidoka project, Idaho; to the Committee on Irrigation of Arid Lands.

By Miss RANKIN: A bill (H. R. 7629) to exempt officers and enlisted men of the military and naval forces of the United States from the payment of a war tax on admission tickets; to the Committee on Ways and Means.

Also, a bill (H. R. 7630) for the relief of homestead entrymen or settlers who have entered or who shall enter the military or naval service of the United States in time of war; to the Committee on the Public Lands.

Also, a bill (H. R. 7631) providing that letters written and mailed by soldiers, sailors, and marines assigned to duty in the present war may be mailed free of postage; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 7632) providing that members of the military and naval forces of the United States be exempted from the payment of a war tax on all transportation tickets; to the Committee on Ways and Means.

By Mr. BOOHER: A bill (H. R. 7633) to so regulate the precedence of the officers of the United States Marine Corps that 14 graduates of the Naval Academy, who at the present date are junior to a number of temporary and probationary officers in the grade of captain, will be made senior to such temporary or probationary officers on the lineal list of the Marine Corps; to the Committee on Naval Affairs.

By Mr. CROSSER: Resolution (H. Res. 194) providing for the consideration of H. J. Res. 174; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 7573) granting a pension to Lewis D. David; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7574) granting a pension to Lucena R. Filson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7575) granting a pension to Sarah J. Rollins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7576) granting an increase of pension to John G. Hearn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7577) granting an increase of pension to William H. Bascue; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 7578) granting an increase of pension to Peter L. Chapman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7579) granting an increase of pension to W. R. Tingley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7580) granting an increase of pension to John McFarland; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 7581) granting an increase of pension to Charles S. Phelps; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 7582) granting an increase of pension to John T. McGown; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 7583) granting an increase of pension to Michael Balenti; to the Committee on Pensions.

Also, a bill (H. R. 7584) for the relief of the Wichita and affiliated bands of Indians; to the Committee on Indian Affairs.

Also, a bill (H. R. 7585) providing for the sale of an abandoned homestead entry; to the Committee on the Public Lands.

By Mr. FOSTER: A bill (H. R. 7586) granting a pension to James H. Ivie; to the Committee on Pensions.

Also, a bill (H. R. 7587) to relieve Martin M. Hicks, postmaster at Bingham, Fayette County, Ill., of the payment of cash and funds stolen from the post office; to the Committee on Claims.

By Mr. GRAY of New Jersey: A bill (H. R. 7588) for the relief of Henry Von Der Heide; to the Committee on Claims.

Also, a bill (H. R. 7589) to correct the military record of Edward A. Shave; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 7590) granting a pension to Viola Wiley; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 7591) granting an increase of pension to John Burrell; to the Committee on Invalid Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 7592) granting an increase of pension to Hulbert O. White; to the Committee on Pensions.

Also, a bill (H. R. 7593) granting an increase of pension to John Wilkinson; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 7594) granting an increase of pension to Mary Ellen Lape; to the Committee on Invalid Pensions.

By Mr. LUFKIN: A bill (H. R. 7595) granting a pension to William H. Brooks; to the Committee on Pensions.

Also, a bill (H. R. 7596) granting a pension to Edward C. Danforth; to the Committee on Pensions.

Also, a bill (H. R. 7597) granting a pension to Michael W. Murphy; to the Committee on Pensions.

Also, a bill (H. R. 7598) granting a pension to Manella A. Eastman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7599) granting an increase of pension to John S. LaFleur; to the Committee on Pensions.

Also, a bill (H. R. 7600) granting an increase of pension to John F. Whipple; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7601) granting an increase of pension to John F. Ford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7602) granting an increase of pension to Andrew J. Durgin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7603) granting an increase of pension to John P. Hodgkins; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 7604) granting an increase of pension to Allen McKee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7605) granting a pension to Elizabeth Wise; to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 7606) granting an increase of pension to Jules J. Toffler; to the Committee on Pensions.

By Mr. MERRITT: A bill (H. R. 7607) for the relief of Francis M. Johnston; to the Committee on Claims.

By Mr. POLK: A bill (H. R. 7608) granting a pension to Jane Hammond, widow of Henry Hammond; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 7609) granting an increase of pension to Samuel Taylor; to the Committee on Invalid Pensions.

By Mr. ROSE: A bill (H. R. 7610) granting an increase of pension to Baxter Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7611) granting an increase of pension to John Fleegle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7612) granting a pension to Elizabeth Shoeman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7613) granting a pension to Florence M. Bingman; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 7614) granting a pension to Arabell Beagle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7615) granting an increase of pension to Charles Brossart; to the Committee on Invalid Pensions.

By Mr. SCOTT of Iowa: A bill (H. R. 7616) granting an increase of pension to Alfred A. Alline; to the Committee on Invalid Pensions.

By Mr. SEARS: A bill (H. R. 7617) to promote Lieut. Col. Joseph Y. Porter, Medical Corps, United States Army, retired, to be a colonel in the Medical Corps of the United States Army, on the retired list, and under the provisions of the national draft act approved June 3, 1916, to place him on active military duty and service in the Army; to the Committee on Military Affairs.

Also, a bill (H. R. 7618) granting an increase of pension to Josephine A. Haley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7619) granting an increase of pension to Israel J. Wells; to the Committee on Pensions.

Also, a bill (H. R. 7620) granting a pension to Walter Scott McQuaide; to the Committee on Pensions.

Also, a bill (H. R. 7621) granting a pension to Joseph Whitney; to the Committee on Pensions.

By Mr. STINESS: A bill (H. R. 7622) granting a pension to Anne D. Kinsley; to the Committee on Invalid Pensions.

By Mr. STRONG: A bill (H. R. 7623) granting an increase of pension to John R. Bryan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7624) granting an increase of pension to John Richards; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7625) granting a pension to Mary Lydick; to the Committee on Invalid Pensions.

By Mr. VAN DYKE: A bill (H. R. 7626) to pay J. E. Froiseth for overtime services rendered as letter carrier; to the Committee on Claims.

By Mr. WASON: A bill (H. R. 7627) granting a pension to Mary Elvira Holmes; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of New York, Ohio, Oklahoma, and Oregon, favoring the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), petition of Woman's Board of Missions, Boston, Mass., and First Methodist Episcopal Church of Bolivia, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CURRY of California: Memorial of Vallejo (Cal.) Trades and Labor Councils, favoring pension for disabled and superannuated Federal employees; to the Committee on Reform in the Civil Service.

By Mr. FULLER of Illinois: Memorial of National Association Opposed to Woman Suffrage, relative to the proposed amendment to the Federal Constitution granting suffrage to women; to the Committee on the Judiciary.

Also, memorial of National Association of Letter Carriers, favoring bill for increase in salaries of post-office employees; to the Committee on the Post Office and Post Roads.

Also, petition of Walter Kempster, of Milwaukee, Wis., favoring bill for retirement of Civil War Volunteer officers; to the Committee on Military Affairs.

Also, memorial of Cement Mixers' Local, No. 76, International Hod Carriers, Building and Common Laborers' Union of America, relative to the building industry; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMLIN: Papers to accompany House bill 2076, to increase pension of John G. Monroe; to the Committee on Invalid Pensions.

By Mr. KAHN: Evidence in support of bill for pension for Lindley Herrington; to the Committee on Pensions.

By Mr. KELLEY of Michigan: Petition of Robert Wilders and 39 other residents of Atlas, Mich., for national prohibition, and against use of grains for distilling purposes; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of Chepachet Grange, No. 38, Patrons of Husbandry; John Borden, of Johnston; Cumberland Grange, Patrons of Husbandry; Slatersville Congregational Church; E. S. Hosmer, of Pawtucket; and the Men's Class of Pawtucket Congregational Church, all in the State of Rhode Island, favoring passage of national prohibition legislation; to the Committee on the Judiciary.

Also, petition of Pawtucket Congregational Church, Woodlawn Baptist Church, Darlington Congregational Church, Church of the Good Shepherd, and High Street Universalist Society, all of the State of Rhode Island, favoring national prohibition legislation; to the Committee on the Judiciary.

Also, petitions of Rev. Elmer E. Loux and 32 others; George Frederic Phillips, of Providence; Rev. George F. Beecher, of Woonsocket; and members of Do What We Can Circle of King's Daughters, of Slatersville, all in the State of Rhode Island, favoring national prohibition legislation; to the Committee on the Judiciary.

Also, petitions of Alice K. Sturges, Marion A. Gleason, M. D., and Mrs. William Goddard, of Providence, in the State of Rhode Island, in opposition to woman-suffrage legislation; to the Committee on the Judiciary.

Also, petitions of Alice W. Adams, Mrs. Howard Hoppin, Annie L. Tripp, and Jessie Tripp, all of Providence, and Emily E. Durfee, of Wickford, both in the State of Rhode Island, in opposition to woman-suffrage legislation; to the Committee on the Judiciary.

Also, petitions of Baptist Men's Club, of Valley Falls, and T. W. Waterman, of Providence, both in the State of Rhode Island, favoring national prohibition legislation; to the Committee on the Judiciary.

Also, petition of Hope Council No. 6, Junior Order United American Mechanics, of Westerly, R. I., favoring passage of House bills 4852 and 5369, for further restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. KINKAID: Petition of citizens of Ord, Nebr., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SANDERS of New York: Petition of the congregation of the Methodist Episcopal Church of Pavilion, N. Y., urging the passage of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petition of 300 Brick Church men of Rochester, N. Y., urging the passage of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary..

Also, petition of Mrs. Clarence Mahuson and 49 other ladies of Rochester, N. Y., urging the passage of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petition of the Nonpartisan Citizens' League, Attica Branch of Wyoming County, representing 202 members, urging the passage of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petition of the congregation of the Corn Hill Methodist Episcopal Church, of Rochester, N. Y., representing 874 members, and the congregation of the Methodist Episcopal Church of Geneseo, N. Y., urging the passage of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petition of sundry citizens of Rochester, N. Y., urging the passage by Congress of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petition of the Civic League of Scottsville, N. Y., urging the passage of the resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petition of the Village Improvement Society of Scottsville, N. Y., numbering 50 women, urging the passage of the resolution for the submission of the prohibition amendment to the several States for ratification; to the Committee on the Judiciary.

Also, petition of Rochester Ministerial Union, Rochester, N. Y., urging the passage of the constitutional amendment for complete prohibition, not excluding wine and beer; to the Committee on the Judiciary.

Also, petition of 138 citizens of the nineteenth ward, Rochester, N. Y., urging the submission of the national prohibition amendment to the several States for ratification; to the Committee on the Judiciary.

Also, petition of the congregation of the First Presbyterian Church, of Caledonia, N. Y., urging the adoption of the joint resolution for the submission of the prohibition amendment to the several States for ratification; to the Committee on the Judiciary.

Also, petition of Livonia Union of Woman's Christian Temperance Union, of Livonia, N. Y., urging the adoption of the joint resolution for the submission of the prohibition amendment to the several States for ratification; to the Committee on the Judiciary.

Also, petition of 122 voters in the Westminster Church congregation, of Rochester, N. Y., urging the adoption of the joint resolution for the submission of the prohibition amendment to the several States for ratification; to the Committee on the Judiciary.

Also, petition of Calvary Baptist Church, of Rochester, N. Y.; the Baptist Sunday School, of Dale, N. Y., 100 members; the Gainesville Methodist Episcopal Sunday School, of Gainesville, N. Y., 150 members; the Gaines and Murray Church, Orleans County, N. Y., representing 100 people; and the Sunday School of the First Baptist Church, Rochester, N. Y., comprising a membership of 1,543, urging the passage of the joint resolution for the submission of an amendment to the Federal Constitution prohibiting the manufacture, distilling, and sale of malt and alcoholic beverages; to the Committee on the Judiciary.

Also, petition of the Brotherhood Men's Bible Class of the Methodist Episcopal Sunday School of Avon, N. Y., that steps be taken to prevent the use of alcohol by our Army and Navy both at home and abroad; to the Committee on Military Affairs.

Also, petition of the Rochester District Woman's Home Missionary Society of the Methodist Episcopal Church, representing 1,118 women, that Congress adopt a resolution to amend the Federal Constitution to prevent polygamy and polygamous cohabitation within the United States and all places subject to their jurisdiction; to the Committee on the Judiciary.

Also, petition of citizens of Holley, N. Y., at a public meeting, that Congress adopt a resolution to amend the Federal Constitution to prevent polygamy and polygamous cohabitation within the United States and all places subject to their jurisdiction; to the Committee on the Judiciary.

Also, petition of the Atwater Class, Philathea Class, Dorcas Circle, and various individual members of the Lake Avenue Baptist Church, of Rochester, N. Y., urging the submission of a prohibition amendment to the Federal Constitution to the States for ratification; to the Committee on the Judiciary.

Also, petitions of Division 282 of the Amalgamated Association of Street and Electric Railway Employees of Rochester, N. Y.; Monroe County joint district council of the United Brotherhood of Carpenters and Joiners; Local Union No. 171, of the Bartenders' International League of America; the Central Trades and Labor Council for Rochester, N. Y., and vicinity; and the Cigarmakers' Local Union No. 5, of Rochester, N. Y., opposing Senate joint resolution No. 17, the prohibition amendment; to the Committee on the Judiciary.

By Mr. SCHALL: Petition of Walter R. Myers and 272 members of First Methodist Episcopal Church of Minneapolis, Minn., favoring prohibition; to the Committee on the Judiciary.

By Mr. SNELL: Telegram from members of the First Baptist Church of Potsdam, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Congregational Church of Keeseville, N. Y., favoring national prohibition and prohibition of the sale of liquor to American soldiers abroad; to the Committee on the Judiciary.

Also, petition of clerks and carriers of the Malone Post Office, Malone, N. Y., favoring passage of Madden bill (H. R. 1654); to the Committee on the Post Office and Post Roads.

By Mr. SNOOK: Petition of members of Vance post, No. 680, Grand Army of the Republic, of Scott, Ohio, favoring bill to increase pension rates of soldiers; to the Committee on Invalid Pensions.

By Mr. STRONG: Resolution of Indiana Chamber of Commerce, Indiana, and petition of employees of Ford City post office, Ford City, both of Pennsylvania, favoring the increase of salaries of postal employees as provided under the Madden bill; to the Committee on the Post Office and Post Roads.

Also, letters from A. P. Cunningham, Dayton; Keystone Supply Co., Foxburg; Joshua Martin, Dayton; C. A. Henry, Curllsville; John Wilson, Dayton; O. H. Good, Dayton; Mrs. Olive A. James, Rimersburg; Rev. J. S. Wrightnour, Clarion; West Glade Run Woman's Christian Temperance Union; R. D. Kittanning; D. D. Marshall, Dayton; A. B. Fullerton, Apollo; and W. C. Marshall, editor, Dayton, all in the State of Pennsylvania, favoring enactment of the proposed amendment to the Constitution providing for national prohibition; to the Committee on the Judiciary.

Also, letters from the First National Bank, Dayton; Harry McCreary, Indiana; J. C. Hazlett, Apollo; and telegram from A. M. Johnston, Freeport, all in the State of Pennsylvania, favoring the proposed amendment to the Constitution providing for national prohibition; to the Committee on the Judiciary.

SENATE.

THURSDAY, *December 13, 1917.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast brought us to strange and terrible days. In the light of it we have found that we have not properly discovered the foundation of Christian civilization. We have missed in our estimate moral values. We have come short of Thy glory. The world is in strife. O God, teach us that the path of peace and of prosperity is that which Thou dost choose for man. Help us to turn back to Thee for Thy guidance and Thy blessing, that all things may be done according to Thy will, and that speedily we may come again to the glory of God on earth, that brings peace and good will to men. For Christ's sake. Amen.

The Vice President being absent, the President pro tempore [Mr. SAULSBURY] assumed the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. VARDAMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ANNUAL REPORT OF FEDERAL TRADE COMMISSION (H. DOC. NO. 614).

The PRESIDENT pro tempore laid before the Senate the annual report of the Federal Trade Commission for the fiscal year ended June 30, 1917, which was referred to the Committee on Interstate Commerce and ordered to be printed.

REPORT OF NATIONAL FOREST COMMISSION (H. DOC. NO. 564).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a report of the National Forest Commission for the fiscal year ended June 30, 1917, etc., which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

REPAIRS OF BUILDING—DEPARTMENT OF THE INTERIOR (H. DOC. NO. 568).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, an itemized statement of expenditures made by the Interior Department and charged to the appropriation "Repairs of buildings, Department of the Interior, 1917," which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

CONTINGENT EXPENSES—DEPARTMENT OF THE INTERIOR (H. DOC. NO. 567).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, an itemized statement of expenditures made by the Interior Department and charged to the appropriation "Contingent expenses, Department of the Interior, 1917," which, with the acompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

GEORGIA EXPERIMENT STATION (H. DOC. NO. 565).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a report relative to the status of the Georgia Experiment Station, etc., which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented a petition signed by 58 citizens of Jackson, Mich., praying for national prohibition, which was ordered to lie on the table.

Mr. FLETCHER presented a petition of sundry employees of the post office at Pensacola, Fla., praying for an increase in the salaries of postal clerks, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Tampa and Miami, and of Broward, Dade, and Hillsborough Counties, all in the State of Florida, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. KNOX presented a petition of E. B. Young Post, No. 87, Grand Army of the Republic, Department of Pennsylvania, of Allentown, Pa., praying for an increase of pension to the surviving soldiers of the Civil War, which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Huntingdon, Pa., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which were ordered to lie on the table.

He also presented a memorial of the Typographical Union of Erie, Pa., and a memorial of Bookbinders' Local Union No. 201, of Erie, Pa., remonstrating against national prohibition, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Pennsylvania, praying for national prohibition, which were ordered to lie on the table.

Mr. THOMPSON presented petitions of Custard Post No. 39, Grand Army of the Republic, of Onaga; of Abilene Post No. 63, Grand Army of the Republic, of Abilene; of Burnside Post No. 28, Department of Kansas, Grand Army of the Republic, of Kansas City; of E. M. Stanton Post No. 23, Grand Army of the Republic, of Howard; of Canby Post No. 11, Grand Army of the Republic, of Osage City; and of Dick Yates Post No. 50, Grand Army of the Republic, of Eureka; all of the Department of Kansas, in the State of Kansas, praying for the enactment of legislation to increase the pensions of veterans of the Civil War, which were referred to the Committee on Pensions.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PENROSE:

A bill (S. 3215) providing for the refund of duties collected on flax-preparatory machines, parts, and accessories imported subsequently to August 5, 1909, and prior to January 1, 1911 (with accompanying papers); to the Committee on Finance.

A bill (S. 3216) to increase the rates of pensions of Civil War and Mexican War soldiers; to the Committee on Pensions.

By Mr. OVERMAN:

A bill (S. 3217) providing for the appointment of an additional district judge for the western judicial district of the State of North Carolina; to the Committee on the Judiciary.

By Mr. WEEKS:

A bill (S. 3218) granting an increase of pension to Harry Colpus; to the Committee on Pensions.

PNEUMATIC-TUBE SERVICE.

Mr. BANKHEAD. I introduce a joint resolution and ask unanimous consent for its present consideration.

Mr. PENROSE. Let it be read for information.

Mr. BANKHEAD. I ask that it may be read.

The joint resolution (S. J. Res. 114) extending the commission provided for in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, with the same authorities, powers, and provisions until on or before March 1, 1918, was read the first time by its title and the second time at length as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the personnel of the membership of the commission created and provided for in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, and authorized and directed to investigate the value of the pneumatic-tube service, their properties, franchises, and other equipment, shall continue with the same authorities, powers, and provisions for expenses until final report is made to Congress, which shall be made on or before March 1, 1918.

Mr. BANKHEAD. This being a joint resolution, under the rule, I believe it must go to the appropriate committee. Therefore I withdraw my request for present consideration and move that the joint resolution be referred to the Committee on Post Offices and Post Roads.

The motion was agreed to.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. SMOOT submitted an amendment proposing to appropriate $15,000 for the construction of an interstate wagon road or highway from the Shivwitz Indian Reservation, Utah, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

EMPLOYMENT OF ADDITIONAL CLERK.

Mr. PENROSE submitted the following resolution (S. Res. 167), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Additional Accommodations to the Library of Congress of the United States Senate be, and it is hereby, authorized to employ an additional clerk at the rate of $120 per month, to be paid out of the miscellaneous items of the contingent fund of the Senate, from December 3, 1917, to the end of the present session of the Congress.

PROMOTION OF EXPORT TRADE.

Mr. POMERENE. I ask that Senate bill 634, order of business No. 9, be indefinitely postponed. It is a bill to promote export trade, and for other purposes. On yesterday we passed the House bill, and this is the Senate bill which was reported by me from the Committee on Interstate Commerce.

The PRESIDENT pro tempore. The bill will be postponed indefinitely.

REPORT OF THE PANAMA CANAL (H. DOC. NO. 569).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, ordered to be printed, and, with the accompanying papers, referred to the Committee on Interoceanic Canals.

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the annual report of the Governor of the Panama Canal for the fiscal year ended June 30, 1917.

WOODROW WILSON.

THE WHITE HOUSE, *December 13, 1917.*

PNEUMATIC-TUBE SERVICE.

Mr. BANKHEAD. I am directed by the Committee on Post Offices and Post Roads to report back favorably without amendment Senate joint resolution 114, for which I ask immediate consideration.

The PRESIDENT pro tempore. The joint resolution will be read.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the personnel of the membership of the commission created and provided for in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, and authorized and directed to investigate the value of the

pneumatic-tube service, their properties, franchises, and other equipment, shall continue with the same authorities, powers, and provisions for expenses until final report is made to Congress, which shall be made on or before March 1, 1918.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent for the present consideration of the joint resolution. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WAR AGAINST AUSTRIA—PERSONAL EXPLANATION.

Mr. KENYON. Mr. President, I wish to make a statement at this time. I do not think there will be any objection.

The PRESIDENT pro tempore. Without objection, the Senator from Iowa will proceed.

Mr. KENYON. At the time of the vote on the joint resolution declaring war on Austria I was unable to be present for reasons over which I had no control. Had I been present I should have voted for that resolution. I also want to say that I was not in a position where I could send any message asking to have my position announced. I merely put this statement in the RECORD as no one announced how my vote would be on the joint resolution. I had started from over the sea in plenty of time to reach Washington by the date the vote was taken. Our boat was nearly five days delayed in crossing the ocean, so I failed to reach here in time, which I much regret. No wireless messages were sent from the boat, so I could not wire to have my position announced.

SHORTAGE OF COAL.

Mr. SMITH of Michigan. Mr. President, I have a communication in the nature of a memorial bearing upon the coal situation. I understand that the Committee on Manufactures are conducting an investigation into that subject, and if the Chair will indulge me, I merely desire to say that in the observations which I made last August, I think, when the Senator from Ohio [Mr. POMERENE] had the matter up, I warned the Senate that we were trifling with a situation that was fraught with great danger to the American people, particularly in the North and Northwest, and that when winter came we would find ourselves in a very serious situation.

I wish to say this morning that that situation confronts us now; that people in the State of Michigan are suffering from lack of coal; that the ordinary avenues of distribution have been dried up through some officialism that I do not quite understand, and instead of making use of these avenues of distribution which it has taken years to build up and perfect they have actually been tied up and their facilities not used to distribute coal intelligently and systematically to the people who are in dire need of it.

I think the situation in the Northwest is positively pathetic, indeed; it is criminal to think that Congress has taken no forward practical step in attempting to avoid a difficulty so serious and so far-reaching as that.

It is perfectly idle to carry on an investigation in midwinter, with the thermometer standing at zero, and to undertake to warm the people by good intentions.

I want again to assert what I said last August, that that situation demanded then the attention of the American Congress and of the American Government. To put entire strangers in control of a great commodity like coal, and to undertake to acquaint them with the vast details and make them familiar with the ordinary avenues of distribution is one of the causes that has brought about a situation so pathetic and criminal.

I desire to protest against the governmental laxity and the failure of our officers to comprehend the situation which now confronts us. I know of communities where children have recently died from cold and exposure. It is a shame and a disgrace to think that Congress, though all-powerful, should not have asserted itself in some manner that would give to the people this very necessary article to warm them and comfort them and feed them at a time when the need was so great.

Mr. President, I voice a general indignation among the people of my own State and of other States in the Northwest who are to-day unprepared to meet the cold and the danger that hovers over them.

I do not know what good this statement will do—probably none—but if heeded it would have done good last August. Men who have built up great coal facilities for 30 years and know the ordinary avenues of distribution and possess the facilities of distribution are ignored by a theoretical coal dictator in his vain attempt to create new agencies. I protest against it.

Mr. WEEKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Massachusetts?

Mr. SMITH of Michigan. Yes.

Mr. WEEKS. I should like to call the attention of the Senator from Michigan to the fact that these matters were brought to the attention of the department of the Government as long ago as last August, repeatedly so by New England Senators and Representatives, and they were informed that there would be a certainty of a shortage of the coal supply unless methods were adopted to prevent it. Those methods evidently have not been adopted, if the statement which the Senator from Michigan makes is correct, and I have no doubt that it is, because the same general statement would apply to the New England situation as well.

Mr. PITTMAN. Mr. President——

Mr. SMITH of Michigan. I know the interest the Senator from Massachusetts took in the matter at that time, and I am well aware of the zeal, the commendable zeal, shown by the Senator from Ohio [Mr. POMERENE]. But of what avail.

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Nevada?

Mr. SMITH of Michigan. Certainly.

Mr. PITTMAN. I am informed that the shortage of coal is due more largely to faulty distribution than production, although that is immaterial, the hardship being the same in either case. But I assume that if there is a failure of transportation the Senator from Michigan would go as far as any Senator on the floor to remedy that fault of transportation.

Mr. SMITH of Michigan. Yes; but if the Senator from Nevada will pardon me, if there is going to be no more system nor any better results obtained from taking charge of the transportation interest of the country, and taking the railroads out of the hands of experienced men who have devoted their lives to that service, then I look with great fear upon any proposition which will governmentalize the railroad systems of the country.

Mr. PITTMAN. Mr. President——

Mr. SMITH of Michigan. If the Senator will pardon me a moment, there is no high-grade inspection of coal to-day. Slate that is noncombustible is sold to people for coal. All ordinary regulations have fallen down. Fifteen per cent of the coal now being sold is noncombustible and will do no one good. The governor of a great State, Gov. Cox, of Ohio, brought the matter acutely before the country only a day or two ago; and when Gov. Cox seizes the shipments passing through the great State of Ohio, who is to say that the people farther north are not to be deprived of those shipments? There is a lack of system and orderly procedure. Men unfamiliar with the business are directing it. I think it reflects no credit upon our Government. It is a despicable shame to think that the ordinary avenues of distribution should be dried up and official anesthetics administered to horses and men, paralyzing their usefulness to the country when they are needed most.

Mr. SHAFROTH. Mr. President——

Mr. SMITH of Michigan. I feel, Mr. President, that Congress has neglected its duty. I warned the Senate last summer what the situation would be. Here we are in the midst of this distress, where people are dying for want of coal to heat their homes, and no remedy.

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Colorado?

Mr. SMITH of Michigan. Yes. I have no right to occupy the Senate floor. I do it only by the indulgence of the Chair, and I little thought that I would drift so far into this subject, but advices from my State this morning touch my heart to its very depth. Whilst scientists and literary men and mathematicians are figuring out how our people can be saved, they are suffering. Great captains of distribution are being supplanted by experimentalists; these practical men, expert in their vocations, are not wanted; their usefulness is impaired. I think they are just as patriotic as the men who are directing the situation to-day. I know one institution that for 40 years has been conducted in the Middle West that supplies 50,000 regular customers with coal every year, and its horses and its vehicles are unused now in midwinter, waiting, waiting, waiting, for a board, created by governmental decree, which has shown itself to be utterly incompetent to grapple with this situation.

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Colorado?

Mr. SMITH of Michigan. Certainly.

Mr. SHAFROTH. Mr. President, I must say that the condition which the Senator describes is deplorable; but the question is as to a remedy. I want to suggest to the Senator that a remedy which seems to me is very apparent could be enacted by

the Congress of the United States. We have, for instance, in the State of Colorado 371,000,000,000 tons of coal that can not be touched. We have in the State of Wyoming 449,000,000,000 tons of coal.

Mr. SMITH of Michigan. Where is it—in the Government reserves?

Mr. SHAFROTH. It is in the Government reserves. There is now on the calendar and pending before the Senate a bill on the subject which we hope to get up as soon as the Senator from Tennessee [Mr. SHIELDS] finishes the water-power bill in his charge. We believe that the passage of that bill will afford the solution of the problem. There is enough coal in Government lands in the State of Wyoming to supply the world for 450 years, and there is enough in Colorado to supply the world for 371 years.

Mr. SMITH of Michigan. Well, Mr. President, I am more concerned about supplying the world with coal now, during this winter.

Mr. SHAFROTH. If we permit these lands to be taken up and the coal to be mined—and I hope the Senator will cooperate with us in the movement for the passage of the bill for that purpose which we hope to bring before the Senate—I am satisfied it will do more to ameliorate the condition of the shortage of coal than the passage of any other one measure which we might enact.

Mr. SMITH of Michigan. The other day I passed through Ohio and I saw at Toledo and other cities through Ohio the sidings were literally clogged with cars loaded with coal which, if distributed, would have warmed the people and would have saved human life. Why was it there undelivered to the consumer? Not because our railroad facilities were lacking, but because those in charge of the distribution of coal had not yet made up their minds to whom that coal should be consigned. That is the plain unvarnished truth about it.

Mr. President, I rose this morning only to express the indignation of my heart that this situation should be permitted to exist in the dead of winter with the thermometer hovering around zero. No relief can be given to great communities of the West, which are so dependent upon the fuel supply.

If I had my way about it, I would have early exempted every man who worked in a coal mine from military service; I would have assured ample labor at the mines; then, by orderly procedure, through the customary avenues of distribution, so well known in every community, distributed the coal to the homes of the poor and the rich alike, thus saving human life and reflecting some credit upon a Government that is and should be solicitous for the welfare of its people.

Mr. POMERENE. Mr. President, if there is one family in the State of Michigan that is without a sufficient supply of coal, it is one family too many.

Mr. SMITH of Michigan. It is.

Mr. POMERENE. The conditions which the Senator from Michigan has described somewhat surprise me, for this reason: In the latter part of November it was stated in the public prints in Ohio that the total amount of coal for consumption in the Northwest which should be moved by lake traffic would amount to about 26,000,000 tons, and that at the time these statements were made it was said 23,000,000 tons had already been transported to the Northwest. If that is not true, then I am very much disappointed. While this movement of the coal was going to the Northwest the people in Ohio were largely without coal. Even my city of Canton, which has coal all around it and even under a part of it, was without coal.

Where does the fault lie? I wish I could tell exactly. I know where it in part lies. I am satisfied that I am right when I say that in the first instance there was a conspiracy between some of the coal operators to make the supply scarce for the purpose of advancing the price and making the Government administration break down. In fact, my information on that subject comes from a friend who talked with one of the operators who was present at a coal operators' convention.

Again, I know that some of these operators, even after the Government had fixed the prices of coal, were refusing to deliver coal unless they got a price in advance of that which was fixed by the Government. That of itself was a violation of the law recently passed.

The Senator from Michigan says the railroad tracks in Ohio are crowded with loaded coal cars that are not being moved. He underdescribes rather than overdescribes the situation. I was told only yesterday that the Chesapeake & Ohio Railroad had more than one-half of its cars on different sidings, and perhaps on the main tracks, loaded with coal, and they were not moving. It was claimed that it was because of the lack of motive power. On yesterday, I believe, the governor of Ohio commandeered a lot of this coal. He perhaps had no authority to do it, but he did it. Yesterday morning the president of the Ohio State University, Dr. W. O. Thompson, one of the great university presidents of the country, wired me that they were out of coal, or substantially out of coal, and that unless they received additional coal the university would have to close on Monday. They have more than 5,000 students there, and 250 or 300 aviation students are taking their preliminary training on the college campus. Their quarters were cold. I am glad to say that I took this matter up with the authorities here, and last night I received another telegram from Dr. Thompson stating that 10 cars of coal had been ordered to the university. That is only one instance of many that I might give.

I think the railroads are somewhat to blame for this condition; the operators also are somewhat to blame for it; and some time ago it was charged that some of the miners in southeastern Ohio were in part to blame for it; but it is a burning shame that in a great State like Ohio, with our coal deposits there, our people should be freezing because of the lack of coal. I hope, if the committee can discover the secret of the failure to meet the demand for coal they will make it known.

Mr. SMITH of Michigan. Mr. President, the railroad locomotives are unable to get their required steam power from much of the coal that they are obliged to use, and our ships at sea and our battleships and cruisers are unable to make the time which they would ordinarily make because of the quality of the fuel with which they are being supplied. I quote from the Detroit Free Press of this morning, as follows:

Suffering was intense throughout the city all yesterday and last night. Frantic householders called vainly on a police department utterly powerless to find coal for all who were without or to find means of delivering it were the coal available.

FUEL OFFICES CLOSE; MERCURY DROPS.

Fuel dealers simply closed up shop. They had no coal, and human nerves are not equipped to bear up indefinitely under the pleas of mothers and fathers desperately seeking means to shield their little ones from the biting cold.

These avenues of distribution should not have been dried up; that is my complaint. Taking the business out of the hands of the men who are familiar with it and who know their respective communities was not a wise thing. Whoever is responsible for doing that has a tremendous responsibility upon his conscience and must answer for much of the suffering that our people are enduring to-day.

Mr. PITTMAN. Mr. President, I wanted to ask the Senator some questions while he was proceeding, but I always hesitate to interrupt a long-distance communication. I would have preferred to have the Senator suggest some remedy. He has had this matter under consideration since last August. Last August he warned this body, so he states, of these very conditions; and yet since last August we have waited in vain for legislation of a constructive character to be suggested by the Senator from Michigan.

Mr. SMITH of Michigan. Mr. President, as the Senator knows, the Government took this matter into its own hands through its executive departments, but if I had been permitted to do anything about it at all I would have kept open the ordinary avenues of distribution. That is the true solution, from my point of view, of much of the individual suffering of householders throughout my State.

Mr. PITTMAN. I am glad that the Senator has suggested that; in fact, I thought that his extensive investigation last August would give him some information on this subject. I am pleased to know that he advises us that he is under the impression that these conditions are due to improper distribution. While the suffering people are entitled to the sympathy of everyone, and have it, I think it is unfortunate that this sympathy should be coupled with a constant expression of sympathy for the captains of industry. I feel that possibly the Senator's remarks would have more bearing if his attack upon somebody were not constantly coupled with a defense of the captains of industry.

Mr. SMITH of Michigan. The Senator could not have gathered any such impression from anything I said.

Mr. PITTMAN. I understood the Senator to say that the Government had been taking away from these business men—"these great captains of industry" were the words he used——

Mr. SMITH of Michigan. I did not say that—wait a moment.

Mr. PITTMAN. The control over matters they understood.

Mr. SMITH of Michigan. If the Senator will be fair about it, I did not say that; I spoke of the distributing sources in the various States. They are not captains of industry; most of them are men of very moderate means, and all they have is tied up in their yards, their vehicles, their horses, and the coal they buy for distribution in the winter. That is the type of people that

I would have utilized not in making the price but in the distribution of coal.

Mr. PITTMAN. I think the RECORD will bear me out, and I leave it to the RECORD, and those may read it who have any doubt on the subject, that in criticizing the Government the Senator used the words "captains of industry" time and again; that he charged that the Government was taking business out of the hands of men who understand business; that it was taking out of the hands of the great captains of industry the business that they understand.

Mr. SMITH of Michigan. Mr. President, does the Senator admit that the Government has taken it out of their hands?

Mr. PITTMAN. No; they have not taken it out of their hands; but if the Congress will stand back of the Government, instead of criticizing the Government, they will take it out of the hands of the inefficient managers of the railroads, who are responsible for the very crimes that are now being committed against the people of this country.

Mr. SMITH of Michigan. The Senator from Nevada is usually a fair man and knows that from the time this war started I have never criticized the Government here nor in any other place, and I do not criticize the Government now, except where it has utterly failed. I have supported the President without hesitation in all that he has asked. I accord to him the highest motives, the most transcendent ability, and the greatest patriotism; and the Senator from Nevada, even though he and I differ in politics, has no higher respect for or more confidence in the President of the United States than I have; but I say that something is wrong with the coal administration. Does not the Senator admit it?

Mr. PITTMAN. Absolutely; and I think that I——

Mr. SMITH of Michigan. That is what I am driving at. Whatever it is, it ought to be corrected, and the Senator ought not to try by innuendo or in any other way to lessen the force of the criticism which I have made by ascribing improper motives. The welfare of the country is my sole concern.

Mr. PITTMAN. Mr. President, I would not attempt for one moment to detract from the effect of the Senator's remarks. I regretted that he himself had seen fit to lessen the strength of those remarks by a guarded effort in his argument to protect the captains of industry.

Mr. SMITH of Michigan. Well, the Senator can not say that; that is not fair, and does not belong in this discussion.

Mr. PITTMAN. Then, if I have misunderstood the Senator, I do not desire, of course, to misstate him——

Mr. SMITH of Michigan. Yes; the Senator has been captious. I think he ought to withdraw that statement because there is not a thing upon which to base it.

Mr. PITTMAN. Now, there is a wrong being done, and of course there is a cause for that wrong. The Senator does not know that cause, and possibly none of us do; but the evidence, even as given out by the Senator from Michigan, is that the cars are blocking the sidetracks and congested along the railroad lines of the country.

Mr. SMITH of Michigan. Yes; for lack of orderly distribution and systematic destination, for lack of intelligent and well-directed distribution; that is the point I make.

Mr. PITTMAN. That is not the evidence, as I am informed. It is not caused by the lack of destination, for every carload that is standing on the tracks to-day has been billed to a destination. The cause of this, as admitted to-day by the captains of industry to whom the Senator from Michigan referred, is a lack of cooperation—failure of coordination. The railroad presidents, to whom were turned over the control of the railroads of this country—the transportation board, which is composed of the biggest railroad men in this country—have themselves admitted that the cause of this congestion is a lack of cooperation and coordination of the railroads which they have tried for months to bring about. What is the trouble? Every one of them is willing that there be coordination, but he wants his road the center of coordination; every great port of this country wants coordination, but each port wants itself to be made the center of the coordination. As was said by Mr. Ford, one of the captains of industry, in his opinion—and I only give it as an opinion—this whole matter, this whole congestion, this whole trouble, and the failure of the delivery of coal to freezing people is due to the selfishness of the managers of the great railroads. If that is true—and I am not charging it; I am giving you the evidence—if that is true, and if the President of the United States thinks that these men have been given a sufficient trial and that they have failed, and if the results show their utter inability to carry on the transportation of this country, then I suppose that the Senator would support here a reasonable proposition to have a firm governmental control over the railroads.

Mr. SMITH of Michigan. Now, let me say to the Senator that under the power which we have given to the President he has full authority to issue priority orders for the distribution of every car of coal upon every siding in the United States. He has the right to clear the tracks and deliver that coal wherever he desires and wherever the officer in charge of the coal administration may indicate. There is power enough to facilitate the prompt transportation of coal. If it is not being used I am quite surprised. I did not rise to charge that they were purposeless or to charge that they were misusing their power; what I rose to say was that the ordinary avenues of distribution have been dried up, and that that is one of the reasons why coal is upon the sidings of the railroads undischarged instead of in the bins of the consumers throughout the country.

If you have to wait until local officials have made up their minds what part of the city is suffering most before you can get a priority order of shipment, I want to tell you that you have seriously handicapped the appropriate distribution of that essential commodity.

Mr. PITTMAN. Mr. President, the Government of the United States intrusted the priority arrangement to these same captains of industry, this board of railroad managers——

Mr. SMITH of Michigan. The Senator from Nevada comes from a State in which the sun shines 12 months of the year. I suppose they rarely light a coal fire in Nevada during much of the year. In the glow of a borrowed knot they may gather around a fireplace and make themselves very comfortable. But I was giving voice to the indignation which I feel over the utter failure and breaking down of the system of distribution of coal in the Northwest and in the North, where it is so much needed.

Does the Senator require any other evidence from me than the statement I have made that our people are suffering? Does he require any further evidence than that given by the Senator from Ohio [Mr. POMERENE], who sits before him, that the sidetracks throughout Ohio are literally clogged with coal?

Mr. PITTMAN. Mr. President, the Senator does not require it, and the Senator from Nevada was glorying in the indignation of the Senator from Michigan.

Mr. SMITH of Michigan. Yes; but the Senator——

Mr. PITTMAN. Just a minute, please.

The PRESIDENT pro tempore. The Chair suggests that Senators, when interrupting, should address the Chair.

Mr. PITTMAN. I have been trying to give the Senator from Michigan all the time he needs to answer my question, but——

Mr. SMITH of Michigan. I am willing to give the Senator from Nevada all the time he desires.

Mr. PITTMAN. That is very courteous of the Senator.

Mr. SMITH of Michigan. But I wish he would, for a few moments, at least, leave out this "captains of industry" bugaboo that seems to be troubling his soul and grapple with this situation in true western earnestness.

Mr. PITTMAN. I will try to drop it, since it does not please the Senator from Michigan.

I say that I am really glorying in the indignation of the Senator from Michigan. I thoroughly sympathize with that indignation. I simply regret that that indignation did not go to the full extent. That is what I am getting at. I would have enjoyed it a whole lot more if, instead of abusing a wrong, the Senator had attempted to put his finger on the guilty cause of the wrong. He would have helped his people and my people, who do use coal, and every people throughout the United States had he devoted his indignation to some specific cause of the wrong or to some specific person who is guilty of that wrong.

Mr. WEEKS. Mr. President——

Mr. SMITH of Michigan. If the Senator does not care to yield further, of course I will desist.

The PRESIDENT pro tempore. Does the Senator from Nevada yield, and if so to whom?

Mr. PITTMAN. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. If the Senator from Nevada does not comprehend that I have driven specifically at the futility of all efforts at distribution, I can not make it any plainer. That is my grievance. I have no quarrel with the men who are working in the coal mines, because I see with my own eyes, as I go about the country, what the Senator from Ohio has seen in his own State—an abundance of coal. When I examine the records I find there is no shortage in production. Then wherein lies the trouble? I say to the Senator that it is in the method of distribution——

Mr. PITTMAN. I agree with the Senator.

Mr. SMITH of Michigan (continuing). Which is amateurish and unskilled, and wholly discreditable.

Mr. WEEKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Massachusetts?

Mr. PITTMAN. Just let me answer the Senator from Michigan and then I will yield in a second.

I am gratified, now that we have come down to the point, that the whole cause of the deplorable condition is defective transportation. As far as priority is concerned, I want to say that Mr. Lovett, the president of the Union Pacific Railroad Co., is the chairman of the Priorities Board, so constituted by this Government. He was made chairman of that board by reason of his supposed experience in railroad matters, by reason of his knowledge of the transportation of this country. He was allowed to pick his assistants in that matter. In other words, the advice of the managers of the great transportation companies of this country has been taken by the Government for the purpose of preventing the very congestion that is now causing all of this harm. The Government has permitted those men to act on their own advice and with a free hand, and those men have failed. They have failed utterly. There is but one hope, and that is for a disinterested Government to abate all this selfishness and all of this greed and these petty disputes between the managers of great railroad companies, and commandeer the services of those great men, as well as those railroads, and make them do what their judgment would dictate they should do if it were not for the greed and selfishness of human nature.

WOMAN SUFFRAGE.

Mr. WEEKS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his inquiry.

Mr. WEEKS. Has the business of the morning hour been completed?

The PRESIDENT pro tempore. Concurrent and other resolutions are in order.

Mr. WEEKS. Mr. President, I have here and send to the desk petitions containing the signatures of about 6,000 men and women of Massachusetts advocating the Federal suffrage amendment, which I place at the disposition of the Senate.

The PRESIDENT pro tempore. The petitions will lie on the table. If there are no further concurrent or other resolutions, morning business is closed.

QUARTERS FOR VOCATIONAL EDUCATION BOARD.

Mr. SMITH of Georgia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate joint resolution 110, Order of Business 162. It is the joint resolution providing for quarters for the Vocational Education Board.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution which was read, as follows:

Resolved, etc., That section 7 of the act entitled "An act to provide for the promotion of vocational education," etc., approved February 23, 1917, be, and the same is hereby, amended by adding at the end thereof the words, "including the rental of quarters in the District of Columbia from the date of the organization of said board until otherwise provided."

Mr. SMITH of Georgia. Mr. President, at the time I presented the favorable report of the Committee on Education and Labor upon this joint resolution, the suggestion was made that perhaps in the Maltby Building we could furnish quarters for the Vocational Board. I called upon Mr. Woods, the Superintendent of our Capitol Building and Grounds, for a report upon the subject, and I have in my hands his report, dated to-day, in which he shows that the Maltby Building is not now fit for use.

At the last session of Congress the Appropriations Committee of the Senate recommended, and we adopted, a provision providing money to put that building in condition for use, and also certain other buildings just below it. The provision was stricken out in conference. This letter from Mr. Woods shows that the Maltby Building is neither safe nor fit for occupancy at present. The pipes have been removed, the heating appliances and the mantels have been removed. To a certain extent it has been dismantled. I ask that Mr. Woods's letter be printed in the RECORD at the end of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SMITH of Georgia. Mr. President, I have here a statement from the board calling attention to what they have done. They have now 55 employees, and they occupy 3,700 square feet of quarters. They may be compelled to increase their employees to 75. They are paying 10 cents a square foot in their present quarters.

The Vocational Board has been called upon by the Secretary of War to aid in the organization of technical schools for employees of the Shipping Board, the Signal Corps, Aviation, Quartermaster, Engineering, and other corps of the Army; and the Secretary has asked this board to supervise and aid in the organization of the State schools for the training of drafted men who are to be specialists along these lines.

I am advised by the chairman of the board, Mr. Monroe, a very splendid man, a graduate of the Boston School of Technology, who has devoted a great deal of his life after the successful management of his own business to the practical education of young men and women, that if the Vocational Board are to do the work promptly, requested by the Secretary of War, it is essential that they increase to some extent their present quarters.

I ask that this memorandum, furnished by the board on this subject, be printed at the end of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SHAFROTH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. SMITH of Georgia. I do.

Mr. SHAFROTH. I should like to ask the Senator a question, and that is as to whether or not he has examined the Maltby Building? I have examined that building. It has not a crack in it. It is a good building. I have not any doubt but that it is in good condition. A recommendation was made by Mr. Woods that a sum be appropriated for the purpose of improving it and making the repairs that are necessary. That building is a five-story building, and I do not see why some of the departments can not utilize it.

Mr. SMITH of Georgia. Mr. President, I will come back to the Maltby Building in a few minutes. I began with it, and produced a letter from Mr. Woods as to its condition. The Senator was out of the Chamber.

Mr. SHAFROTH. I was out of the Chamber at that time.

Mr. SMITH of Georgia. I will come back to the Maltby Building as soon as I make a brief further statement from the information given me by the Vocational Board.

I have a list of their applications to the various departments for quarters, their efforts to obtain rooms somewhere, and a detailed statement from the board as to their being turned down everywhere.

I wish to call attention to the fact that it is not proposed that we give them any appropriation to obtain quarters. The vocational bill provides a fund of $200,000 annually, to be handled by the Federal Board for Vocational Education, to be available from and after the passage of the act, for the purpose of making or cooperating in making the studies, investigations, and reports provided for in section 6 of the act, and for the purpose of paying the salaries of the officers, the assistants, and such office and other expenses as the board may deem necessary for the execution and administration of the act. Now, this language is held not to be broad enough to authorize a rental of quarters in the District of Columbia. Every dollar that they spend for quarters they must pay out of this $200,000 appropriation, which is given to the board for the purpose of conducting studies and prosecuting the work of developing knowledge with reference to vocational education in different parts of the country.

Mr. TOWNSEND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Michigan?

Mr. SMITH of Georgia. I do; yes.

Mr. TOWNSEND. Will the Senator inform the Senate what the board has been doing for quarters up to date?

Mr. SMITH of Georgia. Yes; I have their report. I had just called attention to it a few minutes ago, and I will do so again. They have located in the Ouray Building, at 805 G Street, with a total at the present time of 55 employees and 3,700 square feet of quarters. I will say to the Senator that they first went into the Pension Building, and were in one room, and practically in a hall. Then they were asked to give that up, because it was needed, and they rented one floor in the Ouray Building, the members of the board assuming responsibility for the rent, I think.

Mr. TOWNSEND. Does the Senator's joint resolution provide for the payment of back expenses for rent?

Mr. SMITH of Georgia. The joint resolution provides for the payment of rent from the date of the organization of the board until otherwise provided. The salaries of the members of this board are not high. They are $5,000 each. The members of the board are serving without any regard to the salary, and

devoting to the work time that is worth to them individually much more than their salaries.

Now, coming to the Maltby Building——

Mr. WEEKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. SMITH of Georgia. I do.

Mr. WEEKS. Is not the whole question involved one of transferring or simply adjusting an appropriation which has already been made, which is sufficient for the purposes, so that these men may be relieved of their personal obligation and the Government may pay the rent for a governmental organization? That is all the question there is about it; is it not?

Mr. SMITH of Georgia. That is the sole question. Of course, before the Government pays it there are Senators who wish to know that it is necessary to pay it. It was so necessary that they could not get in anywhere. That is how necessary it was. I have handed to the Senate the detailed statement from this board, showing their application to every place that they thought was possibly available, and they were turned down repeatedly.

This appropriation of $200,000 has already been made. It is appropriated annually for the conduct of the work of the Vocational Board. The members of that board would be as zealous as any Senator in saving and in having the full use of that fund. They will never spend a dollar of it for quarters the moment they can get quarters belonging to the Government that do not require the expenditure. They need it all for the conduct of the splendid work they are doing, but they are obliged to have quarters or they can not conduct their work.

Mr. SHAFROTH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. SMITH of Georgia. I do.

Mr. SHAFROTH. I should like to suggest to the Senator that nobody wants to hold these people liable for any assumption of obligation that they may have made, and it is probably true that the Maltby Building is not at the present time in the condition that it ought to be for the occupation of any bureau. But I want to say to the Senator that the objection which has been made to the Maltby Building in most instances has been the fact that it is not a modern building. It has not got nickel-plated plumbing, tiled floors, and things of that kind. In an emergency like we have now I do not believe those are important matters.

I believe in passing the Senator's joint resolution; I believe these people should be relieved of any responsibility; but I think the best thing on earth you could do, not only in the interest of public economy but in the interest of large space for them, is to have them make a requisition for certain space in the Maltby Building. They could get a floor there with probably a dozen rooms; and inasmuch as there is no great demand for them, I have not any doubt that the space would be liberally granted.

The estimate was made, and there was included in the urgent deficiency appropriation bill an item appropriating sufficient money to fix up the Maltby Building, but on account of objection in the House by the chairman of the committee, Mr. FITZGERALD, it went out in conference. But I am satisfied that it ought to be passed, and that it will be passed. I believe nothing better could be done for the board itself, and I am friendly to the board, than to have them look at those quarters and see whether they would be satisfied to have space there, a large space. If so, I am satisfied the Committee on Appropriations would bring in an appropriation to put the building in proper shape.

Mr. SMITH of Georgia. I am sure that if the Maltby Building were put in a proper condition and the necessary space given to the Vocational Board, it would be entirely satisfactory. I voted for the provision in the appropriation bill that the Senator advocated, to put the building in shape. I have felt that it ought to have been put in shape and ought to have been used, and that it has been a waste of money, an inexcusable waste, for us not to put the building in shape for use. But the present condition of the Maltby Building is described by Mr. Woods in the letter which I have presented. He says:

> It never has been and is not now fitted for clerical occupancy on account of risk of fire. Since vacated by the House of Representatives, which occupied it briefly in 1908, it has been divested of about all of its interior fittings, such as mantels, radiators, plumbing, etc., these having been sold off after the Government acquired properties between the Capitol and the Union Station in connection with the Capitol grounds extension.
>
> The interior floors are out of line, weak in parts, and would require interior bracing to carry any other than the most ordinary loads.
>
> Its condition in 1904 was the subject of an official condemnation through a report made by the chief of the Washington fire department and the fire marshal and transmitted by this office to the Senate. (See S. Doc. 201, 58th Cong., 2d sess.) Conditions with respect to fire dangers are no better to-day than then.

Mr. SHAFROTH. I will state with relation to that matter that the chances of fire are infinitely less in that building than in the temporary structures that are being erected now by the Government. It is true that the building is not in a proper condition for occupancy. The suggestion I make is that the Senator attempt to get the board to ask for that particular building, and I am sure they will get a great deal more space. It is true that there was a report made here for the condemnation of the building, but we feel that that report was made in the interest of constructing the Senate Office Building. That being the case, you can readily see how the judgment as to whether the building was safe or not, it being dependent upon the Government's construction of a new building, might have a different tinge from what it would have been if the object in view had not been to construct a new and elegant building.

I wish to say that I see no indication of that building being weak. The walls are solid. The best indication on earth as to a building's safety is whether or not, where there is a straight wall without any windows, there is a crack in it. Both sides of the building have not a particle of give way in any respect. The interior may have to be repaired, and I believe that to be the case; I think it is not now in a condition where it could be occupied, but I feel that that building ought to be occupied by the Government, and that it is an outrage to destroy that building under the conditions those walls are in at the present time, they being good and sound.

Mr. SMITH of Georgia. I sympathize with everything the Senator from Colorado says, except that I do not want the Vocational Board kept out of quarters until the Maltby Building has been fixed. This is Mr. Wood's statement:

> The cost to repair and fireproof the Maltby Building at the present time and make it fit for clerical occupancy would approximate $135,000. To make temporary and nonfireproof repairs for clerical occupation only would cost at least $20,000. This latter suggestion I do not recommend, except in case the building is to be used exclusively for storage purposes. In connection with the use of this building the element of safety to human life is the one important thing, and I do not propose to make any recommendation for repairs to it which will place a large number of clerks within it unless such repairs be of a nature which will guarantee their safety.

Mr. STONE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Missouri?

Mr. SMITH of Georgia. I yield.

Mr. STONE. I thank the Senator. I am in sympathy with the desire of the Senator to have quarters for the important board of which he speaks, but I can not understand the contention which is being made that the Maltby Building is unfit for the occupancy of that board or any other governmental agency. I have been in the Senate for a good many years. When I first came here I was assigned to rooms in the Maltby Building. It was filled very largely with Senators then. Later on I was given, in the course of evolution, a little better quarters in the Maltby Building than I had at first. I heard Senators say then that the Maltby Building was unsafe. Some rumors were scattered around vaguely. The accommodations were adequate. The service was as complete there as it is in the Senate Office Building to-day—I mean in a comparative way. There was a large number of Senators who had offices in that building for years and years. I could mention the names of Senators who occupied offices in that building whose distinction is national and even more so.

Mr. SMITH of Georgia. The Senator did not hear me read that it has been practically dismantled.

Mr. STONE. Yes; I did. I was listening to the Senator, and he said it has been dismantled. I do not know exactly what is meant by being dismantled.

Mr. SMITH of Georgia. This is what Mr. Woods said:

> It has been divested of about all of its interior fittings, such as mantles, radiators, plumbing, etc.——

Mr. STONE. Who did that?

Mr. SMITH of Georgia. I am not responsible for it.

Mr. STONE. Of course not.

Mr. SMITH of Georgia. (Reading):

> these having been sold off after the Government acquired properties between the Capitol and the Union Station.

I think it was highly improper to dismantle the Maltby Building, but this is no reason for denying quarters to the Vocational Board.

Mr. STONE. It may have been an idle inquiry as to who did that and under what authority it was done. How long it is going to take to put a mantle in or something of that sort I do

not know, but if architects, men who are far more capable than I, would say the Maltby Building was unsafe it would stagger my belief. It is the old story I heard 20 years ago, when I came to the Senate and was assigned offices in the Maltby Building. I stayed there for several years, and I think it is a safe building. That is my opinion, and I say, with all due respect to my friend, with whom I am generally in sympathy in what he wishes, to go out now and spent a great sum of money annually to get rooms for this Vocational Board, an important body, I admit, at a rental of thousands of dollars when we have a building that we own right here, unless there is some commanding reason why that building should not be occupied in some way, my judgment is against what I would consider to be an unnecessary expenditure.

The Senator says that the gentlemen who compose this board are of such a high class, the moment they found that the Maltby Building or any other place was suitable and safe they would be very willing to vacate what they have and go there. But, Mr. President, you can not make leases for buildings or space on such a basis as that. Moreover, it would be one of those rare exceptions in the cost of executive administration that would be striking in the extreme to find that a board or a commission located happily and satisfactorily in the Government's interest would on the ground of economy abandon it and go somewhere else. If that happened it would be one of those rare circumstances that ought to challenge the unanimous admiration of the whole country.

Now, Mr. President, I must add, before I can vote to send this board to some other place than the building we own and have I must have some proof that this building is absolutely unfit and unsafe for the habitation of such a board.

Mr. OVERMAN. Mr. President——

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Does the Senator from Georgia yield to the Senator from North Carolina?

Mr. SMITH of Georgia. I yield.

Mr. OVERMAN. This morning I had occasion to visit the Agricultural Department, and I was surprised and astonished to see buildings put up in the last 60 days, the largest I ever saw. It seems to me that there is enough room there to house every employee in this Capital—War and Navy Departments and all. Has the Senator tried to get room there?

Mr. SMITH of Georgia. They are not finished.

Mr. OVERMAN. Yes; they are about finished. It is a magnificent stucco building. It looked to me like 10,000 people could be housed in it.

Mr. SMITH of Georgia. The parties who expect to have charge of that building are not in a position to offer quarters to the Vocational Board. It may be that some quarters could be obtained there later on.

Mr. OVERMAN. I have never seen such a large building since I was born. It covers acres and acres of ground. What they want to use the building for I do not know. I believe it would house an army division.

Mr. SMITH of Georgia. I am ready to meet the Maltby Building advocates with the suggestion that a committee of the Senate be appointed to look into the Maltby Building, and the very moment we can report that it is in proper shape and tender it to the Vocational Board I will join in voting to prevent them from paying any more rent anywhere. The very moment anybody will show the board a place where they can go I will offer a resolution and actively support a termination of the privilege to them of using a part of the fund they already have to get quarters. But the present situation is this: Nobody will give them quarters, and they have no quarters. Under those circumstances we ought to give them quarters. I state again, the moment anyone will offer quarters to them, if they do not accept them, I will vote to stop the use of their present appropriation for renting purposes. I will vote to terminate the privilege of using the money in that way. But to simply theorize about quarters and think they ought to have quarters and ought to have a place when they can not get a place is not just to them. Do not put it on the ground of the general criticism upon the waste of space in the city of Washington. Do not put our critical feeling of such conduct in the way of the Vocational Board having quarters.

APPENDIX A.

OFFICE OF SUPERINTENDENT,
UNITED STATES CAPITOL BUILDING AND GROUNDS,
Washington, D. C., December 13, 1917.

Hon. HOKE SMITH,
United States Senate.

SIR: Following our conference a few days ago, I desire to repeat substantially what I then said with reference to the Maltby Building.

It never has been and is not now fitted for clerical occupancy on account of risk of fire. Since vacated by the House of Representatives, which occupied it briefly in 1908, it has been divested of about all of its interior fittings such as mantels, radiators, plumbing, etc., these having been sold off after the Government acquired properties between the Capitol and the Union Station in connection with the Capitol Grounds extension.

The interior floors are out of line, weak in parts, and would require interior bracing to carry any other than the most ordinary loads.

Its condition in 1904 was the subject of an official condemnation through a report made by the chief of the Washington fire department and the fire marshal and transmitted by this office to the Senate. (See Senate Doc. 201, 58th Cong., 2d sess.) Conditions with respect to fire dangers are no better to-day than then.

You may remember that at a session of the Committee on Agriculture about three years ago, at which meeting you were present, I condemned the use of the Maltby Building for any clerical purpose whatsoever. A paragraph in the Agricultural appropriation bill followed granting such a right to the Department of Agriculture. That department never availed itself of that privilege.

During the closing hours of the last session of this Congress a proposition was brought forward to use this building in conjunction with other properties adjacent in connection with the present war activities and estimates were submitted to the Senate to make repairs. The proposition fell through.

The cost to repair and fireproof the Maltby Building at the present time and make it fit for clerical occupancy would approximate $135,000. To make temporary and nonfireproof repairs for clerical occupation only would cost at least $20,000. This latter suggestion I do not recommend except in case the building is to be used exclusively for storage purposes.

In connection with the use of this building the element of safety to human life is the one important thing and I do not propose to make any recommendation for repairs to it which will place a large number of clerks within it unless such repairs be of a nature which will guarantee their safety.

You must remember that the Maltby Building does not cover a large area of ground; that its approximately 40,000 square feet of floor space and its cubic contents are made up largely by reason of its consisting of a basement, five stories, and an attic, the latter being formed by a mansard roof. Its 81 rooms in the numbered plan are listed in the five actual stories above ground level. While the exterior walls are no doubt suitable for interior fireproof construction, the interior itself is made up almost entirely of wood, is of open construction, and of such nature that fire risk would be great. The fire marshal in his report pointed out in strong terms what would happen should a fire occur in the basement of the building as it stands at present.

In conclusion I will suggest that this building is wholly unsuited to the use as proposed by you in our conversation without an entire fireproof reconstruction, at a cost of at least $135,000.

Very respectfully,

ELLIOTT WOODS,
Superintendent United States Capitol Building and Grounds.

APPENDIX B.

DECEMBER 5, 1917.

Subject: Quarters of the Federal Board for Vocational Education.

This memorandum is made for the information of Senator HOKE SMITH, of Georgia, regarding the quarters of the Federal Board for Vocational Education.

The Federal Board for Vocational Education is located in the Ouray Building, 805 G Street. With a total at the present time of 55 employees, it is occupying 3,703 square feet. The need of employing new people temporarily in connection with war work makes it certain that this number will be about 75 on or about January 1, 1918.

For the space occupied a charge of 10 cents per square foot per month is made. This charge includes with the rooms heat, light, janitor service, and elevator service. The Federal Board for Vocational Education has no employees engaged in any work connected with the care or operation of the building.

The floor space is divided up into 14 rooms—10 on the fifth floor and 4 on the seventh floor, the hallway of the fifth floor being occupied by two messengers employed by the board for its work.

The quarters are so crowded that they seriously interfere with the work of the board, but the board has not felt it advisable to undertake the enlargement of its quarters until the question of rent has been settled through the joint resolution in the hands of Senator SMITH.

This difficulty has come at a most unfortunate time. It has seriously interfered with the work of qualifying the States under the Smith-Hughes Act which are eagerly seeking the approval of their plans and certification of their allotments before January 1, 1918. Perhaps more regrettable still, it has delayed very much the war work for the Shipping Board, and the Signal Corps, Aviation, Quartermaster, Engineering, and other corps of the Army which the Secretary of War has asked the board to do through the training of conscripted men for various occupations in schools and classes receiving Federal aid at the homes of these men before they go to camp.

An early settlement of the question will practically double the efficiency of the board in this great crisis.

APPENDIX C.

Memorandum on a joint resolution to amend an act entitled "An act to provide for the promotion of vocational education," etc., approved February 23, 1917.

The purpose of the joint resolution is to enable the Federal Board for Vocational Education to rent quarters for its work out of funds already in the hands of the board given by Congress under the Smith-Hughes Act. This resolution appropriates no money. It simply authorizes the board to use its funds to pay rent for quarters which the board must have to do its work.

The act creating the board and authorizing the expenditure of $200,000 annually for its work failed to specify rent in the District of Columbia as an item of expense. The resolution is necessary if the Federal Board is to have any place in which to do its work. The board has now a double responsibility—that of disbursing almost $2,000,000 for the fiscal year among the States for approved education in agriculture, trades, home economics, and industry, and that of fulfilling certain special war duties placed upon it by various departments of the Government. Thus far these consist in the making of studies and investigations regarding the training of conscripted men for Army occupations, of workers in shipyards, and of the vocational reeducation of disabled soldiers and sailors.

Owing to unavoidable circumstances, the board was not organized until four months after war was declared. As a result the effort to obtain quarters in various Government buildings had to be made at a time when probably every department was not only overworked but was itself seeking additional room and was commandeering every foot of available space.

Appended is a recital of some of the steps which the board has taken to secure room in buildings owned or rented by the Government. In view of these experiences it is obvious that adequate quarters in Government-owned property can not be secured.

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NOVEMBER 25, 1917.

Subject: Quarters for the Federal Board for Vocational Education.

This memorandum undertakes to state the situation with regard to quarters for the Federal Board for Vocational Education, created under an act of Congress approved February 23, 1917.

This work of the board was organized the middle of August. Through the courtesy of the Interior Department the board was given the use of one or two rooms in the Pension Building. An offer of further space was made, but the acceptance of this would have involved great overcrowding of the Bureau of Education, the placing of the stenographic force of that bureau and of the Federal board in wholly unsuitable quarters, and while the floor area might have been considerable, the number of rooms would have been far less than the board needs, and subdivision of the rooms would have been impossible.

On the 1st of September, finding itself entirely without a place to go, arrangements were made for temporary quarters in the Ouray Building, the rent for which must be met out of private resources, which the board has been advised is contrary to the provisions of the statute of May 1, 1884 (23 Stat., 17).

In the meantime an attempt was made to secure quarters in the Interior Building. Here six small rooms were promised, but the offer withdrawn when the board was on the point of moving to these quarters, although they were insufficient to accommodate more than one-third the force. In regular order since that time the board has made efforts to secure quarters in Government-owned or Government-rented buildings, as follows:

1. The quarters now occupied by the Provost Marshal General in the Land Office Building. He was unable to secure quarters elsewhere, so this plan failed.

2. Quarters in the building occupied by the Department of Labor. It was possible to secure about six small rooms here on different floors. Later only one was found available. In neither case was relief possible.

3. The unfinished laboratories in the building for the Bureau of Standards. It was found later these were needed at once by the Department of Commerce.

4. Quarters in certain rented buildings on Pennsylvania Avenue in proximity to the Willard Hotel. Here again certain Government departments had preempted the space.

6. Quarters in the German Embassy seized by the Federal Government. Here again only disappointment was encountered.

7. Quarters in the basement of the Senate Office Building. Here again the attempt failed because there was no space available.

8. Quarters in the new office building being erected on Sixth Street near Pennsylvania Avenue. All of the space in this building had been assigned for strictly military work in the War and Navy Departments, and, furthermore, will not be available for some months to come.

9. Quarters in the new buildings to be occupied by the Council of National Defense and the Food Administration. Here again the space is preempted and none available for the work of the Federal board.

10. Quarters in the Interstate Commerce Building. Not a single room is available.

11. Quarters in the new Department of Justice building. Not a single room is available.

12. Quarters on the seventh floor of the building occupied by the Department of Commerce, where only one room is available, and the yielding of which would put the Department of Commerce to great inconvenience without meeting the needs of the Federal board.

13. Quarters in the building occupied by the Federal Trade Commission, where it was found the commission was attempting to rent outside quarters with little success.

14. Quarters in the buildings of the Department of Agriculture. Here again it was found that department needs 70,000 square feet of additional space.

15. The Graham Building, corper of Fourteenth and E Streets, was offered by the Treasury Department, and the board undertook to expend the $8,000 or $10,000 necessary to make that place available, but the demands of the War Industries Board impelled the withdawal of this offer.

Mr. PAGE. Mr. President, it seems to me that the discussion of the Maltby Building as it appertains to the resolution of the Senator from Georgia is altogether out of place at this time, because it is confessed that the radiators have been taken out of that building and it is confessed that the plumbing has been taken out. It is absolutely impossible at this time, or at least impracticable, for that building to be used by the Vocational Educational Board. Congress regulates what shall be done with the Maltby Building. The Senate has approved of an appropriation to put it in a condition to be used, but we have been met at the other end of the Capitol with a refusal to ratify the Senate's action. The result is the Maltby Building can not be used, and we are calling upon the commissioners appointed to conduct this great educational work to provide, out of their own pockets, quarters for the commission's occupancy. I think it is very unjust to them. All we can properly say is, as it seems to me, that until the Maltby Building or some other suitable building has been put in order for their occupancy we ought to provide the necessary quarters. I happen to know Mr. Munroe, the vice chairman, because in my long struggle with vocational education legislation I was often in communication with him. He is a man of great patriotism and liberality.

Mr. SMITH of Georgia. And really the acting chairman of the board.

Mr. PAGE. Really the acting chairman. It is true he is a man of wealth. He can and will pay the rent if we ask it, but I think it is a shame for us to ask any man who is practically giving his time, as Mr. Munroe is, to assume the burden of the rental of rooms for this very important commission. The small sum that he receives for the time that he is giving to this work is of no account whatever to him. He is working here because to him it is a labor of love. He has worked for the cause of vocational education for many years, and has come here now not because of salary, for that was not the slightest temptation, but because he felt the great duty and burden resting upon his shoulders.

Another member of that commission is Charles A. Greathouse, of Indiana, one of the leading and most progressive farmers of Indiana. He comes here representing the agricultural interests in this board. What he gets as salary for his connection with the board is as nothing.

It seems to me that when we refuse to give these men quarters anywhere, and especially when we suggest the Maltby Building, which is confessedly without plumbing and without radiators and absolutely unfit for use, we are guilty of great wrong.

I want to vigorously emphasize what the Senator from Georgia has said about this wrong. Even though it may be for only a month or two that they use the rooms they are now occupying, until we furnish them some other rooms that are habitable, it seems to me we ought to pay the rent.

The rental they are now paying is, I understand, conceded to be reasonable. I think they have done the best they could to practice reasonable economy.

I wish to say a word concerning Dr. Prosser, the executive member of the board. He was connected with a large educational institution in Minnesota, and my understanding is, although I do not speak from authority, that his salary there was some ten or twelve thousand dollars. No man has taken a more active interest in vocational education than the doctor. His great interest in that work has prompted him to secure a release from his engagement in Minnesota and he is to-day working here for a good many thousand dollars a year less than he was receiving in Minnesota.

This whole board is acting largely from patriotic motives. They are giving largely of their time, and shall we go still further and ask them to pay out of their own pockets the rental of the rooms which they have to occupy? All of the debate that has taken place this morning with reference to this resolution has been with regard to the Maltby Building. Nobody says that the Maltby Building should not be used if put in proper order for the work; but it is not put in order. The House of Representatives has refused to make an appropriation to do it; and until it is put in order, it seems to me, we ought not to discuss the Maltby Building in connection with this resolution.

Mr. SMOOT. Mr. President, the Senator from Georgia knows that I have been deeply interested in vocational education and in the personnel of the board. What I shall say, therefore, will not be by way of criticism of the board nor of the work they are accomplishing.

Mr. President, I rise for the purpose of having it understood that hereafter boards and commissions can not override the customs and rules of the House of Representatives and of the Senate and come to committees other than the respective Committees on Appropriations. This question was presented to the House of Representatives during the closing days of the last session. The House refused to make the appropriation at that time, as I understand, because of insufficient information.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Georgia?

Mr. SMOOT. Yes.

Mr. SMITH of Georgia. The Senate Committee on Appropriations authorized the appropriation, and the Senate approved it.

Mr. SMOOT. I am coming to that.

Mr. SMITH of Georgia. But we did not have time to present the matter.

Mr. SMOOT. I know the history of that very well, indeed.

This question, Mr. President, was presented to the Appropriations Committee of the Senate, and the urgent deficiency appropriation bill included the amendment suggested by the Senator from Georgia, providing for rent for the quarters of this board. I think it would have been much better if the board had asked Congress to have made the appropriation in the regular way, rather than to have come to the Committee on Education and Labor and ask them to provide for an appropriation for rent, which is wholly within the jurisdiction of the Appropriations Committees of the two Houses. I say this because I do not want other boards and other commissions, of which we now have so many, to think that if they are turned down in any request for an appropriation by the Appropriation Committee of

either House of Congress they can go to some other committee and have their request granted and become a law.

I am in favor of appropriating the money to pay this rent. Certainly it became absolutely necessary for this board to have the quarters which they have rented; there is no question about that; but it has been running now for a good many months. There will be a deficiency appropriation bill passed by Congress in a very little while, shortly after the Christmas holidays. I thought that the other House, if this question had been presented to it in the light which I think it can be presented, would have included the appropriation in that bill. Then there would be nothing irregular about it, and it would have gone through, as it should have done and as I think, at the last session of Congress.

Mr. PAGE. May I interrogate the Senator from Utah before he sits down?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Vermont?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. PAGE. Is it not perfectly evident to the Senator that when we passed this appropriation we supposed that it included and might be used in part for the rent of offices?

Mr. SMOOT. That makes no difference as to the position which I take, Mr. President. If the law did not include it, there is only one way of getting it, and that is through the regular committees of Congress.

Mr. PAGE. But the commission gathered here supposing that they had authority to pay out a part of that appropriation for the rent of rooms, they hired their clerks, they made all preparations to go ahead, but the whole work would have had to stop had not some liberal gentleman of the board said, "Go ahead, and I will pay the rent." It was a very generous act, and I think we ought to embrace the very first opportunity to show that we appreciate it.

Mr. SMOOT. Mr. President, to tell the truth about the whole thing, it was never intended that there should be any renting outside for the board. The board expected that they would be located in quarters which were then under Government control and owned by the Government, but the situation arose through the war conditions that the space which the Government had at the time this board was organized had been required for other purposes. Therefore what the Senator from Vermont says has nothing whatever to do with the situation as it exists to-day.

I am not criticizing the appropriation of the money to pay for this rent, for I think that it ought to be paid by the Government if there are not quarters owned by the Government which they could occupy.

Well, Mr. President, the board was not required to rent these rooms in the beginning; it occupied space in the Pension Bureau for some time; but when the growth of the bureau had reached such a position that it needed that space, of course the board was asked to hunt other quarters, and undertook to hunt other quarters. However, the board found none which were owned by the Government that were satisfactory. Therefore they rented the rooms which they now occupy. I do not believe that there was one member of the board who did not think, when the time came, that Congress would pay the rent that they assumed in the beginning; and I do not believe that there will be a Congress of the United States that ever will refuse to pay it; but what I want to impress upon the Senate is that I do not want all the other boards and commissions which have been organized by Congress to think that they can go outside of the regular Appropriation Committees of the two Houses and get the money to pay all of the obligations that they may assume, thinking that Congress is going to appropriate the money for that purpose.

Mr. SMITH of Georgia. Will the Senator from Utah allow me to ask him a question?

Mr. SMOOT. Certainly.

Mr. SMITH of Georgia. Does the Senator not think, as the original bill was the work of the Committee on Education and Labor and carried the appropriation, and as this is simply an amendment broadening the use of that appropriation, that it could properly have gone to the Committee on Education and Labor, rather than to the Appropriations Committee?

Mr. SMOOT. I do not think so, Mr. President, and I will say to the Senator——

Mr. SMITH of Georgia. I want to say to the Senator from Utah that if it had carried a new appropriation, I should have at once suggested that it go to the Appropriations Committee.

Mr. SMOOT. I was merely going to say to the Senator that if it carried a new appropriation I would stand here for hours and defeat it, if possible.

Mr. SMITH of Georgia. In that case I never should have suggested that it go to the Committee on Education and Labor; but, as it was simply an amendment adding a few lines to our original bill, broadening the authority for the use of the fund, the reference to the Committee on Education and Labor was proper.

Mr. SMOOT. That is the only excuse that could be offered for its passage here at this time.

I do not want to take further the time of the Senate, except to state that I certainly shall ask the Senator to accept an amendment to the joint resolution, which I will offer now. I move to strike out, in line 9 of the joint resolution, the words "organization of said board" and insert "rental of the rooms at present occupied," and then, after the word "until," strike out the words "otherwise provided" and insert "February 1, 1918."

Mr. SMITH of Georgia. I can not accept that amendment; it does not take care of the situation; it would be right on us again, for they will not be provided with quarters by that time. If the Senate does not want to give them quarters, the Senate can refuse to do so; but I can not accept the amendment.

Mr. SMOOT. The Senator is wrong in his statement that Congress can not provide for the matter by that time. Before the 1st day of February we shall have an urgent deficiency bill before us, and then the board can obtain the necessary appropriations through the Appropriations Committees of the two Houses.

Mr. SMITH of Georgia. I do not think that is the proper place to make the provision.

Mr. SMOOT. The Senator thought it was at the last session of Congress when he offered an amendment to the bill reported by the Appropriations Committee.

Mr. SMITH of Georgia. Because that was the only way to do it. I think the amendment was subject to a point of order when offered in the Senate, and I would not have tried it except under a request for unanimous consent. This is an amendment to a general law, and it can not properly be put on an appropriation bill. It is not an appropriation; every dollar of the appropriation is carried in the vocational education bill. This is an amendment to that statute, and I think it ought to be made in this form.

Mr. SMOOT. Mr. President, as I understood the Senator here the other day, he thought that there ought to be a limitation.

Mr. SMITH of Georgia. I would be willing to accept an amendment reading "until quarters owned by the Government may be furnished to them." Just as soon as that can be done I want them to stop renting, but I do not want the limit made February. I do not want this whole fight to be gone over again. I think we ought to provide the board with quarters until they can secure quarters in a public building.

Mr. SMOOT. Mr. President, I do not want a standing appropriation made for any board created by Congress and authorization granted that any part of it, or all of it, may be used for the payment of rent. That is unwise legislation and ought never to be adopted. The question here is to provide rooms for the Vocational Education Board. Why should that board be treated differently from any other board or any other commission? Why should they not come to Congress every year, the same as every other board and every other commission has to come to Congress, and ask for appropriations for rent? Rents change; sometimes they increase and sometimes they decrease. The board may grow, and then they will require an additional amount for rent. Under this resolution as it is now offered there is no limit to the amount of the $200,000 appropriation that might be paid for rent. They could rent a palace in the District of Columbia, if they wanted to do so, and use all the appropriation for that purpose.

I know that Congress does not want any such thing done.

If the Senator thinks that an appropriation for rent for the board can not be provided by the 1st of February, by what date does he think it can be provided? I will say to the Senator now that I am perfectly willing to appropriate money for the rent of rooms for the board, but I want the board, before an appropriation is made by the Appropriations Committees of the House and of the Senate, to show that they can not get rooms anywhere else, and to show that the rooms that they have asked for and the amount asked for for the payment of rent are absolutely necessary for properly carrying on the business of the board.

Mr. SMITH of Georgia. Does the Senator mean that he intends to suggest an appropriation of money in addition to the appropriation now carried for the board?

Mr. SMOOT. Certainly; I am perfectly willing to do that, because, I want to say to the Senator, the $200,000 appropriation, when made, was made for the purpose of paying the expenses of the board for the work of the board, and to be spent outside of the District of Columbia as well as in it.

Mr. SMITH of Georgia. I will suggest this amendment, "from the date of the organization of said board until 12 months thereafter," or "for the term of 12 months."

Mr. SMOOT. Well, why should we use the words "from the date of the organization of said board" when we know that the board did not rent the rooms at the date of its organization? The board at that time occupied space in the Pension Bureau. All I want to do is to pay every dollar of rent that they have assumed. If my amendment is adopted, this is the way the resolution will read—I should like to have the Senator follow it so that he may notice the change:

Including the rental of quarters in the District of Columbia from the date of the rental of the rooms at present occupied until February 1, 1918.

If the Senator does not think that February 1 is long enough to enable us to get a deficiency bill passed, make it March 1, make it April 1, but let us have some date when we will know that it is going to cease.

Mr. SMITH of Georgia. Say "until July 1, 1918."

Mr. SMOOT. "June 30, 1918"; I am perfectly willing to accept that; that is the end of the fiscal year.

Mr. SMITH of Georgia. "June 30, 1918"; I am willing to accept that amendment.

Mr. SMOOT. I am perfectly willing, then, with that amendment that the joint resolution shall pass.

The PRESIDENT pro tempore. The question before the Senate is on the adoption of the amendment of the Senator from Utah. Does the Senator from Utah withdraw the amendment which he has offered?

Mr. SMOOT. I offer the amendment I am about to suggest as a modification.

The PRESIDENT pro tempore. The Chair understands the Senator withdraws the amendment first offered by him and in lieu thereof offers another.

Mr. SMOOT. Yes; in lieu thereof I offer the following amendment——

Mr. SMITH of Georgia. I am willing to accept an amendment making it read "until June 30, 1918."

Mr. SMOOT. That will be the modified amendment that I will offer. In line 9 I move to strike out the words "organization of said board"——

Mr. SMITH of Georgia. I am not willing to accept that.

Mr. SMOOT. I do not think the Senator wants that in the resolution; the Senator does not want to pay for quarters whilst the board occupied rooms in the Pension Building.

Mr. SMITH of Georgia. Oh, nothing will be paid for rent beyond the time when rooms were rented. I simply take that date because shortly afterwards they did rent quarters.

Mr. SMOOT. My amendment is "from the date of the rental of the rooms at present occupied."

Mr. SMITH of Georgia. Well, I am willing to say "from the date of the rental of the rooms at present occupied until July 1." I am not willing to limit them simply to those rooms, because, if the pressure comes upon them from the War Department to furnish this additional work, they may be obliged to have some additional space.

Mr. PAGE. Let me call attention, if I may, Mr. President, to the fact that the rooms at present occupied, I think, are larger than the rooms at first rented, and it seems to me that a close construction of the language proposed would shut them out from payment for the rooms which they at first leased.

Mr. SMOOT. Not at all; it covers the matter completely.

Mr. PAGE. You say "rooms at present occupied."

Mr. SMOOT. That not only takes in what they first rented, but it takes in all of the increased rooms up to the present time. I am perfectly willing to accept the amendment suggested by the Senator from Georgia, because that limits rather than extends the amounts that will be required. Let me read it to the Senator again, and I ask him to follow it closely:

Including the rental of quarters in the District of Columbia from the date of the rental of the rooms at present occupied.

Or, in other words, if they only had 6 rooms at first, they could pay for the 6 rooms; if they have 12 rooms at present, they could pay the rent for the 12 rooms, or whatever they have.

Mr. SMITH of Georgia. I do not object to that language—"from the date of the rental of the rooms at present occupied."

Mr. SMOOT (reading)—

From the date of the rental of the rooms at present occupied until June 30, 1918.

Mr. SMITH of Georgia. I do not object to that. I accept the amendments.

The PRESIDENT pro tempore. The joint resolution, as proposed to be amended, will be reported.

The Secretary proceeded to read the joint resolution.

Mr. SMITH of Georgia. Mr. President, I am just advised by the Senator from Vermont that the board rented some smaller quarters before they rented the present rooms, and they then gave up those quarters and moved into the present rooms.

Mr. PAGE. Mr. President, I did not quite convey my understanding to the Senator. They leased certain rooms. They found that they were insufficient, and then they leased other rooms, adding to them. Now, it seems to me that if we limit the authorization to the rooms at present occupied, and those were leased the 1st day of November, for instance, while they had smaller quarters from the 1st day of July, we might shut out the rental of rooms from July until November.

Mr. SMITH of Georgia. Let me suggest this to the Senator: When you say "from the date of the organization of the board," you would only pay for rent they became liable for subsequent to that time. You could not possibly put a rental on the Government that was not actually incurred by the board; and there should be no objection to that language. It will not add a dollar of liability to the Government. If you say, "from the organization of the board," of course while they were in the Pension Office you would not be subject to the payment of rent. You just give a date so as to cover whatever they did become liable for before the passage of the joint resolution. I do not think there is any objection to that.

Mr. SMOOT. There would be if I had not absolute confidence in the honor of the board; but having absolute confidence in the honor of the board and that it would not be construed in a way in which I can see that it could be construed, I am perfectly willing, in order that the joint resolution may pass, to offer the amendment "until June 30, 1918."

Mr. SMITH of Georgia. I accept that amendment.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to. The Secretary will read the joint resolution as amended.

The Secretary read the joint resolution, as follows:

Resolved, etc., That section 7 of the act entitled "An act to provide for the promotion of vocational education," etc., approved February 23, 1917, be, and the same is hereby, amended by adding at the end thereof the words "including the rental of quarters in the District of Columbia from the date of the organization of said board until June 30, 1918."

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

DEVELOPMENT OF WATER POWER.

Mr. SHIELDS. Mr. President, I move that the Senate proceed to the consideration of the unfinished business.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to regulate the construction of dams across navigable waters," approved June 23, 1910, be, and the same is hereby, amended to read as follows:

"SECTION 1. That the United States hereby authorizes any of the persons as hereinafter defined, after obtaining the permit of the Secretary of War as herein provided, to construct, maintain, and operate a dam or dams, diversion structures, reservoirs, and accessory works, in or along any of the navigable waters of the United States for the development, improvement, or preservation of navigation for the purposes of interstate and foreign commerce, and the development and utilization of water, water power natural or created by the improvement, and for other purposes; and such grantee and such permit shall at all times be subject to the provisions of this act and also subject to such conditions as the Secretary of War shall, in accordance with the provisions of this act, make a part of such permit; that the word 'persons,' as used in this act, shall be construed to mean both the singular and plural, as the case demands, and shall be construed to mean individuals, political subdivisions of States, municipal corporations, corporations, companies, and associations; and the term 'grantee' herein shall mean any such persons to whom shall be granted a permit as herein provided: *Provided*, That when the power to be developed by the project and improvement of the stream for navigation is used or to be used for a public utility purpose or purposes the grantee must be a municipal corporation, or a political subdivision, or other agencies of a State, or a public-service agent of a State, or a public-utility corporation created and organized under the laws of a State or the United States, authorized to engage in the business of furnishing water, heat, or electric energy for public or private use, and whose rates and charges and service shall be subject to regulation by the laws of the State or a duly constituted commission or other agency of said State; but in any case where the State has not made provision for authorizing municipal corporations, political subdivisions, or other agencies of the State or public utility corporations or agencies to engage in said business, the qualifications of the grantee prescribed in this proviso shall not apply; and no transfer of any such permit or of the rights thereunder granted, except by tax sales or trust deed or mortgage issued for the bona fide purpose of financing the business of such grantee, shall be made to any transferee

not having the qualifications herein specified for a grantee hereunder, and any successor or assign of the rights of any such grantee, whether by voluntary transfer, judicial sale, or foreclosure sale or otherwise, shall be subject to all the conditions of the permit under which such rights are held by such grantee and also subject to all the provisions and conditions of this act to the same extent as though such successor or assign were the grantee hereunder.

"SEC. 2. That the Secretary of War may grant a permit or permits for such dam or dams and accessory works upon the following conditions:

"First. The plans and specifications for such dam and all accessory works, together with such drawings of the proposed construction and such maps of the proposed location as may be required for a full understanding of the subject, shall be submitted to the Secretary of War and the Chief of Engineers, and when approved shall be made a part of such permit; and thereafter no change in such plans or specifications shall be made except as such change shall be approved and made a part of such permit by the Secretary of War and the Chief of Engineers.

"Second. The project adopted, including the plans, specifications, and location for any dam and accessory work, shall be such as in the judgment of the Secretary of War shall be best adapted to a comprehensive plan for the improvement of the waterway in question for the uses of navigation in foreign and interstate commerce and for the full development and utilization of its waters and water power and best adapted to conserve and utilize the water resources of the region in the interests of navigation and other beneficial purposes and the public welfare.

"Third. As part of the conditions of such permit the Secretary of War may, in so far as he deems the same reasonably necessary to promote the present and future interests of navigation and consistent with a reasonable investment cost to such grantee, include any or all of the following provisions or requirements: (a) That such grantee shall, to the extent necessary to preserve and improve navigation facilities at least equivalent to those existing prior to the construction of such dam, construct, in whole or in part, without expense to the United States, in connection with any such dam a lock or locks, booms, sluices, or other structures for navigation purposes, in accordance with plans, specifications, and conditions approved by the Secretary of War and made a part of such permit, and shall furnish free of cost power for the operation of the same; (b) that in case such navigation facilities shall not be made a part of such original construction at the expense of the grantee, then, whenever the United States shall deem such navigation facilities necessary the grantee shall convey to the United States free of cost such of its land and its right of way and such right of passage through its dams or other structures, and permit such control of pools as may be required for the construction and use of such navigation facilities, and shall furnish free of cost power for the operation of the same; (c) that such grantee shall reimburse the United States for the cost of any investigation necessary for the approval of the plans as herein provided and for such supervision of construction as may be necessary in the interest of the United States; (d) that such grantee shall pay to the United States reasonable charges in consideration of the benefits accruing to and used by such grantee through the construction, operation, and maintenance by the United States of headwater improvements, including storage reservoirs, on any such waterway, such charges to be fixed from time to time by the Secretary of War and to be based upon a reasonable compensation proportionate to the benefit actually received by the grantee by reason of any increase of flow past or over the water-power structures artificially caused by such headwater improvement, and all moneys received from such charges are hereby reserved and appropriated as a special fund in the Treasury to be known as 'the headwater improvement fund,' from which fund expenditures for headwater improvements and maintenance may be made by and in the discretion of the Secretary of War; (e) that such grantee in the construction, maintenance, and operation of such dam or diversion structure and accessory works may, with the authority of the Secretary of War, occupy and use, to the extent necessary for the project, any lands of the United States, including the public lands; and any part of the public lands may, on certification by the Secretary of War that the same is required for navigation purposes, be withdrawn by the President for said purpose as provided in the act entitled 'An act to authorize the President of the United States to make withdrawal of public lands in certain cases, approved June 25, 1910'; and for any land of the United States so used and occupied the grantee shall pay to the United States such reasonable charges based upon its value as may be fixed by the Secretary of War; and in ascertaining the value of the land the Secretary of War shall be governed by the rules of the law in force in the State or Territory in which it is situated, applicable to proceedings wherein private property is sought to be taken for a public use.

"In fixing such conditions, or any of them, the Secretary of War shall also take into consideration the probable cost to such grantee of construction and maintenance and operation and the probable consumers' rate required to produce a reasonable return upon the investment required of such grantee. As between contesting applicants for a permit hereunder having the legal qualifications required by this act, and being equally well qualified to comply with the conditions imposed herein, preference shall be given to that applicant which has first acquired the right to divert the water of the stream by means of the dam to erect which the permit is sought and otherwise complied with the laws of the State or States in which the dam or diversion structure is to be constructed; or if there are no State laws to be complied with the preference shall be given to the first applicant. In granting permits hereunder and fixing conditions thereof, and in prescribing rules and regulations as to the maintenance and operation of any structure to which this act is applicable, the Secretary of War, before acting, shall have the report and advice of the Chief of Engineers: *Provided, however,* That before the permit shall be granted under this act, the permittee must first obtain, in such manner as may be required by the laws of the States, the consent of the State or States in which the dam or other structure for the development of the water power is proposed to be constructed.

"SEC. 3. That the control of the level of the pools above and below such dam, and of the currents developed therein, and of the flow of the water over and past such dam, and the operation of navigation facilities which shall be constructed as a part of or in connection with any such dam, whether at the expense of such grantee or of the United States, shall at all times be subject to such rules and regulations as shall be deemed by the Secretary of War to be reasonable and necessary in the interests of navigation. Such rules and regulations may include the maintenance and operation by such grantee, at its own expense, of such lights and other signals as may be directed by the Secretary of War and such other lights and signals and such fishways as may be prescribed by the Secretary of Commerce, and for failure to comply with any such rule or regulation such grantee shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 8 of this act.

"SEC. 4. That the grantee of the permit shall be liable for all damages occasioned to the property of others by the construction, maintenance, or operation of the dam, reservoir, or of the works appurtenant or accessory thereto, constructed under the permit, and in no event shall the United States be liable therefor. When the grantee is a municipal corporation, or a political subdivision of a State, or a public service agent of a State, or a public utility or service corporation, and can not acquire by contract or purchase the right to use or damage the lands or property of others necessary to the construction, maintenance, or operation of any dam, reservoir, diversion structure, or the works appurtenant or accessory thereto, it may acquire the same by the exercise of the right of eminent domain in the district court for the United States in which such land or property may be located or in the State courts. The practice and procedure in any action or proceeding for that purpose in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar actions or proceeding in the courts of the State where the property is situated.

"SEC. 5. The permit granted under the provisions of this act shall be for the term of 50 years from the date of the permit, subject to be revoked for cause as provided in section 8 of this act: *Provided,* That after the expiration of said term of 50 years the grantee may continue the maintenance, occupation, and operation of the dam or dams, reservoir, and accessory works and appurtenant property, under the terms and restrictions of the permit and this act, unless revoked for cause as provided in section 8 of this act, until the property is acquired, taken over, and compensation made to such grantee therefor by the United States or a new grantee, or a new permit is granted to it, as provided in section 6 of this act.

"SEC. 6. That at any time after the expiration of said 50 years the United States may terminate the rights hereunder granted upon the giving to the grantee, either before or after the lapse of the period of the permit, of two years' notice in writing of such termination, and upon the taking over by the United States of all the property of the grantee which constitutes part of the plant of the grantee and dependent in whole or in part upon it for its usefulness and acquired, necessary, appurtenant, valuable or serviceable in the distribution of water, or in the generation, transmission, and distribution of power, and upon paying to the grantee just compensation for said property, together with the cost to the grantee of the lock or locks, or other aids to navigation, and all other capital expenditures, required by the United States, and assuming all contracts entered into by the grantee which have the approval of the duly constituted public authority having jurisdiction thereof, or which were entered into in good faith and at a reasonable rate, in view of all the circumstances existing at the time such contracts were made. The value of said property and the reasonableness and good faith of said contracts shall be determined by agreement between the Secretary of War and the grantee, and in the event of their failure to reach unanimous agreement, then by proceedings in equity instituted by the United States in the district court of the United States in the district within which any portion of such dam may be located. In the determination of the value of said property for any purpose as between such grantee and the United States or any State no value shall be claimed by or allowed to the grantee for the rights hereunder granted or for good will or anticipated profits. When the permit expires by the limitation of 50 years, or is otherwise terminated under the provisions of this act, the United States may acquire, take over, and occupy all the property of grantee herein described, upon the terms herein provided, to be used, operated, or disposed of as may be authorized by the acts of Congress then in force; or the Secretary of War may grant a new permit to the original permittee, or its successors, upon the terms and conditions and with the restrictions provided in this act and authorized and required by subsequent acts of Congress; or the Secretary of War may grant a permit to another person or persons defined in sections 1 and 10 of this act upon the conditions and terms and subject to the restrictions and preferences herein provided, and as may be required or authorized by then existing laws of the United States, who may acquire and take over and operate the property of the original permittee or its successors upon the payment of the reasonable value of the property and the assumption of contracts in all things as the United States is authorized and required to do. The district court of the United States wherein the property is situated is hereby vested with jurisdiction to enforce the provisions of this section by appropriate proceedings in equity.

"SEC. 7. That all charges, rates, and service by any grantee hereunder shall be subject to regulation in accordance with the laws of the State within which the service is rendered: *Provided,* That where the said power or any part of it shall enter into interstate or foreign commerce, the rates, charges, and services made and rendered by the grantee or by any subsidiary corporation any of whose stock is owned or controlled directly or indirectly by such grantee, or by any person, corporation, or association purchasing power from such grantee for sale or distribution, shall be reasonable, nondiscriminatory, and adequate to the public and to the ultimate consumer; and whenever the States directly concerned are unable to agree, through the properly constituted authorities thereof, on either rates, charges, or services, jurisdiction is hereby conferred upon and vested in the Interstate Commerce Commission to enforce this provision concerning the power that enters into interstate commerce, upon the complaint of any person aggrieved or upon its own initiative, in the manner and according to the procedure and practice of that commission in fixing and regulating the rates and charges of railway companies, the grantee to have the same rights of hearing, defense, and review as said companies in such cases: *And provided further,* That in the valuation for rate-making purposes of the property of any such grantee there shall be included the cost to such grantee of the construction of the lock or locks, or other aids to navigation, and all other capital expenditures required by the United States, but no value shall be claimed or allowed for the rights hereby granted: *And provided further,* That nothing in this act shall be construed to interfere with the sovereign powers of the several States of the United States over the navigable waters within their respective boundaries and the property rights they hold therein in trust for their people, or their right to control those streams, including that to grant permits for the use of the waters and water power thereof, and to require the payment to the States of such charges and royalties for such use as may be authorized by the constitutions and laws of the respective States, subject, however, in all cases to the paramount power of Congress to regulate foreign and interstate commerce and navigation upon all the navigable waters of the United States; and the plant and its appurtenances of the grantee, including real, personal, and mixed property, constituting the same and used for the generation and distribution of power, or for other purposes, and the power generated therein shall be subject to taxation under the laws of the State where situated

as other similar property within the State. The Secretary of War shall have the right to provide rules and regulations for uniform accounting, to examine all books and accounts of grantees under the terms of this act, to require them to submit statements, representations or reports, annual or special, including full information as to assets and liabilities, capitalization, cost of project, cost of operation, the production, use, transmission and sale of power. All such statements, representations, and reports shall be upon oath unless otherwise specified, and in such form and on such blanks as the Secretaries may require, and any person making any false entry, statement, representation, or report under oath shall be subject to punishment as for perjury.

"SEC. 8. That any grantee who shall fail or refuse to comply with any of the provisions of this act or any of the conditions made a part of any permit issued hereunder or any regulation or lawful order of the Secretary of War, made in accordance with the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding $1,000, in addition to other penalties herein prescribed or provided by law and in such proceedings each party shall have the right of appeal as in other cases; and every month such grantee shall remain in default after written notice from the Secretary of War shall be deemed a new offense and subject such grantee to additional penalties therefor; and in addition to said penalties the Attorney General may, on request of the Secretary of War, institute proper proceedings in equity in the district court of the United States in the district in which such structure or any of its accessory works are, in whole or in part, situated, for the purpose of having such violation stopped by injunction, mandamus, or other process; and any such district court shall have jurisdiction over all such proceedings and shall have the power to make and enforce all writs, orders, and decrees necessary to compel the compliance with the lawful orders and regulations of the Secretary of War and the performance of any condition imposed under the provisions of this act; and if the unlawful maintenance and operation continues after final judgment in either civil or criminal proceedings provided for in this section, and is deemed by the court to be such as shall require, in the public interest, a decree revoking all rights and privileges held under authority of this act, the court may decree such revocation, and in case of such a decree the court may wind up the business of such grantee conducted under the rights in question and may decree the sale of the dam or diversion structure and all appurtenant property constructed or acquired under authority of this act, and all of the property of the grantee dependent in whole or in part for its usefulness upon the rights hereunder granted or such part thereof as the court may direct, and distribute the proceeds to the parties entitled to the same, and may make and enforce such other and further orders and decrees as equity and justice may require, and the United States may purchase at said sale, but in case of such purchase the United States shall not be required to pay for any value attaching to such plant or structures by reason of any franchise or permit acquired under this act; and in case of such sale the vendee shall take the rights and privileges and shall perform the duties which belonged to the grantee, and shall assume all outstanding obligations and liabilities of the grantee which the court may deem equitable in the premises; and the court shall have power, by the appointment of a receiver or otherwise, to exercise all jurisdiction necessary for the protection and administration or disposition of the property and for the equitable execution of this act.

"SEC. 9. That the grantee shall commence the construction of the dam and accessory works within two years from the date of the permit herein provided, and shall thereafter, in good faith and with due diligence, prosecute such construction, and shall, within such time to be fixed in the permit, complete and put in commercial operation such part of the ultimate development as the Secretary of War shall deem necessary to supply the reasonable needs of the then available market, and shall, from time to time thereafter, construct such portion of the balance of such ultimate development as said Secretary of War may direct and within the time specified by him so as to supply adequately the reasonable market demands until such ultimate development shall be completed; and extensions of the periods for the commencement and completion of the construction may be granted by the Secretary of War when, in his judgment, the same are not incompatible with the public interest. In case the grantee shall not commence actual construction within the time herein prescribed, or as extended by the Secretary of War, then the authority as to such grantee shall terminate, and in case any dam or diversion structure and accessory works be not completed within the time specified in the permit or extended as herein provided, then the Attorney General, upon the request of the Secretary of War, shall institute proper proceedings in the proper district court of the United States for the revocation of said authority, the sale of the works constructed, and such other equitable relief as the case may demand, as provided for in section 8 of this act.

"SEC. 10. The Secretary of War may lease to any applicant having the capacity of grantee as herein defined, and having complied with the laws of the State in which a dam is constructed or to be constructed by the United States, the right to utilize the surplus water power over and above that required for navigation at any navigation dam now or hereafter constructed, either with or without contribution by the applicant, and owned by the United States, and on such terms as may be deemed by the Secretary of War for the best interests of the United States, and reasonable and fair to both parties, and in awarding such lease preference shall be given to a municipal corporation, a political subdivision of a State or a public service agent of a State, or any part thereof, provided the plans of the same are deemed by the Secretary of War to be adapted to conserve and utilize in the public interest the navigation and water or other power resources of the region; and in contests between other applicants the Secretary of War shall likewise give preference to the applicant whose plans he finds and determines are best adapted to develop, conserve, and utilize in the public interest the navigation and water-power resources to be affected; and all such leases and the parties thereto and the terms and conditions thereof shall be reported annually to Congress. The charges and rents arising from such lease or leases are hereby reserved and appropriated as a special fund in the Treasury to be expended for the maintenance of said dams and the further improvement of waterways in which the same may be situated under the direction of the Secretary of War.

"The provisions of sections 3, 4, 5, 6, 7, 8, 9, 11, 12, and 13 of this act shall, in so far as applicable in each case, apply to structures erected, maintained, or operated under and in pursuance of the provisions of this section.

"SEC. 11. That this act shall not affect the rights of any person, company, or corporation as to the construction, maintenance, or operation of any structure heretofore constructed or upon which construction has been begun, under permit or approval of the Secretary of War and Chief of Engineers or other authority heretofore lawfully granted: *Provided*, That in the operation of any such structures and accessory works the provisions of sections 3, 7, 8, 12, and 13 of this act shall apply to the same extent as if such structures had been authorized under this act, and all conflicting provisions relating to the operation of said structures and accessory works contained in any authority heretofore lawfully granted are hereby altered, amended, or repealed so as to conform with the provisions of said sections 3, 7, 8, 12, and 13 of this act: *Provided further*, That upon application by any person, company, or corporation having the capacity of grantee as herein defined, which is now constructing or operating any structures herein specified across, in, or along any navigable waters of the United States under authority heretofore lawfully granted, the Secretary of War may issue to such applicant a permit in accordance with the provision of this act, and in such a case the provisions of this act shall become extended to such applicant as a grantee hereunder: *Provided further*, That no contract, which shall have been lawfully made, for power, light, heat, or water, or for the service or delivery of the same to be furnished from such structures or their accessory works, and to which such structures or works, or the person, company, or corporation constructing, owning, or operating the same, shall be subject, shall be affected by any permit under this act, and no such person, association, or corporation shall be released from any lawful obligation by reason of this act or of any permit granted thereunder: *And provided further*, That the provisions of this act shall not apply to irrigation or power dams or grants to municipal corporations affecting the use of water or water power for municipal purposes or to other projects approved or erected under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture upon the public lands of the United States.

"SEC. 12. That the works constructed and maintained under authority of this act shall not be owned, leased, trusteed, possessed, controlled, or operated by any device or in any manner so that they form part of or in any way effect any combination in the form of an unlawful trust or monopoly, or form the subject of any unlawful contract or conspiracy to limit the output of electric energy or in restraint of trade with foreign nations or between two or more States or Territories, or within any one State or Territory, in the generation, sale, or distribution of electric energy.

"SEC. 13. That the right to alter, amend, or repeal this act is hereby expressly reserved: *Provided*, That in case any grantee hereunder shall, at the time of such alteration, amendment, or repeal, have exercised rights in accordance with this act, such rights and the property used thereunder shall be deemed property rights of such grantee, of which such grantee shall not be deprived by such alteration, amendment, or repeal, except upon the conditions provided in case of termination by section 6 of this act.

"SEC. 14. That the term 'navigable waters' as used in this act and as applied to streams shall be construed to include only such streams or parts of streams as are in their ordinary natural condition used for the transportation of persons or property in interstate or foreign commerce or which through improvement heretofore or hereafter made have been or shall become usable in such commerce. As to all other streams or parts of streams over which Congress has jurisdiction, under its authority to regulate commerce with foreign nations and among the several States, permission is hereby given to construct dams therein, subject, however, to removal or reconstruction, without expense to the United States unless utilized by the United States, whenever the United States enters upon the improvement thereof for the purpose of making the same usable for interstate or foreign transportation: *Provided*, That any person who proposes to construct a dam in any such last-mentioned stream or part of stream may make application to the Secretary of War and thereupon may receive a permit under the conditions with all the rights and privileges herein provided for streams or parts of streams used for the transportation of persons or property in interstate or foreign commerce in their ordinary, natural, or improved condition. Nothing in this section shall be construed to grant any right to occupy or use any public land.

"Sections 7 and 10 of an act entitled 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,' approved September 19, 1890, and sections 9 and 10 of an act entitled 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,' approved March 3, 1899, so far as they conflict with the provisions of this act, are hereby repealed.

"SEC. 15. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed."

Mr. SHIELDS. Mr. President, a bill containing practically the same provisions as this bill was introduced during the last Congress and passed by the Senate, but was so amended in the House that the committee of conference failed to agree upon it, and it did not become a law.

The bill now under consideration differs very little from that one, and as that bill was debated by the Senate for more than 30 days, I do not deem it necessary now to make any extended statement of the provisions of this bill or any argument in favor of it. I will content myself at this time with giving a brief statement of the proposed legislation and the differences between this bill and the one which was passed during the last Congress.

The bill provides primarily for the improvement of navigation in rivers under the jurisdiction of Congress with private capital, as distinguished from appropriations by Congress for that purpose, and, secondarily, for the development and utilization of the water power of those rivers resulting from such improvement, as well as that created by dams constructed and to be constructed under the authority of Congress. The secondary purpose of the bill is the inducement for the investment of private capital in the improvement of navigable streams and without which it would not be so invested or improvements made.

The provisions for the development of navigation, present and future, of navigable rivers are carefully prepared to accomplish that object, the improvement to be made in all cases in accordance with plans submitted to and approved by the Secretary of War and Chief of Engineers, and constructed under their super-

vision, all with a view primarily of promoting and protecting navigation facilities. In fact, the improvements are required to be made and maintained according to such plans and in such manner as if they were solely for navigation purposes and to be paid for out of the Treasury of the United States.

It is believed that the bill provides a way by which many of the navigable rivers of the country can be opened to commercial navigation, which, for the want of available means, can not for years be improved in the ordinary way by appropriations from the Treasury of the United States, provided the provisions covering the secondary object of the bill are broad enough and liberal enough to attract private capital desiring to invest in water-power development; for it is obvious, without great inducement of individual interest and advantage, private capital will not be invested in an improvement for the sole benefit of the general public.

It is also believed that the secondary object of the bill—that is, the development and utilization of the water power of navigable streams—is of equal importance to the primary object, although it is in a sense incidental to it, and it is believed that the provisions of the bill concerning this are ample to accomplish that purpose.

It is estimated that there is in the navigable rivers of the United States, exclusive of Alaska, and also of what may be developed by feasible storage projects, over 61,000,000 horsepower of water-power energy, not more than one-tenth of which is now improved and utilized. This great natural resource in all other civilized countries is developed practically to its fullest extent, and has and is now, by furnishing cheap power, contributing greatly to the wealth of those countries and the convenience and happiness of their people. The economic and industrial advantages to the people of the United States that will result from the development of hydroelectric energy produced by utilization of water power is difficult to overestimate. There are many things which can be accomplished by it that it is not practicable to accomplish by steam power produced in the consumption of fuel. The value of cheap power for manufacturing, lighting, and transportation purposes is, of course, recognized by everyone. Perhaps the greatest necessity and use for it at this time is in the fixation of atmospheric nitrogen for the manufacture of fertilizers and explosives, interests that are of too common information to need elaboration.

The prime reasons which have prevented the development of water-power energy in the United States is found in the restrictive policy of the present statutes concerning the matter, which experience has shown to be practically prohibitory of it.

The Congress, by an act passed September 19, 1890 (26 Stat. L., 454, secs. 7, 10), prohibited the construction of any wharf, dam, or other structure in any navigable water of the United States, in such manner as would obstruct or impair navigation, without the permission of the Secretary of War, and by an act passed March 3, 1899 (30 Stat. L., 1151, secs. 9, 10), prohibited the construction of any bridge, dam, dike, or other structure in or over any navigable water of the United States until the consent of Congress to the building of the same should be first obtained and the plans submitted to and approved by the Chief of Engineers and the Secretary of War, with the provision that where the proposed improvement was on any river the navigable portions of which lie wholly within the limits of a single State the consent of the general assembly of that State was sufficent.

Previous to the enactment of these statutes the riparian proprietors of navigable rivers could construct dams in them when they desired, provided they did not obstruct navigation, but subject to removal whenever they were deemed an obstruction by the authorities of the Federal Government. But under these statutes no structure can be built over or in any navigable water without first obtaining the consent of Congress by special act for that purpose.

This prohibition is not removed by the statutes known as the general dam bills, approved June 21, 1906, and June 23, 1910. These acts, while providing the terms and conditions upon which riparian proprietors may construct dams in navigable waters with the approval and under the supervision of the Secretary of War and the Chief of Engineers, do not change the law requiring that the consent of Congress be first obtained in every case. The delay and difficulties of procuring special acts for this purpose have caused great embarrassment to those who propose to furnish the capital to make such improvements, and has been and is a great obstruction to the improvement of waterways for navigation and the development of water power. The present bill authorizes the Secretary of War to consent to the construction of dams, properly safeguarding the public interest, and under it they can be built without the delay incident to a resort to Congress.

The act of June 23, 1910, which repeals by implication that of June 21, 1906, provides for and authorizes conditions upon which the permit may be granted that render the terms of the investment so uncertain and the continuance of the permit or tenure of title so defeasible that those having capital can not safely and will not make investments under them.

The Secretary of War is authorized by this act to increase the aggregate of the investment at any time by requiring additional locks and appurtenances to be constructed to such an extent that it may exceed any possible earnings that can be realized from the water power developed and arbitrarily declare the permit forfeited, from which action there is no appeal. The permit can not exceed 50 years, at the expiration of which time it is automatically annulled. Charges and forfeitures of the most arbitrary character are provided for.

There are no provisions for the protection of the property interests of the investor when the permit may for any cause be terminated, and there is an utter absence of any provision for preferences in favor of public-utility companies and for the protection of the public from excessive and unjust charges and rates by the grantee for hydroelectrical energy and other products of the water power developed. In other words, the conditions of the act offer no protection to investors or consumers and are objectionable and unjust to both.

These objections are attempted to be obviated by the present bill. The total investment which the grantee will be required to make can be ascertained and fixed when the permit is granted. The permit is for 50 years and thereafter the grantee remains in possession at the will and pleasure of the Secretary of War, who may extend it for another term, or the property be taken over by the United States and transferred to another grantee. Forfeiture of the permit for failure of the grantee to comply with the conditions provided in the bill and the lawful regulations of the Secretary of War are provided for. The charges and rentals imposed are to be expended in the improvement of the navigation of the stream in which the dams are constructed, and all controversies concerning the respective rights and interests of the grantee and the United States are made subject to judicial investigation and determination.

Preference is given in awarding permits to municipalities or other political subdivisions of States and public-utility companies where the power developed is to be used for municipal or public-utility purposes. The persons making the improvement and developing hydroelectricity or other products of water power and the rates charged by them for such products are made subject to the laws of the State and regulation by their duly constituted authorities having jurisdiction over such matters, except where such products enter into interstate commerce, in which case the Interstate Commerce Commission is given jurisdiction; and such charges are in all cases required to be reasonable, adequate, and nondiscriminatory.

The plant and other improvements of the grantee, other than those portions necessary for the development of navigation, are made subject to taxation by the States as other similar property within the States, and the power of the States to require the payment of royalties on the power developed is fully recognized and provided for.

There are also ample provisions to prevent the rights granted and the plants constructed from constituting a part of any trust, monopoly, or conspiracy in restraint of trade, and the right to alter or amend the act as the public welfare may require is expressly reserved.

The bill also provides for the lease of water power in excess of that needed for operation and navigation facilities, incidentally produced by dams heretofore or which may be hereafter constructed by the United States in the improvement of navigable rivers with preference as to grantees, control, and regulation of rates and charges of the grantee, and other regulations and limitations provided for in case of permits to construct dams with private capital.

The bill is so framed as to protect and maintain the constitutional power and control of the Federal Government over navigable streams, as well as the sovereignty of the States and the rights of riparian proprietors over and in the beds and waters of those streams, and allow the full exercise and enjoyment of the latter, subject to the paramount authority of Congress to regulate the same for navigation purposes.

It is believed that under the provisions of this bill the water-power resources of the country will be developed and utilized and future waste prevented, which is conservation in its highest and truest sense.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from Tennessee yield to the Senator from Colorado?

Mr. SHIELDS. I do.

Mr. SHAFROTH. I should like to ask the Senator a question. When this bill was up for consideration before I remember a good deal of discussion concerning it and it met my approval, because I voted in favor of it. I should like to have the Senator designate exactly what difference there is between the bill which he proposes now and the bill which we passed in the Sixty-fourth Congress.

Mr. SHIELDS. Mr. President, it was my intention to do that at this time, so that Senators may understand it fully without comparing this and the former bill. I will state in advance that these changes for the most part are of phraseology, with the intention of making the provisions of the bill clearer and more easily understood.

The first difference between this bill and the one passed at the last Congress by the Senate occurs in section 1. The first sentence of that section in the former bill was in these words:

That the United States hereby authorizes any of the persons as hereinafter defined, after obtaining the permit of the Secretary of War, as hereinafter provided, to construct, maintain, and operate a dam or dams or diversion structures and accessory works for the development and improvement of navigation and for water power or other purposes across, in, or along any of the navigable waters of the United States.

For that sentence there is substituted in the present bill the following:

SECTION 1. That the United States hereby authorizes any of the persons as hereinafter defined, after obtaining the permit of the Secretary of War as herein provided, to construct, maintain, and operate a dam or dams, diversion structures, reservoirs, and accessory works, in or along any of the navigable waters of the United States for the development, improvement, or preservation of navigation for the purposes of interstate and foreign commerce, and the development and utilization of water, water power natural or created by the improvement, and for other purposes.

I think, Mr. President, that is clearer and expresses the purposes for which the permit may be granted in more direct and satisfactory words than the provision in the former bill, although there is no material change in the effect of it.

The next difference occurs in subsection 2 of section 1 where, after the word "navigation" first appearing in that section, are inserted the words "in foreign and interstate commerce"; after the word "development," in the same line, the words "and utilization"; and in the last line of that subsection, after the word "navigation," are inserted the words "and other beneficial purposes."

Section 4 of the former bill was in these words:

That any such permit shall not have the effect to relieve the grantee from liability for any damage occasioned to the property of others by the construction, maintenance, or operation of any dam or of the works appurtenant or accessory thereto, and the United States shall in no event be liable therefor. When a grantee hereunder is a municipal corporation, or a political subdivision of a State, or a public-service agent of a State, or a public utility or service corporation, it may acquire the right to use or damage any lands or property of others necessary to the construction, maintenance, or operation of any such dam or diversion structure or of the works appurtenant or accessory thereto by the exercise of the right of eminent domain in the district court of the United States for the district in which such land or other property may be located, or in the State courts. The practice and procedure in any action or proceeding brought for that purpose in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar actions or proceedings in the courts of the State where the property is situated.

Substituted for that section as section 4 is the following:

That the grantee of the permit shall be liable for all damages occasioned to the property of others by the construction, maintenance, or operation of the dam, reservoir, or of the works appurtenant or accessory thereto, constructed under the permit, and in no event shall the United States be liable therefor. When the grantee is a municipal corporation, or a political subdivision of a State, or a public-service agent of a State, or a public utility or service corporation, and can not acquire by contract or purchase the right to use or damage the lands or property of others necessary to the construction, maintenance, or operation of any dam, reservoir, diversion structure, or the works appurtenant or accessory thereto, it may acquire the same by the exercise of the right of eminent domain in the district court for the United States in which such land or property may be located or in the State courts. The practice and procedure in any action or proceeding for that purpose in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar actions or proceedings in the courts of the State where the property is situated.

This, I think, is clearer than the same provision in the former bill.

The next difference between this bill and the former is in section 5. In the old bill section 5 read:

That unless revoked for cause as provided in section 8 of this act the rights under any such permit shall continue for a period of 50 years from the date of the permit, and after the expiration of said 50 years such rights shall continue until revoked for cause as provided in section 8 of this act or until terminated and compensation has been made to such grantee for its property as provided in section 6 of this act.

The section substituted for that section is as follows:

The permit granted under the provisions of this act shall be for the term of 50 years from the date of the permit, subject to be revoked for cause as provided in section 8 of this act: *Provided*, That after the expiration of said term of 50 years the grantee may continue the maintenance, occupation, and operation of the dam or dams, reservoir, and accessory works and appurtenant property under the terms and restrictions of the permit and this act, unless revoked for cause as provided in section 8 of this act, until the property is acquired, taken over, and compensation made to such grantee therefor by the United States or a new grantee, or a new permit is granted to it, as provided in section 6 of this act.

This, I believe, makes it clearer that the permit determines absolutely upon the expiration of 50 years, and the permittee remains in possession merely at the will or option of the United States for the care and protection of the property from deterioration and the benefit of the consumers of the power generated.

Section 6 of the former bill, which is also section 6 of this bill, is amended so as to strike out the words "the fair value of" in providing what shall be paid for the property when taken over at the expiration of 50 years and inserting in lieu thereof "just compensation for," which is the language of the Constitution providing for compensation to be paid for property condemned for public use, the meaning of which can not be a subject of controversy.

A further provision of section 6 in the former bill was in these words:

In the determination of the value of said property for any purpose as between such grantee and the United States or any State no value shall be claimed by or allowed to the grantee for the rights hereunder granted.

After the word "granted" in the present bill is added the words "or for good will or anticipated profits." The remainder of section 6 in the former bill after the words just stated is in these words:

When the permit expires by limitation, or is terminated under the provisions of this act, the United States may take over, acquire, occupy, and use all the property of the grantee herein described and upon the terms herein provided for such purposes as may be authorized by then existing laws; or the Secretary of War may grant a permit to any other person or persons, defined in sections 1 and 10 of this act, upon the same terms and with the same restrictions and preferences provided in this act, and as may be authorized or required by the existing laws, who shall take over the property of the original permittee upon the payment of its fair value in all things as the United States is authorized and required to do; or the Secretary of War may renew the permit to the original permittee upon the same terms and with the same restrictions and preferences and as may be authorized and required by then existing laws.

In lieu of that provision this bill contains the following:

When the permit expires by the limitation of 50 years or is otherwise terminated under the provisions of this act the United States may acquire, take over, and occupy all the property of grantee herein described upon the terms herein provided, to be used, operated, or disposed of as may be authorized by the acts of Congress then in force; or the Secretary of War may grant a new permit to the original permittee or its successors upon the terms and conditions and with the restrictions provided in this act and authorized and required by subsequent acts of Congress; or the Secretary of War may grant a permit to another person or persons defined in sections 1 and 10 of this act upon the conditions and terms and subject to the restrictions and preferences herein provided and as may be required or authorized by then existing laws of the United States, who may acquire and take over and operate the property of the original permittee or its successors upon the payment of the reasonable value of the property and the assumption of contracts in all things as the United States is authorized and required to do. The district court of the United States wherein the property is situated is hereby vested with jurisdiction to enforce the provisions of this section by appropriate proceedings in equity.

I think this is clearer than the same provision in the former bill.

The next difference in the two bills occurs in section 7. The proviso contained in that section in the former bill is in these words:

And provided further, That nothing in this act shall be construed to prevent any State in which such dam with its appurtenant property is located, or in which such business is to be conducted, from making and enforcing any lawful regulations with respect to the property or business of such grantee.

That is stricken out and a provision in these words appears in the present bill:

And provided further, That nothing in this act shall be construed to interfere with the sovereign powers of the several States of the United States over the navigable waters within their respective boundaries and the property rights they hold therein in trust for their people, or their right to control those streams, including that to grant permits for the use of the waters and water power thereof, and to require the payment to the States of such charges and royalties for such use as may be authorized by the constitutions and laws of the respective States, subject, however, in all cases, to the paramount power of Congress to regulate foreign and interstate commerce and navigation upon all the navigable waters of the United States.

This clearly defines the respective jurisdictions of the Federal and State authorities over navigable rivers, as held and declared by the Supreme Court of the United States in numerous cases.

Mr. SHAFROTH. I should like to ask the Senator a question which he has not referred to in regard to the differences between the two bills. Are there any differences between the present bill and the bill that was passed in the Sixty-fourth Congress relative to the power of the State to tax the improvements or to tax the property of the corporation that may put up these plants, or does it remain the same as in that bill?

Mr. SHIELDS. This bill contains the same provisions as the former in regard to State taxation. They are to be found in section 7 of the bill.

Mr. SHAFROTH. There is no question, then, but what the State has the power to tax the improvements and the property of the corporations that may take advantage of this act in constructing dams and water-power plants?

Mr. SHIELDS. None whatever. Mr. President, I have stated that the general objects of this legislation and the differences between the bill as passed in the last Congress and the one now under consideration. I am not going into any general discussion of the merits of the several provisions, for, as I have heretofore stated, they were all debated at very great length at the former session when the first bill was favorably acted upon by this body.

There are, however, one or two matters to which I shall call attention. This bill authorizes persons and companies owning or acquiring riparian rights upon navigable rivers, complying with the laws of the State concerning such matters, to construct dams in them, first having obtained a permit to do so from the Secretary of War upon the terms prescribed in the bill and those which it authorizes that officer to impose. This is necessary for a workable bill. The conditions and terms upon which the persons and companies may be authorized to construct dams or other obstructions in navigable streams are proper subjects of legislation and should be prescribed by the Congress, but the mere location of a dam in accordance with such legislation is a matter of administrative detail which the War Department, having charge of the improvement of navigable rivers, can best investigate and determine, so as to fully protect the interest of navigation.

The construction of dams is a local matter. For more than a century Congress left the control of it entirely to the States wherein the rivers were situated, and no other permit was required than that of the general assembly of the State, the structure subject always to be removed if deemed by the Federal authorities an obstruction to navigation. This contingency was sufficient to prevent interference with navigation by structures, and there was no friction between the Federal Government and the States or those to whom they granted permits concerning dams in navigable streams.

Congress, by an act passed in 1899, to which I have referred, forbade all structures without a special act giving its consent. Why this change was made and the great burden of administrative detail assumed by the Congress does not appear. It does not appear that there was any special demand for the legislation or that the question was debated or that it received deliberate consideration when the law was passed. A general dam law which requires the action of Congress in each separate project is one in name only. It is not within the power of this or any future Congress to control the legislative policy of their successors. Congresses are constantly changing membership, and new Members will always have different views concerning the improvement of navigation and water-power development, which would be written in each separate act consenting to a particular project, and this would absolutely destroy uniformity in legislation of this kind and assure discrimination and inequality in the terms of different permits.

The delays which occur in procuring the consent of Congress by special acts and the uncertainty as to what the provisions of the acts were have in the past discouraged capital and caused it to seek other investments free from such embarrassments, and it will continue to do so. Congress has conferred upon the War Department jurisdiction over all navigable rivers, and intrusted to its officers the improvement of them, with appropriations from the Public Treasury, with full discretion in the location and the construction of dams, locks, and other facilities for navigation, and there is no valid reason why these same officers should not be intrusted with this discretion when private capital is used in making the improvements.

Congress before enacting special acts for this purpose has generally referred them to the War Department for report, so far as the project affected navigation, and given great weight to such reports. This provision does not carry with it any appropriation from the Federal Treasury or concession of public property, but is a delegation of a part of the police power of Congress to regulate commerce by the improvement of navigable rivers.

I think it is now generally conceded that this plan is preferable to special acts authorizing the construction of dams. Authority to grant permits for water-power development upon the public domain has been given the Secretary of the Interior and found to operate satisfactorily. The police power has also been conferred upon other departments of the Government over matters within their respective jurisdictions with satisfactory results.

The statement has been made and given wide circulation that there is an effort by some unknown interest, vaguely spoken of as a water-power trust, without the slightest evidence of the existence of such a thing, to appropriate the great natural resources of our navigable streams. There is undoubtedly an effort to appropriate these resources, but not by private interests. It is to be found in the proposed unconstitutional and confiscatory legislation which this bill proposes to repeal. The proposition is to take from the States and their people the natural resources found within their borders and turn them over to the United States, to be distributed among the people of all the States.

This bill fully recognizes the sovereignty of the States over navigable streams within their borders and the property rights in their waters and the interest and welfare of their citizens, and ample provisions are made to protect them all. Companies proposing to construct dams for the development of water power or other purposes are required to first obtain authority to do so from the States where the dams are to be built and the plants located and operated. The property and the business of the companies are made subject to State taxation, and the rates to be charged for the water power and hydroelectricity furnished, generated, and sold are to be regulated and fixed by the laws of the States through their public-utility commissions, and such other agencies as the States may in their discretion provide for that purpose, and special provision is made against the monopolization of waters and water power.

Mr. President, the navigable rivers of the United States are perhaps the greatest natural resources of our country. We have about 50,000 miles of these rivers which are navigable for commercial purposes, and about one-half of them have obstructions, such as falls, rapids, and shoals, which must be removed or submerged.

The maximum water-power horsepower in the United States is estimated to be 61,780,000, exclusive of available storage, only about one-tenth of which is developed and utilized. That in the navigable rivers alone is estimated to be about 27,000,000 horsepower, of which a comparatively small portion is developed. Our present arbitrary and oppressive laws controlling these rivers have absolutely prohibited and strangled water-power development in them, the total development since they were enacted being less than 140,000 horsepower. There never was a time in the history of this country when the necessity for improving the navigation in these streams and utilizing this natural energy, now going to waste, was greater than at the present. Our magnificent railroad systems—and we have the greatest in the world—have utterly failed to answer the demands of the commerce of the country, and transportation has been congested for months. The further construction of railroads to any important extent seems improbable, as the mileage in the last two years has been less than that of any one year for half a century. The opening of our rivers for navigation has become an imperative necessity, but the Government is embarrassed in accomplishing it because of the great expense required.

We must have cheap power in large quantities for manufacturing fertilizers, steel, chemicals, aluminum, and many other things necessary to the cultivation of our lands and to enable us to compete with other countries in the production of those articles. The cost of foodstuffs of all kinds has reached a mark that is oppressive to a large part of the people of the country, resulting from diminished supply and increased population. Our lands have deteriorated in fertility and must be fertilized to make them produce larger crops. We must have cheaper nitrogen and phosphorus for the manufacture of fertilizers, which are only obtainable by the fixation of atmospheric nitrogen and electrical treatment of phosphate rock. We can not obtain the hydroelectricity for these purposes without the development of our water powers.

The capital to open these rivers for transportation and develop and utilize this energy can be obtained by repealing the present prohibitory statutes and enacting proper laws which will safeguard and protect the property of the investors, at the same time affording ample protection to the rights of the people in these great natural resources. It is unjust to the American people to longer delay legislation of this kind; indeed, it seems to me little less than a crime that we should arbitrarily prohibit the development of our rivers for these beneficent purposes, which would contribute so much to the happiness and prosperity of our people. The time for personal exploitation, publicity, and false conservation has passed, and practical methods and policies ought to be adopted and followed by legislation of the character now proposed without further discussion at this time. I submit

the bill to the Senate with confidence that it will be speedily and favorably disposed of. There should be no delay about so important a matter.

Mr. BANKHEAD. Mr. President, I desire to make an inquiry. I should like to inquire of the Senator from Tennessee whether the amendments to which he has referred have been printed with the bill which is now before the Senate?

Mr. SHIELDS. These are not really amendments; they are provisions contained in the present bill that were not in the former bill or, rather, provisions of the former bill rewritten in other language.

Mr. BANKHEAD. I understood that, Mr. President; but it occurred to me that if the Senator would have the bill reprinted with these suggested changes printed in italics, so that the Senate might without difficulty understand what the proposed changes are, it would facilitate its consideration. I merely make that suggestion.

Mr. SHIELDS. I have no objection to the bill being printed in that way; but my object in reading those changes in the bill a while ago was that Senators might find the matter in the Record, and thus be advised of what was the difference between the two measures.

Mr. BANKHEAD. But, Mr. President, I want to suggest to the Senator that it would be much more convenient for Senators if he would have the amendments printed in the bill, so that Senators could have the matter before them. Could the Senator not have that done?

Mr. SHIELDS. Mr. President, I will ask that a reprint of the bill, with the proposed changes in italics, as suggested by the Senator from Alabama, be made.

Mr. STONE. That the bill be reprinted?

Mr. SHIELDS. Yes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. STONE. Mr. President, may I ask my friend, who is in charge of the bill, when he thinks he will bring this bill to a vote?

Mr. SHIELDS. I should prefer to go on with the bill this afternoon and to keep it before the Senate until it is passed; I am perfectly ready to do so; but I understand from numerous Senators that there is a desire of some of them to be heard upon the bill, and that they are not ready to speak this evening. I have been requested to let the bill go over until to-morrow.

Mr. STONE. Mr. President, that is an old story in the Senate. Some Senator who is opposed to a bill, or two or three or more Senators who are opposed to a bill, want it to go over; they are not ready to speak. We had an example of that yesterday on a bill which had been continued here from day to day until the Senator in management of the bill refused to give in an inch and demanded action upon the bill. When the bill was pressed we got a vote upon it. If we are going along in this way, just because some Senator or Senators say they are not ready to speak, that they want time, no man can tell, Mr. President, when we shall ever get a vote on this most important measure, the passage of which I favor most heartily.

I wish, however, my friend from Tennessee not to forget that this bill, important as it is in his estimation, and which I am supporting, is not the only bill on the calendar. There are other important measures on the calendar that ought to be taken up and disposed of. I am opposed to the mere waste of time on a particular bill, which ought to be disposed of speedily, and delaying, probably absolutely preventing, a consideration of other measures on the calendar in which Senators are deeply concerned, and in which I believe the Senate itself will be deeply concerned when they are presented to the Senate and Senators become familiar with them.

Here it is quarter to 3 o'clock. Are we going to put the bill aside for the convenience of whom? Of the Senate, or of some Senator? Is this a new bill? Why, the Senator from Tennessee knows that it has been before this body for months and months, and to tell me that a Senator who has been here through these months is not prepared to discuss it to-day, but may be prepared to-morrow or the day after, is rather an incredulous statement for that Senator to make to me. He must simply desire delay for some purpose.

I am going to follow my friend; I am not going to antagonize him; I know his interest in this measure, and I am with him; but I do not want this bill to take the remainder of this session up to Christmas, for after the holidays we will have a lot of war measures in here piling one upon another, and important measures on the calendar will go to the scrap heap. I do not want some of them to go to the scrap heap in that way.

Mr. President, I have said this because of my intense desire to have measures of great importance now on the calendar, like this one, forced to some sort of issue and conclusion, so that we can take up something else on the calendar. I have heard Senators say here to me—I give no names—that we ought not to take up anything during this session of Congress except war measures. I do not believe that for one moment. War measures must have precedence; to that I agree; but there are questions of great domestic emergency and importance that we might attend to. We must not forget that we have things at home to look after while we are looking after war matters, although that war matters shall have precedence I agree.

There are several measures on the calendar now of great importance to the whole country that have not anything particularly to do with the war and that ought to be considered now or they will never be considered at all. Senators who are opposed to them, I can understand, try to take up this, that, and the other measure and postpone them in this way and in the other way, so that they will never be reached. Now, I think the measure of which my friend the Senator from Tennessee is in charge, now before the Senate, is in an essential way, for the reasons he has stated, not only to-day but previously, a measure of great war importance. I believe that, but I am not putting it on that ground. Even if it were not, it is a question of great national import, and it ought to be disposed of. I do not like for a moment the policy which seems to be pursued here of the Senator in charge of a bill—I am not criticizing my friend from Tennessee, but it is a common practice—arranging after an hour or two of consideration to put over a bill until to-morrow and then to put it over until the next day by some arrangement. I do not like that. I think we ought to go on with the business we have before us and dispose of it as we come to it, just as we did yesterday with the foreign export trade bill, and finished it, when it might have been here to-day and might have been here to-morrow and the next day. We must end these things; and I am in favor of that policy as against the policy of delay in the consideration of measures of importance now on the calendar of the Senate.

I beg the Senator's pardon, but I just wanted to say this to such Senators as are here.

Mr. SHIELDS. Mr. President, I am heartily in accord with all the Senator from Missouri has said about pressing business. I agree with him that practically nothing has been done here for several days; for only an hour or two, as a usual thing, has the Senate remained in session. While the bill disposed of yesterday afternoon was under consideration I was here all the time, every day, hoping that that bill would be disposed of, and opposing adjournments in order that I might call up this important measure. So the delay in connection with that measure was not with my consent.

This morning Senators on both sides of the Chamber came to me and insisted that they were not ready; they wanted this bill to go over until to-morrow, or until Monday some of them said. I am very anxious to dispose of it; I should like to go on with it this afternoon. I see no reason why there should be a long debate on the bill. It was discussed for more than a month during the last Congress; every possible objection was made to its provisions; all questions were thoroughly thrashed out; and the Senate by more than 2 to 1 passed the bill—practically the same bill now before the Senate. I would be delighted to go on with it this afternoon and finish it, but after the understanding which was reached by Senators generally that it would not be pressed this evening I feel that it would be discourteous to them to press it.

Mr. STONE. May I ask my friend from Tennessee what the understanding is?

Mr. SHIELDS. That it would not come to a vote this afternoon, and really that it might go over until Monday; but since then I have understood that a session to-morrow is desired for certain purposes, and there will be such a session, as I understand.

Mr. MARTIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Virginia?

Mr. SHIELDS. I do.

Mr. MARTIN. I expect the House to-morrow immediately on its assembling to pass a joint resolution extending the period of availability of the fund voted at the last session for war purposes and placed at the disposal of the President, amounting to $100,000,000, some thirty-odd million dollars of which has been disposed of. It will require additional legislation to make the remainder of that fund available after the latter part of this month. The House, I understand, expects to pass a joint resolution providing for the extension of the period of availability for so much of that fund as remains unexpended, and also providing mileage for Senators for the present session. I

had expected, and still expect, to ask the Senate to sit to-morrow to consider that joint resolution if it comes over, as I confidently expect it will come. So there ought to be a session of the Senate to-morrow for that purpose.

Mr. STONE. I had hoped the distinguished leader of the Democratic side would insist upon a session to-morrow aside from the subject he mentioned.

Mr. MARTIN. If the Senator will excuse me, I was coming to that after disposing of this matter which comes more directly under my control. I say I think the Senate ought to sit to-morrow for the purpose of considering that joint resolution which we expect from the House. The first thing to-morrow I expect to ask for a meeting of the Committee on Appropriations to pass on that joint resolution before 12 o'clock by anticipation; and if the Senator from Tennessee is at liberty, in view of what has passed between him and other Senators, to press this bill to-morrow it will be very satisfactory to me. I think it ought to be pressed and it ought to be passed, and I hope it can be passed to-morrow. I know of no reason why it should be delayed, but there may be reasons unknown to me. The Senator from Tennessee may have had conversations with other Senators which would make it inconsistent with fair dealing for him to press the consideration of the bill to a vote to-morrow. I will have to leave that to him. If, however, he is in a position to give notice now on the floor of the Senate here at this moment that he will press it to-morrow, I will be much gratified; and if he is not in a position to do that, he will have to determine it. All I can say is that I expect to ask the Senate to adjourn until 12 o'clock to-morrow in order to consider the joint resolution to which I have referred, and I will be much gratified if the Senator from Tennessee can give notice that he will to-morrow press the bill of which he is in charge.

Mr. SHIELDS. Under the understanding reached by Senators, I can not further press this bill this afternoon; and I therefore ask that it be temporarily laid aside; but I will now state that I will ask that the Senate proceed with it to a final vote to-morrow when the Senate meets. I give that notice now to Senators who are absent, unless they have made such arrangements under the understanding to-day that it will be impossible for them to do so. I, of course, would violate no agreement, express or implied, with any Senator.

The PRESIDING OFFICER. The Senator from Tennessee asks unanimous consent that the unfinished business be temporarily laid aside. Without objection, that order will be made.

EXECUTIVE SESSION.

Mr. SIMMONS. I move that the doors be closed and that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 3 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Friday, December 14, 1917, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 13, 1917.

JUNIOR HYDROGRAPHIC AND GEODETIC ENGINEERS IN COAST AND GEODETIC SURVEY.

Stanley T. Baker, of Massachusetts, to be junior hydrographic and geodetic engineer in the Coast and Geodetic Survey, Department of Commerce, vice Douglas Karr, promoted. (By promotion from aid.)

Raymond A. Wheeler, of Washington, to be junior hydrographic and geodetic engineer in the Coast and Geodetic Survey, Department of Commerce, vice C. T. Bussell, promoted. (By promotion from aid.)

EXPLOSIVES INSPECTOR.

Lewis A. Griffith, of Upper Marlboro, Md., to be explosives inspector for the State of Maryland, under the provisions of the act of Congress approved October 6, 1917.

APPOINTMENTS IN THE ARMY.

Maj. Gen. William Crozier, Chief of Ordnance, to be Chief of Ordnance with the rank of major general for a period of four years from November 22, 1917, with rank from October 6, 1917.

MEDICAL CORPS.

Capt. Bertram Foster Duckwall, Medical Reserve Corps, to be captain in the Medical Corps with rank from November 6, 1917.

First Lieut. John S. C. Fielden, jr., Medical Reserve Corps, to be first lieutenant in the Medical Corps with rank from August 25, 1917.

To be first lieutenants to fill original vacancies.

Maj. John Michael Hewitt, Medical Reserve Corps, from August 25, 1917.

Capt. Claude Wiggins Cummings, Medical Reserve Corps, from August 25, 1917.

First Lieut. James Monroe Troutt, Medical Reserve Corps, from August 26, 1917.

First Lieut. Alan De Forest Smith, Medical Reserve Corps, from August 27, 1917.

First Lieut. Frank Macbeth Ende, Medical Reserve Corps, from August 27, 1917.

First Lieut. Samuel Augustus White, Medical Reserve Corps, from August 28, 1917.

First Lieut. Albert Wright Greenwell, Medical Reserve Corps, from August 28, 1917.

First Lieut. Francis Moylan Fitts, Medical Reserve Corps, from August 29, 1917.

First Lieut. Eric Adolphus Fennel, Medical Reserve Corps, from August 29, 1917.

First Lieut. Paul Edgar McNabb, Medical Reserve Corps, from August 30, 1917.

First Lieut. Harvey Edmund Webb, Medical Reserve Corps, from August 30, 1917.

First Lieut. George Franklin Aycock, Medical Reserve Corps, from August 31, 1917.

First Lieut. Henry Wiley Grady, Medical Reserve Corps, from August 31, 1917.

First Lieut. Philip Jefferson Lukens, jr., Medical Reserve Corps, from September 1, 1917.

First Lieut. Norman McLean Scott, Medical Reserve Corps, from September 1, 1917.

First Lieut. Marion Rudolph Mobley, Medical Reserve Corps, from September 2, 1917.

First Lieut. Frederick Karl Herpel, Medical Reserve Corps, from September 2, 1917.

First Lieut. Horace Sumner Villars, Medical Reserve Corps, from September 3, 1917.

First Lieut. Donald Gardner Russell, Medical Reserve Corps, from September 3, 1917.

First Lieut. Allen Deming Lazenby, Medical Reserve Corps, from September 4, 1917.

First Lieut. Patrick Francis McGuire, Medical Reserve Corps, from September 4, 1917.

First Lieut. James Walsh McClaran, Medical Reserve Corps, from September 5, 1917.

First Lieut. Louis Frank Boyd, Medical Reserve Corps, from September 5, 1917.

First Lieut. Tom Sperring Mebane, Medical Reserve Corps, from September 6, 1917.

First Lieut. Edmund Benjamin Spaeth, Medical Reserve Corps, from September 6, 1917.

First Lieut. Philip Louis Coulter, Medical Reserve Corps, from September 7, 1917.

First Lieut. James Blaine Montgomery, Medical Reserve Corps, from September 7, 1917.

First Lieut. Percy Elisha Duggins, Medical Reserve Corps, from September 8, 1917.

First Lieut. Brown Shirk McClintic, Medical Reserve Corps, from September 8, 1917.

First Lieut. Henry Kurtz Baumgardner Hufford, Medical Reserve Corps, from September 9, 1917.

First Lieut. Joseph George Fernbach, Medical Reserve Corps, from September 9, 1917.

First Lieut. Howard Henry Dignan, Medical Reserve Corps, from September 10, 1917.

First Lieut. Charles Wallace Sale, Medical Reserve Corps, from September 10, 1917.

First Lieut. Robert Henry Lowry, jr., Medical Reserve Corps, from September 11, 1917.

First Lieut. Hertel Philip Makel, Medical Reserve Corps, from September 11, 1917.

First Lieut. Ward Stanley Wells, Medical Reserve Corps, from September 12, 1917.

First Lieut. Seymour Crandall Schwartz, Medical Reserve Corps, from September 12, 1917.

First Lieut. Burgh Smith Burnet, Medical Reserve Corps, from September 13, 1917.

First Lieut. Karl Frederick Kesmodel, Medical Reserve Corps, from September 13, 1917.

First Lieut. Ross Golden, Medical Reserve Corps, from September 14, 1917.

Capt. Curtis Dudley Pillsbury, Medical Reserve Corps, from September 14, 1917.

First Lieut. Nelson Allen Myll, Medical Reserve Corps, from September 15, 1917.

First Lieut. John Robin DeVelling, Medical Reserve Corps, from September 15, 1917.
First Lieut. Roy Lorraine Scott, Medical Reserve Corps, from September 16, 1917.
First Lieut. William White Southard, Medical Reserve Corps, from September 16, 1917.
First Lieut. George Hamilton Dorsey, Medical Reserve Corps, from September 17, 1917.
First Lieut. Laurent Lescelles LaRoche, Medical Reserve Corps, from September 17, 1917.
First Lieut. Henry Cheesman Dooling, Medical Reserve Corps, from September 18, 1917.
First Lieut. Frank Smeeton Matlack, Medical Reserve Corps, from September 18, 1917.
First Lieut. Cleon Joseph Gentzkow, Medical Reserve Corps, from September 19, 1917.
First Lieut. James Porter Crawford, Medical Reserve Corps, from September 19, 1917.
First Lieut. Robert Alexander Hale, Medical Reserve Corps, from September 20, 1917.
First Lieut. Allen Richmond Howard, Medical Reserve Corps, from September 20, 1917.
First Lieut. Benjamin Beresford Rowley, Medical Reserve Corps, from September 21, 1917.
Capt. Henry Colmore Bradford, Medical Reserve Corps, from September 21, 1917.
Capt. Harry Hunt Towler, Medical Reserve Corps, from September 22, 1917.
First Lieut. Oral Bevoly Bolibaugh, Medical Reserve Corps, from September 22, 1917.
First Lieut. Joseph Roy Jones, Medical Reserve Corps, from September 23, 1917.
First Lieut. Harold Edward Clark, Medical Reserve Corps, from September 23, 1917.
First Lieut. Roland Albert Davison, Medical Reserve Corps, from September 24, 1917.
First Lieut. Charles Reif Snyder, Medical Reserve Corps, from September 24, 1917.
First Lieut. Arthur Lee Hichew, Medical Reserve Corps, from September 25, 1917.
First Lieut. Haskett Lynch Conner, Medical Reserve Corps, from September 25, 1917.
First Lieut. Edward Bailey Macon, Medical Reserve Corps, from September 26, 1917.
First Lieut. Farrar Burr Parker, Medical Reserve Corps, from September 26, 1917.
Capt. Percy James Carroll, Medical Reserve Corps, from September 27, 1917.
First Lieut. Virginius Minervini, Medical Reserve Corps, from September 27, 1917.
First Lieut. James Vincent Falisi, Medical Reserve Corps, from September 28, 1917.
First Lieut. William Daugherty Petit, Medical Reserve Corps, from September 28, 1917.
First Lieut. Glenn Holway Reams, Medical Reserve Corps, from September 29, 1917.
First Lieut. Jay De Pew Mingos, Medical Reserve Corps, from September 29, 1917.
First Lieut. Allan Wilson Dawson, Medical Reserve Corps, from September 30, 1917.
First Lieut. John Williams McKeever, Medical Reserve Corps, from September 30, 1917.
First Lieut. Ottis Lee Graham, Medical Reserve Corps, from October 1, 1917.
First Lieut. Edwin Howerton Roberts, Medical Reserve Corps, from October 1, 1917.
First Lieut. Arthur Maynard Bacon, Medical Reserve Corps, from October 2, 1917.
First Lieut. John Jay Moore, Medical Reserve Corps, from October 2, 1917.
First Lieut. Anthony Joseph Vadala, Medical Reserve Corps, from October 3, 1917.
First Lieut. Maurice Stevenson Weaver, Medical Reserve Corps, from October 3, 1917.
First Lieut. John Marion Stanley, Medical Reserve Corps, from October 4, 1917.
First Lieut. Arthur Howard Nylen, Medical Reserve Corps, from October 4, 1917.
First Lieut. Myron Parkhill Rudolph, Medical Reserve Corps, from October 5, 1917.
First Lieut. Noble DuBois McCormack, Medical Reserve Corps, from October 5, 1917.
First Lieut. Charles Edward Sima, Medical Reserve Corps, from October 6, 1917.
First Lieut. Bascom Headen Palmer, Medical Reserve Corps, from October 6, 1917.
First Lieut. Harold Dana Rogers, Medical Reserve Corps, from October 7, 1917.
First Lieut. John Randolph Hall, Medical Reserve Corps, from October 7, 1917.
First Lieut. Arthur Raymond Gaines, Medical Reserve Corps, from October 8, 1917.
First Lieut. William Love Starnes, Medical Reserve Corps, from October 8, 1917.
First Lieut. William Archdall Boyle, Medical Reserve Corps, from October 9, 1917.
First Lieut. Manton Leonard Shelby, Medical Reserve Corps, from October 9, 1917.
First Lieut. Egbert Hayes Wesson, Medical Reserve Corps, from October 10, 1917.
First Lieut. Paul Henry Streit, Medical Reserve Corps, from October 10, 1917.
First Lieut. John Edwin Robinson, Medical Reserve Corps, from October 11, 1917.
First Lieut. Lewis Edwin Joel Browne, Medical Reserve Corps, from October 11, 1917.
First Lieut. Ernest Kenneth Stratton, Medical Reserve Corps, from October 12, 1917.
First Lieut. James Archibald Orbison, Medical Reserve Corps, from October 12, 1917.
First Lieut. Paul Maxwell Neuman Kyle, Medical Reserve Corps, from October 13, 1917.
Capt. William Cotman Whitmore, Medical Reserve Corps, from October 13, 1917.
First Lieut. Albert Berchmans Pavy, Medical Reserve Corps, from October 14, 1917.
First Lieut. Francis Edgerton Evans, Medical Reserve Corps, from October 14, 1917.
First Lieut. Charles Earle Brenn, Medical Reserve Corps, from October 15, 1917.
First Lieut. Francis Thomas Duffy, Medical Reserve Corps, from October 15, 1917.
First Lieut. Leonard Webster Weaver, Medical Reserve Corps, from October 16, 1917.
First Lieut. Louie Felger, Medical Reserve Corps, from October 16, 1917.
First Lieut. Leo Stewart Trask, Medical Reserve Corps, from October 17, 1917.
First Lieut. Raymond Albert Tomassene, Medical Reserve Corps, from October 17, 1917.
First Lieut. Lowyd Whitcombe Ballantyne, Medical Reserve Corps, from October 18, 1917.
First Lieut. Otto Richard Brown, Medical Reserve Corps, from October 18, 1917.
First Lieut. Charles Elmer Yoho, Medical Reserve Corps, from October 19, 1917.
First Lieut. Cornelius Anthony Denehy, Medical Reserve Corps, from October 19, 1917.
First Lieut. Joseph Patrick Madigan, Medical Reserve Corps, from October 20, 1917.
First Lieut. Robert Keith Simpson, Medical Reserve Corps, from October 20, 1917.
First Lieut. Patrick Sarsfield Madigan, Medical Reserve Corps, from October 21, 1917.
First Lieut. Frederick Bryton Little, Medical Reserve Corps, from October 21, 1917.
First Lieut. Chester A. Stayton, Medical Reserve Corps, from October 22, 1917.
First Lieut. Herbert Wilson Rogers, Medical Reserve Corps, from October 22, 1917.
First Lieut. John Robert Evers, Medical Reserve Corps, from October 23, 1917.
First Lieut. Ralph Elmer Curti, Medical Reserve Corps, from October 23, 1917.
First Lieut. Daniel Clyde Hankey, Medical Reserve Corps from October 24, 1917.
First Lieut. Frederick Arthur Blesse, Medical Reserve Corps, from October 24, 1917.
First Lieut. Charles Crawford Dickey, Medical Reserve Corps, from October 25, 1917.
First Lieut. George Beard Fletcher, Medical Reserve Corps, from October 25, 1917.
First Lieut. Walter Henry Mytinger, Medical Reserve Corps, from October 26, 1917.
First Lieut. John Joseph Carden, Medical Reserve Corps, from October 26, 1917.
First Lieut. Henry Earl Fraser, Medical Reserve Corps, from October 27, 1917.

First Lieut. John Ross Whisenant, Medical Reserve Corps, from October 27, 1917.
First Lieut. Harold Horton Golding, Medical Reserve Corps, from October 28, 1917.
First Lieut. Harry Philip Shugerman, Medical Reserve Corps, from October 28, 1917.
First Lieut. William Cramer Pollock, Medical Reserve Corps, from October 29, 1917.
First Lieut. William Walker McCaw, Medical Reserve Corps, from October 29, 1917.
First Lieut. Edward Howard Tonolla, Medical Reserve Corps, from October 30, 1917.
First Lieut. Earle Douglass Quinnell, Medical Reserve Corps, from October 30, 1917.
First Lieut. Harold Ogden Brown, Medical Reserve Corps, from October 31, 1917.
First Lieut. Douglas Hamilton Mebane, Medical Corps, from October 31, 1917.
First Lieut. Paul Barrus Johnson, Medical Reserve Corps, from November 1, 1917.
First Lieut. Irving Kennedy Lovett, Medical Reserve Corps, from November 1, 1917.
First Lieut. Montreville Alfred St. Peter, Medical Reserve Corps, from November 2, 1917.
First Lieut. Frank McAlpin Moose, Medical Reservé Corps, from November 2, 1917.
First Lieut. Percy Kenward Telford, Medical Reserve Corps, from November 3, 1917.
First Lieut. William Boyd Brigman, Medical Reserve Corps, from November 3, 1917.
First Lieut. Benjamin Franklin Pence, Medical Reserve Corps, from November 4, 1917.
First Lieut. Wayne Roscoe Beardsley, Medical Reserve Corps, from November 4, 1917.
First Lieut. Warren Stirling, Medical Reserve Corps, from November 5, 1917.
First Lieut. Don Guernsey Hilldrup, Medical Reserve Corps, from November 5, 1917.
First Lieut. Richard Samuel Magee, Medical Reserve Corps, from November 6, 1917.
First Lieut. William Alexander Smith, Medical Reserve Corps, from November 6, 1917.
First Lieut. Frank William Pinger, Medical Reserve Corps, from November 7, 1917.
First Lieut. Ivy Albert Pelzman, Medical Reserve Corps, from November 7, 1917.
First Lieut. Edward Spencer Murphy, Medical Reserve Corps, from November 8, 1917.
First Lieut. Leo Pecci Bell, Medical Reserve Corps, from November 8, 1917.
First Lieut. Richard Eugene Werlich, Medical Reserve Corps, from November 9, 1917.
First Lieut. Paul Kurt Sauer, Medical Reserve Corps, from November 9, 1917.
First Lieut. Herbert Rowell Stolz, Medical Reserve Corps, from November 10, 1917.
First Lieut. Louis de Keyser Belden, Medical Reserve Corps, from November 10, 1917.
First Lieut. Andrew William Smith, Medical Reserve Corps, from November 11, 1917.
First Lieut. Willard Samuel Howard, Medical Reserve Corps, from November 11, 1917.
First Lieut. Philip Palmer Green, Medical Reserve Corps, from November 12, 1917.
First Lieut. William Hulbert Barrow, Medical Reserve Corps, from November 12, 1917.
Capt. Gordon Fay Willey, Medical Reserve Corps, from November 13, 1917.
First Lieut. Frank Arents Plum, Medical Reserve Corps, from November 13, 1917.
First Lieut. Charles Robert Irving, Medical Corps, National Guard, from November 14, 1917.
First Lieut. William Wiley Jones, Medical Reserve Corps, from November 14, 1917.
First Lieut. Charles Clifford Hawke, Medical Reserve Corps, from November 15, 1917.
First Lieut. Noland Mackenzie Canter, Medical Reserve Corps, from November 15, 1917.
First Lieut. Pierre Numa Charbonnet, Medical Reserve Corps, from November 16, 1917.
First Lieut. James Claude Kimbrough, Medical Reserve Corps, from November 16, 1917.
Capt. Meredith Rutherford Johnston, Medical Reserve Corps, from November 17, 1917.
First Lieut. Merril Kirk Lindsay, Medical Corps, National Guard, from November 17, 1917.
First Lieut. William Drummond Middleton, Medical Reserve Corps, from November 18, 1917.
First Lieut. Leon Hastings Cornwall, Medical Corps, National Guard, from November 18, 1917.
First Lieut. Read Benedict Harding, Medical Corps, National Guard, from November 19, 1917.
Capt. James Wesley Duckworth, Medical Reserve Corps, from November 19, 1917.
First Lieut. Bradford Massey, Medical Corps, National Guard, from November 20, 1917.
First Lieut. Edgar Henry Howell, Medical Reserve Corps, from November 20, 1917.
First Lieut. George William Snyder, Medical Reserve Corps, from November 21, 1917.
First Lieut. Paul Stanislaus Wagner, Medical Reserve Corps, from November 21, 1917.
First Lieut. John Alfred Parsons Millet, Medical Reserve Corps, from November 22, 1917.
First Lieut. Joseph Daniel Foley, Medical Reserve Corps, from November 22, 1917.
First Lieut. Lewis Alfred Newfield, Medical Reserve Corps, from November 23, 1917.
First Lieut. Thomas Maurice Leahy, Medical Reserve Corps, from November 23, 1917.
First Lieut. Louis Anatole La Garde, jr., Medical Reserve Corps, from November 24, 1917.
First Lieut. Edward Lane Moore, Medical Reserve Corps, from November 24, 1917.
First Lieut. Charles Augustus Pfeffer, Medical Reserve Corps, from November 30, 1917.
First Lieut. Louis Martin Field, Medical Reserve Corps, from December 8, 1917.
Capt. Clarence Edward Burt, Medical Reserve Corps, from December 8, 1917.
First Lieut. John Andrews Rogers, Medical Corps, National Guard, from December 8, 1917.
First Lieut. Gilbert Octavius Crank, Medical Reserve Corps, from December 8, 1917.
Capt. Harmon Paul Buffum Jordan, Medical Reserve Corps, from December 8, 1917.
Capt. William Patrick Joseph Ruddy, Medical Reserve Corps, from December 8, 1917.
Capt. Harmon Hadley Ashley, Medical Reserve Corps, from December 8, 1917.
First Lieut. Walter Leland Richards, Medical Corps, National Guard, from December 8, 1917.
First Lieut. Newton Washington Sentell, Medical Corps, National Guard, from December 8, 1917.
First Lieut. Stanley Gibson Odom, Medical Reserve Corps, from December 8, 1917.
First Lieut. Rees Stephen Lloyd, Medical Reserve Corps, from December 8, 1917.
First Lieut. Richard Samuel Moynan, Medical Reserve Corps, from December 8, 1917.
First Lieut. William Davies McLelland, Medical Reserve Corps, from December 8, 1917.
Capt. James Roy Hudnall, Medical Reserve Corps, from December 8, 1917.
First Lieut. Charles Rice Lanahan, Medical Corps, National Guard, from December 8, 1917.

PROVISIONAL APPOINTMENTS IN THE ARMY.

CAVALRY ARM.

To be second lieutenants with rank from October 24, 1917.

First Lieut. De Lancey Bentley, One hundred and eighth Infantry, National Guard.
Second Lieut. William Paton Rauch, Infantry, National Guard.
Private John Aethuruld Garvin, Troop A, Twenty-ninth Division, Military Police, New Jersey National Guard.
First Lieut. Daniel Denison Streeter, Infantry, National Guard.
Second Lieut. Randolph Russell, Infantry, National Guard.
Second Lieut. Brock Putnam, Infantry, National Guard.
Corpl. Leland Long Miller, Troop B, First Squadron, Cavalry, Virginia National Guard.
Second Lieut. Edwin Miles Sumner, Infantry, National Guard.
Private William J. McChesney, jr., Troop B, First Cavalry, New York National Guard.
Private Joseph Sheehan, Headquarters Company, Twenty-fifth Cavalry, Regular Army.

Sergt. James Madison Currin, Troop B, First Cavalry, Virginia National Guard.
Second Lieut. Thomas Henry Green, Infantry, National Guard.
Corpl. William H. C. Grimes, Troop D, First Cavalry, New York National Guard.
First Class Private Russell Crayden Winchester, Troop D, First Cavalry, New York National Guard.
Sergt. James Stevenson Rodwell, Medical Department.
Sergt. Charles Francis Choate, 3d, Headquarters Company, One hundred and first Field Artillery, National Guard.
Second Lieut. Charles Diller Ryan, Infantry, National Guard.
Second Lieut. Nathaniel Holmes, Infantry, National Guard.
First Class Private Kirk Broaddus, Troop B, First Cavalry, Virginia National Guard.
Sergt. Paul Blackmer, One hundred and first Field Artillery, National Guard.
Corpl. Herbert Aladdin Suman, Troop L, Seventh Cavalry.
Second Lieut. Harold de Beaumont Bruck, Infantry, National Guard.
Second Lieut. Donald Anderson Young, Infantry, National Guard.
Second Lieut. Hans Charles Minuth, Infantry, National Guard.
Second Lieut. Edwin Clarence Gere, Infantry, National Guard.
Second Lieut. John Martin Sweeney, jr., Infantry, National Guard.
Second Lieut. George Gill Ball, Infantry, National Guard.
Sergt. Samuel C. Skemp, Troop I, Seventh Cavalry.

To be second lieutenants with rank from October 25, 1917.

Second Lieut. Jacob Monroe Carter, jr., Cavalry, Officers' Reserve Corps.
First Lieut. Thomas Pierrepont Hazard, Cavalry, Officers' Reserve Corps.
Second Lieut. Francis Charles Dossert, Cavalry, Officers' Reserve Corps.
Second Lieut. George Washington Ewing, jr., Cavalry, Officers' Reserve Corps.
Second Lieut. Crawford Clark Madeira, Cavalry, Officers' Reserve Corps.
Second Lieut. Charles Poultney Davis, Cavalry, Officers' Reserve Corps.
Second Lieut. Harry Robert Kilbourne, Infantry, Officers' Reserve Corps.
Second Lieut. Elmer Edward Finck, Cavalry, Troop I, Officers' Reserve Corps.
Second Lieut. Harry Hodges Semmes, Cavalry, Officers' Reserve Corps.
Second Lieut. Clifford Arthur Eastwood, Cavalry, Officers' Reserve Corps.
First Lieut. Guy Allegre Russell, Officers' Reserve Corps.
Second Lieut. Fenton Stratton Jacobs, Cavalry, Officers' Reserve Corps.
Second Lieut. Catesby ap Catesby Jones, Cavalry, Officers' Reserve Corps.
Second Lieut. Charles Wharton, Cavalry, Officers' Reserve Corps.
Second Lieut. W. Dirk Van Ingen, Sixth Cavalry, Officers' Reserve Corps.
Second Lieut. Herbert Vaughn Scanlan, Cavalry, Officers' Reserve Corps.
Second Lieut. Sigurd von Christierson, Eighth Cavalry, Officers' Reserve Corps.
First Lieut. Kenneth Osborne Spinning, Cavalry, Officers' Reserve Corps.
Second Lieut. Curt Eric Hansen, Cavalry, Officers' Reserve Corps.
Second Lieut. Vincent Paul Ryan, Cavalry, Officers' Reserve Corps.
First Lieut. Raymond Charles Blatt, Cavalry, Officers' Reserve Corps.
Second Lieut. Clinton de Witt, Engineers, Officers' Reserve Corps.
First Lieut. Harold J. Adams, Cavalry, Officers' Reserve Corps.
Second Lieut. William Booth Van Auken, Cavalry, Officers' Reserve Corps.
Second Lieut. Harold Kitson, Cavalry, Officers' Reserve Corps.
Second Lieut. John Boies, Cavalry, Officers' Reserve Corps.
Second Lieut. Charles Raymund Gross, Officers' Reserve Corps.
Second Lieut. Irvine L. McAlister, Cavalry, Officers' Reserve Corps.
Second Lieut. Robert Gale Breene, Engineers, Officers' Reserve Corps.
Second Lieut. James Irving Gibbon, Cavalry, Officers' Reserve Corps.
Second Lieut. Walter Carter Butler, Field Artillery, Officers' Reserve Corps.
Second Lieut. Don Briley, Infantry, Officers' Reserve Corps.
Second Lieut. Howard Forrest Long, Cavalry, Officers' Reserve Corps.
Second Lieut. Benjamin Lufkin, Infantry, Officers' Reserve Corps.
Second Lieut. Burton Curtis Andrus, Infantry, Officers' Reserve Corps.
Second Lieut. Harold E. Lewis, Infantry, Officers' Reserve Corps.
Second Lieut. Newell Phipps Weed, Cavalry, Officers' Reserve Corps.
Second Lieut. Arthur Henry Besse, Engineers, Officers' Reserve Corps.
Second Lieut. Charles W. White, Cavalry, Officers' Reserve Corps.
John Royer Lindsey, honor graduate, of Illinois.
Second Lieut. George L. Snelling, Infantry, Officers' Reserve Corps.
Second Lieut. Duane Lenton Tice, Infantry, Officers' Reserve Corps.
Second Lieut. Jason Budd Hart, Second Cavalry, Officers' Reserve Corps.
Roland Harman Rogers, honor graduate, of Ohio.
Fred New Raymond, honor graduate, of New Hampshire.
Glenn William Keith, honor graduate, of Kansas.
Roscoe Cuffe Brabazon Ellard, honor graduate, of Missouri.
Robert Chandler Knowlton, honor graduate, of Vermont.
Richard Hervey Pinney, honor graduate, of Massachusetts.
Garland Cuzorte Black, honor graduate, of Missouri.
George Albert Delaney, honor graduate, of Missouri.
Joseph Andral Nichols, honor graduate, of South Carolina.
Albert George Hunt, honor graduate, of Vermont.
Egbert Frank Bullene, honor graduate, of California.
Arthur Wood Stanley, honor graduate, of Vermont.
Harold Edwin Brailey, honor graduate, of Vermont.
Carleton Burgess, honor graduate, of Maryland.

To be second lieutenants with rank from October 26, 1917.

Frederick Hukill Vandegrift, of Kansas.
Second Lieut. Harry Eugene Dodge, Cavalry, Officers' Reserve Corps.
Second Lieut. Charles Forrest Palmer, Cavalry, Officers' Reserve Corps.
Second Lieut. Jay Dolph Donald Marcellus, Cavalry, Officers' Reserve Corps.
Second Lieut. Lewis Downey Cooper, jr., Cavalry, Officers' Reserve Corps.
Second Lieut. Charles Jester Davis, Cavalry, Officers' Reserve Corps.
Second Lieut. George William Outland, Engineers, Officers' Reserve Corps.
Second Lieut. John Menifee Moose, jr., Cavalry, Officers' Reserve Corps.
Second Lieut. Nelson Revitt Perry, Cavalry, Officers' Reserve Corps.
Second Lieut. Innes Randolph, Infantry, Officers' Reserve Corps.
Second Lieut. Carl Beecher Byrd, Cavalry, Officers' Reserve Corps.
Second Lieut. Thomas Brady, jr., Cavalry, Officers' Reserve Corps.
Second Lieut. Gilbert Xavier Cheves, Infantry, Officers' Reserve Corps.
Second Lieut. Wingate Battle, Cavalry, Officers' Reserve Corps.
Second Lieut. Harold Binkley Warfield, Cavalry, Officers' Reserve Corps.
Second Lieut. Wade Carpenter Gatchell, Cavalry, Officers' Reserve Corps.
Second Lieut. Henry George White, Cavalry, Officers' Reserve Corps.
Second Lieut. Norman Dean Twitchell, Cavalry, Officers' Reserve Corps.
Second Lieut. Andrew Jackson Wynne, Cavalry, Officers' Reserve Corps.
Second Lieut. Howard Charles Wiener, Cavalry, Officers' Reserve Corps.
Second Lieut. Walter Frank Goodman, Cavalry, Officers' Reserve Corps.

Second Lieut. Thomas Mardenbro Benson, Cavalry, Officers' Reserve Corps.
Edward Forrest Porter, of North Dakota.
Second Lieut. Lucian King Truscott, jr., Cavalry, Officers' Reserve Corps.
Second Lieut. Ralph Erland Alstead, Cavalry, Officers' Reserve Corps.
Arthur Sewell Kelley, of Kentucky.
Second Lieut. James Hugh Akerman, Infantry, Officers' Reserve Corps.
Second Lieut. Raymond Thomas Connell, Infantry, Officers' Reserve Corps.
Second Lieut. James Nicholas Winn McClure, Field Artillery, Officers' Reserve Corps.
Second Lieut. Gabriel Requa Mead, Cavalry, Officers' Reserve Corps.
Second Lieut. Millard George Haraden, Cavalry, Officers' Reserve Corps.
Second Lieut. David McKay Wilson, Cavalry, Officers' Reserve Corps.
Second Lieut. Leonard Mortimer Mertz, Cavalry, Officers' Reserve Corps.
Second Lieut. Ernest Arthur Williams, Cavalry, Officers' Reserve Corps.
Second Lieut. Daniel Herman McCarthy, Cavalry, Officers' Reserve Corps.
Second Lieut. Slocum Kingsbury, Cavalry, Officers' Reserve Corps.
Second Lieut. George Harrison Millholland, Infantry, Officers' Reserve Corps.
Gardiner Scudder Platt, of New Jersey.
Minor George Fitzer, of Kansas.
Second Lieut. Roy Irwin Phares, Cavalry, Officers' Reserve Corps.
Second Lieut. Donald Ross Dunkle, Cavalry, Officers' Reserve Corps.
Second Lieut. Chester Earl Davis, Cavalry, Officers' Reserve Corps.
Second Lieut. Holmes Gill Paullin, Cavalry, Officers' Reserve Corps.
Second Lieut. Francis Royal Kenney, Cavalry, Officers' Reserve Corps.
Second Lieut. Monroe Payne Smith, Engineers, Officers' Reserve Corps.
Second Lieut. John Hamilton Irving, Infantry, Officers' Reserve Corps.
Second Lieut. Evan Dhu Cameron, jr., Cavalry, Officers' Reserve Corps.
Second Lieut. William Francis McLaughlin, Cavalry, Officers' Reserve Corps.
Second Lieut. Glenn Smith Finley, Cavalry, Officers' Reserve Corps.
Second Lieut. Manly Foster Meador, Cavalry, Officers' Reserve Corps.
Second Lieut. Ernest Francis Sexton, Infantry, Officers' Reserve Corps.
Second Lieut. Stephen Webb Davis, Cavalry, Officers' Reserve Corps.
Second Lieut. Lynn Boyd Conde, Cavalry, Officers' Reserve Corps.
Second Lieut. Clarence Beryl Werts, Cavalry, Officers' Reserve Corps.
Second Lieut. Henry Roberts Miller, jr., Cavalry, Officers Reserve Corps.
Second Lieut. John Henderson Gay Reilly, Cavalry, Officers' Reserve Corps.
Second Lieut. Charles Herman Unger, Cavalry, Officers' Reserve Corps.
Second Lieut. William Donald Tabor, Cavalry, Officers' Reserve Corps.
Horace S. King, of California.
Second Lieut. Edward Maynard Fickett, Cavalry, Officers' Reserve Corps.
Second Lieut. James Couzens Van Ingen, Officers' Reserve Corps.
Second Lieut. Callie Hammond Palmer, Cavalry, Officers' Reserve Corps.
Charles Rawlings Chase, of Kansas.
Second Lieut. Thomas Francis Mishou, jr., Cavalry, Officers' Reserve Corps.
Robert Bruce Jackson, of Texas.
Second Lieut. Christopher Columbus Strawn, Cavalry, Officers' Reserve Corps.
Second Lieut. Allyn Raymond Brownson, Infantry, Officers' Reserve Corps.
Second Lieut. John Russell Breitinger, Infantry, Officers' Reserve Corps.
Second Lieut. Robert David Beer, Cavalry, Officers' Reserve Corps.
Second Lieut. Alfred Joseph de Lorimier, Cavalry, Officers' Reserve Corps.
Second Lieut. Malcolm Gray Lowry, Infantry, Officers' Reserve Corps.
Second Lieut. William Osce Coleman, Field Artillery, Officers' Reserve Corps.
Second Lieut. Herbert Reading Sargent, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Elgin Ketchum, Cavalry, Officers' Reserve Corps.
Arwed Charles Baltzer, of Idaho.
Second Lieut. James Walter Ewing, Infantry, Officers' Reserve Corps.
Second Lieut. Wallace Van Cleave, Cavalry, Officers' Reserve Corps.
Second Lieut. Karl Warren Curtis, Field Artillery, Officers' Reserve Corps.
Second Lieut. Carl Emet Rankin, Cavalry, Officers' Reserve Corps.
Second Lieut. Richard Earl Taliant, Cavalry, Officers' Reserve Corps.
Second Lieut. Nelson Monroe Utley, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Alexander MacDonald, Cavalry, Officers' Reserve Corps.
Second Lieut. Henry Hale Cheshire, Cavalry, Officers' Reserve Corps.
Nathan Bartholomew Reynolds, of Texas.
John Andrew Wood, of New Jersey.
Venable Moore, of Virginia.
Guy Littleton Furr, of West Virginia.
Second Lieut. Joseph Augustus Blake, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Walter McLaren Robinson, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Sylvester Peters, Infantry, Officers' Reserve Corps.
Second Lieut. Herbert Ludwell Earnest, Cavalry, Officers' Reserve Corps.
Second Lieut. Verne Austin, Cavalry, Officers' Reserve Corps.
Second Lieut. Willis Holcombe Ryder, Field Artillery, Officers' Reserve Corps.
Alden Hamilton Torrey, of Kansas.
Second Lieut. Morris Towar Whitmore, Cavalry, Officers' Reserve Corps.
Second Lieut. Samuel Leask, jr., Field Artillery, Officers' Reserve Corps.
Guy Edward Dillard, of Tennessee.
Second Lieut. Ray Tyson Maddocks, Field Artillery, Officers' Reserve Corps.
Second Lieut. Thomas Alexander Frazier, Cavalry, Officers' Reserve Corps.
Second Lieut. Victor Robert Sladek, Field Artillery, Officers' Reserve Corps.
Second Lieut. James William Husted, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Richard Nelson Atwell, Engineers, Officers' Reserve Corps.
Second Lieut. William Elliott, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Thomas Bayne Locke, Cavalry, Officers' Reserve Corps.
Second Lieut. Morris Simpson Daniels, jr., Cavalry, Officers' Reserve Corps.
Second Lieut. Frank Starr Pope, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harold Glenn Davis, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Morris Cherry, Field Artillery, Officers' Reserve Corps.
Alfred Theodore Wyman, of Massachusetts.
Roger William Sawyer, of Oklahoma.
John Hanna Welsh, of Missouri.
Edward Perry Morton, of New Jersey.
Second Lieut. Edwin John Kratzenberg, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Dudley Coye, Field Artillery, Officers' Reserve Corps.

Second Lieut. Almet Francis Jenks, jr., Cavalry, Officers' Reserve Corps.
James Parsons Gifford, of New York.
Second Lieut. Vern Hinkley, Cavalry, Officers' Reserve Corps.
Second Lieut. Charles Claflin Allen, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. A. Herman Stump, Cavalry, Officers' Reserve Corps.
Second Lieut. John Orland Lawrence, Cavalry, Officers' Reserve Corps.
Second Lieut. Charles Williamson Glover, Field Artillery, Officers' Reserve Corps.
William Ralph Evans, of Kansas.
Second Lieut. John Knox Gailey, jr., Cavalry, Officers' Reserve Corps.
Second Lieut. Warren Lambert Shumaker, Officers' Reserve Corps.
Second Lieut. Charles Read Simmons, Field Artillery, Officers' Reserve Corps.
Second Lieut. James Van Valkenburg Shufelt, Engineers, Officers' Reserve Corps.
William Harold Davidson, of Pennsylvania.
Herbert Anson Welch, of Nebraska.
Second Lieut. Hobart Raymond Gay, Cavalry, Officers' Reserve Corps.
Second Lieut. Rutherford Leon Hammond, Cavalry, Officers' Reserve Corps.
Paul Humiston Alling, of Connecticut.
Second Lieut. Ervin William Harrison, jr., Cavalry, Officers' Reserve Corps.
Second Lieut. Raymond Gordon Clark, Field Artillery, Officers' Reserve Corps.
Elisha Carpenter Wattles, of Massachusetts.
Brooks Shumaker, of Massachusetts.
Second Lieut. Parker Gillespie Tenney, Field Artillery, Officers' Reserve Corps.
Second Lieut. George Pat Pattison, Cavalry, Officers' Reserve Corps.
Second Lieut. Mordaunt Verne Turner, Cavalry, Officers' Reserve Corps.
Second Lieut. Norman E. Waldron, Field Artillery, Officers' Reserve Corps.
Second Lieut. Herbert Johnson Burke, Field Artillery, Officers' Reserve Corps.
Second Lieut. Leo Lawrence Gocker, Cavalry, Officers' Reserve Corps.
Carleton Swasey, of Connecticut.
John Hickman Ransdell, of Louisiana.
Second Lieut. Edwin Wilds Godbold, Field Artillery, Officers' Reserve Corps.
Second Lieut. Louis Gerisch Forney, Field Artillery, Officers' Reserve Corps.
Second Lieut. Hugh Brooks, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Gilbert White, Field Artillery, Officers' Reserve Corps.
Second Lieut. Edwin William Meise, Cavalry, Officers' Reserve Corps.
Second Lieut. Raymond Carmichael Gibbs, Cavalry, Officers' Reserve Corps.
Second Lieut. Leo Francis Crane, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harry Clark Boden, Cavalry, Officers' Reserve Corps.
Second Lieut. Alfred Grace Ford, Field Artillery, Officers' Reserve Corps.
Second Lieut. Rohland Andrew Isker, Cavalry, Officers' Reserve Corps.
Second Lieut. James Madison Graham, jr., Infantry, Officers' Reserve Corps.
Second Lieut. Wallace Graham Corwin, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Reginald Maxwell, Field Artillery, Officers' Reserve Corps.
Second Lieut. Peter Ditmar Larson, Field Artillery, Officers' Reserve Corps.
Second Lieut. Charles Arthur Horger, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Oney Wright, Cavalry, Officers' Reserve Corps.
Second Lieut. Arthur Dickinson Soper, Engineers, Officers' Reserve Corps.
Second Lieut. Conrad Grey Wall, Infantry, Officers' Reserve Corps.
Andrew Wilson, jr., of New Jersey.
Second Lieut. Roger Lee Branham, Cavalry, Officers' Reserve Corps.
Second Lieut. Harold Albert Davis, Field Artillery, Officers' Reserve Corps.
Lloyd Arthur Houchin, of Minnesota.
Second Lieut. Charlie Edward Hart, Cavalry, Officers' Reserve Corps.
Richard Thomas Lyons, of Massachusetts.
Second Lieut. Hugh Arthur Barnhart, Field Artillery, Officers' Reserve Corps.
Second Lieut. James Wade Jenkins, Field Artillery, Officers' Reserve Corps.
George Henry Howard, jr., of California.
Second Lieut. Frank Wideman, Infantry, Officers' Reserve Corps.
Second Lieut. Arthur Chittenden Crunden, Field Artillery, Officers' Reserve Corps.
James Parker, of Oklahoma.
James Thomson Donald, of Oregon.
Edward Gillett Knowles, of Colorado.
Guy Tilghman Orme Hollyday, of Maryland.
Francis Vincent Terry, of Massachusetts.
Second Lieut. Tolman Douglas Wheeler, Engineers, Officers' Reserve Corps.
Second Lieut. Charles Edward Dissinger, Cavalry, Officers' Reserve Corps.
Martin George Charles, of New York.
Second Lieut. Earl Maxwell Abbott, Field Artillery, Officers' Reserve Corps.
Harvey Morris Breaks, of Indiana.
Second Lieut. Williamson Wells Simons, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Bage Kerr, Cavalry, Officers' Reserve Corps.
Samuel Vallance Hyatt Danzig, of New York.
Second Lieut. George Frederic Neilson, Field Artillery, Officers' Reserve Corps.
Dean Ambrose Jones, of Texas.
Second Lieut. Hugh Franklin Conrey, Field Artillery, Officers' Reserve Corps.
Second Lieut. Callistus James Ennis, Field Artillery, Officers' Reserve Corps.
Venance LeMay, of Kansas.
Edward Longworth Morss, of Massachusetts.
Paul Carson Febiger, of California.
David Nelson Sutton, of Virginia.
Second Lieut. Alexander Dyer Mason, Engineers, Officers' Reserve Corps.
William Eskridge Duke, of Virginia.
James Jerome Roach, of Massachusetts.
Second Lieut. Paul Juneau King, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harry Edmund Pendleton, Cavalry, Officers' Reserve Corps.
Second Lieut. Thomas McPheeters Glasgow, of Virginia.
Second Lieut. John McLean, Field Artillery, Officers' Reserve Corps.
Second Lieut. Fred Thomas Cunningham, Cavalry, Officers' Reserve Corps.
Benton Frank Munday, of Missouri.
Second Lieut. Gyles Merrill, Field Artillery, Officers' Reserve Corps.
Second Lieut. William Copers Bowie, Cavalry, Officers' Reserve Corps.
Second Lieut. Wilfred Ernest Willis, Infantry, Officers' Reserve Corps.
Second Lieut. John Blaine Seaton, Cavalry, Officers' Reserve Corps.
Second Lieut. Thomas Paul Sweeney, Field Artillery, Officers' Reserve Corps.
Second Lieut. Richard Sutphen Miesse, Field Artillery, Officers' Reserve Corps.
Second Lieut. James Montagu Adamson, jr., Cavalry, Officers' Reserve Corps.
Second Lieut. Charles Everhardt Sheldrake, Field Artillery, Officers' Reserve Corps.
Second Lieut. Kenneth Melville Harris, Cavalry, Officers' Reserve Corps.
Max Harry Nippell, of Iowa.
Charles Morton Stewart, 3d, of Maryland.
Second Lieut. Philip Sheridan Weadock, Cavalry, Officers' Reserve Corps.

Second Lieut. Stewart F. Miller, Field Artillery, Officers' Reserve Corps.
Second Lieut. Joe Carroll Rogers, Field Artillery, Officers' Reserve Corps.
Second Lieut. Frank Albert Allen, jr., Infantry, Officers' Reserve Corps.
Second Lieut. Matthew Griswold, 3d, Field Artillery, Officers' Reserve Corps.
Second Lieut. Guy Orth Kurtz, Field Artillery, Officers' Reserve Corps.
Second Lieut. Louis Joseph Compton, Field Artillery, Officers' Reserve Corps.
Frederick Sanborn, of Minnesota.
Second Lieut. Clarence Augustus Lefferts, Field Artillery, Officers' Reserve Corps.
Second Lieut. Nables Fred Ryan, Cavalry, Officers' Reserve Corps.
George W. Barber, of Kansas.
Francis Minot Weld, of Massachusetts.
Second Lieut. Read Wipprecht, Field Artillery, Officers' Reserve Corps.
Second Lieut. Claire Morton Daugherty, Field Artillery, Officers' Reserve Corps.
Second Lieut. Ceylon Otto Griffin, Cavalry, Officers' Reserve Corps.
Edward E. Hamilton, of Wisconsin.
Erle Fletcher Cress, of Oklahoma.
Dimetrio Peter Harkins, of California.
Harold Grant Hathaway, of Virginia.
Bruce Magaw McDill, of Ohio.
Loren Francis Parmley, of South Dakota.
Second Lieut. Edward Herendeen, Cavalry, Officers' Reserve Corps.
Second Lieut. Floyd Manley Friar, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Anthony Anheier, Cavalry, Officers' Reserve Corps.
Second Lieut. Grayson Hunter Bowers, Field Artillery, Officers' Reserve Corps.
Second Lieut. Thomas W. Herron, Field Artillery, Officers' Reserve Corps.
Second Lieut. Alfred Roy Teter, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harry Glenister Clarke, Field Artillery, Officers' Reserve Corps.
Second Lieut. Alden Humphrey Seabury, Field Artillery, Officers' Reserve Corps.
Joseph Sarsfield Sweeney, of Connecticut.
Fred William Koester, of Kansas.
Marvin Banks Perry, of Georgia.
Second Lieut. Clarence Arthur Shannon, Cavalry, Officers' Reserve Corps.
Second Lieut. Alexander Bull MacNabb, Cavalry, Officers' Reserve Corps.
Second Lieut. Robert Hicks Van Deusen, Field Artillery, Officers' Reserve Corps.
Second Lieut. Charles Campbell McCall, Cavalry, Officers' Reserve Corps.
William Neely Todd, jr., of Kansas.
Second Lieut. Walton Whittingham Cox, Cavalry, Officers' Reserve Corps.
Second Lieut. Dudley Miller, Field Artillery, Officers' Reserve Corps.
John Kelly Egan, of Illinois.
Thomas Reed Taber, of Massachusetts.
Second Lieut. Earl Wilton Henderson, Field Artillery, Officers' Reserve Corps.
Second Lieut. Ross Ernest Larsen, Infantry, Officers' Reserve Corps.
Second Lieut. Charles William Burton, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harry Duncan Bishop, Cavalry, Officers' Reserve Corps.
Second Lieut. Walter Alfred Stover, Field Artillery, Officers' Reserve Corps.
Samuel Greenwood Mitchell, of Massachusetts.
Calvert Lewis Estill, of West Virginia.
Nathan Cockrell, of Florida.
Second Lieut. Channing Clarence Beeth, Cavalry, Officers' Reserve Corps.
Second Lieut. Cecil Junior North, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Milton Eichelsdoerfer, Field Artillery, Officers' Reserve Corps.
Edmund Hope Driggs, jr., of New York.
Second Lieut. James Tolmie Watson, jr., Field Artillery, Officers' Reserve Corps.
Roswell Emory Round, of Virginia.
William Donald Thompson, of Kansas.
Graham Train Winslow, of Massachusetts.
Edward Brooke Harry, of the District of Columbia.
Herbert Delmar Bowman, of New York.
Second Lieut. Albert Gordon Klapp, Field Artillery, Officers' Reserve Corps.
Second Lieut. Fred Paul Clark, Field Artillery, Officers' Reserve Corps.
James Perry Thurber, of Massachusetts.
Edward Abbott Titcomb, of Arizona.
Henry Chace Tatnall, of Pennsylvania.
Harry Leroy Jones, of Illinois.
John William Middendorf, jr., of Maryland.
Second Lieut. Calvin Ray MacGillivray, Field Artillery, Officers' Reserve Corps.
Second Lieut. George Stanley Clarke, Field Artillery, Officers' Reserve Corps.
Harold Paul Stewart, of Missouri.
Second Lieut. Harold La Roy King Albro, Field Artillery, Officers' Reserve Corps.
Second Lieut. Ward H. Porter, Cavalry, Officers' Reserve Corps.
Elias Lyman, jr., of Vermont.
Charles Lemon Baker, of Kansas.
Darrow Menoher, of the District of Columbia.
Mark Andrew Devine, jr., of California.
John Linton Pettibone, of Ohio.
Second Lieut. Edwards Hall Berry, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harold Ernest Taft, Field Artillery, Officers' Reserve Corps.
Second Lieut. Max George Werner, Field Artillery, Officers' Reserve Corps.
Second Lieut. Gerald Fitzgerald, Cavalry, Officers' Reserve Corps.
Paul Schulze, jr., of Illinois.
Henry C. Banks, of Connecticut.
Chauncey Ryder McPherson, of New Jersey.
Daniel Crossley Robinson, of Minnesota.
Thomas Nast St. Hill, of New York.
Second Lieut. William H. Killian, Infantry, Officers' Reserve Corps.
Second Lieut. Carl Julian Dockler, Cavalry, Officers' Reserve Corps.
Second Lieut. Alfred Porter Tenison, Field Artillery, Officers' Reserve Corps.
Second Lieut. Olin Coke Newell, Cavalry, Officers' Reserve Corps.
Second Lieut. Laurence Mather Selleck, Field Artillery, Officers' Reserve Corps.
Second Lieut. Lawrence W. Fox, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Lawrence Tracy Brown, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harry Augustus McColn, Field Artillery, Officers' Reserve Corps.
Second Lieut. Carroll Edward Patterson, Cavalry, Officers' Reserve Corps.
Second Lieut. George Maurice Robertson, Cavalry, Officers' Reserve Corps.
Second Lieut. Frank Ruckel McKay, Cavalry, Officers' Reserve Corps.
Second Lieut. Clark Wesley Johnson, jr., Cavalry, Officers' Reserve Corps.
Second Lieut. Winston Reese Withers, Field Artillery, Officers' Reserve Corps.
Ashley Hearn Conard, of California.
Frank Earle Noyes, of Maine.
Second Lieut. Ferdinand Blekre, Field Artillery, Officers' Reserve Corps.
Second Lieut. Charles Earl Flack, Field Artillery, Officers' Reserve Corps.
John Steele Tyler, of California.
Second Lieut. Aubrey Russell Bowles, jr., Cavalry, Officers' Reserve Corps.
Second Lieut. Frederick A. Gray, Field Artillery, Officers' Reserve Corps.
Second Lieut. Ralph Charles Thomas, Field Artillery, Officers' Reserve Corps.
Second Lieut. James Robert Lowry, jr., Infantry, Officers' Reserve Corps.

Second Lieut. Talbot Taylor Speer, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Minor Lile, Infantry, Officers' Reserve Corps.
Second Lieut. Charles Morton Denny, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Sidney Reed Smith, Cavalry, Officers' Reserve Corps.
Second Lieut. Russell Frank Locke, Field Artillery, Officers' Reserve Corps.
Second Lieut. Charles Underwood Fisher, Field Artillery, Officers' Reserve Corps.
Harold Stephen Thurber, of Connecticut.
Second Lieut. Arthur Tillinghast Huston, Cavalry, Officers' Reserve Corps.
Second Lieut. William Kerlin Ennis, Field Artillery, Officers' Reserve Corps.
Raymond Shener Jett, of Kentucky.
Warren Crenshaw Brown, jr., of Alabama.
Second Lieut. Clarke Oler Kimberly, Field Artillery, Officers' Reserve Corps.
Second Lieut. Paul Clarence Boylan, Field Artillery, Officers' Reserve Corps.
Second Lieut. Guy Russell Chamberlin, Cavalry, Officers' Reserve Corps.
Second Lieut. Lewis Berry Angel, Cavalry, Officers' Reserve Corps.
Jack Raymond Burke, of Pennsylvania.
William Hobart Little, of Pennsylvania.
Second Lieut. Harold Philip Heckenberger, Field Artillery, Officers' Reserve Corps.
Second Lieut. Emerson Wiley Jarman, Infantry, Officers' Reserve Corps.
Second Lieut. Roger Eugene Williams, Infantry, Officers' Reserve Corps.
Second Lieut. George James Waggner, Infantry, Officers' Reserve Corps.
Second Lieut. Claude Newbury, Field Artillery, Officers' Reserve Corps.
Second Lieut. Frank Reid Baker, Infantry, Officers' Reserve Corps.
Deane Childs Howard, jr., of Panama.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

Maj. John B. Huggins, Medical Corps, to be lieutenant colonel from September 23, 1917, vice Lieut. Col. Robert B. Grubbs, retired from active service September 22, 1917.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 13, 1917.

ASSISTANT SECRETARIES OF THE TREASURY.

Russell C. Leffingwell to be Assistant Secretary of the Treasury.
Thomas B. Love to be Assistant Secretary of the Treasury.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Commander Charles L. Hussey to be a captain.
Lieut. Commander Ernest J. King to be a commander.
The following-named ensigns to be lieutenants (junior grade):
Andrew L. Haas and
Raymond Asserson.
The following-named surgeons to be medical inspectors:
Charles St. J. Butler,
Herbert O. Shiffert,
John H. Iden,
Louis W. Bishop, and
Ulys R. Webb.
The following-named passed assistant surgeons to be surgeons:
Clarence E Strite,
Howson W. Cole,
Edgar L. Woods,
Robert C. Ransdell,
Edwin L. Jones,
Thomas G. Foster,
Condie K. Winn,
John B. Kaufman,
Matthew H. Ames,
Ausey H. Robnett,
James P. Haynes,
Abraham H. Allen,
Andre E. Lee,
Heber Butts,
Philip E. Garrison,
Thomas W. Raison, and
John O. Downey.
The following-named assistant surgeons of the United States Naval Reserve Force to be assistant surgeons:
Carlton L. Andrus,
Esdras J. Lanois,
Floyd G. Tindall, and
George A. Alden.
Oliver S. Powell to be an assistant paymaster.
Civil Engineer Charles W. Parks, with rank of commander, to be a civil engineer in the Navy with rank of captain.
Gunner Henry McEvoy to be a chief gunner.
Pay Clerk William R. Parker to be a chief pay clerk.
Commander John R. Y. Blakely to be a captain.
The following-named lieutenant commanders to be commanders:
Henry C. Mustin and
Harry K. Cage.
Lieut. George P. Brown to be a lieutenant commander.
Lieut. William L. Calhoun to be a lieutenant commander.
The following-named lieutenants to be lieutenant commanders:
Walter B. Decker and
Leo F. Welch.
Lieut. (Junior Grade) Stephen B. McKinney to be a lieutenant.
The following-named lieutenants (junior grade) to be lieutenants:
Harold S. Burdick,
Fitzhugh Green,
William N. Richardson, jr., and
Dennis E. Kemp.
Ensign Frank G. Kutz to be a lieutenant (junior grade).
The following-named ensigns to be lieutenants (junior grade):
William E. Malloy,
Thomas F. Downey, and
Charles A. Macgowan.
Midshipman Earl S. Hurlbut to be an ensign.
The following-named medical inspectors to be medical directors:
Robert M. Kennedy,
Norman J. Blackwood,
Sheldon G. Evans,
Adrian R. Alfred,
Charles M. De Valin,
Lewis Morris,
James F. Leys, and
Frank C. Cook.
Surg. Barton L. Wright to be a medical inspector.
The following-named surgeons to be medical inspectors:
Ralph W. Plummer,
John J. Snyder,
Edward M. Blackwell,
George F. Freeman,
Robert E. Ledbetter,
Samuel S. Rodman,
John M. Brister,
Frederick A. Asserson,
Henry A. Dunn,
Allan Stuart, and
Charles M. Oman.
The following-named assistant surgeons of the United States Naval Reserve Force to be assistant surgeons:
Lawrence K. McCafferty,
Stephen R. Mills,
James A. Brown,
Albert N. Champion,
Alvin L. Mills,
Millard F. Hudson,
Isaac Dellar,
Harold E. Ragle,
Lawrence T. Hopkins,
Richard A. Kern,
John C. Roe,
Nelson W. Sheley,
David Ferguson, jr.,
Lewis G. Jordan,
William C. Blake,
LeVal Lund,
George N. Herring,
Brockton R. Lyon,
Alvin E. Kuhlmann,
Jack S. Terry,

Herold P. Hare,
Charles L. Dugan,
W. Newton Long,
Walter N. Secord,
Wilbur F. Thayer,
Walter S. Harmon,
James L. Reycraft,
George M. Constans,
James E. Harvey,
Warren D. Horner,
John N. N. Osburn,
Rollo W. Hutchinson,
Albert E. Leggett,
Francis J. Tenczar,
George F. J. Kelly,
William F. McAnally,
Norman S. Cooper,
Frank H. Clemeats,
John S. Cronin,
Edward F. Mullaly,
Harry H. Slominski,
Joseph C. Keller,
John L. Frazer, jr.,
Rudolph E. Kriz,
George O. Cummings,
Hugh J. Duffy,
Daniel W. Sooy,
Joseph A. Hubbell,
John R. Poppen,
Frank P. Werner,
Arthur J. White,
Linwood H. Johnson,
Edwin W. York,
Joseph P. Corgan,
James M. Brown,
Eugene C. Lowe,
William McC. Miller,
Luther W. Boggs,
William P. Gilmer,
John L. Fisher,
Edward D. Andrews,
Albert K. Dunlap,
Charles S. Neves,
Edward C. Melton,
James R. Byrne,
Hardy V. Hughens,
Edwin C. Ebert,
George W. Millett,
Thomas J. Courtney,
Vachelle E. Harmon,
John T. Stringer,
Frank H. Cantlin,
Austin I. Dodson,
Martin J. Costello,
George A. Eckert,
Edward F. Stadtherr,
Leland M. McKinlay,
Ransom H. Holcomb,
Milton B. Clayton,
John H. Robbins,
James E. Miller,
James D. Rives,
Elmer F. Lowry,
Elwood A. Sharp,
Cola Castelloe,
George L. McClintock,
Edward M. Lundegaard,
Alton L. Grant, jr., and
Archibald O. M Wood.

Pay Inspector Barron P. Du Bois to be a pay director.

Paymaster William T. Gray to be a pay inspector.

Paymaster Robert H. Orr to be a pay inspector.

The following-named paymasters to be pay inspectors:

Charles Morris,
George C. Schafer,
George R. Venable,
Trevor W. Leutze,
Theodore J. Arms, and
David V. Chadwick.

Passed Asst. Paymaster Harry E. Collins to be a paymaster.

Passed Asst. Paymaster John H. Gunnell to be a paymaster.

Asst. Paymaster David T. Chalmers to be a passed assistant paymaster.

Machinist Charles O. Hathaway to be a chief machinist.

Pay Clerk John H. Seifert to be a chief pay clerk.

Pay Clerk Joseph O'Reilly to be a chief pay clerk.

The following-named officers to be lieutenant commanders:

Emil A. Lichtenstein,
Albert M. Cohen,
George M. Ravenscroft,
Arle A. Corwin,
Harry J. Abbett,
George McC. Courts,
Charles W. Crosse,
Frank D. Pryor,
Claudius R. Hyatt,
Roy P. Emrich,
Jacob H. Klein, jr.,
John S. Barleon,
William T. Smith,
Jacob L. Hydrick,
Stephen B. McKinney,
Louis F. Thibault,
Baxter H. Bruce,
Henry R. Keller,
Walter F. Lafrenz,
George C. Logan,
Clarence McC. McGill,
George H. Laird,
John B. Earle,
Harold V. McKittrick,
Henry G. Shonerd,
Charles T. Blackburn,
George T. Swasey, jr.,
Ellis Lando,
Ralph B. Horner,
Thomas A. Symington,
Harlow T. Kays,
Robert C. Giffen,
Richard E. Cassidy,
Richard S. Galloway,
Clarence N. Hinkamp,
Riley F. McConnell,
Ralph R. Stewart,
George Joerns,
Ralph C. Parker,
Leslie E. Bratton,
Ezra G. Allen,
Emanuel A. Lofquist,
Henry C. Gearing, jr.,
Elmer W. Tod,
Thaddeus A. Thomson, jr.,
William F. Amsden,
George W. Simpson,
Reuben R. Smith,
Samuel L. Henderson,
Homer H. Norton,
Charles S. Keller,
Alfred H. Miles,
Harold H. Ritter,
Joseph Baer,
Carl C. Krakow,
James Parker, jr.,
Elmo H. Williams,
Charles F. Pousland,
John F. Cox,
Grattan C. Dichman,
George N. Barker,
Harry A. McClure,
Charles C. Windsor,
Louis J. Gulliver,
Newton L. Nichols,
Francis A. L. Vossler,
Cortlandt C. Baughman,
Richard B. Coffman,
Jonas H. Ingram,
Emory F. Clement,
Louis C. Schreibla,
Schuyler F. Heim,
Edmund D. Almy,
Jere H. Brooks,
Robert F. Gross,
Patrick N. L. Bellinger,
William T. Mallison,
Newton H. White, jr.,
Burton A. Strait,
Seymour E. Holliday,
Forney M. Knox,
Samuel A. Clement,
Herman E. Welte,

[illegible] F. Bernard,
[illegible] Turner,
[illegible] M. Charlton,
[illegible] W. Rankin,
[illegible] F. D. Davis,
[illegible] H. Donavin,
[illegible] jr.,
[illegible] A. Jones,
[illegible] T. Shipkland,
[illegible] R. Smith, jr.,
[illegible] Turner,
[illegible] J. Brosnek,
[illegible] J. Wille,
[illegible],
Eugene E. Wilson,
Abel T. Bidwell,
Harold W. Boynton,
Russeliaer W. Clark,
Walter K. Kilpatrick,
Elvin F. Cutts,
Edward J. Foy,
Bernard H. Loftin,
Harry B. Hird,
Wilson W. Pickering,
Harry A. Badt,
James R. Oswald,
Clyde G. West,
George H. Emmerson,
Norman R. Van der Veer,
David C. Patterson, jr.,
Francis W. Rockwell, and
Sidney M. Kraus.

The following-named officers to be lieutenants in the Navy:

George Marvell,
Benjamin H. Page,
Frank J. Cunneen,
Allan W. Ashbrook,
Raymond A. Deming,
Charles T. S. Gladden,
Benjamin S. Killmaster,
Robert A. Dyer, 3d,
Raymond S. Hatch,
James E. Boak,
William A. Heard,
Charles H. Mecum,
George T. Howe,
Rudolph F. Hans,
Stetson C. Stengel,
Walter G. Baker,
[illegible] M. Moss,
Wenslaw L. Dombrowski,
Robert S. Wyman,
Lewis H. McDonald,
Thomas F. Downey,
Horace H. Jalbert,
George S. Arvin,
Lester C. Bumpus,
Randall J. Nelson,
William C. Burgy,
[illegible] P. Thomas,
Ralph O. Davis,
Francis K. O'Brien,
Sutton F. Maury,
Austin Griffin,
Clifton Y. Cohen,
William F. Roehl,
Malcolm W. Callahan,
Thomas C. Slingluff,
Donald F. Washburn,
Stuart D. Truesdell,
William S. Popham, jr.,
Frederick D. Powers,
Robert H. Maury,
Thomas C. Latimore,
Robert W. Cary,
Karl R. Shears,
Lloyd J. Wiltse,
Leon O. Alford,
Paul W. Fletcher,
Lawrence J. K. Blades,
Henry W. Hoyt,
Robert C. Starkey,
William D. Austin,
Joseph C. Arnold,
Philip R. Weaver,
Charles A. Macgowan,
Robert P. Luker,
Clarence J. McReavy,
Oliver O. Kessing,
John F. Meloney,
Delorimier M. Steece,
Wallis Gearing,
William K. Beard,
Paul Fitzsimons, jr.,
John H. Brown, jr.,
William D. Bungert,
Haiden T. Dickinson,
Lewis J. Stecher,
Malcolm L. Worrell,
Ralph G. Pennoyer,
Harry J. Reuse,
Walter D. Snyder,
John D. Pennington,
Thomas L. Shannon,
Morris J. Lenney,
Lynde D. McCormick,
Mark L. Sperry, jr.,
Arthur C. Davis,
Wesley J. Shofner,
Oliver H. Ritchie,
Merrill T. Kinne,
Arthur D. Struble,
Walter A. Hicks,
Warner P. Portz,
Leverett S. Lewis,
Frederic P. Culbert,
Frederick W. Pennoyer, jr.,
Howes Bodfish,
Benjamin F. Perry,
Richard W. Bates,
Louis R. Moore,
Claude O. Kell,
Roy de S. Horn,
James M. Shoemaker,
Winfred H. A. Pike, jr.,
Gerard H. Wood,
Melville C. Partello,
Kendall Preston,
Robert O. Glover,
Lloyd V. H. Armstrong,
John F. Bates, jr.,
Melville W. Powers,
John H. Rockwell,
Howard L. Vickery,
Archie E. Glann,
Vincent H. Godfrey,
Harry H. Chenoweth,
Hugh G. Eldredge,
Stuart B. Clark,
Edward E. Hazlett, jr.,
John C. Lusk,
Norwood G. Calvert,
Leon B. Scott,
Charles F. Osborn,
George P. Lamont,
William H. Bowman,
Walter M. A. Wynne,
Scott Umsted,
Myron J. Walter,
Finney B. Smith,
William J. Lorenz,
Powell McC. Rhea,
Edouard V. M. Isaacs,
Henry P. Burnett,
Edwin S. McCoach,
Hubert E. Paddock,
Donald MacL. Dalton,
Theodore E. Chandler,
Herbert V. Wiley,
Ivan M. Graham,
Samuel R. Shumaker,
Frank D. Wagner,
Stephen H. Matteson,
Otto Nimitz,
Glenn H. Easton,
Burton W. Chippendale,
Allan R. Wurtele,
Thomas G. Peyton,
Samuel P. Jenkins,
Cornelius W. Flynn

Nelson J. Leonard,
William Granat,
Robert T. Darrow,
Robert M. Farrar,
Armit C. Thomas,
Ryland D. Tisdale,
George W. Grove,
Walter J. Confer,
Alan Barnett,
Julius C. Delpino,
Homer W. Graf,
John D. Small,
Romeo J. Jondreau,
Robert W. Clark,
John B. Kneip,
George C. Hill,
Francis S. Low,
James P. Brown,
Francis M. Mail, jr.,
Winthrop Winslow,
Frank C. Huntoon,
William J. Nunnally, jr.,
Earle W. F. Childs,
Alexander S. Wotherspoon,
Philip C. Morgan,
Robert M. Fortson,
Marcus C. Miller,
Forrest B. Royal,
John L. McCrea,
Morris H. Spriggs,
Frederick G. Richards,
Marshall B. Arnold,
Noble Withers,
Roswell H. Blair,
Tully Shelley,
Elmer R. Henning,
Dallas D. Dupre,
Nathaniel M. Pigman,
John S. Farnsworth,
Horace D. Clarke,
Edward Breed,
Thomas G. Brown,
James E. Maher,
Irving R. Chambers,
Alexander G. Hatch,
Allan E. Smith,
Leighton Wood,
Chester E. Lewis,
Harvey E. Overesch,
Stuart A. Maher,
Homer H. H. Harrison,
Ralph Kiely,
Allen G. Quynn,
John Morris Field, jr.,
David McL. Collins,
Archer E. King, jr.,
Daniel W. Armstrong,
Harold O. Hunter,
George C. Kriner,
Forrest K. Libenow,
Clifford G. Richardson,
Dewitt C. Watson,
James M. Lewis,
Raymond Burhen,
Jonathan H. Sprague,
Millard G. Gamble, jr.,
Myron W. Hutchinson, jr.,
John H. Campman,
Isaac Schlossbach,
Henry S. Clark, jr.,
John J. Mahoney,
Ralph W. Christie,
Robert M. Parkinson,
Lewis L. Stedman,
James R. Kyle, jr.,
Preston Marshall,
William D. Thomas,
Lyman B. Hoops,
Hilbert A. Fisher,
William S. Hactor,
Samuel R. Deets,
John S. Ray,
William M. Snelling,
Claude C. Vickrey,
Joseph H. Chadwick,
Albert R. Stephan,
Arthur Landis,
Elmer B. Hough,
William D. Sullivan,
Albert Osenger,
Eugene G. Herzinger,
Richard S. Bulger,
Adolph J. Merkt,
Horace E. Burks,
Henry M. Mullinnix,
Norman P. Earle,
Ralph E. Davison,
Don P. Moon,
Russell S. Berkey,
Robert C. Bourne,
George F. Hussey, jr.,
Thomas J. Keliher, jr.,
Osborne B. Hardison,
Hugo Schmidt,
Russell S. Hitchcock,
Clinton E. Braine, jr.,
Willis C. Sutherland,
Laurence F. Safford,
Arthur C. Miles,
William M. Fechteler,
Frank W. Wead,
Robert A. Awtrey, and
Conrad A. Krez.

The following-named officers to be lieutenants (junior grade):

Joseph W. Paige,
Forrest P. Sherman,
William R. Nichols,
Ernest B. Colton,
Joseph W. Fowler,
William H. Hopkins, jr.,
William J. Malone,
Oscar H. Holtmann,
Lawrence B. Richardson,
James Fife, jr.,
Moses B. Byington, jr.,
Frank R. Dodge,
George T. Cuddihy,
William W. Warlick,
Vincent R. Murphy,
Ralph S. McDowell,
Henry A. Hutchins, jr.,
Charles W. Styer,
Thomas L. Sprague,
Owen E. Grimm,
Einar R. Johnson,
Martin J. Connolly,
Pal L. Meadows,
John D. Crecca,
Olton R. Bennehoff,
Frederick L. Douthit,
Frederick S. Holmes,
Thomas B. Inglis,
Earl E. Stone,
James D. Jacobs,
John J. Ballentine,
Edwin H. Price,
Everett B. Browne,
John R. Sullivan,
James V. B. Lawyer,
John D. Alvis,
John N. Whelan,
Daniel W. Tomlinson,
Edward F. McCartin,
Hayden H. Smith,
Donald A. Green,
Clifton A. F. Sprague,
Thaddeus A. Hoppe,
Clifton E. Denny,
Theodore F. C. Walker,
Joseph J. Clark,
George C. Hawkins,
Albert M. Bledsoe,
Bronson P. Vosbury,
Harold Biesemeier,
Miles R. Browning,
William C. Wade,
Herman E. Halland,
Roy T. Gallemore,
Stanley D. Jupp,
Albert F. France, jr.,

Perry R. Taylor,
Robert T. Whitten,
John S. McReynolds,
Walter S. Macaulay,
Stanley H. Gambrill,
George G. Breed,
James L. Fisher,
David E. Cummins,
Robert B. Parker,
Julian D. B. Wilson,
Samuel H. Hurt,
Wilber M. Lockhart,
Henry Y. McCown,
William Busk,
George W. Johnson,
Henry E. Thornhill,
Jacob H. Jacobson,
Ion Pursell,
J. Warren Quackenbush,
Philip L. Emrich,
Gordon Rowe,
William H. Hartt, jr.,
Junius L. Cotten,
Christopher C. Miller,
James E. Waddell,
Donald W. Loomis,
John G. Farrell,
Mertin G. Wade, jr.,
Jack S. Phillips,
Elbert C. Rogers,
John W. Rowe,
Jerauld Wright,
Harry W. Need,
Charles D. Leffler, jr.,
William S. Garrett,
Lloyd G. Scheck,
Earle W. Mills,
Fred M. Byers,
Harry D. Hoffman,
Ford L. Wilkinson, jr.,
Francis S. Gibson,
Harold G. Eberhart,
Thomas G. Fisher,
Berwick B. Lanier,
Victor C. Barringer, jr.,
Martin R. Derx,
Graeme Bannerman,
Louis L. R. Habrylewicz,
Ernest A. Foote,
Henry D. Stailey,
Robert Poole,
Henry S. Kendall,
James D. Murray, jr.,
Stanley M. Haight,
William E. G. Erskine,
Edward W. Wunch,
Garry D. Custer,
John D. H. Kane,
Stanley C. Norton,
James W. Whitfield,
George O. Etheredge,
Bernard V. Eekhout,
Harold E. MacLellan,
Albert S. Marley, jr.,
Peter K. Fischler, jr.,
Francis J. Courtney,
Jay G. Huntoon,
Harry W. Von Hasseln,
Guy D. Townsend,
Arthur T. Moen,
Arthur B. Craig,
Ross P. Whitemarsh,
Ralph H. Henkle,
Leonidas M. Mintzer,
Francis B. Connell,
Gordon B. Woolley,
Vaughn Bailey,
Elmer E. Duvall, jr.,
Albert L. Hutson,
Walter L. Taylor,
Alphonsus I. Flynn,
Edmund J. A. Murphy,
Ellis H. Geiselman,
Ernest H. Krueger,
Herbert R. Sobel,
George E. Ross, jr.,
Jack H. Duncan,
Watson O. Bailey,
Andrew P. Haynes,
Proctor M. Thornton,
Roger F. Armstrong,
Leland P. Lovette,
Wallace M. Dillon,
Edmund J. Kidder,
Edward D. Walbridge,
Leroy W. Busbey, jr.,
Smith D. A. Cobb,
Malcolm A. Deans,
Ralph S. Riggs,
Carlos W. Wieber,
Harry K. Leventen,
Edwin D. Gibb,
John M. Haines,
William A. S. Macklin,
Thoms F. Remington,
John W. Rogers,
Cleeman Withers,
Lloyd E. Clifford,
Charles G. Moore, jr.,
John K. Jayne,
Joseph H. Brady,
William O. Baldwin,
Robert L. Mitten,
Mays L. Lewis,
Elmer V. Iverson,
Peyton Harrison,
Thomas J. Haffey,
John O. Plonk,
Chauncey R. Crutcher,
George R. Kalbfus,
Lisle Henifin,
Frank B. Hillhouse,
Clement B. White,
Allan P. Flagg,
William K. Phillips,
Robert M. Eaches,
Gordon B. Sherwood,
Ralph C. Alexander,
Alexander C. Kidd,
Willis M. Percifield,
Frank Fechteler,
Robert R. Ferguson,
William G. Moore,
James Dowling,
John F. Brooks,
Michael W. Gilmartin,
Hugh J. Duffy,
Edward J. Norcott,
William A. Cable,
Herbert Campbell,
Otto Fries,
Clifford H. Sheldon,
Theodore B. Watson,
John H. Lohman,
Simon Jacobs,
William Zeitler,
Albert F. Benzon,
Samuel Chiles,
Andrew Olsson,
Patrick Hill,
James T. Roach,
David F. Diggins,
Edwin N. Fisher,
Christian Crone,
William F. Foley,
James C. McDermott,
Charles Hierdahl,
Joseph Hill,
Thomas S. Aveson,
Adolph Hasler,
John W. Stoakley,
John D. Walsh,
Martin Fritman,
Dennis J. O'Connell,
William Johnson,
Arthur Smith,
Stephen Donely,
Conrad W. Ljungquist,
Otto E. Reh,
Wilhelm H. F. Schluter,

August C. Steinbrenner,
Belmar H. Shepley,
Thomas P. Clark,
Harry A. Davis,
William G. Smith,
John J. Murray,
Gustav Freudendorf,
John T. Swift,
Herbert A. Nevins,
Robert Rohange,
Benjamin P. Middleton,
Patrick Shanahan,
John Eberwine,
August Wohltman,
John A. Riley,
David White,
Edward J. Damon,
Oscar Borgeson,
Leonard Roll,
Thomas J. Hurd,
David B. Vassie,
George A. Messing,
Joseph Mitchell,
Michael J. J. Farley,
Thomas M. Cassidy,
Edwin Murphy,
James H. Morrison,
Thomas O'Donnell,
John E. Cleary,
Charles Hammond,
Harold I. Lutken,
Daniel Mullan,
Charles H. Hosung,
Samuel L. Wartman,
Robert J. Vickery,
Lemuel T. Cooper,
Ralph F. Nourse,
Francis P. Mugan,
David Purdon,
George C. Ellerton,
Clarence M. Wingate,
Murray S. Holloway,
Charles A. Rowe,
Ernest Evans,
William B. Stork,
Clarence R. Johnson,
William James,
Jannis V. Jacobsen,
Patrick Ferman,
George W. Johnson,
Frank Risser,
John Bryce,
Llewellyn H. Wentworth,
Rasmus Iversen,
Henry E. White,
Charles C. Holland,
Ellwood W. Andrews,
Cornelius J. Collins,
Adolph A. Gathemann,
William C. Gray,
William A. Macdonald,
Karl Rundquist,
Allen T. Webb,
Albion O. Larsen,
Thomas W. Healey,
Joseph Heil,
Frank Bresnan,
Peter Emery,
Claus K. R. Clausen,
Henry A. Stanley,
John McCloy,
Joseph E. Cartwright,
Harold S. Olsen,
John C. Rickertts,
Bernard T. Donnelly,
John G. Nicklas,
Daniel Duncan,
Arthur S. Pearson,
Edward T. Austin,
Harold V. Barr,
Henry Ernest,
Anthony McHugh,
Stanley Danielak,
James P. Dempsey,
Gotthilf C. Layer,
Edward G. Affleck,
John A. Oliver,
James J. Cotter,
Arthur A. Smith,
Edward G. Higgins,
John L. Barnswell,
Matthias A. Thornahlen,
Louis C. Higgins,
John I. Ballinger,
Augustine D. Devine,
Carl Johanson,
Fred W. Cobb,
William T. Robinson,
James L. McCormack,
Fred F. Ingram,
Frederick Meyer,
James Glass,
Nels Drake,
John Davis,
Gerald Ollif,
Owen T. Hurdle,
John Law,
Henry H. Richards,
Frederick W. Metters,
George E. McHugh,
Arthur D. Warwick,
William T. Baxter,
Emil Swanson,
William H. Leitch,
Franklin Heins,
Augustus Anderson,
Ulysses G. Chipman,
Charles J. Miller, and
Kieran J. Egan.

Earl S. Huribut to be a lieutenant (junior grade).

Frank Stinchcomb to be an ensign.

Stanley M. Cox to be an ensign.

The following-named officers to be ensigns in the Navy:

Fleet W. Corwin,
Leland D. Webb,
William Knox,
Clyde C. Laws,
Henry E. Rung,
Edward J. Carr,
Benjamin F. Strawbridge,
Roy M. Cottrell,
Thomas E. Flaherty,
Charles W. Classen,
John B. Cooke,
Allen R. Chandler,
Maurice M. Rodgers,
Frank Hannon,
Harry F. Gray,
Walter C. Theimer,
Jay Smith,
Arthur R. Pontow,
Charles E. Weickhardt,
Hervey Z. Throop,
Marvin G. Fox,
William Klaus,
John F. Kennedy,
Learned L. Dean,
Frank I. Hart,
Henry E. Kellar,
Thomas F. Morris,
Mervin W. Arps,
Alvin Henderson,
John P. Miller,
John Kneubuehler,
Jerome L. Allen,
Harold F. McHugh,
Albert R. Colwell,
Ray C. Hopkins,
Edward C. McDonald,
Clarence M. Maloney,
Ralph Lane,
Carl J. Nerdahl,
Joseph W. Storm,
Glen R. Ogg,
Thomas F. Fahy,
Albert R. Myers,
Philip A. Wilson,
Harry D. Bolin,

James A. Maloney,
Willis M. Young,
Kenneth F. Horne,
Leonard W. Johnson,
John J. Arnaud,
Walter C. Haight,
John Sharpe,
Charles P. Porter,
Raymond S. Kaiser,
Charles E. S. Lines,
Milton E. Robison,
Samuel A. Wilson,
Steve V. Edwards,
Max P. Schaffer,
Karl Hart,
Julius Holbin,
Casper H. Husted,
Frederick A. Mack,
George F. Fredenberg,
William C. Procknow,
Robert E. Simon,
Frank Schlapp,
John A. Lemanski,
Arthur A. Travis,
Bea L. Jarvis,
Harry P. Quandt,
Felix M. Kelly,
Harry M. Dickerson,
Frank W. Dunning,
Frederick Seefeldt,
Louis H. Rassler,
Ferdinand H. Ehlbeck,
Glenn O. Twiss,
Edwin Brown,
William P. Bachman,
Hal W. Barnes,
Conrad F. Holzemer,
Albert L. Payne,
Charles W. Pearles,
Walter W. Blumenkranz,
Henry C. Cressman,
Arthur C. Leonard,
Edwin T. Swarts,
Emil F. Lindstrom,
Robert Anderson,
Edwin V. Wilder,
Roscoe C. Bright,
Simeon L. Owen,
Robert H. Weaver,
Edo S. Carfolite,
Henry Plander,
Ray P. Helm,
Walter F. Marriner,
William P. Turner,
Oliver P. Kilmer,
Laurie C. Parfitt,
Clarence A. Hawkins,
Augustus A. Bressman,
Leo Mead,
Walter J. Fanger,
Ray H. Watkins,
Richard L. Reuling,
Alfred R. Boileau,
Eldred J. Richards,
Herbert Wycherley,
Jacob M. Gibson,
Manuel J. Cayton,
Martin J. Werner,
Warren A. Northrup,
Arthur G. Somers,
Grover A. Miller,
George A. Gast,
George Stone,
Marion C. Erwin,
James E. Drever,
Arthur P. Spencer,
William I. Denny,
Robert T. Bamford, and
Frank Dobie.

The following-named chief pharmacists to be assistant surgeons:

Alphonsus A. O'Donoghue,
Frank Fulton, and
Henry A. Harris.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December 13, 1917.*

The House met at 12 o'clock noon.

Rabbi Edward B. M. Browne, of the Mount Morris Park Synagogue "Ateress-Zvee," New York City, offered the following prayer:

Father, who art in Heaven, hallowed is Thy name. Thy kingdom came with the dawn of creation, and being established upon principles eternal and universal, its laws enforce themselves alike in all climes and in all ages. Therefore Thy will must be done amongst the celestials in Heaven even as it is done amongst Thy mortal children on earth. Thou hast endowed nature with productive energies, subservient to man's will, whereby Thou givest us this day our daily bread. By imparting to us Thy divine spirit, Thou hast enabled us to enact just laws which guard human society, so that human passions may lead us not into temptation but divine grace deliver us from all evil.

For the purpose of enacting just laws for our great Nation, there are here assembled its representative sons, and I pray that as Thou wast present with Moses on the peak of Moab, so here in this modern Sinai Thou canst send Thy shekinah upon every one of the Representatives present, so that while they represent the will of the people they will represent the will of Thee, who art our Father and our Lord.

And we pray, oh God, our special blessing upon the President of the United States, our olive-branch President, who is waging an olive-branch war in order to bring about an olive-branch, genuine peace amongst all the nations of the earth. Open Thy religious magnanimity to forgive those who trespass against us even as Thou forgivest our trespasses against Thee. And thus give us the power and the will to bring mankind to Thy feet as children of God and to democratize every human being in justice and in equality. We thank Thee, oh Lord, that You have selected our Nation as the chosen people of these days to bring about the peace which the bewildered world now wants. But let us not be vainglorious at the high position assigned us, bearing in mind that whatsoever we are in greatness, in influence, in power, we are so only through Thee. For Thine is the kingdom, and the power, and the glory, forever and ever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 2316) to promote export trade, and for other purposes, had insisted upon its amendments, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. POMERENE, Mr. ROBINSON, and Mr. CUMMINS as the conferees on the part of the Senate.

The message also announced that the President had approved and signed, on December 7, 1917, joint resolution of the following title:

S. J. Res. 111. Joint resolution declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States, and making provision to prosecute the same.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2860. An act transferring Hardeman County to the Wichita Falls division of the northern judicial district of Texas; to the Committee on the Judiciary.

"GARABED" PATENT.

Mr. WATSON of Virginia. Mr. Speaker——

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield to me for a moment to make a parliamentary inquiry?

Mr. WATSON of Virginia. I will.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GARRETT of Tennessee. I desire to direct the attention of the Chair to House joint resolution 174, No. 77 on the calendar, and to make a parliamentary inquiry. This is a joint resolution "for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the 'Garabed,' claiming to make possible the utilization of free energy." Now, that is on the House Calendar. The Committee on Rules, I may state as the reason for making

this inquiry, proposes to report a rule for the consideration of this measure, and the question has arisen with some of the members of the committee as to whether this should not be on the Union Calendar. The form of the rule will be determined by that proposition. I submit the inquiry to the Chair now as to whether it is properly on the House Calendar.

The SPEAKER. What does it provide?

Mr. GARRETT of Tennessee. It is the "Garabed" invention. It was considered before in the House, but the point has been made that there are some phases that we propose that will properly make it a subject for consideration in the Committee of the Whole. It does not carry an appropriation.

The SPEAKER. It does not have to carry an appropriation.

Mr. CAMPBELL of Kansas. It may carry an appropriation later.

The SPEAKER. If it necessarily involves an expenditure on the Treasury it ought to go on the Union Calendar.

Mr. GARRETT of Tennessee. It does not necessarily involve it, but the contingency is there. It does not necessarily carry an expense upon the Treasury. But it may do it. The possibility exists.

Mr. STAFFORD. If the Chair will permit, section 6 provides that if there is a successful demonstration of this device, then he shall be remunerated to the extent of the value of his discovery. That is a provision which may make a charge upon the Treasury. I think it properly should be on the Union Calendar rather than on the House Calendar, because it involves, though through a contingency, a liability on the Treasury.

The SPEAKER. The gentleman will read the section concerning which he is talking.

Mr. STAFFORD. It says:

SEC. 6. That after the successful demonstration of the "Garabed," if the United States Government wishes to purchase the right and title for the exclusive use of said discovery or invention, the said Garabed T. K. Giragossian will comply with the request of the United States Government: *Provided*, That he shall be remunerated to the extent commensurate with the value of his discovery or invention, which shall be appraised by a committee of even number, one-half of the membership of which shall be selected by the Secretary of the Interior and one-half selected by the said Garabed T. K. Giragossian, and the finding of said committee shall be subject to the approval of the Secretary of the Interior and of the said Garabed T. K. Giragossian.

Mr. DENISON. Mr. Speaker, before there would be an expenditure on the part of the Government it would require subsequent legislation. There is no expenditure provided for in this bill at all, or any contingent expenditure.

Mr. GARRETT of Tennessee. Mr. Speaker, it is immaterial to me which calendar it is considered on.

Mr. STAFFORD. If the gentleman will permit just one further observation, I will say that section 2 provides:

That the Secretary of the Interior is authorized to perform any and all acts and to make such rules and regulations and enter into such contracts as may be necessary to carry this resolution into effect.

The SPEAKER. Let me ask the gentleman from Tennessee a question. There is not anything pressing about this, is there, this morning?

Mr. GARRETT of Tennessee. Well, Mr. Speaker, it is immaterial to me which calendar it is considered on, but the parliamentary rule will be determined by the calendar it happens to be on. I should say that there is no chance to consider it to-day, and if at some time during the day we can learn what calendar it should go on, I am content.

The SPEAKER. The Chair thinks the remarks made by the gentleman from Tennessee and the gentleman from Wisconsin [Mr. STAFFORD] show that any expenditure is purely speculative. It says, "If," and so forth and so on; so that it is not plain that there ever would be an expenditure. The Chair leaves it where it is, on the House Calendar.

PROHIBITION AMENDMENT.

Mr. GARD rose.

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. GARD. On behalf of certain members of the Committee on the Judiciary I desire to ask leave to file a minority report on Senate joint resolution 17, the so-called national prohibition amendment.

The SPEAKER. How long does the gentleman want?

Mr. GARD. Two days.

The SPEAKER. The gentleman from Ohio asks leave to file a minority report on the prohibition amendment within two days. Is there objection?

There was no objection.

CONTESTED-ELECTION CASE—BEAKES VERSUS BACON.

Mr. WATSON of Virginia. Mr. Speaker, in accordance with the notice given last week, I rise for the purpose of asking now that the report of the committee on the contested-election case of Beakes versus Bacon, from the second district of the State of Michigan, be taken up for consideration.

The SPEAKER. The Clerk will read the resolution and the report.

The Clerk read as follows:

Mr. WATSON of Virginia, from the Committee on Elections No. 3, submitted the following report:

Your Committee on Elections No. 3, having had under consideration the case of Beakes *v.* Bacon, second district, State of Michigan, after careful and, it believes, impartial inquiry, asks to submit this report of its deliberations.

Mr. WATSON of Virginia. Mr. Speaker, I do not think that there is any desire on the part of the House that the report of the committee be read. Unless there is a desire to have that report read, I ask that the reading of the report be suspended and that the resolution be reported.

Mr. MOORE of Pennsylvania. How long is it?

Mr. WATSON of Virginia. About 12 pages.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the resolution be read in lieu of the report.

Mr. MOORE of Pennsylvania. Mr. Speaker, this is a matter about which the House has very little information. I think the report should be first read.

The SPEAKER. The gentleman from Pennsylvania objects.

Mr. GARNER. Mr. Speaker, it is not required to be read by the rules.

The SPEAKER. It has been objected to.

Mr. GARNER. It does not make any difference whether it has been objected to or not. The rule does not require that it should be read.

The SPEAKER. The House desires information on the election case.

Mr. GARNER. The House can get information in the way indicated by the rules.

The SPEAKER. What does the rule provide?

Mr. WATSON of Virginia. Mr. Speaker, if after the resolution is read anybody desires that the report be read, it can be done with the permission of the House.

Mr. FITZGERALD. The only thing the House needs to have read is the resolution on which it is to act.

Mr. DOWELL. Mr. Speaker, if I may be permitted, I would like to ask the chairman to request the reading of the report.

Mr. WATSON of Virginia. Mr. Speaker, I ask that the resolution be read first, and then if any gentleman wants the report read I will have no objection.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield? Mr. Speaker, I ask if the gentleman from Iowa, who has the floor, will yield for a moment?

The SPEAKER. The gentleman undoubtedly had the floor.

Mr. MOORE of Pennsylvania. I ask that he yield to me for a moment.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. Has the gentleman from Iowa [Mr. DOWELL] the floor?

The SPEAKER. Nobody claimed he had.

Mr. GARNER. The gentleman from Pennsylvania [Mr. MOORE] said the gentleman from Iowa had the floor, and the Speaker said "undoubtedly he had."

The SPEAKER. The Speaker has sense enough to believe that he was talking about the gentleman from Virginia [Mr. WATSON].

Mr. MOORE of Pennsylvania. I will ask if the gentleman from Virginia will yield for a moment?

Mr. WATSON of Virginia. I yield to the gentleman.

Mr. MOORE of Pennsylvania. This is a case in which there is no minority report. Is not that right?

Mr. WATSON of Virginia. Yes.

Mr. MOORE of Pennsylvania. And, so far as the Republican side of the House is concerned, it has no information on this case.

Mr. FITZGERALD. Does not that side of the House read the majority report?

Mr. MOORE of Pennsylvania. There is no minority report in this case. What objection is there to have the majority report read for the information of the House?

Mr. FITZGERALD. There is no minority report.

Mr. MOORE of Pennsylvania. I said "majority report."

Mr. WATSON of Virginia. I have no objection to its being read if anybody desires it. I ask that the report be read, but not in the time accorded me.

The SPEAKER. The gentleman from Virginia asks that the report be read, but not taken out of his time. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

The record in this case is unique in some respects and is in rather marked contrast with the generality of election cases.

First. No unworthy motive is ascribed to the principals concerned, and intentional wrong is not shown to have been done by any of the officials charged with the conduct of the election.

Second. There is little or no conflict of evidence respecting the material facts in issue, and the only question for decision is one of law and justice as applied to a conceded state of facts.

Third. While the controversy originally embraced the canvass and counting of over 50,000 ballots cast in the election, in the end the issue is narrowed to the proper disposition of the returns from only two precincts.

When it is recalled with what partisan bias contests of this sort have sometimes been wont to be waged in the past, and how frequently your body has had to deal with records of mutual reproach and even crime, the committee deems itself fortunate to be able to say at the outset that this contest has on the whole been conducted with admirable spirit and with the desire to elucidate the real merits of the case. Where the electors were so numerous and the ballot complicated mistakes and irregularities were inevitable and to be anticipated; but the irregularities shown here are mostly formal, and in the aggregate the mistakes comparatively few.

How the Contest Arose.

The official returns of the election for Congress, November 7, 1916, gave Bacon 27,182, Beakes 27,133—a majority of 49 for Bacon.

Reviewing the returns from the various precincts, contestant discovered that at first precinct, second ward, city of Jackson, he had run far behind the other candidates of his party, State and Federal; and unaware of any local sentiment or condition to produce such a result, he instituted unofficial inquiries to ascertain the cause. As the returns did not indicate that the contestee had polled any more votes there than the rest of his party ticket, it was obvious that the lost votes had not gone to his competitor. The matter became the subject of public discussion and of press comment, and a very general impression got abroad that a mistake had been made in the official count. Some of the election inspectors themselves concluded they had made a mistake. And when, two weeks later, the board of county canvassers met to canvass the returns, four of the inspectors who held this election sent to the board a written statement saying that, in compiling the vote for Congress, they had inadvertently failed to include 70 or more votes, and that therefore their return was wrong and did not reflect the true state of that poll.

Contestant, from this disclosure, believing a mistake had been made large enough to affect the result in the whole district, thereupon retained counsel to appear before the board and obtain a correction of the error, or, if this were not possible, a recount of the vote. In these proceedings contestee was likewise represented by counsel.

At this juncture the board, on the application of one of the candidates for the office of coroner, voted for at the same election, opened the boxes of this precinct and directed a recount of the ballots. Counsel for both of the parties to this contest being present, they concluded to examine unofficially the vote for Congress as the recount for coroner progressed, and in this way it was ascertained that, as the ballots then stood, the contestant was entitled to 87 votes more than the official returns had given him.

Application was then made to the board on the part of the contestant to correct the error, or award a recount. That a mistake had been made was openly acknowledged by counsel for contestee and conceded by the board (Rec., 50–62); but, deeming its functions to be only ministerial, the board felt unable to correct the returns and found no provision in the statute authorizing itself to hold a recount in case of a Federal office. Application was then made to the State board of canvassers for a recount of the vote, but with like result. The superme court was then asked for a mandamus, compelling a recount, but refused to award the writ. The laws of his State seeming to afford no remedy for a situation like this, contestant then determined to bring the matter before this House for decision upon its merits.

Character of Evidence in the Record.

As stated before there is no controversy of moment between the parties concerning the material facts in the record. Most of the evidence is of documentary character, composed chiefly of official returns, unofficial recounts with agreed results, and exhibits relating to these. The oral testimony is confined to persons connected with the election in some official capacity, and in that but little conflict is to be found. Most of the work of collecting evidence consisted in the recount of the ballots by counsel for the parties. Apparently the State law made no provision for such a proceeding in case of a Federal office; but, by agreement of counsel, the ballot boxes were produced by the clerk before a notary and in this way, first and last, the vote of practically the entire district was recounted—three precincts at the instance of contestant and the rest on behalf of the contestee. This agreement was productive of highly satisfactory results, and has spared your committee an immense amount of difficult and tedious labor.

Conceded Facts.

From contestant's brief (p. 24) it will be seen he concedes contestee 26,581 votes. This is exclusive, however, of two precincts in the city of Jackson (first precinct, second ward, and third precinct, sixth ward), and of the disputed ballots filed with the record as exhibits; but includes 211 votes officially returned for contestee at second precinct, sixth ward, city of Jackson. This concession was based in part on the agreement of the opposing counsel to accept the official returns at the last-mentioned precinct (Rec., 90), but that counsel having withdrawn from the agreement, the figures given above are subject to revision, and the 211 votes should be subtracted from the total stated above, leaving a balance of 26,370.

It was subsequently agreed to accept the official returns in the third precinct, sixth ward, city of Jackson (contestee's brief, p. 1), where contestee received 93 votes. This therefore should be added to the total above, making the number 26,463. Thereafter, in the oral hearing before the committee counsel agreed (committee hearing, p. 28) that the disputed ballots filed in exhibit should be counted, 31 for contestant and 21 for contestee. This would require, therefore, the addition of the 21 to the number already stated, making a total of 26,484 votes conceded to the contestee.

By brief (p. 25), contestee concedes contestant 26,499. To this should be added 31 from the disputed ballots referred to, which would make the total number 26,530.

The sum of the respective concessions stands therefore as follows:

Votes conceded to Beakes	26,530
Votes conceded to Bacon	26,484
Majority for Beakes	46

The foregoing figures cover the entire congressional district except the returns from two precincts—first precinct, second ward, and second precinct, sixth ward, Jackson city—and they present the only subjects of dispute left in the record.

I. First Precinct, Second Ward, of Jackson City.

By official returns the total number of electors at this precinct was 703 and the vote for Congress as follows:

Bacon	351
Beakes	233
Koch	5
Titus	3

(Rec., 42–3.)

By recount, 703 ballots were found in boxes and the vote for Congress as follows:

Bacon	352
Beakes	320
Koch	4
No choice	18
Total	703

(Rec., 24–5.)

The sole issue raised in regard to this precinct is whether the official returns shall stand or whether they should be corrected in accordance with the recount.

Contestant contends that, as the return is conceded to be erroneous, they should be set aside and a recount of the ballots had, while contestee insists either that the failure of the election officers in the first instance to seal the ballot boxes properly, or the failure of the clerk thereafter to kep them in safe custody discredited the ballots to such an extent as to make a recount unlawful, and hence that the official return must stand.

So the question is a mixed one of law and fact; but as there is not much conflict of evidence respecting the physical facts in the case, the question, in the last analysis, is one of law.

Error in the Official Returns Conceded.

That a mistake of material size was made in compiling the returns for Congress at this precinct is obvious from the record, and the fact was conceded by everybody who had to deal with the subject in any official or representative way.

When the board of county canvassers convened, November 22, 1916, to canvass the returns for the county, four of the six inspectors who conducted this election addressed to the board the following communication:

"We, the undersigned inspectors of election of the first precinct, second ward, of the city of Jackson, in said county, at the general election held November 7, 1916, at which election State, county, and district officers were voted for, including candidates for Congress, hereby certify that in preparing the statement in duplicate showing the whole number of votes cast for candidates for Representative in Congress and the number of votes received by each of such candidates, which statement was certified by the inspectors of election for delivery to the proper officers, as provided by statute, a mistake was made in that all the votes cast for the candidates for Representative in Congress were not included therein, and, through inadvertence and mistake, votes cast for each of such candidates were omitted from said statement; and that statement of the result of the election in said precinct, so far as it relates to the office of Representative in Congress, does not correctly represent the vote cast by the electors in that it does not show the whole number of votes cast for each of the candidates for said office—the votes not so counted aggregating 70 or more votes.

"Chas. F. Barcus.
"Geo. E. Van Camp.
"Gifford Billman.
"Henry Marriott.

"November 20, 1916."

(Rec., 49–56.)

Pending the proceedings before the board, a recount of these votes was had for the coroner's office, when this alleged error became manifest, and application was made to recount the votes for Congress. In reference thereto Mr. Miller, in attendance as counsel for contestee, said:

"There is no question but that an error has been made. I don't want you to think I am claiming there has not been a mistake made. I have the best of reasons and grounds for believing there has been a grave mistake, and I say Mr. Beakes and Mr. Bacon are entitled to every vote cast for them." (Rec., p. 50.)

Referring to the same subject, Mr. Flowers, one of the board sitting in judgment, said:

"It is an unfortunate error. I admit that." (Rec., p. 49.)

The inspectors summoned before the board to see if the error might be corrected, all admitted the error, but not being able to agree, without a recount of the ballots, upon its precise terms; and the board, deeming itself unauthorized to allow a recount, made a separate statement in its certificate to the State board, calling special attention to the situation of this precinct. (Rec., pp. 42–43.)

The inaccuracy in the return being conceded by everybody, the only question remaining is whether the ballots in controversy had been so preserved as to justify the recount subsequently made by counsel for both sides, February 22, 1917, before the notary, the result of which is not disputed. (Rec., p. 23.)

Sealing and Custody of the Ballot Boxes.

The only complaint raised on this head relates to the manner in which the boxes were sealed by the inspectors and the custody bestowed upon them by the clerk after they were delivered to his office.

The Michigan statute pertaining to the subject is:

"After the ballots are counted they shall, together with one tally sheet, be placed in the ballot box, which shall be securely sealed in such a manner that it can not be opened without breaking such seal. The ballot box shall then be placed in charge of the township or city clerk, but the keys of said ballot box shall be held by the chairman of the board and the election seal in the hands of one or the other inspectors of election." (Sec. 37, Elec. Laws Mich., revision 1913.)

As to whether this provision regulating the sealing of the ballot box is mandatory or merely directory, there is nothing in the statute to determine. The general rule applicable to the construction of such statutes is well stated by McCrary:

"If the statute expressly declares any particular act to be essential to the validity of the election, or that its omission shall render the election void, all courts whose duty it is to enforce such statute must

so hold, whether the particular act in question goes to the merits or affects the result of the election or not. * * * But if, as in most cases, the statute simply provides that certain acts or things shall be done within a particular time or in a particular manner and does not declare that their performance is essential to the validity of the election, then they will be regarded as mandatory if they do and directory if they do not affect the actual results of the election." (McCrary on Elections, 225. See also to same effect Barnes *v.* Supervisors, 51 Miss., 305; Wheelock's Case, 82 Pa. St., 297; Allen *v.* Glynn, 17 Col., 338; Parven *v.* Wineberg, 130 Ind., 561; Bowers *v.* Smith, 111 Mo., 145; State *v.* Van Camp, 36 Nebr., 91.)

"Those provisions of a statute which affect the time and place of the election and the legal qualifications of the electors are generally of the substance of the election, while those touching the recording and return of the legal votes received and the mode and manner of conducting the mere details of the election are directory." (Idem, 172, and Ill., Pa., Kans., and Mich., cases there cited.)

And where the question concerned the sealing of the ballots themselves the same author said:

"In accordance with the rule that the errors of a returning officer shall not prejudice the rights of innocent parties, it has been held that where it was the duty of a presiding officer to return the vote sealed up a return of them unsealed, in the absence of proof or suspicion of fraud, was good." (Idem 236.)

But statutory provisions regulating the conduct of elections and the preservation of the returns are, after all, only a means to an end, and that end is to secure a true expression of the will of the electors—a free ballot and a fair count. To this end all merely formal legal requirements must bend, and, if the returns are so made and preserved as to furnish satisfactory evidence of the will of the voters, that will must prevail. Upon that proposition, said the Supreme Court of Kansas in the great case of Gulleland *v.* Schuyler (1 Kans., 569), "hangs our experiment in self-government."

The real question to be answered in this case is not whether the precise form of the statute was observed but whether the ballots recounted were the identical ballots cast at the election, and if their condition had remained unchanged. If so, their value as evidence is unimpaired, and in the absence of statutory restraint there can be no legal objection to their being recounted.

That this is the true principle from the standpoint of authority we quote:

"It is well settled that the statutes prescribing the mode of preservation of the ballots are directory merely, and if it be clearly and satisfactorily proved that they have been kept intact and inviolate in the same condition as when counted, the ballots are admissible in evidence, although not preserved in the manner prescribed by the statute." (15 Cyclop. Law and Proc., 426.)

"In determining this and similar questions in cases of contested election it should be kept constantly in mind that the ultimate purpose of the proceedings is to ascertain and give expression to the will of the majority as expressed through the ballot box and according to law. Rules should be adopted and construed to this end, and to this end only." (McCrary on Elections, 232; People *v.* Bates, 11 Mich., 362.)

"The better opinion seems to be that, if the deviation from the statutory requirements relative to the manner of preserving the ballots has been such as necessarily to expose them to the public or unauthorized persons, the Court should exclude them; but if the deviations have been slight, or of such a character as to render doubtful the identity of the ballots, the question of their identity will go to the jury to be determined upon all the evidence." (Idem, sec. 473, and People *v.* Livingston, 80 N. Y., 66.)

Judge Cooley said in People *v.* Cicott (14 Mich., 283, 325):

"The courts have always repelled the idea that the will of the electors plainly expressed in the forms prescribed by law can be defeated by the negligence, mistake, or fraud of the officers appointed to register the result of an election."

From the standpoint of precedent, also, we reach the same conclusions. On several occasions the House of Representatives has found it necessary, in the interest of justice, to set aside official returns and resort to a recount of the ballots.

In the Indiana case of English *v.* Peele, in the Forty-eighth Congress, an unofficial recount of the ballots was accepted in lieu of the official return for the vote of a whole county; and in the Iowa case of Frederick *v.* Wilson, of the same Congress, a recount was permitted to supersede the official returns from 10 different election precincts.

Having fully considered, as we think, the legal principles applicable to such cases, we may turn now to the facts of this case as disclosed by the record.

FACTS CONCERNING THE SEALING AND CUSTODY OF THE BALLOT BOXES AT THE FIRST PRECINCT, SIXTH WARD.

It is conceded that when the inspectors finished their work at the election and deposited the ballots in the boxes they locked them properly and sealed them in some manner; that they were delivered to the patrol wagon accompanied by two of the inspectors and delivered promptly by them to the city clerk at his office; that they were placed along with the boxes from other precincts, as they came in, in the outer office or lobby of the clerk's office in front of the clerk's desk through which the public passed during office hours, and where they remained until the next day, until stored away for final keeping in another room under lock and key; that when produced by the clerk before the county board of canvassers on November 23, 1916, and again before the notary on February 22, 1917, they were properly locked, and sealed over the openings left in the tops for the reception of the ballots, but not sealed otherwise; that they could not be opened or their contents removed without being unlocked, but being unlocked they could be opened without breaking any seal; that the total number of ballots in the box corresponded with the number called for by the poll book, and they were all regularly initialed by the inspectors; and that the unused ballots returned therewith were regularly numbered from 704 (inclusive) upward.

In addition to the facts conceded, the clerk testified that the key was delivered to him at the same time as the boxes, and that key and boxes had remained continuously in his possession ever since, except when before the county board and notary, and that he felt sure they had been tampered with in no way. (Rec., 14–15 and 74–75.)

Contestee's brief asserts that there is evidence in the record to show that the boxes, when they left the polling place, were probably sealed over the locks, and advances the theory that these seals were broken after the boxes reached the clerk's office, and hence draws the inference that the ballots had been tampered with. We can find no satisfactory evidence in the record to show that the boxes ever contained any other seals than those which appeared when they were produced before the county board, and therefore can find no warrant for the inference of fraud based upon the assumption that the boxes had before borne a different seal. The theory that the boxes were tampered with after delivery to the clerk seems to us not only most improbable but inconsistent with all the known facts of the case.

Our conclusion, therefore, is that there is no proof or reasonable suspicion of fraud connected with these returns, that they have at all times remained in safe and legal custody, and that their value as evidence was nowise impaired by the failure of the inspectors to seal the boxes in the precise manner required by the statute.

That this was once the view held by Mr. Miller himself, counsel for contestee, will appear from the record (p. 46), when he said in reference to the seals upon these identical boxes:

"I would like to make a statement that the boxes are sealed on the covers at the opening, but there are no seals over the locks. As far as I am concerned, I don't think, unless it should appear that the boxes have been out of the custody of the proper officer, it would be of any particular importance at this time."

To sum up the whole matter: The official return is conceded by everybody to be wrong; it ought not therefore to be made the basis of title to anybody's seat in Congress. If it can not be corrected, it ought to be rejected entirely. But we think the means are at hand whereby this error may be legally corrected. In the presence of a sworn officer of the law, counsel for both parties recounted these ballots and reached a result which is not in dispute; they found Bacon had received 352 votes and Beakes 320. We think that recount should stand in place of the original return as the true vote of the first precinct, second ward, city of Jackson.

II. SECOND PRECINCT, SIXTH WARD, CITY OF JACKSON.

By official return the total number of electors at this precinct were 577, and the vote for Congress was:

Bacon	211
Beakes	329

The evidence shows a chapter of accidents at this and the third precinct in the same ward, which resulted in the admixture of the ballots of the two precincts in well-nigh hopeless confusion, and ultimately created a situation very hard to untangle. It will therefore be necessary for a while to consider the returns from these precincts together.

By the returns the electors at the third precinct were 247, and the vote for Congress:

Bacon	93
Beakes	138

There were no irregularities in the conduct of the election at either of these places, nor in the count and canvass of the vote, nor in the sealing and delivery of the ballot boxes (with one exception, to be noted presently). No trouble of any kind was experienced with these returns until the attempt was made by the contestee to recount the vote, when great confusion ensued. The trouble arose over an unintentional mixing of the ballot boxes of the two precincts at the time of the election. It must have happened in this way, as was shown by subsequent events:

The ballot boxes for the city were all labeled with the numbers of their respective precincts and wards, but by mistake on election morning one box labeled "third precinct" was delivered at second precinct, and one box labeled "second precinct" was delivered at the third precinct. At the close of the election the canvassed returns at the second precinct were placed in three boxes—two belonging to the precinct and properly labeled, and one, the box labeled "third precinct" already described, while at the third precinct all the ballots were put in the box labeled "second precinct" aforesaid, and delivered to the clerk's office.

The situation was still further complicated by the fact that when the work of the election ended at the second precinct the inspectors failed to return to the clerk's office along with the rest of the returns one of the ballot boxes containing a considerable number of the ballots, and left it in the polling booth uncovered and unlocked (though the polling booth was locked), where it remained until it was discovered by the clerk four months afterward, when he went to prepare for another election. He of course covered and locked the box, and carried it to the clerk's office for safe keeping.

ATTEMPTED RECOUNT.

So when contestee reached these returns in the prosecution of his recount on March 28, 1917, when the second precinct was called for, the clerk, not knowing of the mixing of the boxes on election day, produced three boxes labeled with the precinct number, one of them being the box he had found open in the polling booth. The place and condition in which this box was found being made known, it was agreed by counsel for both sides that it would be improper to recount the ballots of this precinct, as all of them had not been preserved as required by law. (Rec., 169–170.)

A recount was actually made, however, with results widely differing from the official returns from the precinct.

The third precinct being called for, the only box labeled with that number was produced, and a recount of its contents disclosed likewise large variance from the official return. (Rec., 169–170.)

On April 30 following contestant entered upon his rebuttal testimony, and the inspectors of the two precincts were summoned to explain if they could the discrepancy disclosed between these ballots and their returns. As the ballots were all regularly marked with the initial letters of the inspectors' names, there was no difficulty in identifying the precinct in which they were cast, and in this way it was discovered that of the 535 ballots recounted on March 28 for second-precinct returns, only 288 of the number were cast at that poll, and that the residue, 247, belonged to the second precinct. Likewise it was found that the 289 ballots recounted at the same time for the third precinct were in fact voted at the second.

The ballots for each precinct having thus been identified, the total number in each was found to correspond with the number called for by the official returns. Hence was reconciled the discrepancy between the ballots and the returns. (Rec., 91–112.)

The former recount of the ballots of the two precincts, while they were commingled, when combined into one whole showed the following results:

Total number of electors by official returns	824
Total number of ballots found in boxes	824
Total number of votes for Bacon by official returns	304
Total number of ballots for Bacon found in boxes	303
Total number of votes for Beakes by official returns	467
Total number of ballots for Beakes found in boxes	467

(Rec., 169–170.)

The results, therefore, so far from casting suspicion upon the returns, afforded rather confirmation of their accuracy, and incidentally tended to show that the contents of the box left open in the polling place had not been disturbed.

In addition to these facts the unused ballots, numbered consecutively and returned with the ballots from these precincts, were found to show in both instances the number next in order to the last ballot voted.

PRECISE ISSUE AS TO THIS PRECINCT.

Both sides agree that they could not have a lawful recount of that portion of the ballots of the second precinct (and being mingled with those of other boxes they could not be separately identified) which were left in the voting booth after the election. And in that view we concur; for, though the ballots bore every internal evidence of not having been disturbed, yet would it be a hazardous experiment and dangerous precedent to permit a recount of returns unsecured and without lawful custody for four months.

Contestant holds the official returns should stand; contestee contends that the failure of the officers to preserve a portion of the ballots, as required by law, so discredits their conduct and official character as to invalidate their whole return, and that it should be set aside in toto; and, that being done, that a recount should be had of the ballots which were properly preserved and they be accepted for the vote of the whole precinct. (It will be remembered that 289 of the 577 ballots cast at the precinct were found in a box labeled "3d precinct," which had been properly cared for and in which the recount showed Bacon 172, Beakes 111.)

LEGAL PRINCIPLES APPLICABLE TO THE QUESTION.

"The presumption is that officers of the law charged with the duty of ascertaining and declaring the result [of an election] have discharged that duty faithfully." (McCreary, sec. 459.)

"The rule is that the returns must stand until impeached—i. e., until shown to be worthless as evidence, so worthless that the truth can not be deduced from it." (McCrary, sec. 515. Also Loyd *v.* Sullivan, 9 Mont., 577; and McDuffie *v.* Davidson, Mob., 577.)

"The return must stand until such facts are proven as to clearly show it is not true." (Idem, sec. 571; Blair *v.* Barrett, 1 Bart., 308; Knox *v.* Blair, 1 Bart., 521; Washburn *v.* Voorhees, 2 Bart., 54; State *v.* Comrs., 35 Kans., 640.)

Upon these principles our courts have acted from the earliest time, and in contested-election cases Congress has often had occasion to apply them.

The only known fact upon which it is asked to impeach this return is that one of the four ballot boxes in use on election day (for there was a larger box for the reception of ballots during the day in addition to the three in which the returns were placed) was left open in the polling booth by the inspectors after the election, and not delivered to the clerk as required by law. From this single act of omission we are asked to infer a willful violation of the law on the part of the inspectors, and contestee's brief charges it was perpetrated with intent to commit a fraud. Is this so? We are constrained to feel otherwise, and that such harsh conclusion is inconsistent with the other known facts and all the probabilities of the case.

1. There is nothing else in the record reflecting upon the character of any of the officers who held the election. One of them, at least, had long been a resident of the community. No citizen complained of their conduct during or after the election. There is nothing to show that any one of them had any personal or political interest in the election of the contestant. It is not known that any of them even voted for him. Indeed, it was asserted by counsel in oral argument before the committee (committee hearing) that nearly all the inspectors in the city were Republicans in politics, and the statement was not denied. If this be true, even barring the question of personal character, it is inconceivable they would perpetrate a fraud to elect the Democratic candidate.

2. It is difficult to imagine how it was possible to consummate a fraud by the method chosen in this case. The poll book showing the identity and number of electors and the formal certificate showing the votes for the candidates having been returned to the clerk along with the other ballot boxes, it is not seen how the result could have been affected by anything done to the ballots in the box that was left. The only theory, consistent with crime under the circumstances, would seem to be that the officers had all conspired in advance to frame up a false return, and had retained this box with enough ballots to be altered so as to sustain the return. How this could have been accomplished where the vote was canvassed in public, as required by the Michigan law, is not attempted to be explained. But if such a scheme had been executed, surely such wary criminals would have contrived in some way to "deliver the goods," and not have left the highly finished work of their hands exposed to the uncertainties of fortune in a remote corner of the city. With an official ballot in use and no extra ballots obtainable, it is not probable that outsiders could have been expected to aid materially in "doctoring the returns."

3. The facts that the total number of ballots collected from this and three other boxes (one of which was from another precinct) corresponded with the number called for by the poll books; that they were all properly initialed by the inspectors; that the unused ballots returned bore the right serial numbers; and that the vote of the candidates for Congress shown by the ballots was substantially the same as that polled for the other candidates of their respective parties are all strong internal marks to show that no fraud had been practiced upon those returns.

4. The record shows that it was 3 o'clock in the afternoon of the second day before the inspectors finished their work; they had been continuously on duty thirty-odd hours. Under such conditions is it not reasonable to suppose that the box was inadvertently left behind and without thought of wrong?

PRECEDENTS IN THE HOUSE OF REPRESENTATIVES.

In the precedents of the House we have found no case in which the official returns have been set aside except for one or more of the following causes:

1. Want of authority in the election board.
2. Fraud in conducting the election.
3. Such irregularities or misconduct as render the result uncertain.

In the Missouri contested-election case of Lindsay *v.* Scott, Thirty-eighth Congress, a case arose resting, we apprehend, upon the same legal grounds as obtain here. An official return was sought to be set aside because of the subsequent destruction of the ballots; but the ballots having been regularly numbered and counted and the vote entered on the poll book, in the absence of any other proof of fraud, the Election Committee reported unanimously in favor of the return and the House sustained the report without a division. (2 Hinds' Precedents, 21.)

In the long line of cases, embracing nearly every variety, adjudicated by the House we can find no precedent for the contestee's proposal that the official return in this case be set aside and the portion of the ballots preserved be counted for the vote of the whole precinct. Regarding certificates of election based on partial returns of an election district—a somewhat analogous question—the House, in the case of Niblock *v.* Walls (42d Cong.), rejected a county return because the county canvassers did not include all the precincts in the county.

"If a part of the vote is omitted and the certificate does no more than show the canvass of part of the vote cast, * * * it is not even prima facie evidence, because non constat that a canvass of the whole vote would produce the same result." (McCrary, sec. 272.)

At the precinct in question 577 duly qualified voters participated in the election; 289 of these were so fortunate as to have their ballots properly preserved; 288—the other half—without any fault on their part were so unfortunate as to have their ballots left or to become mixed with others that were left at the polls and not preserved according to law. Under these conditions we know of no principle of law or of morals that would justify us in disfranchising one-half the electors of that precinct and substituting the will of the other half for that of the whole. The very statement of the proposition carries its own refutation.

We find no sufficient cause why the official return from the second precinct, sixth ward of the city of Jackson should be rejected, and are of opinion it should be accepted as a true record of the vote cast for Congress at that poll.

RÉSUMÉ.

Votes conceded to Beakes (see ante)	26,530	
Votes awarded Beakes on recount of vote first precinct, second ward, Jackson (see ante)	320	
Votes accorded Beakes by official returns, second precinct, sixth ward, Jackson (see ante)	329	
		27,179
Votes conceded Bacon (see ante)	26,484	
Voted accorded Bacon on recount, first precinct, second ward, Jackson (see ante)	352	
Votes accorded Bacon on official returns, second precinct, sixth ward, Jackson	211	
		27,047
Majority for Beakes		132

CONCLUSION.

For the reasons named, though imperfectly stated, your committee respectfully recommends to the House the adoption of the following resolutions:

1. That Mark R. Bacon was not elected a Representative to this Congress in the second district of the State of Michigan, and is not entitled to retain a seat herein.

2. That Samuel W. Beakes was duly elected a Representative in this Congress for the second district, State of Michigan, and is entitled to a seat herein.

The SPEAKER. The gentleman from Virginia [Mr. WATSON] is recognized for one hour.

Mr. DYER rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. DYER. I desire to ask the gentleman from Virginia a question.

Mr. WATSON of Virginia. Yes; I yield to the gentleman.

Mr. DYER. Is it the intention to fix a time for general debate on this contest?

Mr. WATSON of Virginia. I will say to the gentleman from Missouri, Mr. Speaker, that there being no difference of opinion among the members of the committee which had this matter under consideration and no minority report, I had not anticipated that there would be any contest over the matter. I have no desire, of course, to precipitate any contest or to prevent any contest, but if there is to be any contest I shall be very glad to agree with gentlemen on that side and on this who differ with the report of the committee as to the time.

Mr. DYER. I will say to the gentleman that I would like to have 15 minutes.

Mr. WATSON of Virginia. Will the gentleman tell me who else on that side of the aisle would like to speak?

Mr. DYER. I will say to the gentleman that I do not speak for anybody else except myself, but from the looks of the situation and the fact that there is no minority report, it would appear, so far as the Republicans are concerned—although I am not speaking for the leaders on this side—that there is no intention to oppose the unseating of Mr. Bacon and the seating of Mr. Beakes, the contestant. Personally I ask for 15 minutes to discuss the report.

Mr. WATSON of Virginia. If it be only an hour, Mr. Speaker, and nobody else cares to speak, I can yield to the gentleman 15 minutes out of my time, if that is all that is desired. Is there anybody else on that side of the House who desires time?

Mr. GILLETT. I understand that no member of the committee on this side desires to speak.

Mr. WATSON of Virginia. May I ask if there is anyone on this side who desires to be heard?

SEVERAL MEMBERS. No!

Mr. WATSON of Virginia. Mr. Speaker, I will yield to the gentleman from Missouri [Mr. DYER] 15 minutes when he desires it.

The SPEAKER. The gentleman from Virginia will proceed.

Mr. WATSON of Virginia. Mr. Speaker, the issues involved in this contested-election case from the second Michigan district

are very simple. They are none the less important on that account.

There are no disputes in this record concerning the essential facts in the case. The question which will be presented to you for decision is a question of law and of justice. Concerning that question, gentlemen, I am not aware that there is any difference of opinion among the members of your committee who have had the case under consideration. Your committee has given this case very careful and, I believe, impartial consideration. And in that connection I hope the House will pardon me if I refer for a moment to a statement made in the Washington Post this morning to the effect that the Democratic caucus which met in this Chamber on yesterday evening had reached the conclusion that the sitting Member should be unseated and that the contestant in this case should be seated. I am sure I need not say to experienced Members of this body that such a statement as that is without foundation in fact. Everybody here knows that no Member on either side of this House would be bound by caucus action in a matter of this character, and consequently his own experience would discredit a statement of that sort made in the public press. I only pause to say that not only was this matter not considered in the Democratic caucus, but it was never suggested for consideration and never mentioned for any such purpose.

In this election district there were over 50,000 votes cast for Congress. On the face of the returns the sitting Member had 49 majority. A contest arose concerning the returns from a single precinct, and it happened that in the subsequent progress of that contest these gentlemen, by agreement among themselves, recounted practically all of the ballots cast in the congressional district. And by such agreement they were able to reach a conclusion concerning every vote cast in the election with the exception of those cast in two precincts, in which precincts 1,280 votes were cast out of a total of more than 50,000.

By the recount which was conducted by these gentlemen, where the legal effect of marking the ballot was construed in accordance with the local law of Michigan, the contestant, up to the point where the two contested precincts were reached, had 46 majority. I hope the House will keep that in mind—that by agreement, after an actual count of the ballots, 46 majority was ascertained in favor of the contestant in this case. That left two precincts in dispute—the first precinct of the second ward of the city of Jackson, where 703 ballots were cast, and the second precinct of the sixth ward of the city of Jackson, where 577 ballots were cast.

The contestee and the contestant were unable to agree as to what was a proper disposition of the returns from these two precincts. Your committee has found that if you accept the official returns from these two precincts as they left the hands of the election officers, Mr. Beakes, the contestant, has a majority of the ballots cast in the district; that if you reject the returns in toto of these two precincts, the effect is to elect the contestant; and that if you accept a recount of the ballots cast at these precincts the effect is still the same—to elect Mr. Beakes.

Mr. DYER. If that is the fact, will the gentleman state why Mr. Beakes was not given the certificate of election in the first instance?

Mr. WATSON of Virginia. Because by mutual consent they had a recount of the more than 50,000 votes, and in that recount they found other mistakes of the election officers, and the net result of it is, as I have stated to the gentleman from Missouri—if he will make the calculation he will see that I am not mistaken—that if the two precincts in dispute are treated in either one of the three ways suggested, the effect will be to seat the contestant.

Mr. DYER. That is on the theory that we accept the recount. Is not that the fact?

Mr. WATSON of Virginia. I can not understand any theory based on our unwillingness to accept facts the parties themselves have agreed upon.

Mr. DYER. I do not want to take the gentleman's time unnecessarily, but as I understand it from the gentleman's statement the contestee was elected upon the face of the returns as officially made?

Mr. WATSON of Virginia. By 49 votes.

Mr. DYER. And then, after a recount was had, the contestant was shown to be elected on the recount. Is that correct?

Mr. WATSON of Virginia. When a recount had been had in all the precincts of this district with the exception of two, by agreement between these parties and their counsel, the contestant had 46 majority as a net result.

Mr. SHERWOOD. Both parties were represented in that, were they?

Mr. WATSON of Virginia. Represented in person and by counsel. Continuing, gentlemen, I repeat that if the official returns from these two precincts in dispute are accepted, the contestant in this case is entitled to be seated. If the returns are rejected the contestant is entitled to the seat.

Mr. MOORE of Pennsylvania. Does that apply to the returns from the second precinct, sixth ward, where one of the ballot boxes was held up for four months?

Mr. WATSON of Virginia. If the official returns from that precinct and from the first precinct of the second ward, which is the other one in dispute, are accepted the contestant is elected. If the official returns from both are rejected, the contestant is elected.

Mr. MOORE of Pennsylvania. The report of the majority sets forth a peculiar circumstance, to which I want to call the gentleman's attention. It says:

> The situation was still further complicated by the fact that when the work of the election ended at the second precinct the inspectors failed to return to the clerk's office along with the rest of the returns one of the ballot boxes containing a considerable number of the ballots, and left it in the polling booth uncovered and unlocked (though the polling booth was locked), where it remained until it was discovered by the clerk four months afterwards, when he went to prepare for another election. He, of course, covered and locked the box, and carried it to the clerk's office for safe keeping.

That is a peculiar condition developing in an election case, a ballot box remaining uncovered and unlocked for four months, and being produced in evidence later on, I presume. When the gentleman says the contestant would be elected anyhow, does his statement cover the entire number of ballots found in this ballot box, which was not produced for four months?

Mr. WATSON of Virginia. My statement was intended to apply to all the ballots cast in that precinct, and to all the ballots cast in the other contested precincts—the first precinct of the second ward.

Mr. MOORE of Pennsylvania. Confusion is referred to in the recount.

Mr. WATSON of Virginia. There was no formal recount in that precinct. Both sides objected, but the ballots were examined by both sides and a record kept of the result.

Mr. MOORE of Pennsylvania. The gentleman said there was an agreement between the parties for a recount.

Mr. WATSON of Virginia. But when they came to that precinct they could not agree, and hence the matter is here.

Mr. MOORE of Pennsylvania. If that precinct is thrown out, would the contestant be elected?

Mr. WATSON of Virginia. If that precinct is thrown out altogether, and if the House decides that the confusion which existed in the first precinct of the second ward should not be regarded, and accept the official returns, which everybody says is wrong, then the sitting Member is entitled to the seat, and that is the only way in which it would be adjudged him.

Mr. MOORE of Pennsylvania. That is to say, when the circumstance of the ballot box not discovered for four months is taken into consideration, then there would have been a chance for the contestee if there had not been confusion in respect to the ballot.

Mr. WATSON of Virginia. While there was no recount in pursuance of the law under which they were operating of the ballots in the abandoned box, as a matter of fact they did inspect the ballots and actually count them; and if you accept the recount, which the committee does not think ought to be accepted, the contestant is entitled to the seat.

Mr. MOORE of Pennsylvania. And that is the finding of the committee?

Mr. WATSON of Virginia. Yes.

Mr. HELM. Will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. HELM. In the first precinct of the second ward Mr. BACON carried that precinct, according to the official returns, by 118 votes.

Mr. WATSON of Virginia. Yes.

Mr. HELM. In the second precinct of the sixth ward—and that is the precinct the gentleman from Pennsylvania referred to—Mr. Beakes carried that precinct by exactly 118 votes. So that the first precinct of the second ward and the second precinct of the sixth ward exactly balance each other. The gentleman from Virginia is correct in saying that whether you accept the official returns in the first precinct of the second ward and the second precinct of the sixth ward, or whether you reject them, Mr. Beakes has overcome the majority of the sitting Member of 49 votes and has been elected by a majority of 46 votes.

Mr. MOORE of Pennsylvania. If the gentleman will pardon me further, the holding up of the ballot box for four months is a suspicious circumstance in a contest. It might have been held up for the very purpose of meeting some such situation as this.

Mr. HELM. In either case whether the ballots had not been properly preserved, then you necessarily fall back to the official count, which was 118 majority for Beakes, and if there was any irregularity in the first precinct of the second ward you fall back to the original or official count. There were irregularities in the first precinct of the second ward and in the second precinct of the sixth ward. Mr. BACON carried one and Mr. Beakes carried the other by precisely the same majority of votes, and the conditions prevailing in the first or the second are almost identical.

Mr. MOORE of Pennsylvania. I will ask the gentleman from Virginia if he will not explain the unusual—I will not say suspicious—evening up of the vote in the manner stated by the gentleman from Kentucky.

Mr. WATSON of Virginia. Mr. Speaker, I am trying to carry out a line of thought which I left when the gentleman from Pennsylvania interrupted me. I will complete that and then address myself to the question he has in mind. At the risk of repetition I want to say again that if these two precincts in controversy are accepted in accordance with the official returns, the contestant is elected. If they are rejected in toto, the contestant is elected. But I will go a step further and say that if the recount—the actual, physical recount—which was had in the two contested precincts is accepted, the contestant is elected.

There is but one way in which these returns can be so treated as to give the sitting Member a title to a seat on this floor. That is by an exceedingly fantastic and artistic manipulation. You have got to take the returns of the first precinct of the second ward, which everybody knows are incorrect, which the election officers themselves appearing before the county canvassing board in a written statement declare to be incorrect, because they had made a mistake.

Mr. STAFFORD. Will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. STAFFORD. Only a portion of the election board certified to that—four out of six.

Mr. WATSON of Virginia. Mr. Speaker, my friend from Wisconsin is the most punctilious man I know of in the House, a most careful man about small details. I pay him a compliment in that respect and do not mean to criticize him. He has read a part of the record, but he has not read it all.

Mr. STAFFORD. Will the gentleman yield further?

Mr. WATSON of Virginia. Yes.

Mr. STAFFORD. The gentleman made a statement that the election officials of the first precinct of the second ward had certified that there was an irregularity.

Mr. WATSON of Virginia. They certified that there was a mistake, not an irregularity.

Mr. STAFFORD. A mistake; and I ask him whether all the election officers certified that a mistake had been made. Was it not four out of six?

Mr. WATSON of Virginia. If the gentleman will turn to the record——

Mr. STAFFORD. Let me say to the gentleman that I have tried ever since August to obtain a copy of the record, but have not succeeded.

Mr. WATSON of Virginia. If the gentleman will turn to a copy of the brief which I saw in his hands a few moments ago, or turn to a copy of the report, he will find the written statement signed by four inspectors of the election who acted in that precinct. If he will read the record, he will find that a fifth inspector corroborated that statement. He will find there that there appeared before the board of canvassers Mr. Lewis, a fifth inspector, who said that a mistake had been made in that precinct. They were the five inspectors who acted in the first precinct of the second ward. So that while I may have been technically inaccurate in saying that they signed a written statement presented to the board of canvassers, the exact fact is that four signed the written statement and the other appeared in person before the board corroborating it.

Mr. DILLON. Mr. Speaker, will the gentleman yield.

Mr. WATSON of Virginia. Yes.

Mr. DILLON. Will the gentleman tell the committee if these five members who said there was a mistake specified the basis of that mistake and how it occurred?

Mr. LANGLEY. And the extent of the mistake?

Mr. DILLON. And the particulars of it?

Mr. WATSON of Virginia. I am afraid, gentlemen, I shall have to take more time than the rule allows me to answer all these questions.

Mr. DILLON. The point I am making is whether this is a mere conclusion or whether it is a conclusion based upon a statement of the facts.

Mr. WATSON of Virginia. Mr. Speaker, the written communication to which I refer is a communication signed by four of the inspectors of that precinct and is addressed to the board of county canvassers, which met a few weeks after the election, and is as follows:

> We, the undersigned inspectors of election of the first precinct, second ward, of the city of Jackson, in said county, at the general election held November 7, 1916, at which election State, county, and district officers were voted for, including candidates for Congress, hereby certify that in preparing the statement in duplicate showing the whole number of votes cast for candidates for Representative in Congress, and the number of votes received by each of such candidates, which statement was certified by the inspectors of election for delivery to the proper officers, as provided by statute, a mistake was made in that all the votes cast for the candidates for Representative in Congress were not included therein, and, through inadvertence and mistake, votes cast for each of such candidates were omitted from said statement; and that statement of the result of the election in said precinct, so far as it relates to the office of Representative in Congress, does not correctly represent the vote cast by the electors in that it does not show the whole number of votes cast for each of the candidates for said office—the votes not so counted aggregating 70 or more votes.
>
> CHAS. F. BARCKUS.
> GEORGE E. VAN CAMP.
> GIFFORD BILLMAN.
> HENRY MARRIOTT.

Mr. LANGLEY. Mr. Speaker, will the gentleman yield there?

Mr. WATSON of Virginia. A statement to the same effect was made by Mr. Lewis, the fifth inspector, before the board of canvassers in person. I yield to the gentleman.

Mr. LANGLEY. Did the committee in its investigations determine how many of those omitted votes were cast for the one candidate for Congress and how many for the other?

Mr. WATSON of Virginia. It did. I say to the gentleman further that not only did the election officers who conducted this election say a mistake of seventy-odd votes had been made in the returns, but the counsel for the contestee, present himself before that board to represent the contestee, stated in emphatic terms that it was obvious to everyone that a mistake had been made, and that he was not there to deny the fact. On page 50 of the record counsel for the contestee says in reference to these returns:

> There is no question but that an error has been made. I don't want you to think I am claiming there has not been a mistake made. I have the best of reasons and grounds for believing there has been a grave mistake, and I say Mr. Beakes and Mr. Bacon are entitled to every vote cast for them. (Rec., p. 50.)

Mr. Flowers, one of the board of county canvassers, in response to a situation as obvious as this, commenting upon it, said:

> It is an unfortunate error, and I admit it.

Mr. DILLON. What I was directing my inquiry to was how did this error occur?

Mr. WATSON of Virginia. I am going to try to explain that. Counsel for contestee in this case is asking the House to accept the official returns from that precinct which the officers of election say are wrong, which he himself said were wrong, and which the board of county canvassers said are wrong, and which, in their certificate to the State board of canvassers, they call attention to as being wrong. The proposition is to accept those returns when they are conceded to be wrong by everyone, and so declared to be by the election officers who made them. Gentlemen inquire how much they were wrong, and how did they come to be wrong. There was no prima facie evidence on which the returns could be corrected. The election officers were functus officio as to the matter when they had signed them. They could not recall from memory exactly what their mistake was. Three of them put it seventy-odd votes, and the other two could not agree as to the exact number, so that apparently under the Michigan law the county board of canvassers, possessing only ministerial power, had no opportunity for the correction of those returns. There was but one remedy under these circumstances, and that was a recount of the ballots, which were the best evidence as to what was the intention of the electors in that election. Your committee thought that under the circumstances these ballots ought to be recounted. The only objection to the recount was the suggestion of counsel for the contestee that they had not been properly preserved, consequently that they were not the identical ballots which were voted in the election, and that they were not in the same condition they were in when they were voted. In that statement your committee did not concur, for the reason that they found no sufficient evidence upon which to base the assumption that any change had taken place in the condition of those ballots or in their identity.

The objection was raised to the recount in the brief of the contestee's counsel where it was suggested either that the ballot boxes were not sealed in accordance with the Michigan law, or, if so sealed, that the seals had been subsequently tampered with and prior to the time the boxes were produced before the county board of canvassers a fortnight later. I want to say to you that you may read that record in vain to find where any human

being has stated those boxes were ever sealed differently than in the manner in which they appeared when presented to the county board.

The Michigan statute does require the ballot box to be so sealed that it can not be opened without breaking the seal. The boxes in question were locked and sealed, but not in strict conformity with the legal requirement as to the sealing. After being unlocked they could be opened without breaking any seal. It is conceded that the boxes had seals on top of the lids over the apertures through which the ballots were deposited. It is conceded that they were properly locked. It is likewise conceded that if you had a key and could unlock the box you could get in without breaking the seal. Counsel for contestee has suggested that there is evidence in the record that these boxes were differently sealed when they left the polls; that in addition to the seals which appeared on them when they were brought before the board of county canvassers they were sealed also over the locks in the first instance. No single witness whose testimony is recorded has stated that there was any other seal than that which appeared upon it. The deputy clerk said that he thought that they were differently sealed; but when cross-examined it turned out that the deputy clerk was not there when the boxes were received at the clerk's office, and he was not positive that he could make any statement in reference to the seals.

One of the election officers stated that the boxes were sealed and when asked how they were sealed he said one of the other officers sealed them on top and "I sealed them with a lock and key," showing that he was talking about locking, and that was the thing in his mind when he was discussing the question of the seal. I have not the time to point out the names of these witnesses and read the language to you. I must content myself with telling you that that is the substance of their statements; and if you will read the record carefully I am satisfied you will find nothing to disagree in substance with the statement I have tried to present.

Mr. WOOD of Indiana. Mr. Speaker, I notice it says here that in one of these precincts the basis of the contest was on some sheets that were made of sample ballots, which was discovered by some one by the name of Barckus, who climbed into a window.

Mr. WATSON of Virginia. I would say to the gentleman that the committee has absolutely paid no attention to the tally sheet, but has eliminated it entirely from all consideration in this case.

Mr. WOOD of Indiana. Does that precinct have anything to do with the result?

Mr. WATSON of Virginia. That is one of the contested precincts; but in its findings concerning it the committee reached no conclusion based in whole or in part upon the alleged tally sheet referred to by you.

Mr. WOOD of Indiana. Is it a fact that the official tally sheets in this particular precinct were made upon the backs of sample ballots?

Mr. WATSON of Virginia. That is a question that is absolutely academic and immaterial. I would say to the gentleman that a piece of yellow paper alleged to have been used as a tally sheet in place of the official tally sheet, containing certain figures and other memoranda, did figure in the record and is filed as an exhibit in this case.

Mr. WOOD of Indiana. Was the official tally sheet in that precinct made upon the back of a sample ballot?

Mr. WATSON of Virginia. No, sir.

Mr. WOOD of Indiana. Upon which the committee bases its action?

Mr. WATSON of Virginia. No; that official tally sheet is here; it is in the RECORD; it is an exhibit. Now, gentlemen, the only real objection to a recount and a correction of this mistake which the election officers said they had made, which everybody confesses has been made, rests upon the fact that the ballot boxes from these precincts were carried to the clerk's office on the afternoon of the day after the election and, instead of being put at once under lock and key, were placed in an outer room or lobby of the clerk's office immediately in front of the clerk's desk along with all the other ballot boxes from that city, some 38 in number, through which the public passed during office hours, and kept in that position from the afternoon of one day until the forenoon or the afternoon of another day. On the assumption that other seals had been on those boxes, and that somebody had gone to the clerk's office during this interim and broken those seals—about which there is not a scintilla of testimony in this record—you are asked to hold that these ballots had been tampered with, that they were not the identical ballots cast in the election, and that their condition was not the same, and hence that they ought not to be recounted for the purpose of correcting this mistake. Now, gentlemen, that is the proposition as far as the first precinct of the second ward is concerned. You are asked to assume a fact which does not exist, and from such assumption to infer a fraud and thereby discredit the returns of honorable officials as evidence in this case.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. WATSON of Virginia. I will.

Mr. KELLEY of Michigan. I desire to ask the gentleman if the official returns from this first precinct——

Mr. WATSON of Virginia. The one we are discussing?

Mr. KELLEY of Michigan. Yes; the one the gentleman is discussing—were accepted as being the proper returns from that precinct, and your findings on the other precincts as they are, would Mr. Beakes be elected?

Mr. WATSON of Virginia. Undoubtedly, sir, by 46 votes.

Mr. KELLEY of Michigan. In other words, if you would concede to Mr. Bacon what he claims in this precinct, it would still elect Mr. Beakes?

Mr. WATSON of Virginia. By 46 votes.

Mr. JUUL. Will the gentleman yield for a question?

Mr. WATSON of Virginia. I will.

Mr. JUUL. I wish to ask the gentleman if any of the four inspectors mentioned a little while ago as signing a certain certificate, or all of them, were responsible for the safe-keeping of the ballot box that apparently was left in one of the polling places?

Mr. WATSON of Virginia. On the conclusion of the canvassing of the votes, which was 3 o'clock of the afternoon of the day after the election, two police patrolmen called in a wagon for those ballot boxes. Two election inspectors took the ballot boxes, got into the wagon of the police patrol, and carried them to the clerk's office and delivered them, together with the key, to the clerk of the city of Jackson.

Mr. JUUL. If the gentleman will pardon me, that hardly answers my question. What I want to know is, there was a certitficate signed by four inspectors. Were any of those four inspectors connected with the polling place where the ballot box was left, according to the statement here?

Mr. WATSON of Virginia. No; that is a different precinct entirely.

Mr. JUUL. That is what I wanted to get clear.

Mr. WATSON of Virginia. It has nothing to do with the other.

Mr. WHEELER. Will the gentleman yield for a question?

Mr. WATSON of Virginia. Yes.

Mr. WHEELER. As to the 70 missing ballots, were they found in the election booth or were they in the ballot box and were not counted?

Mr. WATSON of Virginia. The 70?

Mr. WHEELER. Yes.

Mr. WATSON of Virginia. I am very glad the gentleman asked that question, as I had about abandoned that stage of the discussion. There was a recount had of these ballots first on the 22d day of November. The office of coroner was in dispute, and in the coroner's election a recount was asked for, and incidental to the recount for the office of coroner these gentlemen, the contestant and the contestee, and their counsel, were in attendance, keeping tab upon those ballots as they were recounted for coroner.

And then they discovered for the first time not only that it was a mistake of 70 votes, but that there had been a mistake of 88 votes in the returns for Congress; that Mr. Beakes, the contestant, was entitled to 87 more votes than the official returns had given him, and Mr. Bacon was entitled to 1 more vote than the official returns had given him. Your committee has reported, gentlemen, that under these circumstances the recount held on the 22d day of February of those same ballots, before the notary and in the presence of these same gentlemen and their counsel, with a result agreed upon among themselves under Michigan law, showing a gain of 87 for the contestant and 1 for the contestee, should stand in lieu of the official returns—that the official returns should be corrected to that extent.

Mr. HAMILTON of Michigan. As I understand, your committee arrived at the conclusion that if you reject the ballots of these two particular precincts as being tinctured with fraud and irregularity, then the contestant must prevail, and if you do not reject them, then the contestee must prevail? Am I correct?

Mr. WATSON of Virginia. No. If you accept the official returns from both precincts, the contestant still prevails.

Mr. HARDY. Will the gentleman yield?

Mr. WATSON of Virginia. I will.

Mr. HARDY. Am I correct in this conclusion which I draw? If you omit to add those 87 votes for Mr. Beakes and 1 vote for Mr. Bacon, then is it not a fact that in the congressional race

Beakes is short by 80 or 90 votes? In other words, those votes had to be added or else the vote for Congressman was short?

Mr. WATSON of Virginia. I thank the gentleman for that suggestion. I neglected to state to the House that if you add these 87 votes to the returns for the contestant you bring his vote up to the average of the vote received by the candidates of his party on all the rest of the ticket. The Democratic presidential electors at the first precinct of the second ward received on the average of 310 votes. The Republican electors in that precinct received on the average of 354 votes. If you add your 87 votes found by those who conducted the recount to have been omitted, you will give contestant 329 votes in that precinct, a few in excess of the number of votes received by the electors of his party.

Mr. WHEELER. The gentleman said a few moments ago that they were not counted.

Mr. WATSON of Virginia. Where the error had been made and they were left out.

Mr. WHEELER. They were not counted?

Mr. WATSON of Virginia. In the official returns from that precinct the candidate of the Democratic Party for Congress ran some 80 votes behind the rest of his ticket. In the official returns the candidate of the Republican Party ran neck and neck with the rest of his party candidates. If you correct the official returns in accordance with this recount you place the Democratic candidate on the same footing with the other candidates of his party in that precinct.

Mr. LANGLEY. Will the gentleman yield there?

Mr. WATSON of Virginia. Yes.

Mr. LANGLEY. Does the committee just assume that those votes were cast for Mr. Beakes or does the ballot show they were cast?

Mr. WATSON of Virginia. I am little understood if I have not made it plain that on two separate occasions—once on the 22d of November, 1916, in the presence of a notary public and in the presence of the county board of canvassers—a recount of those ballots was had for the office of coroner. That was attended by these gentlemen and their counsel. Incidentally with the recount for coronor they inspected the vote for Congress and ascertained that, instead of the official returns being correct, Mr. Beakes had not received in that return 87 votes to which he was entitled, and Mr. Bacon had not received one vote to which he was entitled.

Mr. LANGLEY. Was that a precinct where the ballot box was not turned in?

Mr. WATSON of Virginia. No, sir.

Mr. LITTLE. As I understand it, one man had 49 majority and one had 46, on your finding?

Mr. WATSON of Virginia. No, sir. On the finding of your committee the contestant has 132 majority.

Mr. LITTLE. Eighty-six of his gain was in the first precinct——

Mr. WATSON of Virginia. Of the second ward.

Mr. LITTLE. Where was the rest of the gain made?

Mr. WATSON of Virginia. Between these gentlemen they had a recount of over 50,000 ballots.

Mr. LITTLE. You might just specify where the other 46 were gained.

Mr. WATSON of Virginia. There were countless precincts in that district, some in one county and some in another. When they got up to these two precincts, by mutual agreement, Mr. Beakes was 42 ahead.

Mr. LITTLE. Where did he gain the 46?

Mr. WATSON of Virginia. If you take the 49 which the official returns gave to the contestant——

Mr. LITTLE. You are not able to specify the precincts?

Mr. WATSON of Virginia. The statement I made was the net result of the losses and gains over the district.

Mr. LITTLE. You can not at the moment give the precinct in which he gained the 46?

Mr. WATSON of Virginia. I can give you the net result, but not the particular precincts.

Mr. ROSE. Before this recount was made to which you refer, does the evidence before your committee show where the ballot boxes were kept during the interim?

Mr. WATSON of Virginia. With the city clerk, under lock and key, with the exception of the afternoon of the day after the election and the noon of the day after that, during which they were kept in the clerk's office, through which the public passed.

Mr. ROSE. To which they had access?

Mr. WATSON of Virginia. I take it the clerk's office was a public place and the public had that kind of access.

Mr. ROSE. Were they kept in accordance with the local law of Michigan?

Mr. WATSON of Virginia. The local law of Michigan requires the clerk shall have the custody of the ballot boxes and that they shall be preserved by him, but I do not know for how long a time.

Mr. ROSE. Was it shown to the satisfaction of the committee that no examination of the ballot boxes was permitted in the meantime?

Mr. WATSON of Virginia. The clerk testified on oath—he swore—that since they were delivered to him he was sure that nobody had access to them.

Mr. WHEELER. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. WHEELER. I assume from the chairman's statement that these 87 ballots that were not counted were straight Democratic ballots. Is that the gentleman's opinion?

Mr. WATSON of Virginia. I will say to the gentleman that I have no information about that, because I was not present, of course, at the recount. I can not answer that question. I do not know.

Mr. WHEELER. In your statement you say that if those 87 votes were added to the Democratic electors they would make 210 or 229——

Mr. WATSON of Virginia. Three hundred and twenty-nine for the Democratic candidate for Congress; the ballots were not examined as to vote for President.

Mr. WHEELER. Or 329; whatever it was?

Mr. WATSON of Virginia. Yes; 329.

Mr. WHEELER. I assume, then, that those ballots were straight Democratic ballots.

Mr. WATSON of Virginia. I think most of them were.

Mr. WHEELER. It might be easy to make a mistake if there should be 20 or 30 or 40, but an odd number could hardly be lost and not counted for a Congressman. They might be lost for coroner, or something of that kind.

Mr. PURNELL. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. PURNELL. Has the gentleman any information on that?

The SPEAKER pro tempore. The Chair is informed that the gentleman from Virginia has used all but 15 minutes of his time and that those 15 minutes had been allotted to the gentleman from Missouri [Mr. DYER]. Does the gentleman wish longer to continue the use of his time?

Mr. CRISP. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 30 minutes. He has spent most of his time in giving information to the House.

The SPEAKER pro tempore. A request for unanimous consent is made that the gentleman proceed for 30 minutes. Is that it?

Mr. CRISP. The request is that his time should be extended for 30 minutes, which would give him 45 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. PURNELL. There was so much confusion in the Chamber that I did not hear what questions and answers were made; but after the 87 votes were found, that were added to the total for Mr. Beakes, and the 1 for Mr. Bacon, how did their votes compare with the votes of other candidates on their own ticket?

Mr. WATSON of Virginia. They ran substantially the same.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. COLLIER. As I understand it, if those votes had not been counted there would have been 87 voters in that precinct who did not vote for Congress at all. Is that correct?

Mr. WATSON of Virginia. Yes.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. McLAUGHLIN of Michigan. I think the gentleman gives the impression that the Democratic candidate for Congress is the only one on the Democratic ticket whose vote falls far behind the vote cast for the head of the ticket. I think that is not true. Is it not a fact that the votes for county treasurer and probate judge and the vote of other candidates on the Democratic ticket run 60 or 70 behind the votes for the head of the ticket?

Mr. WATSON of Virginia. I did not examine the returns for local candidates, because there were so many local issues involved in the election of local candidates. I only examined the tickets of candidates for Federal offices.

Mr. McLAUGHLIN of Michigan. If the gentleman will permit, I will say that my investigation and my recollection lead me

to believe that the votes for Democratic county candidates were approximately the same as the votes reported for the Democratic candidate for Congress.

Mr. WATSON of Virginia. I will say to the gentleman that, realizing——

Mr. McLAUGHLIN of Michigan. That fact alone, standing alone, that the Democratic candidate for Congress received a small vote, does not indicate that all of his votes were not counted for him.

Mr. WATSON of Virginia. I did not mean to give the impression that such a conclusion would follow from that fact alone. I was comparing the votes of the candidate for Congress with the votes of the candidates of his party on the Federal ticket. I was not comparing it with the votes of other candidates for local offices, in which personalities were so likely to prevail.

Mr. SAUNDERS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. SAUNDERS of Virginia. Is not this the fact, as to that situation, not that the 87 votes were not counted by the judges of election but that the tabulation of 87 votes, so far as it related to Mr. Beakes, was not added to his other votes for that precinct?

Mr. WATSON of Virginia. I think that is an accurate statement of the case. The 87 votes were not included in the returns of the election officers.

Now, your committee thinks, gentlemen, that these ballot boxes had been properly cared for. It found no evidence that they had been tampered with. It saw no reason why there should not be a recount in this precinct, and there is no shadow of doubt as to the result of the recount; and it seemed to your committee that it would be a monstrous proposition to accept the official returns from a precinct where the election officers had appeared in public and declared them to be wrong, where the county board found they were wrong, where the counsel for the contestee himself had pronounced them wrong, and which no man who has read this record believes to-day correctly represents the will of the electors. Under such conditions, it seemed to your committee that there was but one thing in law and justice to do, and that was to accept this recount, conducted under the solemnity of law, and of the correctness of which there is no shadow of doubt.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. KNUTSON. If the officials knew that the election returns were wrong, why did they not correct them before the certificate of election was given?

Mr. WATSON of Virginia. Nobody on this earth, except the Pope, is supposed to be infallible, and these officers made a mistake.

Mr. KNUTSON. Was not this case carried to the courts of Michigan?

Mr. WATSON of Virginia. The board of election officers came together before the contest was completed and stated to the board that they had made a mistake and asked to have it corrected. That was no crime.

Mr. RAMSEY. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. RAMSEY. Assuming as a fact that the recount in first precinct, second ward, of Jackson City showed Mr. Beakes to be entitled to 87 more votes, and then taking into consideration this part of your record [reading]:

> The evidence shows a chapter of accidents at this and the third precinct in the same ward, which resulted in the admixture of the ballots of the two precincts in well-nigh hopeless confusion and ultimately created a situation very hard to untangle.

Mr. WATSON of Virginia. We are not talking about that precinct.

Mr. RAMSEY. I know that there are two precincts which resulted in a Democratic success, the ballots of which were in a well-nigh hopeless confusion and ultimately created a situation very hard to untangle. We assume that Mr. Beakes was entitled to 87 additional votes in the other precincts, and if the two precincts were thrown out, who would be elected?

Mr. WATSON of Virginia. Mr. Beakes, the contestant, by 46 majority.

Mr. RAMSEY. How does the gentleman arrive at that conclusion?

Mr. WATSON of Virginia. For the reason which has already been stated by the gentleman from Kentucky [Mr. HELM], that in the precinct which I have just been discussing the official returns gave the contestee, Mr. Bacon, 118 majority. If you take the other precinct and go by the official returns, the contestant has 118 majority there, so that they neutralize each other and leave the thing where it was before.

Mr. RAMSEY. Permit me to call your attention to the report. Mr. Bacon received 211 votes in one precinct, Mr. Beakes 329, a difference of 118 in favor of Mr. Beakes.

Mr. WATSON of Virginia. That is the one we are just talking about.

Mr. RAMSEY. And in the other Mr. Bacon received 93 and Mr. Beakes, 138, which is a difference of 45, the total being 163. Now, if these two precincts are so entangled and unintelligible as to be unable to be counted, and if they are eliminated, who would be elected? Mr. Bacon, would he not?

Mr. WATSON of Virginia. I will say to the gentleman that the third precinct, to which he referred, which was once in dispute, has been eliminated from the contest by agreement of counsel and by agreement of the parties, so that the third precinct is no longer involved in this contest.

Mr. RAMSEY. But the language of your report is that it is so unintelligible as hardly able to be counted.

Mr. WATSON of Virginia. If the gentleman will read that carefully, and will read what follows, unless I have failed to make myself clear, I do not think there can be any misapprehension.

Mr. RAMSEY. I am going by your report.

Mr. WATSON of Virginia. I wish you would go a little further. If you will follow it a little further, you will find I have not made any such statement as that.

Mr. HELM. The gentleman from Michigan [Mr. McLAUGHLIN] said there was a discrepancy between the vote for judge of probate and some of the county officers. Is it not a fact that the attorney for Mr. Bacon appeared before the committee, and did the attorney for Mr. Bacon on that occasion make any contention that any of the Democratic nominees had run behind the ticket, as the returns in the congressional district showed?

Mr. WATSON of Virginia. I do not think the point was raised at all, I will say to the gentleman from Kentucky.

Now, gentlemen, I have tried to make myself clear in connection with this precinct known as the first precinct of the second ward, and I have stated—imperfectly, I am sure, in the time which has been allowed me—the reasons why your committee think that the recount of the ballots in this precinct should be accepted in lieu of the official returns, which everybody conceded to be wrong.

Now, I come to the second precinct of the sixth ward, which is the precinct in which the ballot box was left at the polls unlocked and uncovered for a period of four months, until it was discovered there by the clerk who went to prepare for another election. I want the House to understand that the election officers at this precinct went on duty at 7 o'clock on the morning of the election, receiving in all 577 ballots during the day; that the polls closed at 8 o'clock of that day; that they sat up all night canvassing these returns. There were nine different things voted for at that election in the city of Jackson—bond issues, constitutional amendments, and various other propositions. They sat all election day and all that night and all the next day until 3 o'clock in the afternoon canvassing those returns. Now, they had at that polling place certainly as many as four ballot boxes, one big iron can 5 feet high, the record shows, in which the ballots were deposited unassorted as they were received during the day. There were three other ballot boxes in which the ballots were deposited when they had been canvassed and straightened out and folded together in preparation to be returned to the clerk's office.

There were no complaints as to the conduct of the election officers at that precinct. There were six of them in all, and, as far as this record discloses, men of good character. One of them, who seems to have been the leading officer, had been a resident of that town for 25 years. I do not know anything about their politics, except that the statement was made in oral argument before your committee by one of the counsel that nearly all these election officers in the city of Jackson were Republicans. It does not make any difference to me whether they were or whether they were not. As far as this record discloses they were men of intelligence and good character.

When the patrol wagon came from the clerk's office to receive these ballot boxes—on the afternoon of the day after the election, these men having been on duty thirty-odd hours—along with the big ballot box, which it seems in the city of Jackson is allowed to remain within the polling place, they left one of the boxes in which canvassed returns had been placed uncovered and unlocked. I do not know how many ballots were in that box. When months after they took the ballots out of this box they emptied them onto a table, without first counting the number,

into a common pile of ballots from this and another precinct; so, on account of the confusion thus arising, it was not possible afterwards to determine how many ballots had been in that particular box which had been unlocked and uncovered. But the fact is that one of the boxes was left at the polling place under the circumstances I have described until the 6th of March following, when the clerk went there to prepare for another election.

Mr. LANGLEY. If the gentleman will allow me, that is not the place where the man came in at the window and got the tally sheet?

Mr. WATSON of Virginia. Oh, no; a different place. Now, the official returns from this precinct had been made up. Under the Michigan law, when the polls have closed the straight party tickets are separated and placed by themselves, and then the split and mixed tickets to themselves. They have three kinds in Michigan. The Democratic ballots are segregated in one pile, the Republican ballots in another, the Socialist ballots in another, and then the mixed and split tickets are put together in another pile. The public is invited in under the Michigan law to see the canvassing of the vote. Everything is done openly and aboveboard, as it should be.

Mr. LANGLEY. Was it developed whether any Republican ballots were crossed for the Democratic candidate for Congress?

Mr. WATSON of Virginia. It appeared from the testimony that nearly every precinct had split tickets, which were tickets marked in the party column and then separate cross marks made opposite the names of particular candidates of another party.

Mr. LANGLEY. I have heard of cases where after the election was over they took the straight ballots and crossed them for certain candidates of the other party. Of course, they do not do this in Kentucky [laughter], but it has been done.

Mr. WATSON of Virginia. I do not see how that could be done in this case. The votes are counted in public, canvassed in public, the returns signed in public, and the result openly announced.

Mr. LANGLEY. Of course, it would have to be done surreptitiously and not at the time of the public inspection required by law.

Mr. WATSON of Virginia. It seems to me the Michigan law has gone as far as any law can go to secure a faithful canvass and certification of the returns. At this precinct the Michigan law was complied with as far as the record discloses.

Now, the return of that precinct awarded the contestee 211 votes and awarded the contestant 329 votes. The votes in this particular precinct were never sought to be recounted by the contestant. The contestee in this case asked for the recount. When the ballots were produced he discovered that one of the ballot boxes containing some of these ballots had been left in the polling place for four months and not returned to the clerk's office, as required by law. Thereupon counsel for the contestant said, "These ballots have not been preserved in accordance with the law and I object to a recount." Whereupon, the contestee's counsel acceding to that proposition, they both agreed that there could not be a recount of that precinct, for the reason that the ballots had not been preserved in accordance with the law.

Now, both sides agreeing that there could not be a recount, what are you going to do with the returns of that precinct? There were no irregularities there except the fact that the ballot box was left. There was no proof of fraud, unless the mere leaving of the ballot box constituted proof of fraud. I would hate mightily to charge a man with committing a fraud who had been at work 35 hours, who when the time came to go home had simply left one of several ballot boxes behind him at the polls. Especially so if, when I came to examine the box, I could find no internal evidence of fraud. Under the Michigan ballot I do not see how those returns could well have been doctored without leaving conclusive proof of the deed.

Mr. AYRES. Will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. AYRES. If this precinct had been counted it would have given the contestant 118 more votes?

Mr. WATSON of Virginia. Yes; if you accept the official returns he has 118 more than if you do not accept them.

Mr. JAMES. Will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. JAMES. Were these ballots crossed at the top of the Republican column or the Democratic column?

Mr. WATSON of Virginia. I have no knowledge as to these particular ballots in this box.

Mr. JAMES. The gentleman does not know whether they were straight or split ballots?

Mr. WATSON of Virginia. It is more likely that they were straight Democratic tickets.

Mr. JAMES. But there is no evidence of that?

Mr. WATSON of Virginia. No.

Mr. HARDY. As I understand, Mr. Beakes got the full Democratic vote there.

Mr. WATSON of Virginia. Mr. Beakes did not lose any votes there.

Mr. LANGLEY. Unless they were Republican ballots, afterwards fraudulently crossed for him.

Mr. WATSON of Virginia. Here is what would follow from that suggestion. There were so many Democratic presidential ballots cast and so many Republican presidential ballots cast at that precinct. I forget the exact figures returned, but if you will add them together I think you will find that there was not sufficient margin of split or mixed ballots left to make it possible by subsequent doctoring to alter materially the vote of either candidate for Congress.

Now, if the purpose of leaving the ballot box at the polling place was to perpetrate a fraud, I think you will agree with me that in this case it was gone about in a most haphazard way.

If fraud had really been the aim, the chances are that the ballot box would not only have been locked but sealed most carefully according to all the law, and its contents secured against all outside interference. The mere fact the box was left there, open and exposed, so that anybody could see it is strong presumptive evidence, to my mind, that there was no fraudulent purpose in leaving it there. Had fraud been really meditated its perpetrators would hardly have abandoned the work of their hands and left it to the uncertainties of fate in a remote corner of the city where it might never be found; but, on the contrary, would have found a way to land the doctored ballots at the clerk's office, there to be counted in case of need.

As I view this matter—and I think I speak for the committee—the leaving of this ballot box was nothing in the world but an accident, an act of forgetfulness on the part of sleepy men who had been working for thirty-odd hours.

Now, remember that this is the only irregularity in the conduct of the election officers at that precinct.

Remember there is no other evidence of improper conduct on their part. Remember also that when the contents of this box were gone into and examined it was found that not only every ballot was there that ought to be there but each one bore the initials of one or the other election officers; that the package of unused ballots which under the Michigan law was required to be returned to the clerk's office was there; and that it so happened that the next number on the package of unused ballots, 577 ballots having been voted, turned out to be exactly what it ought to have been—578. That was the number marked on the package of unused ballots. This of itself, to my mind, is proof almost as strong as Holy Writ that nothing unlawful had happened to the contents of that box during the four months it remained at that polling place, and that these returns had been undisturbed by any hands during that period. What, then, are you going to do with the returns from that precinct? The contestant thinks and your committee thinks that, under the circumstances, the simple failure to return one of the ballot boxes to the clerk's office does not discredit or invalidate the returns made by the election officers. Your committee thinks these returns ought to be received. The impression made upon the mind of some by the circumstances we have been discussing may be the same that has been made upon the gentleman from Wisconsin [Mr. STAFFORD], and upon the gentleman from Pennsylvania [Mr. MOORE] who characterized it as a "suspicious circumstance." If the circumstance is so suspicious to your mind as to discredit these returns, what in law and in logic should you do with them? If the mere failure of these gentlemen to return the ballot box to the clerk's office so discredits the work of their hands that you can not accept their returns, why, in common sense and logic, you ought to reject the returns in toto and throw out the precinct.

Mr. HAMILTON of Michigan. That is the law, as a matter of fact.

The SPEAKER pro tempore (Mr. GARD). The time of the gentleman from Virginia has expired.

Mr. SAUNDERS of Virginia. Mr. Speaker, I ask unanimous consent that the time of the gentleman be extended for 15 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SAUNDERS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. SAUNDERS of Virginia. I want to ask one question along the line of the possibility of tampering with the ballots

in that box which the gentleman has just been discussing. If after the returns had been made the ballots had been improperly doctored there would have been a variance then between what the ballots showed and the original returns?

Mr. WATSON of Virginia. Undoubtedly.

Mr. SAUNDERS of Virginia. And the only way anything improper could have been effected to compass the advantage of Mr. Beakes would have been in this fashion, for the original returns to have been fraudulent and then subsequently the ballots doctored so as to make them conform to the returns?

Mr. WATSON of Virginia. I think that is undoubtedly true.

Mr. SAUNDERS of Virginia. May I ask one other question? Is not this a fact in the case, that five election officers at the precinct where this 87-vote error occurred all agree that there was an honest inadvertent error committed with respect to those 87 votes and that Mr. Beakes is entitled to have them counted in his favor?

Mr. WATSON of Virginia. All agree as to the error.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. GOOD. I am not quite sure that I have followed the gentleman in regard to the ballots in the first precinct of the second ward. As I understand, the ballot box abandoned was in the second precinct of the second ward.

Mr. WATSON of Virginia. Yes.

Mr. GOOD. If we assume that the gentleman's calculation regarding the vote in the first of the second to be correct, and we throw out the second of the sixth, and then assume that the agreement was correct that Beakes had 46 majority outside of these two precincts, what result would you have?

Mr. WATSON of Virginia. The result of the calculation about which the gentleman inquires would be to leave the contestant elected by 14 votes.

Mr. KELLEY of Michigan. I did not quite get that. Will the gentleman please state it again?

Mr. WATSON of Virginia. The gentleman asked if the report of the committee is accepted as to the first precinct of the second ward, which was the first topic I undertook to present to you, and if the second precinct of the sixth ward, which we are now discussing, be rejected in toto, what would be the result upon the parties to this contest. My answer is that the result would be the election of the contestant by 14 votes.

Mr. GOOD. The gentleman arrives at that by finding that Mr. Beakes had a majority in the first of the second of 118?

Mr. WATSON of Virginia. No; not 118.

Mr. CRISP. I understand the gentleman to state that in the recount of the entire district the contestee and the contestant and their counsel agree that Mr. Beakes had a majority of 46, leaving only in dispute these two voting precincts in Jackson, Mich.?

Mr. WATSON of Virginia. Yes.

Mr. CRISP. And if you accept the returns of those districts is Mr. Beakes elected?

Mr. WATSON of Virginia. Yes.

Mr. CRISP. And if you accept the recount is Mr. Beakes elected?

Mr. WATSON of Virginia. Yes.

Mr. CRISP. And if you reject the vote is Mr. Beakes elected?

Mr. WATSON of Virginia. Yes. If the official returns from these two precincts in controversy be accepted, the contestant is elected. The gentleman from Georgia also asks if the official returns from these two precincts be rejected, and they be discredited in toto, whether the contestant is elected and I answer yes. He asked also if a recount be made of all the ballots in controversy in these two precincts, if the result would show the election of the contestant, and I again answer yes.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. WATSON of Virginia. Yes.

Mr. COOPER of Wisconsin. What does the gentleman think of the general proposition of establishing as a precedent the recounting by Congress of votes taken from a ballot box that was not discovered for four months after election and which was not sealed at all?

It is not sealing a box by locking it. It was locked only; it was not sealed at all; and putting a seal over the slot in the top in which there were deposited the votes did not seal the box at all. It did not have a Yale lock at all. It had a lock that could have been easily opened and that was accessible to anybody that might desire to change the votes. I am not saying they were changed, but there was an opportunity there for the greatest sort of fraud. Of course you can not prove the fraud. There was nobody who saw anybody do anything to it, and perhaps they did not, but nevertheless this box was not sealed at all. It was locked and not sealed.

Mr. WATSON of Virginia. It was neither covered, nor sealed, nor locked, but wide open.

Mr. COOPER of Wisconsin. And left there for four months?

Mr. WATSON of Virginia. From the 7th day of November until the 6th day of March following. The gentlemen asked what I think of this as a precedent, and I want to answer it in the language of the committee report:

> Both sides agree that they could not have a lawful recount of that portion of the ballots of the second precinct (and being mingled with those of other boxes they could not be separately identified) which were left in the voting booth after the election. And in that view we concur; for, though the ballots bore every internal evidence of not having been disturbed, yet would it be a hazardous experiment and dangerous precedent to permit a recount of returns unsecured and without lawful custody for four months.

Mr. COOPER of Wisconsin. Now, will the gentleman permit me right there, because some people consent to what the gentleman himself and his report characterizes as a hazardous experiment, does the gentleman think that we ought to adopt a hazardous experiment, thereby establishing a precedent? And another thing. If the official returns of those two precincts are taken, then the contestee is elected? Is that so?

Mr. WATSON of Virginia. No, sir; not elected. That is certainly not true, sir.

Mr. COOPER of Wisconsin. Then I misunderstood the question of the gentleman from Georgia [Mr. CRISP].

Mr. WATSON of Virginia. I want to say to the gentleman from Wisconsin that the committee does not propose to have any recount of those returns, and it does not think it ought to be recounted, but I state to the gentleman——

Mr. COOPER of Wisconsin. Then I misunderstood the gentleman entirely.

Mr. WATSON of Virginia. I stated to the gentleman from Georgia that if an actual recount was held that the result, if accepted, would be the election of the contestant in this case; but your committee does not think there ought to be a recount.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. WATSON of Virginia. I will.

Mr. KELLEY of Michigan. As I understand, there were only two precincts in question, in the first place. Then, Mr. Bacon and Mr. Beakes had a recount of the ballots of the district. I want to ask the chairman this question: Did Mr. Beakes gain enough votes in the balance of the district so that he could concede to Mr. Bacon the figures which he claimed as to those two contested precincts and still be elected?

Mr. WATSON of Virginia. I can not answer that question categorically, Mr. Speaker, for the reason I do not know what Mr. Bacon claims as to those two precincts.

Mr. KELLEY of Michigan. If you take the original returns——

Mr. WATSON of Virginia. Yes; undoubtedly.

Mr. KELLEY of Michigan. Then, those two precincts may be accorded to Mr. Bacon——

Mr. WATSON of Virginia. Those two precincts, if you stand on the original return, added to the majority conceded the contestant in the rest of the district, would undoubtedly elect the contestant in this case.

Mr. KELLEY of Michigan. Then Mr. Beakes gained enough in the uncontested portion of the district to offset the contested portion?

Mr. WATSON of Virginia. Undoubtedly.

Mr. HELM. Will the gentleman yield?

Mr. WATSON of Virginia. I yield to the gentleman, who is on the committee.

Mr. HELM. Is it not a fact that after a recount was had in the first precinct Mr. Beakes gained in the entire congressional district the total of 95 votes? In every precinct in the congressional district Beakes had a net clear, clean-cut gain of 95 votes, and this recount in the entire district was taken by Mr. Bacon with exception of the first precinct of the second ward. After Mr. Beakes took the proof in the first precinct of the second ward and made this showing of 87 gain, then Mr. Bacon proceeded to take a recount in the entire congressional district, and on the recount Mr. Beakes made a net clean-cut gain of 95 votes. Now, subtracting Bacon's majority on the returns of 49 from 95, and you have 46 votes outside the first precinct in the second ward and the second precinct in the sixth ward, in which Bacon carries one by 118 votes and Beakes carries the other by 118 votes, and there are irregularities in the first precinct of the second ward and the second precinct of the sixth which stand on all fours, so if you recount one you have to recount the other. If you throw out one you have to throw out the other, and that is the whole case, and Beakes is elected by 46 majority. That is the whole case in a nutshell.

Mr. WHEELER. Will the gentleman yield?

Mr. WATSON of Virginia. I will.

Mr. WHEELER. The statement of the chairman was that on a recount and then eliminating the two precincts in question and let that count remain as it was, Beakes would be elected by a 14 majority?

Mr. WATSON of Virginia. The gentleman did not understand me accurately. Eliminating these two precincts the contestant's majority is 46. Now, gentlemen, the only question left for you to decide is what to do with the returns from this precinct where the ballot box was left at the voting place and stayed there for four months unprotected.

Your committee thinks that the evidence and circumstances surrounding the case show the act to have been unintentional, and they have not been able to see any suspicion of fraud connected with it. For that reason they think that the official returns from that precinct ought to stand. If gentlemen do not concur in that view and think the abandonment of this box is in itself fraudulent conduct and sufficient to vitiate the work of the hands of the election officers, then there is but one logical thing to do and that is to discard the returns from this precinct and throw them out altogether. Which will you do? If you accept the official returns, the contestant is elected; if you reject them, the contestant is elected.

Mr. AYRES. If you accept them he is elected by how much?

Mr. WATSON of Virginia. By 132.

Mr. AYRES. And if rejected he is elected by 14?

Mr. WATSON of Virginia. By 14.

Now, gentlemen, the only way in the world to resist the conclusions I have indicated and seat the contestee is, as I said in the beginning, to manipulate the returns in dispute in a manner contrary to both reason and law. There are only two ways you can arrive at such a result. You must refuse to correct a conceded error in the first precinct of the second ward, where the contestee had 118 majority, and then reject the returns from the second precinct of the sixth ward, where contestant had 118 majority; or, having corrected the error in the former precinct, you must then do what contestee's counsel proposes, reject the official returns from the latter precinct and set up in their place the contents of one of the ballot boxes used there, in which a recount showed Bacon had 172 and Beakes 111. I can not conceive this House will refuse to correct the conceded error in the first instance, nor that it will undertake to substitute the will of only a portion of the electors for that of the whole in the second instance.

In the long past the House of Representatives has had some very curious election cases. Some Democrats have been elected here who were not elected at home, and though I stand on this side of the aisle [Republican side], I venture to say that sometimes Republicans have been elected here who were not elected at home. It has been said that the House of Commons has done everything except make a man a woman and a woman a man. The House of Representatives has done that thing, because a lady has been admitted to the membership of this body and exercises all the attributes of a Representative in Congress. But in all the exigencies of political strife in the past no political party here has ever been willing to vest title to a seat in this body upon the fragment of returns charged to be wholly fraudulent, because that fragment forsooth was preserved under lock and seal. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired. [Cries of "Vote!" "Vote!"]

Mr. WATSON of Virginia. Now, Mr. Speaker, the gentleman from Missouri [Mr. DYER] was to have had 15 minutes out of my original time of an hour. Through the courtesy of the House I have trespassed upon you much longer than that, and I therefore ask unanimous consent that the gentleman from Missouri may have 15 minutes in which to address you.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. DYER] was allotted 15 minutes, and the Chair now recognizes the gentleman.

Mr. DYER. Mr. Speaker, I am not surprised to hear from the Democratic side the cry "Vote!" after one speech has been made, and the only speech in this matter involving a seat in Congress now held by a Republican, and that they ask that all debate shall be closed and the verdict rendered. That has been the policy of the Democratic Party in the past, and I suppose it will be in the future in election contests. I do not, Mr. Speaker, take the floor for the purpose of saying anything against the contestant nor of his right to the seat which he has contested. I do not know anything about the facts in this case to justify me in saying that the report that has been submitted should not be adopted, but I do rise to say that upon this side of the House, where sit almost as many Republicans as there are Democrats upon the other side, there ought to be somebody among the leaders upon this side or the members of the Elections Committee in this case, to get up and give information to us in order that we may act intelligently and not be compelled to act alone upon the report of Democratic members in this election contest.

Mr. WATSON of Virginia. May I interrupt the gentleman a moment?

Mr. DYER. I yield to the gentleman.

Mr. WATSON of Virginia. Does the gentleman think he is justified in saying that this is a report of the Democratic members of this committee?

Mr. DYER. I say this, that the report is prepared by the distinguished chairman of this committee, Judge WATSON, of Virginia, for whose ability I have the greatest esteem and for whose personal character and work I have the greatest respect, and that the other members—five Democrats and three Republicans—making nine altogether, have accepted this report as their own, perhaps not all of them signing it, or any of them—I do not know as to that—but presenting no minority report here. And I understand they do not agree in full, all of the members of the committee, with the facts as stated. They probably agree with the conclusion.

But here is a proposition that is as serious as can come to any Member of this House and to the country. Here is a man sent from the great State of Michigan, given a certificate of election to this House. That certificate of election entitled him to come here and take a seat, to be sworn in as a Member, and to accept the emoluments and the responsibilities of the office; and he has had them now for nearly a year. Notwithstanding that, that certificate of election was attacked before the board of canvassers of the county in which the election was held. It was attacked before the State board of canvassers of the State of Michigan and was carried to the Supreme Court of that State. And yet in all these bodies there was no relief given to the contestant in this case, and they, in effect, put their seal of official approval, at least, upon the certificate of election that was given to the contestee in this case. And I say that under those circumstances it was the duty of the members on the Republican side sitting upon this Elections Committee, and of the leaders upon this side, to do something and give us some information in the shape of a report, even though it might, in the end, concur in the views of the report of the majority.

Mr. KELLEY of Michigan. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. DYER. I yield to the gentleman.

Mr. KELLEY of Michigan. I want to say to the gentleman from Missouri——

Mr. DYER. I yield to the gentleman for a question, but not for a speech. I have only 10 minutes left.

Mr. KELLEY of Michigan. I will not make a speech. Is it not a fact that under the laws and decisions of the State of Michigan these various boards and courts that you have mentioned——

Mr. DYER. Oh, I know all about that. The gentleman need not tell me what the Michigan law is.

Mr. KELLEY of Michigan. They dealt with the case on its merits. You said they placed the stamp of their approval on this.

Mr. DYER. I said their "official approval," because they denied the contestant relief in this case.

Mr. KELLEY of Michigan. You should have said it.

Mr. DYER. I do not think anybody misunderstood me.

But, Mr. Speaker, I want to call the attention of the House to another matter, not only a matter of dereliction but a matter of neglect of duty on the part of this side of the House.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Missouri yield to the gentleman from Iowa?

Mr. DYER. Not at this time.

The SPEAKER. The gentleman declines to yield.

Mr. DYER. Where a man's seat is involved and where we on this side who are not members of this committee know absolutely nothing about it except what we have heard to-day from the gentleman from Virginia [Mr. WATSON] and from reading his report, we ought to have more information about this case than is available.

In addition to that, we have here a report submitted by the Committee on Elections No. 3 of the House of Representatives in which they say that in this case—and I would like to have the attention of the Members of the House——

Mr. MEEKER. Mr. Speaker, I call the attention of the Chair to the fact that the House is not in order.

The SPEAKER. The House will be in order.

Mr. DYER. I want to call the attention of the membership of this House to the fact that the gentleman from Virginia [Mr. WATSON], the chairman of this committee, says that the time has come in this country when partisanship is abandoned in an election contest. Now this same Committee No. 3 in the Sixty-third Congress made findings of law upon statements of facts absolutely different from what they made in this case.

In that Congress they said that if there was fraud proved in connection with the ballots, with special reference to misconduct in counting the ballots, then they could not correct the vote and separate the good from the bad, although officials of the State, the commissioners of election, appointed by the governor of the State, a Democrat, had had those ballots gone over one by one, recounted, tabulated, and corrected, and full testimony in detail taken about them. In that case this Committee on Elections said they could not accept that recount because some mistakes in this regard had been discovered and some evidences of fraud had been found, not on the part of the gentleman who held the seat or his party, but upon the part of the Democratic officials of election themselves. They said then that all the ballots must be thrown out and all the voters of the several precincts disfranchised. They then presented precedents for that action, the same as they have presented precedents in this case for directly the opposite thing. They say in this report that if you find mistakes and can correct them, then you should let them stand. Those positions are directly opposite, and in both instances favor a Democrat.

I call that to the attention of the House because I do believe, Mr. Speaker, that where a man's seat is at stake in the House of Representatives every Member should rise above partisanship and act upon the facts in the case. And that is why I take the floor now, gentlemen, to see if it is not possible, in my humble way, to urge that the Democratic Members of this Congress will look at contests in the future from the standpoint of facts and of the law and not blind partisanship. I have nothing to say, as I said in the beginning, by way of criticism of the gentleman who is the contestant in the case. I intend to vote to seat him. I have served with him in this House before, and I know that he is a man of honor. I know that he has been an efficient and creditable Member. But what I do rise to say is that it is an outrage for Members of the House of Representatives on the Republican side to be compelled to vote without any report on the part of the minority or any statement from the leaders, and thus put us in the position of having to say by our votes that here for nearly a year a man has been sitting in this House and drawing the pay and bearing the responsibilities of membership without right, and we sit idly by and make no defense of his election and no report to show why he came here.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. DYER. Yes.

Mr. AYRES. I understood the gentleman to say that he was going to vote to seat him.

Mr. DYER. I said I was going to vote to seat Mr. Beakes, because there is nothing else to do in the case.

Mr. SAUNDERS of Virginia. Mr. Speaker, will the gentleman permit a question?

Mr. DYER. Yes.

Mr. SAUNDERS of Virginia. If it is true that the Republican members of this committee have not submitted any facts in behalf of Mr. BACON in this contest, which is so vital to him, is not that in fact a conclusion that nothing in his behalf can be presented for him?

Mr. DYER. I will have to answer the gentleman's question in the affirmative, because no other conclusion can be drawn from the fact that the minority have presented no report, and under the circumstances I shall cast my vote to seat Mr. Beakes.

The SPEAKER. The time of the gentleman has expired.

Mr. DOWELL rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. DOWELL. I ask unanimous consent to make just a brief statement. I merely desire to state that I have given some three weeks' time to this case and have gone into every phase of it with the other Republican members of the committee, and we concluded not to file a minority report. [Applause.]

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resoluton 195.

1. That Mark R. Bacon was not elected a Representative to this Congress in the second district of the State of Michigan, and is not entitled to retain a seat herein.

2. That Samuel W. Beakes was duly elected a Representative in this Congress for the second district, State of Michigan, and is entitled to a seat herein.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. WATSON of Virginia, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

SWEARING IN OF MEMBER ELECT.

Mr. BEAKES appeared at the bar of the House and took the oath of office.

COMMITTEE ON WOMAN SUFFRAGE.

Mr. KITCHIN. Mr. Speaker, I move the adoption of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved, That the following-named gentlemen be, and they are hereby, elected members of the Committee on Woman Suffrage:

1. JOHN E. RAKER (chairman), of California.
2. EDWARD W. SAUNDERS, of Virginia.
3. FRANK CLARK, of Florida.
4. BENJAMIN C. HILLIARD, of Colorado.
5. JAMES H. MAYS, of Utah.
6. CHRISTOPHER D. SULLIVAN, of New York.
7. THOMAS L. BLANTON, of Texas.

The SPEAKER. Is that the whole committee?

Mr. KITCHIN. No; those are just the majority members. The gentleman from Massachusetts [Mr. GILLETT] will offer a resolution naming the minority members.

Mr. GILLETT. I can offer it now.

Mr. KITCHIN. If the gentleman will do that, then the committee will be complete.

Mr. GILLETT. Yes. I offer the following resolution, naming the minority members of the committee.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved, That the following-named Members be, and hereby are, elected members of the Committee on Woman Suffrage:

8. Miss RANKIN,
9. Mr. MONDELL,
10. Mr. CARTER of Massachusetts,
11. Mr. MEEKER,
12. Mr. LITTLE, and
13. Mr. ELLIOTT.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONDON. I desire to offer an amendment to strike out one name and substitute another. Am I in order?

The SPEAKER. You are.

Mr. LONDON. Then I move to strike out the name of CHRISTOPHER D. SULLIVAN and to substitute the name of MEYER LONDON, of New York.

The SPEAKER. The gentleman from New York offers an amendment to strike out the name of CHRISTOPHER D. SULLIVAN and to insert the name of MEYER LONDON. The question is on the amendment.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. LONDON. Mr. Speaker, in connection with the vote I make the point that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and twenty-one Members present. The noes have it, and the amendment is rejected.

Mr. KITCHIN. Mr. Speaker, I demand the previous question.

The SPEAKER. The gentleman from North Carolina moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. GILLETT].

The amendment was agreed to.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry. Is it in order now to move to increase the number of Members who are to constitute the committee?

The SPEAKER. Not after the previous question has been ordered.

The resolution as amended was agreed to.

The SPEAKER. Has the gentleman from North Carolina [Mr. KITCHIN] any further business to offer?

Mr. KITCHIN. No further business.

POST OFFICE APPROPRIATIONS.

On motion of Mr. MOON, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, with Mr. FERRIS in the chair.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For compensation of a special assistant to the Attorney General to assist in the defense of cases against the United States arising out of the transportation of the mails, and in other cases and matters affecting the postal revenues, $6,000.

Mr. STAFFORD. Mr. Chairman, I rise to obtain information from the chairman of the committee as to the status of the work in charge of this special assistant to the Attorney General. As I understand, this position is occupied by the former Second Assistant Postmaster General, Mr. Joseph Stewart. I understood it was originally created for the purpose of defending the Government side of the divisor proposition, and also to look after other cases arising out of railway transportation problems. Can the gentleman inform the committee whether that litigation has been concluded? As far as the divisor proposition is concerned, I know that has been decided by the Supreme Court favorably to the Government, at a saving of many millions of dollars.

Mr. MOON. I understand the other has not. The question of railway mail pay and the substitution of space for weight will come before the Interstate Commerce Commission, and I understand Mr. Stewart is special counsel to look after these matters and some others that have not yet been determined.

Mr. STAFFORD. On the question whether the space basis should be used rather than the tonnage basis, I wish to inquire whether the Interstate Commerce Commission have made any decision as to which of the respective bases should be used by the department?

Mr. MOON. No; I understand that under the provisions of the law the Interstate Commerce Commission has ordered an experiment or test of the question on about 90 per cent of the roads of the country and that the facts are not all before them, and that there are no final decisions in the matter at all.

Mr. STAFFORD. Can the gentleman inform the committee when a decision is likely to be reached as to the respective merits of the space basis and the tonnage basis?

Mr. MOON. I am not advised as to when the Interstate Commerce Commission will be prepared to act.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Superintendents of delivery, superintendents of mails, superintendents of money order, and superintendents of registry, 10, at not exceeding $3,200 each.

Mr. LANGLEY. Mr. Chairman, in looking over the bill I see that the first and second class offices are liberally taken care of in the way of provision for clerk hire, and in some measure for third-class offices. I want to ask the gentleman if this bill carries any relief for fourth-class postmasters whose offices have been made central accounting offices?

Mr. MOON. No; that will require some legislation.

Mr. LANGLEY. I know some cases where the work has been practically doubled, and the postmasters tell me that they can not do the work without additional clerk hire, and that unless they get speedy relief they will be compelled to resign.

Mr. MOON. That will probably come up for legislation in a bill we are now considering.

Mr. LANGLEY. Then there is a good chance for some relief at this session, is there? May we infer that from the gentleman's statement?

Mr. MOON. We hope that there will be help for everybody.

Mr. LANGLEY. I hope so, too. I hope also that the gentleman's committee will act speedily in this matter. I do not wish to be understood as criticizing him or his associates on that committee, but I do say that a large part of the employees of the Postal Service have not been treated fairly and justly in the matter of compensation. Whether those in authority have intended to discriminate against them or not, I do not pretend to say, but the effect has been unwarranted discrimination against them. Take, for example, these fourth-class offices which have been made central accounting offices. Gentlemen who understand the actual conditions, and I assume that all of you do, must know that the work added to their duties as a result of this new scheme has imposed an unbearable burden upon them, and I can not understand why when that scheme was inaugurated those who were sponsors for it did not foresee that such would be the situation and provide in advance an adequate sum to enable them to employ additional help. There is not a single fourth-class office in the district that I represent which has been made a central accounting office, but that their work has increased so enormously that they can not possibly do the work with the help they now have without the postmaster and his assistants working an unreasonable number of hours, which the Government ought not to exact of them in these abnormal times. With the cost of living doubled and their work doubled, it is no wonder that many of them are threatening to resign. The same is true to a great extent of the third-class offices which have been made central accounting offices. I would offer an amendment to this bill which would remedy this injustice, but I know it would be futile, because it would involve additional legislation, as the chairman has just stated, and therefore would be subject to a point of order; and since the chairman has indicated that the committee is considering a proposition of this kind, and since my distinguished friend from Illinois [Mr. MADDEN], who is a potent member of that committee, has just assured me privately that these matters will be provided for in a separate bill later in the session, I shall content myself with calling attention to the situation.

While I have the opportunity I wish to call attention to another rank injustice that is being done to another class of employees of the Postal Service. I refer to the star-route carriers. I have never been able to understand why this great and powerful Government prepares its contracts so as to bind these contractors hand and foot, giving all the advantage to the Government, and then insist upon their pound of flesh, regardless of the changed conditions and increase of work which in many cases makes it absolutely impossible for the contractor to carry out his obligations to the Government without great loss and oftentimes resulting in the contractor losing what little he has and putting an unjust burden upon his bondsmen. I recently traveled over a considerable portion of the mountain section of Kentucky which is traversed by these mail carriers. At this season of the year the roads in many places are almost impassable, and notwithstanding that fact and the further fact that in many instances the weight of the mail which they have to carry since they entered into the contracts has almost doubled, the department insists upon them carrying out their contracts to the letter, and when they apply for an increased allowance they are reminded of the provisions of the one-sided contract which the Government prepared for them to sign. I know of one instance where a contractor has been doing his utmost to carry out his contract, although it costs him more than his contract provides, without counting his own time and the wear and tear upon his team and wagon with which he hauls the mail. And I saw that man stuck in a mudhole, with the wagon wheels embedded to the hubs, and yet that man was probably fined for being late, and when he applied for relief he was referred to the terms of his contract with the department. I say with regret that such things as these are a discredit and disgrace to this Government, and I hope that some official of the department who shares responsibility for this branch of the service will read what I have said and will be induced thereby to take some steps to relieve this intolerable situation.

I wish to say further that I am gratified to learn that it is the purpose of the committee to give a substantial increase in the compensation of postal employees who were not included in the horizontal increase voted the other Government workers by the Sixty-fourth Congress. I thought at the time, and I think now, that it was a grievous error and injustice to omit them from the list of those who were the beneficiaries of that advance; and in view of the fact that the cost of living since the maximum wage standards of these employees were fixed 10 years ago has so advanced as to be almost equivalent in effect to a 50 per cent reduction in their wages, I hope and believe that the allowance to them will be such as to make up that difference. These are times when the greatest exactions are imposed by the Government upon its servants, and it can not be too liberal to suit me in fixing their rates of compensation.

Mr. LONERGAN and Mr. SIEGEL were given leave to extend remarks in the RECORD upon the subject of clerks in fourth-class offices.

The Clerk read as follows:

Auditors, and superintendents of mails, 10, at not exceeding $3,000 each.

Mr. MOON. Mr. Chairman, the Committee on Post Offices and Post Roads have at the request of the department added fourteen hundred clerks to this section of the bill. The committee in considering the bill agreed to certain estimates of the Post Office Department for additional clerks. They did not agree to the proposition of the Post Office Department to increase the pay for supervisory clerks. In printing the bill the language of the old bill was used, leaving out the additional number of the clerks that come along under each one of the appropriate heads. There will be a number of amendments offered in that particular, changing the number of clerks in certain classes and reducing them in others. Now, in line 14, page 5, the word "ten" should be stricken out and the word "fifteen" substituted.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 5, line 14, by striking out the word "ten" and inserting the word "fifteen."

Mr. STAFFORD. Will the gentleman yield?

Mr. MOON. Yes.

Mr. STAFFORD. I understand the purpose is to have the number of supervisory officials increased to conform with the recommendation of the department providing for promotion?

Mr. MOON. Largely; yes.

Mr. STAFFORD. In each respective class?

Mr. MOON. Yes.

Mr. STAFFORD. The other day I directed an inquiry to the gentleman from Minnesota [Mr. STEENERSON] as to why the committee had not adopted the recommendation, and he stated that it was for the purpose of providing for their increase of salary in a general promotion scheme which the committee would consider later on.

Mr. MOON. No; it is the normal increases occurring every year.

Mr. STAFFORD. It is for the special purpose of increasing salaries.

Mr. MOON. No; not increasing the salaries, except the automatic increase. We do not give the increase of salaries recommended by the department. We give the clerks the normal salary.

Mr. STAFFORD. In the lower grades it results in increasing the salaries, and also in the higher grades.

Mr. MOON. It is automatic up to $1,200.

Mr. STAFFORD. There are no automatic increases, so far as the supervisory officials are concerned.

Mr. MOON. That is true; but there are automatic increases up to $1,200.

Mr. STAFFORD. The department makes recommendations for increasing the numbers in the respective grades, which is purely for the purpose of increasing salaries of officials by reason of increased efficiency and increased work.

Mr. MOON. They can not be increased except as they go up under the law, automatically increased up to $1,200, and they can not go beyond that.

Mr. STAFFORD. There is no provision of law that provides for the increase of salaries except by increasing the number of places, which will give an opportunity to the department to provide promotions. I am in favor of making the additional places so as to provide for the promotions.

Mr. MOON. The only difference between the gentleman and myself is that I call it an automatic increase and he calls it a promotion. It is the same thing.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. MOON].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Assistant superintendents of mails, superintendents of delivery, and superintendents of mails, 20, at not exceeding $2,700 each.

Mr. MOON. Mr. Chairman, on page 5, line 17, I move to strike out the word "twenty" and insert "twenty-three."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 17, strike out the word "twenty" and insert "twenty-three."

The amendment was agreed to.

The Clerk read as follows:

Assistant superintendents of mails, cashiers, superintendents of delivery, superintendents of mails, and superintendents of stations, 30, at not exceeding $2,500 each.

Mr. MOON. Mr. Chairman, I move to amend, line 24, page 5, by striking out the word "thirty" and inserting the word "thirty-five."

The Clerk read as follows:

Page 5, line 24, strike out the word "thirty" and insert the word "thirty-five."

The amendment was agreed to.

The Clerk read as follows:

Assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, bookkeepers, cashiers, finance clerks, stenographers, superintendents of delivery, superintendents of mails, superintendents of money order, and superintendents of registry, 50, at not exceeding $2,400 each.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Does not the gentleman wish to strike out the word "fifty" in line 5 and increase that to "sixty"?

Mr. MOON. Yes; that escaped my notice. I move to amend by striking out "50" and inserting "60."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 5, strike out the word "fifty" and insert "sixty."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Assistant superintendents of mails, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, finance clerks, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, and superintendents of stations, 55, at not exceeding $2,200 each.

Mr. MOON. Mr. Chairman, I move to strike out the word "fifty-five," in line 11, and insert in lieu thereof the word "seventy."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 11, strike out "fifty-five" and insert in lieu thereof "seventy."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, bookkeepers, cashiers, examiners of stations, finance clerks, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, superintendents of inquiry, and superintendents of stations, 75, at not exceeding $2,000 each.

Mr. MOON. Mr. Chairman, I move to amend by striking out the word "seventy-five" in line 21, and inserting in lieu thereof the words "one hundred and ninety." That is a misprint.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 21, strike out the word "seventy-five" and insert in lieu thereof "one hundred and ninety."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, examiners of stations, finance clerks, stenographers, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 65, at not exceeding $1,800 each.

Mr. MOON. Mr. Chairman, I move to amend by striking out the word "sixty-five" and inserting "one hundred and eighty."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 6, strike out "sixty-five" and insert in lieu thereof "one hundred and eighty."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, examiners of stations, finance clerks, stenographers, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 170, at not exceeding $1,700 each.

Mr. MOON. Mr. Chairman, I move to amend by striking out "one hundred and seventy" and inserting in lieu thereof "one hundred and ninety," in line 16.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 16, strike out "one hundred and seventy" and insert in lieu thereof "one hundred and ninety."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, examiners of stations, finance clerks, foremen of crews, stenographers, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 290, at not exceeding $1,600 each.

Mr. MOON. Mr. Chairman, I move to amend, in line 2, by striking out "two hundred and ninety" and inserting in lieu thereof, "four hundred and twenty-five."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 2, strike out "two hundred and ninety," and insert in lieu thereof "four hundred and twenty-five."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, examiners of stations, finance clerks, foremen of crews, stenographers, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 950, at not exceeding $1,500 each.

Mr. MOON. Mr. Chairman, I move to amend, in line 13, by striking out "nine hundred and fifty" and inserting in lieu thereof "ten hundred and fifty."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 13, strike out "nine hundred and fifty" and insert in lieu thereof "ten hundred and fifty."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, special clerks, examiners of stations, finance clerks, foremen of crews, stenographers, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 1,710, at not exceeding $1,400 each.

Mr. MOON. Mr. Chairman, I move to strike out, in lines 24 and 25, "one thousand seven hundred and ten," and insert in lieu thereof "two thousand six hundred."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, lines 24 and 25, strike out "one thousand seven hundred and ten" and insert "two thousand six hundred."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of money order, assistant superintendents of mails, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, examiners of stations, finance clerks, foremen of crews, special clerks, stenographers, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 3,865, at not exceeding $1,300 each.

Mr. MOON. Mr. Chairman, I move to amend by striking out, in lines 10 and 11, "three thousand eight hundred and sixty-five," and insert in lieu thereof "seven thousand one hundred."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, lines 10 and 11, strike out "three thousand eight hundred and sixty-five" and insert "seven thousand one hundred."

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. STAFFORD. By reason of the additional places provided in the grades above this class of thirteen hundred dollars, I assume that there have been vacancies created in this grade aggregating more than 1,000 places, and in addition you are almost doubling the number of places, from 3,865 to 7,100. That would provide, in rough numbers, for more than 4,000 vacancies to be filled from the $1,200 class to the $1,300 class.

Mr. MOON. Yes.

Mr. STAFFORD. I assume that a large number of those additional places will be filled by promotions of clerks receiving $1,200, who will be appointed as special clerks under the provision made later in the bill providing for a certain percentage of promotions from $1,200 to the $1,300 class.

Mr. MOON. I imagine the gentleman is correct. The truth about it is that the department makes its estimate for this service and says that it needs so many, and that is about all that we know about it.

Mr. STAFFORD. I only wish to direct attention to the fact that we are making a most liberal provision for additional places in the $1,300 grade, to provide for meritorious men who are receiving but $1,200, and who deserve promotions to $1,300, who are doing a class of work which entails a confinement in the post office in assorting the letter mail, demanding a close attention to their special work that is not paralleled in any other branch of the service except in the Railway Mail Service.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, chief stamp clerks, clerks, finance clerks, foremen of crews, stenographers, superintendents of carriers, superintendents of second-class matter, and superintendents of stations, 19,500, at not exceeding $1,200 each.

Mr. MOON. Mr. Chairman, I move to strike out "19,500" and insert "18,360."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, lines 18 and 19, strike out "19,500" and insert in lieu thereof "18,360."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Assistant superintendents of stations, clerks, stenographers, superintendents of carriers, superintendents of second-class matter, and superintendents of stations, 9,000, at not exceeding $1,100 each.

Mr. MOON. Mr. Chairman, I move to strike out "9,000" and insert "7,700."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, lines 22 and 23, strike out "9,000" and insert "7,700."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Assistant superintendents of stations, clerks, clerks in charge of stations, stenographers, superintendents of carriers, and superintendents of second-class matter, 3,300, at not exceeding $1,000 each.

Mr. MOON. Mr. Chairman, I move to strike out "3,300" and insert "2,500."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 10, lines 1 and 2, strike out "3,300" and insert in lieu thereof "2,500."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Substitutes for clerks and employees absent without pay;

And to provide for the promotion of 85 per cent of the clerks in first-class post offices from the fifth to the sixth grade, and for the promotion of 15 per cent of the clerks in the sixth grade to the designation of "special clerk" in the $1,300 grade, and for the promotion of 15 per cent of the designated "special clerks" in the $1,300 grade to the designation of "special clerk" in the $1,400 grade, and to provide for the promotion of 85 per cent of the clerks in second-class post offices from the fourth to the fifth grade, and for the promotion of 15 per cent of the clerks in second-class post offices from the fifth to the sixth grade: *And provided further*, That there may also be employed at first-class post offices foremen and stenographers at a salary of $1,300 or more per annum; in all, $50,508,700.

Mr. MOON. Mr. Chairman, I move to strike out the figures "$50,508,700" and insert "$53,291,800."

Mr. STAFFORD. Mr. Chairman, I wish to inquire of the chairman of the committee the need of the last proviso in the paragraph under consideration that authorizes the employment at first-class post offices of foremen and stenographers at a salary of $1,300 or more per annum? I wish to call the attention of the chairman of the committee to the fact that in the classification of supervisory officials we have just passed in these various items providing salaries above $1,300 are listed foremen and stenographers, which would authorize the department to employ foremen and stenographers at salaries above $1,300. What is the need of this proviso when we have specially designated them at higher salaries in the classification of supervisory officials?

Mr. MOON. They want some more at lower salaries, I guess.

Mr. STAFFORD. Oh, no; the authorization I am directing the attention of the chairman of the committee to is to allow higher salaries than $1,300 to foremen and stenographers. In all classifications above the $1,300 grade we find the designation of foremen and stenographers running up almost to the highest grades. What is the need of that general authorization when you are already carrying these places in a separate classification?

Mr. MOON. I do not know there is any absolute necessity for it if they are being carried in the other classification. I take it the department wants this section so as to cover the question of their right to employ them at a higher or lower figure.

Mr. STAFFORD. Of course they would have that right if they were designated in these respective grades. If it were not, then the old law of classification of employees would bar them from being paid more than $1,200, but having designated them to receive that higher salary I can not see the need of this proviso.

Mr. MOON. This proviso has been carried all along in the law?

Mr. STAFFORD. It has only been carried in recent years and I thought the reason for it had passed.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 10, line 23, strike out "$50,508,700" and insert in lieu thereof "$53,291,800."

Mr. BLACK. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. I notice that the amount in the bill is $50,508,700. Why the increase?

Mr. MOON. There are 1,400 clerks provided for, and stenographers and others, which, footed up, makes the difference.

Mr. BLACK. Is the number of the clerks just what it was when we considered it before our committee?

Mr. MOON. No; the committee determined that they would not allow the additional $100 asked for the supervisory clerks, but the committee also determined it would allow the department the number of clerks it wanted, and we simply failed to foot up the amount that is necessary to pay them in the appropriation. That is where the error occurred. Mr. Chairman, I am going to ask this in that connection: The figures are $53,291,800 and they may not be exactly correct, and I will ask that the Clerk be authorized to make the footing of the correct figures if there is any error there.

The CHAIRMAN. Without objection, it is so ordered. The question is on the committee amendment.

The question was taken and the committee amendment was agreed to.

The Clerk read as follows:

For miscellaneous items necessary and incidental to post offices of the first and second classes, $400,000.

Mr. HAWLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

Amendment offered by Mr. HAWLEY: Page 12, after line 25, insert as a new paragraph the following:

"The Postmaster General is hereby authorized and directed to have prepared cancellation stamps for the post office at Medford, Oreg., which shall include the words 'Crater Lake,' and for the post office at Grants Pass, Oreg., which shall include the words 'Oregon Caves,' with the date of seasonal opening for each."

Mr. MOON. Mr. Chairman, I make the point of order on the amendment. It is new legislation.

The CHAIRMAN. The Chair thinks it is clearly new legislation.

Mr. HAWLEY. Will the gentleman reserve it?

Mr. MOON. Yes; I will reserve it in order to hear the gentleman.

Mr. HAWLEY. Mr. Chairman, this involves the expenditure of but a very small amount of money by the Government. At Crater Lake the Government had expended a large amount of money and at Oregon Caves. The natural wonders of that park have attracted a great deal of attention, and people throughout the country are interested in the opening of that region. It involves no expenditure beyond a few cents, and if the gentleman can see his way clear not to insist on the point of order, I trust he will do so.

Mr. MOON. Mr. Chairman, if we open up new legislation we can not tell where it will end. I will say to the gentleman this distinctive proposition will be acted upon by the committee, I am sure. We will be glad to do what we can for him. I do not believe the legislation should go on the appropriation bill. There is no legislation here at all that is new, and this does not seem to be entirely necessary

Mr. HAWLEY. It will enable the people who desire to visit the caves simply to know when the season will be open. The Government has expended the money there and it will enable the people to use that which the Government has prepared for them.

Mr. MOON. I regret to insist on the point of order. I wish the gentleman would come before the committee, when we will fix that up for him.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For mail-messenger service, $2,600,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word of the paragraph ending in line 24. I wish to inquire whether the chairman of the committee can give the House any information as to the amount of money and the extent to which the department has availed themselves of the authorization which was granted them last year or the year before for the lease of quarters for the housing of Government-owned automobiles. The Government here in Washington has in the past year erected a central garage where the automobiles belonging to the President and some of the executive departments are housed in one building, resulting in a large saving of money. I was wondering whether the Postmaster General had established central garages in certain cities of the country where the Government is operating large numbers of automobiles?

Mr. MOON. I am not able to give the gentleman accurate information about it, but my opinion is that it has not been done, except in some cases. I am not able to speak authoritatively.

Mr. STAFFORD. The committee did not make inquiry as to the extent to which this authority has been availed of?

Mr. MOON. No.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN (Mr. GARRETT of Tennessee). The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 13, after line 25, insert the following new paragraph:

"For the transmission of mail by pneumatic tubes, or similar devices, $1,101,000."

Mr. MOON. Mr. Chairman, I make a point of order on that. It is new legislation.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask the gentleman to reserve the point of order.

Mr. MOON. All right.

Mr. MOORE of Pennsylvania. Mr. Chairman, I am not sure that this is subject to a point of order. The very provision I offer now as an amendment is in the current appropriation bill.

The CHAIRMAN. Permanent law?

Mr. MOORE of Pennsylvania. Yes; it is in the current law.

The CHAIRMAN. Is it permanent law?

Mr. MOON. I will say to the gentleman from Pennsylvania, to make clear my point of order——

Mr. MOORE of Pennsylvania. I do not intend to argue the point of order except to raise the point at this time.

Mr. MOON. I want to say that there is no general law under which the Post Office Committee could make an appropriation for pneumatic tubes. I will not discuss that, because I discussed it a day or two ago and it has frequently been discussed heretofore.

Mr. MOORE of Pennsylvania. Of course it is an old question, and I shall not discuss the point of order in particular except to make the reservation at this time in view of the gentleman having made the point.

Mr. STEENERSON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. STEENERSON. Does it not come in under the Second Assistant Postmaster General, under the old law concerning transportation of mails? I think you have gotten it in the wrong place.

Mr. MOORE of Pennsylvania. This paragraph was carried in the act of March 3, 1917, in exactly the same place I am now offering it.

This, Mr. Chairman, is a question that has been thrashed out in the House before. To refuse at this time to accept this amendment would throw the pneumatic-tube service as now existing entirely up in the air. It would have the effect of destroying existing contracts and would substantially be a confiscation of the property of those who went into the business of constructing and operating pneumatic tubes at the instance of the Government itself. That point, however, has been discussed so frequently on the floor that I will not attempt to do more than call attention to it and to emphasize the fact that the failure to make the appropriation is in effect confiscation of the property of those who constructed those tubes, which are now in operation by virtue of law.

I want also to call attention to the first proviso in the existing law. It relates to the appropriation in the act of March 3, 1917, now in effect.

The proviso is:

Provided, That the Postmaster General is hereby authorized and directed to extend existing contracts for pneumatic-tube service until June 30, 1918, and the Postmaster General is directed to extend this appropriation for the sole purpose of continuing the existing pneumatic mail-tube service, and no part thereof shall be expended for the transportation of mails in any other manner than herein authorized.

I call that proviso to the attention of the Chair, as it relates to the existing law, but I want to further present to the Chair and to this committee in particular the next proviso, which reads:

Provided further, That a commission consisting of three members of the Committee on Post Offices and Post Roads of the United States Senate, to be designated by the Vice President, and three members of the Committee on the Post Office and Post Roads of the House of Representatives, to be designated by the Speaker of the House, is hereby authorized and directed to investigate the value of the pneumatic-tube service, their properties, franchises, and other equipment, with a view to the purchase and operation of the same or any portion thereof by the Government and to ascertain the cost and the terms upon which such pur-

chase may be made. The employment of expert and other assistance is authorized, and the expense of such assistance and of the inquiry shall be paid from the appropriation for service by pneumatic tubes, not to exceed $25,000, and said commission shall make a report, with recommendations to Congress, on or by the 1st day of January, 1918.

Now, Mr. Chairman, that proviso contemplated a continuance of the pneumatic-tube service certainly until this congressional commission shall have reported. The commission is to report under the law before the 1st of January next. It has not yet reported. Courtesy to that commission of the Senate and of the House would seem to dictate that this service should be continued, apart from the right of the property owners and apart from the existing contracts, until the conclusions of this commission shall have been reported to the House and the Senate.

I feel that with the Postmaster General against the pneumatic-tube service, and with the chairman of the Committee on the Post Office and Post Roads against the pneumatic-tube service, as he frankly stated here in the discussion a day or two ago, but with a majority of this House and of the Senate in favor of the pneumatic-tube service, and with a commission appointed to investigate whether the rights of the property owners shall be preserved, and whether these tubes shall be taken over by the Government, we should at least make provision for the continuance of the service until that commission is heard from. It seems to me that the appropriation ought to be made. If the commission reports against the continuance of the tubes and finds with the Postmaster General and with the chairman of the committee, then of course we will have something to act upon.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended two minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. COX. Mr. Chairman, will the gentleman yield to me?

Mr. MOORE of Pennsylvania. Yes.

Mr. COX. Has the gentleman from Pennsylvania any knowledge or information that this congressional committee will fail to report by the 1st of January?

Mr. MOORE of Pennsylvania. No; I have not. I endeavored to ascertain from the chairman of this Committee on the Post Office and Post Roads during the debate whether that committee was about to report, and the gentleman was unable to inform me.

Mr. COX. I doubt very much whether the chairman of the Committee on the Post Office and Post Roads knows when that committee is going to report.

Mr. MOORE of Pennsylvania. The gentleman from Tennessee made a statement fairly and squarely—that, being opposed to the pneumatic-tube service, he had never accepted appointment on that commission.

Mr. MOON. I have never been on that committee.

Mr. MOORE of Pennsylvania. The gentleman withdrew from his appointment on that commission because he was opposed to the pneumatic-tube service.

Mr. MOON. The pneumatic-tube service will continue until the 1st of next July.

Mr. MOORE of Pennsylvania. Then what will happen, in the event of an adverse report?

Mr. COX. It will have to die, unless there is a postal commission appointed by the Postmaster General to go out and investigate the pneumatic-tube service and report favorably on its continuance. Then that would have the effect of reviving the law on which the pneumatic-tube service is based. But if a postal commission appointed by the Postmaster General should report unfavorably on its continuance, then of course there is no law upon which we can make an appropriation.

Mr. MOORE of Pennsylvania. If there is an adverse report and no appropriation, it means instant confiscation of this property.

Mr. COX. No. This congressional commission might make an adverse report, but that would not affect the necessity of continuing the pneumatic-tube system, because the basic law on which that tube system rests provides for the appointment of a postal commission, a commission appointed by the Postmaster General. This present commission is not a postal commission. It is a commission appointed by Congress to investigate this question.

Mr. MOORE of Pennsylvania. In answer to the gentleman, I wish to say, Mr. Chairman, that while I am not objecting to the Postmaster General holding his view on this subject, nor objecting to the chairman of this committee, for whom I have a very high respect, holding his view, I do contend that we ought not to put these property owners, who have had bona fide contracts with the Government, in a position where there will be no remedy for them, no recovery on their investment or their property. They have been rendering a public service demanded by our own business men and encouraged by the Government.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOON. Mr. Chairman, I do not think we need continue this discussion or need to enter into the merits of the pneumatic-tube proposition. That is a question that may well be considered later, after the coming in of the report of the commission appointed in pursuance of law by the Vice President and the Speaker of the House.

I make a point of order against the consideration of the amendment offered by the gentleman from Pennsylvania [Mr. MOORE], for the reason that there is in existence no general law upon which you can base an appropriation for pneumatic tubes. The law provided a period for its expiration, and that time has passed. It provided a method by which its existence might be affected and contracts made under it, and that method was the appointment of a commission by the Post Office Department to inquire into the advisability of the continuation of the contract; and if they advised it, then the power still remains, by virtue of the law, in the Postmaster General to make new contracts. But if it was not so advised, the contract period ended with the expiration of the law. To my mind it is a very simple proposition.

Now, that commission was appointed, as a matter of record. It reported adversely. The law expired. There is no power to continue the contract nor to make appropriation for it. But the Congress, in order to save the situation until the 30th of June, 1918, did not reenact the law, but it provided that the terms of the existing contract might be continued until June 30, 1918, and in the meantime the commission to which I referred was to examine into the question and report to Congress. Now, that commission has until the 1st of January to report. If it makes a report at that time there will be plenty of time for Congress to make its appropriation, if it desires. If it makes an adverse report, of course, the power is in Congress to pass a new law on the subject; but to-day there is no law that authorizes an appropriation. The only law in existence on the question of pneumatic tubes is the law that created the commission to look into the advisability of the continuation of the pneumatic tubes and the provision that the Postmaster General shall hold them in use until June 30. That is all there is to this question.

Mr. STEENERSON. Will the gentleman from Tennessee withhold his point of order?

Mr. STAFFORD. I should like to be heard on the point of order.

Mr. STEENERSON. I move to strike out the last word.

The CHAIRMAN. The matter that is pending is the point of order. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. STEENERSON. I want to speak about the subject that has been discussed, if the gentleman from Tennessee will withhold his point of order. I believe I am the only member of this commission present.

Mr. MOON. Yes; I will be very glad to withhold the point of order.

The CHAIRMAN. The gentleman withholds the point of order. The gentleman from Minnesota is recognized for five minutes.

Mr. STEENERSON. Mr. Chairman, I think there is something involved here that is of very much greater importance than the question whether this pneumatic-tube service shall be continued or not. The gentleman from Pennsylvania [Mr. MOORE] has read the statute whereby Congress established a special commission, who were authorized and directed to investigate the value of the pneumatic-tube service and of the property devoted to that purpose, and to report the results of their investigation on the 1st of January next. Pending that investigation by the commission which was duly created by Congress, the Postmaster General, in his annual report, has taken up the subject of this pneumatic-tube service and condemned the whole service absolutely, denouncing it as antiquated and useless, and as an extravagant waste of the public funds. The respect and consideration due from one coordinate branch of the Government to another, I submit, would dictate that the Postmaster General should withhold judgment until the commission could perform the duty intrusted to it by Congress.

Mr. TREADWAY. May I ask the gentleman if that is not absolutely contrary to the testimony taken before the commission of those experienced in the use of pneumatic tubes in the cities where they have been in use, such cities as Boston and Philadelphia?

Mr. STEENERSON. I believe that is correct, although I am not going into a consideration of the merits of that question. A year ago, and prior to that time, the department recommended the continuation of the pneumatic-tube service in the city of New York below Forty-second Street, and most of the tubes in New York are in that territory; but this year the Postmaster General in his annual report condemns the whole service, including that in New York, and denounces it as an extravagant waste of public money, and further goes on to say that the friends of the pneumatic-tube companies will undoubtedly come before Congress and claim that it is a valuable service and will try to mislead the public, and that they have so attempted heretofore; and the Postmaster General's report carries the impression that there is nobody in favor of this service except the representatives of the two companies.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. MOORE of Pennsylvania. I wish to say to the gentleman that my interest in this matter is not on behalf of the pneumatic-tube companies primarily. The people who are behind this movement, so far as Philadelphia is concerned, are the merchants and business men who have been advantaged by the use of the pneumatic tubes and who desire future service. I think it is fair to say that, in view of the gentleman's statement.

Mr. STEENERSON. What I want to say is, as a matter of courtesy and of regular procedure, when a commission authorized by Congress has been created to investigate a subject and while their report is pending, before they have come to any conclusion, whether it is the province of an executive department of this Government to come before Congress in an annual report and denounce the subject embraced in that investigation and pass judgment upon it, forestalling whatever action may be taken. I am, perhaps, the only member of this pneumatic-tube commission on the floor to-day. I do not see any of the other members present. It seems to me it is unfair to Congress and to the commission for the Postmaster General to send in a report that absolutely condemns and passes judgment upon the subject which Congress has committed to this commission and which we have until the 1st of January, at least, to pass judgment upon. This is not the first time that the Post Office Department has been guilty of that kind of discourtesy to Congress. Some years ago there was a commission appointed, called the Bourne Commission, on second-class rates and railway-mail pay, and they were going to make a report to Congress, and eventually made one. But before the report was made public, while it was in course of preparation, the Post Office Department caused to be prepared and introduced a bill varying entirely from the subsequent recommendations of the postal commission.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEENERSON. I ask unanimous consent for five minutes more.

Mr. MOON. Is the gentleman going to speak on this subject?

Mr. STEENERSON. Yes.

Mr. MOON. All right.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent for five minutes. Is there objection?

There was no objection.

Mr. STEENERSON. In this case the commission has not had time to report. The report is not due yet, but nevertheless a department official comes in and practically insults Congress by saying that the service whose value we are investigating is of no value whatever—that it is a waste of public funds. It seems to me that the Congress ought to resent such action.

I am not now discussing the merits of the pneumatic-tube question. I am not saying what the commission will report. I am sure I do not know. I think they are all proceeding with open minds to do justice to the Postal Service and the Government and to all concerned, but it seems to me it is about time that we should take notice that here is a department of the Government that assumes to condemn what Congress has said we shall investigate and to pass judgment on this matter in advance of our judgment. May I ask where does this authority come from? Upon what meat does this our Cæsar feed that he has grown so great that he can not wait until Congress shall have rendered judgment? Then he might differ. But while that proceeding is pending it seems to me a grave impropriety for the department to come in here and condemn the whole subject as a waste of public funds.

Mr. MOORE of Pennsylvania. The gentleman is a member of the commission?

Mr. STEENERSON. I am.

Mr. MOORE of Pennsylvania. Does the gentleman care to state whether the commission is preparing a report?

Mr. STEENERSON. I understand the commission will prepare a report to be submitted within the time required before the 1st of January, and if they do not it will ask for more time.

Mr. MOORE of Pennsylvania. Would not the effect of an adverse report now be to confiscate the property of those who have made the investment?

Mr. STEENERSON. Oh, the gentleman is trying to get me to express an opinion which I should not give.

Mr. MOORE of Pennsylvania. Without an appropriation there will be a loss of service, whether the report is favorable or unfavorable.

Mr. STEENERSON. There is no doubt that if the appropriation is not continued, the whole service in every city where it is used will cease on the 1st of July, including New York City, where the postal experts recommend that it be continued, because it is valuable.

Mr. TREADWAY. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. TREADWAY. In addition to the statement made by the gentleman from Pennsylvania, the patrons of the offices, not necessarily the owners, but the patrons are going to suffer if no appropriation is made.

Mr. STEENERSON. If it is valuable, they will be deprived of it.

Mr. TREADWAY. Is not the testimony of those who appeared before the commission that the service is a valuable service?

Mr. STEENERSON. I am not prepared to say——

Mr. TREADWAY. My interest is not for the owners of the property, but it is whether the patrons who are accustomed to this form of service shall be protected. As far as my observation goes, in the city of Boston it is of the greatest value and the greatest benefit to the business interests of that city that that service should be continued, and therefore, it seems to me, that it is taking an undue advantage under a parliamentary technicality if this appropriation in the present bill for the continuation of that service is not continued.

Mr. MOON. I want to say to the gentleman that there is no parliamentary technicality about it; it is the existing law.

Mr. STEENERSON. So far as my recollection goes, the Pneumatic Tube Commission has not heard one single witness on behalf of the tube company. All the testimony that was taken was taken in Boston, New York, Philadelphia, Chicago, and St. Louis, and was offered on behalf of citizens who were affected by the pneumatic-tube service.

Mr. TREADWAY. They were all favorable to the service.

Mr. STEENERSON. They were offered as witnesses in those cities in behalf of having the service continued.

Mr. TREADWAY. Absolutely; and it will be indefinitely.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. GREENE of Massachusetts. Mr. Chairman, I ask that the time of the gentleman be extended five minutes.

Mr. MOON. Mr. Chairman, I insist on a ruling on the point of order.

Mr. STAFFORD. Will the gentleman indulge me? The gentleman from Pennsylvania requested me to make an argument on the point of order. I believe that it is in order, and I can cite authorities that will confirm that, and unless the Chair insists on ruling I would like to be heard.

The CHAIRMAN. The Chair will hear the gentleman. The gentleman from Massachusetts asks unanimous consent that the time of the gentleman from Minnesota be extended five minutes. Is there objection?

Mr. MOON. I object.

Mr. STAFFORD. Mr. Chairman, the question of pneumatic-tube service is not a new subject in this House. It has its authority back in 1902, when for the first time authority was conferred on the Postmaster General to enter into contracts for the transmission of mail by pneumatic-tube service for a period not exceeding four years. I wish first to direct the attention of the Chair to section 1374 of the Postal Laws and Regulations. In that authorization there was a provision that before the contracts should be made the Postmaster General was to have a commission appointed that would investigate the needs of the service, and if it recommended favorably he was authorized to enter into contracts. I will read the language, so that the Chair will know exactly what were the conditions that limited the authority of the Postmaster General in the first instance in making contracts for four years for this service.

That no advertisement shall issue until careful investigation shall have been made as to the needs and practicability of such service and until a favorable report in writing shall have been submitted to the Postmaster General by a commission of not less than three expert postal

officials to be named by him, nor shall such advertisement issue until in the judgment of the Postmaster General the needs of the Postal Service are such as to justify the expenditure involved. Advertisements shall state in general terms only the requirements of the service and in form best calculated to invite competitive bidding.

Then in the last paragraph of that authorization which was passed in 1902 we find this provision:

And thereafter only such contracts shall be made as may from time to time be provided for in the annual appropriation act for the Postal Service, and all provisions of law contrary to those herein contained are repealed.

Mark you, Mr. Chairman, the specific indication on the part of Congress in 1902 is, as far as the future contracts were concerned, that they should be based on the amount of appropriations of Congress from time to time.

Mr. MOON. When was that act repealed?

Mr. STAFFORD. It has never been repealed, according to the decision of the gentleman from Georgia [Mr. CRISP] last year. I will come to that in a minute. I wish to call attention to this phraseology, because both acts must be construed together. I will now read the language again for the information of the Chair and others who are not acquainted with the phraseology:

And thereafter only such contracts shall be made as may from time to time be provided for in the annual appropriation act for the Postal Service, and all provisions of law contrary to those herein contained are repealed.

If the law had not been subsequently amended, there would be no question whatever, Mr. Chairman, that this amendment now offered by the gentleman from Pennsylvania would be in order, because it is merely an appropriation for this service.

Then, in the appropriation act of 1906—and I well remember the occasion, because the Postmaster General, Mr. Cortelyou, came before the committee and recommended this change granting an extension of authorization to make contracts from 4 years to 10 years, and the committee extended the time, thinking we could get more favorable contracts by a 10-year lease—we passed this provision:

For the transmission of mails by pneumatic tubes or other similar devices, $900,000; and the Postmaster General is hereby authorized to enter into contracts, not exceeding in the aggregate $1,250,000—

And the amount carried in the amendment offered by the gentleman from Pennsylvania is below that amount—

under the provisions of the law—

What law? Under the provisions of the only law then on the statute books, namely, the act of 1902—

for a period not exceeding 10 years, provided that said service shall not be extended in any cities other than those in which the service is now under contract under authority of Congress, except the Borough of Brooklyn, of the city of New York, and the cities of Baltimore, Md.; Cincinnati, Ohio; Kansas City, Mo.; Pittsburgh, Pa.; and San Francisco, Cal.—

Again, I call the attention of the Chair to the only limitation carried in that enactment of 1906, namely—

and the Postmaster General is hereby authorized to enter into contract not exceeding in the aggregate $1,250,000 under the provisions of the law for a period of not exceeding 10 years—

Construing that law with the prior enactment, the prior enactment was continued in every particular except three, one that the authorization to enter into a contract was extended from 4 to 10 years, next naming the cities where this service might be installed, and, thirdly, the amount that might be contracted for was restricted to the amount of $1,250,000.

Mr. Chairman, this is not a new question. This identic question was presented to the attention of this committee a year ago when the Post Office bill was under consideration, and the eminent parliamentarian, because we all so regard him, the gentleman from Georgia [Mr. CRISP], was in the chair. He passed upon the very point of order that is now submitted to the Chair for decision. What was that amendment? The amendment was offered by the gentleman from Massachusetts [Mr. TAGUE], as follows:

Page 15, line 15, after the word "devices," strike out "$449,500" and insert in lieu thereof "$1,061,000, for continuance of service now existing in New York, Philadelphia, Boston, Chicago, St. Louis, and Brooklyn."

A point of order was raised against that by the gentleman from Tennessee [Mr. MOON]. Extended argument was had, and the Chairman [Mr. CRISP] rendered the following decision, to be found on page 1340 of the CONGRESSIONAL RECORD of the second session of the Sixty-fourth Congress:

The Chair is ready to rule. Of course, the Chair would be glad to hear from any gentleman who wishes to be heard on the point of order. The amendment offered by the gentleman from Massachusetts [Mr. TAGUE] proposes an increase in the amount appropriated in the bill for pneumatic-tube service to $1,061,000, and provides that it shall be used for the pneumatic-tube service in the cities of New York, Philadelphia, Boston, Chicago, St. Louis, and Brooklyn. Under the law this pneumatic-tube service is authorized in those particular cities, and the law provides in letting contracts for the pneumatic-tube service in those particular cities the Postmaster General shall observe the law relating to letting of mail contracts except, before a contract shall be entered into for pneumatic-tube service within those named cities, he shall first appoint a commission and that commission shall report recommending that the service be used.

In the opinion of the Chair the amendment does not enlarge the number of cities authorized by law to have pneumatic-tube service. The amendment increases the amount appropriated for this service, but the amount proposed comes within the amount limited by statute. In the opinion of the Chair, if this amendment should prevail, the Postmaster General is not required to use it; but the Postmaster General would have the right, if he saw fit, to appoint another commission, and if that commission recommended the use of the service he would have funds at his disposal to continue the service as provided by law. Therefore, the Chair overrules the point of order.

That is the latest expression from a Chairman of this House upon this identic question, and I leave it for the Chair to pass upon the point of order raised by the chairman of the committee, the gentleman from Tennessee [Mr. MOON].

Mr. MOON. Mr. Chairman, if I wanted some one to make the question real muddy, I would surely call upon my friend from Wisconsin [Mr. STAFFORD]. The question there raised, in Mr. CRISP's ruling, is not this question at all. The question presented there was whether you had a right to use a part of a fund that was being appropriated for a specific purpose in the extension of work within the limitation provided by law. Here is a question presented to you where a statute is repealed by operation within itself. It provides that it shall not be effective—and it is a statute for the purpose of making contracts for the Postal Service—after the lapse of the first contract of 10 years until after a report made by a postal commission shall have been filed determining the fact that the service is available and ought to be continued. The Congress of the United States took exactly that view of the question. If that statute had not expired by limitation, if the conditions under which its existence should continue were enforced, there would be not a particle of sense in the passage of the law as we passed it at the last Congress extending the operation of the contract under the old statute, until a commission appointed by the House should inquire into the question. It is too simple a question, in my judgment, for discussion between lawyers.

The CHAIRMAN. The Chair is ready to rule. Section 2 of Rule XXI is the rule governing this matter and is so well known to the Members that the Chair will not rehearse it. It is the rule that legislation shall not be added to an appropriation bill, and if offered is subject to the point of order. The Chair thinks this amendment is broader in its scope than the amendment cited by the gentleman from Wisconsin [Mr. STAFFORD], and the Chair thinks this case is a clear case of attempting to add legislation to an appropriation bill, and the point of order is sustained.

Mr. HULL of Iowa. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HULL of Iowa: Page 15, line 25, after the numerals "$2,600,000," insert the following: "No part of this money shall be paid for any messenger service unless it be to the mail messenger who was the lowest qualified bidder at the time the contract was first called for."

Mr. MOON. Mr. Chairman, I reserve a point of order on that.

Mr. HULL of Iowa. Mr. Chairman, it is useless and I will not take up the time of the committee arguing the point of order. This identical motion was submitted at the end of the Sixty-fourth Congress with the distinguished gentleman from Georgia [Mr. CRISP] in the chair. It was debated and the point of order overruled. I refer you to page 1355, last session of the Sixty-fourth Congress.

Mr. MOON. I am not caring about the point of order, I just wanted to reserve it as I wanted to hear the gentleman on its merits.

Mr. HULL of Iowa. I hope the gentleman will hear me on the merits of the matter we have under consideration. The item in the appropriation bill is to pay the mail messengers who serve this Government. The amendment I will admit does not go as far as I wish it did. These men are faithful and devoted to the duty they have to perform. They carry the mail in our towns and villages from the post office down to the railroad and back. The Government insists on letting this by contract to the lowest bidder. Now, I submit that in this day and age this system is not a fair method of hiring labor, but we can not strike at the system but we can strike at one of the vicious methods that they use to put this labor down further than the lowest bid, and that is this: I ask any gentleman who will be called upon to vote if he thinks it is fair, after you have asked some poor man to bid for a chance to earn a little bread for his family, if it is fair for any department of this Government to go out and take that bid and go to some man that did not bid and say, "I will give you the job if you will do

it for $25 a year less than the low bid." And that is what your department is doing. This amendment will compel them, when they ask for a low bid and a man qualifies, to accept that low bid.

Mr. MOON. Is all of this work let out by bid?

Mr. HULL of Iowa. Yes; as I understand it.

Mr. MOON. Is it not a fact that it is not a service of that kind altogether? I think it is purely contract, and sometimes the railroads perform it themselves.

Mr. HULL of Iowa. That comes on another item. That has nothing to do with the mail-messenger service.

Mr. MOON. The gentleman is speaking, as I understand, I may be wrong, about putting a limitation on this appropriation for payment for messenger service between trains and the depot and post office?

Mr. HULL of Iowa. I am referring to the item as it is in this bill. Now, I will admit that the railroads hire some service, but that is paid for under another item in this bill, and this item has nothing to do with that. This is where the service is less than a quarter of a mile from the depot to the post office.

Mr. MOON. What service is the gentleman talking about if he is not talking about that? Is not the gentleman talking about service between the railroad, the depot, and——

Mr. HULL of Iowa. I am talking about the mail-messenger service in the item in the Post Office bill.

Mr. MOON. The First Assistant Postmaster General says:

> It is service such as between the depot and the post office in small locations and, of course, a number of those contractors resign and we have to readvertise.

Is that the service the gentleman is talking about?

Mr. HULL of Iowa. It is mail-messenger service between the post office and the railroad, and I am informed by the gentleman from Illinois [Mr. MADDEN] that the railroads do not perform any at present, but I am inclined to think he is mistaken, but that makes no difference.

Mr. MOON. The proof shows this. To be perfectly candid with the gentleman, has he noticed the statement of the department with reference to this matter? Shall I read it?

Mr. HULL of Iowa. Yes; I would like the gentleman to do so if they have anything to say.

Mr. MOON. It is as follows:

> The CHAIRMAN. The next item is "For mail messenger service, $2,600,000, an increase of $357,000." Is this due to the natural and normal increase in the business?
>
> Mr. KOONS. Yes; this is to take care of the increased cost of the service; also on account of the service at some of these encampments which we must perform.
>
> Mr. MADDEN. This is not the Special Delivery Service?
>
> Mr. KOONS. No, sir; it is service such as between the depot and the post office in small locations and, of course, a number of those contractors resign and we have to readvertise.

What I want to get at is this: If the gentleman simply wished to place a limitation on the amount of appropriation?

Mr. HULL of Iowa. If they let this by contract I want the department to be forced to let it to the lowest bidder, and that when the low bid comes in and the man is qualified, he shall have it. They can require that there shall be two or three bids; they can require that there shall be no collusion between bidders; they can require anything they have a mind to, but it must be publicly announced what they require of a man to qualify.

Mr. MOON. Suppose that is all done now?

Mr. HULL of Iowa. It has not been done heretofore.

Mr. MOON. What evidence has the gentleman that it has not been done?

Mr. HULL of Iowa. If it has been done it has been done in the last year, or since I called the attention of the committee to their contemptible methods.

Mr. MOON. That has been the lawful way of doing it all the time.

Mr. HULL of Iowa. Then, they have been illegal.

Mr. MOON. Now, what new law does the gentleman want to make on that subject?

Mr. HULL of Iowa. Just what I have written in there; and if that is done, you should have no objection to the amendment.

Mr. MOON. Suppose that is the law now, what is the use of rewriting it?

Mr. HULL or Iowa. It is not carried out by the department.

Mr. MOON. You can not make the department carry it out by rewriting the existing law.

Mr. HULL of Iowa. I know this, that I was in a post office for 13 years, and that contract was let a number of times, and they never accepted the low bid.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLOAN. Mr. Chairman, I ask that the gentleman be given five minutes more. I would like to address a question to him.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that the gentleman from Iowa have five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. HULL of Iowa. There are several thousands of these mail messengers, and they are serving this Government to-day, whether it is cold or warm, rain or shine, and they are getting from 50 cents to a dollar a day to do it. Do you think a man can live on that? They get up at 6 o'clock in the morning, and many of them are not off duty until 9 o'clock at night.

Mr. MOON. Will the gentleman pardon me if I ask him for the exact language of his amendment?

Mr. HULL of Iowa. Have it read.

The CHAIRMAN. The Clerk will read the amendment.

The amendment was again reported.

Mr. MOON. Does the gentleman mean by that, that if a contractor should resign the service would not be performed at all?

Mr. HULL of Iowa. I mean, if the Government asked for the lowest bid, under certain regulations, when they let that bid they shall not have the right to go out and peddle the low bid to the high bid, or to a man outside, and get him to beat down the wages of the low bidder, if he is the qualified bidder.

Mr. MOON. The law now provides for advertisement and contract, and it is let to the lowest bidder. The Government reserves under the general law the right to reject any and all bids. The gentleman does not want to change that law, and could not if he wanted to, on this bill. Now, suppose the contract has been let to the lowest bidder and that bidder throws up the contract and quits, is it the purpose of the gentleman to prevent the Government from making any other contract?

Mr. HULL of Iowa. Certainly not, and the gentleman knows it is not.

Mr. MOON. I did not think it was.

Mr. HULL of Iowa. The language is plain. You ought not to object to the amendment.

Mr. MOON. There are a good many things, possibly, I ought not to do that I am doing.

Mr. HULL of Iowa. What I wish to know is, is it fair or right to advertise that you intend to let a contract to the lowest bidder and, after some one qualifies as such, to let it to another party?

Mr. MOON. But I do not think it is quite reasonable to put that thing in the law that is now the law.

Mr. HULL of Iowa. I am only appealing for these poor fellows who do not have enough with which to feed their families to-night; and we all admit that this great Government of ours ought to pay a man a living wage.

Mr. MOON. Everybody feels the way you do about that. You are not alone on that.

Mr. SLOAN. May I ask the gentleman if this does not relate to men who carry the mails in small towns where the post office is a considerable distance from the railway station?

Mr. MOON. Now, Mr. Chairman, if the gentleman will yield just a moment, I will say that I do not care anything about this. I think it is a useless thing to do. I will not say that it is a foolish thing. If you want to put it on, I have no objection.

Mr. SLOAN. It is a very good place for me to terminate my speech.

Mr. HULL of Iowa. Thank you; and for the thousands of these poor fellows, I again thank you.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Iowa [Mr. HULL].

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. HULL of Iowa. Division, Mr. Chairman. I want to see the gentlemen rise who would vote to defend this outrageous method of doing business.

The committee divided; and there were—ayes 14, noes 11.

So the amendment was agreed to.

The Clerk read as follows:

> Railway Mail Service: For 15 division superintendents, at $3,250 each; 2 assistant superintendents, at $2,350 each; 15 assistant division superintendents, at $2,250 each; 115 chief clerks, at not exceeding $2,100 each; 465 clerks, grade 10, at not exceeding $1,800 each; 2,032 clerks, grade 9, at not exceeding $1,700 each; 393 clerks, grade 8, at not exceeding $1,600 each; 8,299 clerks, grade 7, at not exceeding $1,500 each; 1,078 clerks, grade 6, at not exceeding $1,400 each; 1,788 clerks, grade 5, at not exceeding $1,300 each; 3,801 clerks, grade 4, at not exceeding $1,200 each; 65 clerks, grade 3, at not exceeding $1,100 each; 1,974 clerks, grade 2, at not exceeding $1,000 each; 1,837 clerks, grade 1, at not exceeding $900 each; in all, $28,190,000: *Provided*, That railway postal clerks shall be credited with full time when deadheading under orders of the department, and the appointment and assignment of clerks hereunder shall be so made during the fiscal year as not to involve a greater aggregate expenditure than this sum; and, to enable the Postmaster General to reclassify the salaries of railway postal clerks and make necessary appointments and promotions, he may exceed the number of clerks in such of the grades as may be necessary: *Provided*, That the number of clerks in the aggregate as herein authorized be not exceeded.

Mr. STEENERSON. Mr. Chairman, I would like to ask the chairman if there is not an error in the number of clerks provided for under this paragraph?

Mr. MOON. I do not know of any error in it. The gentleman ought to know as much about it as I do. He is on the committee.

Mr. STEENERSON. My attention was called to an error, and I had it marked on my copy of the bill, but I have not got it here.

Mr. MOON. Let us go on.

Mr. STEENERSON. Very well. I thought the chairman had it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For transportation of foreign mails, $5,800,000: *Provided*, That the Postmaster General shall be authorized to expend such sums as may be necessary, not exceeding $103,000, to cover the cost to the United States of maintaining sea post service on steamships conveying the mails.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. The appropriation in the current bill for transportation of foreign mails is $3,720,900. The amount here carried for this service is $5,800,000, an increase of more than $2,000,000.

Mr. MADDEN. That is due to the establishment of the Army on the other side, and $2,000,000 is estimated as the amount needed for that service.

Mr. STAFFORD. Will the gentleman permit an inquiry in that particular whether this $2,000,000 additional is for the expense of transporting the mails to our Army in France and in continental Europe?

Mr. MADDEN. Yes; and for the distribution of the mail there.

Mr. STAFFORD. For the distribution of the mail?

Mr. MADDEN. Yes.

Mr. MOON. All mail.

Mr. STAFFORD. Under the former practice, before the war conditions prevailed with an army over there, we paid very little for the transportation of the mails across European countries. The expense was borne by the countries over which the mail was carried. I realize the necessity of the expense that arises by reason of our taking exclusive charge of the handling and dispatch and the delivery of the mails for our soldiers in Europe, and I suppose, then, that this $2,000,000 additional is largely for that expense.

Mr. MOON. Largely so, but of course the general mail is bound to increase some by reason of the general conditions.

Mr. STAFFORD. The general mail would be restricted, because we know that there is not as much foreign mail being dispatched, other than that for our soldiers, as was carried prior to the war. All mail is virtually interrupted to the central powers.

All mail is virtually interrupted in its dispatch to Russia, and the mail is less even to Sweden and Norway and the other neutral countries, but the mail necessarily is very much larger as dispatched to France, which includes the mail for our Army.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I shall be very glad to yield to the gentleman.

Mr. COX. The hearings disclose on page 84, if the gentleman will turn to them, that they are handling this foreign business very cheaply. It is stated there that the mail is handled per month at a cost of 12 cents and at a cost of $1.44 per year for each soldier in France. It is stated:

The cost of the service, based on the present Army over there, is $1.44 per man per year, or 12 cents per man per month. The $2,000,000 is obtained by taking 100,000 men per month for next year at 12 cents per man per month.

Mr. STAFFORD. Do I understand that our Post Office Department has virtually established a postal service of its own in France?

Mr. COX. Absolutely.

Mr. STAFFORD. And is paying out $2,000,000 for its maintenance in this particular?

Mr. COX. Yes.

Mr. STAFFORD. It is not only for the transportation of our mails, as indicated here, but also for the maintenance and delivery and disposition of the mail for our Army?

Mr. COX. That is true.

Mr. STEENERSON. That is subject to this qualification, that the distribution and delivery of the mail to the soldiers is not performed by the Postal Service but by the Army. It is not actually delivered to the soldiers.

Mr. MADDEN. It is delivered to the companies.

Mr. STAFFORD. I would like to know if we are sending over to France civilian employees to look after the distribution of the mails, or whether we are utilizing the enlisted force for that purpose.

Mr. COX. We have 86 men there now.

Mr. STEENERSON. They stated that the postal officials took care of the mails until they were ready to be delivered to the organizations in the Army. Then the Army men take it and distribute it among the soldiers.

Mr. STAFFORD. Can any member of the committee advise us as to the means of transportation to continental Europe and whether the old method prevails of sending the mail on the trans-Atlantic steamers or whether the Government is sending the mail by steamers under its own control?

Mr. COX. The transport ships are carrying a great deal of it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. STAFFORD. I make this inquiry because of information that I have received from the Third Assistant Postmaster General's office, that frankable matter would be carried to our soldiers at the European war front without extra cost. This could only be done in case the mails were being transported on Government-operated ships; because if they were being transported as formerly on privately owned ships, naturally we would have to pay additional for that character of service.

Mr. MOON. Was not a letter put into the RECORD directed to the gentleman from Indiana [Mr. COX] on that question?

Mr. COX. Yes.

Mr. MOON. If the gentleman will refer to that he will get the information he wants.

Mr. STAFFORD. I was unaware of that letter having been printed. Can the gentleman from Indiana in a word give us the views of the department on that question?

Mr. COX. I really can not. If the gentleman will read the letter he will get the information he wants.

Mr. STAFFORD. I will be glad to examine the letter for my own information.

Mr. COX. Mr. Chairman, I ask unanimous consent for two minutes in which to make a statement.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. COX. I was somewhat struck with the cheapness of the way in which the Government was handling the mail to our soldiers. Mr. Praeger, the Second Assistant Postmaster General, in his statement before the Post Office Committee, said:

The cost of the service, based on the present Army over there, is $1.44 per man per year, or 12 cents per man per month. The $2,000,000 is obtained by taking 100,000 men per month for next year at 12 cents per man per month.

Mr. COX. That is not much in excess of what it costs this country per inhabitant.

Mr. MADDEN. That is for the entire service, but this is only the cost of the transportation over there.

Mr. COX. You say it is $1.44 per man?

Mr. PRAEGER. It is $1.44 per man per year.

* * * * * * *

Mr. COX. It looks to me like you were getting it very cheaply.

Mr. PRAEGER. I will tell you why we get by with it cheaply. It is for the reason that we have only four French liners on which we have to pay for carrying the mail across. The rest of the mail is carried on transports, in vacant space in the transports, which costs nothing out of our fund.

Mr. COX. The Fourth Assistant Postmaster General tells me that it costs $1.59 per patron on the rural routes.

So we are getting our mail over to our Army more cheaply than we are getting it to the patrons of the rural routes.

Mr. MADDEN. The reason for that is this, though, that while we deliver the mail to the individual rural patrons by carriers we only deliver the mail through the Post Office Department to the regimental units at the front.

Mr. COX. That is true.

Mr. MADDEN. And they make the distribution among the men.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last two words. I think there are two matters in connection with the delivery and handling of mails to soldiers that ought to be given very careful attention. One is, why is there the discrimination between our men in foreign service having free postage and our men in service in this country not being given the same privilege? That has been called to my attention quite

recently. I can personally see no reason why these men are not just exactly as much entitled to that service, of the freedom of the mails, as the men who are overseas.

Another matter that has recently come to my attention is partially covered by the letter from Mr. Praeger, to which reference has been made. I received a letter yesterday from a gentleman having two sons overseas, who writes me that he can go to Canada, mail letters and packages to his sons, have them promptly delivered, and secure a reply from them more quickly than he can from his own home in Massachusetts, and that he has done so in order to hear from his boys. It strikes me that such a condition as that, and the statement that there are thousands and thousands of bundles of mail addressed to our soldiers stored in warehouses in Paris, ought to be given prompt attention by the postal authorities. I have transmitted the letter to the Post Office Department with a request for a prompt investigation.

Personally, I do not think there can be any excuse for such a condition as I have described and which I am sure does exist, that mail can be delivered through Canada and sent to the soldiers in France and reach them with a fair degree of promptness, and that we can not get similar service from this country to our boys over there. I am not criticizing the department. I realize that the conditions under which they are serving are difficult; they are probably doing the best they can, but when such conditions as these are brought to their attention I think they are entitled to careful investigation; and I also wish that the committee or some one familiar with the details would explain why the soldiers over there should have free postage and not those here. Both are doing their whole duty and deserve the best consideration and attention we can give them. When the proper time comes I hope to see free postal facilities given every man in the service.

Mr. STEENERSON. Mr. Chairman, in reply to the gentleman from Massachusetts I will say that several bills were introduced in the last Congress providing for free mail to the soldiers of the United States as well as to the soldiers abroad. I introduced one such bill and the gentleman from New York introduced another. The Post Office Department appeared before the Senate committee, I think, and offered a substitute, which is now the law, which results simply in free mail to the soldiers abroad. It went into the revenue bill and therefore there was no opportunity to change it. I will say that probably there will be an opportunity to make a change.

Mr. TREADWAY. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. TREADWAY. May I ask the gentleman if it is expected that such a change will be considered by the Post Office Committee in the near future?

Mr. STEENERSON. I think the Post Office Committee will consider it, but I have my doubts about the Post Office Department.

Mr. LITTLE. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. LITTLE. In sending a letter home from France, is it mailed in the French post office?

Mr. STEENERSON. I understand that they have a United States mail service under supervision, and when a letter goes through that service the French have nothing to do with it. Ordinarily when you mail a letter in a foreign country it goes by the conveyance belonging to the foreign country and they get the postage.

Mr. LITTLE. That is an answer to the complaint of the gentleman from Massachusetts in regard to sending anything through the French mail; of course we can not change it. The soldier puts his letter in the French mail with a French stamp on it.

Mr. STEENERSON. If he mails it in the French post office, but if he mails it in the service under the military control they have nothing to do with it.

Mr. LITTLE. There are a few consular offices like Shanghai where they send their letters through the American mail.

Mr. STEENERSON. If the Post Office Department made arrangements whereby the soldiers could send mail free of postage that would have to be by the consent of the foreign government.

Now, Mr. Chairman, we are about to reach line 21, as I understand it, and I am going to reserve a point of order.

Mr. COX. I make the point of order that the gentleman is too late.

The CHAIRMAN. Line 21 has been read.

Mr. STAFFORD. But I immediately rose and moved to strike out the last word and gained recognition, and gentlemen ought not to be precluded from making a point of order.

Mr. STEENERSON. Mr. Chairman, I want to reserve a point of order, to ask the chairman whether he would have any objection to an amendment so as to place the employees under the civil service.

Mr. MOON. This is an entire new section of the bill. It is for the purpose of censoring the mails, to prevent traitorous communications. It is subject to a point of order, if the gentleman wants to make it.

Mr. STEENERSON. The gentleman from Tennessee has not said whether he would be willing to accept an amendment.

Mr. MOON. Does the gentleman take the responsibility of making the point of order on the section?

Mr. STEENERSON. I was reserving the point of order to find out the attitude of the gentleman from Tennessee as to whether he would accept the amendment.

Mr. MOON. The attitude of the gentleman from Tennessee is that he believes the section ought to pass as it is. The purpose of it has been stated. If the gentleman withdraws his point of order to the section we may consider some amendment to it.

Mr. STEENERSON. Mr. Chairman, I will withdraw the point of order and offer this amendment:

The Clerk read as follows:

Page 18, at the end of line 21, insert the following:

"*Provided*, That all persons employed under this appropriation shall be appointed from the list of eligibles to be supplied by the Civil Service Commission in accordance with the civil-service law:

"*Provided further*, That the authority under this appropriation shall cease to be in effect when the existing state of war shall have passed, the date of which shall be ascertained and proclaimed by the President:

"*And provided further*, That it shall be the duty of the Postmaster General to submit to Congress at the beginning of its regular session in December of each year a detailed statement of all persons appointed, and the salary or compensation paid or allowed to each."

Mr. MOON. Mr. Chairman, I make the point of order on that as a whole. If the gentleman wants to have the section amended so as to require a report from the Post Office Department to the Congress I have no objection to that part of it.

Mr. STEENERSON. Mr. Chairman, I submit that the gentleman can not censor my amendment. I have a perfect right to offer this amendment.

Mr. MOON. I have no question about the gentleman's offering it, but I am making the point of order to it.

Mr. STEENERSON. The gentleman knows that is not subject to the point of order. What is the point of order?

Mr. MOON. It is that it is new law.

Mr. STEENERSON. But the whole thing is new law.

Mr. MOON. I know it is, and that is the reason I made the gentleman withdraw his point of order to this before we agreed to consider it.

Mr. STEENERSON. But the gentleman knows very well that when you make new law you have a right to offer an amendment to that proposition.

Mr. MOON. Not unless it is strictly germane to the question.

Mr. STEENERSON. This is germane to the appropriation.

Mr. MOON. It is not germane to the appropriation to undertake to place the employees of the department under civil service in that connection.

Mr. GILLETT. Mr. Chairman, if the Chair is ready to rule I do not wish to take up any of his time, but——

The CHAIRMAN. The Chair will hear the gentleman.

Mr. GILLETT. Mr. Chairman, the whole paragraph is subject to a point of order.

Mr. MOON. Surely, and if the gentleman makes the point of order upon it it will go out.

Mr. GILLETT. Then, we can certainly amend it.

Mr. MOON. Not until after you have passed on the point of order.

Mr. GILLETT. It is certainly germane, because the general law provides that all appointments like this shall be filled from the civil service. I do not see why this would not be appointed from the civil service, unless it carries a provision to the contrary.

Mr. MOON. That might be, but the point is this: Here is a section that is new. It simply provides for a censorship of foreign mails. That is subject to a point of order, and if anyone wants to make the point of order, he can do so; but the point of order is not made. It is now proposed to amend it. I insist that an amendment that covers the placing of employees under the civil service is not germane to a proposition to censor foreign mails.

Mr. GILLETT. Mr. Chairman, it seems to me that that proposition is preposterous, because the censorship of foreign mails provides, of course, as the gentleman will admit, for the employment of clerks. To say whether clerks shall be ap-

pointed from the civil service or not is certainly germane to the appointment of clerks.

Mr. MOON. This leaves the matter to the department, and that is where it ought to be left.

The CHAIRMAN. The Chair is ready to rule. On page 18, line 21, provision is made for a censorship of foreign mails. That provision was subject to the point of order, but has already been accepted, no point of order having been made against it. The Chair thinks that any matter by way of amendment that is germane should be acceptable and not subject to the point of order, but the Chair thinks that the first proviso of the amendment is not germane and modifies the existing civil-service law. Therefore this invades the rule as to germaneness, and the Chair sustains the point of order.

Mr. STEENERSON. Mr. Chairman, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Minnesota appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the decision of the committee?

The committee divided; and there were—ayes 18, noes 14.

So the committee determined that the decision of the Chair should stand as the decision of the committee.

Mr. STEENERSON. Mr. Chairman, I make the point of order there is no quorum present.

Mr. MOON. I will ask the gentleman, who is a member of the committee and ought not to be offended because the House does not agree with him——

Mr. STEENERSON. I thought the gentleman was perfectly willing to have this matter offered as an amendment. I offer it as a matter of principle. The gentleman did not say he was going to make a point of order.

Mr. MOON. I said that I was willing that this last provision, although it might not be in order, might be offered. Every man in this House knows how I stand——

Mr. STEENERSON. If the Chair will send down that amendment I will redraft it in a minute.

Mr. MOON. If the gentleman will offer the last provision——

Mr. STEENERSON. I will offer each one as a separate amendment. Mr. Chairman, I offer the second proviso, to wit:

Provided, That the authority under this appropriation shall cease to be in effect when the state of war shall have passed, the date of which shall be ascertained and proclaimed by the President."

Mr. MOON. The gentleman offers that?

Mr. STEENERSON. I offer it as an amendment.

Mr. MOON. I do not object to that.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. STEENERSON: Page 18 after line 21, insert the following:

"*Provided*, That the authority under this appropriation shall cease to be in effect when the state of war shall have passed, the date of which shall be ascertained and proclaimed by the President."

The question was taken, and the amendment was agreed to.

Mr. STEENERSON. Mr. Chairman, I offer this amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. STEENERSON: Page 18, at the end of line 21, insert the following:

"*And provided further*, That it shall be the duty of the Postmaster General to submit to Congress at the beginning of its regular session in December of each year a detailed statement of all persons appointed and the salary or compensation paid or allowed to each."

Mr. MOON. Now, Mr. Chairman, we need not discuss that, that is all right.

Mr. STEENERSON. I presume I have a right to discuss it.

Mr. MOON. But the gentleman does not want to discuss it after it is agreed to.

Mr. STEENERSON. But it has not been agreed to yet.

Mr. MOON. It will be.

Mr. STEENERSON. Does the chairman of the Committee on the Post Office and Post Roads assume that I have no right to five minutes?

Mr. MOON. Of course he has, go ahead.

Mr. STEENERSON. Mr. Chairman, this provision for $1,200,000, as explained by the officials of the Post Office Department, was that they now had employed some 150 people as translators. This censorship, they explained, was not intended to operate upon mails to Europe except the mails to Spain. All other trans-Atlantic mails were censored by the allies, and we had no part of that expense. This provision was intended to cover the censorship of the mails to Latin-American countries and across the Pacific.

Mr. AYRES. Will the gentleman yield for a question?

Mr. STEENERSON. Yes.

Mr. AYRES. I would like to know what Congress would do with the list when it was submitted by the Postmaster General?

Mr. STEENERSON. We will find out whether there has been any improper use of the money. The $1,200,000 is a lump-sum appropriation that may be employed, and some people may be given $10,000 a year and some $1,000 a year, and unless we require a list there might be the danger of an improper use of the funds. There certainly can not be any objection to this amendment and, as far as I know, there is none. It is intended to safeguard the public funds, so that they can not be used in a wasteful manner. With these billions of dollars being expended by the public officials in this war it seems to me that every appropriation ought to be guarded in the most careful way.

The lump-sum system of appropriations has been discredited and has been criticized, and, so far as I know, has been largely abandoned by Congress. The Appropriations Committee has constantly sought to segregate appropriations. Now, in this instance, instead of having 100 translators at $1,200 and 100 at $1,500 each, and so forth, here is a lump sum that they could distribute among their favorites if they felt inclined. And for that reason this provision, which was carried in the other laws we passed last Congress, I have taken absolutely from another statute, which I have here on my desk, of the last Congress. So far as the other provisions in regard to civil service are concerned, I will say that the censorship was stated by Mr. Praeger before our committee to be carried on under the provisions of the trading-with-the-enemy act, which is printed in the report we made. The trading-with-the-enemy act contains exactly the same provision in regard to civil service that I have proposed, and it occurred to me that the provision of these laws to safeguard these funds was a perfectly proper limitation upon this appropriation, and for that reason I made it. I was disappointed when the gentleman sought to be so technical as to rule out the civil-service amendment. I shall offer that later on, I think, in parliamentary form. But there can be no objection to the Post Office Department making a report of the manner in which the fund has been expended.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken and the amendment was agreed to.

Mr. STEENERSON. Now, Mr. Chairman, I offer this amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STEENERSON: Page 18, line 21, after the amendments already adopted, insert the following:

"*Provided*, That no portion of this appropriation shall be employed for the payment of salaries except to persons who are appointed under the provisions of the civil-service act."

Mr. MOON. Mr. Chairman, I do not know whether that is subject to a point of order or not. I reserve it. It may be a limitation on the appropriation. If it is not, it is subject to a point of order. I would like to hear from the gentleman from Minnesota, if he wishes to discuss the matter. I want to hear something about it.

Mr. STEENERSON. I will say in regard to the merits of this amendment that I have talked with the Civil Service Commission on this subject, and they say that they can furnish translators better than anyone else. They say there are some confidential employees now, which is all the department has asked for, and these confidential employees, amounting to some 50 or 60, were appointed under the order of the President of the United States under the trading-with-the-enemy act, which is the act that we are trying to help carry on by this provision in this bill. They said that those confidential employees, who are especially selected, are under the Solicitor of the Post Office Department, who is an employee of the Department of Justice. But the Civil Service Commission told me in conversation that they had ample facilities and they were especially anxious to have this matter through their lists, because they thought it was better for the country. Since the war was declared, and perhaps before, they have made special efforts to have tests of loyalty of all civil-service employees.

They go into that more extensively than the Post Office Department possibly could. They say that if their lists are employed in making the selections it will save the Post Office Department a great deal of difficulty in making proper selections, and that they have ample facilities for supplying translators or any other employees that might be desired under this provision. And there having been made provision already for confidential employees, which are under the Department of

Justice, it seems to me that this provision will be of great aid to the carrying out of this one. And further, the trading-with-the-enemy act, which we are by this appropriation to carry out, and which is printed in the hearings which we had before the Post Office Committee, contains exactly this provision and is the law to-day. So that the law we are seeking to carry into effect by this provision had the same civil-service provision as this, and for that reason it seems to me that we ought to adopt this amendment.

Mr. MOON. Now, Mr. Chairman, I am not going to insist on the point of order when I think a point of order is not well taken. This, perhaps, may be treated as a limitation on this appropriation, and for other reasons it may be in order. But I feel like I ought to question the good faith of the gentleman from Minnesota when as a member of the committee he made no suggestions along this line, and also when the matter was taken up a while ago, after it was ruled out of order, he was allowed to go back with the understanding that the last two propositions alone would be considered.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. MOON. If the gentleman had wanted to take advantage of it, he could. I am not complaining of that.

Mr. STEENERSON. The gentleman knows that this provision concerning censorship occupied only a very few minutes before the committee, and there was not time to discuss it.

Mr. MOON. Then it ought to have occupied more time, if the gentleman thought it so important. The gentleman failed to do his duty in not taking more time.

Now, Mr. Chairman, this is a censorship proposition. This is not the employment of an ordinary public servant under the civil service. I do not care what a man thinks about the civil-service law. I do not think anything of it myself, and, so far as I am concerned, I have no very great respect for the civil-service law. But I want to say in that connection that of all the propositions in the world that ought not to come before the Civil Service Commission this is one. Here is work that must be done quickly, and it must be done expeditiously, and it must be done by men who have in the utmost degree the confidence of the Government and the War Board and a commission composed of men engaged in the service. It does not make any difference how efficient a clerk may be or how well he may stand a scholastic examination; if he does not possess those qualifications that would justify the department in making him a censorship employee he ought not to be there, and the Civil Service Commission ought not to have anything to do with it. Perhaps most of these men ought to be secret officers of the Government. I am surprised that the gentleman from Minnesota offers such an amendment. If it were not for my respect for him I would think that the amendment was coming from the Kaiser. [Laughter.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota [Mr. STEENERSON].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. STEENERSON. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 25, noes 22.

The CHAIRMAN. The amendment is agreed to.

Mr. COX. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. MOON. Tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Indiana makes the point of order that there is no quorum present. The Chair will count.

Mr. COX. Mr. Chairman, I withdraw that and demand tellers.

The CHAIRMAN. The gentleman from Indiana demands tellers.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the gentleman from Indiana is too late in demanding tellers. Other intervening business has taken place. If the gentleman had demanded tellers on that point of no quorum, then he would have been in order.

Mr. MOON. Tellers were demanded in the beginning.

Mr. STAFFORD. No; tellers were not demanded in the beginning. The gentleman from Indiana waved away gentlemen who suggested that he demand tellers.

The CHAIRMAN. The Chair is informed that the gentleman from Tennessee, the chairman of the committee, demanded tellers at the same time.

Mr. MOON. The gentleman from Wisconsin knows that.

Mr. STAFFORD. The gentleman from Wisconsin does not know that. The gentleman from Wisconsin knows that several gentlemen on the Democratic side asked the gentleman from Indiana to demand tellers and he declined to demand tellers.

Mr. GILLETT. Mr. Chairman, it seems to me that the Chair has not the proper sequence in his mind. It may be that the gentleman from Tennessee [Mr. MOON] did say something about tellers, but when the point of no quorum was made the Chair went on to count, to ascertain if there was a quorum present.

The CHAIRMAN. It is a very common occurrence here that when a point of no quorum is made tellers are demanded, and the Chair understood that was done in this case. The Chair will count. [After counting.] Twenty-five gentleman have demanded tellers—a sufficient number.

Mr. GILLETT. Is this for tellers on the vote?

The CHAIRMAN. Yes.

Mr. GILLETT. I make the point of no quorum.

The CHAIRMAN. The gentleman from Massachusetts makes the point of no quorum, and the Chair will count.

Mr. MADDEN. I suggest to the gentleman from Tennessee to let it go over until to-morrow morning.

The CHAIRMAN (after counting). Sixty-six Members are present, not a quorum.

Mr. BORLAND. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BORLAND. If the committee rises now, the first business when the committee sits again is to take the count by tellers, is it not?

The CHAIRMAN. The Chair thinks that that is right.

Mr. MOON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, and had come to no resolution thereon.

RESIGNATION FROM A COMMITTEE.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., December 12, 1917.

Hon. CHAMP CLARK,
Speaker of House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as chairman of the Committee on Expenditures in the Department of Justice, same to take effect immediately.

Believe me, I am,
Yours, most truly, JOHN E. RAKER.

The SPEAKER. Without objection, the resignation is accepted.

PANAMA CANAL (H. DOC. NO. 569).

The SPEAKER laid before the House the following message, in writing, from the President of the United States, by Mr. Sharkey, one of his secretaries:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the annual report of the Governor of the Panama Canal for the fiscal year ending June 30, 1917.

WOODROW WILSON.

THE WHITE HOUSE, *13 December, 1917.*

The SPEAKER. The message and accompanying document will be referred to the Committee on Interstate and Foreign Commerce. The message is ordered printed, but not the accompanying document.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 22 minutes p. m.) the House adjourned until to-morrow, Friday, December 14, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Agriculture, transmitting a report on the status of the Georgia Experiment Station (H. Doc. No. 565); to the Committee on Agriculture and ordered to be printed.

2. A letter from the Secretary of the Navy, transmitting statement showing exchanges made during the fiscal year ended June 30, 1917, of typewriters, adding machines, and other similar labor-saving devices, by the Navy Department and Naval Establishment, including the United States Marine Corps (H. Doc. No. 566); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Interior, transmitting an itemized statement of expenditures made by this department and charged to the appropriation "Contingent expenses, Department of the Interior, 1917," fiscal year ended June 30, 1917 (H. Doc. No. 567); to the Committee on Expenditures in the Interior Department and ordered to be printed.

4. A letter from the Secretary of the Interior, transmitting an itemized statement of expenditures made by this department and charged to the appropriation "Repairs of buildings, Department of the Interior, 1917," for the fiscal year ended June 30, 1917 (H. Doc. No. 568); to the Committee on Expenditures in the Interior Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GARRETT of Tennessee, from the Committee on Rules, to which was referred the resolution (H. Res. 194) providing for the consideration of House joint resolution 174, reported the same without amendment, accompanied by a report (No. 215), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 7634) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, accompanied by a report (No. 214), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERWOOD: A bill (H. R. 7634) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; committed to the Committee of the Whole House.

By Mr. ELLIOTT: A bill (H. R. 7635) to provide for the purchase of a site and the erection of a public building thereon in the city of Greenfield, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. McCULLOCH: A bill (H. R. 7636) to increase the compensation of fourth-class postmasters; to the Committee on the Post Office and Post Roads.

By Mr. HAWLEY: A bill (H. R. 7637) to authorize the construction and maintenance of a dike on Depot Slough, Lincoln County, Oreg.; to the Committee on Interstate and Foreign Commerce.

By Mr. PADGETT: A bill (H. R. 7638) to authorize the Secretary of the Navy to make payment to the employees of the Navy for leave not taken and used by the employees; to the Committee on Naval Affairs.

By Mr. JACOWAY: A bill (H. R. 7639) for equipment and maintenance allowance for carriers on rural free-delivery routes, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. JONES of Texas: A bill (H. R. 7640) to regulate the number of jurors constituting the juries in the district courts of the United States and the number of challenges for each party, and also the number of grand jurors; to the Committee on the Judiciary.

By Mr. HUDDLESTON: A bill (H. R. 7641) to provide for an increase of compensation to persons in the classified civil service for calendar year of 1918; to the Committee on Reform in the Civil Service.

By Mr. MAPES: A bill (H. R. 7642) to amend paragraph or subdivision (a) of section 201 of an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. EDMONDS: A bill (H. R. 7643) to permit the manufacture of denatured alcohol by mixing domestic and wood alcohol while in process of distillation; to the Committee on Ways and Means.

By Mr. CARAWAY: A bill (H. R. 7644) for equipment and maintenance allowance for carriers on rural free delivery routes, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. SIEGEL: A bill (H. R. 7645) authorizing the President to appoint as assistant adjutants general in The Adjutant General's Department of the United States Army certain clerks employed in The Adjutant General's Department of the Army and heretofore known as "Army field clerks"; to the Committee on Military Affairs.

By Mr. BRUMBAUGH: A bill (H. R. 7646) to provide for the detail of Army officers to the educational institutions of the United States; to the Committee on Military Affairs.

By Mr. LONGWORTH: A bill (H. R. 7647) to amend paragraph 6, section 200, of an act entitled "An act to provide revenue to defray war expenses, and for other purposes"; to the Committee on Ways and Means.

By Mr. LUNN: Resolution (H. Res. 196) congratulating the people of Great Britain on the capture of Jerusalem; to the Committee on Foreign Affairs.

By Mr. EDMONDS: Joint resolution (H. J. Res. 187) proposing to amend the Constitution of the United States to authorize uniform laws on the subject of marriage and divorce and to provide penalties for enforcement; to the Committee on the Judiciary.

By Mr. CARLIN: Joint resolution (H. J. Res. 188) extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914; to the Committee on the Judiciary.

By Mr. LONDON: Joint resolution (H. J. Res. 189) to provide for a commission to inquire into the advisability of establishing national insurance against unemployment, invalidity, and sickness; to the Committee on Labor.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 7648) granting a pension to Mrs. James B. Boyer; to the Committee on Pensions.

By Mr. ASHBROOK: A bill (H. R. 7649) granting an increase of pension to Stephen Vickers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7650) granting an increase of pension to Frederick Long; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7651) granting an increase of pension to Theron A. Beach; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 7652) granting a pension to Belle Vanneman; to the Committee on Pensions.

Also, a bill (H. R. 7653) granting an increase of pension to Sue N. Inness; to the Committee on Invalid Pensions.

By Mr. BESHLIN: A bill (H. R. 7654) granting an increase of pension to Lyman F. Deming; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7655) granting an increase of pension to Sidney J. Crocker; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 7656) granting an increase of pension to Adam E. Haughn; to the Committee on Pensions.

By Mr. CRISP: A bill (H. R. 7657) granting an increase of pension to Oscar N. Cowell; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 7658) granting a pension to Hezekiah S. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7659) granting an increase of pension to Franklin M. Joines; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 7660) granting an increase of pension to Andrew Emmert; to the Committee on Invalid Pensions.

By Mr. EDMONDS: A bill (H. R. 7661) for the relief of Charles Tomkins; to the Committee on Military Affairs.

Also, a bill (H. R. 7662) for the relief of John A. Ryan; to the Committee on Claims.

By Mr. FERRIS: A bill (H. R. 7663) for the relief of J. C. McConnell; to the Committee on Claims.

By Mr. GARD: A bill (H. R. 7664) granting an increase of pension to Milton Ross; to the Committee on Pensions.

Also, a bill (H. R. 7665) for the relief of Louis Cupp; to the Committee on Military Affairs.

By Mr. HASTINGS: A bill (H. R. 7666) for the relief of Eliza Audre, daughter of Maria Colston; to the Committee on War Claims.

By Mr. HAWLEY: A bill (H. R. 7667) granting an increase of pension to Henry C. Salton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7668) for the relief of J. W. La Bare; to the Committee on Military Affairs.

By Mr. IRELAND: A bill (H. R. 7669) granting an increase of pension to Charles A. Booker; to the Committee on Pensions.

By Mr. LESHER: A bill (H. R. 7670) granting a pension to Charles W. Hanson; to the Committee on Pensions.

Also, a bill (H. R. 7671) granting an increase of pension to Joseph D. Fulmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7672) granting a pension to Sarah E. Dieffenbacher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7673) granting an increase of pension to Daniel Bubb; to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 7674) granting a pension to Henry P. Kohn; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 7675) granting an increase of pension to Charles H. Ellis; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 7676) granting an increase of pension to Charles E. Storrs; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 7677) granting a pension to Mary J. Bernard; to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 7678) granting a pension to Chester E. Benner; to the Committee on Pensions.

Also, a bill (H. R. 7679) granting an increase of pension to Benjamin Maddox; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 7680) granting an increase of pension to Preston C. Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7681) granting a pension to William Crawford; to the Committee on Pensions.

By Mr. SLOAN: A bill (H. R. 7682) granting an increase of pension to George W. McKnight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7683) granting a pension to Francis M. Walker; to the Committee on Pensions.

By Mr. STEELE: A bill (H. R. 7684) for the relief of Caleb Aber; to the Committee on Military Affairs.

By Mr. SWIFT: A bill (H. R. 7685) granting a pension to Stewart J. Donnelly; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 7686) granting an increase of pension to Arba H. Trufant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7687) granting a pension to Annie T. LaMarche; to the Committee on Pensions.

By Mr. YOUNG of North Dakota: A bill (H. R. 7688) granting an increase of pension to Patrick Keligher; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 7689) granting an increase of pension to Frederick Weber; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Illinois, Kansas, Minnesota, Nebraska, New York, North Carolina, Ohio, Texas, and Virginia, favoring the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), resolutions of the American Federation of Labor at its thirty-seventh annual convention, urging the increase of salaries to postal clerks and letter carriers; to the Committee on the Post Office and Post Roads.

Also (by request), memorial of board of aldermen of the city of St. Louis, Mo., requesting the immediate passage of H. R. 6537; to the Committee on Interstate and Foreign Commerce.

Also (by request), resolutions of the Centennial Evangelical Church, Chicago, Ill., and also by the churches of southeast Kansas City, Mo., favoring the prohibition amendment; to the Committee on the Judiciary.

Also (by request), petition of members of the First Christian Church, St. Joseph, Mo.; the students of Union Theological Seminary, New York City; and by sundry citizens of New York City, favoring national prohibition; to the Committee on the Judiciary.

Also (by request), memorial of Grace Evangelical Church, Chicago, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CARY: Memorial of the thirty-seventh annual convention of American Federation of Labor, asking for increase in salary to postal clerks and letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Petition of John S. Sills & Sons, of New York, against reducing mailing rates for publishers; to the Committee on Ways and Means.

By Mr. DARROW: Petitions of 70 citizens of Philadelphia; 23 members of Bellfield Avenue United Evangelical Sunday School; Logan Methodist Episcopal Sunday School; and 241 citizens of West Philadelphia, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DAVIDSON: Petitions of 70 citizens of Green Lake County, Wis., favoring suffrage amendment; to the Committee on Woman Suffrage.

By Mr. FOCHT: Petition of sundry citizens of Huntington County, Pa., favoring Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. FULLER of Illinois: Memorial of the American Federation of Labor for the increase of salaries of postal employees; to the Committee on the Post Office and Post Roads.

By Mr. HAMILTON of Michigan: Petition of sundry citizens of Berrien County, Mich., praying for the immediate submission of a Federal amendment providing for woman suffrage; to the Committee on Woman Suffrage.

By Mr. KAHN: Papers to accompany pension bill H. R. 7500; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: Petitions of Mrs. D. Hunter, of Providence, R. I.; Newport, R. I., Branch of the Association Opposed to Woman Suffrage; and Mrs. William B. Weeden and H. A. Du Villard, of Providence, R. I., opposing woman suffrage legislation; to the Committee on the Judiciary.

Also, petitions of Bethany Free Baptist Church, Roscoe W. Phillips, Thomas C. Perry, and A. Adella Bullock, all of Pawtucket, R. I., favoring passage of the national prohibition amendment; also Rhode Island State Grange, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LINTHICUM: Petition of William G. Haggerty and six other citizens of Maryland, favoring national prohibition; memorials by the Women's Foreign Missionary Society, Baltimore Md., and a mass meeting held in the First Methodist Episcopal Church, Annapolis, Md., favoring national prohibition; petitions of John G. Hager and five other citizens of Baltimore, Md., protesting against national prohibition; to the Committee on the Judiciary.

Also, memorial of Baltimore committee of the National Women's Trade-Union League, and also of the Just Government League of Sudlersville, Md., favoring the suffrage amendment; to the Committee on Woman Suffrage.

Also, petition of Joseph L. Ferguson and seven other citizens of Maryland, favoring H. R. 1654; also a petition of A. G. Wellington, Baltimore, Md., protesting against lowering the postal rates to publishers; to the Committee on the Post Office and Post Roads.

By Mr. LUNDEEN: Resolution of the congregation of the Linden Hills Congregational Church, Rev. G. B. Drake, pastor, Minneapolis, Minn., urging national prohibition legislation; to the Committee on the Judiciary.

Also, resolution of the Men's Club of the Linden Hills Congregational Church, D. L. Glenn, president, Minneapolis, Minn., urging national prohibition legislation; to the Committee on the Judiciary.

Also, petition of Ladies' Bible Class of the Linden Hills Congregational Church, Mrs. Max Farwell, secretary, Minneapolis, Minn., urging national prohibition legislation; to the Committee on the Judiciary.

Also, petition of Calvary Methodist Episcopal Church congregation, Minneapolis, Minn., Mr. Frank Chatfield, president of trustees, urging national prohibition legislation; to the Committee on the Judiciary.

Also, petition to the Minneapolis Waitresses' Alliance, Miss Mae Rhodes, secretary, Minneapolis, Minn., protesting against the passage of Senate joint resolution 17; to the Committee on the Judiciary.

Also, resolution of the executive board, Minnesota branch, Woman's Board of Missions of the Interior, representing 12,000 Congregational women in Minnesota, Miss Ruth Thompson, of Minneapolis, secretary, urging national prohibition legislation; to the Committee on the Judiciary.

Also, resolution of Minneapolis Colony of New England Women, Mrs. F. A. Wadsworth, secretary, urging the passage of the Federal amendment in favor of prohibition; to the Committee on the Judiciary.

Also, resolution of the First Methodist Episcopal Church Sunday School, 272 present, Mr. Walter R. Meyers, superintendent, urging national prohibition legislation; to the Committee on the Judiciary.

Also, petition of Women's Society of Trinity Baptist Church, Mrs. W. A. Graves, secretary, urging national prohibition legislation; to the Committee on the Judiciary.

Also, resolution of Dorcas Society of the Bethel Swedish Baptist Church, Mrs. O. Dahlberg, president, Minneapolis, Minn.,

urging national prohibition legislation; to the Committee on the Judiciary.

Also, petition of the Wesley Auxiliary, Woman's Foreign Missionary Society, Mrs. Carrie E. Heath, secretary, Minneapolis, Minn., urging national prohibition legislation; to the Committee on the Judiciary.

Also, petition of the Minnesota delegation to the National Women's Christian Temperance convention, representing 8,000 Minnesota members; Rosette Hendricks, president; Eva Waterman, vice president; Kate Kercher, corresponding secretary; and Della R. Mandigo, treasurer, urging national prohibition legislation; to the Committee on the Judiciary.

Also, petition of a committee of the Minneapolis district, Woman's Foreign Missionary Society of the Methodist Episcopal Church, representing 1,500 Minneapolis women, by Mrs. G. I. Gorham, Mrs. A. F. Bruchholz, and Miss Mabelle A. Crow, urging national prohibition legislation; to the Committee on the Judiciary.

Also, petition of the Minneapolis Retail Druggists' Association, Henry Rauch, secretary, urging the passage of the Edmonds bill (H. R. 5531); to the Committee on Military Affairs.

By Mr. MAHER: Petition of American Federation of Labor, favoring bill to increase pay of letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. MOORE of Pennsylvania: Memorial of Philadelphia Bourse, favoring bill for war-supply board; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: Petition of Mrs. C. J. Steediman and 18 other citizens of Rhode Island, asking that the suffrage amendment be not submitted; to the Committee on Woman Suffrage.

Also, petitions of sundry citizens, churches, and church organizations of the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

By Mr. PETERS: Memorial of committee of public safety and defense of the cities of Waterville and Winslow, Me., asking legislation to prevent pro-German activity and disloyalty; to the Committee on the Judiciary.

By Mr. RANDALL: Memorial of the Woman's Christian Temperance Union, of Glendale, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the First Methodist Episcopal Church, of Monrovia, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the Cypress Park Presbyterian Church, of Los Angeles, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the First Methodist Episcopal Sunday School, of Pomona, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of congregation of the Lutheran Church of Glendale, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the Glendale Presbyterian Church, Glendale, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the Park Baptist Church, Utica, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of First Methodist Episcopal Church of Pasadena, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the First Baptist Church, Long Beach, Cal., favoring war-time prohibition; to the Committee on the Judiciary.

Also, memorial of the Kern County Council of Defense, Bakersville, Cal., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. ROWE: Petition of upward of 540 members of the Lafayette Avenue Presbyterian Church and Central Branch Young Men's Christian Association, of Brooklyn, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SABATH: Memorial of Cement Mixers' Local Union No. 76, Chicago, Ill., urging legislation compelling railroads to increase the supply of cars for the building trades; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHALL: Petitions of sundry citizens in Minnesota, favoring submission of a Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. STEENERSON: Petition of C. A. Mace, White Earth, Minn., desiring a readjustment of the pay of fourth-class postmasters; also petition of the president of the New Jersey State Association, National Association of Post Office Clerks, and of George Hoban, Fairbault, Minn., favoring the Madden law; also petition of Carl E. Skog, asking increased salaries for rural carriers and urging pay for pouch service; to the Committee on the Post Office and Post Roads.

By Mr. STINESS: Petition of joint local executive board of the International Union of the United Brewery Workmen and 32 other citizens of Rhode Island protesting against constitutional prohibition; also petition by Theodore C. Gleason and 375 other citizens of Rhode Island, favoring national prohibition; also, a memorial from Rhode Island State Grange (representing 3,500 patrons), favoring the prohibition amendment; to the Committee on the Judiciary.

By Mr. STRONG: Petition of the Clarion County Sabbath School Association, Shippenville; Manorville Woman's Christian Temperance Union, McGrann; West Franklin Woman's Christian Temperance Union, Worthington; Rev. Clyde L. Nevins and other citizens of Marion Center; Charles N. Beecher, Apollo; all of the State of Pennsylvania, favoring the proposed amendment to the Constitution providing for national prohibition; to the Committee on the Judiciary.

SENATE.

FRIDAY, *December 14, 1917.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast put the tremendous responsibility of human government into human hands, and Thou hast revealed Thy will to men as their guide in the determination of the policy and conduct of a nation. So Thou hast made the state a Divine institution and Thou dost preside over its fate. Give to us, we pray Thee, that loyalty to the institutions that Thou hast given to us which will count nothing dear that we may preserve inviolate the rights of men and advance the interests of Thy children here and everywhere. We ask for Christ's sake. Amen.

ROBERT F. BROUSSARD, a Senator from the State of Louisiana, and JAMES D. PHELAN, a Senator from the State of California, appeared in their seats to-day.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 195) providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 2334) to authorize absence by homestead settlers and entrymen, and for other purposes, and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. MYERS. I present a memorial to Congress which I ask may be printed in the RECORD without the signatures.

There being no objection, the memorial was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

To the Senate and the House of Representatives of the United States of America in Congress assembled:

We, the undersigned homesteaders and residents of the Fort Peck Indian Reservation and Valley County, Mont., hereby petition and respectfully show:

1. That whereas the homesteaders on the said Fort Peck Indian Reservation who made entry thereon under the act of Congress approved May 30, 1908, are required by said act and the subsequent remedial act of Congress approved March 2, 1917 (Public, No. 371) which extended the time of payments, to make certain annual payments in accordance with the appraised value for said lands; and

2. Whereas practically a total crop failure has resulted to them for the season of 1917, due to the extreme drought experienced and other climatic conditions, thereby depriving them of their sole means of production; and

3. Whereas many of said homesteaders have been drafted into the United States Army and the sons of many others have been called to service under the conscription act of Congress, thereby materially reducing their means and ability of production and thereby as a result making it more difficult for them to cultivate their lands and with the profits thereof comply with the provisions of their act of entry; and

4. Whereas with a few isolated exceptions all of said homesteaders are men of small means, who are solely dependent upon their manual labor and their crops for the support of themselves and their families, and are now confronted with a crop failure at a time when the highest and most exorbitant prices known are demanded from them for foodstuffs and common necessities of life; and

5. Whereas such homesteaders are now suffering great financial distress, and it is now evident that only through some further remedial act of Congress extending the time of payment of delinquent installments

and the payment to become due for the reason of 1917 can these new and fertile lands be homesteaded and cultivated by the present entrymen, who have enlisted their time and money in the development thereof, and a public necessity having arisen by reason of all of these facts, making it impossible for them to meet their payments;

Therefore we respectfully pray your honorable bodies that an act of Congress be passed repealing the provisions of the said remedial act of March 2, 1917, but with the same intent and in accordance therewith, further extending the time of all payments now delinquent and the payment which will become due and payable for the season of 1917, thereby granting the opportunity of an additional season and another crop with which to comply with their payments.

Respectfully submitted.

M. G. MONROE
(And others).

Mr. POINDEXTER. I ask leave to have printed in the RECORD the following letter. I will state in this connection that I agree entirely with the objects and purposes expressed in it.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COLFAX, WASH., *December 3, 1917.*

Hon. MILES POINDEXTER,
United States Senate, Washington, D. C.

DEAR SIR: At a recent meeting of the Patriotic League of Colfax and Whitman County, the following resolution was unanimously adopted:

"It is the sense of this meeting that the United States should forthwith declare war upon Austria, Turkey, and Bulgaria and intern the alien enemies of those countries and Germany now in the United States, and that Congress pass such further laws as may be necessary to put down treasonable and seditious acts and utterances now rampant in this country, that the enemy influences now at work here may not Russianize the United States."

The object of the above-named league is to aid the administration in every way possible in the vigorous prosecution of the war to a successful conclusion, and I, as secretary of the league, by a unanimous vote of the members, have been directed to furnish you with a copy of the resolution above set forth.

Very truly, yours,

CLAUDE SWEGLE,
Secretary.

Mr. McCUMBER presented petitions of sundry citizens of Williams, Hettinger, Mercer, Morton, and Sioux Counties, all in the State of North Dakota, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented resolutions adopted by the Commercial Club of Bismarck, N. Dak., favoring universal military training, which were referred to the Committee on Military Affairs.

He also presented resolutions adopted by the Commercial Club of Grand Forks, N. Dak., relative to camp life and recreation funds for the soldiers, which were referred to the Committee on Military Affairs.

Mr. PHELAN. I have received a telegram from representatives of Southern Slavic Organizations in Oakland, Cal., which I ask to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

OAKLAND, CAL., *December 12, 1917.*

Hon. JAMES D. PHELAN,
Senator from California, Washington, D. C.:

Simultaneously with American war declaration against Austria-Hungary, 300 representatives of Southern Slavic Organizations joyously acclaim America's historic step against their brutal, tyrannical oppressor of centuries, and in mass meeting assembled solemnly unanimously resolve to pledge America all their moral and material power toward the crushing of Austria Hungary.

H. D. VITERSKI,
Chairman Committee.
ANTONE PILCOVICH.
JAMES A. DRAGICEVICH.
PHILIP CUCKAVICH.

Mr. PHELAN presented resolutions adopted by the California State Federation of Labor, indorsing the efforts of the Federal civil-service employees to secure the establishment of a civil-service court of appeals or trial board, which were referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the California State Federation of Labor, praying for an increase in the salaries of postal clerks and employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the California State Federation of Labor, praying for the employment of civil-service subclerks to relieve the regular clerks in the Post Office Department, etc., which was referred to the Committee on Post Offices and Post Roads.

Mr. THOMPSON presented a petition of sundry citizens of Oskaloosa, Kans., praying for the establishment of a pharmaceutical corps of the United States Army, which was referred to the Committee on Military Affairs.

He also presented petitions of sundry letter carriers of Eldorado and Effingham, in the State of Kansas, praying for an increase in the salaries of post-office employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Men's Brotherhood of the First Presbyterian Church, of Chanute, Kans., praying for the enactment of legislation to prohibit the sending of cigarettes to United States soldiers, sailors, and marines, which was referred to the Committee on Military Affairs.

Mr. MARTIN presented petitions of sundry citizens of Virginia, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. RANSDELL. I present resolutions adopted by the Town Council of Gueydan, La., which I ask to have printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

GUEYDAN, LA., *December 7, 1917.*

Hon. JOS. E. RANSDELL,
Washington, D. C.

DEAR SIR: The following resolutions were adopted by the Town Council of Gueydan, La., at the meeting held on the 4th instant:

"Whereas the security of the United States and the success of our arms are endangered by the activities of disloyal persons and organizations within the borders of our country: Therefore be it

"*Resolved*, That the mayor and board of aldermen do hereby petition the Congress of the United States to enact forthwith a law imposing punishment upon all persons or organizations responsible for pro-German activities, or for the publication or public utterances of statements tending to impede or interfere with the operations or success of the United States in war or in recruiting or enlistment, or to hold the Government of the United States or any of our allies up to ridicule or obloquy, or to cause disloyalty or refusal of duty on the part of any person in connection with the war; and be it further

"*Resolved*, That a copy of these resolutions be mailed to Senators ROBERT F. BROUSSARD and JOSEPH E. RANSDELL and Congressman WHIT P. MARTIN immediately."

[SEAL.] M. I. RAMSEY, *Mayor.*

Attest:

P. PETER, *Clerk.*

REPORTS OF COMMITTEE ON COMMERCE.

Mr. FLETCHER, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 352) granting pensions to certain members of the former Life-Saving Service (Rept. No. 180);

A bill (S. 994) extending the benefits of care and treatment by the Public Health Service to seamen on vessels used in the service of the United States (Rept. No. 181);

A bill (S. 1462) to establish a fog signal at the Port Washington Pierhead Light Station, Wis. (Rept. No. 182); and

A bill (S. 1463) to establish aids to navigation at Fond du Lac Harbor, Wis. (Rept. No. 183).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GRONNA:

A bill (S. 3220) authorizing the Secretary of the Interior to make investigations through the Bureau of Mines of lignite coals to determine the practicability of their utilization as a fuel and in producing commercial products; to the Committee on Mines and Mining.

By Mr. DILLINGHAM:

A bill (S. 3221) granting a pension to Kate E. Le Velley; to the Committee on Pensions.

By Mr. GORE:

A bill (S. 3222) making available any post-office surplus for the fiscal year 1918 for the purchase of the telephone system of the District of Columbia; to insure the Government complete control of such means of communication in safeguarding its military and executive affairs within the seat of government; to provide a special telephone service to facilitate the direct sale of farm products to consumers in said District; to establish the efficiency and economy with which such service may be conducted by the Post Office Department; to the Committee on Post Offices and Post Roads.

By Mr. ASHURST:

A bill (S. 3223) providing for the continuance of the Osage Indian School, Oklahoma, for a period of 10 years from January 1, 1918; to the Committee on Indian Affairs.

By Mr. POMERENE:

A bill (S. 3224) for the relief of the estate of John H. Piatt, deceased; to the Committee on Claims.

By Mr. McNARY:

A bill (S. 3225) to reserve as a part of the Oregon National Forest certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States; to the Committee on Public Lands.

By Mr. BRADY:

A bill (S. 3226) for the completion of the Fort Hall irrigation project in the State of Idaho; and

A bill (S. 3227) to authorize the establishment of town sites on the Fort Hall Reservation, Idaho; to the Committee on Indian Affairs.

By Mr. THOMPSON:

A bill (S. 3228) granting a pension to Abbie M. Peabody (with accompanying papers); and

A bill (S. 3229) granting an increase of pension to Jeremiah McBee; to the Committee on Pensions.

By Mr. BROUSSARD:

A bill (S. 3230) granting to the State of Louisiana all the right, title, and interest of the United States in and to the land within the meander lines, as originally surveyed, of the lakes within said State; to the Committee on the Judiciary.

A bill (S. 3231) granting a pension to Henry Greig; and

A bill (S. 3232) granting an increase of pension to Richard S. Harrison; to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 3233) to amend an act entitled "An act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes," approved May 11, 1898 (30 Stat., p. 104); and

A bill (S. 3234) to reserve certain lands and incorporate the same and make them a part of the Coeur d'Alene National Forest Reserve; to the Committee on Public Lands.

By Mr. HOLLIS:

A bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916; to the Committee on Banking and Currency.

THE RECREATION ASSOCIATION OF AMERICA.

Mr. SMITH of Georgia. I send to the desk a bill to incorporate the Recreation Association of America. I ask to have it printed in the RECORD and a brief explanation of the bill and a telegram from the president of the chamber of commerce of the city of Atlanta.

The bill (S. 3219) to incorporate the Recreation Association of America was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That Grenville Clark, New York City; Henry P. Davison, New York City; Mrs. H. P. Earle, Montclair, N. J.; Mrs. Thomas A. Edison, West Orange, N. J.; Robert Garrett, Baltimore, Md.; C. M. Goethe, Sacramento, Cal.; J. M. Hankins, Birmingham, Ala.; William Kent, Kentfield, Cal.; Gustavus T. Kirby, New York City; G. M. Landers, New Britain, Conn.; Joseph Lee, Boston, Mass.; J. H. McCurdy, Springfield, Mass.; R. D. Maury, Memphis, Tenn.; Walter A. May, Pittsburgh, Pa.; John T. Pratt, New York City; Harold M. Swift, Chicago, Ill.; together with such persons as they may associate with themselves, their successors, are hereby created a body corporate of the District of Columbia by the name of the Recreation Association of America to promote play, playgrounds, and public recreation.

SEC. 2. That the corporation hereby formed shall have perpetual succession, shall have a common seal, and shall have power to sue and be sued in its corporate name. It shall have power in its corporate name to take and hold by bequest, devise, gift, purchase, or lease, either absolutely or in trust, for any of its purposes, such real and personal property as shall be necessary for corporate purposes; to convey or encumber such property and to invest or reinvest any principal, and deal with and expend the income of the corporation; to have officers and conduct its business within and without the District of Columbia and in the several States and Territories of the United States. The persons named in the first section of this act, or a majority of them, shall have power to adopt a constitution and by-laws for the government of the corporation and to fix thereby the quorum necessary to the transaction of corporate business at such number as they shall see fit, and generally to do all such acts, including the establishment of regulations for the election of associates and successors, as may be necessary to carry into effect the provisions of this act and promote the purposes of such corporation. The meetings of the corporation hereby created may be held at any place within the United States of America. Members of the association and of its governing body may be drawn from any or all parts of America without restriction as to the number from any one community or section.

The statement and telegram were ordered to be printed in the RECORD, as follows:

WHY THE RECREATION ASSOCIATION OF AMERICA SHOULD HAVE NATIONAL INCORPORATION.

1. The work of this organization, both in peace time and war time, is national in scope, touching communities in practically every State in the Union.

2. The organization is absolutely nonsectarian and nonpolitical.

3. The organization is promoting developments essential to the moral welfare and physical preparedness of the Nation.

4. For the proper administration of the money raised for doing the work assigned by the War Department, this organization should have a board of directors broadly representative of the various States in which the money is to be spent. (Such a board of directors is possible only through national incorporation.)

5. The importance of the work now being done for the War Department and the rapid broadening of the scope of this work make it essential that this organization should not be restricted in the amount of the money which it may receive and expend. (Such restrictions can be avoided through national incorporation.)

6. For efficient work in peace time and especially for effectively carrying its new war-time responsibility this organization needs such national recognition as has already been given to the American Red Cross, international committee of the Y. M. C. A., Boy Scouts, and other similar bodies.

ATLANTA, GA., *December 15, 1917.*

Hon. HOKE SMITH,
Senate Building, Washington, D. C.

Hope you will find it consistent to introduce and aid in the passage through the Senate of bill incorporating American Recreation Association, formerly Play Ground Association of America, which is under the leadership of President Joseph Lee, who has been largely responsible for the splendid success of the Commission on Training-Camp Activities, headed by Mr. Fosdick, appointed by Secretary Baker. The recreation work in the camp cities, particularly in Atlanta, has been perfectly splendid. Atlanta has raised $45,000 for this commission.

IVAN E. ALLEN,
President Atlanta Chamber of Commerce.

The PRESIDENT pro tempore. To what committee shall the bill be referred?

Mr. SMITH of Georgia. To the Committee on the Judiciary. Bills incorporating companies go to that committee.

The PRESIDENT pro tempore. It will be so referred.

EMPLOYMENT OF STENOGRAPHER.

Mr. WILLIAMS submitted the following resolution (S. Res. 168), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Library, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fifth Congress to employ a stenographer, at a cost of not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

CALLING OF THE ROLL.

The PRESIDENT pro tempore. If there is no further morning business, the morning business is closed.

Mr. MARTIN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	James	Myers	Shields
Beckham	Johnson, Cal.	Nelson	Simmons
Brady	Johnson, S. Dak.	New	Smith, Ariz.
Colt	Jones, N. Mex.	Norris	Smith, Ga.
Culberson	Jones, Wash.	Overman	Smith, Md.
Curtis	Kendrick	Page	Smoot
Dillingham	Kenyon	Pittman	Sterling
Fernald	King	Poindexter	Sutherland
Fletcher	Knox	Pomerene	Thompson
Frelinghuysen	McCumber	Robinson	Townsend
Gallinger	McKellar	Saulsbury	Underwood
Gore	McLean	Shafroth	Vardaman
Gronna	McNary	Sheppard	Warren
Hale	Martin	Sherman	Williams

The PRESIDENT pro tempore. I desire to announce that my colleague [Mr. WOLCOTT] is still ill and unable to be present.

Mr. FRELINGHUYSEN. I wish to announce that my colleague [Mr. HUGHES] is absent on account of illness.

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of illness.

Mr. MYERS. My colleague [Mr. WALSH] is unavoidably detained on account of illness.

Mr. KENYON. I wish to announce the absence of the Senator from Missouri [Mr. REED] on official business.

The PRESIDENT pro tempore. Fifty-six Senators have answered to their names. There is a quorum present.

HOUSE BILL REFERRED.

H. R. 195. An act providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, was read twice by its title and referred to the Committee on Indian Affairs.

DEVELOPMENT OF WATER POWER.

Mr. SHIELDS. Mr. President, I move that the Senate proceed to the consideration of Senate bill 1419, the unfinished business.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

Mr. SHIELDS. I offer the following amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 20, line 7, amend the bill by striking out the word "provision" and inserting in lieu thereof the word "provisions."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. SMOOT. I would like to have the Secretary read the amendment again. I want to see just what effect it is going to have.

The SECRETARY. On page 20, line 7, strike out the word "provision" and insert the word "provisions," so that, if amended, it will read:

The Secretary of War may issue to such applicant a permit in accordance with the provisions of this act.

Mr. SHIELDS. It is merely a correction of a typographical error.

The amendment was agreed to.

Mr. SMOOT. I should like to ask the Senator having the bill in charge if he has any further amendments to offer to the bill?

Mr. SHIELDS. I have not.

Mr. SMOOT. Mr. President, I did intend to take a little time of the Senate in calling the attention of the Senate to some of the provisions of the bill that I think could be improved, but I have concluded not to do so this morning. I will content myself by saying that the bill is substantially the same as the bill which passed the Senate in the last Congress. It was discussed thoroughly at that time; in fact, I believe that nearly a week was spent in the discussion of the bill. There were a good many amendments made at that time which improved the bill greatly.

Mr. NORRIS. Mr. President, we are unable to hear the Senator here on account of the confusion in the Chamber. I would be glad to hear what the Senator from Utah is saying.

The PRESIDENT pro tempore rapped with his gavel.

Mr. SMOOT. I say at the time the bill was under discussion in the Senate during the last Congress there were a great many amendments to the bill that were adopted by the Senate, which I think improved the measure greatly. In reading the bill over as it is now before the Senate I notice that virtually all those amendments are included in the bill as reported May 25, 1917, and as I have no amendment to offer to it, and I think the bill is in about as good a shape as we can possibly get and pass it, I have decided to say nothing more upon the bill and allow it to pass the Senate, if the Senate sees fit.

I hope that the country will realize all that is anticipated from the passage of this legislation. I am sure there has to be some legislation enacted in order to develop water powers and should have been passed years ago. This piece of legislation is in the main such as ought to be passed, and if it had been passed before some of our water-power sites on navigable streams would have been developed and of use to-day to the people of the United States.

Mr. FLETCHER. Mr. President, just a word in connection with this bill. I think it is a very important measure. It proposes legislation that we ought to have enacted years ago. Under the provisions of the bill it is possible to develop 61,000,000 horsepower by water-power energy that is available in this country, and which is at present undeveloped. There are various reasons why this is important, not only because of making usable the energy which now goes to waste in manufacturing, in transportation, in lighting, in heating, but for every purpose of that kind for which such power can be used. It would result in the saving of fuel; it would result in the conservation of coal, and it would result in the development of manufacturing plants in this country for the purpose of producing fertilizer materials and other materials that are most important in connection with food production, in connection with explosives, and that sort of thing, which are now supplied by importation from other countries.

The report of the committee is full upon the subject, giving the various reasons, calling special attention at pages 2 and 3 to the principal objects to be accomplished and the matters to be served by the bill. I unhesitatingly favor the speedy enactment of the proposed legislation. It is a Senate bill, and I see no reason for delay in connection with its passage. I hope it will be acted upon promptly.

Mr. GALLINGER. Mr. President, when this bill was before the Senate some time ago, I took occasion to say a word in behalf of the legislation, and to vote for it. I am very glad, indeed, that is has been presented to the Senate at so early a day in the present session. I simply rise to say that my mind has not been changed as to the advisability and desirability of the proposed legislation, and I hope it will be passed to-day with very little debate.

Mr. UNDERWOOD. Mr. President, I regard this bill as one of the most important pieces of legislation that can come before Congress at this time, aside from those necessary pieces of legislation that we must pass to carry on the war. An effort has been made for the last 10 years to pass a general dam act in order that we might utilize the power of the streams of this country for the purpose of the development of hydroelectric power. It has had a very rocky road to travel. I think that has largely been due to the fact that there has been a misconception of the purposes of this proposed legislation and a misunderstanding as to the terms that were contained in it.

Mr. President, this bill is well drafted. It undoubtedly protects the public interest. Under the terms of the bill, at the end of 50 years, if the public so desires, there can be a recapture of any of the water powers that are developed by private interests under the bill. I have some doubts along another line. I am sure that there are certain great water powers in this country that can be developed under the bill, but under the conditions of the bill the cost of development is likely to be so great and the terms under which the money can be earned back to the investor are limited to such an extent, that I fear the smaller water powers of the country will never be developed. Nevertheless, I think the bill ought to be passed. I think it ought to be tried out as it is written. Then if it is demonstrated that the terms of the legislation are so drastic that it will be impossible to develop the smaller water powers the Congress can amend the statute to meet the conditions to which it is directed.

To-day we are facing a condition in this country that is an absolute demonstration of the fact that this bill ought to have been on the statute books 10 years ago. In a way, it is an indictment against the delays of the Congress in not having passed legislation of this character a long time since. The whole country is suffering from a lack of fuel. A large portion of the fuel of this country is used to run the street-car systems, to light the houses, and to develop the manufactures of this country. There are hundreds of streams in the United States that, if harnessed up and their hydroelectric power developed, every pound of coal that is now being used in their neighborhood for lighting, heating, and power purposes could be saved, and the same end accomplished by hydroelectric power.

In the first place, it would be a saving of the transportation system, because when the transmission wires are erected the current flows on to the ultimate market of consumption without interruption, while when it is necessary to send trainload after trainload of coal to that immedaite neighborhood, it bars the lines of commerce to other necessities and other needs of the Nation.

Again, when we have used all of the coal of this country we may be put to great cost for our fuel supply. I do not mean to say that there is any danger of the immediate destruction of the coal supply of the United States; but in many portions of the country the mines are running low. They are getting deep in the ground, the cost of production is increasing, and the cost to the consumer is being pyramided.

The enactment of the proper legislation to harness up the water powers of this country and control those powers in the interests of light, fuel, and heat would be the greatest conservation measure that could be passed by the American Congress. In fact, I do not think that that proposition has been denied by anyone, even by those who in the most vigorous way have opposed the bill in the past. Their opposition has rested on the fact that somebody was going to get something out of this legislation and make some money out of it. Well, it goes without saying that money is not going into speculative investments unless there is an opportunity to make more than the ordinary interest rate. This is a speculative investment.

As a general rule, when a dam is built and hydroelectric power is developed you have got to create the market or find the market for the sale of the power after the development is made. That was true in the case of Niagara. A market had to be found in which the power could be taken. I have no doubt that in that immediate neighborhood to-day, if there were a development or could be a development of twice the amount of hydroelectric power at Niagara that there is at present it could be readily consumed. Of course, however, that condition does not exist in the interior of the country. I have no doubt that there is no place in this country where excellent facilities for the development of hydroelectric power exists where a market will not ultimately be found for it in one way or another; but it is in the nature of a speculation; men have to take chances on their investment; and, more than that, no man in the building of these great dams, when their construction is entered upon, can know that they will be completed within the engineers' estimate of cost; in fact, I know of one case at Hales Bar, on the Tennessee River, where the ultimate cost of development amounted to nearly double the engineer's original estimate and report, because when the construction was commenced it was found that the foundations, as estimated by the engineers, were not such as to carry the weight of the dam, and a vastly greater cost had to be incurred. So I say that you can not pass legislation of this kind with the expectation that you are going to invite capital into that field and develop it if you are going to limit capital absolutely to 4 or 5

per cent interest, because such undertakings are speculative in a sense, and capital looking for investment will take a Government bond or a State bond in preference to that class of investment.

I believe, however, that under this bill there is an inviting field for certain of the great water powers of this country and that capital can be found and their development entered upon in the no distant future; but in passing the bill—and I believe it will pass to-day or to-morrow—I think we should bear in mind that there is a possibility that the smaller streams and the smaller water powers probably can not be developed and will not afford an inviting field for capital under the terms of this bill. If that condition arises the passage of this bill ought not to be a bar to future legislation that will allow development of the smaller watercourses and smaller water powers, as well as the great water powers of the country.

I have earnestly advocated the passage of this measure, or measures along this line, for nearly 10 years. It now looks as if the sentiment of Congress and the sentiment of the country had reached the point when the consummation of that desire is to be obtained. I rejoice that such is the case, and only regret that this legislation was not passed years ago, so that in this hour of national stress we could have had the benefit and enjoyment of this great development, instead of having to wait for several years to come pending the building of dams to get the full benefit of the conservation of this power to the American people.

Mr. SMITH of Arizona. Mr. President, I do not wish to delay this bill for one moment. I can not state better than has been stated by the Senator from Alabama [Mr. UNDERWOOD] the prime importance of the early enactment of this measure or show the necessity for the bill in a better light than he has done. There is, however, one matter to which I desire to call the attention of the Senate for a moment.

On the nonnavigable streams, which are not covered by this bill, the Federal Government, with its usual idea of conservation, has seized the land and has set aside as power sites every possible place where there is a chance of developing power in every one of the western public-land States. Wherever there is a possibility of getting water power the Government, owning the land on each side, has made reservations of water-power sites for miles and miles along the length of the streams, thus preventing the States from using the power at all, and placing such restrictions upon its use that nobody will put up a dollar to develop it. I know that an offer was made to dam the Colorado River not more than a year or two ago by what I conceive to be one of the very best engineers in the United States or anywhere else. For $50,000,000 he proposed to develop sufficient horsepower in the Colorado River by damming that great stream, and raising the water as he said, to light every town and pump water on every farm in all western Arizona and eastern California. Yet it could not be done. He had the money raised, he told me, but the work could not be undertaken. The Government must put forth its regulating hand to such an extent that the power could not be developed at all. More than that, he offered to produce the power and sell it, I think, if I am not mistaken, for $25 a horsepower per year, whereas the estimate as to all other of our powers is over $37 a year per horsepower. Yet he could not enter upon the work.

Mr. President, at some day—and I hope before this session adjourns—I trust we may release these water-power sites from the Government's hands, and give them to the people of the States, so that they may develop them and regulate them under their own powers, which are just as ample in the case of each State as in the case of the Federal Government itself, and they know much more about their own necessities. Before this session is over, I purpose to try to get before this body the question of transferring to the States these segregated water-power sites to aid in the development of this power.

Mr. NORRIS. Mr. President, I had not intended to say anything on this bill, because I knew that it was going to pass, and there would be no use in offering any objection to its passage; but so many Senators who favor it have taken the precious time of the Senate to speak in its favor, when it needed no assistance, that I hope I shall be excused if I take a few minutes in expressing my views in opposition to it.

There is one proposition, I think, upon which we all agree, and that is that it is desirable that the water powers of the country should be developed, and that some legislation should be enacted by Congress under which they can be developed.

This bill in practically the same form passed the Senate at the last session of Congress. At that time a few of the Senators, believing as I do that there ought to be more supervisory power, and that, as we believed, the interests of the people should be more fully protected and safeguarded than is done in this bill, made a determined effort to amend it. We offered amendments to all parts of the bill that we thought needed amendment, and discussed them at great length, and for two or three weeks the time of the Senate was devoted to the consideration of this measure.

In that contest, on various phases of the bill, at various times, I expressed at considerable length my ideas in regard to the various subjects connected with water-power legislation. We had a fair discussion. We were defeated in practically all of those amendments, and the bill was passed in practically the same form in which it is now before the Senate. I do not believe, therefore, that it is wise, or that it is proper, to go over the same ground again and take up the time of the Senate in a rediscussion of the questions that were passed on after a full debate by the Senate.

While I did not agree with the conclusion reached, I realize that there must come a time when these matters must be brought to a vote, and we must all abide by the decision that is rendered. Since the discussion then was so full and fair, and the sentiment of the Senate and its membership, also, are practically the same now as then, I do not believe that those who oppose the methods provided for in this bill are called upon again to make a fight that they know in advance would meet with defeat and result only in the loss of valuable time. As I said, I would not have taken even this much of the time of the Senate had it not been that those who so heartily favor the bill have taken up all of the time so far—all of yesterday and, so far, all of to-day.

Mr. President, I can not help but believe that the passage of this bill now, in its present form, is a logical thing to do. The Senate has just passed a bill repealing the antitrust laws so far as they apply to individuals, partnerships, and corporations engaging in foreign commerce; so it seems to me that since we have done so great a good to the corporations and the trusts that want to have a monopoly in foreign commerce, we ought, in order to be logical, to do something for the corporations that want to get control of the water powers of the country. So that it is not an illogical proceeding to equalize the benefits that we are bestowing upon these people by the passage of this bill.

Speaking of the bill repealing the Sherman antitrust law, I am reminded of an incident that occurred in the last presidential campaign. You will remember that that bill not only repeals the Sherman antitrust law, so far as it applies to foreign commerce, but it also nullifies section 7 of the so-called Clayton antitrust law. That was a law passed by the Congress in so-called fulfillment of a pledge made in the preceding campaign to "put some teeth" in the antitrust laws of the country. In that campaign in one of the western cities I had made a speech in which I criticized the Clayton antitrust law. I think I was moved somewhat to do it by a large poster that I saw in a hundred different places on the afternoon before the evening I was to speak, in which the Clayton antitrust law was announced as one of the great things that had been brought out by the Democratic Party to save the country from the machinations of monopolies and trusts. I took up the Clayton antitrust law, and, as I viewed it, analyzed it and criticized it.

A few days afterwards, after I had gone into another State, I received a copy of a paper giving an account of a meeting that had been held in the same hall on the evening of the day following my speech, in which the orator had replied to the criticism I had made of the Clayton bill; and I was impressed at the time that part of his criticism was just. He said, as it was reported in this newspaper account of his speech, that while I had called attention to the bad things—and he admitted that there were some bad things—in the Clayton bill, I had avoided speaking of any of the good things that were contained in the bill; and in answer to me he then took up section 7 of the Clayton bill, and showed the great benefit that would come to the country and had come to the country by the enactment of that particular part of the bill.

As far as the newspaper account of the meeting was concerned, he made no other reference to anything good in the Clayton bill except section 7. You will remember that section 7 makes it illegal for one corporation to buy up the stock of another competing corporation. It was true that I had not mentioned that. It was also true, as I believed, that that was something in the Clayton bill that was good law, for which probably, if I had been properly moved, I would have given credit; but I failed to do it, and in that respect it seemed to me his criticism was just.

I remember that the newspaper account gave the peroration of that great orator's speech, in which he told of the evils that had come to the country by virtue of one corporation buying the stock of another, and he gave many illustrations of it. He showed how now, under the leadership of the great candidate for

President who was then in the White House, that had been made impossible, and that henceforth corporations would not be allowed to buy the stock of competing corporations and thus form a trust and a monopoly.

I have wondered, since we have passed this bill repealing the Sherman antitrust law, what those people who heard him would have thought if they could have looked down upon the Senate and seen this deliberative body, led by the same illustrious statesman, repeal the only part of the Clayton bill that he claimed was any good.

Mr. President, I believe that this bill does not fully and adequately protect the interests of the people in the development of water power. To my mind it is no answer to that to say that the water powers ought to be developed. Those of us who, when this bill was up in the last Congress, favored the so-called Ferris bill, which came to us from the House, which we thought did fully protect it, were just as anxious that these water powers should be developed as those who were opposed to that bill and in favor of this. So I do not believe it can be fairly said that the people who are opposed to this particular bill are any less enthusiastic than those who favor this bill in the passage of legislation that will enable us to develop the water powers of the country.

I concede that those who favor this bill are just as anxious as I am to develop water powers; but because I favor a law that in my judgment would be more of a prevention of monopoly for the protection of the interests of all the people who ought to be benefited by the development of water powers, I do not concede that I am therefore any the less anxious that these water powers should be developed.

Therefore, Mr. President, I shall content myself with simply voicing my opposition to the method by which water powers will be developed, if developed at all—and I think they will be, to a great extent—under the pending measure. At a time when the country's attention is riveted upon other questions even more important than this, although I concede that this is very important, it probably will be impossible to get the development of any sentiment from the country either in favor of or against this bill or any other bill.

Mr. KING. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I yield to the Senator.

Mr. KING. Speaking for myself, at least, if not for other new Members of the Senate, I did not have the benefit of the discussion that occurred not only yesterday but at the previous session when this bill was up for consideration, and I am not familiar with the terms of the bill. I was advised that it would not be pressed to a vote until Monday, and I hoped that during the interim a full opportunity would be given to some of us who are not familiar with its terms to analyze the bill and learn the full purpose of the measure. Apparently the intention of the Senator in charge of the bill is to force it to a vote to-day.

The Senator who is now occupying the floor has stated that there are many objections to this measure, which were heard and debated at great length when the bill was up for consideration in the former session of Congress, and he is contenting himself with registering his opposition to the bill without stating what those objections are. I should be very glad if the Senator would briefly point out some of the most important objections. I should like the Senator to state whether, in his opinion, this bill trenches upon the rights of the States; whether it is an attempt to take from the States their right to control the activities of corporations that may be engaged in furnishing power; whether or not, in his opinion, the bill does permit the formation of a hydroelectric trust, power trust, or fuel trust; and whether or not there are provisions in the measure that will protect the public against monopolies and trusts in respect to the corporations that the bill contemplates will be formed.

Mr. NORRIS. Mr. President, the Senator's criticism of the position I am taking is a just one. I concede it. I am not prepared, and would not be able to be prepared unless I had a few days' time, to go into all the details of the discussion and the various amendments that were proposed at that time. I have felt that I would not be justified in doing it, because I did and said everything I could then to convey my ideas to the Senate. Since the Senate had the benefit of the full debate, not only of what I said but of what other Senators said who took more time than I did in the debate, I felt that with the bill coming up again in a session just following that I would hardly be justified in taking the time of the Senate in going over it when there was so little change in the membership of the Senate. From the Senator's standpoint, as I concede, his criticism is probably justified.

Mr. KING. If the Senator will pardon me, I hope he does not think I am intending to criticize him.

Mr. NORRIS. Oh, no.

Mr. KING. I was merely asking for information to guide me in the vote I may be called upon to give in regard to the bill.

Mr. NORRIS. The debate at that time, and all the amendments, are fully set out in the CONGRESSIONAL RECORD that reports it. At the time of that debate I gave weeks of consideration and preparation to it in connection with other Members of this body, and in conjunction with them prepared a great many amendments, and we debated them at great length. There would not be a possibility of changing the result in the Senate even if those Senators went over the same ground again. None of them, as far as I know, have done so. Two of the Senators who took an active interest in that debate, Senators Lane and Husting, are dead. Another Senator on the Democratic side, the Senator from Montana [Mr. WALSH], who took a very active interest in it, is absent on account of illness. So it seemed to me that it would not be justifiable to attempt to go over the ground again.

While I have the floor, Mr. President, I want to speak briefly upon another water-power proposition.

Almost within sight of the Capitol is one of the greatest water-power possibilities in the United States. Senators in this debate have spoken of the fact that if water powers had been developed before we would not be in the critical condition that we are now in in regard to coal. That is true. Seven or eight years ago, perhaps 10 years ago, Congress passed a joint resolution appropriating $20,000 for a survey of the Great Falls water power, just on the edge of the District of Columbia. Under the provisions of that joint resolution, or that section of an appropriation bill, I think, the Government engineers made an examination of this water power. They brought to their aid some of the best engineers in the world. They spent $20,000, and made what I believe to be as complete and as detailed a report as was ever made in the investigation of any water power on earth. They reached the conclusion, without any dissension anywhere, that that water power was feasible, and that it ought to be developed. They gave minute and detailed plans and specifications, together with the cost, showing just what it would cost to develop it. From that time to this it has been impossible to get Congress in any way to go ahead with the development that our own engineers after that full investigation advised us that we should make.

Mr. McCUMBER. Will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from North Dakota?

Mr. NORRIS. I do.

Mr. McCUMBER. I am propounding the question because it was asserted upon the floor at that time, and I have heard it asserted many times since, that they discovered that the flow of water at certain months was not sufficient even to give the power necessary to run our electric light and our street car system; that it could not be used the whole year round; and that it was far from being proper to attempt to use it only for certain months of the year when we would have to keep up another establishment or have that power remain idle in other months. I wish to ask the Senator if anything of that kind was ever in the report? It was asserted upon the floor that that was the case, if it is not in the report.

Mr. NORRIS. That question was fully gone into by the engineers. I presume the flow of water in the Potomac River has been as carefully measured as the flow of any stream in the world. They took the flow of the water for 15 years, and it had been measured accurately every day of the year. There was something in the proposition, and to my mind it was the weakest thing connected with the entire proposition, that the flow of the stream did vary a great deal, but the engineers discussed that fully. I do not have the figures in mind now. They showed just exactly on an average, taking a 15-years measurement as a basis, when the water would be short and how much it would be short. As I remember it, the lowest power developed in 15 years, taking the lowest flow of water for 15 years, there would be one day in 15 years when the power developed would be only 1,000 horsepower.

Mr. POINDEXTER. What was the maximum?

Mr. NORRIS. I can not give you the maximum now, but I think the average was between 60,000 and 70,000 horsepower.

Moreover, the report which the engineers made did not even contemplate the development of all power at Great Falls. In order to satisfy lovers of nature it protected the falls proper and did not take into consideration or contemplate the destruction of the scenery at Great Falls, but proposed to develop only the power between the foot of the falls and the District line.

I am not an expert, Mr. President. I have to take the word of experts in things of that kind. Anybody can see in a moment that those who are opposed to the development of this great power would find some reason for it. They all had an

opportunity to be heard. Every detail was investigated. The engineers took, as I remember it, something over a year's time to do the work, and they reached the conclusion that the development of the Great Falls was not only advisable and practicable, but that it ought to be done at all hazards.

It has seemed to me that while we are developing water power, or permitting others to do it, the Government of the United States—and that was the proposition in this case, and that is the real objection on the part of some people at least to its development—ought to have developed this power.

One of the objections made, and it was made recently by the Secretary of War himself, was that it was not advisable to develop this power now, because the city and the District is already supplied with electricity at a very reasonable rate by institutions that had already gone into the business, and it would not be fair to develop this water power and interfere with their business. I think it is apparent now to everybody that when we are suffering for want of fuel right here in the Capital, when last winter, I think, once or twice the public schools had to be dismissed because they did not have coal to heat the buildings, Congress ought to begin to think and to wonder why we should not develop this power.

There is another thing connected with it that was included in the instructions to the engineers. The time is coming when the water supply of the great city of Washington will have to be developed, when the water now supplied to the city will not be sufficient. There was included in this development a large increase of water. I have noticed in the papers recently that since the population has increased, as it has since the beginning of the war by probably 100,000, there is danger of a water famine in addition to the fuel famine, and when we have a water famine in the city of Washington it will be one that will not be easily remedied, because all the water must come through a single aqueduct. The engineers recognize the fact that if the city increases in population or if the present population should become permanent the water supply of the city is in danger right now, or it would be in danger in warm weather.

Of course, Mr. President, that has not anything to do directly with this bill; I realize that, and I have only taken this occasion to mention it. I have nothing further to say.

Mr. CUMMINS. Mr. President, it is obvious that there will be no attempt to amend the bill at this time, but I feel it my duty to restate my attitude toward it.

When the measure came before the last Congress I had two chief objections to it. First, it perpetuated a misinterpretation or misconstruction of the acts of 1890, 1899, 1906, and 1910 with regard to the meaning of the phrase "navigable streams." I felt in cases growing out of conditions in my own State the injustice of the construction which had been put upon the phrase "navigable waters" so far as streams are concerned, and I feared very much the consequence of a perpetuation or continuation of that interpretation. I sought to amend the bill in that regard so that it would include a definition of navigable streams or at least a restriction so far as the act is concerned in its application to streams of a certain character.

I am glad to say that the views which I entertained on that subject seemed to meet the approval of the Senate, and especially that they met the approval of the distinguished Senator from Tennessee [Mr. SHIELDS], who was then as now in charge of the bill, and the measure was amended so as to entirely remove my objections to that part of it. The present bill contains the provisions which were then incorporated in the bill by way of amendment, and I have no objection whatever to that feature of the bill.

The remaining objection which challenged my opposition was with regard to the taking over of the property that will be developed by private interests at the end of 50 years, and I now can satisfy the Senator from Utah [Mr. KING] with regard to one specific objection. This bill, as did the former one, proposes to issue a lease or a permit to a private corporation or person for the development of a navigable stream to run for 50 years. The Government reserves the right at the end of 50 years, and not before, assuming the terms of the permit are complied with, to terminate it. If the Government does not give the notice that is required in the bill for the termination of the permit, it becomes a continuing and a perpetual one. I have no objection to that, but——

Mr. KING. Will the Senator allow me?

Mr. CUMMINS. I yield to the Senator.

Mr. KING. Does the Senator mean by a perpetual lease that the Government then would have no right to terminate the lease at a later period?

Mr. CUMMINS. No; the Government has the right at the end of 50 years, or at any time thereafter upon giving two years' notice, to terminate the permit.

Mr. KING. Then it is not perpetual. It is to be terminated by notice from the Government.

Mr. CUMMINS. It is still subject to termination, and I have no objection to that whatever, but the moment the termination is decided upon by the Government and the notice given and the period of two years elapses, then there arises upon the part of the Government an obligation to take the property created in the course of development, no matter how large or how extensive its ramifications may be, and pay for it. The method of ascertaining the compensation is not the one that I would assume, but it is not particularly censurable.

The thing, however, that I object to, first, is the creation of an obligation on the part of the Government to take the property and pay for it. I think that is unwise and may create a great burden upon the Government that it ought not to bear. But even that is not the most objectionable feature of that provision in the bill.

I think if the Government exercises its option to terminate the permit and is compelled to take over the property, then the compensation ought to be determined, first, of course, by the general rule as to the value of property, but if the corporation—and it is in every respect a public-utility corporation, that is the character of the service it is to render, the character of the work—if in an accounting, and I provided by an amendment as to the way in which the accounting should be had, it should appear that during the 50 years or more of the occupation and use of the property it had earned enough to reward all the capital invested in its development and at the same time to put aside a sinking fund or an amortization fund that would reimburse the investors for all the capital that they had embarked in the enterprise, then the Government would have it for nothing, because those who had entered into it as a venture would not only have been amply, sufficiently, adequately rewarded from year to year, but they would have collected from somebody, from the public, a sum that represented the value of the property which they had constructed. It is in the highest degree unjust and unfair to make the people of the United States pay for the property twice. This is what may occur, or will occur, in a great many instances. I believe that there ought to be the limitation which I have just proposed added to the section or sections which provide for recapture.

I submitted that to the Senate with all the arguments and observations that occurred to me in its behalf, and while it received the approval of a very considerable number of Senators it did not command the support of a majority of the Senate, and the controversy, so far as I am concerned, will not be reopened. But I have felt that it was due to a certain degree of consistency that I state at this time and immediately before the bill is to be passed that my views upon that subject have not changed. Further reflection has served simply to strengthen or fortify them.

Mr. KING. Will the Senator yield?

Mr. CUMMINS. I yield.

Mr. KING. In line with what the Senator has just suggested, the Senator will recall that it is a very common practice in business life for men to take leases upon real estate for periods up to a hundred years and erect valuable structures with the understanding that at the expiration of the leasehold period the land together with all the improvements thereon shall revert to the lessor. Why should the Government of the United States be placed at a greater disadvantage with respect to the property which it leases than private individuals?

Mr. CUMMINS. I do not think it should.

Mr. KING. Particularly where the lessee pays nothing, as I understand under the terms of the permit, to the Government for the privilege of occupying the land for the period of 50 years.

Mr. CUMMINS. I do not think it should, and moreover——

Mr. SHIELDS. Mr. President——

Mr. CUMMINS. In just a moment. It is the common, almost the universal, practice of great enterprises to lay aside each year a sinking fund or an amortization fund that will within a reasonable number of years—and I do not know of any that contemplates a period of more than 50 years—a sum that will at the end of the period reimburse the capital which has been invested.

Mr. SHAFROTH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield, and, if so, to whom?

Mr. CUMMINS. I will yield first to the Senator from Tennessee.

Mr. SHIELDS. In this connection, I should like to say that the consumer will have to pay it.

Mr. CUMMINS. Certainly the consumer will still have to pay it, and no one but the corporation will get any benefit from it.

Mr. SHIELDS. One further matter on this point to elucidate what the Senator from Utah said. I think the Senator from Iowa should have stated that there is no lease made under the bill by the United States to the permittee.

Mr. CUMMINS. There is no lease of land. It is a permit.

Mr. SHIELDS. It is only a question of the use of property belonging to the United States. It is a mere permit to put the obstruction in the river and there is the benefit conferred upon the United States. There must be locks and every facility for navigation, such as the Government itself would put in in improving the river, and it is done at the expense of the permittee; or the owner, the riparian proprietor, may improve its own property.

Thus a very great burden in improving for navigation is taken off of the Government of the United States by granting this permit for a certain time, so that the permittee may have some assurance that the dam is going to stay there, and the customer or consumer of the power may have some assurance that it will stay there for this fixed time and that the power be furnished him; otherwise there never could be any sale for it; and no man would build a factory to be operated by such power.

Mr. CUMMINS. Mr. President, I ought to say, in response to the suggestion of the Senator from Tennessee [Mr. SHIELDS], with regard to the collection of this money which would constitute the sinking fund or the amortization fund from the consumers, that the amendment which I proposed was conditional upon the collection; it did not require the collection. If the company that operated the water power did not collect enough to create a fund of the character I have described, then, of course, the amendment which I thought ought to be adopted would not apply. It was only in a case where the operator or the owning corporation had collected enough from the public to amply reward capital and to reimburse the entire investment that the deduction from the amount ascertained in the ordinary method was to be applied.

Mr. SHAFROTH rose.

Mr. CUMMINS. I yield to the Senator from Colorado, if he desires to interrupt me.

Mr. SHAFROTH. Mr. President, all I wanted to refer to was the concurrence of the Senator from Iowa with the contention of the Senator from Utah with relation to a lease for, say, 100 years by which the building goes to the lessor. That is done upon the theory that at the end of a hundred years the building will not be worth anything. It also must be considered that in this bill there is a provision that the State utilities commission shall have the right to regulate the rates. Of course, they are not going to permit a high rate and the fixing of exorbitant prices against the interest of the people.

Mr. CUMMINS. But they do permit it now.

Mr. SHAFROTH. They do not permit it in my State, I will say to the Senator.

Mr. CUMMINS. Well, Colorado may be fortunate; but the instances in which regulated corporations are able to pay high interest upon their capital and to lay aside a sinking fund for the reimbursement of the capital are so very frequent that they must have come to the attention of the Senator from Colorado, even if they do not exist in his own State.

Mr. SHAFROTH. That may be true in some instances, but I must say that the Utilities Commission of the State of Colorado has done most excellent work in reducing prices. In fact, the problem there is whether or not investors will undertake the investment of capital where they are not to control the price. In the case of a building, of course, the landlord has the right to fix the rent at whatever sum he desires; he can do it now, and he is doing it in the District of Columbia to the extent of an increase of 100 to 200 per cent; but a corporation of this kind should not be permitted to do that because it is of a public nature.

Mr. CUMMINS. The suggestions of the Senator from Colorado have no pertinence whatever to the amendment which I proposed at the last session. I only proposed that if an amortization fund or a sinking fund were accumulated, if the people had been compelled to pay more than an ample reward upon the capital, then the public should get the benefit of it by a credit upon the value of the property which the Government took over.

Mr. SHAFROTH. Mr. President, I can see the force and strength of the Senator's position, but the illustration which was made by the Senator from Utah [Mr. KING] would not be applicable to this bill, it seems to me, because it relates to a matter where the owner of the property can charge whatever he pleases; but he could not so charge under this bill, because there is a utility commission that controls and regulates the price, which is supposed to give the owners a reasonable rate for the use of their hydroelectrical power.

Mr. KING. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I yield.

Mr. KING. In reply to the Senator from Colorado [Mr. SHAFROTH], I desire to say that I think he is in error in stating that in the illustration which I gave the property becomes valueless at the expiration of the lease. As a matter of fact, in most instances of that character the property is more valuable. There are innumerable instances of leases being given by the owners of land for the construction of buildings, the lease running 10, 15, 20, or 50 years, with the understanding that the buildings to be erected are to be of a certain character—and the character is designated—and of a certain value—and that is stipulated—because the landlord anticipates that at the expiration of the lease he will not only get his land back but that he will receive a valuable accretion thereon in the form of buildings which have been erected.

Mr. SHAFROTH. Mr. President, what I referred to was a hundred-year lease, which is generally recognized as the one in which buildings erected on leased land go to the lessor. Whenever the leases are of a shorter duration of time it will be found in nearly every such case there is a provision that a certain proportion of the value of the building erected thereon shall be paid by the lessor. I know of instances of that kind, and I have never heard in the case of a short lease or in the case of a lease of even 20 years, that the property should go to the lessor without any compensation whatever to the lessee. One can naturally see, however, that there is hardly any building which could be constructed for either business or resident purposes that would be worth anything at the end of 100 years. Therefore, of course, it is not worth while to designate what the lessor shall pay, if he pays anything for the building.

Mr. CUMMINS. Mr. President, if I had any hope that an amendment such as I have outlined could be adopted, I should feel it my duty to take up the time of the Senate in proposing it and in discussing it, but I have no such hope. I therefore shall content myself with the statement of my attitude toward that particular part of this bill.

Generally speaking, I think the bill is a very wise one; I think it will have a tendency to develop the water powers of the United States; and if it could be rid of this, and possibly one other unjust feature, I think it would command the approval of the people of the country with great unanimity.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole and open to amendment. If there be no further amendment, the bill will be reported to the Senate.

Mr. POINDEXTER. Mr. President, I desire to say a few words upon the pending bill. When it was acted on by the Senate in March, 1916, I discussed it somewhat and offered several amendments to it. Many of those amendments were adopted at that time and most of them are incorporated in the bill at the present time; but the bill still contains certain provisions which induced me to vote against its passage heretofore, and which will compel me to vote against it now.

One purpose I have in making this statement is to answer an argument which I very frequently hear made that seems to imply that a vote against the Shields water-power bill, as it is called, is a vote against the development of water power. I came in contact in the country with criticisms which were so insidious that it is at times difficult to secure fair and just consideration for the real issue involved.

I am in favor of the development of water power, and I am not only in favor generally of the development of water power, but I am in favor of the enactment of legislation to that end at the earliest possible moment. I think that a bill ought to be passed now settling the question, settling it permanently, and, of course, settling it upon such fair and reasonable terms as will enable capital profitably to undertake this development. But opposition to a particular bill does not imply that there is no other bill that can be passed; opposition to the Shields water-power bill in its present form does not necessarily mean opposition to the same bill if amended in certain particulars, which amendments could easily be enacted, if the Senate so desired, at any time without the loss of any appreciable time in securing the object for which this legislation is to be enacted.

I do not propose, Mr. President, to be diverted or deprived of the right as a citizen and a Senator to insist upon the reasonable guarding of the public interest and to protect the Government in dealing with these great public franchises because it may be said that it is opposition to the development and promotion of industry in the country. That is a fallacious argument; it has no merit whatever; and I say this only to pass by it to other matters.

The bill is going to the House of Representatives and there is going to be a controversy about what form it will take. In the last Congress when it was passed there was a difference of opinion between the two branches of Congress upon the subject; no doubt that difference of opinion will appear again, at least to some extent, and it can not be said because there is such a difference of opinion that those upon either side of the question are blocking water-power legislation. I took the position upon this phase of the matter that those who insisted upon unreasonable conditions in this bill were responsible for its failure to become a law, and consequently responsible for the failure of the development of water power in the country. I repeat that statement now, that if the bill passed the Senate in a form embodying reasonable protection of the public interest, full provision for proper service, reasonable rates, and just terms and conditions of recapture of these great properties, it would have passed the other branch of Congress, met the approval of the country, been satisfactory to capital, and we would now be enjoying whatever benefit would come from the use of the natural powers in our navigable streams.

I want to add in that connection that it need not be undertaken to create the impression that if one stands here in the discussion of this bill and argues in favor of Federal control and regulation of the public interests that are involved in it he is thereby putting himself in opposition to the business interests of this country and to the water-power men pursuing legitimate objects. That is not the case.

It is only a short time ago that I had a visit in my office from one of the principal water-power promoters of this country, accompanied by a lawyer who had specialized in water-power legislation, and while the promoter to whom I refer insisted upon the doctrine that is contained in this bill and advocated largely, I think, by the distinguished Senator from Tennessee, who has charge of it, through the influences of tradition and environment, of State sovereignty and State control, this water-power lawyer, representing the greatest water-power interests in the country, agreed with me in favor of Federal control as preferable from the business standpoint, as I insist it is preferable from the standpoint of the public interest. That water-power man referred to the certainty, the uniformity, the efficiency of dealing with one central authority, and to the confusion, uncertainty, and inefficiency of having to deal with a multiplication of boards, tribunals, and officials in every community where there may be an actual or potential water power.

The Senator from Alabama [Mr. UNDERWOOD] said a while ago that those who were opposed to this bill opposed it because somebody was likely to make money if the bill became a law in its present form. There may be some who oppose it for that reason. The Senator making that statement no doubt has fully considered it and has ground for the statement that Senators or those outside of public life oppose the legislation because there is danger, as they think, of somebody making a fortune out of it; but I am very much surprised to hear, if that is the case, that anybody, at least, who takes any active interest by way of public expression in the public policies of the country and has enough education and intelligence and interest in the Government to do so should be actuated by any such motive.

It seems to me supererogation, so far as I am concerned, to say that I have no objection to people making money by the development of water power or in any other legitimate industry. I am glad to see them make money; I like to see the country prosperous and fortunes accumulated by the exercise of ability and industry and thrift, and I believe that the general public profits by it directly and indirectly; but there are other grounds besides that strange one stated by the Senator from Alabama for opposition, not to the development of water power but to the particular terms and conditions of this bill, which is a very different thing.

There are three matters upon which legitimate opposition may arise, in which the public have a right to concern themselves. One of those is service. That is, in granting these great properties care should be taken that there is going to be fair and uniform service; that is, that everybody shall be treated alike, that everybody shall have the same rights to get the power that may be developed that anybody else has, under the same terms and conditions. We all know what an instrument of tyranny and oppression might be made of the control of the developed water powers of the country if, through the uncertainty or the errors of the law, those who control them could favor one industry or one individual and punish or oppress another. That is one thing about which we have a right to concern ourselves.

Another one is the matter of rates. It is not just a question of seeing factories established, of seeing power developed out of these flowing streams. The fact of the case is that that in itself, if it went no further than that, would be a matter of very little concern. What the country is interested in is the product and the use of the product that comes from those factories, from the electric power that may be generated by the turning of these great wheels by the force of the falling waters. It is the same thing that has often been discussed in regard to the opening of the coal lands. The public are not interested in the opening of coal lands, any acre of them, or all of the public lands in Alaska or elsewhere, unless they can get coal more plentifully and cheaper than they could before. That is the only interest they have in it, and the same consideration applies to the development of water power.

So it is important to guard carefully the regulation and control of service and rates under the franchises provided for by this bill. The fundamental difference between those who are in favor of this particular form of bill and myself and some others in that I believe in reserving in the Federal Government, by attaching it to the grant, the right upon occasion, if the necessity should arise, to prevent extortionate rates and to insure uniformity of service, rather than leaving it altogether to the uncertainties and powerful influences that may affect local commissions when dealing with great national and international corporations of the kind that control the electric power of the country.

This bill leaves it entirely to the local authorities. I have no quarrel with the motives of anybody who takes that position. It is a legitimate position for them to take if they believe in it, but I differ with them. That is all there is about it. I have just as much right to insist upon control by the United States Government in conjunction with the States. I would not deprive the States or the local authorities of any of their power in the matter. I do not want it to appear from the fact that I insist upon retention by the United States of the power to regulate that I am in favor of depriving the States of their powers in the matter. My view is that these jurisdictions can and do exist simultaneously and concurrently, as do many other powers of the States and of the Federal Government. Both jurisdictions exist, and both can be exercised, if necessary; and I have not any fear that any such right, if retained by the Federal Government, would be abused. On the contrary, experience in the exercise of regulatory powers by the United States is that it has been, in general, fair to business and to invested capital.

Something has been said about the Great Falls of the Potomac River. To show that you are not necessarily going to render any public benefit by merely giving franchises for water power, or, rather, by dispossessing the United States of its control without conditions of any kind, look at the Great Falls of the Potomac, as unfettered and as undeveloped as it was when it was first created; and yet long ago it passed into private hands. I started to say that it is as undeveloped as it was 100 years ago; but it is not nearly so developed as it was 100 or more years ago. More than 100 years ago George Washington, an enterprising and progressive man of business, used the power of the Great Falls of the Potomac, and you see there yet the remains of the foundry and mill which he established and operated. There is now a dam above the Great Falls of the Potomac; and yet there are certain interests—and I use the term in no offensive sense—which find it profitable to suppress and prevent the development of that water power. That is not because the Federal Government interferes with it, for it does not.

Long ago these falls passed into private hands. But the owners of coal mines and of the railroads that haul the coal prefer that power should continue to be developed from coal rather than from electric power from the Great Falls of the Potomac.

Speaking of the fact that the effect upon rates and service to the public is the important consideration, I am reminded of the Chesapeake & Ohio Canal as an illustration. It is particularly pertinent to speak of it now, at a time when a good many people are said to be freezing to death right here in the Capital of the Nation for the lack of coal. When you inquire why there is a lack of coal when there are vast stores of coal at a short distance, in the coal regions in the mountains very near to us, they say that it is because of the congestion of transportation; that the cars are crowded in the terminals and the railroads can not haul it, when, as a matter of fact, if there had been no restraint of commerce, if there had been a full and fair opportunity for transportation to develop along natural lines with the greatest efficiency and economy, there could have been carried on the Chesapeake & Ohio Canal, which reaches from tidewater into the vicinity of the coal fields, enough coal to supply the entire Atlantic seaboard. And so the development of that great highway of transportation has not returned to the people the benefits that would have come if it had had full play and had not been interfered with by competing and rival interests. In like man-

ner we are interested in a full return of actual public service from the water powers of the country.

Some questions were asked a moment ago as to the particular defects of this bill. I want to call attention only to one of them. I have been absent from my office for some time and have been overwhelmed with accumulated business since I returned. Consequently, I shall not undertake to go in detail into the discussion of all the objectionable features of this bill. I think I shall only refer to one of them.

The permit or franchise provided for in the bill is supposed to be a 50-year permit. As a matter of fact, it is not at all. It is an indefinite permit, and may be practically perpetual.

What is the situation? That unless the Government takes some action and gives notice, the permit goes on. And if the Government gives notice of the termination of it, what takes place?

It is not terminated merely by the giving of notice at the end of 50 years. I think the Senator from Iowa [Mr. CUMMINS] was slightly mistaken in saying that the notice can be given only at the end of 50 years. In justice to the bill, it should be said that the notice can be given before the end of the 50 years. So far as the effect of the notice is concerned it could become effective and, if the notice terminated it, at the end of 50 years. But giving notice does not terminate the permit. It ought to. If it is going to be a 50-year permit, it ought to be terminated by the giving of notice, with a provision, if there is to be compensation, that after the permit has been terminated and after the Government has come into its own again the owners could recover in the courts, if necessary, if they could not agree upon the amount, fair compensation upon whatever basis might be provided in the bill.

But what does the bill provide? After providing the most complicated and cumulative system of compensation, it provides that if the owners of this permit do not agree to the compensation that is offered to them, they can take the matter into a court of equity and litigate it, and while they are litigating it they can continue to possess and enjoy it.

Mr. BORAH. To what section does the Senator refer?

Mr. POINDEXTER. It is in section 6, at the bottom of page 11, going over on to page 12. They can go into a court of equity. How long can they keep the matter in a court of equity? Well, there was the equity case of Jarndyce against Jarndyce that Dickens describes, and you can keep an equity case going nowadays just as long as they could then. That is all that is necessary to continue the franchise indefinitely.

Mr. BORAH. Mr. President, may I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Iowa?

Mr. POINDEXTER. I yield.

Mr. BORAH. This section says that at any time after the expiration of 50 years the United States may terminate the rights. Does the Senator understand that the notice could be given prior to that?

Mr. POINDEXTER. Yes. If the Senator will read just in the next line he will see that it says:

> Upon the giving to the grantee, either before or after the lapse of the period of the permit, of two years' notice.

Now, here is one of the objectionable things about the compensation that is provided for. I do not even go so far as to say that I would object to paying the full value, upon some such reasonable basis, of this property, although I think there is a good deal in what the Senator from Iowa says, that having enjoyed it for 50 years and being able to amortize it during that time it would be perfectly reasonable if what is left of it at the end of 50 years should revert to the Government without any compensation. But leaving that dispute out of the question, and supposing that the Government is to be required to pay compensation for the property at the end of the 50 years, this bill imposes unreasonable, harsh, and drastic terms upon the Government and upon the people in estimating the amount that it will have to pay in order to get back this property after it has been enjoyed by the grantee for 50 years. The bill says:

> And upon paying to the grantee just compensation for said property—

Now, you would think that would be enough; but the bill does not stop there. It goes on to say—

> together with the cost to the grantee of the lock or locks, or other aids to navigation.

After paying them just compensation for the property, as it stands under this bill, "together" with that they must pay the "cost to the grantee of the lock or locks" which were put in 50 years before.

Is that a reasonable provision? I do not regard it so. It might be supposed that the grantee was to be paid by the Government for the improvement of navigation; but if that is required, the reasonable basis upon which it should be estimated would be the value of it at the time the property is recaptured, and not the cost of the improvements 50 years before.

But that is not all that the Government would be required to pay. In addition to paying just compensation "together with the cost to the grantee of the lock or locks, or other aids to navigation, and all other capital expenditures required by the United States," the Government must assume all contracts entered into by the grantee, with the approval of the duly constituted public authority having jurisdiction thereof or which were entered into in good faith and at a reasonable rate, in view of all the circumstances existing at the time such contracts were made, so that any contract that they can make—all that are approved during that period—the United States are left to assume at the end of this 50-year period, and if the Government objects to assuming them because they do not come within the terms of the basis of value set out in the bill for compensation, then they will go into a court of equity as provided in this same section and litigate the matter for an indefinite period of time—

> By proceedings in equity instituted by the United States in the district court of the United States in the district within which any portion of such dam may be located.

I regard these as very harsh and unreasonable impositions upon the Government, and in themselves would be sufficient to justify voting against the bill. A fair compensation for the property as it exists at the time, for the actual physical property, would be the utmost limit which the Government ought to be required to go in the way of payment in order to recapture the property. If the Government is required to assume all contracts which shall have been made and approved, an easy way is opened by which the recapture by the Government will be rendered impossible.

There are a great number of changes which have been made in the former bill, and it is difficult to understand just what the motive was or the general policy which governed them. For instance, I notice in some places they are very particular to change the expression "district court of the United States" by striking out the word "of" and inserting the word "for." The change is entirely immaterial, and I think incorrect. But to show that there is apparently no general policy governing the changes which have been made in the bill, note the effect on page 10, lines 5 to 9, where they strike out of the old bill the provisions that a municipality in exercising the right of eminent domain should go into the district court of the United States for the district where the property is situated. The framers of the bill with much elaboration have stricken that out and provided instead that the proceedings shall be "in the district court in which the property is situated." I have heard of a good many things being situated in a court, but not water powers. And so on through the bill there are a number of changes which seem to have been made with an equal degree of care and equally eccentric consequences.

Not for those reasons, which are largely inconsequential, but for the more important reasons which I have spoken of and some which I have not spoken of and which I formerly expressed, I shall vote upon this occasion as I did upon the former passage of the bill.

The PRESIDENT pro tempore. If there are no further amendments as in Committee of the Whole the bill will be reported to the Senate as amended.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. BORAH. Mr. President, I presume that the bill is about to pass, and I have no desire to delay it, because nothing is to be gained by its delay. The bill has heretofore been before the Senate and discussed at great length, and most of us have expressed our views upon the bill heretofore. After weeks of debate it passed by a vote of two to one, so we could not hope to change results.

In view of the fact, however, that apparently there is to be no roll call upon the bill I simply want to say, without repeating what I have heretofore said, that I am opposed to the bill. I realize that some legislation ought to be had on this subject and it is important that we deal with the matter. At the same time there are some provisions of the bill which make it impossible for me to vote for it. Much as I want development, I can not vote for this measure. It is unwise legislation in fundamental particulars.

I would undertake to discuss the matter, Mr. President, if it were not for the fact that, as I said, it has been heretofore discussed and the vote has been had, and I know that the opinion of the majority of the Senate is in favor of the passage of the bill. I see nothing to be gained, therefore, by delaying it and repeating the discussion. If I felt any possible change could be brought about in its passage I should be glad to enter the discussion, but it is apparent any effort would be wholly fruitless.

Mr. JONES of Washington. Mr. President, I take it there will not be very much more discussion, and I shall take but a very few minutes.

On the 24th and 25th of February, 1916, I discussed at length the main propositions in the bill, and I do not propose to repeat that discussion now. My remarks will be found at page 3060 of the RECORD of February 24 and at page 3121 of the REBORD of February 25, 1916, first session of the Sixty-fourth Congress.

I want to present in a concise way the practical side of the water-power question and my conclusions, not speaking for anyone else, as to the character, purpose, and effect of the pending bill.

The following estimate of the United States Geological Survey shows the available water horsepower in the different sections of the United States, if developed to the practicable maximum without storage:

North Atlantic States	4,910,000
South Atlantic States	5,107,000
North Central States	4,270,000
South Central States	3,342,000
Western States	44,049,000
Total available potential horsepower	61,678,000

It is also estimated that with practicable maximum storage the total available water horsepower that could be produced in the United States would be 200,000,000. The present actual water-power development in the United States is about 6,000,000 horsepower, or 10 per cent of the amount available without storage and 3 per cent of the amount available with storage.

The Geological Survey report for the year 1913 shows that our consumption of coal for all purposes was about 570,048,125 short tons, of which the railroads alone used about 20 per cent. In addition to this, the petroleum used in 1913 was equivalent to 24,000,000 tons of coal. Every water horsepower now going to waste which could be economically substituted for fuel power would represent approximately 5½ tons of coal per year, based on an average of 12 hours per day. To indicate what are the possibilities of conservation along this line, we need merely to reflect upon the fact that the ultimate development of 61,678,000 horsepower on the foregoing coal consumption basis is equivalent to the annual use of nearly 340,000,000 tons of coal—60 per cent of the total amount used in the United States—which, at $2 per ton, represents an annual value of $680,000,000. If all the water at these power sites were used constantly, the foregoing coal consumption figures would be doubled. Of course, this represents the maximum attainable development, which, in all probability, will not be approached for a long period, but it also represents the end which may finally be achieved. It is certain, however, that unless a start is made by the enactment of fair and practical legislation, efforts to accomplish this much-to-be-desired result, even in small part, will fail. Every undeveloped water power for which a market now exists represents a willful waste of an exhaustible natural resource.

It is estimated that over 10,000,000 horsepower could be produced from dams installed in connection with the improvement of our inland navigable waterways, and that were locks installed in the power dams, over 4,000 miles of the upper reaches of these streams would be opened to navigation. The cost of these river improvements would be upward of $800,000,000, and, if accomplished by private capital for purpose of power production, would not cost the Government a dollar, except for the bare locks and removal of minor obstacles in those portions of the streams not connected with power development. If these river improvements were in one stream, it would be equivalent to creating a navigable waterway across the continent from New York to San Francisco. But in reality it means the extension of navigation for an aggregate of 4,000 miles in 35 rivers, traversing 20 States in such widely different sections of the country as Connecticut, Massachusetts, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Alabama, Georgia, Tennessee, Florida, Arkansas, Ohio, Kentucky, Missouri, Wisconsin, Minnesota, Washington, and Idaho.

While it will take a long period of time to improve all the inland waterways which could be made navigable in connection with development of water powers, yet every 100 miles helps, and the construction of river power dams will be begun in many different sections of the country as soon as Congress passes laws permitting safe investment of capital in water-power developments.

The inland waterways of the warring countries of Europe are being used to their utmost limit, and hundreds of miles of new canals have been built since the war began. A new waterway 182 miles long, connecting the Oder and the Vistula Rivers, has recently been opened to traffic, and 500-ton boats can go direct from Berlin to Warsaw and to the seaport of Dantzig.

Germany has thousands of miles of canals and rivers which have been made navigable, and are being used for carrying heavy freight, leaving the railroads free to be used for the rapid transportation of troops and food supplies. It is said that were it not for her freight-carrying inland waterways the war would be over and Germany beaten, because the rapid movement of her troops from one front to another would have been seriously impeded had the railroads been occupied with heavy freight.

The production of hydroelectric energy is a hazardous business. Cost of installation is difficult to determine in advance and often exceeds the amount anticipated. Floods sometimes destroy dams and power houses, and public regulation limits profits. But if men and capital can be found to undertake the work, why not enact Federal laws which will authorize the War Department to permit the development of water power in consideration for the establishment of these much-needed improvements to river navigation? In this way waterways would be made navigable by private capital instead of through taxation, cheap water transportation would be afforded to districts but now sparsely settled, and congestion of traffic relieved in thickly populated centers.

The present law, known as the general dam act, enacted in 1906 and amended in 1910, provides such restrictive terms and conditions that with but two small exceptions no power developments and river improvements have been made by private capital upon navigable streams since 1912, a period of five years.

The following actual projects of water-power development on navigable streams have been defeated by lack of rational water-power laws:

State.	River.	Horsepower to be developed.	Miles of inland waterway improved.
Washington	Columbia	410,000	160
Do	Pend Oreille	250,000	80
Montana	Missouri	100,000	110
Minnesota	St. Croix	30,000	26
Iowa	Des Moines	60,000	201
Maryland	Susquehanna	110,000	15
Massachusetts-Connecticut	Connecticut	30,000	23
Georgia	Chattahoochee	138,000	138
Alabama	Tennessee	410,000	35
Tennessee	Clinch	25,000	14
Alabama	Coosa	180,000	76
Kentucky	Cumberland	26,000	71
Georgia	Flint	0,000	12
North Carolina	Little Tennessee	200,000	84
Virginia	New	20,000	10
Do	Roanoke	35,000	20
South Carolina-Georgia	Savannah	78,000	85
Total		2,122,000	1,169

Two million one hundred and twenty-two thousand horsepower is equivalent to the energy contained in 7,214,000 tons of coal, which would require the labor of 7,000 men to mine and 200,000 35-ton cars to move.

In connection with the remarks I submitted on February 23, 1915, found at page 4397 of the RECORD, third session, Sixty-third Congress, I pointed out the possibilities from the improvement of Priest Rapids on the Columbia River. I also referred to the possibilities and the magnitude of that project in the discussion of February 24 and February 25, 1916. I am not going to repeat what I then said, but I simply want to call to the attention of the Senate some of the productions of that region, showing what we will be able to do in an agricultural way if water-power development can be had on the Columbia River, through which several hundred thousand acres of extremely fertile land would be brought under cultivation.

I have brought here to the Senate samples of some of the products that are produced in that immediate neighborhood. Some of the lower lands have been brought under water, and practically every product of the Temperate Zone can be raised there in profusion. Some of my southern friends may be surprised to learn that in that section we can also raise cotton. I have some samples of cotton here that have been produced within the last year on the Columbia River near Priest Rapids. I do not know anything about cotton myself, but I have talked with some who are cotton raisers and they pronounce these samples to be cotton of a splendid character [exhibiting]. This year was one of the most unfavorable years for the production of cotton; the spring was very cold and very late; yet this cotton matured early in the fall, and our people are absolutely confident that they have such a soil and such a climate and such a temperature as will enable them to raise splendid cotton upon practically all the land that would be reclaimed if this water power could be developed and the electric energy made available for agricultural purposes. I hope that our southern friends, at any rate, will examine these samples and see what they think of them.

Then I have here a small box of soya beans [exhibiting]. That is a bean that we have been importing very largely from China into this country. It is most valuable as a fertilizer and for stock. My recollection is that about $6,000,000 worth were imported last year. It is raised in a few different localities in this country, but very few. It does well in that section, and I have no doubt if we can get this land reclaimed in some way we will produce about all the soya beans we need in this country.

Then I have here samples of some of the fruits that we produce in that neighborhood [exhibiting apples]. We can find these in all the irrigated sections in our State, as well as the other States of the West.

Mr. BORAH. I should like to ask the Senator about the flavor of that fruit.

Mr. JONES of Washington. I am satisfied the Senator from Idaho is very desirous of trying it. He raises this kind of fruit in his State, and I am not going to let him have this. I am going to put this in the hands of some one who does not get this sort of apple at home. This is a Delicious apple [exhibiting]. That is the name of it. It is called the Delicious. It is a little above the average size, but not an extreme size.

This is a Jonathan apple [exhibiting]. This is the Grimes Golden [exhibiting], that I think will compare with any of the Grimes Golden raised anywhere in the East. This is what they call a Banana apple [exhibiting], and it has very much the flavor of a banana.

Then, I have the Spitzenberg. This is a very fair sample of the fruit raised there [exhibiting], and I want to say in all that section of the country peaches, plums, pears, grapes, and all the fruits of the Temperate Zone could be produced in abundance.

We are also going into the beet-sugar industry in our country. A beet-sugar factory has been built at North Yakima this year and is now manufacturing something like 5,000 sacks of sugar per day. The sugar beet can be raised in all that irrigated section. Here is an average sample of the size of the sugar beets that we produce in that country [exhibiting]. We get from 15 to 35 tons an acre, and if we have the proper encouragement, through legislation or otherwise, there is not any doubt in my mind that this country will soon produce all the sugar that is necessary in this country.

Mr. President, I shall state in a word my views as to what this bill, known as the Shields bill, provides.

It provides:

1. For the improvement of the navigation of rivers without cost to the Government in connection with dams constructed for hydroelectric purposes in navigable streams.

2. For grants by the Secretary of War of authority to private parties for the construction and maintenance of such dams when navigation facilities can be improved thereby, such authority to extend for 50 years and until the property necessary to such development is taken over and just compensation paid for it, either by the Government or a duly authorized new grantee.

3. For diligent construction, completion, and operation of such dam, subject to market conditions.

4. For the construction by the grantee of suitable locks, without cost to the Government when required by the Secretary of War.

5. For payment to the Government by the grantee of the cost of any investigations necessary to the issuing of the grant and the cost of such supervision of construction as may be necessary; and also the payment by the grantee of reasonable charges for benefits resulting from headwater improvements installed by the Government and payment to the Government of a reasonable price for the use of any public lands taken.

6. For the regulation of the rates and service of the grantee by State authority, or, if the business is interstate, by the Interstate Commerce Commission, thereby assuring to consumers efficient service and fair, just, and reasonable rates.

7. For reserving to the States authority over the waters and water powers, subject to the paramount power of Congress over navigation, and for reserving also all the taxing powers of the State in relation to the properties.

8. For uniform accounting and examination of the books of grantees by the Secretary of War.

9. For leasing under similar conditions the right to utilize surplus water power generated at dams constructed by the Government.

It seems to me, under those various provisions, the rights and interest of the community are amply protected. Those who favor this legislation are as honest, sincere, patriotic, and as faithful and devoted to the public interests as those who oppose it. It is easy to charge that this legislation fails to protect the interests of the public, but such a charge can not be proven by reason, logic, or facts. On the contrary, it is plain from the terms of the bill itself that the public interest is made the highest concern. Monopoly is prohibited, excessive profits are prevented, full, complete, and efficient regulation and control are provided, and the lowest possible rates for power and the most efficient service to consumers are assured the public.

Mr. TOWNSEND. Do I understand the Senator from Idaho to state that there would be no roll call on the bill?

Mr. BORAH. No; I did not say there was to be none; that might infer that there was an agreement that there should be none. I said I assumed there was going to be none.

Mr. TOWNSEND. Mr. President, I do not wish to occupy the time of the Senate in combating the passage of the bill, because the argument has been presented before. I desire, however, an opportunity to go on record as being opposed to it in its present form. No man is more favorable than I am to the improvement of these water powers, and especially at this time; but the very emergency of the occasion ought not to force us to do things which we will regret hereafter.

It seems to me that the bill does not properly safeguard the public interests. Of course, I am in opposition to many of those in the West, but I myself am in favor of one regulation, and that is the Federal.

So far as this particular question is concerned and the provisions for taking over the property by the Government, what has been pointed out by the junior Senator from Washington [Mr. POINDEXTER] seemed to me to conclusively convince any Senator who has given the matter careful attention at least that it is a one-sided contract and against the interests of the Government.

Nothing that I can say will, of course, change the result of the vote; but in view of what the Senator from Idaho stated, that there may not be a roll call, I desire now to express by opposition to the bill as presented.

Mr. POINDEXTER. Mr. President, I move to strike out of the bill all that part of section 6, on page 10, beginning with the word "together," in line 19, going over to the top of page 11 down to and including the word "made" in line 1. I should like to have the Secretary read the part which I moved be stricken out and to read the bill as it would be with the amendment.

The SECRETARY. On page 10, line 19, strike out the following words:

> together with the cost to the grantee of the lock or locks, or other aids to navigation, and all other capital expenditures, required by the United States, and assuming all contracts entered into by the grantee which have the approval of the duly constituted public authority having jurisdiction thereof, or which were entered into in good faith and at a reasonable rate, in view of all the circumstances existing at the time such contracts were made.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Washington.

Mr. POINDEXTER. Mr. President, I want to say merely one word before the result is announced. If that amendment is adopted, it will leave the bill, as to recapture by the Government, to read as follows:

> Upon paying to the grantee just compensation for said property.

So the amendment does not strike out the provision for compensation, but does strike out the cumulative payments which the Government will otherwise be required to make. It strikes out the requirement that the Government should pay for the cost of the works put in 50 years before and which have been used for 50 years, and upon which the increment and profits made for that period of time have been enjoyed. It would relieve the Government of the burden of assuming all contracts made by the grantee and which may have been made for the very purpose of embarrassing the Government and making impracticable the recapture of the franchise. At the same time it would allow fair compensation.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. POINDEXTER].

The amendment was rejected.

Mr. NEWLANDS. Mr. President, I opposed the Shields water-power bill when it last passed the Senate, and I opposed it because it was simply a part of the piecemeal legislation which has characterized the country for over a century regarding water legislation. I opposed it because it proposed to provide only for water-power development in connection with navigation, and that it was not so enlarged in its scope as to embrace every useful purpose for which water can be used, including not only navigation and the development of water power but the reclamation of arid lands, the control of water for the reclamation of swamp lands, intensive cultivation in the humid region, and the development of forestry.

Since the action of the Senate last year regarding the Shields water-power bill, a bill which failed of consideration in the House, Congress incorporated in the river and harbor bill of last session the substantial provisions of the river-development bill which I have been urging for so many years. It is true that the Waterways Commission amendment did not provide for the large appropriations contemplated by the original bill, but it did provide for the organization embraced in it, namely, the creation of a Waterways Commission composed of the Secretaries of War, Interior, Commerce, and Agriculture, with the addition of three others, who should take in hand the coordination of the various national scientific services that relate to the use of water, and who should enter into cooperation with State agencies for the full exercise of the jurisdiction of both the Nation and the States with reference to river development, the providing of comprehensive plans, and the execution of those plans by the National Government in cooperation with the agencies of the States.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Washington?

Mr. NEWLANDS. I do.

Mr. JONES of Washington. The Senator stated that this commission was to be composed of certain members of the Cabinet. Is not the Senator mistaken in that?

Mr. NEWLANDS. My impression is that I stated that to be the provision in my original bill.

Mr. JONES of Washington. Oh! I beg the Senator's pardon.

Mr. NEWLANDS. That is true; it was modified by Congress in such a way as to give the President the power to appoint either department chiefs or others on that commission.

This bill, Mr. President, provides that permits for the erection of dams for water-power development on navigable streams shall be granted under certain conditions by the Secretary of War, and my belief is that that power ought to be given to the Waterways Commission, which is now provided for by law. If the Secretary of War becomes a member of the Waterways Commission, my objection would be partially removed, for doubtless he would bring any contemplated permits for the construction of dams for water-power development to the consideration of the commission of which he is a member, and would have their views as to the possible operation of such permits upon the general powers exercised by the commission, which would cover not only water-power development but every possible use of water. But if he should not be a member of that commission, then we have this condition, that a waterways commission would be vested by Congress with the full power to effect a competent organization for the treatment and development of our rivers for every useful purpose to which water can be put, and yet that jurisdiction over a most important part of the rivers, namely, the issuance of permits for the construction of dams for water-power development, would be intrusted entirely to the direction and control of an official outside of that commission, thus depriving them to that extent of their jurisdiction.

Mr. President, it is not my purpose to go at length into this question. I considered it exhaustively in speeches made February 21 and March 1, 4, 7, and 8, 1916, in a speech entitled "Water a national asset" upon the so-called Shields bill, and I will refer anyone who is interested in the subject to that speech for a full consideration of all the reasons that impelled me to oppose the Shields water-power bill. I have not opposed that bill since it came up recently for a second consideration by the Senate for several reasons. One was the great pressure of legislation upon Congress. Another was the necessity of immediate legislation of some kind upon the subject of water power, and the likelihood of postponing much-needed legislation, such as the land and phosphates and oil and mineral bill now under consideration, if a protracted discussion should arise over that bill. But I should like to insert in the RECORD a provision contained in the last river and harbor bill regarding the creation of this commission, and I should like also to insert in the RECORD a few extracts from the speeches to which I have referred. I ask unanimous consent to do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

The quotations from the speeches referred to will be hereafter inserted in the RECORD. The quotation from the river and harbor bill of August 8, 1917, referred to, follows:

SEC. 18. That a commission, to be known as the Waterways Commission, consisting of seven members to be appointed by the President of the United States, at least one of whom shall be chosen from the active or retired list of the Engineer Corps of the Army, at least one of whom shall be an expert hydraulic engineer from civil life, and the remaining five of whom may each be selected either from civil life or the public service, is hereby created and authorized, under such rules and regulations as the President may prescribe, and subject to the approval of the heads of the several executive departments concerned, to bring into coordination and cooperation the engineering, scientific, and constructive services, bureaus, boards, and commissions of the several governmental departments of the United States and commissions created by Congress that relate to study, development, or control of waterways and water resources and subjects related thereto, or to the development and regulation of interstate and foreign commerce, with a view to uniting such services in investigating, with respect to all watersheds in the United States, questions relating to the development, improvement, regulation, and control of navigation as a part of interstate and foreign commerce, including therein the related questions of irrigation, drainage, forestry, arid and swamp land reclamation, clarification of streams, regulation of flow, control of floods, utilization of water power, prevention of soil erosion and waste, storage and conservation of water for agricultural, industrial, municipal, and domestic uses, cooperation of railways and waterways, and promotion of terminal and transfer facilities, to secure the necessary data, and to formulate and report to Congress, as early as practicable, a comprehensive plan or plans for the development of waterways and the water resources of the United States for the purposes of navigation and for every useful purpose, and recommendations for the modification or discontinuance of any project herein or heretofore adopted. Any member appointed from the retired list shall receive the same pay and allowances as he would if on the active list, and no member selected from the public service shall receive additional compensation for services on said commission, and members selected from civil life shall receive compensation of $7,500 per annum.

In all matters done, or to be done, under this section relating to any of the subjects, investigations, or questions to be considered hereunder, and in formulating plans, and in the preparation of a report or reports, as herein provided, consideration shall be given to all matters which are to be undertaken, either independently by the United States or by cooperation between the United States and the several States, political subdivisions thereof, municipalities, communities, corporations, and individuals within the jurisdiction, powers, and rights of each respectively, and with a view to assigning to the United States such portion of such development, promotion, regulation, and control as may be undertaken by the United States, and to the States, political subdivisions thereof, municipalities, communities, corporations, and individuals such portions as belong to their respective jurisdictions, rights, and interests.

The commission is authorized to employ, or retain, and fix the compensation for the services of such engineers, transportation experts, experts in water development and utilization, and constructors of eminence as it may deem necessary to make such investigations and to carry out the purposes of this section. And in order to defray the expenses made necessary by the provisions of this section there is hereby authorized to be appropriated such sums as Congress may hereafter determine, and the sum of $100,000 is hereby appropriated, available until expended, to be paid out upon warrants drawn on the Secretary of the Treasury by the chairman of said commission.

The commission shall have power to make every expenditure requisite for and incident to its authorized work, and to employ in the District of Columbia and in the field such clerical, legal, engineering, artistic, and expert services as it may deem advisable, including the payment of per diem in lieu of subsistence for employees engaged in field work or traveling on official business, rent of offices in the District of Columbia and in the field, and the purchase of books, maps, and office equipment.

Nothing herein contained shall be construed to delay, prevent, or interfere with the completion of any survey, investigation, project, or work herein or heretofore or hereafter adopted or authorized upon or for the improvement of any of the rivers or harbors of the United States or with legislative action upon reports heretofore or hereafter presented.

Approved, August 8, 1917.

Mr. NEWLANDS. I will state, Mr. President, that I trust this matter will be remedied by the appointment of the Secretary of War as one of the members of this commission, so as to bring that official, who is practically placed in control of water-power development all over the country, into coordination with this great commission that is to enter upon the full, complete, and harmonious development of our rivers for every purpose. I can not imagine anything more unfortunate than to have a difference of opinion arise between the Secretary of War and the Waterways Commission regarding this subject. For that reason I trust the President will include on this commission the Secretary of War, in order that he may listen to the views of his associates on the commission with reference to the places and the method of development of water power in order that he may impress upon them his views, and in order that there may be harmonious action with reference to this very important question.

In conclusion, Mr. President, I wish to call attention again to the importance of the transportation question as the very base of the successful prosecution of this war. We have developed in this country, as a result of private initiative and enterprise, the most remarkable railway system that exists in the world. We have, as the result of their energy, ability, and enterprise, a system which embraces nearly one-half of the railway mileage of the world, although we have only one-fifteenth of the world's population; but we have not developed marine transportation, and we have not developed river transportation. We have even allowed the carriers, pioneers in new regions sparsely settled, and desirous of obtaining all the traffic they could obtain, to drive out of existence competing water carriers by the most objectionable methods, and to-day river navigation is not as well developed as it was over a half century ago. We have sought to remedy the difficulty as far as marine transportation was concerned, which we could not settle in times of peace because of the difference of view between the two parties as to the economic policy to be pursued, by practically turning over

this whole question to Government control, operation, and ownership. We are about to construct a great merchant marine, and, in fact, it is now in process of construction. But at a time when this admirable railway system, entirely adequate to meet the normal demands of the country, is unable to meet the extraordinary emergency of war, we find our rivers paralyzed because we have not used wise foresight in developing their channels, in securing terminal and transfer facilities, in bringing them into coordination with each other by connecting artificial canals, and in bringing them into both competition and coordination with the railways of the country through adequate legislation. The bill which I originally proposed provided that $60,000,000 annually for a period of 10 years, $600,000,000 in all, should be appropriated for this work, in order that not only comprehensive plans could be formed but that continuous and consecutive work without legislative interruption or without the inertia caused by legislative inaction could be secured. A smile passed over the faces of those who listened to me whenever that sum was mentioned, the general view being that the sum asked for was exorbitant and that legislation granting it would never be realized.

Mr. President, that sum will not stagger us at all to-day, in view of the enormous cost of this war and in view of the enormous appropriations that we are making to secure a merchant marine, and in view of the fact that the railroads require about $1,000,000,000 of new money annually for additional equipment and facilities; and it is seriously contemplated to-day that governmental aid of some kind, involving the expenditure of large sums for railway equipment and railway facilities, should be extended to the great railway corporations, at a time when all the investment money of the country is practically required by the Government itself for purposes of war, and when it is seeking a monopoly on the money market of the country.

No one can measure the loss to this country as the result of inadequate facilities for transportation both on water and on land. The railway facilities are adequate for normal demands, but they were not adequate for the extraordinary demands of the war, and the result was that the cars usually applied to the transportation of coal from the mines to the places of consumption were used for other purposes. That car shortage caused an increase in the price of coal in the markets of the country of from one and a half to five dollars and even seven dollars a ton. It imperiled manufacturing in some sections, created alarm and apprehension in the factories of the country, and was the fruitful cause of rise in the price of commodities produced by those manufacturers, and as a result we have a rise in the price of coal, iron, steel, and other commodities amounting to billions of dollars, a large portion of which we could have saved had the transportation system, the very basis of successful commerce, been adequate to the requirements of the country.

No one can measure the loss to the country arising from our failure to adequately equip our rivers as instrumentalities of commerce. Those rivers which carry to most advantage the bulky and low-priced products, with reference to which low rates are established and which can be carried upon our waterways much more effectively than upon our railways.

Our action, or nonaction, stands in startling contrast with the wise provision of European countries, for in Germany, in France, in Austria, and even in Russia the rivers are highly developed, the banks protected, transfer facilities and terminal facilities provided, coordination with rail and ocean transportation provided, proper channels developed, and the waterways connected with each other by artificial canals in such a way as that in either Germany or France you can proceed from one part of the country to another almost as effectually by waterway as you can by railway.

In those countries they have developed in a triune way river, rail, and ocean transportation, all coordinating with each other for the development of both domestic and foreign commerce; and to-day in the very stress of war Germany and Austria are appropriating money for and are actually engaged in the construction of a canal connecting the headwaters of the Rhine with the headwaters of the Danube, thus securing continuous waterway transportation from the North Sea to the Black Sea, and through the Black Sea and the Dardanelles into the Mediterranean, thus solidifying commercially the great combination that has recently been created by Germany during the war, a combination of Germany, Austria-Hungary, Bulgaria, and Turkey in a great organization for aggression, for mutual defense, and for commercial advancement.

Mr. President, the onerous duties imposed upon the President of the United States by the war have thus far prevented him from appointing the commission provided for by Congress. He doubtless wishes to make a very careful selection of the personnel of that commission. It is of the highest importance that men should be appointed on that commission who are familiar with and have been identified with this propaganda that has been going on for so many years, that men should be put upon that commission who have already received their education and not men who, however qualified by ability, have to be educated in this particular training.

I believe that if a wise selection is made instead of going through a long period of education they will be prepared to act promptly and make plans for the development of all our waterways—those emptying into the Pacific Ocean, those emptying into the Gulf, and those emptying into the Atlantic Ocean—in such a way as to develop them from source to mouth by a gradual process that will secure a slowing up of these waters in their progress to the ocean and to the Gulf, which will utilize the flood waters and turn them from destroyers of wealth into creators of wealth, which will in time develop such channels themselves as the instrumentalities of transportation, thus securing the coordination of the 10 or 12 scientific services of the United States which are now at work upon the various portions of this problem, their full coordination and cooperation, and thus securing not only the action of the National Government but cooperation with the States, many of which have waterway commissions already organized and in operation in this great work.

I can not imagine anything of a practical and economic character connected with the war more vital to its prosecution, and I trust that Congress will be ready to respond liberally with the appropriations necessary for this great work.

Mr. JONES of Washington. Mr. President, I want to join with the Senator from Nevada in the hope that when the waterway commission is appointed it will be composed of educated, up-to-date, strong men who can go right at the work. But I also want to call attention to the fact that the Senate rejected very emphatically the proposition that Cabinet officers should be members of the commission, and that the Senate conferees stated on the floor of the Senate that in the changes that were made it was not intended to authorize or encourage the appointment of Cabinet officers to that place.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. POINDEXTER. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK], who is absent from the Chamber on account of illness. Not knowing how he would vote on this question if present, I withhold my vote.

Mr. McCUMBER (when his name was called). I have a general pair with the senior Senator from Colorado [Mr. THOMAS]. I am informed, however, that if present his vote on this subject would be the same as mine, and I therefore vote. I vote "yea."

Mr. VARDAMAN (when Mr. REED's name was called). I am requested to announce the absence of the Senator from Missouri [Mr. REED] on official business. He is attending a committee hearing.

While I am on my feet, I will also make the same announcement for the junior Senator from Iowa [Mr. KENYON].

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH]. Not knowing how he would vote on this question if present, I withhold my vote.

Mr. SUTHERLAND (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. BECKHAM]. He not being present and I, not knowing how he would vote if present, withhold my vote.

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]; but as he voted for this bill when it was last before the Senate, I feel justified, notwithstanding his absence, in voting for the bill. I shall therefore vote. I vote "yea."

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY]. I inquire of the Chair whether he has voted?

The PRESIDENT pro tempore. He has not.

Mr. VARDAMAN. In the absence of the Senator from Idaho, I withhold my vote.

While I am on my feet I desire to announce the unavoidable absence of the junior Senator from Georgia [Mr. HARDWICK] on account of illness. He is paired, as has been stated, with the Senator from Kansas [Mr. CURTIS].

The roll call was concluded.

Mr. CALDER. I am paired with the junior Senator from Rhode Island [Mr. GERRY]. I transfer that pair to the junior Senator from Ohio [Mr. HARDING] and vote "yea."

Mr. McLEAN. I desire to announce the unavoidable absence of my colleague [Mr. BRANDEGEE] on business of the Senate. If present, he would vote for the bill.

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH]. I understand that if present he would vote the same way as I shall vote on the bill, therefore I feel at liberty to vote. I vote "yea."

Mr. LEWIS. I desire to announce the absence of the senior Senator from South Carolina [Mr. TILLMAN] because of illness, and I ask that this announcement stand for the day.

Mr. VARDAMAN. I desire to transfer my pair with the Senator from Idaho [Mr. BRADY] to the Senator from New Jersey [Mr. HUGHES] and vote "yea."

Mr. SIMMONS (after having voted in the affirmative). I have already voted, but I wish to state that I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG], who has released me from the pair upon this vote.

Mr. NELSON. Mr. President, I desire to say that my colleague [Mr. KELLOGG] is necessarily absent. If he were present, he would vote for the bill.

Mr. McNARY. I desire to announce the unavoidable absence of my colleague [Mr. CHAMBERLAIN] on important business before the Military Affairs Committee.

Mr. MYERS. My colleague [Mr. WALSH] is necessarily absent on account of illness. In the last Congress he voted for this bill, and if he were present, I believe he would again vote for it.

Mr. SUTHERLAND. Mr. President, I desire to announce the absence of my colleague [Mr. GOFF] on account of illness. He has a general pair, however, with the senior Senator from South Carolina [Mr. TILLMAN].

Mr. KNOX (after having voted in the affirmative). I inquire if the Senator from Oregon [Mr. CHAMBERLAIN] has voted?

The PRESIDENT pro tempore. He has not.

Mr. KNOX. I voted inadvertently, but I transfer my pair to the Senator from Connecticut [Mr. BRANDEGEE] and will let my vote stand.

Mr. OVERMAN (after having voted in the affirmative). I voted under a misapprehension. I am paired with the senior Senator from Wyoming [Mr. WARREN], but I transfer that pair to the Senator from Oklahoma [Mr. OWEN] and will let my vote stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 46, nays 18, as follows:

YEAS—46.

Bankhead	Kendrick	Overman	Smith, Ariz.
Beckham	Knox	Page	Smith, Ga.
Calder	Lewis	Phelan	Smith, Md.
Colt	Lodge	Pittman	Smoot
Dillingham	McCumber	Pomerene	Stone
Fernald	McKellar	Ransdell	Thompson
Fletcher	McLean	Robinson	Underwood
Frelinghuysen	McNary	Saulsbury	Vardaman
Gallinger	Martin	Shafroth	Wadsworth
Hale	Myers	Sheppard	Weeks
Jones, N. Mex.	Nelson	Shields	
Jones, Wash.	New	Simmons	

NAYS—18.

Ashurst	Hitchcock	La Follette	Sutherland
Borah	Hollis	Norris	Townsend
France	James	Poindexter	Trammell
Gore	Johnson, Cal.	Sherman	
Gronna	King	Smith, Mich.	

NOT VOTING—31.

Brady	Gerry	Kirby	Thomas
Brandegee	Goff	Newlands	Tillman
Broussard	Harding	Owen	Walsh
Chamberlain	Hardwick	Penrose	Warren
Culberson	Hughes	Reed	Watson
Cummins	Johnson, S. Dak.	Smith, S. C.	Williams
Curtis	Kellogg	Sterling	Wolcott
Fall	Kenyon	Swanson	

So the bill was passed.

MINING OF COAL, ETC., ON THE PUBLIC DOMAIN.

Mr. PITTMAN. Mr. President, I move that the Senate proceed to the consideration of the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain. In this behalf I desire to say that some opposition to the passage of this bill has been removed by a general understanding as to certain amendments to be offered to it.

Mr. SMITH of Arizona. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Arizona?

Mr. SMITH of Arizona. Will the Senator from Nevada yield to a parliamentary inquiry?

The PRESIDENT pro tempore. The Senator will state it.

Mr. SMITH of Arizona. Is it in order at this time, on the motion of the Senator from Nevada, for me to offer a bill as a substitute for consideration?

The PRESIDENT pro tempore. That would not be in order, in the opinion of the present occupant of the chair.

Mr. SMITH of Arizona. If the Senator from Nevada will yield further to me——

Mr. PITTMAN. Certainly.

Mr. SMITH of Arizona. I want to give notice, for whatever effect it is worth, that immediately on the conclusion of the consideration of the bill now in charge of the Senator from Nevada I shall ask the Senate to take up the joint resolution (S. J. Res. 101) to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of paper at a fair price and by insuring a supply and equitable distribution at fair prices to the industries of the United States.

I give notice that I shall make a motion to take up the joint resolution on the conclusion of the measure now desired to be brought before the Senate.

Mr. STONE. Mr. President, may I make a parliamentary inquiry?

The PRESIDENT pro tempore. The Senator from Missouri will state it.

Mr. STONE. The motion of the Senator from Nevada [Mr. PITTMAN] to proceed to the consideration of the bill stated by him is not debatable, is it?

The PRESIDENT pro tempore. It is debatable after 2 o'clock, the Chair reminds the Senator.

Mr. STONE. Well, it is debatable after 2 o'clock, but is it debatable now?

The PRESIDENT pro tempore. As the Chair understands, there has been no debate on the question. The Senator from Arizona [Mr. SMITH] asked the Senator from Nevada to yield to him, and he made a parliamentary inquiry.

Mr. STONE. I know there has been no debate, and I do not care particularly to press the matter.

Mr. GALLINGER. I will state that the motion of the Senator from Nevada has not yet been stated by the Chair.

The PRESIDENT pro tempore. The Chair was simply allowing the Senator from Missouri to make his parliamentary inquiry.

Mr. STONE. Of course the Chair will state it authoritatively, but the motion of the Senator from Nevada is that the Senate proceed to the consideration of the bill named by him. My inquiry was whether or not that was debatable, but I am not very particular about it.

Mr. SMITH of Georgia. Undoubtedly it is debatable after 2 o'clock.

Mr. STONE. I think it is; but I was asking the question of the Chair. I have no desire to debate it. I want to support the Senator from Nevada [Mr. PITTMAN] in the presentation of the measure he has in charge; I am not in any sense out of sympathy with him, but I have very great interest in the measure which the Senator from Arizona [Mr. SMITH] gives notice of his intention to present to the Senate. My concern in it is, of course, a wholly public concern, Mr. President; but, as I regard it, it is one of the measures now on the calendar of especial moment and importance to the country. While I follow the Senator from Nevada and the Senator from Arizona in this situation, I thought it would not be untimely to supplement in a word the very apt statement made by the Senator from Arizona with respect to the importance of the measure he has in charge and his anxiety to press its consideration at the earliest possible moment.

I hope that the bill which the Senator from Nevada has in hand may be disposed of as speedily as possible. I know the Senator's adroitness and industry, and I hope he will press this measure, as the Senator from Ohio [Mr. POMERENE] did in the case of the foreign export trade bill, of which he was in charge, and as the Senator from Tennessee [Mr. SHIELDS] has done in the case of the water-power bill, and let us bring the bill to a vote at the earliest moment, so that other questions of great importance may not be unduly delayed.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Nevada to proceed to the consideration of Senate bill 2812.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Utah?

Mr. PITTMAN. I yield.

Mr. SMOOT. I desire to ask the Senator if it is his intention to go on with the bill this afternoon or simply to have it read?

Mr. PITTMAN. Mr. President, there are Senators who desire to be present at the time when this bill is debated; at least, they desire to have an opportunity to make some remarks on the bill, and I realize that, while this bill will be speedily passed, we can not pass it this afternoon. Therefore there is no intention on the part of the Senator in charge of this bill to attempt to have a vote on it this afternoon.

Mr. SMOOT. I asked the question for the reason that I have not the papers on my desk which I desire to have when I address myself to the bill; and if we were going to consider it this afternoon I would have to send for those papers. I am very glad the Senator has concluded not to press the bill this afternoon, but will be content with the reading of the bill.

Mr. PITTMAN. Mr. President, I feel that that is a good suggestion; that we devote a portion of the time this afternoon at least to reading the bill; and after the bill has been read, with the permission of the Chair and of the Senate, I will make a short statement with regard to the bill in its present form. However, I feel that at this time I should say that I am prepared to vote for an amendment eliminating from the operation of this bill all naval reserves. In such determination I am actuated solely by a desire to get some action with regard to the coal, oil, and phosphate situation in this country. I still believe that the provisions concerning the naval reserves as reported by the Committee on Public Lands of the Senate are to the best interest of the Navy. However, that met with the violent opposition of some Senators in this body, and as those provisions affect only a small area, in fact a negligible area, by comparison with the hundreds of thousands of acres of land that are tied up at the present time and that are sought to be released by this bill, personally I will consent to that elimination. I want to say also that I have talked with a number of other Senators casually—I have made no effort to get a meeting—and those Senators with whom I have talked agree with me in such particular. I feel, therefore, that it is my duty to say that my canvass of the situation leads me to believe that an amendment to exclude all naval reserves from the operation of this bill will be adopted. That will eliminate the main contest over the bill; that will eliminate the contest which the late Senator from Wisconsin, Mr. HUSTING, supported so earnestly and so ably.

Of course, there are other contests; I know there are those here who are bitterly opposed to the whole policy involved in the bill; there are Senators here who are opposed to the Government leasing these natural resources; to the Government acting as a landlord; to the Government retaining the title. Of course, such objections arouse fundamental differences which we can not harmonize.

Mr. SMOOT. Mr. President——

Mr. PITTMAN. Just a second. I am satisfied, however, that even some of those Senators who are opposed to this policy have been forced to the conclusion, after three or four years of debate on the subject, that such a bill must pass, if any legislation is to be had at all, and that the conditions are such that we had better pass the bill in that form rather than to have no legislation on the subject at all. I believe that those Senators will express their opposition to this bill; I think they will give their reasons for their opposition. I am satisfied, however, that they will not attempt through debate to delay the action of the Senate on it; and I am satisfied that we will get to a vote on this bill in a very short time.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Nevada yield to the Senator from Utah?

Mr. PITTMAN. I yield.

Mr. SMOOT. Mr. President, the other day I was shown what purported to be a department bill covering the question of naval oil reserves, and I understood that the Senator from Virginia [Mr. SWANSON] intended to introduce that bill and have it referred to the Naval Committee. I hastily read it. That bill as it was handed to me eliminates entirely the question of leasing oil lands on those reserves, and provides that the Government of the United States shall operate and that the Government of the United States shall pay outright for all claims upon those reserves. If the locator or owner of the claim or claims should not be satisfied with the price the Government offered, he could go into court and have the question adjudicated and settled there, and the Government would pay whatever judgment was rendered against it by the court. I know that the parties who handed me that bill, with the request that I should read it and consider it, knew nothing about what it would cost the Government of the United States. I asked them if they could even suggest what the cost would be, and they said, "No"; they could not even do that. It seems to me that before a bill of that kind is passed we ought to know something as to what it is going to cost. I can not believe that we will have to pay for the claims in those reserves less than $150,000,000 or $200,000,000, and it may be more than that.

Now, do I understand that the Senator is perfectly willing to have the part of this bill relating to the claims that fall within naval oil reserves eliminated entirely from this bill and to have them treated entirely different from other public lands?

Mr. PITTMAN. The Senator from Nevada is willing to exclude naval reserve No. 2, as the bill has already excluded naval reserves numbered 1 and 3 from the operations of this bill, and leave legislation in regard to those reserves to separate actions of the Congress.

Mr. SMOOT. In reserves Nos. 1 and 3 there are so very few claims and there is so much doubt about the justice of the claims and as to whether they have any merit in them whatever that they are not included in the bill; but reserve No. 2, if I remember corectly, is at least to the extent of half of it held in private ownership, or rather in the form of private claims.

Mr. PITTMAN. Patent for more than half of that land has been issued.

Mr. SMOOT. I did not want to say more than half, because I was not really positive about it; but I thought that it was more than half in private ownership. Is there any good reason why we should not legislate as to those claims, as the committee decided to do?

Mr. PITTMAN. I think there is now; I think there are only 6,000 acres that we could legislate with regard to in naval reserve No. 2, while there are several hundred thousand acres of oil land with respect to which we can legislate outside of reserve No. 2. It is evident to me that if we attempt to legislate with regard to that little 6,000-acre tract, we are going to block legislation entirely with regard to several hundred thousand acres.

Mr. SMOOT. Well, I must admit that I have seen the Navy Department exercise sufficient power to prevent the passage of this legislation in years past. I myself think that it would have been passed before this if it had not been for the department's objections to the legislation, but I have not heard any good reason given why——

Mr. PITTMAN. Neither has the Senator from Nevada, except that which he gave.

Mr. SMOOT. I asked the question because at the time the bill was reported from the committee it was impossible for me to be present at the meeting because of the fact that we were then trying to get the revenue bill in shape to report it to the Senate and the Finance Committee was then in daily session from early morning until late at night. Of course I want the Senator to understand that I am not going to oppose the elimination of all of those reserves from the bill if their inclusion in the bill would prevent legislation, although I will say that I am not enamored of the proposed legislation in any way, shape, or form; and if I could have my way about it, and could say now what should happen to this bill as it is, I would say that it ought to be defeated, because I am one of those who believe that the threat which has been held over the Western States for the last 12 or 13 years could continue a little while longer until the American people were aroused to the fact that there is and has been injustice done to the people there, and that it has existed long enough; but rather than that we should stop all legislation that will allow the development of some of our resources out in that country, which have been blocked and held locked up so long, I have yielded my objections to the wishes of some of the other Representatives from some of the other States in the West.

Mr. BORAH and Mr. PHELAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nevada yield; and if so, to whom?

Mr. PITTMAN. The Senator from Idaho rose first, I think, and I yield to him.

Mr. BORAH. Mr. President, I was called out of the Chamber for a moment. Do I understand that there was an agreement that there should be no vote this afternoon and nothing done further than the reading of the bill?

Mr. PITTMAN. I can not say that there was an agreement, but, as the Senator having the bill in charge, it is not my intention to ask for a vote this afternoon, and I am satisfied there will be no such effort made.

Mr. PHELAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from California?

Mr. PITTMAN. I do.

Mr. PHELAN. Mr. President, I have heard for the first time from the Senator from Utah [Mr. SMOOT] that a bill is about to be introduced, if not already introduced, providing for the purchase or condemnation of the private oil claims in Naval Reserve No. 2 and other naval reserves. I do not see that that proposed action should in any way affect the consideration of the bill now before the Senate, because doubtless such an amendment will be agreed to. Those who insisted before the committee and before the Senate in favor of the development of Naval Reserve No. 2 in California were convinced, and are still of the same opinion, and apparently the Navy Department approves, that it was impossible to have a real reserve where so many claims were in private ownership and so many wells were being operated; and now that apparently the opposition, largely due to the Navy Department, has proposed to acquire those private claims not, as I understand, for the purpose of conservation but for the purpose of development, the objection which we have made seems to be satisfied.

Out in California there is a shortage of 22,000 barrels a day; that is to say, 22,000 barrels a day are consumed in excess of the daily production of oil, while the total reserves have fallen to 33,000,000 barrels, a number of barrels very considerably less than the shortage reported several months ago. So, if this land is acquired by purchase and condemnation by the Government for the purpose of development every objection seems to be met, because it was our purpose to stimulate development and not to impose upon the Government, or see it impose upon itself, the false security of a pretended reserve which would have no existence in fact. The oil strata had already been penetrated by the owners of claims whose property it is now sought to purchase. When once that strata is penetrated, the natural gas necessary to bring the oil to the surface is lost, and the testimony before the Committee on Public Lands showed that, for that and for other reasons, it would never be a true reserve.

I trust the Senate will now, free from objection from any source, proceed to the consideration of the bill.

Mr. PITTMAN. Mr. President——

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Virginia?

Mr. PITTMAN. I was going to say that I simply wanted to have the bill read this afternoon. I really did not intend to provoke debate, but, of course, I yield to the Senator.

Mr. SWANSON. I will not detain the Senate more than a few minutes.

The Navy Department is very anxious to have condemnation proceedings in order to acquire all of the rights in these naval oil reserves. A bill was prepared by the department which I had considered, and before introducing it I submitted it to the Senator from Nevada [Mr. PITTMAN], who had charge of this bill, with a view of his looking over it to see what objection, if any, could be urged to it, and what amendments he had to suggest. If it is agreeable to the Senator from Nevada and does not delay the passage of this bill, I should like to offer that at the proper time, when it is prepared, as an amendment to this bill, so that the matter can be consummated as quickly as possible. The necessity may arise at any time for this oil to be utilized by the Navy Department, a matter of the utmost importance; and I think the condemnation proceedings contemplated are to give the same authority to condemn these oil lands that has been given to the Government to commandeer steel and other properties.

The Senator from Nevada, who has charge of this bill, had the proposed bill to look over with a view of making any suggestions that might occur to him and to see it before it was introduced. I should like to have that bill perfected so that it could be introduced on Monday or Tuesday, when this bill comes up, as an amendment to this bill. If there is any objection or any likelihood of its resulting in delay, I will then introduce it as a separate bill, as I do not want to interfere with the passage of this bill.

Mr. PITTMAN. I was going to confer with the members of the committee with regard to the bill to which the Senator refers, the one that he has in view. The bill has been turned over to me, but I have not yet had an opportunity to give it study. The bill seems to be of the character described by the Senator from Utah and by the Senator from California, a bill for the condemnation of properties, and as far as I am familiar with its terms no one should raise any objection; but what I want to say with regard to the bill is this:

The oil and coal in the public lands that are now withheld from use and have been withheld from use so long, are so badly needed at the present time that a great many Senators, including the Senator from Nevada, have set aside their personal views with regard to this matter so as to obtain some legislation. We are told by the Bureau of Mines and by the Geological Survey that there will be a shortage this year of about 10,000,000 barrels of oil. Since that report was made we have received reports from other Government statisticians who tell us that there will be a shortage of 50,000,000 barrels of oil in the United States. Even these statisticians were unable to estimate the increased demand for this oil, and we know that it has increased beyond the imagination of even those who are familiar with the enormous industry in internal-combustion engines. We find ourselves to-day with hardly enough fuel to carry on the transportation of this country, and yet we are figuring on building as many aeroplanes as it is possible for the great factories of this country to turn out, and they must depend entirely for their motive power upon this oil.

We have been fighting here for four years to open up the hundreds of thousands of acres of oil land in this country that have been locked up for seven or eight years, and during that time we have called the attention of the Congress of the United States and of the country to the ever-growing need of these materials, but unfortunately we seem to have been unable to portray to the minds of those whom we were addressing the dire necessity. Instead of that, statements by men who knew nothing concerning these matters, of the most wild and visionary character, statements impugning the motives of prominent men throughout this country, as well as in this body, were given far more credence.

This whole legislation was blocked for four years because of five or six thousand acres of land. It was blocked because the Navy contended it wanted this five or six thousand acres of land for a permanent reservoir for oil, and yet to-day they come in and admit by their very bill that they want this not as a permanent reservoir but for present use. They admit that what we contended was necessary is necessary.

Mr. SWANSON. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Virginia?

Mr. PITTMAN. Yes.

Mr. SWANSON. That is not the contention. There was an endeavor to change the law so as to change the title involved in this five or six thousand acres of land that some of us thought was worth $100,000,000. We have always told you that if you would eliminate the Naval Reserves and not try to change the title and conditions applying to them under existing law, so far as the Navy Department is concerned, there would be no objection to the passage of this bill.

Mr. PITTMAN. That is the contention made by the Navy Department; and it had reached such a point that it was apparent that it was impossible to have legislation of any kind or character unless the wishes of the Navy Department in the matter were adhered to. That is the fact now. I am willing to face the situation and admit it. I have always contended that the Navy had better take that oil out of naval reserve No. 2 before the Southern Pacific Railroad Co. and the other owners of patented land did. I have always contended that where every other section of the reserve was patented to the Southern Pacific Railroad Co., and much additional to other companies, it was absurd to say that the intermediate sections could be maintained as permanent oil reservoirs. I believe that the Navy Department recognizes that fact now; at least I hope so. I hope they will go to work and take the oil out in some way before somebody else takes it out, and I believe they will.

But be that as it may, we are unable to do for the Navy what we think would be for the interest of the Navy. Congress is unable to legislate policies with regard to the Navy, and therefore we are going to quit trying to do so. We are going to trust that some legislation on behalf of the Navy will provide oil for the Navy, because if the Department of the Navy does not recommend such legislation we can not pass it.

We have 44,000,000 acres of coal land in 14 States withdrawn from any use whatever, and it has been withdrawn for several years. Why, Mr. Peabody, who had charge of the coal situation at one time, testified before the Public Lands Committee that the opening up of these coal lands, if it did nothing but supply the local demand, would relieve transportation greatly, because to-day the railroad companies are hauling coal for thousands of miles while coal is lying right at their destination.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Colorado?

Mr. PITTMAN. I yield to the Senator.

Mr. SHAFROTH. In connection with the statement the Senator has just made, I will state that between seven and nine million acres of coal lands are withdrawn from the State of Colorado by reason of the excessive value that is placed upon the coal lands.

Mr. PITTMAN. Everyone agrees upon the urgent demand for coal and for oil. There is not any dispute about it. It is entirely unnecessary for any of us to discuss that terrible need. It is only a question of the legislation that is needed at this time to give a remedy. No matter what my views may be with regard to policies, I am unwilling by reason of any difference of opinion to deny to the people of this country the oil and the coal that they must have for the purpose of preserving life and preserving this Nation. If I can not get the character of legislation that I deem to be to the best interests of this country in the opening up of those great reserves, then, notwithstanding, I am going to vote for legislation that will open up the coal and oil of this country. I am satisfied that this bill will pass with very little debate in this body.

Mr. President, I hold in my hand a report on this bill that I have prepared at the instance of the Public Lands Committee. It not only expresses the views of the committee in this matter, but it expresses more succinctly than I could in any brief remarks made here my views on this whole subject. It also includes some definite statistics which will be of interest to the Members of the Senate who desire to investigate this matter. I ask at this time that it be printed as a part of my remarks.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The report is as follows:

Mr. PITTMAN, from the Committee on Public Lands, submitted the following report, to accompany S. 2812:

The Committee on Public Lands, to which was referred the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain, having had the same under consideration, begs leave to report it back to the Senate without amendment, and recommends that the bill do pass.

This is an emergency measure. The immediate increased production and supply of coal, oil, and gasoline is absolutely essential to the successful conduct of our war. The truth of this statement should require the production of no proof by this committee.

The coal situation has become so desperate that the Government has found it necessary to assume direct supervision through a coal administrator. We are threatened with being cut off from the power necessary to the production and manufacture of the sinews of war. Unless the condition is rapidly remedied, many of the great plants now manufacturing munitions of war will be seriously curtailed in their output if not entirely closed down. As to this condition, it is immaterial whether it be caused by a shortage of coal or inadequacy of transportation. If the former, then the opening up of the 44,000,000 acres of land reserved by the Government as coal lands to the development of several thousand independent coal operators must greatly relieve such condition. If such condition, however, is due to the latter cause, then the local production of coal in the 14 States wherein such coal lands are withdrawn from use will greatly relieve transportation.

The increased production of oil, however, will not only relieve the burden upon the coal operators, but will do more than anything else to relieve the congestion in transportation which is in part caused by the necessity to move large quantities of coal.

As was stated by Mr. Francis S. Peabody, chairman of the committee on coal production under the National Council of Defense, in testifying before the Public Lands Committee of the Senate while the present bill was under consideration:

"My own feeling in regard to the situation is that we are confronted now with the emergency of winning this war, and that this war can only be won by furnishing sufficient coal or oil, or whatever the product may be that will make steam and make power, and we must furnish it. I class coal ahead of food. Perhaps that is a little personal jealousy on my part of the food question against coal. Coal agrees with me better than food. But the two items, coal and food—this war has got to be won by them.

"Senator PHELAN. Both are fuel?

"Mr. PEABODY. Both are fuel; one human fuel and the other is machine fuel. Any laws that can be passed that will loosen up the reserve fuel and oil supplies of Alaska and the west coast should be adopted. We can not wait until we are whipped to open up those fields. We are sending our sons now; we are not sending them three, four, or five years from now; we must protect those sons; we must win this war; we can not win this war unless we utilize every process available. If it exhausted the coal of the United States or the oil of the United States to win this war, we must win this war. We must not hold back anything.

"The west coast is in tremendous difficulties—is in the same situation as northeastern Canada in regard to the loss of men. The coast can only be supplied either from northwestern Canada or from the oil fields of California and the coal fields of the Rocky Mountains. The oil production is falling off very seriously in the West.

"I think of oil mainly as tons of coal. If I say a falling off of 9,000,000 barrels of oil, I figure that 3,000,000 tons of coal have gone by the wayside. When I find an oil well can be drilled—and I have drilled them myself by the use of four or eight men—and possibly we might get 3,000 barrels of oil out of that well, meaning 1,000 tons of coal, and do it within 60 days, and I know it would take from 12 to 18 months, using 200 or 250 men, to develop any coal mine to the production of 1,000 tons of coal, and so I believe the emergency warrants the Government in using any possible means to get that thousand tons of fuel a day, whether it be in the nature of 3,000 barrels of oil or 1,000 tons of coal, out at any sacrifice.

"Senator SHAFROTH. The question which has been in dispute in Congress has been the system by which this could be done.

"Mr. PEABODY. Senator, I do not give a rap what your system is. I do not care whether you lease it to the men, sell it to the men, or do it yourself, but get the stuff out. I have no interest in the method. * * *

"The drains are that we are shipping every ton of coal we can possibly send via the Panama Canal to the west coast, and in addition to that we are supplying the Navy, and the coal shipped all rail takes, I think, 92 days' average time for a car to go from the Norfolk & Western or the Chesapeake & Ohio fields to California and return. It is a most horrible misuse of equipment that we need so badly for other purposes. The Southern Pacific wants 60,000 or 70,000 tons of coal a month. These papers came to me from the National Council of Defense. They asked me could I supply it; I mean by 'I' whether the committee could supply it. I said, 'No; it is impossible to supply that coal unless we take it from industries in which it is indispensable.' We can, if we shut down possibly the steel mills in Colorado, if we shut down a great many industries that are large burners of coal, we could probably take that away from them and furnish it to the Southern Pacific.

"Senator PHELAN. Why is the Southern Pacific using coal? They have oil burners?

"Mr. PEABODY. But they can not get enough oil. Oil has fallen off in its production immensely.

"The CHAIRMAN. What, in your opinion, would be the result if we should take up no new system and go on in the same old way and develop no more coal or oil than we are developing now?

"Mr. PEABODY. Why, from the oil standpoint, we would be out of reserve oil in the United States within 12 months, and we would be producing approximately 50,000,000 barrels of oil—leaving out the Mexican supply, assuming that everything remained normal—50,000,000 barrels of oil per year less than needed.

"The CHAIRMAN. Do you think we are producing enough coal and oil now to win the European war?

"Mr. PEABODY. No, sir.

"The CHAIRMAN. If we can not increase our production, we can not win the war?

"Mr. PEABODY. Yes, sir.

"Senator PHELAN. If more oil is developed in California, it will release these cars for transportation?

"Mr. PEABODY. It goes without saying that the more you can produce nearer the point of consumption the less transportation you are going to use, Senator PHELAN.

"Senator PHELAN. How extensive is the shipment of coal you describe from the east to the west coast by rail?

"Mr. PEABODY. The shipment from the east to the west coast by rail, the only coal that is going is for battleships.

"Senator PHELAN. And that at a great cost?

"Mr. PEABODY. At a terrific cost. I located 8,000 tons of coke the other day. I have not been able to find out who it is going to, but 8,000 tons of coke going to California from the West Virginia field. It struck me when I saw that, 'Why did they not take the coke from farther west; why did they not get the coke from Colorado?' Everything that I see that takes a car longer to accomplish its appointed task of taking its load of fuel to the consumer hits me in the face and I want to stop it, and when I saw this 8,000 tons of coke going from the West Virginia fields to San Francisco I wanted to find out why they could not take it from a point nearer the point of consumption, as you say.

"Senator PHELAN. And it does not go by ship because there are no ships?

"Mr. PEABODY. Well, we have no ships.

"Senator PHELAN. There is a collier now in European waters, was it not so reported the other day, that can not get home?

"Mr. PEABODY. That may be. I am loading this week five ships which the Government allotted to the Italian Government with coal.

"Senator WALSH. You say some coal is going by way of the canal?

"Mr. PEABODY. Yes, Senator; some coal is going by the canal. But you should develop your coal and oil lands in Alaska, and you should develop your oil lands in every Western State. * * * I think if you would loosen up some of your coal lands you would get immediate developments out of them, and immediate relief, although not as much relief as if you loosen up your oil, because you get oil in 60 days and it takes 12 to 14 months to get coal."

The position taken by Mr. Peabody was sustained absolutely by Mr. Van. H. Manning, the Director of the Bureau of Mines, and by Dr. George Otis Smith, Director of the Geological Survey.

OIL SITUATION.

The oil situation, if possible, is more deplorable than that of coal. The demand for oil and its by-product, gasoline, is increasing at an enormous rate. Never before in the history of the country, and we hope never again, will there be such a vital necessity for a sudden and enormous supply of both oil and gasoline. It will require the development to the maximum of every known supply of oil to carry out our war program with relation to our Navy, motor vehicles, and flying machines. Notwithstanding this tremendously increasing demand, the oil stocks of the country are decreasing. The report of the Bureau of Mines furnished to Mr. Bernard M. Baruch, chairman of the committee on raw materials, minerals, and metals of the Council of National Defense, and made a part of the hearings upon this bill, shows that in 1916 the marketed production of oil was 296,290,000 barrels, and in 1917 (estimated) 286,990,000 barrels, being a decrease of 9,300,000 barrels in 1917.

We must get oil now wherever we can get it and as fast as we can get it. It is better to let future wars take care of themselves than to lose the present one through dreams of far-off conservation, technical disputes as to methods, and puerile bickerings as to jurisdiction between governmental bureaus. If production is prevented by withdrawals, then these withdrawals must be thrown open. If production is retarded by litigation, then this litigation must be compromised.

No man in the United States understands the oil situation better than Mr. Edward L. Doheny. He is probably the largest individual oil operator in the world. He is in no way personally interested in any of the provisions of this bill. By reason of his vast knowledge of the subject, his unquestioned integrity, and his unbiased and sound judgment he was appointed by Gov. Stephens, of California, as chairman of the committee on oil of the State council of defense and by Mr. Bernard M. Baruch as chairman of the committee on oil of the Council of National Defense. We respectfully urge most careful attention to some of the statements made by Mr. Doheny at the hearings upon the bill under consideration. Mr. Doheny said:

"Mr. DOHENY. The falling off of the production of the Mid-Continent field made the supply of gasoline and lubricating stock inadequate to meet the eastern demands, and the prices of gasoline and lubricating oils went up, so that they naturally drew on the California surplus. Up to two years ago California had a substantial surplus production over consumption. It had had production to the extent that the price of oil was down below a profitable point of production. Then, in the last 18 months the price of oil in California has more than doubled, because of the falling off of the production to which I have referred, and also of the California production, which increased the demand for California oils. * * *

"There is no doubt but that everybody that has any influence at this time and in this situation ought to encourage development of oil wherever possible. The question where its development should be encouraged depends upon the likelihood of an increase being obtained in those places, for the reason suggested by me in answer to your former question, that oil-well supplies, especially tubing, are very difficult to get; in fact, so difficult to get that tubing should not be used except

in places where there is almost a certainty of getting a good return in oil for the use of that tubing. If you think it would throw any light on the subject, I would be willing to give the reasoning on that point that I used with the advisory council.

"Senator WALSH. I am sure the committee would be glad to hear that.

"Mr. DOHENY. It is a very short statement. It is very probable, however, that you have heard it in better words from other lips; but when asked by Mr. Baruch what regions I thought should be thrown open for development, I answered that I thought any place, no matter to whom it belonged, whether to a private individual, a corporation, or the Government, that would produce oil in the greatest quantity with respect both to the amount of time and money invested. Those should be the first places developed. For instance, in California I have an immense amount of territory that I have acquired within a year, something like 50,000 acres of land. That land I acquired for oil purposes. I know that I can drill wells in great numbers that will each produce from 5 to 25 barrels per day. I have one area that will produce from 250 barrels a day up per well. I am confining all my work to that particular spot, on the theory that it takes as good a pipe line, as much time and experience, and so on, to drill an oil well from the surface down into the sands that will yield 10 barrels as to drill one that will yield 100 barrels a day. For that reason I am withdrawing, just for the purpose of economic operation, all my development at this time to land that will give the greatest return for the time and supplies invested. In other words, I want to get in the shortest possible time the greatest return from every dollar invested. I think that in this emergency, if there is any spot in the United States, or any number of spots, whether they belong to a private individual, a corporation, the Standard Oil or other company, that will produce more rapidly than a place that I, for instance, am developing, my attention or the attention of others should be called to it, and we should be urged in every way possible to develop the land that will yield the largest amount of oil, considering the amount of time and material used.

"I want to say that the use of oil in this emergency is going to be more vital to the interests of this country than any other one thing. The papers are telling about an appropriation of $600,000,000 for aeroplanes. You must bear in mind that you can not move an aeroplane one foot, unless you push it, without gasoline. It takes about 12 or 14 barrels of the average oil to produce one barrel of gasoline. To run 100,000 machines at even 1 gallon per day, considering that they may be idle nine-tenths of the time, will take about 30,000 barrels of oil a day; and that is in addition to what we use now. I am just mentioning this to show why I think that this committee, if it has any power, should require any individual or corporation to put at the service of the Nation any lands that will produce oils more rapidly, and it should stop the use of casing on lands that will produce only a small amount of oil, wherever those lands are, if the fact is known to this committee. I suggest that that power should be used as to these lands because of the peril to the Nation. You have got to have oil. Oil to-day is the essential of this war. You can not move without oil in these days. You need it for the aeroplanes, for the motor trucks, for the submarines, for the boats that chase the submarines, and eventually and finally, you need it for the warships themselves. They all need gasoline; they can not start to work without it. If you start with gasoline, why, that comes out of the crude oil, and that crude oil comes out of the ground; and you necessarily have to have the tubing and casing to put in the ground."

There should be no question in the mind of any Senator of the necessity of this legislation. The bill is quite similar to two other bills that have passed the House of Representatives and one that passed the United States Senate.

SYNOPSIS OF BILL.

COAL.

As far as coal is concerned, the coal area is assumed to be known, and no provision is made for the exploration for such product. The testimony discloses that in some cases it is more profitable, both to the Government and to the individual, to lease coal lands, while in other cases development can only be obtained through the passing of title. As the bill thoroughly protects the Government and the people against monopoly in the production of coal under either method, it was deemed wise to provide for the lease or sale of tracts not to exceed 2,560 acres to one individual or corporation. In fact, the provisions of the bill are so stringent that one individual or corporation can not become directly or indirectly interested in more than 2,560 acres disposed of under the bill.

PHOSPHATE AND SODIUM.

The phosphate lands are treated the same as the coal lands, as the conditions with regard to such products are quite similar. Sodium lands are disposed of in same manner as coal lands except that prospecting permits are granted as in the case of oil lands.

POTASSIUM.

The provision concerning the disposition of potash lands is identical with the provisions contained in Senate bill 2156, which is described in Report No. 100, Sixty-fifth Congress, first session, and which bill passed the United States Senate on August 10, 1917.

OIL.

The oil provisions in the bill are practically identical with the provisions contained in the former bills hereinbefore referred to and which have been considered by Congress, with the exception of certain relief provisions contained in section 16 of the bill.

Oil deposits are treated as of two characters, unknown deposits and known deposits. As to unknown deposits a prospecting permit is given to prospect upon 2,560 acres during a period of two years. If during that time oil is discovered, to the satisfaction of the Secretary of the Interior, then the permittee receives a patent for one-fourth of such land and the other three-fourths is then subjected to the leasing provisions of the bill and is treated as known oil land. All known oil lands are leased by the Secretary of the Interior under the same general restrictions that are applicable to the leasing of coal lands.

RELIEF PROVISIONS FOR OIL CLAIMANTS WITHIN WITHDRAWN AREAS.

There is practically no controversy except with regard to said section 16 of the bill. This section provides a method whereby the Secretary of the Interior may settle litigation in naval reserve No. 2, as well as in other withdrawn areas, by granting a preferential lease to such litigants who claim oil lands within reserves, except naval reserves Nos. 1 and 3, and who, in good faith, initiated their right to such lands prior to the withdrawal of 1910 under the then existing mining laws, and who have sunk producing oil wells upon such lands. In fact, there has been no protest as to the application of this provision except as to the lands contained in naval reserve No. 2 in the State of California. The Navy Department has objected every time that such provision has been included in similar bills, and the controversy that was thus precipitated, as inconsequential as it was to the Government, has always prevented the passage of such bills.

Although there are over 30,000 acres in naval reserve No. 2, only 7,680 acres are affected by such provision. Notwithstanding the insignificance of the dispute over this small tract of land, it is the opinion of the committee that the bill can not be passed without just settlement or compromise of such differences. The Navy Department claims to be the owner of such 7,680 acres of land, while, on the other hand, certain individuals who have developed the land claim that they are the owners under the existing mining laws. The dispute must be settled and the expensive and endless litigation terminated. Under this bill the claimant is to surrender claim of title and in lieu thereof accept a lease from the Government on a one-eighth royalty basis and under the same terms and conditions that oil lands are leased generally under the bill, the royalty from such lease to go to the Navy.

The committee invites the attention of the Senate to this particular dispute. By act of Congress, approved February 11, 1897 (29 Stats., 526), it was provided that petroleum lands might be located under the laws applicable to placer-mining claims. Under such law an applicant could mark out 20 acres or eight applicants could mark out one claim of 160 acres of land for placer-mining purposes. If oil was discovered on the land at any time subsequent to the location of such claim, the right of such claimant in and to all the oil in the land became vested, and upon performance of $500 worth of work he would be entitled to patent. Until such discovery was made, however, the claimant had no vested right as against the Government. While he had no vested right, he had a moral right to continue prospecting for oil under the invitation of the statute, a right never denied or violated until the policy of withdrawing land from the effect of existing laws was adopted by President Taft on September 29, 1909. President Taft, in directing the withdrawal of such lands from exploration under the mining laws, and in his communication to the Secretary of the Interior with regard thereto on the 27th day of September, 1909, said:

"Temporary petroleum withdrawal No. 5.—In aid of proposed legislation affecting the use and disposition of the petroleum deposits on the public domain, all public lands in the accompanying lists are hereby temporarily withdrawn from all forms of location, settlement, selection, filing, entry, or disposal under the mineral or nonmineral public-land laws. All locations or claims existing and valid on this date may proceed to entry in the usual manner after field investigation and examination."

The power of the President to so withdraw lands that had been open to exploration and acquisition under a statute of Congress, without further authority of Congress, was denied by the most eminent lawyers in the United States. The President even expressed doubt as to his own authority in the matter. Again, many of those who had located upon this withdrawn area prior to the withdrawal construed "All locations or claims existing and valid on this date may proceed to entry in the usual manner after field investigation and examination" to mean claims that had been located in accordance with law before a discovery had been made thereon. Holding these opinions, the locators continued in the prosecution of work leading to a discovery.

This construction has just been sustained and affirmed by the ninth circuit court of appeals in Consolidated Mutual Oil Co., a corporation, and J. M. McLeod, appellants, *v.* The United States of America, appellee, involving the title of claimants to land in section 28 within said oil naval reserve No. 2. The court reversed the decision of the district court, held against the Government, and discharged the receiver. Ross, circuit judge, in the opinion cited, construing such language of President Taft, said:

"It is insisted on behalf of the Government that the exemptions from the effect of the order of the President therein provided for can not be properly held to apply to any land upon which at the time of its promulgation no mineral had been discovered, even though, as in the present cases, the land had been located under and by virtue of the mining laws; its boundaries properly marked on the ground, and the assignees of the locators, then in its bona fide actual possession, actively engaged in seeking mineral therein.

"A discovery of mineral in the ground under such conditions would manifestly have perfected the locations not only against third parties but also against the Government, and would have given to the owner of them an equitable title against the United States, and have entitled the owner to the legal title upon compliance with the statutory requirements respecting annual assessment work and payment; which rights would have been secure under the provisions of the Constitution of the United States. Such locations upon which discovery had then been made needed no protection through any order of the President. Said the Supreme Court in Belk *v.* Meagher (104 U. S., 279, 283): 'A mining claim perfected under the law is property in the highest sense of that term, which may be bought, sold, and conveyed, and will pass by descent.' It is not, therefore, added the same court in Sullivan *v.* Iron Silver Mining Co. (143 U. S., 431, 434), 'subject to the disposal of the Government.'

"President Taft, who had himself been a distinguished Federal judge, of course well knew this, and we think it altogether unreasonable to hold that the words employed by him in his order 'All locations or claims existing and valid on this date may proceed to entry in the usual manner after field investigation and examination' were intended or can be fairly construed to apply to lands upon which discovery had already been made and to which its locators had already acquired an equitable title; but, on the contrary, that they were intended and should be held to apply to all locations and claims existing at the time of the making of the withdrawal order to which the locators or claimants had some valid right."

If this construction of the law is correct, then every acre of said land affected by this bill in naval reserve No. 2 was exempted from the operation of the withdrawal orders and is now the undisputed and vested property of the claimants by virtue of location and discovery under the existing mining laws.

The claimants, however, do not have to rely upon such exemption in the withdrawal orders, as the same court in the same opinion held that such claimants had brought themselves within the provisions of the Pickett Act, an act passed by Congress on June 25, 1910 (36 Stats., 849). This act was passed for two purposes, namely, to grant to the President authority to withdraw lands, which power without congressional authority was doubted, and at the same time to protect those who were in good faith exploring for oil on the public lands under existing mining laws. In other words, Congress had the same intent to exempt bona fide locators under the existing mining laws as had President Taft in his order of withdrawal of September 29, 1909, hereinbefore referred to. It would be naturally assumed that all of said claims affected by this bill in naval reserve No. 2 would come within the provisions of the Pickett Act, as they were all located prior even to

the first withdrawal in 1909, and upon all producing oil wells have been developed. It would now seem too late for the Government to question the diligence of the locators, and yet the Government has based its hope largely upon defeating title of the claimants upon the grounds that they were guilty of either a lack of diligence in the prosecution of such work before or after the withdrawal. The Government has taken the position that the work required was the actual sinking of a well on each claim; that the work had to be practically continuous; that the cessation of work even for a few weeks would constitute a lack of diligence and forfeit the rights under the Pickett Act. In other words, the Government has attempted to place such a strict construction upon the Pickett Act that in the very nature of things no one could have complied with it. This position of the Government is firmly and decisively denied by the Circuit Court of Appeals for the Ninth Circuit and by other Federal courts. The opinion hereinbefore quoted, in dealing with this phase of the case, which it will be remembered involved section 28 in naval reserve No. 2, says:

"And by its act of June 25, 1910 (36 Stat. L., 847), entitled 'An act to authorize the President of the United States to make withdrawals of public lands in certain cases,' Congress expressly declared:

"'That the rights of any person who, at the date of any order of withdrawal heretofore or hereafter made, is a bona fide occupant or claimant of oil or gas bearing lands, and who at such date is in diligent prosecution of work leading to discovery of oil or gas, shall not be affected or impaired by such order, so long as such occupant or claimant shall continue in diligent prosecution of said work.'

"This was the first legislative recognition ever made by Congress of any right on the part of an occupant or claimant of oil-bearing lands prior to the discovery of oil thereon. By that act, which was obviously a remedial statute and therefore to be liberally construed to effect its object, Congress expressly gave to the good-faith occupant or claimant of either oil or gas bearing lands who at the date of the act was 'in diligent prosecution of work leading to discovery of oil or gas' a status.

"That the appellants were at the time of the passage of the act in the actual and exclusive possession of the lands here in controversy and in diligent prosecution of work on one of two contiguous claims for the benefit of both as well as other contiguous ones, in the effort to discover oil thereon, which continuous work resulted in the discovery of oil in each of the quarter sections here involved, in large quantities, is clearly shown; and that the appellants continued from the date of the passage of the said act 'in diligent prosecution of said work' is undisputed. We therefore regard it as clear that the appellants also come within the express provisions of the act of June 25, 1910.

"In deciding adversely a much stronger case for the Government than are the present ones, the Circuit Court of Appeals of the Eighth Circuit in the recent case of United States v. The Grass Creek Oil & Gas Co. and the Ohio Oil Co. (236 Fed., 481, 487), in speaking of the act of June 25, 1910, said:

"'It is claimed that actual drilling operations were not commenced until July 1, 1914, on the northwest quarter and on July 31, 1914, on the east half of the southwest quarter, and that until the actual drilling was begun there was no prosecution of work within the meaning of the act of Congress. We are of the opinion that this is too narrow a view to take of this statute. The enactment of this proviso by Congress could have had but one object in view, and that was to protect the rights of all persons who, at the date of an order of withdrawal, are occupying or claiming oil-bearing lands in good faith for the purpose of acquiring them under the laws of the United States, and are diligently prosecuting the work leading to the discovery of oil. Before the enactment of this statute discovery of the mineral was essential to make a location. As frequently, in fact in most instances, prospecting was necessary in order to determine whether oil or gas are on the public lands, and large sums of money were necessarily expended to ascertain this fact, Congress by this proviso in the act of 1910 extended its protecting arm to those acting in good faith in an effort to ascertain whether there was oil or gas under them. In our opinion, when a citizen of the United States in good faith enters upon public land for the purpose of discovering oil or gas takes possession of the land by placing a caretaker thereon while he is taking proper steps to obtain the material necessary for the work of constructing the camps enters into contracts for drilling, acting as expeditiously as possible in erecting camps and preparing for the drilling, spends money and enters into contracts whereby he becomes liable for sums of money to prosecute the work leading to the discovery of oil or gas, and as soon as it is possible by the exercise of proper diligence begins the work of drilling and continues it diligently and expeditiously until oil is discovered in commercial quantities he is within the protection of this proviso.'"

The foregoing opinion discloses the condition of such claim and other claims prior to August 8, 1912, and yet, notwithstanding this development which had been permitted by the Government, the Navy Department on August 8, 1912, attempted to include the land described in the foregoing opinion and said other claims affected by this bill which were in the same condition in a naval reserve known as naval reserve No. 2. About the same time the Navy Department and the Department of the Interior set aside and reserved other oil-bearing lands for Navy purposes. The following is a complete description of the oil naval reserves:

Oil reserve No. 1, in the State of California, 38,124 acres.
Oil reserve No. 2, in the State of California, 30,177 acres.
Oil reserve No. 3, in the State of Wyoming, 9,420 acres.

The amount of oil in each of these reserves, according to the estimate of the Geological Survey and the Bureau of Mines, is as follows:

Reserve No. 1, 100,000,000 barrels.
Reserve No. 2, 300,000,000 barrels.
Reserve No. 3, 30,000,000 barrels.

In addition to these oil reserves there was also reserved for the Navy 131,820 acres of the withdrawn oil lands containing oil shales estimated by the Geological Survey and the Bureau of Mines to contain 1,000,000,000 barrels of oil. In addition to this shale land withdrawn for the Navy, the Bureau of Mines and the Geological Survey estimated that there are 20,000,000,000 barrels of oil in additional shale lands in the States of Colorado and Wyoming.

The bill does not affect in any way either the land or the oil contained in oil reserves Nos. 1, 3, or shale lands, and therefore they need not be further considered.

AS TO RESERVE NO. 2.

In this oil reserve there are 7,680 acres of unpatented land that is affected by section 16 of this bill. Upon all of this land mining locations were made for oil prior to the first withdrawal by President Taft in 1909. On all of this land producing oil wells have been sunk by such claimants or their successors in interest, and all deraign their titles from locations made prior to any withdrawal. On all of the claims in this said 7,680 acres of land producing oil wells had been developed prior to the reservation of said land for naval purposes in 1912. Of the 7,680 acres 2,080 acres have been clear listed for patent by the Department of the Interior; that is, the Department of the Interior, after a thorough investigation and trial, has finally held that such claimants have complied with the law entitling them to United States patent from the Government. Notwithstanding this determination by the Department of the Interior, which has sole jurisdiction in the matter, the Department of Justice, at the request of the Navy Deparment, is still seeking to prevent the Department of the Interior from issuing patent in accordance with its decree. This case is known as the Honolulu Oil Co. case. The Attorney General, in testifying before the Public Lands Committee of the Senate on February 16, 1916, said:

"In response to these assertions I have this to say: First. These suits were instituted (all of them, I believe) with the approval of the Interior Department, whose liberal view of the Pickett Act is reflected in its decision of the Honolulu Consolidated Oil Co.'s case.

"Second. The Honolulu case, I understand, is regarded by the Interior Department and by the attorneys of my department as a case supported by a state of facts far more favorable to the claimants than exist in any of the cases in suit."

The Attorney General in the foregoing statement was referring to the cases involving section 28 and section 2 as cases less favorable to the claimants than the Honolulu case. In fact, the testimony of the various witnesses of the Department of Justice, made before the various committees, clearly indicated that the Government not only considered such cases the weakest as far as the claimants were concerned, but held them up as examples of the fraud attempted to be perpetrated upon the Government. And yet these were the cases that the Circuit Court of Appeals has just decided so emphatically in favor of the claimants, a portion of which is hereinbefore cited. These are the cases which involved the so-called "dummy entries" or "fraudulent entries" known as the McNamara and McLeod locations. The Government set up in such cases the fraud and attempted to prove it. The Government was not even able to produce sufficient evidence of fraud to justify the Circuit Court of Appeals in retaining a receiver for the property. In other words, the Government could not even make out a prima facie case of fraud. What did the court say with regard to the allegation of fraud? The court in its opinion with regard to this issue says:

"Not only has no attack, so far as appears, been made by the Government on the register's final certificate of entry, but there is in these cases not the slightest showing of any fraud or lack of good faith at any time on the part of the appellants or of any of their predecessors in interest. True, the bills of the Government, which were verified by an agent upon information and belief, alleged that the location notices under which the appellants' claim were posted by 'mere dummies' to enable 'defendant McLeod or some one else' to obtain the land; but that allegation was put in issue by positive denial under oath, and there was no undertaking whatever to sustain the charge."

This was the prize case of the Department of Justice in the naval reserve. It was the alleged facts in this case that gave grounds to the Department of Justice for most violent charges of fraud and corruption in the location of oil claims throughout the United States, charges that have been reiterated and published with the knowledge, and if not with the encouragement, certainly without the opposition of the Department of Justice. It has been the prejudice aroused by the pictures of fraud against the Government, painted in connection with the facts in this case, that have largely tended to prevent calm and intelligent consideration of legislation necessary to the development of the oil resources of this country.

Both the district court and the circuit court of appeals have decided against the Government with regard to the 640 acres included in section 2 in said naval reserve No. 2. First, on June 7, 1917, the United States District Court for the Southern District of California, Judge Bean presiding, upon a trial upon the merits, in a case wherein the Government was plaintiff and the claimants of the land defendants, held that while the claimants had not made discovery prior to the withdrawal order of 1910 at said time they were in the diligent prosecution of work leading to a discovery, and subsequent to said date did discover oil, and therefore said claimants came within the remedial provisions of the Pickett Act and were entitled to patent for the land. Prior, however, to such decision Judge Bean had appointed a receiver in the case, and from the decision appointing such receiver an appeal had been taken to the Ninth Circuit Court of Appeals. On the 20th day of August, 1917, the said circuit court of appeals in reviewing such appeal found as a fact that the claimants had complied with the law entitling them to the property, and the receiver was discharged.

How can the Government hope to win the Honolulu Oil Co. case, which is admittedly the strongest case for the claimants, in the face of the decisions which have just been rendered and which are referred to in this report? The Government has not so far won a single case in oil reserve No. 2. The result of this litigation so far, which has covered a period of three or four years, is that the Government has expended large sums of money, is bankrupting men who have spent millions of dollars in a legitimate belief that they were entitled to develop unknown supplies of oil, and is retarding the production of oil in the known oil fields, that is so critically needed by the Government at the present time. The chances of recovery by the Government are, to say the least, not encouraging. It is a condition in which an individual, being in the place of the Government, would be most apt to seek a favorable compromise. The committee has long sincerely and industriously sought such a compromise. The committee simply proposes that this land, which has already been developed by the claimants and the development of which must continue by reason of the geological and physical conditions, be leased by the Government to the claimants under the general provisions of the bill upon the payment by the lessee to the Government of a royalty of one-eighth of the oil. The language of the compromise provision contained in section 16 was prepared and submitted by the Interior Department at the request of a joint committee composed of members of the Public Lands Committee of the Senate and the Public Lands Committee of the House. A compromise of this nature was authorized and directed by the Congress of the United States by an act approved August 24, 1914. By such act the Secretary of the Interior was expressly authorized to execute leases to applicants for patent for oil lands within withdrawn areas, both inside and outside of naval reserves, pending the determination of the application for such patents. The only distinction with regard to leases in naval reserves is that the royalty shall be placed in a naval fund. The Secretary of the Interior obeyed the instructions of the act with regard to such claims within reserved areas and executed leases, except in naval reserves. He declined to execute such leases within naval reserves, in obedience to the act, solely by reason of the request of the Navy Department that no such leases be executed. In

discussing the intent of Congress in the passage of this act, the Attorney General, in testifying before the Public Lands Committee of the Senate on June 27, 1917, said:

"The ATTORNEY GENERAL. Under the act of 1914 he was given power to lease. I want to say right in this connection that my theory in regard to these leases was expressed by your chairman in some remarks in committee recently, with regard to the act of 1914, to the effect that by that leasing system it was intended to provide a cheaper way of taking the place of receiverships; and the general idea of that provision of the act of 1914 is that pending disposition of applications for patents the Commissioner of the Land Office or the Secretary of the Interior may issue these leases. That he has done very extensively. I understand he has issued a circular inviting them all to come in.

"The ACTING CHAIRMAN (PITTMAN). Not inside of the naval reserve?

"The ATTORNEY GENERAL. Outside.

"The ACTING CHAIRMAN. They are pursuing the practice of operating wells inside of the reserve by receivership and declining to let them be operated under the act of 1914 by contract.

"The ATTORNEY GENERAL. I know he made no leases inside the reserve. I understand the Secretary of the Navy seriously objected to it. As far as my department is concerned, when he issues leases and fails to pass on application for patents, my hands are tied. There is nothing I can do in any way. It depends upon the Commissioner of the Land Office how many suits I can bring.

"The ACTING CHAIRMAN. The testimony in the hearing before the committee shows that the Land Office Department intended to execute these contracts inside of the reserve as well as outside of the reserve and on the withdrawn area on the same terms and conditions, but that the Secretary of the Navy requested him not to do that. It is by reason of that request that he failed to execute the act of 1914, which, as I have stated, was intended to take the place of the receiverships. Instead of following the act and allowing a claimant to work a well that he had sunk, they have taken the wells away from him and put them into the hands of a receiver.

"The ATTORNEY GENERAL. I can not agree with you that the act to which you refer is mandatory and requires him to issue leases. It merely gives him the power. When the Secretary of the Navy protested he merely did not use the power which he had."

The Commissioner of the General Land Office recognized, as must every lawyer, that such discretion was not arbitrary but was a sound judicial discretion, and testified that the only reason that he did not let leases within the naval reserves as he did outside of the reserves and within other withdrawn areas was because of the protest of the Secretary of the Navy. The Secretary of the Navy, in making such protest, knew that he was violating the expressed intent of Congress, because he appeared before the Public Lands Committee of the House and sought to have naval reserves excluded from the operation of such acts, and his request was expressly denied by such committee and by Congress. Instead of obeying the mandates of such act, the Department of Justice, on behalf of the Navy, had these wells on these claims, which had been sunk at the expense of many thousands of dollars, and in some cases millions of dollars, taken out of the hands of the claimants and operated under the supervision of a receiver. The appointment of some of these receivers, in fact, in the very strongest cases that the Government claims to have, have been discharged by the circuit court of appeals, as is disclosed in the opinion hereinbefore cited.

The only legitimate and plausible argument presented by the Navy Department in support of its opposition to the compromise is that it desires to preserve the oil in the ground for future use. This would be a laudable desire if it were possible and if its present use were not more valuable to the Government. The argument fails, however, because, first, the conditions essential to a permanent reservoir have been destroyed; and, second, because the oil must be used now. There are 270 producing wells upon the land in naval reserve No. 2. These wells are all flowing, and with the oil gas is escaping. It is admitted that these wells can not be economically shut off. The Navy Department has no intention of shutting them off, according to the testimony of the Secretary of the Navy. The land is not only being drained of oil, but the gas pressure is being released, the structure is weakening, its life as a supply field is brief, and its existence as a permanent reservoir impossible. If the Government does not get its share of this oil now in the ground, it will be drained off to a large extent from the patented lands adjoining. These opinions have been concurred in by Mr. W. A. Williams, of the Bureau of Mines, and by numerous other oil experts who have given their opinions to the committee. The testimony of Mr. Doheny given before the committee settles this question. He says:

"The ACTING CHAIRMAN. Yes. The Government has no claim on section 2. According to this map there are 350 wells, producing wells. Would you say that the reserve could ever serve the purpose of a permanent reservoir of oil for the Government for use at some future time?

"Mr. DOHENY. It is my opinion that it will not or could not.

"The ACTING CHAIRMAN. Why?

"Mr. DOHENY. Because there are a sufficient number of wells on it now to relieve the gas pressure, leaving the wells drilled in the distant future to depend entirely upon the gravity flow of oil for the cleaning out of the sands and the final drilling in of the well itself, as that territory is pretty deep territory, and the wells would have to be drilled much closer together in order to exhaust the oil sands, by reason of the fact that the gas pressure has been relieved and is not there to assist in the flow of the oil. A great deal of the territory would never pay to drill. * * *

"Senator PHELAN. You know, undoubtedly, that the Government lays great store upon the oil in the ground in naval reserve No. 2. You are familiar with the private ownership on that reserve. What do you think of the contention of the Government that it is valuable storage ground for the future needs of the Navy?

"Mr. DOHENY. Well, I think any area containing oil that yields under pressure must necessarily yield that pressure to the influence of any well drilled in the same pool of oil in the same undisturbed geological horizon or undisturbed oil-containing formation; unless the area is very great, wells drilled around the outside of it would relieve the gas pressure, just as a pin prick in the edge of a balloon will relieve the gas from the balloon; and as the pressure is relieved, the oil yield per acre, per well, or per day will change, because the force of gravity will not overcome the capillary attraction nearly so quickly as the additional influence of the gas pressure, with the gravity force, will overcome it.

"I have got to choose my words at random, because I only have them in mind for a moment. Say that a well is drilled into an oil-containing formation. After the gas pressure is relieved a well drilled in the vicinity will not yield oil to the extent that it would yield under other circumstances, for this reason: If the gas pressure is still on, the oil sands surrounding the well are forced into the well by the rush of oil and gas, and under the influence of the gas those sands accumulate in the bottom of the well. They are kept in suspension in the oil and are brought to the surface by the flowing or pumping of the well. In the eastern fields the wells often yield very little oil because of the limited drainage area of the perimeter of the well; hence, they use from 300 to 500 quarts of nitroglycerin to increase the drainage area by crevassing and splitting the rock.

"In the loose sands of California the gas forces the sand around the well into the well, creating a chamber at the bottom of every well that is drilled in the loose sands, and that chamber, if the gas pressure is relieved, continues to supply oil in proportion to its drainage area. If the gas pressure is relieved before the well is drilled, the drainage area of the chamber would be the circumference of the well multiplied by the depth or thickness of the oil sands, but as most good wells in California drilled in the loose sands, when the gas pressure has not been disturbed, will yield many thousands of tons of sand, the drainage area is multiplied by a very large figure. An oil-containing formation without gas pressure will never yield all its content to wells sparsely distributed. They have got to be drilled close together to get the oil. It will take ten times as many wells to produce the oil from a formation not containing its normal gas pressure as it will from another formation if it retains the normal gas pressure that usually exists in large areas of oil-containing formations. I use the figure 10 because some figure should be used to give an idea of the extraordinary loss. That is a theory founded upon experience that I have had covering a period of a great many years.

"Senator PHELAN. In an area where there are oil wells being operated constantly there are two reasons which militate against holding that area for storage-reserve purposes: One is an actual diminution of the oil in the area by reason of pumping by wells lawfully operated, and the second is the loss of gas pressure, which would make it very expensive to operate the wells.

"Mr. DOHENY. Yes, sir; those are two reasons. * * *

"I think, in the present emergency, the Navy needs fuel. There is a place where they can get oil much more rapidly than any other place in California already being drilled. Taking the view of the Navy Department, I certainly hope that it will never have another use for this oil that will be as urgent as the one that obtains at the present time, and if I were to pass upon the advisability of the development of that land now, or the development of it at all, I would say that the supreme moment to develop it as quickly as possible has arrived.

"Senator KELLOGG. You have been testifying in that regard solely with relation to naval reserve No. 2?

"Mr. DOHENY. With regard to any naval reserve or any place where oil can be produced within the confines of the United States, and not only in the United States but in Mexico and in South America.

"Senator KELLOGG. Taking all the Government oil fields that you know of in California, will they not be more or less injuriously affected by the development of private ownership?

"Mr. DOHENY. Undoubtedly.

"Senator KELLOGG. It is your opinion, taking all these fields together, that the Government should develop or provide some means of developing the Government oil field?

"Mr. DOHENY. I think if the Government wants to get the maximum oil value, that the sooner it is done the more certain the Government is to get it.

"Senator KELLOGG. In other words, that the Government is going to lose by letting the lands lie idle?

"Mr. DOHENY. That has been my opinion.

"Senator KELLOGG. The development of the oil fields is limited by capacity to procure pipe and machinery?

"Mr. DOHENY. At the present time; yes, sir.

"Senator KELLOGG. Will private owners bring about a development which will take up all the pipe and machinery which can be procured, even if the Government stays out of the field?

"Mr. DOHENY. I think there is a shortage right now in that respect.

"Senator KELLOGG. Then the total oil production can not be increased by the Government opening up these fields?

"Mr DOHENY. Yes, sir; because a great deal of pipe is now being used in territory that will not produce one-quarter or one-half as much per well as they will get out of that field. * * *

"Senator PHELAN. The Navy is building oil burners. The Secretary of the Navy is much concerned about the future oil supply, because the oil is better fuel than coal for the Navy. Now, what would be your advice to the Navy Department, if you were asked, as to the opening up of the California fields?

"Mr. DOHENY. My advice would be——

"Senator PHELAN. Speaking in a public capacity, without reference to any private interest. Of course the Government can commandeer private interests.

"Mr. DOHENY. My advice would be to throw open for development, on the best terms possible to the Government, all probable oil lands in the State of California, and at the same time for the department to use its influence with the administration to afford as much protection and encouragement as possible, and relieve anxiety to as great an extent as possible; also to provide for shipments from Mexico, whether they are English, Dutch, or anything else, because it all goes into a common pot. There are two pots. One is available to the Teutons and one to the allies. The United States and Mexico are the sole source of supplies for allies.

"Senator PHELAN. Why should not the Government of the United States open wells on its own account?

"Mr. DOHENY. Apart from the present emergency, I have always been of the opinion that the Government should leave these wells in the hands of people who know how to manipulate them. When they are properly taken care of a great portion of the oil can be saved. Crude oil taken out of the ground deteriorates in value by volatilization, and the part that goes off that way is very valuable. The waste in California has been simply enormous from overproduction and the necessity for storing millions of barrels of crude oil. The gasoline should be taken off at once, and then the residuum containing lubricants and fuel oil and asphaltum can be stored indefinitely without appreciable loss. That is something that can be very well worked out. * * *

"Senator KELLOGG. England, France, and the United States can not carry on this war without an adequate supply of gasoline. Can any emergency that may ever arise in this country be greater than the present one, in your opinion?

"Mr. DOHENY. I hope not. I think we should not leave a stone unturned to get the necessary supply. We should all do all that we can in that direction. I want to say that all patriots are not in office; some of them are oil men, and they are perfectly willing to give up what they have to the Government. * * *

"Senator WALSH. Considering these naval reserves, and taking the center of the reserved area, about how far would it be necessary to carry the oil to the trunk lines?

"Mr. DOHENY. The greatest distance in reserve No. 2 would be less than 10 miles but I am quite sure the greatest distance any well in that reserve would have to be piped would be 10 miles. In this connection, in order that I may not be criticized with regard to this statement about the trunk lines, I want to say that the pipe lines can be increased by the addition of pumping stations. By putting in extra pumping stations, without adding to the pipe lines, they can increase the capacity of the pipe lines, so that I think the statement is conservative that twice the amount now being piped could be pumped through the trunk lines in California. * * *

"The ACTING CHAIRMAN. You have testified that you were informed the railroads were going back to the use of coal instead of oil. Is that by reason of the price of oil?

"Mr. DOHENY. Yes, sir; and the impossibility of getting it in California.

"The ACTING CHAIRMAN. If the fields were opened up to the fullest extent, would that necessity on the part of the railroads be obviated?

"Mr. DOHENY. It would be delayed for a long time."

There are those in the Senate who are bitterly opposed to the principle involved in the leasing system. They have been able in the past to prevent the passage of any bill similar to this. They have been bitter in their denunciation of what they believe to be the arbitrary, harsh, and illegal oppression of mining prospectors and explorers on the public domain. They have unhesitatingly stated that the protection of the humblest citizen in his rights is the highest function that a Government can perform. These Senators, however, by reason of the great emergency that faces this country, have consented to compromise their views in the form of the bill presented. In view of these circumstances, and in view of the small proportionate area of naval oil-reserve land that is affected, the committee most earnestly urges that the bill be passed in its present form.

Mr. PITTMAN. I ask to have the bill read.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill.

Mr. PITTMAN. The bill having been read, I ask that it be temporarily laid aside.

The PRESIDING OFFICER. The bill will be temporarily laid aside.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed a bill (H. R. 7572) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

H. R. 7572. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

DEFICIENCY APPROPRIATIONS.

Mr. MARTIN. I am directed by the Committee on Appropriations, to which was referred the bill (H. R. 7572) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes, to report it back favorably, and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes, namely:

EXECUTIVE.

The appropriation of $100,000,000 "for the national security and defense, and for each and every purpose connected therewith, to be expended at the discretion of the President," contained in the general deficiency appropriation act approved April 17, 1917, is continued and made available until June 30, 1918.

LEGISLATIVE.

SENATE.

For mileage of Senators, $51,000.

HOUSE OF REPRESENTATIVES.

For mileage of Representatives and Delegates and expenses of Resident Commissioners, $175,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. MARTIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 35 minutes spent in executive session the doors were reopened.

ADJOURNMENT TO MONDAY.

Mr. MARTIN. I move that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 7572) making appropriations to supply dificiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes, and it was thereupon signed by the President pro tempore.

ADJOURNMENT.

Mr. MARTIN. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until Monday, December 17, 1917, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 14, 1917.

EXPLOSIVES INSPECTOR.

Joseph S. Giudice, of Schleisingerville, Wis., explosives inspector for the State of Wisconsin, under the provisions of the act of Congress approved October 6, 1917.

APPOINTMENTS IN THE ARMY.

CHAPLAINS.

Rev. Joseph Burt Webster to be chaplain with rank from October 5, 1917.

Rev. Frank J. Barry to be chaplain with rank from October 5, 1917.

Rev. J. Donald Hockman to be chaplain with rank from October 5, 1917.

Rev. Frank Meredith Thompson to be chaplain with rank from October 7, 1917.

Rev. John Roswell Edwards to be chaplain with rank from October 8, 1917.

Rev. Henry Augustine Norman to be chaplain with rank from October 9, 1917.

Rev. Alexander W. Thomas to be chaplain with rank from October 19, 1917.

Rev. Jesse Stuart Pearce to be chaplain with rank from October 19, 1917.

Rev. Frank Connors Rideout to be chaplain with rank from October 23, 1917.

Rev. Alfred Coolswan Oliver, jr., to be chaplain with rank from October 24, 1917.

Rev. James L. Blakeney to be chaplain with rank from October 29, 1917.

Rev. Woodward Howard Morgan to be chaplain with rank from October 29, 1917.

Rev. William P. Sherman to be chaplain with rank from October 30, 1917.

Rev. James L. Robinson to be chaplain with rank from October 31, 1917.

Rev. John Hall to be chaplain with rank from November 16, 1917.

Rev. Washington Cannon Pinson to be chaplain with rank from November 22, 1917.

Rev. George H. Nerison to be chaplain with rank from November 22, 1917.

Rev. Thomas Joseph Lennan to be chaplain with rank from November 26, 1917.

Rev. Elmer Orlando Hoffmeister to be chaplain with rank from November 26, 1917.

Rev. Charles Coburn Merrill to be chaplain with rank from November 28, 1917.

Rev. Claude Skene Harkey to be chaplain with rank from November 30, 1917.

Rev. Stanley Cladius Harrell to be chaplain with rank from December 1, 1917.

MEDICAL CORPS.

To be first lieutenants with rank from December 12, 1917.

Maj. Donald Paul McCord, Medical Reserve Corps.

Capt. Henry Reuben Weston, Medical Reserve Corps.

First Lieut. Carlton Lakey Vanderboget, Medical Reserve Corps.

First Lieut. Matthew Aloysius McGarty, Medical Reserve Corps.

First Lieut. John Edwin Boland, Medical Reserve Corps.

First Lieut. Joseph Jacobson Hilton, Medical Reserve Corps.

First Lieut. Clay Ray Murray, Medical Reserve Corps.

First Lieut. Lee Franklin Turlington, Medical Reserve Corps.

First Lieut. Edgar Warden Phillips, Medical Reserve Corps.

First Lieut. Walter Brambiette Martin, Medical Reserve Corps.

First Lieut. Francis Carrillo Tyng, Medical Reserve Corps.
First Lieut. Ezra Ralph Bridge, Medical Reserve Corps.
First Lieut. Jerome Pierce Webster, Medical Reserve Corps.
First Lieut. Magnus Jacob Myres, Medical Reserve Corps.
First Lieut. Reginald Ducat, Medical Reserve Corps.
First Lieut. James McAllister, Medical Reserve Corps.
First Lieut. Ralph Ward Walker, Medical Reserve Corps.
First Lieut. Rudolph Duenweg, Medical Reserve Corps.
First Lieut. Oliver Sheley Gilliland, Medical Reserve Corps.
First Lieut. Frederic Hamilton Thorne, Medical Reserve Corps.
First Lieut. Alfred Robert Thomas, jr., Medical Reserve Corps.
First Lieut. Neaton Samuel Stern, Medical Reserve Corps.
First Lieut. Albert Bowen, Medical Reserve Corps.
Capt. Russell Morse Wilder, Medical Reserve Corps.
First Lieut. William Milton Caffee, Medical Reserve Corps.
First Lieut. Edward Raymond Easton, Medical Reserve Corps.
First Lieut. Francis Xavier McGovern, Medical Reserve Corps.
First Lieut. John DuBose Barnwell, Medical Reserve Corps.
First Lieut. Solomon Fisher Hoge, Medical Reserve Corps.
First Lieut. Thomas Grant Tousey, Medical Reserve Corps.
First Lieut. George Benjamin Kent, Medical Reserve Corps.
First Lieut. Eugen Gottfried Reinartz, Medical Reserve Corps.
First Lieut. John Joseph Lancer, Medical Reserve Corps.
First Lieut. Sam Hardeman, Medical Reserve Corps.
First Lieut. Harvey Montreville Andrew, Medical Reserve Corps.
First Lieut. Robert James Platt, Medical Reserve Corps.
First Lieut. Horace Tyner Doust, Medical Reserve Corps.
First Lieut. Niels Peter Paulsen, Medical Reserve Corps.
First Lieut. Verner Trenary Scott, Medical Reserve Corps.
First Lieut. Hall Glesnor Van Vlack, Medical Reserve Corps.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

FIELD ARTILLERY ARM.

First Lieut. Sherman L. Kiser, Field Artillery, to be captain from May 19, 1917, subject to examination required by law, vice Capt. Joseph W. Rumbough, detailed in the Quartermaster Corps.

First Lieut. Emer Yeager, Field Artillery, to be captain from May 19, 1917, subject to examination required by law, vice Capt. Joe R. Brabson, detailed in the Quartermaster Corps.

First Lieut. Marvin C. Heyser, Field Artillery, to be captain from May 19, 1917, vice Capt. Truby C. Martin, detailed in the Quartermaster Corps.

First Lieut. Idus R. McLendon, Field Artillery, to be captain from May 31, 1917, vice Capt. Thurman H. Bane, detailed in the Aviation Section, Signal Corps, May 31, 1917.

First Lieut. Michael J. Fibich, Field Artillery, to be captain from June 3, 1917, vice Capt. Scott Baker, who died June 2, 1917.

First Lieut. Sidney G. Brady, Field Artillery, to be captain from June 4, 1917, vice Capt. Lesley J. McNair, detailed in the General Staff Corps.

First Lieut. George A. Pollin, Field Artillery, to be captain from June 4, 1917, subject to examination required by law, vice Capt. Sherman Miles, detailed in the General Staff Corps.

First Lieut. David E. Finkbiner, Field Artillery, to be captain from June 4, 1917, vice Capt. Roger S. Parrott, detailed in the General Staff Corps.

First Lieut. Chauncey F. Ruoff, Field Artillery, to be captain from June 4, 1917, vice Capt. Nelson E. Margetts, detailed in the General Staff Corps.

PROVISIONAL APPOINTMENTS IN THE ARMY.

FIELD ARTILLERY ARM.

To be second lieutenants with rank from October 24, 1917.

First Lieut. Joseph W. Del Alamo, Philippine Scouts.

Second Lieut. Richard Weaver Hocker, One hundred and fortieth Infantry, National Guard.

Pvt. William McKee Dunn, Coast Artillery Corps, District of Columbia National Guard.

Second Lieut. Willard Sears Simpkins, One hundred and first Field Artillery, National Guard.

Sergt. Rene Joseph Le Gardeur, jr., Headquarters Company, One hundred and forty-first Field Artillery, National Guard.

Corpl. Corydon Hubert Sutton, jr., Troop B, Cavalry, Virginia National Guard.

Sergt. Henry Manchester Ladd, jr., Company L, Seventh Regiment Infantry, New York National Guard.

Second Lieut. Gustav Edwin Moe, Infantry, National Guard.

Second Lieut. Philip Ramer, Infantry, National Guard.

Second Lieut. Ozro Freeman Rideout, Infantry, National Guard.

Sergt. Floyd Courtland Marshall, One hundred and third Machine Gun Battalion, National Guard.

Pvt. Harris Markham Findlay, Troop B, First Cavalry, Virginia National Guard.

Corpl. Thomas Foster Furness, Battery A, One hundred and first Field Artillery, National Guard.

Second Lieut. Joseph Lovell Corcoran, Infantry, National Guard.

Sergt. Dana Mortimer Hubbard, One hundred and third Field Artillery, National Guard.

Corpl. Clyde W. White, Battery C, Second Field Artillery.

Second Lieut. Preston Southworth Hoyt, Infantry, National Guard.

Second Lieut. Clifford Adin Laflin, Infantry, National Guard.

To be second lieutenants with rank from October 25, 1917.

First Lieut. Willis Wilkinson Hubbard, Field Artillery, Officers' Reserve Corps.

Second Lieut. Fairfax Stuart Landstreet, Field Artillery, Officers' Reserve Corps.

Second Lieut. Floyd W. Stewart, Infantry, Officers' Reserve Corps.

Second Lieut. Fairfax Davis Downey, Field Artillery, Officers' Reserve Corps.

Second Lieut. Bernard Carter Law, Infantry, Officers' Reserve Corps.

Second Lieut. George Faber Downey, jr., Field Artillery, Officers' Reserve Corps.

Second Lieut. Andrew Carrigan, jr., Twentieth Field Artillery, Officers' Reserve Corps.

Second Lieut. Harley Latson, Field Artillery, Officers' Reserve Corps.

Second Lieut. John Vincent Thompson, Engineers, Officers' Reserve Corps.

Second Lieut. Carl Z. Draves, Infantry, Officers' Reserve Corps.

Second Lieut. Archibald Donald Fisken, Infantry, Officers' Reserve Corps.

Second Lieut. Samuel Cromwell Holliday, Field Artillery, Officers' Reserve Corps.

Second Lieut. Emory McKinley Hoover, Cavalry, Officers' Reserve Corps.

Second Lieut. William McBlair Garrison, Engineers, Officers' Reserve Corps.

Second Lieut. Leon Jenkins Paddock, Field Artillery, Officers' Reserve Corps.

First Lieut. Brian Cutler Curtis, Ordnance Section, Officers' Reserve Corps.

First Lieut. Henry Lewis Nicholls, Field Artillery, Officers' Reserve Corps.

Second Lieut. Arthur N. Selby, Field Artillery, Officers' Reserve Corps.

Second Lieut. Thomas Hall McKoy, jr., Cavalry, Officers' Reserve Corps.

Second Lieut. Walter A. Phillips, Infantry, Officers' Reserve Corps.

Second Lieut. Stuart M. Canby, Field Artillery, Officers' Reserve Corps.

Second Lieut. Harry Y. Stebbins, Field Artillery, Officers' Reserve Corps.

Second Lieut. Edmund D. Margrave, Field Artillery, Officers' Reserve Corps.

Second Lieut. Harry Darby, jr., Engineers, Officers' Reserve Corps.

Second Lieut. Samuel Powel Griffitts, Field Artillery, Officers' Reserve Corps.

First Lieut. Joseph William Loef, Engineers, Officers' Reserve Corps.

Second Lieut. Charles Benjamin Bonner, Field Artillery, Officers' Reserve Corps.

Arthur Lafayette Warren, honor graduate, of California.
Thomas Kenneth Vincent, honor graduate, of Kansas.
Merritt Halstead Greene, honor graduate, of Vermont.
William Beattie Weakley, honor graduate, of Missouri.
William Bennett Tucker, honor graduate, of Maryland.
Philip Dorn Tryon, honor graduate, of Minnesota.
Ary Clay Berry, honor graduate, of Kansas.
George Davidson, jr., honor graduate, of Maryland.
David Lewis Ruffner, honor graduate, of Virginia.
Mark Milton Serum, honor graduate, of Minnesota.
Louis H. Penney, honor graduate, of California.
Ross Breckon Warren, honor graduate, of Missouri.
William Murray Whittle, honor graduate, of Virginia.
Addison Henry Douglass, honor graduate, of Minnesota.

To be second lieutenants with rank from October 26, 1917.

Arthur Eugene Fox, of Maryland.
Lewis Alexander Bond, of Oregon.
Robert Alexander Barnard Goodman, of Michigan.
Devereux Colt Josephs, of Pennsylvania.

Henry Maynard Rees, of Massachusetts.
John Gray Paul, of Virginia.
Second Lieut. James Embury Brinckerhoff, Field Artillery, Officers' Reserve Corps.
William Gerald Cummings, of Massachusetts.
Second Lieut. Harold Taylor Brotherton, Engineers, Officers' Reserve Corps.
Second Lieut. Larkin W. Glazebrook, jr., Field Artillery, Officers' Reserve Corps.
Samuel Dalia Smolev, of New York.
Second Lieut. Charles Ferriday Neave, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Wilbar Wilson, Field Artillery, Officers' Reserve Corps.
Second Lieut. Donald Howlett Brown, Field Artillery, Officers' Reserve Corps.
Second Lieut. Ralph de Poix Terrell, Field Artillery, Officers' Reserve Corps.
Second Lieut. Stephen Bradshaw Ives, Field Artillery, Officers' Reserve Corps.
Robert Fulton Webb, of Florida.
Second Lieut. William George Lasch, Field Artillery, Officers' Reserve Corps.
Second Lieut. Miller Hall Pontius, Field Artillery, Officers' Reserve Corps.
Second Lieut. Fritz Andrew Nagel, Field Artillery, Officers' Reserve Corps.
Second Lieut. Adrian James McDonald, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Eaton Hartigan, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Littlefield Handy, Field Artillery, Officers' Reserve Corps.
Second Lieut. Edgar Allen O'Hair, Field Artillery, Officers' Reserve Corps.
Second Lieut. Stephen Mahon, Engineers, Officers' Reserve Corps.
Addison Bennett Green, of Massachusetts.
Second Lieut. John Rutledge Shepley, Field Artillery, Officers' Reserve Corps.
Second Lieut. Roger Allen Sanford, Field Artillery, Officers' Reserve Corps.
Second Lieut. Kenneth Leeds Holmes-Brown, Field Artillery, Officers' Reserve Corps.
Second Lieut. Oliver Baty Cunningham, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harvey Ernest Ragland, Field Artillery, Officers' Reserve Corps.
Second Lieut. Charles Henry Burchenal, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Emmett Crotty, Field Artillery, Officers' Reserve Corps.
Second Lieut. Wilton Lloyd-Smith, Field Artillery, Officers' Reserve Corps.
Second Lieut. Frank Combs Delaney, Field Artillery, Officers' Reserve Corps.
Second Lieut. Pell William Foster, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Kennedy Hassenzahl, Field Artillery, Officers' Reserve Corps.
Second Lieut. Arthur Pruden Patterson, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Parker Reynolds, Field Artillery, Officers' Reserve Corps.
Second Lieut. Philip Gibson Hodge, Field Artillery, Officers' Reserve Corps.
Second Lieut. Dennis Percy McCarthy, Field Artillery, Officers' Reserve Corps.
First Lieut. Albert Tate, Engineers, Officers' Reserve Corps.
LeCount Haynes Slocum, of California.
Second Lieut. John Howard Shelton, Field Artillery, Officers' Reserve Corps.
Second Lieut. Louis Heyward Lathrop, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Van Hoesen Challiss, Field Artillery, Officers' Reserve Corps.
Second Lieut. Junius Sturges Roberts, Field Artillery, Officers' Reserve Corps.
Second Lieut. Frederic W. W. Graham, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Joseph Reed Estabrook, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harold Daniel Finley, Field Artillery, Officers' Reserve Corps.
Second Lieut. Leo Joseph Vogel, Field Artillery, Officers' Reserve Corps.
Second Lieut. James Patrick Kelly, Field Artillery, Officers' Reserve Corps.
Second Lieut. Richard Baldwin von Maur, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harold Trumpler Deeds, Field Artillery, Officers' Reserve Corps.
Second Lieut. Millard Lindsey Hamaker, Engineers, Officers' Reserve Corps.
Second Lieut. John Brainard Fidlar, Field Artillery, Officers' Reserve Corps.
Second Lieut. Wilbur Burnette Sumner, Field Artillery, Officers' Reserve Corps.
Second Lieut. Cabell Breckinridge Ten Eyck, Field Artillery, Officers' Reserve Corps.
Second Lieut. Douglas Henry, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Arnold Graves, Field Artillery, Officers' Reserve Corps.
Hastings Seth Morse, of New York.
Second Lieut. George Munro Schurman, Field Artillery, Officers' Reserve Corps.
Second Lieut. William Edward Corkill, Field Artillery, Officers' Reserve Corps.
Second Lieut. Charles Donald Brown, Infantry, Officers' Reserve Corps.
Second Lieut. Lester Martin Kilgarif, Field Artillery, Officers' Reserve Corps.
Second Lieut. Henry Wiley Krotzer, Field Artillery, Officers' Reserve Corps.
James Bland Catlett, of South Dakota.
Second Lieut. Robert Luther Randol, Field Artillery, Officers' Reserve Corps.
Second Lieut. Douglas Lee Crane, Field Artillery, Officers' Reserve Corps.
Second Lieut. Melville Halstead Rood, Field Artillery, Officers' Reserve Corps.
Second Lieut. Thomas Lewis Chalmers, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harry Newton Blue, Field Artillery, Officers' Reserve Corps.
Second Lieut. Frederic Harris Timmerman, Engineers, Officers' Reserve Corps.
James Howard McHenry, of Maryland.
First Lieut. Alford John Bradford, Engineers, Officers' Reserve Corps.
Second Lieut. Gurney Lapham Smith, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Merryman Franklin, Field Artillery, Officers' Reserve Corps.
Second Lieut. George Sidney Goodspeed, Field Artillery, Officers' Reserve Corps.
Second Lieut. Amos Eugene Carmichael, Field Artillery, Officers' Reserve Corps.
Second Lieut. Raymond Hoff Seagle, Field Artillery, Officers' Reserve Corps.
John Victor Anderson, of Texas.
Second Lieut. Henry Wood Wiley, Field Artillery, Officers' Reserve Corps.
Second Lieut. Walter Rompel, Field Artillery, Officers' Reserve Corps.
Second Lieut. Winfred Charles Green, Field Artillery, Officers' Reserve Corps.
Second Lieut. Marion Irwin Voorhes, Field Artillery, Officers' Reserve Corps.
Second Lieut. Algernon Sydney Coleman, Field Artillery, Officers' Reserve Corps.
Second Lieut. Leslie Warnick Devereux, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Francis La Barron, Field Artillery, Officers' Reserve Corps.
Second Lieut. Edgar Gibson Crossman, Field Artillery, Officers' Reserve Corps.
Second Lieut. James Hollam Boyd, Field Artillery, Officers' Reserve Corps.
Second Lieut. Ralph King Learnard, Field Artillery, Officers' Reserve Corps.
Second Lieut. Pitt Fessenden Carl, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. David Wentworth Potter, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Henry Gardner, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Earl Cranston Ewert, Field Artillery, Officers' Reserve Corps.
Second Lieut. Donald Degray Demarest, Field Artillery, Officers' Reserve Corps.

Second Lieut. David John Fitzgerald, Field Artillery, Officers' Reserve Corps.
William Chamberlain Chanler, of New York.
Second Lieut. Ralph Waldo Hahn, Field Artillery, Officers' Reserve Corps.
Second Lieut. Orrin Paul Kilbourn, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Ellsworth Jacobson, Field Artillery, Officers' Reserve Corps.
John Terence Clancy, of District of Columbia.
Second Lieut. Richard Almerin Miller, Field Artillery, Officers' Reserve Corps.
Second Lieut. Winthrop Worcester Leach, Field Artillery, Officers' Reserve Corps.
Second Lieut. John William O'Harrow, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. James Blanding Dick, Field Artillery, Officers' Reserve Corps.
Second Lieut. Carol Spencer Snowden Kennedy, Field Artillery, Officers' Reserve Corps.
Second Lieut. Dan Cummins Kenan, Field Artillery, Officers' Reserve Corps.
Second Lieut. Joseph Adelbert Martz, Field Artillery, Officers' Reserve Corps.
Second Lieut. Andrew Stewart Messick, Field Artillery, Officers' Reserve Corps.
Second Lieut. Lee Burwel Goff, jr., Field Artillery, Officers' Reserve Corps.
First Lieut. Kenneth Smith Wallace, Engineers, Officers' Reserve Corps.
Second Lieut. Ralph Heatherington, Field Artillery, Officers' Reserve Corps.
Eugene Bradford Ripley, jr., of Connecticut.
Second Lieut. Thornton Davis, Engineers, Officers' Reserve Corps.
Second Lieut. Frederick Major Williams, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harry Benjamin Routh, Field Artillery, Officers' Reserve Corps.
First Lieut. William Eugene Farthing, Engineers, Officers' Reserve Corps.
Second Lieut. Jackson Herr Boyd, Field Artillery, Officers' Reserve Corps.
Second Lieut. Noel Noyes, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Calvin Butner, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. William Boardman Bowles, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Edward Cummings, Field Artillery, Officers' Reserve Corps.
Second Lieut. Eugene Weston, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Edward Stanley Ott, Field Artillery, Officers' Reserve Corps.
Second Lieut. Richard Dupree Roquemore, Field Artillery, Officers' Reserve Corps.
Second Lieut. Ralph Bridges Bagby, Field Artillery, Officers' Reserve Corps.
Second Lieut. Kenneth Hodges, Field Artillery, Officers' Reserve Corps.
Second Lieut. Theodore B. Moore, Field Artillery, Officers' Reserve Corps.
Second Lieut. Melvin Leslie McCreary, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Stacy Brown, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Eugene Miner Re Qua, Engineers, Officers' Reserve Corps.
Second Lieut. Herman Hollie Felix Gossett, Field Artillery, Officers' Reserve Corps.
Second Lieut. Murray Matthews Montgomery, Field Artillery, Officers' Reserve Corps.
Second Lieut. Roderick James McIntosh, Field Artillery, Officers' Reserve Corps.
Second Lieut. Lester Johnson Whitlock, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harry Lee Campbell, Field Artillery, Officers' Reserve Corps.
Hinton Fort Longino, of Georgia.
Frederick Harry Black, of Missouri.
Second Lieut. William Ballinger Cobb, Field Artillery, Officers' Reserve Corps.
Angelus Geague Burch, of Kansas.
Second Lieut. Chisholm Garland, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harvey Edward, Field Artillery, Officers' Reserve Corps.
Everett Banfield Jackson, of Colorado.
Second Lieut. George Price Hays, Field Artillery, Officers' Reserve Corps.
Second Lieut. George Washington Cassell, Field Artillery, Officers' Reserve Corps.
First Lieut. Hugh Applegate Reid, Engineers, Officers' Reserve Corps.
Edward Wadsworth Tanner, of Kansas.
Second Lieut. Ralph Julian Canine, Field Artillery, Officers' Reserve Corps.
Second Lieut. William Lloyd Baily, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Donald Alfonso Carson, Field Artillery, Officers' Reserve Corps.
Second Lieut. Herbert Sydney Duncombe, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Donald Julius Cranston, Field Artillery, Officers' Reserve Corps.
Josef Robert Sheetz, of Maryland.
Second Lieut. Hugh St. Clair Clarke, Field Artillery, Officers' Reserve Corps.
Second Lieut. George Glenn Witter, Field Artillery, Officers' Reserve Corps.
Elmer Jamison Gray, of Massachusetts.
Second Lieut. George Meade Parker, Field Artillery, Officers' Reserve Corps.
Second Lieut. Alfred Proden Kelley, Field Artillery, Officers' Reserve Corps.
Second Lieut. Oliver Ferguson Marston, Field Artillery, Officers' Reserve Corps.
Second Lieut. Clarence Clemons Park, Field Artillery, Officers' Reserve Corps.
Second Lieut. Eugene Dodd, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Swift Anderegg, Field Artillery, Officers' Reserve Corps.
Austin Vincent Clifford, of Indiana.
Second Lieut. Maurice R. Harrison, Field Artillery, Officers' Reserve Corps.
Fred Bidwell Lyle, of Missouri.
Second Lieut. Zim E. Lawhon, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Irving Laggren, Field Artillery, Officers' Reserve Corps.
Second Lieut. Fletcher Settle Riley, Field Artillery, Officers' Reserve Corps.
Willoughby Talbot Cooke, jr., of the District of Columbia.
William Bogardus Merselis, jr., of New Jersey.
Norman Underhill White, of New Jersey.
Second Lieut. Thomas Joseph Ross, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Jerome Bowes, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Harding Chambers Woodall, Field Artillery, Officers' Reserve Corps.
Second Lieut. John White McCaslin, Field Artillery, Officers' Reserve Corps.
Second Lieut. Jefferson Cleveland Campbell, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Harold Keatinge, Field Artillery, Officers' Reserve Corps.
Second Lieut. Hoyne Howe, Field Artillery, Officers' Reserve Corps.
Second Lieut. Julian Bobbs, Field Artillery, Officers' Reserve Corps.
Second Lieut. James Warren Andrews, Field Artillery, Officers' Reserve Corps.
Second Lieut. Carlton Benton Rettig, Field Artillery, Officers' Reserve Corps.
Second Lieut. Kirk Wesley Howry, Field Artillery, Officers' Reserve Corps.
Second Lieut. Maurice Meyer Minton, jr., Field Artillery, Officers' Reserve Corps.
Frederic Arthur Metcalf, of Iowa.
Second Lieut. Thomas Wilson Wilmer, Field Artillery, Officers' Reserve Corps.
Second Lieut. Hudson Burr, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harrison Marshall Robertson, Field Artillery, Officers' Reserve Corps.
Second Lieut. William Russell Philp, Field Artillery, Officers' Reserve Corps.
Second Lieut. Edward Taylor Kirkendall, Field Artillery, Officers' Reserve Corps.

Second Lieut. Herbert William Nauts, Field Artillery, Officers' Reserve Corps.
Second Lieut. Walter Harold Soderholm, Field Artillery, Officers' Reserve Corps.
Second Lieut. Terre Nichols Hendricks, Field Artillery, Officers' Reserve Corps.
Second Lieut. Charles E. Finney, jr., Field Artillery, Officers' Reserve Corps.
John Milton De Bell, of Massachusetts.
Edward Carrington Thayer, of Massachusetts.
Clyde Bassett Sturtz, of Minnesota.
Second Lieut. Vennard Wilson, Engineers, Officers' Reserve Corps.
Second Lieut. John Blair Barnwell, Field Artillery, Officers' Reserve Corps.
Second Lieut. Oswald Burnett Higgins, Field Artillery, Officers' Reserve Corps.
Second Lieut. Albert Webster Long, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Marrs Barnett, Field Artillery, Officers' Reserve Corps.
Second Lieut. Charles Alexander Staebler, Field Artillery, Officers' Reserve Corps.
Second Lieut. Percy Custer Fleming, Field Artillery, Officers' Reserve Corps.
Sievers Whitehead Susmann, of Nebraska.
Second Lieut. Paul Bomberger Shearer, Field Artillery, Officers' Reserve Corps.
Second Lieut. Samuel Cabot Almy, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Francis Roehm, Field Artillery, Officers' Reserve Corps.
Second Lieut. John Thomas Shea, Field Artillery, Officers' Reserve Corps.
Second Lieut. Robert Driscoll, Field Artillery, Officers' Reserve Corps.
Second Lieut. Chilton Richardson Cabot, Field Artillery, Officers' Reserve Corps.
Second Lieut. Nathan David Gordon, Field Artillery, Officers' Reserve Corps.
Second Lieut. Alexander Louis Schlesinger, Field Artillery, Officers' Reserve Corps.
Clyde Creushan Caswell, of Florida.
Murray Lloyd Goldsborough, of Maryland.
Robert Taft Staples, of Rhode Island.
Second Lieut. Howell Redd Hanson, Field Artillery, Officers' Reserve Corps.
Second Lieut. George Robert Hayman, Field Artillery, Officers' Reserve Corps.
Second Lieut. Howard Everett Camp, Field Artillery, Officers' Reserve Corps.
Samuel Chester Gale, of Minnesota.
Second Lieut. Allan Boyd Smith, Field Artillery, Officers' Reserve Corps.
Second Lieut. Allie Waldron Miller, Field Artillery, Officers' Reserve Corps.
Second Lieut. Lloyd Smith Partridge, Field Artillery, Officers' Reserve Corps.
Second Lieut. Frederick Howes Ruppel, Field Artillery, Officers' Reserve Corps.
Second Lieut. Richard Jackson Howard Farrar, Field Artillery, Officers' Reserve Corps.
Second Lieut. Harold Whittle Blakeley, Field Artillery, Officers' Reserve Corps.
Second Lieut. George Etter, Field Artillery, Officers' Reserve Corps.
Second Lieut. Willie Charlton White, Field Artillery, Officers' Reserve Corps.
Edward Bradley Anschutz, of Connecticut.
Charles Burgess Arthur, jr., of Ohio.
Second Lieut. Davis Jones Cloward, Engineers, Officers' Reserve Corps.
Leon Dessez, of the District of Columbia.
Vernon King Hurd, of Colorado.
Henry Porterfield Taylor, of Virginia.
Armin Adams Uebelacker, of New Jersey.
Mark Allan Van Liew, of New York.
Yssell Yvette Young, of Kansas.
Second Lieut. Carl Arnold Grasse, Field Artillery, Officers' Reserve Corps.
Second Lieut. James Gaulding Watkins, Field Artillery, Officers' Reserve Corps.
Second Lieut. Paul Mitchell Arnold, Field Artillery, Officers' Reserve Corps.
Second Lieut. Charles Miner Miller, jr., Field Artillery, Officers' Reserve Corps.
Curtis Thomas Everett, of Tennessee.
Second Lieut. William Samuel Jacobs, Field Artillery, Officers' Reserve Corps.
John Patrick Crehan, of New York.
Second Lieut. Charles Mortimer Sheldon, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Samuel Owen Taylor, Field Artillery, Officers' Reserve Corps.
Second Lieut. Bernard Marshal Barcalow, Field Artillery, Officers' Reserve Corps.
Donald Sutter McConnaughy, of the District of Columbia.
James Bruce, of Maryland.
Second Lieut. James Taylor, Field Artillery, Officers' Reserve Corps.
Second Lieut. Samuel White, jr., Field Artillery, Officers' Reserve Corps.

COAST ARTILLERY CORPS.

To be second lieutenants with rank from October 24, 1917.

First Lieut. Edward Franklin Chase, Coast Artillery Corps, Massachusetts National Guard.
Sergt. Robert Andrew Wheeler, Second Company, New York Division, Military Police, New York National Guard.
Pvt. Catesby ap Lucian Jones, Headquarters Troop, Thirty-first Division, National Guard.
Corpl. William Warren Savage, One hundred and eleventh Field Artillery, National Guard.
Pvt. Charles James Schaefer, jr., Troop A, First Cavalry, Pennsylvania National Guard.
Corpl. Le Roy Allen Whittaker, Coast Artillery Corps.
First Class Pvt. Harold Waldo Kramer, One hundred and sixty-sixth Infantry, National Guard.

To be second lieutenants with rank from October 25, 1917.

First Lieut. Harold P. Detwiler, Field Artillery, Officers' Reserve Corps.
Second Lieut. Clarence Francis Hofsetter, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. John J. Vandenburgh, Field Artillery, Officers' Reserve Corps.
First Lieut. Paul Sheeley Roper, Infantry, Officers' Reserve Corps.
Second Lieut. John Scott Beck, Engineers, Officers' Reserve Corps.
Second Lieut. Clarence Gordon De Swarte, Engineers, Officers' Reserve Corps.
Second Lieut. Brandley Belknap Brown, Coast Artillery Corps, Officers' Reserve Corps.
First Lieut. Mahlon Apgar Combs, Engineers, Officers' Reserve Corps.
Second Lieut. Leslie Arthur Kibbe, Engineers, Officers' Reserve Corps.
First Lieut. Lawrence Locke Clayton, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Sanford Dole Ashford, Engineers, Officers' Reserve Corps.
First Lieut. William Mayer, Infantry, Officers' Reserve Corps.
Second Lieut. James Laird Craig, Engineers, Officers' Reserve Corps.
First Lieut. Glenn Howenstein Stough, Officers' Reserve Corps.
Second Lieut. Charles Ernest Loucks, Coast Artillery Corps, Officers' Reserve Corps.
First Lieut. Edmund Bradford Tazewell, Engineers, Officers' Reserve Corps.
Second Lieut. Hugh McCauley Cochran, 3d, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Bruce Wilcox Thayer, Engineers, Officers' Reserve Corps.
Second Lieut. Arthur Cavanagh Cox, Engineers, Officers' Reserve Corps.
Second Lieut. Paul Jamison Hunt, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Chauncey Kenneth Smullen, Engineers, Officers' Reserve Corps.
Second Lieut. Moses William Pettigrew, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Harold H. Hilton, Infantry, Officers' Reserve Corps.
Second Lieut. Walter Francis Kraus, Engineers, Officers' Reserve Corps.
First Lieut. Duval Marshall Taylor, Coast Artillery Corps, Officers' Reserve Corps.

Second Lieut. Samson Heller Rosenblatt, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Hugh Nelson Mayor, Engineers, Officers' Reserve Corps.
George Abe Woody, honor graduate, of Texas.
Maurice Rice Gowing, honor graduate, of Ohio.
Geoffrey Maurice O'Connell, honor graduate, of New York.
Lloyd William Goeppert, honor graduate.
Frank Richard Rawson, honor graduate, of Pennsylvania.
Francis Bell, jr., honor graduate, of Virginia.
Harrison George Overend, honor graduate, of Illinois.
Arthur William Gower, honor graduate, of Wisconsin.
Guy Cephus Smith, honor graduate, of Kansas.
Otis Corcoran Moore, honor graduate, of South Carolina.
George Calvin Tinsley, honor graduate, of Virginia.
Arthur Foster Gilmore, honor graduate, of Vermont.
Thomas Blair Hobson, honor graduate, of Ohio.
John T. Lewis, honor graduate, of Illinois.
Walter A. Upham, honor graduate, of New Hampshire.
Julian Darst Conover, honor graduate, of Wisconsin.
Ralph Anderson Grant, honor graduate, of Wisconsin.
Alvah Putnam R. Conklin, honor graduate, of California.
William Quintullus Jeffords, jr., honor graduate, of South Carolina.
Ernest Carroll Porter, honor graduate, of Virginia.
Frederick Wells Gilchrist, honor graduate, of Ohio.
Samuel Lusker McCroskey, honor graduate, of Washington.
Arthur Leo Lavery, honor graduate, of Vermont.
George Anthony Patrick, honor graduate, of the District of Columbia.
Horace H. Powers, honor graduate, of Vermont.
Walter Christian Thee, honor graduate, of Pennsylvania.
Gwynne Gravelle McCaustland, honor graduate, of Missouri.
Wayne Edson Davis, honor graduate, of Vermont.
Oliver Boone Bucher, honor graduate, of Virginia.
Edgar William King, honor graduate, of South Carolina.
John Wilson Dillard, honor graduate, of Virginia.
Jesse Kuykendall Mattox, honor graduate, of Texas.
Wallace Edgar Armstrong, honor graduate, of Massachusetts.
Riley Edward McGarraugh, honor graduate, of Kansas.
Fletcher Hanson Etheridge, honor graduate, of Georgia.
David Beale, honor graduate, of Massachusetts.
Charles Thomas Trickey, honor graduate, of Texas.
Allan Preston Bruner, honor graduate, of South Carolina.
Edwin Mahlon McGinnis, honor graduate, of Ohio.
Francis Stuart Swett, honor graduate, of Vermont.
Arch Charles Huston, honor graduate, of Ohio.

CORPS OF ENGINEERS.

To be second lieutenants with rank from October 16, 1917.

Samuel Louis Kuhn, of Massachusetts.
Louis Graham, of New York.
Roy Marsh McCutchen, of New Jersey.
William Lohmeyer, jr., of West Virginia.
William Allen Clark, of Massachusetts.
Aubrey Hoodenpyl Bond, of Wisconsin.
Hubert Walter Collins, of North Carolina.
Harold Joseph McDonald, of Massachusetts.
Maurice Pelham van Buren, of New York.
Frederick Slocum Howland Smith, of Pennsylvania.
Frank Bowman Hastie, of New Jersey.
Harold Van Vechten Fay, of New York.
Oscar Rudolph Peterson, of Massachusetts.
Thomas Kronenberg Meloy, of New York.
Robert Adams Love, of Pennsylvania.
Bennet Hart Bowley, jr., of California.
Robert Dorrance Ingalls, of New York.
William Lloyd Garrison Mackenzie, of Massachusetts.
Walter Lyman Medding, of Massachusetts.
Warren Adams Lyon, of New York.
Roger Williams Parkhurst, of Ohio.
Albert Carl Lieber, jr., of Massachusetts.
Robert King Munroe, of Connecticut.
James August Bjerregaard, of Ohio.
Eugene Franklin Gaebler, of Missouri.
William Clair Atwater, of Ohio.
Henry Elmer Strout, jr., of Massachusetts.
John Arthur Strang, of New Jersey.
George Earl Robinson, of Massachusetts.
Frank Claxton Rogers, of Connecticut.
Philip Nahm Cristal, of Kentucky.
Clifford Harry Springer, of Ohio.
Edward Perry Morton, of New Jersey.
Langley Stoddard Homer, of New York.
George Jacob Nold, of Indiana.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 14, 1917.

SURVEYOR OF CUSTOMS.

William M. Ingraham to be surveyor of customs in customs collection district No. 1, with headquarters at Portland, Me.

ASSISTANT CHIEFS OF THE BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Chauncey D. Snow to be (First) Assistant Chief of the Bureau of Foreign and Domestic Commerce, Department of Commerce.

Grosvenor M. Jones, to be (Second) Assistant Chief of the Bureau of Foreign and Domestic Commerce, Department of Commerce.

AID IN THE COAST AND GEODETIC SURVEY.

William Daryl Patterson to be aid in the Coast and Geodetic Survey, Department of Commerce.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Charles S. McWhorter to be a lieutenant commander.
Lieut. (Junior Grade) Robert R. Paunack to be a lieutenant.
The following-named citizens to be assistant naval constructors:
Charles W. Colby,
Lowell Cady,
Harold G. Neumann,
Thomas F. O'Brien,
Emil A. Gramstorff,
Irving Fineman,
William W. Cargill,
Paul D. Childs,
George R. Duryea,
Irving B. McDaniel,
George T. Paine,
Robert G. Shand,
Walter G. Farr,
William A. Sullivan, and
Benjamin S. Wells.
Lieut. Col. Philip M. Bannon to be a colonel in the Marine Corps.
Maj. Richard M. Cutts to be a lieutenant colonel in the Marine Corps.
Maj. Henry C. Davis to be a lieutenant colonel in the Marine Corps.
Capt. Rush R. Wallace to be a major in the Marine Corps.
The following-named captains to be majors in the Marine Corps:
Robert O. Underwood,
Gerard M. Kincade,
Harry O. Smith,
Robert B. Farquharson,
Lauren S. Willis,
Sydney S. Lee,
Ross E. Rowell,
Harold H. Utley,
Howard C. Judson,
Paul A. Capron,
William F. Bevan,
John Potts,
Edward A. Ostermann,
Edward S. Willing,
Ralph S. Keyser,
Julian P. Willcox,
Benjamin S. Berry,
Ross S. Kingsbury,
Robert E. Adams,
Edwin N. McClellan,
Littleton W. T. Waller, jr.,
John Dixon, and
Henry M. Butler.
The following-named first lieutenants to be captains in the Marine Corps:
Louis E. Fagan, jr.,
Louis M. Bourne, jr.,
Edward S. Chandler,
James Keeley,
Eugene B. Mimms,
William H. Stevens,
Henry Baptist,
Francis Fisk,
Robert W. Williams,
Peter Conachy,
Charles E. Mills,
Wilbur G. Gunn,
John Blanchfield,

Carl E. Clark,
Arthur J. Stout,
Julius T. Wright,
Andrew E. Creasy,
Arthur H. Page, jr.,
Donald Curtis,
Jesse L. Perkins,
Samuel J. Bartlett,
Clarence N. McClure,
Michael Kearney,
Edward H. W. Holt,
Bror G. Brodstrom,
Frederick W. Karstaedt,
Angus Wilson,
Fred Lueders,
Charlie Hansen,
Charles S. Beale,
Roswell Winans,
Raymond F. Dirksen,
Walter J. Eddington, jr.,
Frank Whitehead,
Ery M. Spencer,
Charles P. Holliday,
James P. Smith,
Frank E. Verner,
Norman M. Shaw,
Joseph Watson,
Abel E. LeBlanc,
Oliver A. Dow,
John P. Harvis,
William Borghart,
Gaines Moseley,
John F. Duffy,
William R. Perry,
William J. Holloway,
Bert Pearson,
Harry H. Couvrette,
John H. Fay,
Pink H. Stone,
Harry T. Rodenhoffer,
Frank Patterson,
Charles G. Knoechel,
Charles F. Merkel,
John F. Evans,
John A. McDonald,
Ray W. Jeter,
Albert J. Grimes,
Clarence H. Medairy,
Robert Yowell,
Louie W. Putnam,
Stephen F. Drew,
Charles F. Finger,
William S. Robinson,
Edward G. Huefe,
John Kearns, and
James H. McGan.

The following-named second lieutenants to be first lieutenants in the Marine Corps:

Louis E. Fagan, jr.,
Louis M. Bourne, jr.,
Frederick W. Karstaedt,
Roswell Winans,
Ery M. Spencer,
Charles P. Holliday,
Gaines Moseley,
John H. Fay,
Arthur J. Trask,
Thomas B. Wood,
Archie Farquharson,
Glen C. Cole,
Orlando C. Crowther,
David T. Jackson,
John H. Nichols,
George L. Littlefield,
Daniel J. Readey,
Herman R. Holljes,
Franklin T. Steele,
William E. Campbell, jr.,
Stanford W. Hoffman,
George F. Hill,
Walter T. H. Galliford,
Charles N. Muldrow,
John T. Walker,
Frank W. Wilson,
Robert C. Anthony,
Ralph L. Schlesswohl,
William A. Duckham,
Benjamin Goodman,
Harold D. Campbell,
James A. Nelms,
Raymond E. Knapp,
Samuel C. Cumming,
George H. Yarborough, jr.,
Edward L. Burwell, jr.,
Lemuel C. Shepherd, jr.,
John F. Blanton,
James F. Moriarty,
Arthur T. Elmore,
Edward B. Hope,
Charles P. Nash,
Durant S. Buchanan,
Fielding S Robinson,
William H. Taylor, jr.,
Charles Z. Lesher,
John C. Wood,
Thomas R. Jewett,
James R. Henderson,
William T. Evans,
George D. Hamilton,
Benjamin W. Gally,
Lloyd B. Dysart,
Joseph F. Gargan,
Charles I. Emery,
Clyde P. Matteson,
Rolla R. Hinkle,
William R. Mathews,
Charles T. Lawson,
David I. Garrett,
Nathaniel H. Massie,
Richard H. Jeschke,
Sidney W. Wentworth,
Frank L. Shannon,
Samuel M. Noblitt,
Francis P. Mulcahy,
Frederic C. Wheeler,
Benjamin H. Brown,
Thomas E. Kendrick,
Benjamin L. Harper,
Albert A. LeBoouf,
Will H. Walter,
Alfred W. Ogle,
William van D. Jewett,
Robert S. Lytle,
Paul E. McDermott,
Albert P. Baston,
Donald J. Kendall,
Harold St. C. Wright,
Horace B. Derrick,
Leonard Stone,
Alton A. Gladden,
Lewis B. Reagan,
Dudley S. Brown,
Robert H. Pepper,
Robert L. Nelson,
John B. Wilson,
James McB. Sellers,
James D. Colomy,
Lathrop B. Flintom,
Clive E. Murray,
Joseph A. Hagan,
Ivan Langford,
Galen M. Sturgis,
Mordecai C. Chambers,
Carl W. Meigs,
Joseph W. Knighton,
Charles I. Murray,
James A. Poulter,
Karl S. Day,
George L. Maxwell, jr.,
Joseph C. Bennet,
Clarence W. Smith,
James A. Mixson,
Cecil B. Raleigh,
George L. Maynard, jr.,
William H. Hollingsworth,
Lades R. Warriner,
John O. Hyatt,
Oakley K. Brown,
Charles D. Roberts,
Gus L. Gloeckner,
Graves B. Erskine,
Frederick I. Hicks,

Phillips B. Robinson,
Thomas W. Scott,
Leo F. S. Horan,
Felix Beauchamp,
Maurice Brulay,
James B. McCormick,
Walter R. Macatee,
Philip A. Murray, jr.,
John H. Craige,
Kortright Church,
John N. Popham, jr.,
Reginald C. M. Peirce,
Theodore C. Johnson,
Claude M. Bain,
Thomas A. Tighe,
Thomas W. Bowers,
John R. Foster,
Russell W. Duck,
David Bellamy,
Robert W. Claiborne,
Robert P. Jeter,
Lawrence B. Smith,
Richard O. Sanderson,
Louis S. Davis,
Archie W. French,
Jonathan Lucas, jr.,
William L. York,
Harry D. Gibbons,
John F. Williams, and
Howard B. Freeman.

The following-named noncommissioned officers to be second lieutenants in the Marine Corps:

Q. M. Sergt. Charles P. Holliday,
Gunnery Sergt. Arthur J. Trask,
Gunnery Sergt. Archie Farquharson, and
Gunnery Sergt. Glen C. Cole.

The following-named officers of the National Naval Volunteers (Marine Corps Branch) to be second lieutenants in the Marine Corps.

Franklin T. Steele,
William E. Campbell, jr., and
George F. Hill.

The following-named citizens to be second lieutenants in the Marine Corps:

Earle M. Randall,
Leland S. Swindler,
John P. Manton,
Ernest H. Lowenthal,
Ray A. Robinson,
Howard N. Stent,
Gillis A. Johnson,
Kenneth B. Collings,
Basil Gordon,
Donald Spicer,
Ford O. Rogers,
Creswell M. Micou,
Walter G. Farrell,
Raymond T. Presnell,
Lloyd A. Houchin,
Roy M. Simpson,
William L. Harding, jr.,
John B. Neill, jr.,
David Duncan,
Lyle C. De Veaux,
Charles G. Thoma,
Greenough Townsend,
Henley M. Goode,
Ralph R. Robinson,
Floyd W. Bennett,
Norman E. True,
Thurston J. Davies,
Walter E. Bilisoly,
John K. Martenstein,
Francis J. Kelly, jr.,
Daniel B. Brewster,
Douglass P. Wingo,
Conrad S. Grove, 3d,
Dale S. Young,
Charles M. Portis,
St. Julien R. Childs,
Clifford C. Cowin,
Hamilton M. H. Fleming,
Walter I. Greth,
Frederick E. Stack,
George C. Collar,
John F. Roy,
Edward S. Shaw,
Stanford H. Moses,
Edward L. Pollock, jr.,
William J. Parrish, jr.,
Hascall F. Waterhouse,
Gardiner Hawkins,
Campbell R. Coxe,
Leland D. Breckinridge,
Merritt A. Edson,
Laurence T. Stallings, jr.,
Edgar A. Poe, jr.,
Edward O. Bogert,
Randolph A. Christie,
George Wale, jr.,
John A. Tebbs,
John C. Wemple,
Curtis W. Le Gette,
Cleghorn Foote,
Thomas B. McMartin,
Thomas W. Ashley,
Thomas H. Raymond,
David C. Levy,
Joseph H. Fellows,
Louis G. De Haven,
John S. Tyler,
Luther W. Jones,
Harry E. Stovall,
Chester R. Milham,
David P. Cowan,
Robert L. Montague,
Lester A. Dessez,
John R. Minter,
Robert B. Stuart,
Edmond F. Fisher,
James Wood,
Andrew R. Holderby, 3d,
Charles S. Willcox,
Fillmore W. Eiker,
Merton A. Richal,
William B. Shealy,
Francis B. Reed,
Lester D. Johnson,
Edgar B. Pendleton,
John Kaluf,
Judson H. Fitzgerald,
Samuel A. Milliken,
Timon J. Torkelson, and
Ross S. Wilson.

The following-named temporary second lieutenant to be a second lieutenant in the Marine Corps:

Fillmore W. Eiker.

HOUSE OF REPRESENTATIVES.

FRIDAY, *December 14, 1917.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who art from everlasting to everlasting, the same yesterday, to-day, and forever; our God and our Father, whose infinite wisdom, power, and goodness are everywhere apparent in the work of Thy hands, inspire us to do Thy Will, that we may reflect those attributes in thought and purpose, and thus live with Thee, in Thee, for Thee.

Give to us this day the bread that feeds the soul and strengthens the mind, to do the tasks before us; that we may accumulate the wealth that never dies, and enjoy the blessings of the now, by doing those tasks, willingly, patiently, faithfully, in the Spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

FEDERAL FARM-LOAN BUREAU.

Mr. WINGO. Mr. Speaker, I ask unanimous consent to insert in the RECORD a statement of the Federal Farm-Loan Bureau.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to insert in the RECORD a statement of the Federal Farm-Loan Bureau. Is there objection?

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to take up the omnibus pension bill, H. R. 7674, at the conclusion of the Post Office appropriation bill.

The SPEAKER. But there is a special order for to-day.

Mr. STAFFORD. A parliamentary inquiry.

The SPEAKER. Why not let that follow the speech of the gentleman from Wisconsin [Mr. FREAR]? The gentleman from Washington [Mr. MILLER] and the gentleman from Wisconsin [Mr. FREAR] have leave to address the House to-day.

Mr. STAFFORD. Mr. Speaker, I would like to make a parliamentary inquiry in connection with the request for unanimous consent. I would like to inquire of the gentleman from Ohio whether the pension bill has been reported and is on the calendar.

Mr. SHERWOOD. It is on the calendar.

Mr. STAFFORD. When was it reported?

Mr. SHERWOOD. Yesterday.

Mr. ASHBROOK. It is printed and in the document room, where Members can get it.

Mr. SHERWOOD. Mr. Speaker, I am willing to accept the suggestion of the Speaker, but I do not want to lose any rights of the bill to-day.

Mr. ASHBROOK. I understand, Mr. Speaker, that the chairman of the committee is willing to have the bill follow the remarks of the gentleman from Wisconsin, but he does not want to lose the rights of the bill for to-day.

Mr. FITZGERALD. I would like to say, Mr. Speaker, that after the Post Office bill is concluded I propose to ask the House to take up the deficiency bill.

Mr. GARNER rose.

Mr. MOON. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOON. Does the special order for to-day interfere with the consideration of the Post Office appropriation bill?

The SPEAKER. It does not.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the general pension legislation be in order to-morrow.

Mr. SHERWOOD. That will be satisfactory to me.

The SPEAKER. The gentleman from New York asks unanimous consent that the pension legislation be in order to-morrow. Is there objection?

There was no objection.

The SPEAKER. For what purpose did the gentleman from Texas rise?

Mr. GARNER. I rose to make the same inquiry that the gentleman from Tennessee did—whether the special order for to-day interfered with the Post Office appropriation bill.

The SPEAKER. No; the Post Office bill is a privileged bill.

Mr. GARNER. I understand that, and the pension bill is also a privileged matter.

The SPEAKER. But one is of pressing importance and the other is not.

Mr. LANGLEY. Which one does the Speaker consider of pressing importance?

The SPEAKER. The Post Office appropriation bill.

Mr. LANGLEY. The pension bill is very important too. Old soldiers are dying every day.

The SPEAKER. The question is on the request of the gentleman from Arkansas to insert in the RECORD a report of the Federal Farm Loan Bureau. Is there objection?

Mr. WALSH. Reserving the right to object, I would like to ask the gentleman from Arkansas what the statement consists of that he wishes to insert in the RECORD.

Mr. WINGO. The statement is a report of the Federal Farm Loan Bureau, a statistical statement, showing by districts the number of charters approved, the number under consideration, the total amount of loans applied for, the total amount of loans approved, the total amount of loans closed, and so forth. My object in asking to have it inserted in the RECORD is that the board is asking for further legislation, which the Committee on Banking and Currency will probably present to the House within the next few days. The statement is purely statistical and contains information that will throw some light on the necessity of that legislation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The report is as follows:

Statement showing the number and amount of loans applied for, approved, and closed, and farm loan associations whose charters have been approved, those under consideration, and those in process of formation at the close of business Nov. 30, 1917.

Districts and States.	Associations.				Total amount of loans applied for.				Total amount of loans approved.			
	Number charters approved.		Number under consideration.		By States.		By districts.		By States.		By districts.	
	By States.	By districts.	By States.	By districts.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.
1. Springfield:												
Maine	6				186	$371,190			151	$250,300		
New Hampshire	1		1		45	87,300			17	24,200		
Vermont	2		6		176	596,287			39	157,750		
Massachusetts	11		1		419	1,166,030			337	784,425		
Rhode Island	2				40	98,960			31	66,350		
Connecticut	11		2		223	672,840			178	450,640		
New York	16		17		787	2,467,581			308	847,315		
New Jersey	11	60	3	30	196	620,495	2,072	$6,080,683	171	431,900	1,232	$3,012,880
2. Baltimore:												
Pennsylvania	10		12		512	1,253,545			223	635,531		
Virginia	51		24		2,456	5,524,518			1,450	3,258,000		
West Virginia	12		17		774	1,070,836			369	559,500		
Maryland	6		1		125	358,485			87	257,203		
Delaware	1				13	29,150			12	24,000		
District of Columbia		80		54			3,880	8,236,534			2,141	4,734,294
3. Columbia:												
North Carolina	68		37		4,468	6,498,319			1,528	2,199,046		
South Carolina	50		14		2,621	5,486,397			806	1,838,278		
Georgia	20		14		1,448	2,771,778			291	643,340		
Florida	32	170	21	86	3,349	5,906,062	11,886	20,662,556	607	914,050	3,232	5,594,714
4. Louisville:												
Tennessee	86		24		3,398	6,086,252			1,972	3,431,600		
Kentucky	54		13		2,521	3,888,505			1,455	2,222,700		
Indiana	51		9		1,705	3,810,770			989	2,247,500		
Ohio	12	203	3	49	261	763,040	7,885	14,548,567	179	415,300	4,595	8,317,100
5. New Orleans:												
Alabama	64		9		3,162	6,253,832			2,897	3,160,001		
Louisiana	17		10		702	2,036,161			668	780,220		
Mississippi	102	183	1	20	5,644	7,003,184	9,508	15,293,177	5,328	4,606,144	8,893	8,553,365
6. St. Louis:												
Illinois	29		10		738	1,697,660			(1)	1,084,515	(1)	
Missouri	59		36		1,811	3,778,615			(1)	2,195,945	(1)	
Arkansas	77	165	64	110	3,658	5,276,440	6,207	10,752,715	(1)	2,634,990	(1)	5,915,450
7. St. Paul:												
North Dakota	48		74		4,009	12,104,150			2,944	7,711,500		
Minnesota	36		48		2,887	5,708,900			2,233	4,188,300		
Wisconsin	35		9		1,189	2,137,270			1,125	1,735,100		
Michigan	33	152	51	182	3,049	4,743,980	11,134	24,694,300	2,254	2,784,800	8,556	16,419,700
8. Omaha:												
Iowa	8		32		(2)	3,020,700	(1)		(1)	809,700	(1)	
Nebraska	58		106		(2)	7,764,995	(1)		(1)	3,766,100	(1)	
Wyoming	7		32		(2)	2,439,670	(1)		(1)	543,330	(1)	
South Dakota	31	104	95	285	(2)	5,158,930	(1)	18,381,395	(1)	2,407,000	(1)	7,528,630
9. Wichita:												
Kansas	82		7		2,405	7,826,577			(1)	(2)	(1)	
Oklahoma	86		17		2,804	6,075,157			(1)	(2)	(1)	
Colorado	100		26		2,815	6,782,642			(1)	(2)	(1)	
New Mexico	76	344	7	5	2,423	4,207,473	10,447	24,891,949				12,335,845

[1] Not given.

[2] Not segregated.

Statement showing the number and amount of loans applied for, approved, and closed, and farm loan associations whose charters have been approved, etc.—Continued.

Districts and States.	Associations.				Total amount of loans applied for.				Total amount of loans approved.			
	Number charters approved.		Number under consideration.		By States.		By districts.		By States.		By districts.	
	By States.	By districts.	By States.	By districts.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.
10. Houston:												
Texas	165	165	148	148	8,731	$22,113,972	8,731	$22,113,972	6,675	$11,488,531	6,675	$11,488,531
11. Berkeley:												
California	96		40		4,966	16,102,789			1,677	4,958,360		
Utah	15		39		1,073	2,822,625			296	681,000		
Nevada	2		4		131	461,938			29	126,700		
Arizona	3	116	18	101	520	1,161,487	6,690	20,548,839	79	228,900	2,081	5,994,960
12. Spokane:												
Idaho	40		7		2,085	4,555,546			866	2,102,010		
Montana	75		11		4,377	11,915,249			1,915	4,604,815		
Oregon	63		14		2,774	7,260,783			1,501	3,829,670		
Washington	99	277	17	49	4,770	9,824,475	14,006	33,556,053	2,645	4,702,625	6,927	15,239,120
Total	[1]2,019	[1]2,019	1,171	1,171	92,446	219,760,740	92,446	219,760,740	44,332	105,136,529	44,332	105,136,529

Districts and States.	Total amount of loans closed.				Approximate total of loans rejected and reduced.	Approximate amount of loans pending.	Average amount of each loan by districts.	Number associations in process of formation.	
	By States.		By districts.					By States.	By districts.
	Number.	Amount.	Number.	Amount.					
1. Springfield:									
Maine	48	$82,500						1	
New Hampshire								[2]	[2]
Vermont	1	4,850						[2]	[2]
Massachusetts	110	263,305						[2]	[2]
Rhode Island	12	35,600						[2]	[2]
Connecticut	26	73,850						[2]	[2]
New York	69	214,950						[2]	[2]
New Jersey	12	33,400	278	$708,455	$456,000	$4,916,000	$2,548	4	5
2. Baltimore:									
Pennsylvania	74	190,600						20	
Virginia	427	1,106,750						16	
West Virginia	87	182,850						12	
Maryland	33	110,100						7	
Delaware	6	9,600							
District of Columbia			627	1,599,900	782,000	5,855,000	2,552		55
3. Columbia:									
North Carolina	243	418,430						82	
South Carolina	143	382,395						58	
Georgia	26	56,150						40	
Florida	38	61,370	450	918,345	900,000	18,844,000	2,041	36	216
4. Louisville:									
Tennessee	142	398,100						18	
Kentucky	246	471,100						21	
Indiana	342	879,500						19	
Ohio	18	33,600	748	1,782,300	1,492,000	11,274,000	2,383	10	68
5. New Orleans:									
Alabama	304	470,870						72	
Louisiana	2	850						51	
Mississippi	1,190	1,162,615	1,496	1,634,335	698,000	12,961,000	1,092	76	199
6. St. Louis:									
Illinois	101	186,635						70	
Missouri	278	623,455						125	
Arkansas	281	444,380	660	1,254,470	1,449,000	8,049,000	1,901	100	295
7. St. Paul:									
North Dakota	648	1,825,600						100	
Minnesota	566	1,038,500						125	
Wisconsin	407	667,300						53	
Michigan	569	886,700	2,190	4,418,100	3,073,000	17,203,000	2,017	86	361
8. Omaha:									
Iowa	14	96,300						184	
Nebraska	323	993,690						116	
Wyoming	80	170,400						23	
South Dakota	157	527,100	574	1,787,490	333,000	16,261,000	3,114	113	436
9. Wichita:									
Kansas	1,170	3,504,000						10	
Oklahoma	913	1,747,200						15	
Colorado	722	1,170,200						20	
New Mexico	695	879,500	3,500	7,390,900	7,202,000	10,399,000	2,112	15	60
10. Houston:									
Texas	491	1,145,345	491	1,145,345	2,234,000	18,735,000	2,333	125	125
11. Berkeley:									
California	471	1,452,600						35	
Utah	76	170,500						25	
Nevada	17	82,500						5	
Arizona	24	112,800	588	1,818,400	5,682,000	13,048,000	3,089	7	72
12. Spokane:									
Idaho	327	762,945						13	
Montana	613	1,632,020						38	
Oregon	461	1,189,800						11	
Washington	997	1,781,850	2,398	5,366,615	2,391,000	25,799,000	2,233	28	90
Total	14,000	29,824,655	14,000	29,824,655	26,692,000	163,344,000	2,130	1,985	1,985

[1] Of this number 1,839 have been actually chartered up to Dec. 1, 1917.

[2] Not reported.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 114. Joint resolution extending the commission provided for in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, with the same authorities, powers, and provisions until on or before March 1, 1918; and

S. J. Res. 110. To amend an act entitled "An act to provide for the promotion of vocational education," etc., approved February 23, 1917.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 110, to amend an act entitled "An act to provide for the promotion of vocational education," etc., approved February 23, 1917, to the Committee on Education.

WOMAN SUFFRAGE.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that consideration of the resolution for a constitutional amendment on woman suffrage be made the order of the day on Monday, January 7, 1918.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the woman suffrage amendment be made a special order for Monday, the 7th of January, 1918. Is there objection?

Mr. WALSH. I object.

LEAVE OF ABSENCE.

Mr. MILLER of Washington, by unanimous consent, was given leave of absence until January 7, 1918, on account of important business.

RESIGNATION OF MR. ADAMSON.

Mr. ADAMSON. Mr. Speaker, I would like a few minutes on a question of the highest privilege, involving the membership and organization of the House.

The SPEAKER. The gentleman will proceed.

Mr. ADAMSON. Mr. Speaker, I herewith send up my resignation as chairman of the Committee on Interstate and Foreign Commerce and the joint committee on transportation.

The SPEAKER. The Clerk will read it.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., December 14, 1917.

Hon. CHAMP CLARK,
Speaker House of Representatives.

DEAR MR. SPEAKER: As it is my purpose to resign from Congress in a few days, I think it advisable and in the interest of the public service that I should at once resign the chairmanship of the Committee on Interstate and Foreign Commerce in order that the new chairman, already selected by the Ways and Means Committee, may be elected by the House and begin the work of the committee for the session.

It is also desirable that I now resign my membership on the joint subcommittee for the investigation of transportation problems, in order that the gentleman already selected to succeed me may also participate in the investigation. The gentleman selected by our committee to fill the vacancy on the joint subcommittee is Hon. DAN V. STEPHENS, of Nebraska.

I therefore respectfully resign from both positions.

With highest regards and best wishes, I am,

Yours, truly, W. C. ADAMSON.

Mr. ADAMSON. Mr. Speaker, with many pangs of regret, accompanied by emotions of great pleasure when I reflect upon the kindness I have received in this House, I shall resign early next week. What I have done and tried to do in this House Members know, and I shall not refer to it.

Their kind indulgence has overlooked my shortcomings, and their cooperation and support have contributed to whatever I have succeeded in doing. If I have ever received from any Member of this House during my 21 years of service anything but the utmost friendship and kindness, I failed to notice it. I shall bear grateful recollections to my grave of the kindness shown me by the Members, who are the best men, the best body of men without any exception, ecclesiastical or otherwise, that I have ever observed on the face of this earth. [Laughter and applause.]

My successor, Hon. W. C. Wright, of Newnan, Ga., has already been designated and will be elected. He has been nominated on a resolution emphatically indorsing the United States against the Kaiser and all other emissaries of the devil in opposition to the United States Government and people. [Applause.] He will support the administration and the waging of the war until it is finally completely and gloriously won. [Applause.] I bespeak for my successor the same consideration that has been accorded me, and I specially request that he be not treated as a stepchild, as new Members often are, and put in the position which the Irishman advised, as never going into the water until you learn to swim—not being recognized until you show yourself, and you do not get a chance to show yourself. [Laughter.] When I came here I was taken by the hand and put to work at once.

I want to tell my comrades here that my successor will be equally if not more worthy than myself. He is a great lawyer, a good man, and I hope they will take him by the hand and say, "We know you can work, go and do it," and he will prove himself a man worthy of a seat in this House.

Mr. Speaker, there are only two subjects to which I wish to call the attention of the House, and that will require but a minute. One is the Public Health Service. Its necessity is now recognized in time of war more than ever. It is a peace institution, however, and not a war expedient. The surgeons of the Army and Navy can not do the work that the Public Health Service can do. It is a sanitary institution, intended to look after healthful conditions in the country not in but around military camps and institutions, and elsewhere throughout the country. There is now pending here a bill already passed by the Senate and reported to this House by substitute for a reserve corps of the Public Health Service. There are hundreds of doctors belonging to State boards of health who are willing to help in that work, but existing law forbids it, and this is a simple little proposition to authorize them to be called into service during the war and pay them only when they are on duty, and involves no expense otherwise. I had hoped to get that bill passed before I left Congress. I commend it to my colleagues here and ask that it be put through. The other is the subject of water power, on which our committee has worked for 20 years. We fought between two extremes, those who demanded only a bill that will give them everything and those who will not consent to any bill that is not accompanied by such restrictions as to prevent any development at all.

Our committee has tried to steer a middle course and secure legislation that would build dams and improve the navigable rivers of the country and electrify the country and make it blossom like a rose and flourish like a trust. [Laughter and applause.] I do hope this House will proceed and continue to give it attention until a rational water bill is enacted into law that will secure private capital to make navigable all our streams, and at the same time cause the country to hum with industry.

Mr. Speaker, I beg the pardon of the House for this long time. I pronounce my benediction upon all my colleagues and hope that the blessings of heaven will smile upon us during war and insure prosperity and happiness during peace, and that the blessing of liberty and the glory of the Republic will endure forever. [Loud applause.]

The SPEAKER. Without objection, the resignations are accepted.

There was no objection.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that I may speak for a few minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. ESCH. Mr. Speaker, as the ranking Republican member of the Committee on Interstate and Foreign Commerce, I want on this occasion to say a few words. I think I voice the universal sentiment of the committee as well as of this House in expressing regret over the departure of the Hon. W. C. ADAMSON, for many years chairman of the Committee on Interstate and Foreign Commerce. He has had a service of almost 21 years in this House and during that entire period has been associated with the Committee on Interstate and Foreign Commerce. That record alone is unique as far as experience in this House is concerned, but during that long membership on this important committee he has been identified with some of the most important legislation that has been placed upon the statute books by Congress. Even before he became chairman of the committee he was closely identified with such important subjects of legislation as the bill determining the location of the Panama Canal and its type; he was closely identified also with the act of 1906 which gave to the Interstate Commerce Commission power to determine what is a just and reasonable rate, also with the act of 1910 still further increasing the powers of that commission. He has always been strongly interested in the railroad employees of the country and lent his power and aid in the adoption by Congress of safety appliance acts. He has also had a deep interest in the public health of the country and has identified his name with some of the acts which have made the public-health laws of the United States memorable.

Since he has become chairman, since the first session of the Sixty-third Congress, he has introduced and secured the passage

of some of the most important bills that Congress has enacted, and I have time only to state a very few of those. For instance, the so-called Adamson eight-hour act, the uniform bill-of-lading act, the priority of shipments act, the act increasing the number of members on the Interstate Commerce Commission, and other acts relating to amendments of the interstate-commerce act, the original war-risk insurance act and its recent amendment which gave allowances, compensation, and insurance to the soldiers and sailors of the pending war, and other acts.

Due to his skill, his ability, his knowledge of the subject matter, those great measures were passed through the committee, through the House, and through Congress, and they constitute for him a fitting monument, a monument of which any Member might well be proud. Because of his activity in matters of legislation, because of his efficient service in the House, because of his ability, his genial character, and his many excellent qualities of mind and heart, we all profoundly regret his separation from this House. But he has been called to another place, and the great qualities of mind and heart that characterized him in this House will characterize him in the fulfillment of the duty of his new and high office, and we all wish him the utmost success in the position to which he has been appointed.

And finally, as a member of the committee with which he has served so long, and as a Member of the House associated with him during almost his entire period as a Member of the House, I wish to express to him my deep regret over his departure and the good wishes of every Member here for his success hereafter. [Applause.]

Mr. SIMS. Mr. Speaker, I wish to submit a request for unanimous consent.

The SPEAKER. The gentleman has five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SIMS. In connection with what the gentleman from Wisconsin has so well and lucidly stated, I wish to ask unanimous consent to place in the RECORD the resolutions adopted by the convention that has just recently nominated the successor of Judge ADAMSON, and also the resolutions of the Committee on Interstate and Foreign Commerce, expressing regrets at the resignation of Judge ADAMSON from that committee and the appreciation of the membership of the committee of the long and useful service of Judge ADAMSON.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to print as a part of his remarks the resolutions passed by the Committee on Interstate Commerce in reference to Judge ADAMSON, and also the resolutions passed by the congressional convention which nominated his successor. Is there objection? [After a pause.] The Chair hears none.

Mr. SIMS. Mr. Speaker, the following resolution was unanimously adopted by the Committee on Interstate and Foreign Commerce:

RESOLUTION IN HONOR OF HON. W. C. ADAMSON, CHAIRMAN OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, UPON HIS RESIGNATION AS A MEMBER OF THE HOUSE OF REPRESENTATIVES.

Whereas our distinguished chairman, Hon. W. C. ADAMSON, is about to sever his connection with this committee and resign his seat in the House, we, the members of this committee, as a token of our appreciation and respect herewith submit the following statement and accompanying resolution:

The Committee on Interstate and Foreign Commerce has always been a fitting school for promotions in public life, a Vice President, a half dozen Senators, a governor, several judges of Federal courts, members of administrative bodies of great authority and influence in the Government, have secured their training and imbibed wisdom from the work of this committee. Our chairman adds his name to the distinguished list. Owing to his long service of almost 21 years in the House and on this committee and his zeal and intelligent purpose in promoting the general welfare, President Wilson nominated him for the high and responsible position of general appraiser of merchandise at the port of New York. The same day, September 22 last, that the nomination was received by the Senate it was accorded the unusual honor of a confirmation in open session.

That he will discharge the duties of his new office with fidelity and dispatch we who know him are confident. That there will be times when he will long to be back in our midst we are equally confident.

During his long membership on this committee he took an active part in shaping some of the most important legislation enacted by Congress. We cite a few of the acts which, prior to his becoming our chairman, engaged the earnest and widespread attention of Congress as well as of the entire country:

The original act designating the Isthmus of Panama as the location of the canal and fixed its type as a lock instead of a sea-level canal;

The Hepburn Act of 1906 giving the Interstate Commerce Commission the power to fix reasonable rates;

The pure foods and drugs act;

The Mann-Elkins Act of 1910, still further increasing the power of the commission;

The various safety-appliance acts for the promotion of the safety of employees and travelers on railroads; and

Various measures for the promotion of the public health.

With the change of the complexion of the House in the first session of the Sixty-third Congress Mr. ADAMSON became chairman of our committee and at once displayed such energy, executive ability, and leadership, both in committee and on the floor of the House, as to insure passage of most weighty and complicated acts of legislation. We are safe in saying that no chairman of any committee of the House has, during an equal period, placed as many important and far-reaching acts of legislation upon the statute books. Many of these were drafted and introduced by the chairman himself. Among these the following are worthy of mention:

The Panama Canal act providing for the opening and operation of the canal;

Repeal of the tolls exemption provision of the Panama Canal act;

The Federal Trade Commission act;

The act reorganizing the Life-Saving and Revenue-Cutter Services into the Coast Guard;

Amendment of the hours-of-service act;

The uniform bill of lading act;

Amendment of the boiler-inspection act;

Enlarging the duties and functions of the Public Health Service;

Increasing the membership of the Interstate Commerce Commission and empowering it to do its work by subdivisions;

The car-service act;

The exports and preferential shipments acts;

The trading with the enemy act;

The original war-risk insurance act and its amendment in the last session so as to provide for separation allowances, compensation, and insurance for soldiers and sailors of the pending war; and

The Adamson Eight-Hour Act.

Aside from these, bills were reported out of our committee and passed through the House during Mr. ADAMSON'S chairmanship relating to the construction of dams across navigable waters, control over stock and bond issues of common carriers through the Interstate Commerce Commission, and others of less importance.

This is a fine record of achievement and constitutes a monument which, in the language of Horace, "Is more enduring than brass." No wonder his alma mater, Bowdoin College, even as early as 1915, conferred upon him the degree of doctor of laws.

Length of service in the House measures, in a way, a Member's fidelity to his constituency, to his country, and to his sense of duty. Twenty-one years of continuous service leaves one with few contemporaries—only three Members have had longer continuous service than Chairman ADAMSON. He is therefore one of the fathers of the House, and this fact constitutes a chief cause of regret over his departure. Our relations with him in committee, irrespective of party, have caused us to respect and admire his many qualities of mind and heart. No partisanship has disturbed or hindered the transaction of business during his chairmanship. As a further expression of the feelings of his colleagues:

Resolved, That we, the members of the Committee on Interstate and Foreign Commerce, while deeply regretting the loss to the committee, the House, and the country, caused by the resignation of the Hon. W. C. ADAMSON, chairman of our committee, wish to express to him individually and as a committee our earnest wish for his success in his new office and extend to him whenever he shall revisit the scenes of his legislative triumphs the freedom of the committee and a hearty welcome.

Resolved further, That these resolutions be spread upon the records of the committee and a copy be presented to him.

The convention recently held in the fourth district of Georgia to nominate a successor to our esteemed colleague at its opening unanimously adopted the following resolution:

Whereas the President of the United States has appointed Hon. WILLIAM C. ADAMSON to a high and lucrative office in recognition of his pure Democracy, great ability, and loyalty to every interest of the Government; and

Whereas the said ADAMSON will soon tender his resignation as the Representative of the fourth congressional district of Georgia: Now, therefore, be it

Resolved, That the said ADAMSON has so performed his duties in Congress as to add luster to his name and glory to his posterity; that he has been polite without being suave; prompt without being punctilious; that in conserving his political interests, he has not failed to respect the interests of his constituents; that duty has been his Polar Star; and that his conduct in his high office for nearly a quarter of a century, has been such as to make him an exemplar for all who aspire to sit in the councils of the Nation.

Resolved further, That a copy of these resolutions be sent by the secretary of this convention to our said Representative.

At the close of said convention, after nominating a candidate to succeed Judge ADAMSON, with unanimity and enthusiasm closed its labors by adopting the further resolution:

Resolved, That this convention indorse the present administration and the acts of our great and good President appertaining to the part taken in the world's conflict, and we pledge to our Government and our boys who are defending our country, our everlasting support.

REPUBLICAN CAUCUS.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent for a moment to make an announcement. I would like to state to the Republicans of the House that there will be a caucus immediately after adjournment to-day for the purpose of filling committee places.

CLERKS FOR EXPENDITURE COMMITTEES.

Mr. PARK. Mr. Speaker, I have several pending resolutions from the Committee on Accounts which I would like to submit.

The SPEAKER. The gentleman will send up the first one.

The Clerk read as follows:

House resolution 191 (H. Rept. 217).

Resolved, That the Committee on Expenditures in the Department of Agriculture, the Committee on Expenditures in the Department of Justice, the Committee on Expenditures in the Department of the Interior, the Committee on Expenditures in the Department of Commerce, the Committee on Expenditures in the Department of Labor, the Committee on Expenditures in the Navy Department, the Committee on Expenditures in the Post Office Department, the Committee on Expenditures in the Treasury Department, the Committee on Expenditures in the War Department, the Committee on Expenditures on Public Buildings, the Committee on Woman Suffrage, each be allowed a clerk at the rate of $125 per month during the second session of the Sixty-fifth Congress, beginning December 3, 1917, the salaries of said clerks to be paid out of the contingent fund of the House.

Mr. HAMLIN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HAMLIN. I offer an amendment to the resolution, which I send to the Clerk's desk. After the comma following the word "Suffrage" in line 12 insert the words "Committee on Expenditures in the State Department."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HAMLIN: Page 1, line 12, after the comma following the word "Suffrage," insert "Committee on Expenditures in the State Department."

Mr. STAFFORD. Will the gentleman from Georgia yield?

Mr. HAMLIN. Yes.

Mr. STAFFORD. Will the gentleman from Georgia inform the House what expenditure committee is omitted from the committee report, allowing it a session clerk?

Mr. PARK. Only that committee of which the gentleman from Missouri [Mr. HAMLIN] is chairman.

Mr. STAFFORD. Will the gentleman inform the House why the Committee on Expenditures in the State Department was omitted?

Mr. PARK. It was voted down by the committee.

Mr. STAFFORD. It was under consideration by the committee, then, and the committee rejected the allowance of the clerk to the Committee on Expenditures in the State Department?

Mr. LANGLEY. Will the gentleman state what the objections of the other members of the committee were?

Mr. PARK. They did not state much objection, except that at the extra session the chairman of this committee stated he did not want any clerk and did not care anything about it. Afterwards the chairman of that committee came before the committee and stated some reasons why he ought to have a clerk.

Mr. LANGLEY. He changed his mind?

Mr. HAMLIN. Oh, no. Mr. Speaker, it is my amendment, and I believe I am entitled to five minutes to make a statement.

I will state to the House very frankly that at the last session, as will be recalled by Members, the Committee on Accounts reported a resolution giving clerks to all these expenditure committees. The gentleman from New York [Mr. SANFORD], I think, raised the point that the chairmen of these different expenditure committees were not before this House Committee on Accounts and did not state that they needed clerks at this last session, and thought that the resolution ought not to be adopted in the absence of any information. I think the chairman of the Committee on Accounts made the statement that there were several chairmen of these committees present at that time, and that they could speak for themselves. There was a virtual call, of course, on all of us chairmen to say something about it. I made the statement at that time that that being a war session, and the Democratic Party having caucused early in the session and determined that no legislation should be taken up at that session except matters directly pertaining to the war, I did not expect to call my committee together during that session and, therefore, would not need a clerk, and consequently did not want one. I thought it was distinctly understood by everybody that at the regular session, when general legislation was taken up, that the rule that had always prevailed in these matters would prevail, and that I would expect the clerk, of course, to be appointed to the committee for this regular session. I made that statement before the Committee on Accounts, who very kindly invited me before them a few days ago; and, to my very great surprise, when this resolution was reported, all the other expenditure committees had been recommended to have clerks except my committee. That was left out. I presumed that my offense was that I was fair enough and frank enough and just enough with the House to make the statement that I did not expect my committee to do any work during the extra session of Congress and therefore did not need the clerk and did not want the clerk at that session. Now, that is the sum total of my offense.

Mr. GILLETT. Will the gentleman yield for a question?

Mr. HAMLIN. Yes, sir.

Mr. GILLETT. Does the gentleman expect this committee to be active this session in investigating the expenditures of the State Department?

Mr. HAMLIN. I do not know just what the gentleman from Massachusetts would call "active."

I submit this—and, by the way, it is well enough to state here to the House what I said to the Committee on Accounts the other day: You will remember that under the law all the executive departments are required to report annually, at the beginning of the regular session of Congress in December each year, the expenditures of the money by the departments during the past fiscal year. These reports are made to the Speaker. They are printed and referred to the respective committees. Now, these committees are expected and required under the law to take these reports, investigate them, look them over, and, if necessary, investigate anything that seems to be irregular or in any way suspicious. Now, that report has not come to us yet, but it will come to us, and of course I expect our committee to take it up and look into the matter. It may be, possibly, that nothing will occur to members of the committee that needs investigation. I do not know.

Mr. LANGLEY. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Missouri yield to the gentleman from Kentucky?

Mr. HAMLIN. Yes.

Mr. LANGLEY. Would that not be a matter for the chairman, rather than the clerk, to look into?

Mr. HAMLIN. Oh, the gentleman will look into it. But suppose the chairman concludes that there ought to be an investigation?

Mr. LANGLEY. Do you think the possibility of that investigation would warrant a clerk at the salary proposed for the whole session?

Mr. HAMLIN. I will answer the gentleman in this way on this amendment: This amendment does not go to the merits of the resolution. It may be that the House may conclude that none of these committees on expenditures will need a clerk at this session. That question is not now before the House. I only ask that the Committee on Expenditures in the State Department be accorded the same treatment and the same consideration that the other committees on expenditures are accorded in the resolution. I do not know exactly why this committee was discriminated against, unless it was on account of the things I mentioned a while ago.

Now, I notice, in referring to the personnel of the Committee on Accounts and also to that of these committees on expenditures, that two members of the Committee on Accounts are chairmen of expenditure committees, and a clerk is recommended for their respective committees. I find that another Member, who is a member of my committee, is a member of the Committee on Accounts.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent for two minutes more.

The SPEAKER. The gentleman from Missouri asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. HAMLIN. Now, the only thing I want to say is—and I put the question up to the House frankly—the only question in this amendment is, Shall this committee be placed in the resolution on an equal footing with other similar committees, as the chairman has kindly stated he was willing it should be placed, and considered along with the other committees, and to have it determined whether any of us deserves a clerk at this session of Congress? That is all I have asked. I put it up to the House squarely. If the fact that I was frank enough and fair enough to the House to say at the last session that I was not going to transact any business through my committee at that session, and that, therefore, I did not need a clerk—if that is an offense, I plead guilty, and you can punish me by voting down this amendment. If to be frank and fair with the House and tell you the truth about it be a virtue, as I think it is, then I ask you to vote for this amendment and put it in the resolution and let it be considered along with the other committees. That is all I have got to say.

The SPEAKER. The question is on agreeing to the amendment.

Mr. PARK. Mr. Speaker, I yield to the gentleman from New York [Mr. SANFORD] five minutes.

The SPEAKER. The gentleman from New York is recognized for five minutes.

Mr. SANFORD. Mr. Speaker, I owe it to the House perhaps to explain why I favored the adoption of this resolution because of the fact that at the extra session I opposed the passage of a similar resolution.

At that time I insisted that whether or not we should expend money for the clerks of these committees depended upon the question of whether or not there was anything for the committees to do. The House supported me in that position, and now when this resolution comes in we have given a hearing, which satisfies me entirely. The chairman of each of the committees has come before our committee and has told us his needs.

Under the operation of that system it may seem very peculiar to some of you why the gentleman from Missouri [Mr. HAMLIN] was not included in the resolution. It was not because

the committee was not favorably disposed to him or to his committee, but because of the testimony that he gave before the committee. He stated very frankly that his secretary could do what work there was to be done on this committee, and would do if he asked him to, but he would not ask his secretary to do it without extra pay. That is all there was to it.

Mr. HAMLIN. Mr. Speaker, will the gentleman yield right there?

Mr. SANFORD. Yes; I yield.

Mr. HAMLIN. I know the gentleman wants to be fair.

Mr. SANFORD. Yes.

Mr. WHEELER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield to the gentleman from Illinois?

Mr. SANFORD. I will yield to the gentleman from Illinois. Then I will yield to the gentleman from Missouri.

Mr. WHEELER. Does the gentleman think it absolutely necessary for a clerk to be appointed on the Woman Suffrage Committee?

Mr. SANFORD. I think the Woman Suffrage Committee, by the usual standards that govern the appointment of clerks in the House to-day, is entitled to a clerk.

Mr. WHEELER. Do you think that clerk would absolutely be employed one day in the month and have anything whatever to do?

Mr. SANFORD. I want to say to the gentleman—and this covers each one of these committees—that so far as I am concerned I have taken the testimony of the person who is the chairman of the particular committee, that in his judgment, the work of the committee is so great that it can not be done without a clerk. I have no personal knowledge of the facts, but I draw the conclusion from the facts that the gentlemen gave to the committee; I take them at their word.

Take the Committee on Expenditures in the Navy Department, for example. That committee is closely in touch with the Secretary of the Navy. That committee is about to undertake to operate under the vast jurisdiction that it has under the rules, and intends to examine all the vouchers of the Navy Department and go into all the contracts and all the operations of the Navy Department, and with that one clerk they are about to find out what the Navy is doing. That is information that the House wants, and if these gentlemen, with the assistance of a committee clerk, can do that work, it certainly is work that ought to be done.

Mr. WHEELER. One more question.

Mr. SANFORD. I shall be glad to answer another question if I can.

Mr. WHEELER. Is there any other reason for appointing a clerk to the Committee on Woman Suffrage except to create one more place?

Mr. SANFORD. I would not want to say that. I think the clerk for the Woman Suffrage Committee is just as important as the clerks for these other committees, or certainly will be for the next few weeks.

Mr. HAMLIN. Will the gentleman yield?

Mr. SANFORD. I yield to the gentleman from Missouri.

Mr. HAMLIN. On the point which the gentleman was stating just before he was interrupted by the gentleman from Illinois, I know the gentleman wants to quote me fairly.

Mr. SANFORD. Absolutely.

Mr. HAMLIN. When I was before the committee the gentleman did ask me if my clerk could not perform the duties incident to the clerk to the committee. I said he could, but I said, "He will not unless he receives the pay of the clerk." I felt that my private secretary ought not to be asked to do the work of the clerk to the committee unless he is paid the clerk's salary like the clerk of any other committee.

Mr. SANFORD. That is a perfectly fair statement of the gentleman's position. I think during this war, if the secretary to a Congressman can be so fortunate as to be able to do a little extra work by a little effort without any extra pay, it is an opportunity that he ought to welcome, and I believe he will welcome it. I think we ought not to create an extra position here if the work can be done by one who is already on the pay roll.

Mr. HAMLIN. I will be as generous and patriotic as the gentleman is, and if our committee is treated like other committees the gentleman will not hear one word of complaint from me.

Mr. SANFORD. With the Committee on Accounts it has simply been a question of fact, and when the facts have developed as stated to us by the chairman of the committee, that there was need for the expenditure of this money, we have voted to authorize the appointment of a clerk.

The SPEAKER. The time of the gentleman has expired.

Mr. LANGLEY. I ask that the gentleman have five minutes more.

Mr. MOON. I shall have to object. We have gone far enough on this little matter.

Mr. LANGLEY. Two minutes, then.

The SPEAKER. The gentleman from Tennessee objects.

Mr. PARK. If the gentleman will allow five minutes more, we will not take up any more time.

Mr. MOON. All right; if you will not take up any more time, I withdraw the objection.

Mr. LANGLEY. Do I correctly understand the gentleman that he favors adding this amount to the compensation of a clerk already employed?

Mr. SANFORD. I do not favor the creation of a position here that will result only in the secretary of a Member of Congress receiving extra pay.

Mr. LANGLEY. I think the more jobs that we create, if it does not cost any more, the better it is for people who are out of employment. I think this resolution ought to provide that the secretary shall not have the additional pay, but that the committee shall employ another clerk.

Mr. SANFORD. I fully agree with the gentleman, that we ought not at any time or in any place to provide double pay for any man.

Mr. LENROOT. Does the gentleman from Missouri wish the House to understand that if this amendment is adopted it will result in giving his secretary the compensation of a clerk in addition to his salary as a Member's clerk?

Mr. SANFORD. That was the conclusion the committee drew from his testimony.

Mr. LENROOT. Does not the gentleman as a member of the committee think that this House ought to adopt an amendment that would absolutely forbid and prevent that practice?

Mr. SANFORD. I think it would be a very wise thing to do. That was the practice that we discovered at the extra session of Congress. We found that in three-quarters of the cases covered by this resolution the committees were seldom, if ever, meeting, and that in almost all cases the two positions were held by one person. It seemed to me that was a scandalous condition that should be disapproved of by this House, and it was disapproved. But now, as the result of this hearing that we have given the chairman of these very same committees, makes it appear that there is work of importance confronting them, in their judgment, and work that they tell us they need clerks to assist them in doing. Therefore I am glad to take them at their word, and I believe the testimony they have given is reliable, and that they are about to undertake this work, and if that is so, they ought to have this help.

The SPEAKER. The question is on the amendment.

The question being taken, on a division (demanded by Mr. DYER) there were—ayes 67, noes 14.

Accordingly the amendment was agreed to.

Mr. MADDEN. Mr. Speaker, I offer the following amendment to the resolution as amended.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: At the end of the resolution insert the following:

"*Provided*, That no compensation shall be paid under this authority except where a clerk other than the clerk to the Member who happens to be chairman of a committee named in the resolution."

Mr. DYER. Will the gentleman explain his amendment?

Mr. MADDEN. It explains itself.

The SPEAKER. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The SPEAKER. The question is on the resolution as amended.

The question being taken, on a division (demanded by Mr. HASTINGS) there were—ayes 80, noes 28.

Accordingly the resolution as amended was agreed to.

On motion of Mr. PARK, a motion to reconsider the vote by which the resolution was passed was laid on the table.

POST OFFICE APPROPRIATIONS.

Mr. MOON. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill.

Mr. LITTLE. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LITTLE. What is the regular order?

The SPEAKER. The regular order is the consideration of appropriation bills, and the gentleman from Tennessee [Mr. MOON] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill.

The motion was agreed.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further con-

sideration of the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, with Mr. FERRIS in the chair.

The CHAIRMAN. When the committee rose yesterday tellers had been ordered on the amendment offered by the gentleman from Minnesota [Mr. STEENERSON]; and the gentleman from Tennessee [Mr. MOON] and the gentleman from Minnesota [Mr. STEENERSON] will take their places as tellers.

Mr. STAFFORD. Mr. Chairman, I ask that the amendment be again reported.

Mr. COX. Can not we have the amendment reported?

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

Page 18, line 1, after the amendments already adopted, insert the following:

"*Provided*, That no portion of this appropriation shall be employed for the payment of salaries except to persons who are appointed under the provisions of the civil-service act."

The committee again divided; and the tellers reported that there were 79 ayes and 91 noes.

So the amendment was rejected.

The Clerk read as follows:

For travel and miscellaneous expenses in the Postal Service, office of the Second Assistant Postmaster General, $1,000.

Mr. BORLAND. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Amend by adding a new paragraph to follow line 25, page 18, as follows:

"No part of any amount herein appropriated shall be used to pay salaries or for the personal services of any department, bureau, or office in the District of Columbia which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act approved March 15, 1898, require eight hours of labor each day."

Mr. MOON. Mr. Chairman, I make a point of order on that.

Mr. BORLAND. I would like to be heard on the point of order.

Mr. MOON. We have passed the section the gentleman wants it to apply to.

Mr. BORLAND. I would like to ask the gentleman from Tennessee what his point of order is.

Mr. MOON. I have reserved the point of order.

Mr. BORLAND. What is the point of order? I want to discuss it. I will say, Mr. Chairman, that that limitation has been offered six or eight times to appropriation bills.

Mr. MOON. To what section does the gentleman offer it?

Mr. BORLAND. At the close of page 18.

Mr. MOON. Have we not passed the point at which the gentleman wants to offer it?

Mr. BORLAND. No; I am offering it at the end of the personnel appropriations. I could offer it at the end of the bill if I saw fit.

Mr. MOON. I make the suggestion that you can not go back and offer an amendment anywhere in the bill.

Mr. BORLAND. We are not offering it at any place, although we could offer it at the end of the bill as a new paragraph, but it is appropriate at this point. Mr. Chairman, as I understand, the only objection the gentleman from Tennessee makes is that it is offered at this particular point.

Mr. MOON. It is new law.

Mr. BORLAND. No; it is not new law. The only objection the chairman makes is that we are offering it at this particular point. As I have said, we could offer it at the end of the bill. At this particular place it comes in at the end of the personnel appropriations of the bill. That is, the appropriations for clerk hire come to an end practically at this point, and therefore it is a convenient point to offer it. There is nothing, I think, in this particular objection.

Mr. COX. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. COX. What has been the required number of hours for clerks to labor?

Mr. MADDEN. Mr. Chairman, is the gentleman from Missouri discussing the point of order?

Mr. BORLAND. I am.

Mr. COX. What is the legal requirement as to the number of hours the clerks shall work now in the District of Columbia?

Mr. BORLAND. Seven.

Mr. COX. Do not they do it?

Mr. BORLAND. The law is that they shall be required to work not less than seven. That is the minimum, but the minimum has become the maximum in many of the departments.

Mr. COX. Is there any law to prevent a clerk working eight hours a day?

Mr. BORLAND. No; it can be done by Executive order, or Congress can direct it.

Mr. COX. Is there any law to prevent their working more than eight hours?

Mr. BORLAND. There is a law with reference to employees outside the District of Columbia.

Mr. MOON. Does this amendment apply to all postal clerks?

Mr. BORLAND. No; the employees in the bureaus and offices in the District of Columbia, but it preserves to them all their holidays, leaves of absence, and all other provisions of section 7 of the appropriation bill.

The CHAIRMAN. Does the gentleman have the law of 1898 before him?

Mr. BORLAND. I have not; but the law of 1898 was the legislative, executive, and judicial appropriation bill, providing a limitation of not less than seven hours for Government clerks, and providing certain exceptions—holidays, leaves of absence, and so forth. This amendment is in entire harmony with that law, because it says, "subject to the exceptions and limitations of that act."

Mr. MOON. As I understood the gentleman, his amendment is very much broader than the appropriation for the transportation of mail. He says it applies to all the employees of the Government. If it does, it is not a limitation on this appropriation, but is new law, applicable to all clerks in the service.

Mr. BORLAND. It is a limitation on the appropriation carried in this bill and does not apply to all employees of the Government.

Mr. MOON. I thought the gentleman said that it did.

Mr. BORLAND. The gentleman was mistaken in my answer. I said it was to apply to the employees in the District of Columbia.

Mr. MOON. I have no objection to an eight-hour law.

Mr. MADDEN. Mr. Chairman, I would like to have the amendment again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

Mr. BORLAND. The same amendment has been offered to former appropriation bills and has been repeatedly held in order.

The Clerk again reported the amendment.

Mr. MADDEN. Mr. Chairman, if the gentleman from Missouri [Mr. BORLAND] has yielded the floor I would like to reply to what he has said.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BORLAND. I would like to hear what the gentleman has to say.

Mr. MADDEN. Mr. Chairman, the amendment offered by the gentleman from Missouri undertakes to enact a law covering all the departments of the Government.

Mr. BORLAND. Mr. Chairman, the gentleman is mistaken about that. Let us get right about that now. This is a limitation upon an appropriation bill.

Mr. MADDEN. Let me interpret what I think the amendment is and then the gentleman can combat that later. As I understand the reading of the amendment, it is general in its character. It does not simply apply to the bill that is pending. It covers all of the departments, and whether it applies to this department alone or covers all of the departments, in my judgment it is a change of law and therefore subject to a point of order. To say that no man who works less than eight hours a day shall be compensated out of the appropriations made in this bill would be to say that if a man by some chance completed the work assigned to him in six hours in a given day, those six hours' work should be given to the Government free of cost, a thing that ought not to be. This amendment limits the power of the department to release a man at a given hour on a certain day from the employment in which he is engaged, unless the man yields up the compensation to which he is entitled in order to get the release. I submit, Mr. Chairman, that this would be a great injustice even if the amendment were in order under the rules of the House. It is unfair to say that because a man may be able to complete his work within a given time, if that time be less than eight hours, he therefore shall not be paid for that work. It is unfair to say to men who frequently work into the midnight hours in order to accomplish the work that is needed to be done by the departments shall not be permitted on some other day to be paid for work if the hours employed are less than eight. I contend that the amendment offered by the gentleman from Missouri has no place on this bill, that it is out of order under the rules of the House; that it changes the law, and, in addition to that, it is a great injustice to the men employed in the Government service, and I submit to the chairman that the only thing he can do under the circumstances is to hold the amendment of the gentleman from Missouri out of order.

The CHAIRMAN. The Chair is ready to rule. Of course, the Chair recognizes that he is an experienced parliamentarian, but the Chair is of opinion that this amendment is a proper limitation and it does retrench expenses and is in order. If gentlemen think the Chair in error about that, they can appeal from his decision.

Mr. BORLAND. Mr. Chairman, this is an amendment which has been offered to previous appropriation bills, and every time it is offered one of these camouflage economists, like the gentleman from Illinois [Mr. MADDEN], who is always willing to talk economy and vote against the interests of the taxpayer, gets up and makes some technical argument against it. It is as plain as sunlight. All it means is that the American taxpayer is entitled to a square deal. There are nearly half a million Government employees in the United States. Of those approximately 37,000 were in the District of Columbia prior to the war. Now, there are close to 50,000 in the District of Columbia. In other words, less than 10 per cent of the Federal employees are in the District of Columbia. All Federal employees outside of the District of Columbia work a minimum of 8 hours, and some of them work 9 and 10 and 11 hours.

Mr. SMITH of Idaho. Is it not true that some of the rural carriers work only two or three hours a day?

Mr. BORLAND. I shall yield in a moment. All of the Federal employees outside of the District of Columbia work upon an eight-hour basis. It took us some little time after the Democrats came into power to get an eight-hour law for Federal employees in the post offices throughout the United States, but we finally got it, and we have not yet been able to get it into full working order. From 7 to 10 per cent of the Government employees who happen to work in the District of Columbia constitute a favored class. They have never been required to work more than seven hours except in extraordinary emergencies. We are now confronted with a condition of war, where the American taxpayer is being taxed to the limit, until it hurts, and we must tax him to preserve the national life of the Government. There is no room in the National Capital for any set of slackers working less than an honest day of eight hours. Gentlemen can now vote with their eyes open on this proposition.

Mr. MOON. I have no objection to the eight-hour law, but do I understand the gentleman wants to limit it to eight hours?

Mr. BORLAND. I would like to have the gentleman from Tennessee get that perfectly clear. A long time ago before the civil service was in working order the clerks around Washington worked from four to six hours a day, as happened to suit their fancy. During the Spanish-American War we were compelled to put a minimum limitation on the hours of work because the Nation demanded an efficient service, and we put a minimum limitation of seven hours. We said they should not maintain less than a seven-hour day. I am saying by this amendment that we shall not maintain less than an eight-hour day, which is recognized as a standard. The same construction exactly will be put upon my limitation as is put upon the existing law, no different so far as the individual clerk is concerned. It simply means that we shall increase the minimum from seven to eight hours as far as the District of Columbia is concerned, and all other limitations and exceptions in the existing law apply to this limitation.

Mr. MOON. Then, if I understand the gentleman correctly, he is not attempting to fix a maximum but a minimum?

Mr. BORLAND. I am attempting to fix a minimum. It does seem to me that eight hours is an honest day's work. I have fought a great many battles for the eight-hour day, and I intend to keep on fighting those battles for the eight-hour day, but I have always believed that eight hours was fair both to the employer and the employee. I never believed either one ought to be short changed in the transaction. I do not believe in a short-change day for some men and a full day for others. Wherever men are paid out of the Federal Treasury it is a burden laid upon all citizens, farmers, laboring men, merchants, all citizens, and these men by every dictate of good faith and honesty ought to be compelled to render a full business day in return for their salary.

Mr. COX. Will the gentleman yield?

Mr. BORLAND. In a moment. If the salary be not adequate, that is another proposition; but we must admit that Congress knows how to fix those salaries and will fix them with fairness and justice. A man should render an honest business day's work for his salary. All organized labor has united in the proposition for eight hours for work, eight hours for sleep, and eight hours for recreation and mental improvement as being an honest day's work.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BORLAND. I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COX. Will the gentleman yield for a question?

Mr. BORLAND. I will.

Mr. COX. I want the gentleman's interpretation of his limitation. I desire to know if his limitation should be adopted will it apply only to the employees of the Post Office Department here in the District or would it apply to them and the employees of all other departments? What is the gentleman's interpretation?

Mr. BORLAND. It must apply only as a limitation to the employees provided for in this appropriation bill.

Mr. COX. And those would be postal employees?

Mr. BORLAND. It would be only postal employees and only in the District of Columbia. It would be necessary to offer the same amendment to the legislative, executive, and judicial appropriation bill, the District of Columbia bill, and other bills. In other words, it would be a matter of legislation if we attempted to cover other services not provided for in this bill.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. BORLAND. Yes.

Mr. MADDEN. What is the gentleman's opinion of this? If his limitation is placed on this bill, would any person working less than eight hours a day under any circumstances which may arise be entitled to any compensation under the act?

Mr. BORLAND. Now, the gentleman is an awfully sharp man and he knows that this does not change the construction of existing law at all—that if a man worked less than seven hours and he gets full pay he will get it under this law if he works less than the eight.

Mr. FORDNEY. If it does not change existing conditions, what is the object in offering it?

Mr. BORLAND. I hope the gentleman will give attention, and he will find out.

Mr. FORDNEY. I heard the gentleman. The gentleman said we voted with our eyes open. What has he given us that would open our eyes more than they were before his statement?

Mr. BORLAND. If the matter is not clear to the gentleman I shall be glad to explain it.

Mr. STEENERSON. Will the gentleman yield?

Mr. BORLAND. I will.

Mr. STEENERSON. This appropriation in this bill does not cover departmental employees in the city of Washington, as the gentleman just stated. Departmental officials are covered, as the gentleman well knows, in the legislative bill——

Mr. BORLAND. Yes.

Mr. STEENERSON. Which bill is reported by the Committee on Appropriations. Now, the gentleman has also stated that he has been instrumental, to the great benefit of the country, in passing the eight-hour law to apply in outside post offices. Now, this bill covers outside post offices. What is the necessity of this limitation on this appropriation when the gentleman says through his splendid efforts in the past he has succeeded in securing the eight hours? This would only cut down the pay of rural carriers.

Mr. BORLAND. If the gentleman will look at the limitation he will see that it does not apply outside of the District of Columbia, and therefore does not affect rural carriers.

Mr. REED. Does it apply to city carriers?

Mr. BORLAND. It does not apply to anyone outside of the District of Columbia.

Mr. REED. Well, to city letter carriers of the District of Columbia?

Mr. BORLAND. It applies to all employees within the District of Columbia.

Mr. REED. A letter carrier will have a light mail one day, and he can not work for more than six hours, and another day he will have a heavier mail and the department tells him to come back——

Mr. BORLAND. I have already replied to that question in answering the gentleman from Tennessee. The present limitation is seven hours, and in exactly this language. This simply increases it one hour, and therefore all limitations and exceptions which apply under the present law on the seven-hour basis will apply under the eight-hour basis. There will be no difficulty about that.

Mr. REED. Is not a letter carrier ordered to return and not to deliver mail if his hours run over?

Mr. BORLAND. It would not affect this legislation any more than the present law. The same construction and the same exceptions apply to this limitation as to the present law.

Mr. AUSTIN. Will the gentleman yield?

Mr. BORLAND. I will.

Mr. AUSTIN. The gentleman's amendment says that no part of this appropriation shall be paid to an employee who does not render eight-hour service?

Mr. BORLAND. No; it does not say so.

Mr. AUSTIN (reading)—

No part of any amount herein appropriated shall be used to pay salaries or for personal services in any department, bureau, or office in the District of Columbia which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act approved March 15, 1898, requiring eight hours of labor each day.

Mr. BORLAND. Yes.

Mr. AUSTIN. Now, if the man serves less than eight hours, he can not be paid under the provision. Your language is plain. It says that this appropriation shall not be used to pay any Government official unless he has served eight hours.

Mr. BORLAND. If the gentleman wants an answer, I will give it. He is simply talking to the press gallery.

Mr. AUSTIN. I am not talking to the press gallery. I have not noticed it.

Mr. BORLAND. The gentleman knows the limitation applies to the department, bureau, or office. It requires the department, bureau, or office to maintain now an eight-hour day under the limitation instead of a seven-hour day. All of the individual exceptions which are at present applied to the seven-hour day, which the gentleman has in mind, will be applied to the eight-hour day.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. BORLAND. There is no difference as to the extraordinary exceptions of the individual man whatever. The difference consists in compelling the department, bureau, or office to maintain an eight-hour basis. Now, there is no basis for the gentleman's objection——

Mr. AUSTIN. Suppose the department does not do that?

Mr. BORLAND. Then it does not get any money.

Mr. AUSTIN. If he serves less than eight hours a day, does he get any money?

Mr. BORLAND. The department does not get any money unless it maintains an eight-hour basis.

Mr. AUSTIN. And you maintain that the clerk does not get any money unless he serves eight hours?

Mr. BORLAND. The law I am amending is in exactly the same language. Now, gentlemen, I have this to say: We are to-day confronted with a shortage of labor. We are to-day confronted with a shortage of employees for the Government. We are to-day confronted with objections and criticisms on all sides because the Government is not efficient in providing for the Army in the conduct of this war. We are confronted with a shortage of people who are available for clerical service in the District of Columbia. Great pressure is put upon the Government to respond promptly, with a miraculous promptness, to the demands of the Army in the field. And yet in the face of all of that, gentlemen want to oppose an eight-hour day, the honest day's work, for clerical employees in the District of Columbia. Who is going to benefit by employing an excessive number of employees in the District of Columbia? Why, it is perfectly manifest who is going to benefit. The landlords and the merchants in the District of Columbia are the only persons on earth who are going to benefit from it. The American taxpayer is handicapped in two ways—first, by the added expense of the public service, and, second, by the decreased efficiency.

Now, gentlemen can raise all the technicalities they choose. The plain fact is that we are simply requiring these departments to maintain, with the same individual exceptions that they now maintain, an eight-hour day instead of a seven-hour day. And if you put that question squarely to any honest set of business men in your district, there will be but one answer.

Mr. HARDY. Will the gentleman yield?

Mr. BORLAND. I will.

Mr. HARDY. The gentleman has so nearly stated what I was going to ask that I may not be justified in asking it. The substance of your amendment is that you take out "seven" and write "eight"?

Mr. BORLAND. That is all.

Mr. HARDY. And all rules of the department applicable to seven hours would be applicable to eight?

Mr. BORLAND. That is exactly it.

Mr. COX. Has the gentleman any data or information to give to the House showing if this limitation is put upon all the departments how much economy we would effect by increasing the hours of labor?

Mr. BORLAND. I had it at the last session of Congress. At that time the pay roll in the District of Columbia was $50,000,000, in round numbers. A saving of 14 per cent in time ought to save 14 per cent in the expense, which would be $7,000,000. But they assumed that it would not work out with perfect harmony, and I assumed it would save $5,000,000 on the existing pay roll. But the pay roll will now run $65,000,000 or $67,000,000, and the saving ought to be $8,000,000 to $10,000,000.

Mr. GREENE of Massachusetts. Will the gentleman yield?

Mr. BORLAND. I will.

Mr. GREENE of Massachusetts. I would like to ask the gentleman if he does not know that the employees of the War Department have been employed very much more than eight hours since the beginning of the Mexican trouble and from the beginning of the present war? They were employed during the Spanish War overtime to a very large extent, nights, Sundays, and holidays, and they never received a single cent of compensation for that extra work?

Mr. BORLAND. That is no reason why another set of employees in the District of Columbia should work less than eight hours. As fast as we can relieve that congested condition in the War Department the Government is relieved.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. BORLAND. I have had occasion to look into the crowded condition of the War Department. I know what the condition is. We can not find employees fast enough, unless we maintain an eight-hour day, to relieve the congestion of the War Department, and therefore we can not properly carry on the great work of arming for this war.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. MOON. The gentleman from Missouri [Mr. BORLAND] is presenting his ancient fad on the subject of labor. I think it ought to be treated now as it has been heretofore, namely, rejected. He undertakes to fix an arbitrary eight-hour day. Conditions may be such that the day ought to be less than eight hours for labor, and yet he would not pay anything if it be less by the limitation he fixes upon this appropriation. There ought to be no reason why a department, in its discretion, if the public necessities require it, should not have the service of employees beyond eight hours, provided that they pay them for that service beyond eight hours. It is an attempt to hold down the department to an exact minute and hour in the employment of labor and to prevent laborers who want to serve longer than eight hours, if they see fit to do so, at an increased compensation, from having it; and I think it is an error in administration, to say the least of it. Legislation is not necessary for the department nor in the interest of labor.

I favor as much as any man in this country an eight-hour law. I am in favor of limiting the service to eight hours if it is necessary to do it. I am in favor of having the eight-hour law and the work for eight hours in the discretion of the employee, even, if it is necessary; but there is no necessity for presenting to this general law a crude amendment that has not been considered by this committee or any other committee, which upon its face would indicate, if the limitation placed upon the appropriation is to count for anything, the department must have exactly eight hours and no more and no less.

Mr. GORDON. Mr. Chairman, will the gentleman yield to me for a question?

Mr. MOON. Yes.

Mr. GORDON. What do you say in reply to the statement of the gentleman from Missouri [Mr. BORLAND], that it simply changes the word "seven" to "eight," and all other limitations and all other discretions heretofore exercised would still remain in force?

Mr. MOON. I say it is not the law and it is not the fact when the whole law is construed together.

Now, Mr. Chairman, I move that the debate on this question be closed, unless some gentleman wishes to speak.

Mr. BLACK. I want 5 minutes.

Mr. MOON. Mr. Chairman, I move then that the debate close in 10 minutes; 5 minutes to be occupied by the gentleman from Tennessee [Mr. AUSTIN] and 5 minutes by the gentleman from Texas [Mr. BLACK].

The CHAIRMAN. The question is on agreeing to the motion.

The motion was agreed to.

The CHAIRMAN. The gentleman from Texas [Mr. BLACK] is recognized.

Mr. BLACK. Mr. Chairman, I want to say a word in favor of this amendment. I have a very high regard for our honored chairman of the Committee on the Post Office and Post Roads, Judge MOON, who has just spoken in opposition to this amendment. I am a member of that committee, and usually I give a great deal of deference to what he has to say and am glad to vote otherwise when I think he is wrong, as I certainly do in vote with him when I think he is right but do not hesitate to

this case. I do not see how, in view of existing conditions, in view of the situation that actually exists here in the departments in Washington, where an unusual amount of work is to be done, that any Member of Congress can justify himself in opposing an amendment that merely requires an eight-hour day. Certainly no one has any right to complain that eight hours is too long for a department clerk to work here in Washington. If eight hours is recognized as a fair day's work throughout the country, why should it not prevail here? Will some one please give a good reason? In reading the Official Bulletin that we get each day, I see the insistent calls of the departments for clerks, stenographers, and help of that kind. Only a few days ago Capt. J. H. Moffatt, of the civilian personnel division of the Ordnance Department of the Army, addressed the Young Women's Christian Temperance Union and said that his department was in urgent need of a very large number if stenographers and appealed to these women to go back home and appeal to the young women there to come to Washington and relieve the situation. It does seem to me that if the need for extra help is so urgent, that it would not be unreasonable to install a general eight-hour day among the Government employees here in Washington. This one hour of added labor would certainly help some. It does seem to me that if this Congress really wants to practice economy that is reasonable and will hurt nobody, then we should adopt this amendment offered by the gentleman from Missouri [Mr. BORLAND].

Mr. SMITH of Idaho. Mr. Chairman, will the gentleman permit a question?

Mr. BLACK. Yes.

Mr. SMITH of Idaho. Is there anything in the present law that limits the time during which these clerks can be employed to seven hours?

Mr. BLACK. There is not. My understanding is that the law merely says they shall not work less than seven hours. I also understand further that the heads of departments have used this minimum as a maximum, and have actually put into effect a seven-hour day. I assume that if the limitation of eight hours is substituted for seven hours the departments will obey the mandate of Congress and substitute an eight-hour day for a seven-hour day.

Mr. SMITH of Idaho. The Cabinet heads have the discretion now to make them work 8 hours, or 9 hours, or possibly 15 hours.

Mr. BLACK. Possibly they have such authority in some cases, but they do not exercise it. If we put this limitation of eight hours instead of seven, then they will have to inaugurate a general eight-hour day in the departments, and it is certainly my unqualified opinion that they should have to do that very thing.

Mr. SAUNDERS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. SAUNDERS of Virginia. You say the department heads have practically put into effect a seven-hour day?

Mr. BLACK. Yes.

Mr. SAUNDERS of Virginia. If they work eight hours, do they have extra compensation?

Mr. BLACK. I think not.

Mr. SAUNDERS of Virginia. If we adopt this amendment, designed to put into effect an eight-hour day, will the employee be allowed to work beyond that time, or can they be made to do it?

Mr. BLACK. I understand there would be no change in the labor policy now practiced by the departments, except to lengthen the hours of labor by one hour. I see no reason why there would be any cause for overtime work. This amendment simply substitutes the limitation of eight hours for seven, and makes an eight-hour day instead of a seven-hour day.

Mr. SAUNDERS of Virginia. Then the effect of the amendment is to enable us to repeal the action of the departments in establishing seven hours and make it an eight-hour day?

Mr. BLACK. That is the effect of the amendment, and that is the reason why I favor it. I can not see how any Member of Congress can consistently oppose it. In this hour of unprecedented public expenditures, in this hour when we are confronted with the problem of where we will get sufficient funds to meet these staggering expenditures, I do not see how we can afford to sit idly by and not undertake to establish economy wherever we can get it without any embarrassment to the public service or undue hardship to individuals. I think it would be absurd for anyone to contend that eight hours of clerical labor is excessive.

Mr. BENJAMIN L. FAIRCHILD. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. BENJAMIN L. FAIRCHILD. Does not the gentleman from Texas know that in all the departments, or in most of them, at the present time under the present law the clerks and heads of bureaus and the stenographers are working every night, or nearly every night, until late at night?

Mr. BLACK. I do not understand that is so.

Mr. BENJAMIN L. FAIRCHILD. That is so.

Mr. BLACK. On the contrary, my understanding is that the relatively small number of those who work at night work on the night shift, and that no excessive hours of labor are required. I think that there can be no successful disputation of the fact that the general work day of Government employees is seven hours, and I do not think there are very many, as compared with the whole number, that work more than seven hours.

Mr. BENJAMIN L. FAIRCHILD. They are doing it, and without extra pay.

Mr. BLACK. I do not know of very many of these special exceptions, but I do know from inquiries that I have made that where night work is required that they make these night shifts, and no one has to work any excessive number of hours. The departments do not keep a man 9 or 10 or 12 hours a day at work, with possibly a few occasional exceptions. The general work day of Government employees here in Washington is seven hours, as I have stated, and I do not think that fact can be successfully controverted.

Mr. BENJAMIN L. FAIRCHILD. One other question. Does it occur to the gentleman from Texas——

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BENJAMIN L. FAIRCHILD. Mr. Chairman, I ask that the gentleman be allowed two minutes more.

The CHAIRMAN. The Chair will state that the time has been limited. The gentleman from Tennessee [Mr. AUSTIN] is recognized for five minutes.

Mr. AUSTIN. Mr. Chairman, I desire to publicly certify to the efficiency and excellent conduct of the Government officials and employees in the city of Washington. I do not believe any other service, public or private, is more faithfully, efficiently, or honestly served than by the average Government official and employee in this Capital City. We require the very highest class of men and women for the Government service, and practically all of them have entered after going through competitive civil-service examinations which tested their intelligence and their efficiency.

Now, if the public service is being injured or harmed in the administration of the Post Office Department under the existing law, the responsibility of it rests with the Postmaster General, who hails from the State of the gentleman [Mr. BLACK] who just preceded me. I will not join him in an indirect criticism of the Post Office Department, because I have every reason to believe that in the city of Washington it is well and faithfully administered. The head of it served many years in this House as an able and faithful member of the Committee on Appropriations, and I believe we can trust him to exact full and proper service from his subordinates, even if the gentleman from his own State has any doubt on that subject.

If we are going to legislate on this subject why not have a hearing before a committee? No department of the Government has requested this new and additional legislation. The Postmaster General does not request it, and not a single head of any bureau of that department or any other department has appeared before the Committee on the Post Office and Post Roads and urged this new departure. But if we are to legislate here on the subject why not do it in a fair and just way and have it apply to every Government official in and out of Washington City? A statement was made in the discussion of this bill that some of the men outside of Washington who were provided for under its provisions actually work an average of four or five hours a day. So why apply this proposed provision to officials, clerks, and employees in the departments at Washington who have no votes and fail to have it apply to every Government official in the United States? It is true of every department in Washington that the clerks are not only working 7 hours, but their general average month in and month out will be more than 8 hours a day, and in thousands of cases during this period it will average more than 10 or 12 hours a day.

Mr. BLACK. Will the gentleman yield there?

Mr. AUSTIN. I have not the time. Some of the clerks are actually working 15 and 16 hours a day right through this war period without any extra compensation; and I say there is no excuse or justification for putting this amendment on the pending bill; certainly not now, when every Government department is doing its best to keep up with the congested public business, and

every employee is under orders from his superior to remain at his desk not only 7 hours, 8 hours, 10 hours but in many cases more than 15 hours, and they are doing this willingly in the faithful performance of their duty. There is no excuse for this reflection upon or this injustice to the Government officials, who are faithful and efficient, and are attempting in every possible way to help out the Government in the present emergency which faces the country. [Applause.]

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. BORLAND) there were—ayes 19, noes 47.

Accordingly the amendment was rejected.

The Clerk read as follows:

For payment of limited indemnity for the injury or loss of pieces of domestic registered matter, insured, and collect-on-delivery mail, $670,000.

Mr. WATSON of Pennsylvania. I should like to ask the chairman of the committee if this includes the loss on articles carried by parcel post?

Mr. MOON. Yes.

Mr. WATSON of Pennsylvania. Can the gentleman state what proportion of the $670,000 is for injury or loss of insured parcel-post matter?

Mr. MOON. I can not tell the gentleman the proportion. Of course, it is in proportion to the losses on that matter.

Mr. WATSON of Pennsylvania. Then the committee were obliged to put that item in from guesswork?

Mr. MOON. I will say to the gentleman that in the preparation of a bill like this we have to look to what has occurred heretofore and to the estimate made by the department of what may possibly occur hereafter. It can not be determined exactly in advance.

Mr. MADDEN. The loss is very small.

Mr. WATSON of Pennsylvania. I want to find out the degree of efficiency which the department is giving to the American people in the transportation of insured parcel-post matter, and how much the Government is losing by loss and injury to parcels.

Mr. MOON. I have no accurate information on the subject. There is really no way to get at it accurately that I know of. At least it has not been furnished to us. The presumption is that there is no loss on parcel-post matter.

Mr. WATSON of Pennsylvania. Is most of this for losses of registered letters?

Mr. MOON. Yes.

Mr. WATSON of Pennsylvania. Of course, the receipt given by the department for registered letters is different from the receipt for parcel-post matter.

Mr. MOON. Yes.

Mr. WATSON of Pennsylvania. Of course, the department could work this out. I did not know whether they had given you that information or not.

Mr. MADDEN. There is a profit on this item, if that is what the gentleman wants to know.

Mr. WATSON of Pennsylvania. I wanted to know what the loss was.

Mr. MADDEN. There is no loss; but a profit.

The Clerk read as follows:

For miscellaneous expenses in the preparation and publication of post-route maps and rural-delivery maps or blue prints, including tracing for photolithographic reproduction, $20,000; and the Postmaster General may authorize the sale to the public of post-route maps and rural-delivery maps or blue prints at the cost of printing and 10 per cent thereof added, the proceeds of such sale to be used as a further appropriation for the preparation and publication of post-route maps and rural-delivery maps or blue prints; of this amount $500 may be expended in the purchase of atlases and geographical and technical works.

Mr. ROBBINS. I want to ask my friend if these are maps of rural-mail routes?

Mr. MOON. The gentleman knows what the ordinary postal maps are.

Mr. ROBBINS. The State maps showing the routes?

Mr. MOON. Yes.

Mr. ROBBINS. Prepared from State and county surveys.

Mr. MOON. Mr. Chairman, I move to amend by striking out "$500" and inserting "$1,500." It does not add anything to the total of the appropriation, but the department tells us that these maps and books are needed very badly, and that $500 is not sufficient.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 21, line 25, strike out "$500" and insert in lieu thereof "$1,500."

The amendment was agreed to.

Mr. MOON. Mr. Chairman, I ask unanimous consent to place in the RECORD a statement from the First Assistant Postmaster General in reference to clerkships, and also a statement from the department on the question of the delay of mail, and to print some telegrams in connection therewith.

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

The matter referred to is as follows:

POST OFFICE DEPARTMENT,
Washington, December 12, 1917.

Hon. JOHN A. MOON,
Chairman Committee on the Post Office and Post Roads, House of Representatives.

MY DEAR JUDGE MOON: At the time I appeared before the Committee on the Post Office and Post Roads in connection with the appropriation bill Representative MADDEN asked me how many second-class post offices had not been granted any portion of the appropriation authorizing the promotion of 15 per cent of the employees from $1,100 to $1,200. I was unable to furnish this information at the time, but find upon examination of our records that 809 offices have been granted such increases and 1,490 have not.

In determining the number of clerks to be advanced the department ascertained first the number of such employees in the second-class offices and advanced 15 per cent of this number. It was found, however, that this 15 per cent did not make sufficient promotions to give one for each second-class office, so they were allotted to the larger second-class offices where the salary of the postmaster was above $2,500. The allotment was made in this manner because it advanced the employees in the larger cities, where the responsibilities of the position are greater and the cost of living is higher. I think the method of making this allotment is generally understood by the postal employees.

Sincerely, yours,
J. C. KOONS,
First Assistant Postmaster General.

A number of statements have recently appeared in the press, no doubt inspired by interested persons, that the Postal Service is not efficient at this time, that the mails are not being handled promptly, and that this condition is due to the fault of the Post Office Department. In order to again ascertain the true conditions a telegram was sent yesterday by the First Assistant Postmaster General to each of the 50 largest post offices of the United States. These offices represent one-half of the entire postal business of the country, also the congested and heavy-mail centers, where it is most difficult to perform the service. Because the mails are abnormally heavy, due to the holiday season, and the fact that a blizzard was prevailing in many parts of the country and the conditions most unfavorable for the prompt handling of the mails, the telegrams were sent at this time.

Owing to the adverse criticisms made of the service, it is believed that the public should know the truth. For that reason I will insert in the record a copy of the telegram sent out by the First Assistant and copies of the replies from the postmasters. It will be observed that, notwithstanding the unusual conditions prevailing throughout the country and the heavy mails which are now being handled, the telegrams show that the criticisms are unfounded, unfair, and unjust. The service is efficient and reflects great credit upon the department, the postmasters, and the employees.

DECEMBER 13, 1917.

POSTMASTER: Wire whether all mail received at your office is being distributed, dispatched, and delivered promptly. If not, state fully reasons why.

KOONS.

JACKSONVILLE, FLA., *December 13, 1917.*

FIRST ASSISTANT,
Washington, D. C.:

Demoralized screen-wagon service (contract service) and delayed trains only factors in delaying mails through this office. Record shows mails handled after receipt with proper promptitude.

DIGNAN, *Postmaster.*

ST. LOUIS, MO., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail received speedily distributed without delay and expeditiously dispatched. No delay in delivery of incoming mail on schedule time. We have local situation absolutely under control, although unprecedented weather conditions have badly demoralized train service.

SELPH, *Postmaster.*

ST. PAUL, MINN., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail at this office is being distributed, dispatched, and delivered immediately. No delay is occurring.

RATHS, *Postmaster.*

LOUISVILLE, KY., *December 13, 1917.*

FIRST ASSISTANT,
Washington, D. C.:

No congestion at this office. Only delay due to irregular train schedules. Weather conditions delay city delivery in residence sections due to 16 inches of snow. Service to and from Camp Taylor gradually reaching normal. Street-car service partially suspended.

SCHMITT, *Postmaster.*

JERSEY CITY, N. J., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All first-class mail dispatched and delivered promptly. Extreme weather conditions caused delay in delivery small portion parcel post and newspapers Monday and Tuesday.

ELY, *Postmaster.*

RICHMOND, VA., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

No congestion. All mails promptly handled, delivered, or dispatched as received.

THORNTON, *Postmaster.*

PITTSBURGH, PA., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

No delay whatever in distribution of mails for dispatch; incoming mails promptly distributed and connecting with carrier delivery following receipt. Train service apparently demoralized on incoming mails, delays varying from 1 to 12 hours existing; past six days principal eastern trains, due midday regularly, fail to arrive for last carrier delivery. Parcel-post matter distributed for dispatch heavily taxing railroad porter service. Matter brought to attention of the superintendent. Fifteenth division express embargoes create unusual demands on parcel post. Consider this office as maintaining standard of efficiency. Sole delay chargeable to railroad service.

GUFFEY, *Postmaster.*

NASHVILLE, TENN., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

Wire received. All mail cleaned up daily at this office.

SHANNON, *Postmaster.*

MILWAUKEE, WIS., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail being distributed, dispatched, and delivered promptly.

SCHULZ, *Postmaster.*

CLEVELAND, OHIO, *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

At this time of the month all first-class mail, daily papers, parcel post, quotation circulars, promptly handled. Incoming circulars considerably delayed, due to accumulation at first of month, when it is necessary to utilize the entire force on more important mail. All clerks working overtime; no substitutes eligible; register exhausted and forced to use excessive inexperienced auxiliary help. Train service very irregular.

POSTMASTER.

LOS ANGELES, CAL., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail, local and transit, received is distributed, dispatched, and delivered promptly daily to date.

BROWN, *Postmaster.*

OMAHA, NEBR., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

By working overtime all mails dispatched and delivered promptly. Office clean of all classes.

FANNING, *Postmaster.*

NEWARK, N. J., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail is being distributed, dispatched, and delivered promptly.

SINNOTT, *Postmaster.*

COLUMBUS, OHIO, *December 13, 1917.*

FIRST ASSISTANT,
Washington:

All incoming and outgoing mail promptly dispatched and delivered, except circulars and unimportant mail on heavy days left for delivery following day. Deliveries rural route 5 not completed on five days past, due to heavy snow, machine trouble, failure of patrons to place names on boxes, and new carrier.

KINNEAR, *Postmaster.*

HARTFORD, CONN, *December 13, 1917.*

FIRST ASSISTANT,
Washington:

All mail received at this office is being promptly distributed, discharged, and delivered.

WILSON, *Postmaster.*

WORCESTER, MASS., *December 13, 1917.*

FIRST ASSISTANT,
Washington, D. C.:

All mail received is distributed and delivered promptly. All mail dispatched promptly.

CHASE, *Acting Postmaster.*

BOSTON, MASS., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

Mail is being dispatched and delivered promptly. Three heaviest mail trains were average four hours late this morning; mail missed first two deliveries.

MURRAY, *Postmaster.*

SYRACUSE, N. Y., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

Mail received rather irregular; result storm. Distributed, dispatched, and delivered promptly.

KESEL, *Postmaster.*

CINCINNATI, OHIO, *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

Answering your wire, this office cleaned up, distributed, and dispatched for two or three days after 12-inch snowfall. On the 8th it was impossible to deliver specials by motorcycles. Street car service was seriously crippled, as well as mail messenger auto service (contract); trains then running as much as 24 hours late; in some instances to-day incoming trains from 2 to 12 hours late. Some morning trains not yet in at 4 p. m. Locally, however, we are taking care of situation.

CLORE, *Postmaster.*

PORTLAND, OREG., *December 13, 1917.*

HON. JOHN C. KOONS,
First Assistant Postmaster General:

All mail received at this office is being distributed, dispatched, and delivered promptly. Business heavy, but ample provision has been made to care for the maximum.

MEYERS, *Postmaster.*

TOLEDO, OHIO, *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail received at this office being distributed, dispatched, and delivered promptly as human energy will allow. No delay, except that caused by heavy storm for past few days. All mail arriving late. Dispatches leaving depot since last Saturday.

PARISH, *Postmaster.*

NEW YORK, N. Y., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

Your telegram. Since 10th instant distribution, dispatch, and delivery mail delayed, due to failure contractor 407012 to furnish adequate screen-wagon service. Situation corrected by use of extra outside wagons. Mail now being distributed, dispatched, and delivered promptly.

PATTON, *Postmaster.*

ROCHESTER, N. Y., *December 13, 1917.*

KOONS,
Post Office Department, Washington, D. C.:

All mail received at this office distributed and dispatched promptly daily.

POSTMASTER.

DES MOINES, IOWA, *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All trains four to eight hours late; zero weather. All mail delivered and dispatched promptly on receipt. Small quantity Camp Dodge mail on December 10 missent through error.

HUFFMAN, *Postmaster.*

KANSAS CITY, MO., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

Local schedules normal. Numerous delays account interrupted train service due to severe weather.

STEELE, *Postmaster.*

WASHINGTON, D. C., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL:

Everything up to date in every respect, with exception terminal circulars, 75 per cent of which are handled within 12 hours. R. P. O. separations delayed from time of receipt about 15 hours.

CHANCE, *Postmaster.*

AKRON, OHIO, *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail received at this office with the aid of auxiliary, and some overtime is being distributed, delivered, and dispatched promptly, except one rural route, on account of snowstorm, and some dispatches missed by unreliable screen-wagon services. Contract.

READ, *Postmaster.*

MEMPHIS, TENN., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mails received are being distributed and delivered promptly. Outgoing mails distributed and dispatched promptly. Mail delayed daily, incoming and outgoing, because railroads are not handling same promptly at depots and on trains.

METCALF, *Postmaster.*

SAN FRANCISCO, CAL., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington:

No congestion; no delay to mail. Have made all preparations and am in position to handle heavy holiday mail without congestion.

FAY, *Postmaster.*

SEATTLE, WASH., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington:

All mail received at this office being distributed and dispatched promptly at present time.

BATTLE, *Postmaster.*

CHICAGO, ILL., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington:

Your wire of the 13th, larger force employed this year and slightly more overtime by reason of war conditions, but all mail distributed, dispatched, and delivered with usual promptness. Train connections made regularly during heavy snowstorm past 24 hours. Further conscriptions would cripple service, but indications point to elimination of that danger through new classification and compliance with suggestions contained in your wire of the 9th.

CARLILE, *Postmaster.*

INDIANAPOLIS, IND., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington:

All first, second, and fourth class mail is being distributed, dispatched, or delivered promptly; 24-hour delay on part of terminal circular mail.

SPRINGSTEEN, *Postmaster.*

—

DAYTON, OHIO, *December 13, 1917.*

JOHN C. KOONS,
First Assistant Postmaster General, Washington:

Absolutely no serious delays in outgoing mails at this office in past six months, except for delayed trains. Mail for city delivery is being promptly distributed and delivered since November 1; some delays between October 8 and above date owing to change of all city routes in reorganization plan; parcel-post delivery and collection service not up to standard owing to faulty auto service (contract) 9.

MAY, *Postmaster.*

—

DETROIT, MICH., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Division of Post Office Service, Washington:

Answering your telegram of to-day, all mail received is being distributed, dispatched, and delivered promptly.

POSTMASTER.

—

BROOKLYN, N. Y., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail at this office is being distributed and dispatched to terminals promptly. Dispatches to and from carrier stations were badly delayed at a few points yesterday and generally delayed to-day on account of bad condition of equipment of local transportation contractor. Two Government-owned White machines were placed in this service at 3 p. m. to-day and eight Government-owned White machines will be available for this service, if necessary, to-morrow morning, and all schedules will be fully maintained to-morrow. Contractor assures me that his equipments will be in serviceable condition to-morrow.

BURTON, *Postmaster.*

—

SCRANTON, PA., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

Wire received. All mail being distributed, dispatched, and delivered promptly to date.

DURKIN, *Postmaster.*

—

BALTIMORE, MD., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

My mail running very heavy, especially parcel post, all being distributed, delivered, and dispatched promptly except ordinary parcel-post and paper mail for Georgia and Florida, which, according to instructions of R. M. S., we begin to withhold 36 hours prior to departure of Merchants & Miners' steamers.

SWANN, *Postmaster.*

—

PHILADELPHIA, PA., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

Your wire 13th. All mail distributed, dispatched, and delivered promptly on receipt at this office.

THORNTON, *Postmaster.*

—

BUFFALO, N. Y., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail received distributed, dispatched, and delivered daily. No delay here.

MEYER, *Postmaster.*

—

SPRINGFIELD, MASS., *December 13, 1917.*

KOONS, First Assistant Postmaster General,
Washington, D. C.:

Mails all promptly handled except some incoming circulars; working overtime to accomplish it; trains running late.

COSTELL, *Postmaster.*

—

PROVIDENCE, R. I., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail received at this office is being distributed, dispatched, and delivered promptly.

CARROLL, *Postmaster.*

—

HOUSTON, TEX., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail received is distributed, dispatched, and delivered promptly.

HOUSE, *Postmaster.*

—

GRAND RAPIDS, MICH., *December 13, 1917.*

KOONS, First Assistant Postmaster General,
Washington, D. C.:

All mail received here being promptly distributed, dispatched, and delivered; some delays have been caused by late trains.

HOGADONE, *Postmaster.*

—

DENVER, COLO., *December 13, 1917.*

KOONS, First Assistant Postmaster General,
Washington, D. C.:

Your telegram 13th. This office in excellent condition. Christmas rush not on us yet. Not a piece of mail of any character failing of dispatch. All trains delayed on account of storms. All incoming mail promptly distributed and delivered on first trip of carriers. We are prepared to and will handle all holiday mail in the same manner.

STAPLETON, *Postmaster.*

—

ALBANY, N. Y., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail received at this office is distributed, dispatched, and delivered promptly.

MURRAY, *Postmaster.*

—

MINNEAPOLIS, MINN., *December 13, 1917.*

KOONS, First Assistant,
Washington:

All mail at this office distributed, dispatched, and delivered without any delay.

PURDY, *Postmaster.*

—

ATLANTA, GA., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail received at this office for dispatch or delivery handled promptly and satisfactorily; no complaint.

JONES, *Postmaster.*

—

NEW ORLEANS, LA., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington, D. C.:

All mail at this office being distributed, dispatched, and delivered promptly; no delay or congestion in any department, and there will be none; absolutely normal conditions prevail and will be maintained.

JANVIER, *Postmaster.*

—

NEW HAVEN, CONN., *December 13, 1917.*

FIRST ASSISTANT POSTMASTER GENERAL,
Washington:

Late trains and transfers occasionally cause delays. Resignations, draft, and substitutes employed in munition factories cause some difficulty, but all mail received here distributed and delivered promptly.

TROUP, *Postmaster.*

The Clerk read as follows:

For pay of rural carriers, substitutes for rural carriers on annual leave, clerks in charge of rural stations, tolls, and ferriage, Rural Delivery Service, and for the incidental expenses thereof, $53,000,000: *Provided*, That not to exceed $20,000 of the amount hereby appropriated may be used for the compensation of clerks in charge of rural stations.

Mr. WATKINS. I offer an amendment.

The CHAIRMAN. The gentleman from Louisiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WATKINS: Page 23, line 9, after the word "thereof," strike out "$53,000,000" and insert "$66,250,000."

Mr. WATKINS. Mr. Chairman, in discussing the proposition of increasing the pay of rural free-delivery carriers when the bill was under general debate the statement was made on the floor that a special subcommittee of the Committee on the Post Office and Post Roads was investigating the question so as to determine as to what would be a reasonable amount to add to the compensation of the rural free-delivery carriers as well as post-office clerks. The gentleman from Indiana, in discussing that question, intimated very strongly that in all probability if any increase was allowed it would not be more than 15 per cent. This amendment calls for an increase of 25 per cent. I have carefully estimated the expenses of the rural free-delivery carriers, and I am satisfied that no increase of less than 25 per cent will be adequate. I have made a compilation of figures showing not only the living expenses of the rural free-delivery carriers, but also their expenses incident to the maintenance and upkeep of their vehicles—whether motor propelled or horse drawn—and the expense of maintaining the animals when they have to use horse-drawn vehicles. These figures show that foodstuffs have increased from 50 to 200 per cent in three years; gasoline, 100 per cent; provisions, as follows:

		1914	1917
Bacon	per pound	$0.20	$0.45
Ham	do	.18	.35
Lard	do	.08	.23
Macaroni	do	.07	.12
Cheese	do	.18	.35
Butter	do	.25	.50
Flour	do	.04	.07
Sugar	do	.05	.10
Onions	do	.03	.06
Rice	do	.07	.10
Grits	do	.03	.06
Black-eyed peas	do	.07	.12
Codfish	do	.15	.24
Bread	do	.05	.10
Beef (fresh)	do	.17	.35
Pork (fresh)	do	.20	.40
Irish potatoes	per peck	.22	.50
Sweet potatoes	do	.20	.45
Eggs	per dozen	.25	.45
Tomatoes	per can	.08	.12
Sirup	per gallon	.65	.90

Laborers' wages have increased 100 per cent. The price of cotton and other agricultural products having increased in like proportion, there is a great inducement for rural free delivery carriers to engage in other vocations.

This same statement applies in reference to letter carriers, as well as to rural free delivery carriers, except as to stock, feed, and gasoline.

I regard an increase of 25 per cent for rural free-delivery carriers as most reasonable and just, and insist that the amendment do pass.

Mr. MOON. Mr. Chairman, I presume that my friend from Louisiana is not serious in offering this amendment. His amendment increases the appropriation $16,000,000. That is a question that ought to be and will be considered very carefully by the committee and a report made before passed on by the House. His proposition does not go to the extent of increasing the salaries or furnishing pay for equipment to rural carriers, but just adds $16,000,000 to the general appropriation, which can not possibly be used if the amendment was passed under the present law without an increase of the salaries and allowances for equipment. It seems to me that it is entirely useless to increase the gross sum of appropriations when there is no law to authorize its application anywhere. It would be an idle thing on the part of the House, and I presume the gentleman only offered it for the purpose of submitting some remarks and not with the idea that it would be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For village delivery service in towns and villages having post offices of the second or third class, $600,000.

Mr. HULL of Iowa. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 23, line 13, after the numerals "$600,000," insert: "No part of this money shall be used in any town, place, or village until a majority of the patrons of the post office in such town, place, or village shall request village delivery, and upon the failure to so request the Post Office Department shall not exact from said patrons of such office any box rentals in excess of 10 per cent of original cost of construction of such box: *Provided, however,* That a minimum charge of 20 cents per annum may be made.

Mr. MOON. Mr. Chairman, I reserve a point of order to the amendment.

Mr. HULL of Iowa. Mr. Chairman, I do not want to discuss the point of order, but simply call the attention of the department through the committee to this fact: That if the idea proposed in this amendment is carried out you will eventually save many million dollars to this Government. There are in this country to-day ten to twenty thousand villages that are entitled to village delivery. I have no objection to their having it if they want it and this Government wants to spend the money for it. But I do say that if we can satisfy the people of small towns in any other method we ought to do it, and by so doing we will save the Government a great many million dollars, because eventually the village delivery will cost the Government from twenty to thirty million dollars. If one town is going to have it, the other town is bound to have it unless the citizens are satisfied in some other manner. My experience in these towns is that they do not care for village delivery in most instances. A great many prefer to go to the post office and receive the mail, but they do object to being taxed an exorbitant price for the box. In a town of a thousand or two thousand inhabitants they are taxed $500 or $1,000 for the privilege of going to the post office and getting their mail. The farmer gets his mail free, the man in the city gets his mail free, while the citizen living in a village has to pay from $1 to $4 per year for the privilege of walking to the post office and carrying his mail back home. The man in the village ought to have the right to go to the post office, have a box, and not pay over 10 per cent of the cost of the box to the Government. If you will adopt this plan, you will save to the Government ten or twenty million dollars. This great Post Office Committee should thoroughly investigate this matter, and if the proposition is as I state, see that it is corrected before it is too late.

The CHAIRMAN. The Chair thinks that the amendment is subject to a point of order and therefore the point of order is sustained.

The Clerk completed the reading of the bill.

Mr. MOON. Mr. Chairman, I move that the committee do now rise; that the Chairman be directed to report the bill to the House, with the recommendation that the amendments adopted in the committee be agreed to; and that the bill as amended do pass.

The motion was agreed to.

The committee rose; and Mr. GARRETT of Tennessee having taken the chair as Speaker pro tempore, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 7237, the Post Office appropriation bill, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

Mr. MOON. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

There was no demand for a separate vote.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. BORLAND. Mr. Speaker, I offer a motion to recommit the bill to the Committee on the Post Office and Post Roads, with directions to report the same back forthwith, with the following amendment as a separate paragraph.

The Clerk read as follows:

Mr. BORLAND moves to recommit the bill to the Committee on the Post Office and Post Roads with directions to report the same back forthwith with the following amendment as a separate paragraph:

"No part of any amount herein appropriated shall be used to pay salaries or for personal services in any department, bureau, or office in the District of Columbia, which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act, approved March 15, 1898, requires eight hours of labor each day."

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. BORLAND) there were 20 ayes and 36 noes.

Mr. BORLAND. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Missouri makes the point that no quorum is present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, the Clerk will call the roll, and those who are in favor of a motion to recommit will answer yea and those opposed will answer nay.

The Clerk called the roll, and there were—yeas 82, nays 250, answered "present" 1, not voting 100, as follows:

YEAS—82.

Anthony	Foster	Lobeck	Sherley
Barkley	Garrett, Tex.	McClintic	Shouse
Barnhart	Gillett	McKeown	Sisson
Black	Glass	McLaughlin, Mich.	Sloan
Booher	Godwin, N. C.	Mapes	Snook
Borland	Gordon	Miller, Wash.	Stafford
Caraway	Green, Iowa	Moore, Pa.	Steagall
Connally, Tex.	Greene, Vt.	Moores, Ind.	Steele
Connelly, Kans.	Gregg	Norton	Stephens, Miss.
Cox	Hardy	Oldfield	Sterling, Ill.
Cramton	Harrison, Va.	Platt	Strong
Darrow	Hastings	Quin	Sumners
Davidson	Haugen	Rainey	Taylor, Ark.
Dewalt	Hensley	Reed	Tillman
Dies	Jacoway	Robbins	Venable
Doolittle	James	Romjue	Walker
Doughton	Kehoe	Rouse	Walsh
Edmonds	Kincheloe	Rucker	Wilson, Tex.
Fairfield	La Follette	Sears	Winslow
Fitzgerald	Langley	Sells	
Flood	Lever	Shallenberger	

NAYS—250.

Adamson	Chandler, N. Y.	Dyer	Gray, Ala.
Alexander	Church	Eagan	Gray, N. J.
Almon	Clark, Fla.	Elliott	Greene, Mass.
Ashbrook	Clark, Pa.	Elston	Griest
Aswell	Classon	Emerson	Hadley
Austin	Claypool	Esch	Hamill
Ayres	Coady	Evans	Hamilton, Mich.
Bankhead	Collier	Fairchild, B. L.	Hamlin
Beakes	Cooper, Ohio	Ferris	Harrison, Miss.
Bell	Cooper, W. Va.	Fess	Hawley
Blackmon	Cooper, Wis.	Fisher	Hayden
Bland	Copley	Focht	Heaton
Brand	Crisp	Fordney	Heflin
Britten	Crosser	Foss	Hersey
Brodbeck	Currie, Mich.	Francis	Hicks
Browning	Dallinger	Frear	Holland
Brumbaugh	Davis	Freeman	Hollingsworth
Burnett	Decker	French	Hood
Burroughs	Dempsey	Fuller, Ill.	Houston
Butler	Denison	Gallagher	Huddleston
Byrnes, S. C.	Dent	Gandy	Hulbert
Byrns, Tenn.	Denton	Gard	Hull, Iowa
Caldwell	Dickinson	Garland	Hull, Tenn.
Campbell, Kans	Dill	Garner	Humphreys
Campbell, Pa.	Dillon	Garrett, Tenn.	Igoe
Candler, Miss.	Dixon	Glynn	Ireland
Cannon	Dominick	Good	Johnson, S. Dak.
Carew	Dowell	Goodall	Jones, Tex.
Carlin	Drane	Goodwin, Ark.	Juul
Carter, Mass.	Dunn	Graham, Ill.	Kearns
Carter, Okla.	Dupré	Graham, Pa.	Keating

Kelly, Pa.	Maher	Rodenberg	Timberlake
Kennedy, Iowa	Mansfield	Rose	Towner
Kennedy, R. I.	Martin	Rubey	Treadway
Kettner	Mays	Russell	Van Dyke
Key, Ohio	Merritt	Sabath	Vestal
Kless, Pa.	Mondell	Sanders, Ind.	Vinson
Kinkaid	Moon	Sanders, La.	Voigt
Kitchin	Morgan	Sanders, N. Y.	Volstead
Knutson	Morin	Sanford	Waldow
Kraus	Mudd	Scott, Iowa	Walton
Larsen	Nicholls, S. C.	Scott, Mich.	Ward
Lea, Cal.	Nichols, Mich.	Shackleford	Wason
Lee, Ga.	Oliver, Ala.	Sherwood	Watkins
Lehlbach	Oliver, N. Y.	Siegel	Watson, Pa.
Lenroot	Osborne	Sims	Watson, Va.
Lesher	Overstreet	Sinnott	Weaver
Little	Padgett	Slayden	Welling
Littlepage	Park	Slemp	Welty
London	Parker, N. Y.	Small	Whaley
Lonergan	Peters	Smith, Idaho	Wheeler
Longworth	Phelan	Smith, Mich.	White, Me.
Lufkin	Polk	Snell	White, Ohio
Lundeen	Pratt	Stedman	Wilson, Ill.
Lunn	Purnell	Steenerson	Wilson, La.
McAndrews	Raker	Sterling, Pa.	Wingo
McArthur	Ramsey	Stiness	Wise
McCulloch	Ramseyer	Sweet	Wood, Ind.
McFadden	Randall	Switzer	Woods, Iowa
McKenzie	Rankin	Talbott	Woodyard
McLaughlin, Pa.	Reavis	Temple	Zihlman
Madden	Riordan	Thompson	
Magee	Robinson	Tilson	

ANSWERED "PRESENT"—1.

Schall

NOT VOTING—100.

Anderson	Fairchild, G. W.	LaGuardia	Rayburn
Bacharach	Farr	Lazaro	Roberts
Baer	Fields	Linthicum	Rogers
Bathrick	Flynn	McCormick	Rowe
Beshlin	Fuller, Mass.	McKinley	Rowland
Blanton	Gallivan	McLemore	Saunders, Va.
Bowers	Gould	Mann	Scott, Pa.
Browne	Griffin	Mason	Scully
Bruckner	Hamilton, N. Y.	Meeker	Smith, C. B.
Buchanan	Haskell	Miller, Minn.	Smith, T. F.
Cantrill	Hayes	Montague	Snyder
Capstick	Heintz	Mott	Stephens, Nebr.
Cary	Helm	Neely	Stevenson
Chandler, Okla.	Helvering	Nelson	Sullivan
Costello	Hilliard	Nolan	Swift
Crago	Howard	Olney	Tague
Curry, Cal.	Husted	O'Shaunessy	Taylor, Colo.
Dale, N. Y.	Hutchinson	Overmyer	Templeton
Dale, Vt.	Johnson, Ky.	Paige	Thomas
Dooling	Johnson, Wash.	Parker, N. J.	Tinkham
Doremus	Jones, Va.	Porter	Vare
Drukker	Kahn	Pou	Webb
Eagle	Kelley, Mich.	Powers	Williams
Ellsworth	King	Price	Young, N. Dak.
Estopinal	Kreider	Ragsdale	Young, Tex.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. WEBB with Mr. YOUNG of North Dakota.

Mr. THOMAS with Mr. WILLIAMS.

Mr. TAYLOR of Colorado with Mr. VARE.

Mr. RAYBURN with Mr. MOTT.

Mr. SAUNDERS of Virginia with Mr. NOLAN.

Mr. THOMAS F. SMITH with Mr. PAIGE.

Mr. STEVENSON with Mr. PORTER.

Mr. SULLIVAN with Mr. ROGERS.

Mr. BESHLIN with Mr. ROBERTS.

Mr. DOOLING with Mr. ROWE.

Mr. EAGLE with Mr. ROWLAND.

Mr. GRIFFIN with Mr. SCOTT of Pennsylvania.

Mr. HOWARD with Mr. SWIFT.

Mr. LAZARO with Mr. TEMPLETON.

Mr. HELVERING with Mr. FULLER of Massachusetts.

Mr. BRUCKNER with Mr. DALE of Vermont.

Mr. JONES of Virginia with Mr. MCKINLEY.

Mr. OLNEY with Mr. BOWERS.

Mr. MCLEMORE with Mr. DRUKKER.

Mr. ESTOPINAL with Mr. BROWNE.

Mr. BUCHANAN with Mr. CORY.

Mr. HELM with Mr. CRAGO.

Mr. POU with Mr. KAHN.

Mr. OVERMYER with Mr. MEEKER.

Mr. CANTRILL with Mr. HUTCHINSON.

Mr. DOREMUS with Mr. GOULD.

Mr. FIELDS with Mr. COSTELLO.

Mr. FLYNN with Mr. KELLEY of Michigan.

Mr. GALLIVAN with Mr. KING.

Mr. MONTAGUE with Mr. MANN.

Mr. HILLIARD with Mr. MASON.

Mr. PRICE with Mr. BACHARACH.

Mr. SCULLY with Mr. HEINTZ.

Mr. STEPHENS of Nebraska with Mr. TINKHAM.

Mr. DALE of New York with Mr. LAGUARDIA.

Mr. CHARLES B. SMITH with Mr. HAMILTON of New York.

Mr. BATHRICK with Mr. CAPSTICK.

Mr. O'SHAUNESSY with Mr. HUSTED.

Mr. YOUNG of Texas with Mr. GEORGE W. FAIRCHILD.

Mr. NEELY with Mr. CURRY of California.

Mr. BLANTON with Mr. HAYES.

Mr. TAGUE with Mr. HASKELL.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present; the Doorkeeper will unlock the doors. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. MOON, a motion to reconsider the vote by which the bill was passed was laid on the table.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7572, the urgent deficiency bill, and, pending that motion, I ask unanimous consent that the time for general debate be controlled by the gentleman from Massachusetts [Mr. GILLETT] and myself.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7572, and, pending that, he asks unanimous consent that the time for general debate be controlled one half by himself and the other half by the gentleman from Massachusetts [Mr. GILLETT]. Is there objection? [After a pause.] The Chair hears none. The motion is on going into the Committee of the Whole.

The question was taken, and the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7572, the urgent deficiency appropriation bill, with Mr. MOON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7572, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 7572) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GILLETT. Mr. Chairman, I would ask the gentleman from New York if he will kindly yield to me now, as I should prefer to precede him if he is willing?

Mr. FITZGERALD. I yield to the gentleman.

Mr. GILLETT. Mr. Chairman, this is the last bill which the gentleman from New York [Mr. FITZGERALD] will report to this House as chairman of the Committee on Appropriations, and I think it is proper that we should take notice in the House of the departure of so distinguished a colleague. I send to the Clerk's desk and ask him to read the following letter.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

JOHNS HOPKINS HOSPITAL, *December 13, 1917.*

Hon. FREDERICK H. GILLETT,
House of Representatives, Washington, D. C.

MY DEAR MR. GILLETT: I wish very much that it were practicable for me to leave Johns Hopkins Hospital long enough to come over to the House and say a word about the loss to the country through the resignation of Mr. FITZGERALD. I regard FITZGERALD as one of the ablest men who has ever sat in Congress.

[Applause.]

Intelligence is the usual thing in Congress. Good nature is very common with the Members. The desire for economy is not unusual, but independent courage and determined bravery are at least not two common attributes of politicians or statesmen. FITZGERALD possesses all of the qualities that I have referred to. I shall regret greatly his leaving the House and am truly sorry that my temporary indisposition will not allow me to make a public statement to that effect in the House before he retires.

Yours, very sincerely, JAMES R. MANN.

[Applause.]

Mr. GILLETT. Mr. Chairman, I am sure that all on this side of the House indorse very heartily these cordial sentiments expressed by our leader, and we regret exceedingly the loss of our colleague from New York. He has attained such an eminence in this House that every man for some time will really miss him, and that is more than can be said of many Members. He has won his eminence not by any primrose path of dalliance. He has fought his way to his distinction. He has given and received blows from foes and friends alike without sparing himself or sparing others, always aiming at a definite goal, and any man with such fixity of purpose and with his ability behind it

is sure to achieve success. I remember very well when he came here, and how our attention was soon attracted by the very young man who persisted in putting such searching and often embarrassing questions to members of the appropriating committees. He showed such knowledge of the subjects he discussed, such assurance of his parliamentary rights, and such determination to assert and defend them that before long he convinced the leaders that it was much better to have him inside the Committee on Appropriations defending than outside attacking. [Laughter and applause.] So he literally fought his way by his own sheer ability onto that important committee. I have served with him as chairman of subcommittees of which he was a member and as member of subcommittees of which he was chairman. We have often differed strenuously, but I have never had occasion even to suspect any unworthy motive on his part. [Applause.]

As chairman of the committee he has upheld the traditional policy of that office. He always had an instinctive hostility, or at least antagonism, to the executive representatives who came before us for appropriations. He has felt that he was the guardian of the public purse, that anybody who wanted money from the committee must show cause, must prove by reliable evidence that he was entitled to the appropriation. That has always been characteristic, as far as my experience dates, of the chairman of the Appropriations Committee, and I think it is his proper attitude as representing the privileges and duties of the House. I recall many instances of new officials coming before the committee with the apparent expectation that they had only to state their needs in order to have them granted, and their discomfiture was ludicrous when they found out that their request counted for little or nothing, but that they must show the fundamental reasons for their requests and that not upon their opinions, but upon the facts on which that opinion was based.

Mr. FITZGERALD was peculiarly well equipped for the chairmanship by his strong, penetrating intellect, his unflagging pertinacious industry, and his remarkable power of grasping and retaining enormous details, and, as you know, in this House he made himself powerful and formidable by his pungent speech, his dauntless courage, his unquestioned sincerity, and his resourceful ingenuity. The same qualities which have won his eminence here and in the committee insure prominence in the profession to which he is now returning, and I know that we all with full hearts wish him that ample success and happiness to which his talents and character entitle him. [Loud applause.]

Mr. SHERLEY. Mr. Chairman, 10 years ago I became a member of the Committee on Appropriations and it was my good fortune to be assigned to two subcommittees upon which were then my friend and colleague, the distinguished gentleman from New York [Mr. FITZGERALD].

From that time to this we have been associated together not only in full committee but in the subcommittee work that comes as a result of the various divisions of the work of that committee. And therefore, perhaps more than almost any man in the House, it has been my good fortune to be in constant and intimate association with him. Certainly no man in the House is as conscious as I am of the loss that the House will suffer when he retires from it, because none have been in a position to so fully realize the work that he has done and the work that he is laying down. No exaggeration is possible of the great debt that the country owes to him.

Popularity is gained in many ways in the House and in the country, but the esteem and respect of the House is only gained in one way, and that is by loyalty and devotion to duty and the industry and courage that justifies faith on the part of one's colleagues. And I know of no better thing that a man can carry away from this place of harsh conflicts, of extreme rivalries, of ambitions that conflict, a place which has sometimes been described as a "bear pit," than not simply the liking of your colleagues but the respect and admiration of them. [Applause.] No man who ever knew JOHN FITZGERALD but what has always accorded to him all those attributes that go to make real statesmanship. I have seen him under peculiar trials not only in committee but in party relationships. There have been times in his career when his viewpoint did not coincide with that of a majority of his party colleagues. Nothing is more difficult than differing with your party associates. Nothing so tests the fiber and the fine courage of men as that. I have seen him meet that test, knowing that in taking the position he did he was sacrificing some friendships and that he was doing the then unpopular thing. But I knew then, and his colleagues all know now, that whenever he took that position it was not with the desire to differ but because of a compelling sense of duty and obligation. And he always justified from his viewpoint that position by the reasons that he advanced and the motives which prompted him in it.

He is not only leaving behind him a reputation as a very great chairman of one of the most difficult committees in Congress, but he goes out of Congress with perhaps a more intimate knowledge of the Government of the United States and a more technical knowledge of the rules that control this body than any man now in public life. He is not only a parliamentarian who knows the rules but he is one of those more rare people who knows the reason for the rules. And in this day of misjudgment of rules, of criticism by the thoughtless, the unthinking, it is worth while to have in Congress a man who can justify the procedure here because of a knowledge of the reason for that procedure.

And so we lose not only a man whom we all admire and many love but we lose one who has been to the country of distinct service, who has justified and ennobled service in the Congress of the United States. [Loud applause.]

Mr. CANNON. Mr. Chairman, perhaps I could most eloquently say what I desire to say, and then sit down, by indorsing the letter of Representative MANN and the remarks of the gentleman from Massachusetts [Mr. GILLETT] and of the gentleman from Kentucky [Mr. SHERLEY]. I most heartily indorse all that has been said, and better said, I presume, than I could say it, and yet I will add a little thereto.

The Committee on Appropriations was formed 65 years ago. Prior to that time the Committee on Ways and Means not only reported the bills to raise the revenue but also reported the bills to put the money on the wheel—to appropriate the revenue. The first chairman of that committee was Thaddeus Stevens, of Pennsylvania. His service was for about three years. My recollection is that he died during his service as chairman in 1869. Many distinguished, many great men have served as chairmen of that committee. I have the names here. They are Thaddeus Stevens; Elihu B. Washburne, of Illinois, whose term was short; Henry L. Dawes, of Massachusetts; James A. Garfield, of Ohio; Samuel J. Randall, of Pennsylvania; J. D. C. Atkins, of Tennessee; Frank Hiscock, of New York; and then myself, of Illinois [applause]; William S. Holman, of Indiana; Joseph D. Sayers, of Texas [applause]; James A. Hemenway, of Indiana; James A. Tawney, of Minnesota; and JOHN J. FITZGERALD, of New York. [Applause.]

Since the creation of that committee in 1865 up to the present time many things have happened. The population of the country has increased by threefold. The Union Pacific and the Central Pacific were the first railways across the desert, tunneling the mountains to reach the Golden Gate; but since then they have been followed by I know not how many, but I think I can say from 10 to 15 transcontinental railroads have been constructed since that time. The population, as I have already said, has increased by threefold plus.

There have been stormy periods in this House and the country since that time. Partisanship, earnest, at times ferocious, and necessarily so. This is a Government under the Constitution, the fixed law, by the will of the majority, as manifested at the ballot box from time to time. Some things have been done by the party of which I am a member and some by the party that the gentleman from New York [Mr. FITZGERALD] is a member in that time, but, so far as I am concerned, would have been left undone if I had had my way about it. And sometimes, perhaps, I would have preferred to dwell in a recollection a different result.

I do not know how many men have served in the House of Representatives since I became a Member, but several thousand. My honored friend here, Gen. SHERWOOD, and I entered Congress together. [Applause.]

I believe we two, with Mr. Hazelton, of Wisconsin, are the surviving Members. I am not speaking of myself, but these men who have been chairmen of this committee, whose names I have read, have nearly all crossed over. Nearly all of them were giants intellectually, and they were partisans. I have no defense to make or excuse to make for partisans. Great Heavens! If we all belonged to one party and were wishy-washy; if we were cowardly and all belonged to one party, God help the poor devil, you know, if there happened to be one anywhere in the country, that disagreed with us. [Applause.]

Some time, perhaps, before I die, I may have a little more time to speak of the rules of the House of Representatives, of the mistakes that we have made from time to time, and of the consequences of those mistakes. Something in the not distant future will have to be changed, whichever party may be in power, touching our procedure. With the bill pending, however, it is not the proper time and it is not expected of me to enter upon that matter. Of those great men that I have spoken of who have

crossed over—and nearly all of them have crossed to the other side, although Mr. Tawney and Mr. Hemenway and Mr. Sayers are still living—there were men who had more notoriety than the gentleman from New York who is about to retire to private life. I have known them all since 1873, and have served with them all, from the practical as well as from the intellectual standpoint. While some of them have held great positions—Mr. Garfield became President—and made great reputations. I want to say, and I say it without reservation, that the gentleman from New York who is about to retire as chairman of that committee has been equal in his service and in his ability to guard the Public Treasury, not ignorantly but wisely; he has been equal to any of them. [Applause.]

Think of it! Since war was declared in April last the committee over which he has presided, and of which I am a member, has been almost constantly in session through the day and frequently at night, and has recommended appropriations and authorized contracts for appropriations in round number aggregating $20,000,000,000. The hearings thereon, in tolerably fine print, stacked up, I presume would just about be covered by my two hands, held 2 feet apart; and I want to say that in my judgment there has been nothing appropriated or authorized to be met by contracts under future appropriations that did not meet his approval and that of his committee, including myself. By means of the investigations incident to the preparation of those bills I think I am within the bounds of truth when I say there were $2,000,000,000 left unappropriated or unauthorized, without any harm to the public service.

I exceedingly regret the departure of the gentleman from New York. I wish there were some way—there is none, however; but I have frequently wished it, and I wish it now more than I ever did—by which adequate compensation could be made for him for the support and maintenance of his wife and the care of his children pending his service in the House of Representatives. I met the children once when they were younger; the children were little bits of lads and lasses from 3 feet high down. [Laughter.] He leaves Congress, he tells us, in justice to his family. I wish it were possible that at least during this great emergency, during this great war to which we are committed—committed by the appropriation of treasure, committed by proper legislation, committed for service across the sea—that it had been possible for him to have remained as a Member of this House and as chairman of the Committee on Appropriations. [Prolonged applause.]

Mr. KITCHIN. Mr. Chairman, when I first saw the announcement that the gentleman from New York had decided to resign as a Member of the House, I said that the House and the country could better afford to lose any other Member than JOHN J. FITZGERALD. [Applause.] In this crisis of our country the House and the Nation need his counsel, his wisdom, his judgment, his integrity, his courage.

In all these virtues no man in this body is his superior. We have many able and wise and diligent Representatives here, men who faithfully represent and serve their constituents; but to how many of us could the term statesman properly apply?

FITZGERALD comes as near measuring up from every view to the standard of statesmanship as any man in this Capitol. [Applause.] As a Member of the House he has given the country—the entire country—19 years of faithful, honorable, and effective service. His record stands to justify our high estimate of him. We know him. We associate with him daily. We esteem and admire him, and more, we love him. He has our respect and our confidence. As a man, we know FITZGERALD to be brave and loyal and truthful. He has never turned his back upon friend or foe.

I sometimes fear that too many of our colleagues set up as the true measure of service here the amount of money which they can filch out of the Treasury into their districts and States for creeks or rivers or public buildings or the like. FITZGERALD's idea—and effort—has been to keep the money in the Treasury and not take it out except for the country's needs. I have known him to oppose appropriations that he knew would endanger his popularity at home.

With respect to every question or measure he asked not "Will it pay? Will it help me?" but only "Is it right? Will it help my Government and the country?"

There have been many eminent men chairmen of the Committee on Appropriations in the last half century. Their names have been recalled in your presence by the distinguished ex-Speaker, Mr. CANNON. In my judgment, the three who loom out preeminently for their distinguished services as chairmen of that great committee are Holman, CANNON, and FITZGERALD. [Applause.]

Mr. Chairman, I but reflect that which is in the heart of the entire membership of the House in expressing profound regret that our beloved comrade in service here feels it his duty to separate from us, and in extending to him the best wishes for a long life and for an abundance of success and happiness. [Prolonged applause.]

Mr. MADDEN. Mr. Chairman, when I came to Congress my first assignment was to the Committee on Appropriations, and in my capacity as a member of that committee I had the privilege of serving on a subcommittee with the distinguished gentleman from New York.

During that service I learned to realize his incorruptibility, his interest in the public welfare, his disinterested devotion to duty. During all of my service and intimate relationship with him in committee work I never knew him to cast a vote upon any question with any idea in mind as to how it would affect him politically. His interest was the public interest. His devotion to the public service is equal to that of any man I have ever known in public life. He has ability, which has been displayed upon the floor of this House on many occasions, courage beyond that of most men, singleness of purpose that no one can question. He has earned the right to the confidence of the American people. He has earned the gratitude of the Government, if there be such a thing as gratitude in the Government. He lives a clean life; his character has been above reproach; he stands among the great public servants in America [applause], and I know of no title that can be conferred upon any American greater than that of a worthy public servant. [Applause.]

It is unfortunate that the Government has not the power, or if it has the power, not the desire, to retain a man of his ability in public office. If he were employed by a private corporation and had performed the service for that corporation which he has performed for the Government of the United States, he would not be permitted to leave the service, no matter at what price; they would retain him. You could not employ the services of a man like JOHN FITZGERALD for $50,000 a year. The service he has rendered to the Government is above price. I regret to see him leave this body, for he has displayed an unselfish devotion to public duty and an ability that justifies not only the confidence of his associates but the gratitude of the American people. And now that he finds himself forced to leave public life in order that he may provide for his growing family when he shall have passed away he takes with him from this body the confidence, the respect, and the love and devotion of every Member of the House. I shall always remember my association with him as one of the pleasantest parts of my official life, and I wish him Godspeed in the business upon which he is about to enter and unbounded success wherever he may go and in whatever he may engage. [Applause.]

Mr. CLARK of Missouri. Mr. Chairman and gentlemen, I confess that this is a very painful occasion to me. I was not very much surprised when I heard that Mr. FITZGERALD was going to resign, but I was very much grieved. I do not know whether you have all observed it or not, but in the popular estimation the four great committees in this House are Ways and Means, Judiciary, Appropriations, and Foreign Affairs. Actually the Members of the House know that in addition to these two the Committee on Interstate and Foreign Commerce and the Post Office Committee are forcing themselves into that same class. These are the six committees that are always the greatest of our legislative committees. Occasionally some other committee becomes exceedingly prominent. It is a strange thing that during the seven years I have been Speaker of this House we have lost the chairman of the Committee on Ways and Means, the chairman of the Committee on Foreign Affairs, the chairman of the Committee on the Judiciary, the chairman of the Committee on Interstate and Foreign Commerce, and now we are about to lose the chairman of the Committee on Appropriations. We have also lost the chairman of the Committee on Military Affairs, always an important committee, and during these troublous days one of the most important.

Gen. James A. Garfield once said that there was no place on earth where a man could reach his proper level more quickly than in the House of Representatives. The position that Mr. FITZGERALD has occupied for several years, being recognized as one of the very strongest men in this House, is an illustration of Garfield's proposition. In my time here several men have become authorities in this House on some one subject. Mr. FITZGERALD enjoys the peculiar distinction of having become an authority on two very difficult subjects, one of them finance and the other parliamentary law. Men do not achieve places of this kind unless they have brains in their heads, courage in their hearts, and a great deal of industry.

There is a fable extant in this land that if the executive departments did not hold Congress in check we would appropriate everything there is betwixt the two oceans. [Laughter.] Exactly the reverse of that is true. [Applause.] The chairmen of the Appropriations Committee, the great ex-chairman and ex-

Speaker [Mr. CANNON], and the gentleman from New York [Mr. FITZGERALD], and those who have come in betwixt and between as chairmen of the Appropriations Committee, have waged a constant warfare with the executive departments of this Government to hold the appropriations within bounds. [Applause.] Generally, they have held the appropriations below the estimates of the executive departments. The newspapers of the country could not do a better thing than to reverse the tale they have been telling, and tell the exact truth as to appropriations. [Applause.] A good many of you men have come in here in recent years. The heads of departments got so in the habit of exceeding the appropriations that Mr. FITZGERALD and the rest of the men on the Appropriations Committee, after warning them four or five times, finally put a clause into an appropriation bill making it a criminal offense for them to exceed the appropriations. I do not know that that has been referred to in any of these newspapers' excoriations of Congress. I will refer to it if nobody else does, and I have as good a right to speak for this House as any man living. [Applause.]

When FITZGERALD first came here he was the youngest man in the House, and by assiduous industry and close attention to business, I have seen him go up year by year. I like to see these Members go up. It is one of the strangest things in the world to sit up here in the Speaker's stand, where you can see everybody in the House, and see men going up and men going down—ebbing and flowing. It is not always a steady march in one direction.

The resignation of Mr. FITZGERALD ought to be exploited all over this land as an illustration of one thing: Here he is, in the very prime of his splendid powers and flower of his years, going out of a body which he likes to serve in, one that he is especially adapted to serve in, giving up one of the greatest positions in the House, because he is so poor financially that he deems it his duty to his wife and children to give it up to make money enough for their proper uses, notwithstanding the fact that not only millions but billions of dollars have passed through his fingers during his service in this House, not one penny of which stuck to his palms. [Applause.] After a conspicuous career he departs from our midst poorer than when he came.

I read a newspaper squib the other day—I do not know whether it was about ADAMSON or FITZGERALD; it was about one of them—which said that one Congressman had resigned, and that it was that much clear gain. Now, it is not clear gain for a seasoned Representative of approved ability to resign. It is a clear loss to the United States Government and to the American people. [Applause.] A man does not become a leading Congressman except by immense toil and great ability, and every Congressman who comes here, I do not care where he comes from or what he is, has to learn to be a Congressman, and the reputation that a man has outside of this House does him precious little good when he gets into this House. He must learn to be a Congressman just like a man learns to be a carpenter, a blacksmith, or anything of that sort. It is a great pity that the circumstances of the case force men like these chairmen I have named to quit their great offices and retire from public life when they have just learned how to be of most service.

It is very lucky for Mr. FITZGERALD that he was put on the Committee on Appropriations. I asked Gov. Dingley once about service on committees, and he said that the ideal service would be to serve a while on Appropriations and learn to master details, then serve on Ways and Means and learn the generalization of legislation. He was a success, and his words are worth quoting.

These men who have been chairmen of the great Appropriations Committee rank high in the estimation of mankind and in the history of the United States. They have rendered a great service. When I was first elected Speaker the newspapers said I was green as a gourd about parliamentary matters, and they did not overstate it. [Laughter.] I never had paid more attention to parliamentary law than any other man that had been as active in the House as I had, but you can not stay here 16 years without learning something about it. When I first came in I consulted privately quite a number of parliamentarians in the House. I wanted to make a good record. Mr. FITZGERALD was one of those I always consulted. I might have had some hesitation about taking the opinion of a crack parliamentarian when he was engaged in a hot controversy on the floor of the House, but I had no sort of hesitation in taking the opinion of a crack parliamentarian in private when I asked his opinion.

I wish that Mr. FITZGERALD could stay here. [Applause.] I not only admire his shining talents but I entertain deep personal affection for him. Of course, we will get along, but to have an expert as he is in financial matters quit at such an exigency as this is in the affairs of this country is a pitiable comment on the rewards of politics. [Applause.] He had natural ability, but the thing that stood him in the best stead in this House was his persistent industry. He has achieved a great name, and the young Members—of course, they can not change the quantity of brains they have; some may have as much as he has and some may not have as much—but all of them can imitate Mr. FITZGERALD in the quality of his industry. [Applause.]

The sweetest of all American poets said:

> The heights by great men reached and kept
> Were not attained by sudden flight;
> But they, while their companions slept,
> Were toiling upward in the night.

Those words fit the gentleman from New York [Mr. FITZGERALD] like a glove. [Applause.]

Mr. GILLETT. Mr. Chairman, I have used all the time in discussing the bill that I care to at present, and I wish the gentleman from New York [Mr. FITZGERALD] would use some of his time. [Applause.]

Mr. FITZGERALD. Mr. Chairman, no one could be otherwise than deeply affected by such a generous expression of sentiment toward my service in this House and its impending termination. During a somewhat active career in this body many times some of my friends have been worried because of difficult situations in which I was involved, and they were somewhat perplexed as to how I should extricate myself. I honestly believe that this is the only time in my 19 years of service that I have been really embarrassed and found it difficult to express myself. [Laughter and applause.] Indeed, if those gentlemen who have so generously spoken, instead of heaping so many golden words of kindness upon me, had savagely assailed my career, I could with much more enthusiasm, and unquestionably with much more effectiveness, have responded to their addresses. [Laughter and applause.]

It is not an easy thing to leave the House of Representatives, and I go with considerable regret. If I consulted only my personal preferences, or if I alone were involved, I should not go. Neither would I go at this time if I did not know that the work that I shall drop will be carried on by men as well qualified and as eminently fit to discharge the duties of the position which I shall relinquish.

I might have left Congress at the end of the last Congress if it had not been for a statement by a good friend that I could not come back. [Laughter.] I was somewhat influenced at this time in quitting now lest, perchance, some other unfortunate utterance might compel me to make the one who made it demonstrate his ability to retire me from Congress. [Laughter and applause.]

But I love this body! I believe that it is the great bulwark of our liberty, and upon its wise, intelligent, and courageous action depends the prosperity and the happiness of the American people. [Applause.]

I had an early ambition to become a Member of it. Long before I left college I looked forward to the day when I might sit in it, and before I was graduated I had considerable familiarity with the rules of the House. During my service and for some years prior to it, I read every publication to which I had access that treated of the history of the procedure and of the rules, not only of this body but of the Commons in England. I spent many nights in careful reading of what many consider the dry discussions had at different times when comprehensive changes in the rules of the House were proposed. Whoever knows the philosophy of the rules of this body and understands the underlying principles responsible for many of the rules can have but very little patience with outside agitation against this body for not making chaotic the transaction of public business by the adoption of many well-intended but ill-advised and impractical reforms.

It is difficult for me to at all adequately express the sincere appreciation I have of the most generous expressions that have been uttered regarding my service. I know fully my own limitations and failings. They have been ignored, and such manifestations of friendship chain me more firmly to those who are so loyal in their affections. Early in my career in Congress I read a speech that made a deep impression upon me. Mr. James G. Blaine, in his matchless eulogy upon James A. Garfield, delivered in this House, I believe, on February 27, 1884, said:

> There is no test of a man's ability in any department of public life more severe than service in the House of Representatives; there is no place where so little deference is paid to reputation previously acquired or to eminence won outside; there is no place where so little consideration is shown for the feelings or the failure of beginners. What a man gains in the House he gains by sheer force of his own character. If he loses and falls back he must expect no mercy and will receive no sympathy. It is a field in which the survival of the strongest is the recognized rule, and where no pretense can deceive and no glamor can mislead. The real man is discovered, his worth is impartially weighed, his rank is irreversibly decreed.

I know this House is never deceived in men. It is generous at all times, but ever in its own estimation the place of Members is accurately fixed. I have tried in all my service, as far as it was possible for one to do—and I have the same human weaknesses that all other Members have—to do the thing that I believed was the best for the country regardless of its effect upon my own political fortunes. It has not been an easy road to travel. I made up my mind early in my service that, regardless of how long I served in this body, when I left it I would go away with one satisfaction, and that was that I would have the knowledge that every act and every spoken word by me as a Member of this body would be my own act and not the act of anyone else, and that for everything I did I would myself be personally responsible. [Applause.]

Gentleman, I could not if I tried express in words the appreciation which I feel for this demonstration. I have been overwhelmed with kindly expressions in the few days since I announced that I was to retire at the end of the present month. If it were possible for me to remain I should not leave. But it is one of those inevitable things which men can not control. As I have already said, I love this body, and the work, although arduous, has been congenial. When I am outside I can look back with great satisfaction to my service here. I am going from public life forever. I am free to speak about some matters that other Members may be reluctant to discuss. The most unfortunate thing about the public is the willingness to believe evil of Members of this body. It seems incomprehensible that men who at home are loved and esteemed and highly honored, as soon as they are elected to Congress seem to be regarded in an entirely different light by their constituents. Their every act is regarded with suspicion. One of the more recent manifestations, of which perhaps I can speak when others will not, is the preposterous notion that the salary of a Member of Congress can in any way be construed as containing excess profits which should be subject to a special tax. [Laughter.]

I had at one time hoped that if a certain reform here were effected, I might be here to participate in it. I have repeatedly urged that all of the appropriation bills be consolidated in one committee. When I had no thought of quitting this body I made the statement that I would willingly retire as head of the Committee on Appropriations and from the committee itself to bring about that reform. One of the objections is that it would give great power to a small group of Members. It undoubtedly would do so. But this House needs to concentrate power and responsibility if it is to maintain its unique and unrivaled position in our system of government. We have emasculated the speakership. That office, which derives its name from the fact that its occupant was the chosen spokesman of the Commons to present to the King the grievances of the people and demanded their redress before the Commons would make grants required by the Crown, has been so stripped of its power in this body that the Speaker is not the important and influential factor he should be in our system of government. We so diffuse our power that we do not exercise the influence in the affairs of the Government that the House should exercise. I am glad that the President has made this recommendation. I believe it is the most important reform that this House can adopt if the continual encroachments of the Executive upon the power of the House and the rights of individual Members is to be checked.

Mr. Chairman, I am a member of a commission to reconstruct the Hall of the House of Representatives. I shall resign from that commission, for under the law I would continue a member of it even after I resigned from Congress. I intend to resign from it, because, in my opinion, if that work is ever done it should be done under the control of Members of the House itself. At one time it looked as if the reconstruction might take place, and I had studied carefully the plans in the hope to find an appropriate place where they would always impress not only the Members of this body but those who visit this Chamber the words of a very distinguished British statesman, Edmund Burke, which accurately picture the relationship and duty of a representative. In a speech to his constituents at Bristol on November 4, 1774, he said:

> It should be the glory, as well as the honor, of a representative to live in the strictest union, the closest correspondence, the most unreserved communication with his constituents. Their wishes should at all times have great weight with him, their opinions high respect, their business unremitted attention. But his mature opinion, his unbiased judgment, his enlightened conscience he should not surrender to you, nor to any man, nor to any set of men living. These he does not derive from you, nor from the law, nor from the constitution. They are a gift from Providence, for the abuse of which he is deeply responsible. Your representative owes you not only his industry but his judgment, and he is betraying instead of serving you when he sacrifices that judgment to the opinions of another.

Mr. Chairman, it seems to me that Edmund Burke in those immortal words has pictured for members of a representative body the true measure of their conduct. It requires courage to exercise judgment, it requires courage not to subordinate judgment to the opinions of others. Yet the whole course of this Government and the safety and the happiness and the prosperity of the people of the United States depend not only upon the intelligence of Members of Congress, but, much more, upon the courage with which they exercise their own unbiased judgment. [Applause.]

I wish to say that in going from this body I go with the highest opinion of its Members, of their integrity, of their industry, and of their patriotism. During my service here I have been in many, many bitter controversies. I have hit hard and I have taken hard blows in return, but I never carried from the floor of the House any feeling of antagonism whatever toward the Members with whom I had been engaged in controversy. I discharged on the floor of this House my duties as a Member of the House according to my best lights, and when I left this Chamber I left here all acrimony, partisanship, and bitterness. I rejoice in the fact that in leaving this body I go, as I believe, with the same friendship and good will which I entertain for every individual Member of it. [Applause.] I shall carry away and cherish the many, many pleasant associations of my service, and they shall not be crowded out by other occupations. I have served the best part of my life in this body. Its Members have uniformly been kind and more patient than I had reason to expect. They have been tolerant when my views differed from the majority; they have frequently given me loyal and unstinted support in many difficult controversies. I wish to express my thanks and appreciation for the innumerable expressions of esteem and friendship and for the unquestioned loyalty and assistance that have been so liberally accorded to me by Members here regardless of party, and I assure the House that this day will be recalled with reverent affection till the end of my life. [Loud applause.]

Mr. Chairman, it has occurred to me that perhaps many of the very kind things said about me to-day were to prevent any opposition on my part to probably the most important feature of the pending bill [laughter], which is the annual mileage for Members of the Congress. The bill has in it practically two items. One is the provision continuing available until the end of the fiscal year the appropriation of $100,000,000 placed at the disposal of the President as an emergency fund in the deficiency bill of last April. Under the terms of the appropriation it was available until the 31st of this month. The President requested that it be continued until the end of the fiscal year, and he has stated in communications, which are printed in the report, the reasons for the request. Of the $100,000,000 there has been allotted by the President for various purposes approximately $31,000,000, and of this sum there has been expended $21,000,000, leaving unexpended $79,000,000. Out of the $21,000,000 which have been expended, more than $17,000,000 were expended for the purpose of repairing alien enemy ships which were taken over by the Government after the declaration of war, and the balance of somewhat over $3,000,000 has been expended for a number of miscellaneous objects. Certain funds have been expended for secret and confidential work under the President himself, about which, for reasons that are apparent, it would be impossible to give particulars. Some of it has been allotted to the fuel administration, to the food administration, to the war board, and to other bodies which have been created out of the necessities of the war. The wisdom of making this money available, apart from the request of the President himself and his statement that it would be embarrassing in many ways unless some such fund were created, is apparent when it is known that at the outbreak of the war practically every department of the Government requested the Congress to place at the disposal of the head of that department a large emergency appropriation to be expended at the discretion of the head of the department.

It was strongly urged that as the country was at war, and innumerable situations were being rapidly created which could not be anticipated, and in view of the fact that the country was to have a very large military force operating abroad, that not only the War Department but a number of other departments of the Government would find it imperatively necessary to have an emergency fund. So far as I have been able to ascertain, no embarrassment of any serious character has resulted to the Government because those requests were not granted. Upon the recommendation of the Committee on Appropriations the emergency fund was placed in the personal supervision and control of the President, so that with the responsibility upon him he would exercise that wise discretion and care which it was anticipated should be exercised in the expenditure of moneys given without restriction. It is very gratifying to know that the President has not spent this money with a liberal hand, but that there has been continual complaint upon the part of those seeking to obtain part

of it that it was practically impossible to obtain his consent to part with any part of the appropriation. That is quite apparent when it is shown that out of $21,000,000 expended over $17,000,000 was spent for the one purpose of repairing enemy alien ships taken over by this country.

Mr. TILSON. Will the gentleman yield?

Mr. FITZGERALD. I will.

Mr. TILSON. I was going to ask the gentleman along that line as to the possibility of acquainting oneself as to the details of the expenditure of this money sometime after it has been expended, recognizing the entire propriety of its being placed at the discretion of the President.

Mr. FITZGERALD. There is only one item that the President expressed the opinion that there should not be publicity concerning the expenditure, and that was for secret service and confidential work amounting to about a million and a quarter dollars, and it may be that even after the war the character of the work necessary would make it inadvisable to have public just what the Government was required to do under the existing circumstances.

Mr. TILSON. That answers my question entirely, and I thank the gentleman.

Mr. FITZGERALD. But as to the other expenditures, the President has expressed a perfect willingness to give complete and full information to the Congress.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FITZGERALD. I yield.

Mr. MOORE of Pennsylvania. The gentleman has spoken of appropriations for the Shipping Board out of the President's allotment. That constitutes the largest item of expenditure thus far made out of the total appropriation of $100,000,000. We have already appropriated for the Shipping Board something like a billion dollars, have we not?

Mr. FITZGERALD. Nine hundred million dollars and more.

Mr. MOORE of Pennsylvania. And the President allotted out of his appropriation upward of $17,000,000 in addition?

Mr. FITZGERALD. That is true; but the appropriations made to the Shipping Board were for specific purposes, and none of the money appropriated was available for repairs to alien enemy ships which had been taken over by the Government.

Mr. MOORE of Pennsylvania. This is what I want to learn from the gentleman, if possible: Was any of this $17,000,000 allotted by the President out of his appropriation to the Shipping Board used for any other purpose than for the repair of ships taken over from the enemy?

Mr. FITZGERALD. My information is that it was not?

Mr. MOORE of Pennsylvania. None of it used for the purchase of land?

Mr. FITZGERALD. I understand not.

Mr. MOORE of Pennsylvania. The present bill simply permits the President to use the unexpended balance?

Mr. FITZGERALD. The balance unexpended on the 31st of December, during the six months which are the last six months of this fiscal year.

Mr. MOORE of Pennsylvania. And places it at his disposal for another six months?

Mr. FITZGERALD. The only other items in the bill, Mr. Chairman, are items for mileage for the Members of the two Houses of Congress, which under the law is payable annually as part of their compensation. [Applause.]

I desire to insert in the RECORD a more detailed statement of expenditures under the Committee on Public Information, together with a statement of the scope of its work. A more complete statement would have been furnished had it not been that the head of the committee is absent from the city:

Statement of disbursements of the Committee on Public Information from May 4, 1917, to Nov. 30, 1917, inclusive.

General committee expenses (including all salaries to Sept. 30)	$65,365.73
Civic and educational cooperation (including preparation and printing of books and pamphlets)	81,417.98
Publishing Daily Bulletin	96,710.13
Four-minute men	14,198.96
Distribution and mailing of publications	7,697.69
News division	7,678.72
Syndicate features	2,323.45
Film division	14,255.42
Speaking division	2,283.55
Foreign-language division	1,738.41
Picture division	1,082.53
Foreign educational work	4,604.59
Woman's war work	432.46
Reference division	220.83
Art division	75.84
Total	300,086.29

NOTE.—Number of employees regularly engaged, 151; four-minute men, 19,000; pay roll (average for November), $5,333.28 per week; allotments to the committee for general purposes, $350,000.

Statement of allotments made through Committee on Public Information from May 4, 1917, to Nov. 30, 1917, inclusive.

For informational work in allied, neutral, and enemy countries	$1,285,500

NOTE.—These allotments have not yet been expended.

Books and pamphlets published and distributed by the Committee on Public Information up to Nov. 30, 1917.

Publication.	Number printed.	Number distributed.
How the War Came to America:		
English	4,383,250	3,955,515
German	237,500	216,765
Bohemian	70,750	68,400
Yiddish	80,000	62,700
Italian	97,800	27,275
Spanish	14,500	13,650
National Service Handbook	300,000	141,080
Battle Line of Democracy	9,980	1,000
President's Flag Day Address	1,427,000	252,582
Conquest and Kultur	23,000	22,750
War Message and Facts Behind It	23,000	22,750
The Nation in Arms	1,658,250	1,329,057
The Government of Germany	1,052,500	940,334
The Great War	1,098,000	956,084
A War of Self-Defense	745,600	171,695
American Loyalty:		
English	278,000	265,600
German	337,500	226,500
American Interest in Popular Government Abroad	489,000	127,295
Home Reading Course for Citizen Soldiers	251,000	239,600
First Session of the War Congress	271,900	60,993
Total	11,870,530	9,101,621

Classification of distribution of the books and pamphlets issued by the Committee on Public Information up to November 28, 1917.

Congressional lists	3,288,485
Ministers	1,802,550
Individual requests	983,810
Subscribers to Official Bulletin	270,000
Defense councils	237,670
Newspapers	552,575
Public schools	18,275
Fraternal organizations	182,950
Libraries	3,025
Total	7,339,340

Report of expenditures of Committee on Public Information from May 4, 1917, to November 30, 1917, inclusive, shows a total of $300,087 expended out of an allottment of $350,000 for general purposes, and $1,285,500 for "informational work in allied, neutral, and enemy countries." The latter allotments have not yet been expended.

In the general expenditures are these items:

General committee expenses, including all salaries, to September 30, $65,366.

Civic and educational cooperation, including preparation and printing of books and pamphlets, $81,418.

Four-minute men, organized in many cities for propaganda speech making, $14,199; distribution and mailing of publications, $7,698; news division, $7,678; syndicate features, $2,323; film division, $14,255; speaking division, $2,283; foreign-language division, $1,738; picture division, $1,082; foreign educational work, $4,604; and less than $1,000 each for woman's war work and other activities.

The number of employees regularly engaged is 151; number of four-minute men, 19,000; pay roll average per week, $5,333.28.

The committee printed 12,000,000 books and pamphlets, distributing 9,000,000 of them, most of them being on congressional lists, and almost 2,000,000 being distributed through ministers.

There are 270,000 subscribers to the Official Bulletin.

In his statement Mr. Creel says that "any accounting that I give must first of all be prefaced by the statement that I have never considered myself a censor, nor do I, nor will I."

"The whole question of a censorship," he says, "plays but a small part in the committee work, for it is by its very constitution in the nature of an automatic device. The desires of Government with respect to concealment from the enemy of military policies, plans, and movements are set forth in certain specific requests. No law stands behind them. Their observance rests upon honor and patriotism, and I am proud indeed to be able to bear testimony that the faith has been kept. There have been violations, as a matter of course, and papers holding to the unwritten agreement have suffered injury from papers less careful and less honest, but on the whole the press has responded in the same spirit of unselfish service that animates the firing line, as it is realized that the requests of Government are concerned with human lives and national hopes as it is driven home that the passing satisfaction of a news item may endanger a transport or a troop train, the voluntary censorship grows in strength and certainty."

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As it is realized that the requests of government are concerned with human lives and national hopes; as it is driven home that the passing satisfaction of a news item may endanger a transport or a troop train, the voluntary censorship grows in strength and certainty.

The continuing weak spot is due to a persistent misunderstanding in the matter of discipline. When a violation occurs, such papers as have observed the agreement at once make demand that I administer some rebuke or inflict some mysterious penalty, yet on the printed card that carries the desires of Government there appears this significant paragraph:

"These requests go to the press without larger authority than the necessities of the war-making branches. Their enforcement is a matter for the press itself."

How may I rebuke? How may I punish? If the press feels the need of discipline, then it must create its own. Were there any responsible body to which I could appeal there might be some chance of remedying the situation; but the press happens to be the one great profession in the world that is without an organization, even without an authorized code or accepted standards. No one body may speak for it, enter into bargains for it, or bind it. * * *

At no point is there abridgment of the true freedom of the press. Its historic mission can be fulfilled without let or hindrance, for we have the feeling that there is not need for less criticism in time of war, but more. * * *

Let me now, if you please, make a first complete report on the work of the Committee on Public Information, taking it up department by department, since it is only by this somewhat tedious process that I can make clear its work.

The Division of News is the medium for the issuance of official war information. It has its sworn representatives in the war-making branches of Government—trained newspaper men, whose duty it is to open up operations to the inspection of the people as far as military prudence will permit. We believe that public support is a matter of public understanding, and it is the job of this division to take dead wood out of the channels of information, permitting a freer, more continuous flow. This is not the simplest thing in the world. On one hand is the press, impatient of reticence and suspicious of concealment, and on the other hand we have generals and admirals reared in a school of iron silence. Both, however, are in process of education. The press, I feel, is commencing to realize our honesty of purpose, and the military experts are growing to have an increasing faith in the power of absolute frankness. In the beginning of the war a lie started about cruelty and neglect on the hospital ships of the fleet. It was a front-page story in almost every newspaper, although the complete disproof that followed went on the market page. Last week we gave out a report of the Surgeon General on conditions in a certain cantonment that was as fine a piece of muckraking as I ever read. Few papers took any large notice of it, for the very completeness of confession robbed the story of any sensational value such at attaches to an exposure. The Army and Navy, through this Division of News, has pledged to the people instant and honest announcement of all casualties, all accidents, all disasters. Bear this in mind, the air fills with rumors about the sinking of a transport, the loss of thousands of soldiers in France, the destruction of the fleet. Brand them as lies and publish the liar, for the Government does not suppress such news or seek to minimize it.

The committee is, in large measure, a clearing house for most of the suggestions and offers of service that pour in from all sides. Every idea is analyzed and reported upon, and not only is time saved for heavily burdened departments, but hundreds are given speedy and definite information.

A great information bureau is now being installed that will meet this need in an organized and comprehensive manner. Not only do we promise instant and accurate directions in all matters connected with Government, but we hope to gather complete records with regard to every activity of Government that will be of invaluable service to those who write or speak.

The Division of Civic and Educational Cooperation prepares and publishes all war literature that is issued in pamphlet form. It commands the services of any writer that it may choose to call, and at its beck stand over 3,000 of the leading historians of the country, every man in the service. These pamphlets, covering every phase of America's position, purposes, aims, are printed in many languages and millions of copies reach not only the people of America but go to every corner of the world, carrying our defense and our attack. Experts plan the most effective circulation schemes and experts direct the distribution in order that every printed bullet may reach its mark.

Another division has gathered together the leading novelists, essayists, and publicists of the land, and these men and women, without payment, toil faithfully week after week in the preparation of brilliant, comprehensive articles that go into the Saturday and Sunday papers of the United States. Our system of release gives successively to each paper in every community the privilege of exclusive publication, a plan worked out in conference with leading editors.

We are giving increasing attention to specialized appeals, and there is one department that pays particular attention to the rural press and to the plate-matter service. Another is concerned entirely with women's part in war work, ministering to the women's pages of the press, and there are still others who look after the labor press, the religious press, and the periodical press.

The foreign-langunge press is dealt with by a distinct division that has enlisted the services of over 200 volunteer translators. Reports are made on virtually every paper in the United States that is not printed in English, and we try to fight ignorance and untruth with a steady stream of articles selected with particular reference to the race or to the problem of bitterness.

Much misunderstanding has centered about the Official Bulletin. This is not a newspaper, nor was it ever intended to make it a newspaper. It is an official record of the business of the Government. I was opposed to its publication, and only the order of those in authority forced me to put the idea into effect. I was wrong, and they were right.

The Official Bulletin has justified itself a thousandfold. In every post office of the United States it is posted daily for the benefit of the public, it goes to every Army and Navy post, the expeditionary forces, to every governor, mayor, Member of Congress, library, college, and university, chamber of commerce, board of trade, daily paper, and magazine, and, in addition to this, despite a prohibitive subscription price, over $3,000 a month comes in from individuals.

There are other mediums of public appeal than through the printed word, and we are developing them to the fullest possible extent. The Division of Four Minute Men now commands the services of over 19,000 speakers, who appear regularly in the motion-picture houses, carrying messages from the Government to the people. I can not speak too enthusiastically in appreciation of those who have carried this novel idea to a brilliant success.

The Division of Speaking has coordinated the efforts of all Government agencies and of all the patriotic bodies, to the end that some order has been brought out of oratorical chaos. It is this division that arranges mass meetings or aids them, calls war conferences in the States, and sends picked individuals and groups on speaking tours that reach from coast to coast.

Motion pictures have been given a deservedly high place in our activities. We have a Division of Films that issues a weekly service to the State councils of defense, commissions of public safety, and the various patriotic organizations, a stirring pictorial record of our war progress. It is now planning to produce certain great patriotic feature films, officially expressive of America's aims, ideals, and activities. We have taken care not to destroy existing machinery, and through the patriotism of the news weeklies we have established a working arrangement that enables us virtually to command the services of this great organization that are seen by 600,000 people every week.

The division of pictures issues permits to the photographers of the country, passes upon the permissibility of photographs, and sends to the newspapers of the country a photograph service made up of pictures taken by the Signal Corps operators both in this country and on the firing line in France. Motion pictures taken by the Signal Corps in France are turned over by the committee to the Red Cross for its own distribution and its own profit.

An art division, of which Charles Dana Gibson is the chairman, has mobilized the artists of the United States for the production of posters, car cards, and every other form of pictorial appeal. Only recently, at our request, the advertising forces of the Nation mobilized for war cooperation, and I look to these experts for car-card material, placards, and effective leaflets to place in pay envelopes wherever men and women work.

A similar organization is being formed by the outdoor advertisers, and in a little while the billboards and signboards of the country will be placed at the Nation's service generously and systematically.

These activities that I have mentioned concern themselves entirely with the domestic situation, but beyond the United States are countries that are just as much a part of my job as any Commonwealth in the Union. It is our right and our necessity to fight for public opinion in Scandinavia, in Switzerland, in Holland, in Spain, South America, Central America, and Mexico, and we make this fight in print, in speech, and on the screen. The division of foreign-picture service works from early until late collecting films for exhibition beyond the seas, films that show our social, industrial, and war progress, each title carrying with it the message of America, the meaning of free institutions, our national aims and ideals. This division also collects and prepares the motion pictures for exhibition in the soldiers' houses that the Young Men's Christian Association maintains on the various firing lines, a gigantic task in itself. Each day we send out 1,000 words by wireless that is picked up by the Eiffel Tower, that goes from France to Russia and to all other parts of Europe, from Darien to Central and South America. When there is news of vast importance, like the President's message to Congress, for instance, the cables are commandeered, and we send it to every capital of the world for transmission to every community.

There is a feature service that ministers to the press of other countries, and it is also the case that we are establishing publicity bases in other lands, so that lies may be fought on their own ground.

The enemy countries themselves are invaded through the air. Bombardment planes, loaded with leaflets and pamphlets that tell the truth to a deluded people, go regularly over the firing lines and far into the land, both on the eastern and western fronts.

There is no activity of the committee that we are ashamed to reveal, no dollar that is sent on a furtive errand, but peculiarly is this true of our work in other lands. No paper is subsidized, no official is bought, no corruption is employed. From a thousand sources I am told of the wonder of German propaganda, but my original determinations have never altered. Always do I try to find out what the Germans are doing, and then I don't do it. Even if the very loftiness of our war aims did not command honesty at every point, I have the conviction that corrupt methods work their own destruction. German propaganda failed in this country, it failed in Roumania and in Italy, it has failed in South and Central America and in Mexico, not because millions were not spent, but because honest, decent people inevitably turn against dishonesty and indecency.

These divisions do not fully cover the activities of the Committee on Public Information. The broad field of its work can not be expressed in the terms of organization. By the logic of events and the necessities of the public requirements which called it into being, its functions have grown until it touches at times nearly every part of the great machinery which now coordinates the forces of the Republic for war purposes.

Public opinion is not controlled entirely by what is spoken, written, painted, or photographed, but is oftentimes dependent upon what is or is not done. Because of this we are as jealous of inefficiencies and neglects as any citizen, and not the least part of our duties is the discovery and remedy of conditions that make for discontent and bitterness. While we are fighting for democracy abroad, we must see to it that free institutions are not undermined at home, and as far as we are able the committee guards against the reactions of war.

Mr. GILLETT. Mr. Chairman, I yield one minute to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I desire to use a portion of the brief time allotted me to inform the Members of the House that immediately after adjournment there will be exhibited in the assembly, or conference, room of the House Office Building a set of moving pictures presented by Mr. J. A. Defelder and Mr. Ed. Farlow, of Wyoming, of, among other things, a wolf and a coyote round-up. These pictures, illustrating as they do, among other things, certain very interesting operations in connection with the destruction of predatory wild animals, will, I believe, be interesting and instructive to the Members of the House. The pictures will be exhibited as soon as the House adjourns, and the exhibition will continue so that the Republican Members who are detained here for a short time by the conference can see them at the close of the conference.

Mr. MOORE of Pennsylvania. I was merely going to call the gentleman's attention to the fact that it ought not to conflict with the conference.

Mr. GILLETT. It will not conflict, because they will be continued so that the Members can see them.

Mr. Chairman, I do not oppose at all the adoption of this bill, but I wish to make a few suggestions.

The main purpose of it, of course, as you know, is to continue to the President the use of $70,000,000 of the $100,000,000 which we gave him at the outbreak of the war. Now, that $100,000,000, as I supposed, and as I have no doubt the whole House supposed, was given as an emergency fund which the President could use anywhere, until the House was able to make its regular appropriations; and I suppose our general expectation was that as soon as we were able to make appropriations in the regular form, upon estimates duly submitted and after hearings, then the appropriation of this $100,000,000 would cease, and therefore it was only fixed until the 1st of January. Now comes this request that it shall be extended for another six months, although the House is in active session and is able to receive estimates and make specific appropriations in the regular manner. To request such an enormous, unlimited appropriation is certainly an innovation, but I shall vote for it because I wish—and I am sure this side as well as the other side wishes—to give the President without stint whatever he needs for the successful and earnest prosecution of this war.

But I wish to suggest, as I suggested in the Committee on Appropriations, that it seemed to me that before we extended this appropriation of $70,000,000 we should at least inquire for what purposes it was probably needed, and, more than that, that we should have given to us the items for which the $30,000,000 already expended has been used.

Mr. WALSH. Will the gentleman yield?

Mr. GILLETT. Certainly.

Mr. WALSH. Can the gentleman state what the particular emergency is, or was, that should necessitate the infliction upon us of the Official Bulletin and some of the other activities of the Bureau of Public Information?

Mr. GILLETT. I am going to allude to that a little later.

Now, there is one appropriation here which I recognize the House ought not to ask anything about, and that is the appropriation of $2,200,000 for the Secret Service, because as long as Germany uses, as she has, millions upon millions of money for bribing, in all portions of the world, men to stir up labor troubles, to destroy munitions, and foment discord and dissension as she has in Russia, in the United States, and to the south of us—as long as Germany is using money in that disreputable way it is necessary for us to have a secret service to ferret out her intrigues, and it would, of course, be impossible for that secret service to be efficient if it was public. And therefore I recognize that that must be entirely secret, and I do not ask any disclosure about it. I trust the President for all the money that is desired for the Secret Service. But when we come to the bureau which my friend from Massachusetts [Mr. WALSH] alludes to, I confess I think we ought, before appropriating further, to have had some details. I think we ought to have been told what salaries were paid and are being paid in that bureau. That bureau may be necessary. Germany, we all know, had a subsidized press, and a large part of her success was undoubtedly because she unified all the German people largely by the effect on public opinion of a subsidized press. It may be necessary in meeting her that we should have a subsidized press. It may be that our daily and weekly and monthly press are not alert enough or intelligent enough or subservient enough to make public all the information the administration wishes to impart or to give full scope to its literary abilities, but I think if that is true we ought to know what salaries are being paid, and we ought to know the details of the employment, and Congress ought to appropriate for it with all the knowledge and detail and authority that it does for other branches of the Government service. And therefore, as I say, I suggested that it was very proper, before we passed this appropriation bill, that we should ascertain what had been done in the way of salaries and in general expense of this Information Bureau, as it is called.

Congress a few years ago provided that no publicity expert should be employed unless he was specifically appropriated for by Congress, but I presume it is construed that by saying that the President can expend this appropriation at his discretion. No existing limitations of law apply to it, but I think that expression of the will of Congress ought to be given some consideration.

It seems to me there has been shown by the administration an unfortunate unwillingness to have its expenditures scrutinized. You will remember that the provision for a committee on expenditures, which was presented in the Senate by the Democratic leader there and which passed that branch of Congress, and which gave the committee no executive functions, but only assured to Congress some knowledge and track, as these enormous billions of appropriations went on, as to how they were being expended. The President himself objected to that being passed, and therefore, of course, it was killed in this House. But it seemed to me that was an extremely proper and desirable provision. Congress ought to be kept informed how these unprecedented sums are being spent without waiting a year or two for reports.

When our first liberty bonds were going to be sold we gave the Secretary of the Treasury first one-tenth of 1 per cent for expenses. We placed millions of dollars at his unlimited disposal for that purpose; and I remember also when the second issue of bonds was authorized—and he was asking us for a still greater percentage for expenses, some fifteen millions, I think—he was asked by the Committee on Ways and Means how he had expended the money in the first sale of bonds, and he said he would be glad to give a detailed report. But I noticed that he added later that the detailed report could not be ready before we voted on the amount he should have for the second sale of bonds. I looked in vain, when I read the other day the report of the Secretary of the Treasury and waded through the various tables therein, for a statement of those expenditures. I hoped I would find there some table of the expenditures that were made in selling the first issue of the liberty bonds, but so far as I can ascertain no report of those expenditures has yet been made.

Now, it seems to me that, willing as we are and eager as we are to grant to the administration all that is wanted, all that it can wisely use, we ought to be given some reciprocity of information. We ought to be told what is done with the money as we go along, and for that reason I should have liked the Committee on Appropriations to have had a hearing, as we always do, to find out how the money already expended has been expended. I think that during this war, with these vast expenditures, there is sure to be extravagance. There is not a Member of this House who has not had brought to his attention, I am sure, questions of waste and extravagance, and there are likely to be scandals, if there are not already, and the longer publicity is postponed the more pitiless it will be when it does come. Therefore I have thought, and I still think here, that before voting on this we should have been given the detailed expenditures that have already been made. The committee decided otherwise. I would not delay the passage of this bill, and I certainly shall vote for it. We want to give all the money that is needed. But I hope that the administration in the future will give us the details of expenditures with more freedom and accuracy of detail than we have yet received them. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

A bill (H. R. 7572) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes.

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes, namely:

EXECUTIVE.

The appropriation of $100,000,000 "for the national security and defense, and for each and every purpose connected therewith, to be expended at the discretion of the President," contained in the general deficiency appropriation act approved April 17, 1917, is continued and made available until June 30, 1918.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. Mr. Chairman, in the report of the committee recommending the appropriation just provided for in this paragraph it appears that the President has allotted to the food and fuel administrations $240,598.92. Congress has already provided very liberally, so far as we know, for the food and fuel administrations, and expenditures are undoubtedly being made on a large scale for their purposes. But the country is filled with reports of the dire distress of many of our people who are sorely in need of food and fuel, particularly coal, and there is much concern about what these administrations are accomplishing.

I do not at this time intend to go extensively into the subject of fuel, except to say that during the last three or four days several barges carrying coal from coal-delivering pounts to the people of New England and to the people of New York have not reached their destination because of the storms upon the high seas. They have gone to the bottom of the ocean, with cargo, crew, and all.

This is only one phase of the fuel question. There is a remedy for it, which Congress has thus far failed to provide, and which the Government thus far has failed to recognize as needful, to wit, another means of transportation than that of the rail. If we had our waterways and canals opened now be-

tween the points where the coal can be delivered to the points where coal is to be used, this emergency that I have just referred to might not have arisen.

But there is one peculiar condition with regard to the coal supply to which I feel it my duty now to call your immediate attention, and that is the fact that while the people of New York to-day are crying for fuel, and while the industries of New England, some of them, are being closed down because they can not secure coal, there is ample coal at coal-producing points. In the Delaware River now there are no less than 13 or 14 barges, each carrying from 1,000 to 3,000 tons of coal, that can not leave the river to proceed to the point of destination, to the point of relief of the people who need the coal, because the Government has commandeered the tugs that have been in use heretofore for delivering the coal to New York and to New England points. It is a condition to which I feel the attention of Congress should be called, and if through calling it to the attention of Congress it may reach the ear of the departments that are in control I shall be gratified.

It is strange, indeed, that while the reports are coming from New England points, while they are coming out from New York that people are freezing in their homes, and that mills are closing because they have not fuel, there is plenty of fuel which can not be delivered because the Government itself has taken away the propelling power needful for its delivery.

Now, it has been the practice for years to take these barges laden with coal around by sea and deliver them to points like New York and Boston; but that is not being done now, and those barges, laden to the guards, are standing idle, and the tugs that have been heretofore propelling them are standing idle, doing nothing but awaiting the orders of the departments that have commandeered them for the public service.

I think the people of this country should have some consideration in a matter of this kind, and I hope the administration which has charge of the food and fuel supply will take notice that that coal is now awaiting shipment, while the people who need it are suffering and some of the mills are closed down.

Mr. ROSE. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. ROSE. Can the gentleman explain the trouble in the bituminous coal district throughout Pennsylvania? Why is not the coal delivered now to our manufacturers?

Mr. MOORE of Pennsylvania. Because you have not the cars to carry it. The old engines are wheezing under the burdens placed upon them by the Government itself.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. SNYDER. What is your idea of the reason why they have not got the cars?

Mr. MOORE of Pennsylvania. The cars are in use. But there is another means of transportation that could be used. I am calling attention to an instance where we have barges laden with coal that are not being utilized; the seagoing barges and tugs to propel them are also idle.

Mr. SNYDER. There are a great many inland canals, are there not?

Mr. MOORE of Pennsylvania. Yes. If they were opened up and in operation now, the gentleman's industries would be working at greater speed.

Mr. SNYDER. The gentleman is quite right.

The Clerk resumed and completed the reading of the bill.

Mr. FITZGERALD. Mr. Chairman, I move that the committee do now rise and report the bill to the House, with the recommendation that it pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MOON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 7572) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes, and had directed him to report the same back to the House with the recommendation that it do pass.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE TO WITHDRAW PAPERS.

Mr. MAPES, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the cases of H. R. 5927, H. R. 8998, H. R. 11910, H. R. 16483, H. R. 18420, H. R. 19215, and H. R. 19216, all of the Sixty-fourth Congress, no adverse reports having been made thereon.

CLERKS TO COMMITTEES.

Mr. MADDEN. Mr. Speaker, when the gentleman from Georgia [Mr. PARK] reported a resolution (H. Res. 191) for the appointment of clerks to committees this morning, I offered an amendment and the resolution was passed as amended, but the words "as designated" should be added to my amendment. Therefore, I ask unanimous consent that the proceedings with reference to that resolution be vacated and that my amendment be so amended.

The SPEAKER. The gentleman from Illinois asks unanimous consent to vacate the proceedings adopting the resolution about committee clerks this morning, so that he can have two words added which were omitted from the amendment. Is there objection?

There was no objection.

Mr. MADDEN. Now, Mr. Speaker, I move to amend my amendment by adding the words "as designated."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. MADDEN moves to amend the resolution by adding, at the end of the amendment, the words "as designated."

The SPEAKER. Without objection, the amendment will be agreed to, and, without objection, the resolution as amended will be agreed to.

There was no objection.

COMMITTEE ELECTIONS.

Mr. KITCHIN. Mr. Speaker, I move the election of THETUS W. SIMS as chairman of the Committee on Interstate and Foreign Commerce.

The SPEAKER. The gentleman from North Carolina moves the election of THETUS W. SIMS, of Tennessee, to the chairmanship of the Committee on Interstate and Foreign Commerce. Are there any other nominations? If not, the Chair will put the question.

The motion was agreed to.

Mr. KITCHIN. Now I move the election of JARED Y. SANDERS to be a member of the Committee on Interstate and Foreign Commerce.

The SPEAKER. The gentleman offers a resolution placing JARED Y. SANDERS of Louisiana on the Committee on Interstate and Foreign Commerce. Are there any other nominations? If not, the Chair will put the question.

The motion was agreed to.

LEAVE TO EXTEND REMARKS.

Mr. HICKS. Mr. Speaker, I ask to extend my remarks in the RECORD by including therein a statement made in Parliament by Sir Eric Geddes on the submarine question.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD by inserting as a part of his remarks a statement made in the British House of Commons. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I should like to ask the gentleman if this matter is related somewhat to his visit to the battle front?

Mr. HICKS. No; not at all. It is merely a statement made by the head of the British Admiralty giving information of extreme interest, which I know the Members of the House would like to read.

The SPEAKER. Is there objection?

There was no objection.

PNEUMATIC-TUBE SERVICE.

Mr. MOON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate resolution 114 and place it on its passage. I will state for the information of the House that under the act of the last Congress the time for the extension of the pneumatic-tube service——

Mr. GILLETT. Mr. Speaker, if the gentleman will permit me, can we not take this up to-morrow? We will have plenty of time. The gentleman from Washington [Mr. MILLER] has been waiting all the afternoon to address the House, and he must leave the city to-night.

Mr. MOON. If it will be any accommodation to the gentleman, I will be very glad to do that. Mr. Speaker, I will call up the resolution to-morrow.

THE BATTLE OF THE MARNE.

The SPEAKER. The gentleman from Washington [Mr. MILLER] is recognized for one hour. [Applause.]

Mr. MILLER of Washington. Mr. Speaker and gentlemen of the House of Representatives, toward the close of the extraordinary session of the Sixty-fifth Congress, a number of the Members of this body began to discuss the feasibility and practica-

bility of a trip to the war zone of Europe. At the close of the session the plans were completed. Not that those who were taking the trip were wiser or more zealous or more patriotic than their colleagues, nor that they were seeking adventure, nor satisfying idle curiosity amid grim and ghastly surroundings, but because perhaps of a sort of interest more peculiarly centered, or rather the cry for first-hand information was a little louder, caused 10 of us in a body to agree upon the undertaking. Each of us thought we could spend the time there between the close of the extraordinary session and the convening of the regular more beneficially to ourselves and to our constituency than we could by returning to our respective homes.

Hon. RICHARD WAYNE PARKER of New Jersey, Hon. EDWARD T. TAYLOR of Colorado, Hon. WILLIAM S. GOODWIN of Arkansas, Hon. DAN V. STEPHENS of Nebraska, Hon. ALBERT JOHNSON of Washington, Hon. FREDERICK C. HICKS of New York, Hon. C. C. DILL of Washington, Hon. CHARLES B. TIMBERLAKE of Colorado, Hon. PORTER H. DALE of Vermont, and myself constituted the party. We represented no one but ourselves and were painstaking at every stage of the journey to make it plain that we were simply Members of this body in our personal capacities and that we were no committee nor commission of any sort. Our position in this regard was and is thoroughly understood by all with whom we came in contact. Hon. Tom Stout, a former Member of this body from Montana; Hon. Ross L. Hammond, a distinguished citizen of Nebraska and proprietor of the Fremont Tribune of that State; Maj. H. W. Patton, one of the most distinguished newspaper men and writers of the Northwest, living at Hoquiam, Wash.; and Mr. John B. Ritch, a talented and versatile writer of Montana, joined us in New York. We sailed to the setting of the sun on October 15 and arrived off Liverpool in the passing of the twilight of the 23d, landing in the forenoon of the 24th.

Our little party was met with open arms and hearts. The hospitality of both the British and the French was unbounded, sincere, simple, and gracious. We met and were entertained by their leading men at London and at Paris. In Belgium, that heroic figure who will ever live in the hearts of all men who admire red blood—King Albert—asked of us the honor of a visit. We found him in the midst of the little remnant of his Kingdom—only 25 miles long and barely 7 in width—not broken, but standing square to the storms of war, every inch of his 6 feet 6 a king. This little peaceful community swallowed in the whirl of war, the people taken, carried away, but as a "high officer" said, "We will fight until the last man is gone and Belgium and the Belgians shall be no more." Grand, bright eyed, and grim, he stands with his little army battling against a mighty host. The thunder of his cannon forbade sleep the night we remained in his broken land, but the roar was mighty; answering and paying back in coin of their own those who had despoiled his people and ravaged his land. Our visit with him was almost pathetic.

Every assistance was rendered us in obtaining information garnered from their three years and upward of awful war. The warmth of our welcome, the readiness with which every inquiry was answered expressed to us an unreserved disposition to give us the benefit of every experience, expedient, and even experiment.

The hospitals were especially educational; every device known to surgery; every appliance known to science. In short, it appeared to us that the devising power of genius had reached its limit—all, all devoted to the salvaging of the human wrecks of war.

After four days in England we left for France early in the morning of the 30th of October, arriving at Paris on the 31st in the cold, gray gloom of the morning. Paris, like London, is drinking of the bitter cup of war. Soldiers of every kind, class, and rank. One had but to stretch his arm and it would touch a uniform of some nation of the allies. Paris, like London, spends her nights in darkness, here and there a shaded street light casting rays aslant upon the cosmopolitan scene. While in London we experienced the alarm of a German air raid. These predatory invasions excite great alarm to those out or upon the streets, but within doors things proceed with absolute unconcern. Paris is free, however, of air raids; her defense appears to be more complete, or it may be that characteristic French enterprise has taught its expensive lesson to the nocturnal prowler of the air.

No American should visit Paris without paying tribute to the memory of Lafayette. In the little obscure and walled-in burial tract, in the farthest corner, hard against the wall as if to hide from the public eye, long ere this forgotten and lost in the years had he made no fight for freedom, is the humble tomb of one of earth's earliest, noblest champions of liberty. Peace be unto his rest! Hon. RICHARD WAYNE PARKER delivered a beautiful and eloquent tribute, after which we placed a beautiful floral wreath upon the modest tomb, le Marquis de Chambrun responding.

More hospitals were visited here, the American Army Red Cross Hospital even greater and more complete than the wonderful institutions of London.

The French Government now claimed us as its guests, and with six large military automobiles in charge of Col. Frank Parker, United States Army, we were off for the French front, stopping at Villars, Soissons, and Rheims, with Chalons sur Marne at the end of the day's run. The following day we arrived at Verdun—the spot where history must stop and square her shoulders to bear anew the burden of her tragic pages. Verdun, the rock of destiny; Verdun, the heroic, the glorious! Here amid these hills, these passes, on yonder eminence and beyond thundered and still thunder the guns against which the mightiest assaults of which mankind has record were rolled back again and again like waves beating on the very shore of time. The thought, more the sight, of this land of tragedy follows me. When the soldiers of France stood like a wall of granite with the watchword grating through every set jaw, "They shall not pass," here Germany paid the awful penalty of her vanity, and the glory of France remains her own. I can not speak of Verdun without my mind picturing a myriad of tragedies; history has been written there, and is being written there even to-day, which will remain long after the names of the guiding genius who shaped affairs are forgotten in the passing of years. Say "Verdun" to a French soldier and his heels come together with a thump, he squares his shoulders, stiffens his neck, and the jaw sets like hinges of steel. He feels that he has shown the world that French blood is the reddest of the earth. He knows better than we that Gravolette, Sedan, and Metz of the war of seventy were not only undeserved but stolen victories for the Prussian. [Applause.]

I stand with an uncovered head in the presence of the soldiers of France to all the living and to the memory of all her dead.

Let me say a thing right here, and give me your ears; I wish all America could hear it. It is this: It is the private soldier that is the idol of France. The Frenchman cares nothing for class or rank. Both are but incidental to armies. It is the private who must do the fighting; it is he who bears the suffering; it is he who wins the battles; it is he who does the dying. When the soldier knocks at the door of the peasant in the night time and is asked "Who is there?" he simply answers, "A soldier of France." The door is opened, the helmet taken, the fires kindled, and the chair placed for him; the housewife opens the doors of the larder and he knows he is welcome to the best. The private is not made to feel that he is the social or intellectual inferior of the officer. They practice the democracy of their institutions. How different in this particular is the boasted democracy of America! Over there the major, the corporal, the captain, the lieutenant, and the private sit at the same table and sip their wine together; I saw them. The plan of campaign is discussed; the sergeant, the corporal, and the private know the objective of a certain movement timed for to-morrow, just as well as the colonel. The understanding is mutual. The officer knows his men from close personal contact, not at the arm's length. He knows the weak man and can strengthen him; he knows the strong and can keep him strong. This is practicing the very basic idea of true democracy. This is why the private and the corporal stand beside their colonel and each measures every inch the soldier; this is why the soldier of France is the glory of its soil. The old argument that personal equality and daily association is destructive of discipline and therefore leads to inefficiency belongs to a past fallacy, for the world has not yet said the French is not an efficient army—not since the Battle of the Marne; not since the world knows the stories of Verdun. In my judgment a primary defect in our Military Establishment to-day is the presence of that social chasm between the commissioned officer on the one hand and the noncommissioned officer and private on the other. It must be filled; it must be bridged. It is the only remnant of an otherwise destroyed social caste; it is un-American to the core. One American is as good as another, especially when he is fighting for the liberty and freedom of the world. In Europe at an American Army headquarters I saw American soldiers—our fighting men, men we have sent across the sea to fight for our civilization—strong, husky, virile American soldiers, brushing and polishing the boots of American Army officers. Such a practice ought by every rule of decency and respect for the uniform be driven from the Army. [Applause.]

Its only result is lessening the morale of our troops, for it strikes at the very center of manly social equality, the basis of any army raised from the people of a democracy. The work of a body servant should never be permitted to be performed by

a soldier wearing the uniform of our Army of the Republic. If I had the power, that practice would be stopped before sundown. The idea of a young, virile American soldier doing this body service for any man, whoever he be, is repulsive to every sense of American manhood.

An officer should be an associate, a teacher, a leader of his men. If he feels himself too good to be a companion, too indifferent or stupid to teach, and has not the born native quality of leadership, he is unfit to be an officer of any rank, and the quicker he is out of the Army the better for the service.

From the very outskirts of Paris, bending in a southern bow, generally along the watershed between the rivers Seine and Marne, eastward to Verdun, thence southeastwardly nearly to the Switzerland frontier are the battle fields or succession of fields collectively known as the battle field of the Marne.

These are beautiful parts of France—not more beautiful than others—perhaps not so beautiful as some, for all of France is beautiful. The fields of Marne, or the front between Paris and Verdun, now shows little trace of battle. The French peasant was in his fields, following an accepted but some extravagant figure of speech, before the smoke had passed away. His plow followed verily the salvaging corps of the army. All is now in cultivation, as only the French know how, a present beautiful landscape of green fields, pastures, and brooks. Here a ruined village, there and over yonder others. All was ruin after the battle. The ruins stand, as the man power of France is otherwise more profitably employed than to rebuild. Highways are restored, railways reconstructed, until now save the ruins of the village and the rumble of lorries and steam trains one would little guess that here was fought the deciding battle of civilization.

But on the Somme all is different. For a whole day we rode in that great battle field where the Briton crossed his sword with the German. The Somme takes rank as the greatest battle of them all, and next to the Marne, the greatest in results. That field now is just as the battle left it, save the work of the salvaging corps. Barbed-wire entanglements by the thousands of miles, row after row, woven from post to post like a wretched lace; trenches by miles of equal thousands; dugouts and bomb-proof caves burrowed in the chalk beds still intact with the steps leading down, still usable. These were the abiding places of the Germans where they stopped their retreat from the Marne and "dug themselves in." Here the British drove them out after the most intense and unmerciful bombardment ever known in warfare, and by wave upon wave of men charging and completing the havoc not even yet ended by the shells.

Shell craters and bomb pits scarred the country like pox marks, until it seems as though the ground could receive no more. Here and there a pit, one was 60 feet deep, where had stood a hill honeycombed with Germans, and blown into an actual cavity by thousands of tons of powder—the work of the industrious British sapper. On another eminence stands a high cross marking the spot where the South African expeditionary forces won their glorious victory. On the cross is inscribed the names of those who fell in the charges. This spot is known as the Butte of Warlencourt, and from its rising to a length of perhaps 50 feet commanded a view for miles around. It, therefore, was a spot of bitter fighting and was won and held only when the endurance of mankind—of the German—had reached and passed its limit. This spot is now inclosed in a crude fence with a sign posted that it is reserved to the French Government. Some day a monument will crown that bloody summit, erected to the valor of the Britons who came out of Africa. An unburied German was sleeping out his eternity in a shell crater near the fence beside his gun and twisted bayonet. Graves, graves! The soldier buried where he fell. The whole landscape dotted with crosses on each of which is recorded the name, company, regiment, date, and then the words "killed in action." As far as the eye could reach, these crosses—lonely sentinels—peeped up their melancholy tips above the weeds and bramble. Cities and villages within the range of the Somme, all are wrecks. Everything chaos, not a soul living in the dozens and dozens through which we passed, which before the war swarmed with a happy and contented people. Never was there more awful ruins. Houses half standing, shot to tatters; others leveled to the ground. No home, no people! God only knows their present abiding place. Many were carried off by the Germans. The old men and women only left behind. Plunder and destruction everywhere, and just as far as the eye could reach one unbroken stretch of unearthly desolation. Shell craters so close, so deep that it seems as though the earth was churned into foam; the second shell cavity filling the first, the third the second, and so on, until the fall of steel covered the landscape as thickly as the dew. How a human being endured this deluge seems a mystery.

The Battle of the Somme lasted a full month in one place or another along its 80 miles of front. At the end the field was won, and the flag of Britain waived in triumph. Is it any wonder that during that month, where every hour was a horror—for German shells were coming in the proportion of 2 to 3—that men were struck dumb, with motion permanently lost? The inferno of wild confusion and tumult was more than the human senses could withstand. The nerves of the body can endure no such excess, and men stood like wooden figures, with the muscles locked, unable to stir. We saw them in the Red Cross Military Hospital of London being taught how to walk. Long rows of men in that great human salvaging institution leaning, sitting, lying prone in bed, with another army of operators, with all kinds of appliances, trying to nurse a benumbed arm, leg, spine, or hand back to life and usefulness. The Somme set the German back from to 30 and in some places 40 miles. The French were in that battle, too, but the British are entitled to the honor of the victory. It was in this battle that the world-famous Cathedral at Rheims was shattered, but afterwards deliberately wrecked.

The line to-day is bare 2 miles away, and guns are pounding away with engine-beat regularity.

We visited the cathedral. The aged but steadfast Cardinal Lucon came to greet us and bid us welcome to his stately wreck. It is questionable whether it can ever be restored; great holes in the roof, walls in places shattered, while the tiled floor is piled high with débris. Little aisles cleared permits one to walk about, but part is roped off for fear of falling material. The pillar against which Joan of Arc stood when she crowned the King of France is undamaged, likewise the bronze equestrian statue standing near the entrance.

Bapaume, Combles, La Paines, Soissons, Fenura, Peronne, Albert, and a score of substantial cities all in ruins. The same story of desolation marks everywhere the course of the German retreat. God knows France has suffered, but she can bear it better when the German is being driven from her soil.

At Arras we heard the first music at the war front. A couple of Scotch detachments were countermarching, with two pipers at the head of each column—war-begrimed Scotties—but the Highlander had the same old step we have so often seen. He was still a Scot.

No bands, no flags, no jests amongst the soldiers. One can pass a moving column of thousands of men and not hear a sound save the thud, thud, thud of the heels as they strike the bed of the roadway. Miles of loaded lorries hurrying to the front and scurrying back, soldiers afoot, cavalry, artillery, ambulances dashing and screaming the right of way, all this and more gives little time for anything but war.

It is the German prisoners' job to keep the highways in repair. Thousands of them, big, listless, sullen fellows, shoveling, scraping, tamping, but from my observation not bursting with enthusiasm nor falling by exhaustion. If he was given his liberty with a basket of provisions, he would locate the front and strike out in the opposite direction. He has had enough of war.

We went into Amiens, a city of upwards of a hundred thousand, occupied by the Germans as they deployed down through France from Belgium on the way to Paris. Not a building destroyed, the civil government was not even disturbed, except a German military governor was superior. They expected to keep it; hence they saved it. But after the Marne they struck quicker for cover, and consequently that city with its cathedral, second only to that of Rheims, shows no traces of invasion—queer fortune of war.

While at the British front we were their guests at a beautiful chateau in the northeast of France, officially known as the American Visitors' Chateau. Here in its peaceful solitude—for the topography of the country seems to deaden the roar of distant guns—one's only glimpses of war are the flashes across the night sky.

At Vimy Ridge, where the Forty-fourth Canadians were the stars of the battle, we had a clear view of miles of first-line trenches. Little lines, looking for all the world like ribbons from our eminence, showed where the British and German first-line trenches were not a hundred yards apart. Big British batteries speaking from sheltered banks reminded us of Verdun, and, like Verdun, not a soldier was to be seen. The feeling is almost uncanny to look over a landscape and know a hundred thousand men are well within the range of vision, but still not a soul could be detected even with powerful glasses. Man can hide more securely than the wolf. Aeroplanes, circling like great hawks, were marking the German lines, and German guns were busy.

The British victory at Vimy placed the German trenches in the lower land, and, as a British officer said, "We will let the boche have the mud this winter."

In the region of Vimy is the mineral belt of northeastern France. Coal dumps, vast ones, could be seen down through the valley behind the German lines. Some, however, were gained by the British advance.

In Belgium, or rather what is left of it, we had our only opportunity to go into the first-line trenches. It was in the Dixmude sector. We remained all night at La Panne, on the Channel, where both the roar and the flash of the guns run throughout the night. It is worse about 5 in the morning. We caught only snatches of sleep, and at 4.30 were up and off for the trenches. We arrived at the entrance of the communicating trench at daylight, when bearers were bringing out the night's total of dead and wounded. We passed a dead soldier—just killed—being wheeled out, and our Belgian officer remarked, "Poor fellow, he will fight no more." The wounded were being carried to the field hospital aside the trench we were traveling. Big shells were screeching over our heads and small guns popping down the line. We were in the zone of actual war and in its midst. On we went down our trench, past the third and second line trenches, and, after interminable zigzagging, arrived at the front or first line, with the Germans 30 yards—90 feet—away. One could not help dodging as the shells passed over. One landed within a hundred feet and blew out a hole in the soft ground at least 15 feet in diameter and perhaps 10 deep. Shrapnel was bursting in the air far above; our helmets were the only protection from falling or flying fragments. The land was low and wet—mud everywhere. The "duck boards" in the trench bottom alone made it possible to pass along. While at the intersection it became apparent we were observed. Machine guns opened up from every angle, and snipers became busy from outlying points. Bullets were whistling close over our heads, which, by the way, were now down below—far below—the normal. It was simply common sense to follow the example of our Belgian officer and pay heed to his directions. A couple of Belgian sharpshooters prone on their bellies, half crawling and half floating, looking all the world like serpents, were making their way down a shallow ditch. It was a weird sight, these men in the soft mud making their way to a point of vantage where they could pick off a German sniper not so thoroughly blended with the earth. It became a bedlam; hotter and hotter came the fire, until it was foolhardy to remain longer; so we, still crouching, retraced our steps and finally zigzagged out of range. We had remained there quite long enough to realize that in the front-line trenches is no place for a nervous man. The wonder is that our party escaped, for we were not only in the direct range of rifle and machine-gun fire but easily within range of the trench mortars. We had seen and heard our fill of front-trench life, though I must say not a man of our party regretted our experience.

This is a grim and awful war. Our people, I am afraid, have not yet grasped a full conception of the task we are in. Our participation means that we shall pay the price in the same coin that France and England have been paying for upward of three years—the best of our blood, the bravest and truest of heart. [Applause.]

The morale of the French Army was personally one of the wonders of my journey. We all know that France is war worn, she is weary. What nation of 40,000,000 would not be, with two and a half millions of her virile manhood killed, hopeless cripples, or captured? But that is far from being in despair, as some would picture. We, or at least I, did not see a ragged, ill-nourished soldier in France. Every one, and we saw thousands and thousands, were well nourished, well clad, healthy, and, above all, determined. No other thought than victory enters into his mind. He knows he can kill a German man to man, he knows he is the better soldier; this is the basis of the wonderful morale. What I have said of the French I can repeat of the English. The morale there is splendid. Let me pay a tribute to the Canadian as "the wild man of the allies." We heard distinct personal praise of him, and with him the Australian, the New Zealander, and the Scotch. I can not overlook the Welsh and the Irish, they have so often brought home the palm of victory that such is the almost settled order of things. Then the British troops from "'ome"—the wheel forces of their army. Never known to fall back when the order is to advance.

Let me pay my profoundest respect to the American Red Cross. Our people know generally of its great work, both on and back of the battle front, but if they could see it as it daily goes on over there they would salute those bars of red wherever it may be floating next after the flag of our country and with the same respect. Then the Y. M. C. A.—the builder and helper of men—its activities are everywhere. Helping, encouraging, and adding efficiency to American arms. Its field is as broad as humanity, its scope pure and undefiled religion. Help it and you help all mankind. The Knights of Columbus will soon be in the field with an organization equally as beneficent.

It requires no sage to tell us this war will be fought out and ended on the western front between Switzerland and the North Sea. Any other view would do violence to every sense of necessary military location. It is self-evident. To the east is the very heart of Germany. To the west that of France, each parrying for a death thrust. It is unthinkable that the war will end elsewhere. At first there were two fronts, the east and the west. That of the east has now disappeared—swallowed up in intrigue—and no one thinks of Russia. The reason is all the stronger for the western front to be the grand final theater. The campaigns into Serbia, Roumania, and Italy are all secondary or of less importance. Every act, every move of Germany when analyzed displays the acceptance of this idea. The campaign into Serbia was so timed as to counterbalance the stern fateful German reverses on the western front, and it did, in a certain measure, act as a compensating factor. There is a psychology in war, and it is important. The campaign in Roumania the same. After defeat on the major front Germany launches into minor fronts, and so far has won, carrying out this same psychology. Taking defeat on the western front as a cause, the change to another or secondary front is the effect. When the western front crumbles the basis of these secondary fronts will be manifest. The campaign in Italy follows the same law, it is ever present. As a corrollary to the accepted fact that the western front is to be the deciding factor, these secondary campaigns are inaugurated also as undertakings to toll off or divert through apparent necessity large numbers of troops from the western front, thereby to weaken it. The campaign in Italy is partially on that order.

If Italy can establish and hold a line, wherever it may be, with no great strategic spot in German control, and hold the morale effectiveness of her armies, there could be no graver military mistake than for the allies to send vast troops into Italy with the purpose in view of a counter offensive and regaining the lost territory. Such a mistake might precipitate consequences too awful to relate. It would be the multiple of the ill-starred and blundering Dardanelles campaign early in the war and the equally unfortunate offense by the allies in Serbia one year ago. Every energy should be husbanded and expended on the western front.

While we have seen the correlation of cause and effect in the Dardanelles and Serbian campaigns, we can also trace the military basis for the German offense in Italy. It was twofold: First, from a military point of view, to meet and compensate the coming of America into the war; and, second, political—for political, psychological reasons.

We made inquiry at every point concerning atrocities inflicted upon the Belgians, especially upon the children, by the German soldiers.

Mr. HICKS. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Washington. Certainly.

Mr. HICKS. I think the Members would all be interested in having the remains of Belgium pointed out, showing how small it is.

Mr. MILLER of Washington. Yes. That little angle down through there [indicating on map] is the Kingdom of Belgium.

We were told of many apparently reliable instances where such atrocities were inflicted; but I for one, and I think the most of our party, received no substantial proof that Belgian children were mutilated as any part of a military system or that it generally was practiced under military direction or sanction.

As for atrocities inflicted upon women and girls, it is my belief that not the quarter nor the eighth has ever been told. When this war is over and the truth becomes known I am convinced that the number and character of unspeakable crimes inflicted upon the defenseless women of Belgium and France will astonish, even horrify, the world.

To our ambassadors, the Hon. Walter H. Page, at the court of St. James, and to the Hon. William G. Sharp, at Versailles, and to the Hon. Brand Whitlock, for Belgium, we are indebted for many courtesies and every assistance. We are all, I think, loud in our praise of these our energetic and able representatives to the countries we visited.

From events past and present, from the very history of the war, its strategy and comprehensive plans, the battles, and the present position at the front, the effectiveness of the German military establishment has passed its turning point. These must convince the understanding of any fair-minded man that the pendulum of fate is swinging on the arc adverse to the German cause. I shall not enter upon any discussion of the relative conditions of the financial, commercial, and industrial institutions of the contending forces upon which the effectiveness of the armies wholly depend.

The carefully planned and stupendous maneuver of the German Army into France; the crushing of the heroic little kingdom of the Belgians; the meeting of two civilizations on the field of the Marne; the hurling back of the mighty German armies by which our civilization was saved; the demonstration of the paradox that the less is more powerful than the greater and thereby that the science of military strategy is not the science of applied mathematics; all these are matters of history. Years full of disappointment and sorrow for the peoples east of the Rhine, full of glory and sadness for those to the west; years when the soil of Europe ran deep with her best of blood; when governments founded upon a conception of freedom and free institutions seemed to be passing over the summit with a strange and new order of things or civil chaos as the landscape of the future; all these have long filled the mind of mankind. He has drank deep of the cup of serious thought.

The great task now before our civilization, the duty of the world or those of us who believe in free institutions, is to fight out and win this war. It seems strange that in our age and generation the forms of government of mankind should have come to the parting of the ways. But thus they have, until now there are two pathways, one a return to the ancient military autocracy based upon a strange subtle philosophy, the other that course where free thought, speech, and action is the heritage of the future.

There never was a time in our history when every citizen should bend every energy to accomplish this latter glorious end. There never was a time when every thought should be so centralized. There never was a time when every official of our Government should go about his duties with eyes open and ears primed ready to see or hear things of value in support of the cause. In other words, it is the clear duty of every man, every woman, every child to contribute something more or less, according to capacity, to win this conflict that peace and freedom may not pass forever from the earth.

How long will this war continue? No one knows. What will be our part? My answer is: What would naturally be the part of a young and virile nation unlimited in man power, unmatched in resources? How will it end? My answer is: In victory and glory for the allies. [Applause.]

Mr. REAVIS. Will the gentleman yield?

Mr. MILLER of Washington. Yes.

Mr. REAVIS. Which army has the numerical supremacy on the western front?

Mr. MILLER of Washington. That is a question I can not answer, and I think no living human being can answer that question. We do not know what the German Army is. We do not know exactly what the numbers of the French and British are.

Mr. REAVIS. How many soldiers have we in France?

Mr. MILLER of Washington. That is something that no American is permitted to know that I have heard of.

Mr. REAVIS. Everybody else knows it, do they not?

Mr. MILLER of Washington. I do not know how they know how many we have. They know where they are. I do not know how many we have in France.

Mr. REAVIS. Was your congressional party at American headquarters where you could see the American soldiers and talk with them?

Mr. MILLER of Washington. Oh, yes.

Mr. REAVIS. What is the feeling and disposition of the American soldiers in France?

Mr. MILLER of Washington. Very buoyant, determined, and in fine spirits, but quarreling with the mail service. [Laughter.]

Mr. QUIN. Will the gentleman yield?

Mr. MILLER of Washington. Yes.

Mr. QUIN. How does the American soldier compare with the French and British soldier in appearance and fighting capacity?

Mr. MILLER of Washington. That is something that is a matter of personal judgment. You take a young man 20 years old, put him three years in the war, and he looks as though he was 30. It ages a man. I am partial to the American soldier. I think the American soldier is the greatest soldier in the world, and in this war France must look well to her honors. [Applause.]

Mr. COX. Will the gentleman yield?

Mr. MILLER of Washington. Certainly.

Mr. COX. Can the gentleman state the number of French soldiers actually on the firing line?

Mr. MILLER of Washington. I can not. The French line has a basis of 10,000 men to the mile

Mr. COX. And how many miles are there on the front?

Mr. MILLER of Washington. I can not say; the line is very irregular. Of course, they are not all active, but there are many of them in reserve.

Mr. COX. How many soldiers has England?

Mr. MILLER of Washington. I do not know, but it is an immense army. I may say right here that both the French and British Governments only regretted that there were not 110 Members of Congress in the party instead of 10.

Mr. COX. One more question. I am trying to get some information—and this is one of the most interesting speeches I have ever heard—how much of the western line is held by France and how much by England?

Mr. MILLER of Washington. I can not tell the gentleman exactly. That line is shifting; it shifts backward and forward. There is a small sector next to the channel, a few miles in extent, that is held by the French. Then below that is the Belgian. The presence of the small French sector next to the channel is quite a military curiosity. A British officer told me that that was going to be taken over by the Belgians. The Belgians act under the instructions of the British. But there is, as I say, a small French sector next to the channel which will be released and taken over by the Belgians. There are only a few of the Belgians, but they will fight until every one is dead, and the Belgians will be no more.

Mr. COX. Where is the division between the British territory and the French territory?

Mr. MILLER of Washington. At San Quentin. The French line is 325 miles long.

There are many things I would like to say, but one thing especially I want to say, and that is that France is very proud of her soldiers. A Frenchman believes that he has shown to the world that his blood is the reddest of the earth. He knows that in the war of 1870 Gravelotte, Sedan, and Metz were all stolen victories, and that he never had a chance. He knows that he is a good soldier, he knows that the world knows it, and all France is proud of her soldiers. But let me tell you one thing, and I want all to remember it, and I wish every American would remember it, and that is that it is the private soldier that is the ideal of France. [Applause.] It is not the officer. They treat an officer simply as an incident to an army. It is the private that is the ideal of France. He is the man that goes under the gun, he is the man that must do the charging, he is the man that must do the suffering, he is the man that goes over the top, and he is the man that must do the dying. If he goes anywhere in France and knocks at the door of a home, and they ask who is there, he says, "A soldier of France." The door is opened, and he knows that he is welcome to the best. The busy housewife opens the door to her larder, and he knows that he is welcome there. He does not say he is an officer of France. You will see the French soldier, the colonel, the captain, the corporal, the sergeant, and the private sitting side by side at the table. [Applause.]

You will see the colonel telling his captain what the plan is for to-morrow and the objective of the morrow's fighting. You will see him telling his lieutenant, his corporal, his sergeant, his private, until every man in the French Army knows exactly what the objective of the morrow is just as well as the colonel for each regiment. They practice the democracy of their institutions, the practical application of it, which is that one man is just as good as another; and I believe that if we could instill that spirit into the American Army we would go far toward increasing its efficiency. [Applause.] If the officer in the American Army is too proud to associate with his men or too stupid to teach them, or too indifferent, he is unfit to be an officer, and the quicker he is out of the service the better. I saw things in France that I do not like to talk of; but I saw fighting men that we sent over there, men sent by the United States, young, virile Americans, red blood in every one of them, whom we paid to go to France to fight the battles of civilization, some of them blacking the shoes of officers and burnishing them. That is destructive of the morale of any army, and more so, of course, of an army raised in a democracy like ours, where every man is supposed to be as good as his neighbor. We should instill some of these things into the American Army. It occurs to me that any officer who has a decent respect for the uniform of his army would not ask any soldier wearing the uniform of the Republic to become his body servant.

Mr. SMITH of Idaho. Is it not a fact that the officers pay these men to do these things and that the men gladly do them?

Mr. MILLER of Washington. Yes, it is; but he should not be permitted to pay them. If the officer wants a body servant, he should get him from some other source and he should not be a man wearing the uniform of the Army of the Republic. [Applause.]

Mr. SMITH of Michigan. Is there a reserve of French citizens left in France from whom to recruit and replenish their army?

Mr. MILLER of Washington. The man power of France is pretty well exhausted. It naturally would be exhausted with a nation of 40,000,000 people that has lost two and a half million of her virile manhood, either in hopelessly wounded, injured, or dead. She is tired, she is weary, she is worn, but she is determined. I do not know how many there are in the next class coming out, but the proudest moment of a French boy's life is when he is old enough and strong enough to put on the uniform of a soldier of France and go to the front. That kind of morale will take an army any place.

Mr. QUIN. How many miles are the French or the English lines now from the Rhine?

Mr. MILLER of Washington. I could not tell the gentleman how far, but it is a long way, and there is many a hard fight ahead before we reach there. It is my belief that before the German Army retires from the French or Belgian soil it will be crushed and beaten, and that from there on victory will be swift and great. I do not know how far it is from the Rhine, but the gentleman can look at the war front as it is to-day, Dixmude in Belgium; Rheims, 2 miles back of it, in France; the Verdun sector; and the French hold considerable of Alsace, a small sector. The Rhine is over there; it is a long way.

Mr. ROBBINS. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Washington. Yes.

Mr. ROBBINS. Could the gentleman give us any information as to the completeness of the equipment of the American Army?

Mr. MILLER of Washington. The American Army, and I understand it is not a military secret, is to be equipped with small arms similar to the British—the Enfield rifle. The field gun, field artillery, is to be the French 75, which, I understand, is to be made in France. It seems strange that the French 75 is the most efficient field gun ever constructed.

Mr. COX. What is the size of that in inches?

Mr. MILLER of Washington. It is 75 millimeters, or 2.95 inches, practically a 3-inch gun. Then there is the 105, the second gun in efficiency, which is a 4-inch gun.

Mr. DENISON. I would like to ask if the gentleman while there had opportunity to observe the condition of the civilian population of France, whether or not they suffer?

Mr. MILLER of Washington. England and France both are drinking from the cup of war. England is dark at night; London is, and so is Paris, except here and there a shaded street light will cast a slanting ray down on the cosmopolitan scene, where may be found every uniform of the allies. You have but to place out your hand to touch the uniform of some nation of the allies.

As to foodstuffs, we had no difficulty. There is a shortage of sugar in both England and France. Now, we have had a talk on the meat question and a discussion about steaks being cheaper in London and Paris than in America. Now, you do not want to go over to France and expect to get the kind of a steak there that you can get in America. The American steak, sirloin or tenderloin, would make three or four portions of the British or French steaks. The portion of the meat is small, but the price is about the same, and in some instances less, but you can not compare the steaks over there with the steaks here, because the American steak is so much larger. There is no shortage of foodstuffs that we could see. You could go into a restaurant and order your meal, except sugar. They have certain meatless days, I believe a sort of a rule like we have. They have a limitation in the better hotels as to the number and kinds of meat they will serve. You can order one kind of meat and no more. The population looks well fed and well nourished.

Mr. DENISON. If the gentleman will yield, I was told last winter that the average home in France had no heat at all and they went without fires. Does the gentleman know anything about that this winter?

Mr. MILLER of Washington. Coal is $50 a ton in Paris. Our very efficient ambassador in Paris, Mr. Sharp [applause]—and I want to pay a compliment right here to the American ambassador extraordinary and plenipotentiary in England, Dr. Page [applause]; to Mr. Sharp, a former Member of this body, in France; and to Mr. Brand Whitlock in Belgium. We met them all, splendid men and doing efficient service. [Applause.]

EXTENSION OF REMARKS.

Mr. FITZGERALD. Mr. Speaker, I ask to extend my remarks in the RECORD by printing as part of my statement a detailed statement of expenditures made by the Committee of Public Information, together with a statement showing the activities of that committee.

The SPEAKER. Is there objection to the request of the gentleman from New York to extend his remarks in the RECORD? [After a pause.] The Chair hears none. Under a special order of the House the gentleman from Wisconsin [Mr. FREAR] is entitled to 40 minutes.

Mr. FREAR. Mr. Speaker, the first and greatest problem before Congress relates to the winning of the war. All of the Government's resources are pledged to that end. Anything that serves to weaken or waste our resources will postpone success. All expenditures for war purposes last session were authorized by practically unanimous votes in both branches of Congress, and unprecedented amounts requested by the administration were willingly given by Congress without quibbling or questioning. That record, if need be, will be written again and again, but during the present crisis waste or extravagance with public moneys imperils success and ought to be emphatically condemned at the outset. With this purpose in view, attention is called to existing legislative conditions which necessarily occasion large waste of public funds and the immediate compliance with the President's request and early adoption of a budget system is urged.

Fathers and mothers have been called upon throughout the land to give their sons to their country and to provide war energy both in men and money at sacrifices known only to themselves. Young soldiers have offered their lives for their country's cause and in addition have contributed millions of dollars from their meager allowances through the purchase of Liberty Bonds with which to win the war. Wheatless and meatless days, sacrifices and privations, will be common to the people of this country for a generation to come; rigid economy must mark the problem of individual and governmental existence; billions of dollars annually will be borne hereafter in direct taxes for the first time in our history. From the opulent magnate, whose income-tax contribution attracts wide attention, down to the mother who pays 50 per cent increased postage in order to write to her son in the trenches, all will contribute. Wasted public funds at this time add to the unprecedented debt burdens which must be met and directly affect the life of a nation and may determine the success or failure of the war in which we are now engaged. When all others are practicing economy throughout the country will Congress abolish useless committees and thereby prevent extravagance and waste?

DEMAND FOR STRICT ECONOMY.

Enormous public expenditures are accompanied by an era of inflation and fictitious easy times. Every selfish agency that ordinarily pulls at the public purse now takes hold with a firmer grip and pounds at the congressional committees' doors more fiercely than ever before. However distant the relationship may be, it comes to us in the name of "war necessity," "to win the war," and similar catch phrases. Like an improvident man who has suddenly negotiated an unexpected loan, there are those who forget that every dollar expended must be paid by long sacrifice and that the stream of gold now passing through the Treasury must be more carefully guarded than ever before. Unless Congress takes warning in time and shuts down the flood gates against everything except strict war expenses, unless we profit in a public way by the example of sacrifice afforded by mothers, fathers, soldier boys, and practically every household throughout the country, unless we practice strict economy with public funds, we will be denounced by those we misrepresent and be driven from our posts.

Temporarily Congress has given free hand to the administration for all expenditures for war purposes. Necessity for quick, active, emergency payments is urged by the administration to justify such course, although other warring nations have challenged this unlimited exercise of power. Whatever justification may be urged for such course over war expenditures, all ordinary expenses of Government must be subject to well-recognized legislative checks. We are assuming stupendous national obligations, far beyond the wildest dreams of financiers in the past, together with annual fixed interest burdens that will soon reach several times the ordinary expenses of Government during the prewar period. Such a revolution in public business affairs calls for efficiency and strict economy in legislation that can be reached now only by adopting legislative safeguards which have been repeatedly repudiated by Congress in the past.

CONGRESSIONAL WASTE AND EXTRAVAGANCE.

Administrative waste is not the only charge against the Federal Treasury, although always a matter of chief concern to the legislative branch. Extravagance occasioned by congressional courtesy and locality demands confront us on every hand, and before we can effectively guard against administrative neglect we must be immune from criticism by sweeping our own dooryard clean. To do this effectually a comprehensive budget system must be adopted. Our's is practically the only Government without a budget, and no other country is so wasteful and un-

businesslike as our own. Reasonable care in business dealings is insufficient when the relation of guardianship and control of trust funds is once imposed. Great care must then be exercised. In its position of trustee of public funds Congress has not exercised great care or even ordinary care in the handling of these funds.

The fault lies primarily with the loose, multiplicity of committees which makes Congress the legitimate prey of every lobby and private interest to-day. Before discussing the critical need of public economy, as evidenced by rapidly mounting appropriations that no man can fully comprehend, it is well at the outset to give a list of governments that place a budget check at the door of public appropriations and thereby have promoted economy in public expenditures. The general features of this system, common to substantially all of these countries, are the preparation of the budget estimates by the executive branch of the government; their revision and consolidation by some central organization in the executive government; the submission of the budget to the legislative branch by the executive upon the authority and responsibility of the executive; the consideration of the budget as a single and unified bill by the legislative branch; the influence of executive responsibility for the demands of the budget causing the legislature to make few changes; the execution of the budget by the executive; an independent audit of the executive accounts.

For a more detailed comparative statement on foreign budgetary procedure see Need for a National Budget; Appendixes, House Document No. 854, Sixty-second Congress, second session, 1912; and Report and Appendixes of the Select Committee on House of Commons (Procedure), 1913 (cd. 378).

The following countries have a budget system: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, France, Germany, Great Britain, Greece, Guatemala, Honduras, Hungary, Italy, Japan, Liberia, Luxemburg, Mexico, Montenegro, Netherlands, Newfoundland, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Portugal, Roumania, Russia, Salvador, Serbia, Siam, Spain, Sweden, Switzerland, Union of South Africa, Uruguay, Venezuela.

The only great nation excepted from the foregoing list, a democracy that vainglorioously challenges the admiration of the world for its form of government, is the United States.

A budget system may not insure strict economy without careful public administration, but at its worst it is infinitely better than the loose-jointed, hit-and-miss lack of system with which Congress now invites public extravagance.

A BUDGET SYSTEM TO BE RECOMMENDED BY A COMMISSION.

Any substantial change must be brought about by joint action of both Houses of Congress, and through the adoption of rules and regulations that may be found practicable. To this end joint resolution No. 178 is offered, a copy of which is attached and in form is similar to Senate joint resolution 46, introduced by Senator KENYON last session. It provides for a commission made up from members of the administration and from both Houses of Congress, which commission is to make specific recommendations along the line advocated by both national political platforms. Other proposals have been made that are worthy of careful consideration, but this resolution suggests one course in order to secure united action at the outset.

Congress has a direct responsibility in creating national tax burdens that can not be evaded. Members will not refuse appropriations for carrying on the war, but when called upon to pay the bills the people will scrutinize all public expenditures. Every economy in public business that can be practiced and every safeguard that can be placed around the Federal Treasury is demanded. All questions of legislative prerogatives and legislative courtesy must give way before enormous and unprecedented burdens that are to be piled upon the backs of taxpayers. The political party that fails to grasp the full significance of this prophecy will be relegated to the background, because after the war is over, books balanced, and burdens distributed, the main question before the people, as ever in the past, will be, what account is rendered back to constituents by their Representatives? Death and taxes are certain and are serious questions to contemplate, but the average citizen does not give one-tenth of the time to preparing for the former which he devotes to his tax statements.

$100,000,000 ANNUAL WASTE IN 1910.

On February 21, 1910, in volume 45, No. 50, pages 2202 to 2203, CONGRESSIONAL RECORD, to use the librarian's reference, one of the ablest men in public life and legislative experience made the following statement in the United States Senate:

> If I were a business man and could be permitted to do it, I would undertake to run this Government for $300,000,000 a year less than it is now run for.

Criticizing our own loose congressional methods, he added that a saving of $100,000,000 a year could be readily effected. Senator Aldrich was hooted into silence by the slogan that "this is a rich country," "indirect taxes are not felt," and "what are we here for?" That cry was jocular seven years ago, back in 1910, when total Government expenditures were $660,000,000 and indirect taxes, including tariff and excise duties, paid all the tax burdens; but now, with diminished indirect taxes and direct taxes reaching ten times the total indirect burden of seven years ago, the cry is neither jocular nor safe to make. Proportionate savings could be realized in expenditures to-day by the same scrutiny proposed by Aldrich, which would possibly reach ten times the amount he declared could be saved; and these figures command respectful attention at the hands of Congress.

For example, efforts to save legislative and administrative waste were begun back in 1914 in two small functions of Government, the construction of public buildings and improvement of waterways. Omnibus bills carrying these items had become public scandals and flagrant waste was easy to demonstrate. I do not intend to discuss these measures at this time further than to say they are not the only extravagances charged against Congress. In an effort to demonstrate what could be saved to the Federal Treasury by ordinary principles of public economy on these two branches of expenditures, I quote briefly from remarks in debate on June 8 last, when these bills were being considered:

> While the river and harbor bill of 1914, appropriating $53,000,000, passed the House over vigorous opposition, that bill was defeated in the Senate and a substitute bill appropriating $20,000,000 was passed, a saving to taxpayers of $33,000,000 in that one bill. The bill that followed in 1915 appropriated nearly $40,000,000, and when opposed in the House you laughed again at the presumption. It was also defeated in the Senate and a $25,000,000 substitute was passed. * * * Over $47,000,000 was saved to taxpayers by the modifications secured in these two bills. * * * The next bill, of 1916, again passed the House with 133 votes against it and was put through the Senate with only 1 vote to spare. The river and harbor bill early in 1917 was again forced through the House with 132 votes against it, but that bill was buried in the Senate, together with a bill which passed the House at the same time for $38,000,000 for construction of public buildings. Over $100,000,000 has been saved to the Government and to taxpayers by the defeat of these four bills and no legitimate public interest has been injured.

The RECORD will disclose my own judgment on such bills.

Results speak for themselves, and all the wasteful legislation above mentioned first passed the House in omnibus bills recommended by special committees.

The remedy for waste must not come through personal controversies on the floor over specific items, but through a change in system, which has been repeatedly urged upon the House. Speaker CLARK, protesting against interruption of legitimate business, urged the House to seek some remedy, and, in view of the overwhelming war disaster which has come to the world with its enormous burdens, the time is ripe for a change in present wasteful methods of appropriating public funds.

PARTY PLATFORMS DEMAND A BUDGET SYSTEM.

A public demand that can not be ignored confronts the House at this time. The party in power has demanded a change and pledged every member of the majority party to that change when in its platform in St. Louis in 1916 it declared:

> We demand careful economy in all expenditures for the support of the Government, and to that end favor a return by the House of Representatives to its former practice of initiating and preparing all appropriation bills through a single committee chosen from its membership, in order that responsibility may be centered, expenditures standardized and made uniform, and waste and duplication in the public service avoided. We favor this as a practicable first step toward a budget system.

President Wilson now demands a fulfillment of that pledge.

That Democratic platform was written after public extravagance had been demonstrated repeatedly on this floor and before present huge war burdens were laid upon the taxpayers of the country. The convention pledged this Congress to adopt a single Appropriations Committee proposition as a step toward a national budget system.

Pursuant to that promise Mr. FITZGERALD, chairman of the Appropriations Committee, offered House resolution 157, Sixty-fifth Congress, first session, which provides—

> That during the present emergency all appropriations shall originate in and be reported from a single committee, and all estimates for the support of the various governmental establishments shall be referred to said committee.

His resolution further provides that no other committee shall be permitted to avoid this provision by permitting amendment to bills reported. Mr. FITZGERALD'S resolution reads, "during the present emergency," but there was no restriction as to time suggested by the Democratic national convention. It demanded a single Appropriations Committee for all time. The

distinguished chairman of the Appropriations Committee, Mr. FITZGERALD, when discussing extravagance and his party's record in recent years, said to the House:

Whenever I think of the horrible mess that I shall be called upon to present to the country on behalf of the Democratic Party, I am tempted to quit my place. * * * If I placed my political fortunes above my sworn duty under the law, I would not attempt to carry out the promises of the Democratic platform, but I would place myself at the head of this band of Treasury looters upon every occasion.

With that indictment of legislative greed and pursuant to that threat Chairman FITZGERALD has resigned his seat in Congress, a distinct loss to the House and to the country. He was condemning a bad system and not the personal integrity of men.

This very afternoon the distinguished Speaker of this House [Mr. CLARK of Missouri] and ex-Speaker CANNON have united with Leaders KITCHIN and GILLETT, Democrats and Republicans, in paying high and deserved tribute to Mr. FITZGERALD, who has been fitly described as one of the very strongest men in the House. A great student of finance and public affairs second to none, Mr. FITZGERALD has this day declared:

I have repeatedly urged that all the appropriation bills be consolidated in one committee. When I had no thought of quitting this body I made the statement I would willingly retire as head of the Committee on Appropriations and from the committee to bring about this reform. * * * I am glad the President has made this recommendation. I believe it the most important reform that this House can adopt. * * *

No higher authority can be quoted than Mr. FITZGERALD, who to-day resigns from this body.

NUMEROUS COMMITTEES AND CHAIRMANSHIPS INVITE WASTE.

An indefensible legislative situation emphasizes the imperative need of a single committee and budget system at this time. Every committee that presents appropriation bills increases the opportunity for extravagance, because of its lack of responsibility. It promotes unnecessary expenditures in the legislative field; it assumes to cover and advances locality appropriations, and they were more in evidence during last session of Congress than during any previous session. Many expenditures have been made as "war measures," and nearly every locality appropriation masquerades under that alluring catch phrase. No attempt will be made to criticize war expenditures or to point out where millions of dollars are being directly or indirectly expended in locality appropriations, but an astounding legislative situation invites such results.

By a peculiar legislative custom every important committee and every one of these many appropriation committees has for its chairman a Representative from some Southern State, with controlling influence and legislative vision which can not ignore the fact that 90 per cent of Federal revenues are derived from the North, yet determination of appropriations and expenditures is controlled by the South.

Sectionalism is not raised by political preachments but is emphasized by legislative and administrative acts, and permanent economic reform will hold the majority party to account, not for present extravagances, as described by Mr. FITZGERALD, but for failure to keep party promises by enacting a national budget system.

MOSS-COVERED LEGISLATIVE METHODS.

In the expressive language of one of the ablest of the majority leaders of the House, 147 different arguments will be offered against all committee reforms, whether pledged by party platforms or a President's warning, because one appropriation committee would abolish some 147 or more appropriation committee jobs. May it not fairly be charged that Hawthorne's house with seven moss-covered gables has been reincarnated in the National Capitol twenty-one fold.

The remarkable spectacle is witnessed of a score of able democratic leaders whose voices were raised in enthusiastic praise of the President's ability and far-sighted judgment disclosed by the recent message, and these leaders yet maintain silence on the President's important recommendation for a single appropriation committee. Not one Member defends what the President terms the "wasteful and extravagant" system now in vogue, nor will one Member defend violation of specific party platform pledges in this respect, yet our friends across the aisle who recently voiced their approval of their leader's message now sit tight, with all of the various appropriation committee chairmanships and memberships corralled. The resignation of Chairman FITZGERALD of the Appropriations Committee and his refusal to accept further responsibility for "Treasury looting" should impress every Member of the House at this time with the necessity for quick action.

I will quote equally high Republican authority later on to show that quest of loaves and fishes is not confined to either side of the aisle. The fundamental weakness in the present system is economic, not political, and both parties have much to explain in past records that would have been obviated under a budget system.

A REPUBLICAN PLATFORM PLEDGE IN 1916.

If you do not now enact a budget system, my Democratic friends, the chance will come to the Republicans, who were pledged at Chicago in 1916 at their last national convention, in the following words:

The increasing cost of the National Government and the need for the greatest economy of its resources in order to meet the growing demands of the people for Government service, call for the severest condemnation of the wasteful appropriations of this Democratic administration, of its shameless raids on the Treasury, and of its opposition to and rejection of President Taft's oft-repeated proposals and earnest efforts to secure economy and efficiency through the establishment of a simple, businesslike budget system to which we pledge our support and which we hold to be necessary to effect any real reform in the administration of national finances.

Every Republican Member of this House is pledged to the enactment of a budget law and with every Democrat is in honor bound to vote for his party's pledge.

It would be presumptuous for me to attempt any thorough treatment of the financial waste occasioned by our present legislative machinery or to enter into details regarding a budget system for this country. Those who desire to study the budget system abroad and our own financial weakness because of short-sighted political considerations, may get light from familiar contributions, including Collins on "The National Budget System and American Finance," Lowrie on "The Budget," Ford on "The Cost of our National Government," Adams on "Public Debts," Bastable on "Public Finance" (English), Stourm on "The Budget" (French), and a dozen other instructive publications that have been written on the subject and which the average legislator can only hastily digest.

In a clear, comprehensive work on the budget system, Collins says:

Turning to Congress we face a situation without parallel in the world. Here we can not speak of a budget, but of separate and independent bills drawing on the Treasury. These bills are prepared by about 14 independent committees of the House and 15 of the Senate—29 separate committees, each working independently of each other and of the executive branch of the Government. Ten of these House committees and 8 Senate committees report out all of the bills carrying appropriations, but the other 11 (4 in the House and 7 in the Senate) report out measures for pensions, public buildings, and other things carrying demands on the Treasury, which are met by bills from one of the other committees. * * * In the United States—but nowhere else—the legislative branch of the Government actually prepares in detail every financial measure introduced.

After pointing out the illogical, haphazard methods controlling both Houses, he concludes on this branch of the subject:

The impossibility of a legislative financial policy is further seen in the fact that no one knows exactly what items of an appropriation act will finally carry until after it has passed both Houses and has been signed by the President. * * * It is therefore quite clear that the preparation of bills drawing money out of the Treasury and the preparation of bills providing revenue to meet the expenditures are carried on without any financial policy at all, either executive or legislative.

Judged by ordinary business standards he might have added that such policy would bankrupt any private business in one week.

Ford, on "The cost of our National Government," describing another ailment evidenced in public discussions as to responsibility, says:

Congress habitually disclaims responsibility for the results of the methods it employs. Responsibility is shifted from the House to the Senate or from Congress to the Executive or even to the mass of the people. * * *

While Congress is fond of viewing with alarm the increase in the cost of Government, it keeps augmenting it by continual efforts to extend congressional patronage by means of appropriations.

INSTANCES OF WASTE OF PUBLIC MONEY.

In Ford's work he takes up river and harbor, public building, navy yards, and other appropriations and quotes officials in opposition to public building raids on the Treasury and apologetic offerings for other local appropriations. On page 134, he quotes Postmaster General Meyer, who in 1909 said:

At the last session of Congress more than $20,000,000 were appropriated for the construction of public buildings for the exclusive use of post offices in the smaller cities and towns where the department had made no recommendation for new buildings.

Mr. Meyer further showed conclusively that increased maintenance will be a great continuing waste of money, and yet Congress put through that job without any recorded protest.

In this same connection a Georgia Senator said in debate:

I heard evidence the other day that demonstrated to my mind that we paid $50,000 for the construction of a building in a town where the rent of the building theretofore used was $250 per year and after the new building was constructed the services of a janitor cost $600 a year.

This criticism, it will be noted, does not name the town. Senatorial courtesy forbids any pointed reference or drastic action, but a hundred similar items were pointed out in the last public-buildings bill during the debate in the House when, on December 7, 1916, one of the worst public-building bills ever offered in Congress was analyzed, a twin sister of a vicious bill carrying $40,000,000 which had been previously passed under suspension of rules in 20 minutes. Secretary of the Treasury McAdoo's report was then presented, wherein he said:

In the past two decades Congress has authorized and appropriated approximately $180,000,000 for public buildings and the major part of this great sum has been expended on costly structures in small localities where neither the Government business nor the convenience of the people justified their construction.

Here is a statement from a high administrative official declaring that approximately $100,000,000 had been wasted by Congress on this single item. Last session the public-buildings bill so vigorously condemned by both the Treasury Department and Postmaster General and threatened with a presidential veto was forced through the House triumphantly by a two-thirds vote before it was buried in the Senate. The river and harbor bill was put through under the guise of a war measure although 7 members of the House committee and 152 votes in the House, counting pairs, registered a protest against it.

Referring again to the remarkable demonstration this afternoon for Mr. FITZGERALD, I quote from the words of Leader KITCHIN, uttered this day by one who weighs his words:

I sometimes fear that too many of our colleagues set up as the true measure of service here the amount of money which they can filch out of the Treasury into their districts and States for creeks or rivers or public buildings. FITZGERALD'S idea and effort has been to keep the money in the Treasury and not take it out except for the country's needs.

No higher tribute of public service need be uttered than this brief word of praise from one great man of another.

We can not well forget the trite remark of a present Member of the United States Senate, who said of a river and harbor bill in the past, "The whole scheme of river improvement is a humbug and steal; but if you are going to steal, let us divide it out and not go on complaining." The bills contain good and bad items held together by the present system. I have quoted so voluminously from expert criticisms on such bills in the past that I forego the disposition to do so now; but permit me to give one cogent reason why river and harbor bills have become notorious, a situation which will disappear with the adoption of a budget system.

LOBBIES THAT WOULD BE PUT OUT OF BUSINESS.

Of over $900,000,000 appropriated for rivers and harbors by the Government in the past, hundreds of millions have been wasted on useless waterways, insignificant creeks, private land-reclamation schemes, water powers, and other projects that had little or no relation to commerce. Estimates will differ as to the total waste, but if needed improvements had been carried on economically and on strictly commercial propositions over one-half of the total amount appropriated might have been saved without injuring any real interests of navigation. This should be kept in mind, in addition to the statement of the Secretary of the Treasury that over one-half of the $180,000,000 appropriated for public buildings could well have been saved in the past with advantage to the Government, apart from everlasting continuing appropriations for maintenance.

As a notorious example of lobby interference, once strongly condemned by President Wilson, I call attention to one of the most scandalous features of this annual waterway bill, brought about by a river and harbor lobby which calls itself a "congress" and regularly meets in Washington at the opening of every Congress. That lobby maintains quarters in this city the year around. It seeks contributions from all those who desire local improvements, and from dredgers, contractors, from water-power and land-reclamation promoters, and, of course, from many reputable people who are attracted by its promises. I have offered in the RECORD in the past original documents showing that 50 per cent of some of its subscriptions were paid to collectors, which fairly indicates its general character. In a recent annual report this lobby set forth to its members just how Congress could be compelled to distribute pork, depending upon proportionate contributions to the lobby. As it has become a public scandal, fastening on Congress the opprobrium of being the lobby's tool, I append a statement for examination by those interested in knowing the best means of getting locality appopriations. It was published in the 1911 report of the lobby association.

	Amounts subscribed to the support of National Rivers and Harbors Congress, by States, 1906-1911, inclusive.	Amount of appropriations received by States in rivers and harbors bills, 1907-1911, inclusive.
Pennsylvania (east)	$4,295	$4,807,745
Connecticut	2,115	2,318,000
Massachusetts	2,859	1,451,731
Maryland	1,755	2,778,265
New Jersey	2,735	3,494,995
North Carolina	2,538	2,270,614
South Carolina	1,137	1,237,220
Virginia	4,306	4,782,451
Georgia	8,281	4,152,889
Florida	1,620	5,158,620
District of Columbia	1,530	1,210,000
Alabama	6,090	6,972,000
Louisiana	9,595	3,820,202
Texas	8,825	9,193,209
Mississippi River		21,842,775

Mississippi River (1914), $10,500,000, or nearly one-half of the six years' total.

Lay members learn that by the investment of $1 in the "congress" $1,000 will be forthcoming from the Federal Congress. "Capt." Ellison, official secretary of the "congress" lobby, is quoted by the same official organ to have evoked applause with the sentiment—

We send Congressmen here to legislate for the Nation theoretically, but actually to get all he can for us; and if he does not get our share and then some, we do our best to replace him.

This lobby, numbering hundreds of members, declares in its official report that a Congressman's usefulness is measured by the Treasury loot he brings home. Scores of lobbies that seek specific legislation by direct pressure and back-fires on Congressmen, will be put out of business by the adoption of a budget system.

GOVERNMENT BY COMMITTEES PRODUCES IRRESPONSIBLE GOVERNMENT.

Ex-Speaker Reed, in an article contributed to the magazines in 1897, said:

It is true we have at present irresponsible government, so divided that nobody can tell who is to blame. Government by committees and of two Houses entirely independent of each other produces some fearful and wonderful results.

That was the opinion of an ex-Speaker of this House 20 years ago, before conditions had reached their present proportions and notoriety.

The power of the Senate to increase appropriations impressed Mr. Randolph, of Virginia, during the Constitutional Convention, who said:

The Senate will be more likely to be corrupt than the House of Representatives and should, therefore, have the less to do with money matters.

And yet the Senate defeated the river and harbor bills and public-buildings bill, to which reference was made.

Again Mr. Ford says, page 34:

The true seat of constitutional defect is not in the Senate but in the House. The supremacy of the Senate, now so conspicuous in politics, is a result of the weakness and incompetence of the House. * * * If it is true, as has been frequently alleged in the House, that the Senate pads appropriation bills at its own will and pleasure, practicing what Mr. CANNON describes as blackmail, the charge implies confession of failure on the part of the House to uphold its constitutional authority. It follows that the true way to reform the Senate is to reform the House.

We can not escape our own legislative responsibility by trying to unload extravagance and waste on to the other fellow's shoulders. Any reform must begin at home, and a first step toward that reform in conformity with the demands and pledges of two great political parties is a national budget system.

I have quoted Chairman FITZGERALD on present waste, let me quote now from his Republican predecessor, James A. Tawney, ex-chairman of the House Appropriations Committee, who in 1909 gave a public statement on this general subject wherein he says:

The difficulty in practice which the Committee on Appropriations has in keeping appropriations within the estimated revenues arises from the fact that when the several committees which have jurisdiction over the appropriations for a particular department * * * appropriate for expenditures out in the districts and States represented by Members of the House and Senate, the departments for which the appropriations are made can always rely upon the Representatives and Senators in whose districts and States these appropriations are to be expended to support almost any demand they make.

In plain English, both Senators and Representatives in order to get their share of State or district "pork" are charged by the former chairman of the Appropriations Committee with a willingness to support "almost any demand," providing they get their share in the log-rolling game. Mr. Tawney is in harmony with Mr. FITZGERALD, who condemns "Treasury looters."

Tawney, ex-Speaker Reed, ex-President Taft, and other Republican authorities condemn the present system.

With ex-President Taft declaring for a budget and President Wilson advocating a budget, and with Mr. FITZGERALD refusing to head a band of Treasury looters, and with Senator MARTIN, chairman of the Senate committee, recently declaring it is appalling to see the freedom with which money is being appropriated by Congress, and with both great political parties in convention demanding public economy and a budget system, the mountain labors hard to bring forth a feeble mouse resolution which provides that "during the present emergency" all appropriations shall be handled through one committee.

HOW THE COMMITTEES WORK.

Hundreds of cases can be recalled where failure to secure an appropriation by one committee will cause such proposals to go to another, and when all fail to grant relief, Senators then throw out the political life preserver to save the claim. One case is typical of many.

When the water-power interests secured the Chief of Army Engineers to recommend $18,700,000 for a 150-foot dam for the Alabama Power Co. at Muscle Shoals for navigation, the infamous proposal was exposed and defeated on the floor of the House in 1915, although unanimously reported by the Rivers and Harbors Committee and actively supported by the then House Democratic leader and a powerful lobby. After this unprecedented defeat of an enormous private water-power grab which the Government was about to finance, and against a committee report, the same item bobbed up in the military bill on March 17, 1916, and will be found exposed in the RECORD of that day, excepting that the amount had then grown to $24,000,000 wherewith to bolster up the fortunes of the same Alabama Power Co., this time for the purpose of manufacturing nitrates for "war purposes," with the same powerful lobby on hand to urge such action. Incidentally a $100,000,000 bond issue depended upon the Government's action. I am making this statement from personal knowledge of and participation in the matter, as shown by the RECORD.

The measure came before the House with the unanimous indorsement of the Military Committee, and appeared as section 82 of the bill. Again it was exposed on the floor of the House and, after a vigorous fight, was stricken from the military bill. Thereafter it was inserted by the Senate as a fertilizing proposition in the Agricultural bill, and it is now reported that the Chief of Engineers has decided upon the project which was repudiated on two separate occasions by the House, indicating the impotency of Congress, compared to a man who annually determines the distribution of scores of millions of dollars appropriated by Congress. It is impossible to trace up vicious items among the different committees, excepting where they are large enough to bulge out in the bill, and for that reason it will be some improvement economically to have only one House Appropriations Committee.

EXPENSIVE COMMITTEE COURTESY.

Under the present loose system, however, this check would be of little actual value, providing the Appropriations Committee carries out the wishes of other committees as a matter of courtesy. Evidence of this fact occurs when a former distinguished chairman found no time to protest against three river-and-harbor bills and one public-buildings bill or to vote against the former, notwithstanding they were all fought vigorously in the House and finally defeated in the Senate, with a saving of over $100,000,000, as before stated. A more striking illustration of hopeless extravagance is found in the notorious "flood-control" bill, which, according to Army engineers, is expected to reclaim 20,000,000 acres of private lands along the lower Mississippi, at an ultimate cost to the Government of $225,000,000. The bill authorizing $45,000,000, at present recommended by the Flood Committee, was approved by the Appropriations Committee and an initial appropriation placed in the sundry civil bill to carry on a project that will be paid for by a war-tax burdened people during many years to come. One of the Senate Democratic leaders, a recognized authority on the subject, in debate declared the principal purpose of this bill was to reclaim large areas of swamp lands for private parties, and denounced it as part of the "spoils system," and yet it was adopted by the Appropriations Committee, which is proposed as a complete substitute for the budget system.

A single Appropriations Committee will be a step toward economy and toward a budget, as stated in the Democratic platform; but why make such a halting step? Why not take a long step and place this Government on a plane with the best legislative methods of other countries?

IMPERATIVE NEED OF BUDGET SYSTEM IMMEDIATELY.

Mr. Speaker, whatever differences of opinion may have existed prior to the declaration of war with Germany, they have all been buried with that decision made by Congress. The administration has been given practically unanimous support by all parties and all men in Congress, and every request for money and men have been granted. A striking example of patriotic support was evidenced in the unanimous vote declaring a state of war exists with Austria.

To win the war will require every resource, every economy, and united efforts from those who fight in the trench or on the battle field, from those who are compelled to economize at home, and in a greater degree from those who handle public finances.

I have briefly discussed a wasteful political system of handling appropriations that is fastened on Congress with leech-like hold. Authorities have been quoted, including Republican and Democratic Executives and party platforms, to show the exact situation; but in further support of this demand for a budget system a few statistics are offered that will soon be studied by taxpayers throughout the country. The President has swung the red lantern of danger so all may know a shifting of administrative responsibility is now declared on waste and extravagance over to the shoulders of Congress. We will be compelled to assume our full share of that responsibility. What is its measure?

In the tables offered the following facts are disclosed. Our national obligations of slightly more than $1,000,000,000 in 1916 will have increased over fiftyfold, or to $50,000,000,000, before a minimum estimate by Gen. Wood and other experts of three years of war is concluded. Our per capita burden will have increased fifty hundred per cent in three years and in actual experience the per capita burden will be far greater to 95 per cent of our people who are least able to pay the tax. The tables disclose that according to estimates a war lasting until 1920 will increase the world's indebtedness to approximately $250,000,000,000, apart from destructive losses of property, and that the economic loss of world man power by death and disability alone will reach nearly $100,000,000,000 more. This impoverishment that faces the world at large discloses a situation which immediately affects our ability to meet our own national and individual obligations. In the presence of these figures which presage the destruction of parties, change of governments, and repudiation of obligations by different countries now at war, what defense can be offered to an immediate demand for enactment of party platform promises in an effort to curtail the enormous waste and extravagance which now accompanies congressional appropriations.

I will not presume to offer any contribution at this time to the involved subject of national finances or to discuss any complex budget system, but will confine my remarks to well recognized public financial conditions which the world is called upon to meet, and to our own heavy share of the burden already beyond comprehension. Tables and comparisons are submitted evidencing the enormous taxes which will confront us at the end of the war and which call for public economy in advance.

Let us understand the extent of growing public expenditures and enormous financial burdens to be assumed at the close of the war. Over 20 years ago Bastable, the English financial authority, wrote:

> War and preparation for war are by far the heaviest charges on the resources of modern States. An enormous sacrifice of labor, power, and of commodities is inevitably caused by its persistence as a usage among modern nations. War has been the principal cause of the great state indebtedness so general in Europe and of the severe pressure of taxation.

If a severe pressure of taxation was universal 20 years ago, what will follow in the train of the present war? The growth of war expenditures will appear by comparing the four years' Civil War burden to our authorizations for one year of the present war and other tables here submitted.

Cost of American wars.

1812–1815, second war with Great Britain	$119,624,000
1846–1849, War with Mexico	173,298,000
1861–1865, Civil War (North)	4,015,019,000
1897–1900, Spanish-American War	2,101,926,000
1917–1918, one year's war appropriations and authorizations	10,640,000,000
1917–1919, estimated appropriations (2 years, all purposes)	50,000,000,000

The above statement represents the cost to our Government. An estimated cost to all the warring nations in other great wars of recent years discloses an equally enormous increase in the pending conflict over all others combined.

Cost of foreign wars.

Napoleonic wars, 1793–1815, 22 years	$6,250,000,000
Crimean War, 1853–1856, 4 years	1,700,000,000
Franco-Prussian War, 1870–1871, 2 years	3,500,000,000
South African War, 1900–1902, 3 years	1,250,000,000
Russo-Japanese War, 1904–1905, 2 years	2,500,000,000
Present great war, 1914–1917, 3 years	89,721,000,000

A few other statistics are well to keep in mind when considering the financial test that confronts the civilized world.

Cost of present European war[1] to August 1, 1917, and national wealth.[2]

	Cost.	Wealth.
Great Britain	$26,705,000,000	$85,000,000,000
France	16,530,000,000	50,000,000,000
Russia	14,250,000,000	40,000,000,000
Italy	5,050,000,000	20,000,000,000
United States	1,629,000,000	[3]187,731,000,000
Other allies	3,250,000,000	
	67,414,000,000	
Less loans of	7,992,500,000	
Net total	59,421,500,000	
Germany	19,750,000,000	80,000,000,000
Austria-Hungary	9,700,000,000	25,000,000,000
Bulgaria and Turkey	1,450,000,000	6,000,000,000
	30,900,000,000	
Less loans of	600,000,000	
Net total	30,300,000,000	
	59,421,500,000	
Total cost to Aug. 1, 1917	89,721,500,000	

[1] From Official Bulletin, Oct. 9, 1917.
[2] The national wealth statistics are from New York Times Current History, November, 1915.
[3] United States wealth from Statistical Abstract, 1915.

One step further. The total debt burden of several of the warring nations before the war, according to the 1917 World Almanac, was as follows:

Debt burdens, 1914.

Great Britain	$5,673,374,000
France	6,347,540,000
Russia	4,536,939,000
Italy	2,921,153,000
United States	1,090,148,000
Germany	5,027,134,000
Austria and Hungary	3,897,894,000
Bulgaria and Turkey	1,870,000,000
Total prewar indebtedness	31,364,182,000

It is impossible to bring a definite debt report down to date, but one Government is typical of all, and in a statement made October 30, 1917, Bonar Law, chancellor of the exchequer, said that England had negotiated $28,460,000,000 in loans since the war began, and on September 29, 1917, their total national debt was between $24,500,000,000 and $25,000,000,000, less about $6,000,000,000 in loans and advances. The chancellor further said that the German Reichstag had passed votes of credit to date amounting to $23,500,000,000, exclusive of loans. To the sum total of ninety billions in round numbers expended during the present war up to August 1, 1917, may now be added in round numbers $20,000,000,000 appropriated by the United States for 1918, and presumably $30,000,000,000 average annual cost to the European powers named, with total expenditures of approximately $140,000,000,000 by June 30, 1918, over and above $31,000,000,000 in existing debts prior to the war, or a total of $171,000,000,000 to June 30, 1918. The present indebtedness of warring countries presumably is four or five times what it was before the war, as indicated by the statement of the English chancellor.

Providing the war continues for three years longer and approximately eighty to one hundred billion more of world indebtedness is piled up in 1919 and 1920, making a total of possibly two hundred and fifty billion or over in debt burdens, apart from regular tax levies, the full significance of Bastable's statement made years ago in times of peace will be comprehended.

OUR OWN PART OF THE WORLD'S WAR DEBT.

During that same three-year period our own national-debt burden may reasonably grow to fifty or sixty billion dollars, in round numbers, in addition to regular tax levies, or fifty times our public-debt burdens at the beginning of this war, while a Government war-debt burden of $10 per capita will have grown to $500 per capita liability apart from regular tax burdens caused by the war. Assuming from the experience of European nations that this may eventually carry a 5 per cent rate amounting to $2,500,000,000 in annual interest charges for this country alone, together with a sinking-fund charge added to regular tax levies for maintenance of Government, then an annual Federal per capita charge apart from all other burdens will become a Sinbad load of heavy proportions to every taxpayer. We reduced a national debt of approximately $3,000,000,000 to $1,000,000,000 in half a century. At the same rate of reduction a $50,000,000,000 debt, or possibly far more, depending on the length of the war, will be with us in generous proportions during several centuries.

Confirmation of the above estimate of future governmental expenditures and bond issues is found in a statement of administrative experts given to the press on November 1, wherein estimates for all purposes for the fiscal year ending June 30, 1918, are placed at $21,000,000,000 and estimates for 1919 at $29,000,000,000, making a total of $50,000,000,000 for two years. Of this amount $10,000,000,000 is expected to be raised by ordinary revenues, including war taxes during the two years, and bond issues for the same period will aggregate $40,000,000,000. Of the latter amount it is further estimated that $15,000,000,000 will be loaned to the allies, but the United States will be required to raise the money, and it is no secret that a portion, possibly the larger part of these loans, may be canceled because of impoverished countries to which loaned. It must be understood, further, that a $40,000,000,000 bond issue for two years will grow to indefinite proportions with a long war.

That such estimates of indebtedness are conservative appears from the following tables of total indebtedness and per capita debt of several warring nations, reported to August 1, 1917, showing a comparative increase in three years of 400 per cent in total indebtedness and in per capita debt within that period:

Debt of—	Aug. 1, 1917.	Aug. 1, 1914.
United States	$3,000,000,000	$1,000,000,000
Great Britain	23,000,000,000	3,500,000,000
France	21,200,000,000	6,500,000,000
Russia	16,200,000,000	4,600,000,000
Italy	7,000,000,000	2,800,000,000
Entente nations	70,400,000,000	18,400,000,000
Germany, Empire and States	$24,200,000,000	$5,200,000,000
Austria-Hungary	12,700,000,000	3,700,000,000
Teutonic nations	36,900,000,000	8,900,000,000
Grand total	107,300,000,000	27,300,000,000

The foregoing statement is from a pamphlet issued by the Mechanics and Metals National Bank, of New York City.

What the indicated indebtedness of the nations now at war means to the average man may be faintly perceived by reducing totals to a per capita basis:

Per capita debt of—	Aug. 1, 1917.	Aug. 1, 1914.
United States	$28.80	$9.70
Great Britain	487.20	74.50
France	530.00	162.50
Russia	92.50	26.50
Italy	194.50	77.75
Entente allies	174.60	45.80
Germany	355.90	76.45
Austria-Hungary	239.60	70.75
Teutonic allies	305.00	73.50
Total average	205.00	52.20

It will be seen that Great Britain's debt, which in 1914 was equal to $74 for each inhabitant, was on August 1, 1917, six times greater than three years before. For France the per capita debt had been for many years the largest among civilized nations. That debt was $162 in the middle of 1914. In the space of three years it advanced to $530. The increase in the per capita debt of Germany was from $76 to $356 during three years of the present struggle.

As has been stated, our own Federal debt by June 30, 1920, is estimated to reach $500 per capita, and that rate will be largely increased by State and municipal debts.

Too much reliance can not be placed on per capita debt statements in ascertaining actual obligations carried by individual taxpayers, for the reason that estimates are frequently offered showing that two-thirds of the wealth of the United States is owned by only about 2 per cent of the people, whereas it is a well-known principle that tax burdens eventually fall back in far greater proportion upon the shoulders of the remaining 98 per cent, who are least able to pay.

Another important element mentioned by Bastable, the English authority, must not be overlooked when to the debt burdens

of warring countries we add the destruction of billions of dollars of property; in enormous loss of labor and temporary loss of productive power of upwards of 30,000,000 men under arms; in permanent loss by death of several million selected men above included and permanent disablement of an equal number, who will become a future charge upon their governments. All these factors enter into the war burdens every country must in part share and directly affect the future ability to recover from such burdens.

THE HUMAN LOSS HAS A FIXED FINANCIAL VALUE.

The number of men engaged in hostilities shows how vast is the war and from what a large number the casualties have come. Those called to the colors of the various nations have been roughly estimated as follows, according to the same pamphlet, issued by the Merchants and Metals National Bank, based on available reports:

Army and Navy.

United States	1,500,000
British Empire	7,500,000
France	6,000,000
Russia	14,000,000
Italy	2,500,000
Belgium, Serbia, and Portugal	1,000,000
Entente allies	32,500,000
Germany	10,500,000
Austria-Hungary	7,000,000
Bulgaria	500,000
Turkey	2,000,000
Teutonic allies	20,000,000
Total, all	52,500,000

The man value of this vast body of men taken from economic pursuits reaches many billions of dollars annually.

Of this 52,500,000, representing able-bodied and skillful workmen, nearly one-fourth have been killed or permanently injured since the outbreak of the war. In determining the man-value loss referred to by Bastable, we find losses by death on August 1, 1917, reached about 7,000,000 men, and permanently disabled numbered 5,000,000 more, or a total of 12,000,000 men, according to the best obtainable authority, the War Study Society, of Copenhagen. Detailed statements are omitted but are easily accessible. What the harvest will be by 1920, after six years of war, is beyond intelligent estimate, but our share of the losses must now be added to these estimates.

Military experts say the European powers can annually contribute from 2,000,000 to 3,000,000 men to fill their depleted ranks, but this does not affect the wastage referred to by Bastable, which is permanent. In determining the economic value of man, familiar rules, recommended by Adam Smith, Dr. Farr, of London, and other authorities, provide that probable future earnings, minus expense of maintenance, education, and so forth, is the present value. Without distinguishing between those killed outright and those permanently disabled, it is estimated by the experience tables that a man of 25 years of age, earning $1 a day, with an average expectancy of 37.98 years, would be worth $6.132. Assuming the average age at this figure and the average net earning capacity at $600 annually, both probably conservative estimates, the economic value of 12,000,000 men killed or permanently disabled reaches over $70,000,000,000 estimated value man wastage in three years down to August 1, 1917. The effect of world conditions is apparent when to approximately $250,000,000,000 or more estimated debt of warring European nations by 1920, as heretofore shown, is to be added possibly $100,000,000,000 more in estimated European man-value wastage before three years shall have elapsed. Death losses would occur in times of peace, and other factors may modify these estimates, but my purpose at this time is only to present a general survey of world-wide conditions occasioned by war which call for strict public economies on the part of Congress at this time.

At the beginning of this session President Wilson declared our present and immediate task is to win the war. In this resolve he will be supported by Congress, whether the result be gained in 3 years—the basis of estimates—or longer.

Maj. Gen. Leonard Wood recently declared that "any person who says this will be a short war is not a true friend of the American people." "We are preparing for four years' war, and we may have four years of conflict after that," he is further quoted as saying.

Supporting Gen. Wood's prediction, military men who closely follow the progress of the war have stated that it is not likely to end in three years, and that our own contribution will be from 5,000,000 to 10,000,000 men before its conclusion. Such estimates are not officially given, but other opinions of the war's probable length are of value in this connection.

The greatest preceding war—our own Civil War—is a guide in determining such probabilities, based on its long continuance after the decisive battle of Gettysburg and fall of Vicksburg. No Gettysburg has yet been fought in this war. Accepting the minimum estimate of three years of war, the foregoing estimates of world-war waste and economic losses to our own country have been conservatively stated. If the war lasts eight years more, as suggested by Gen. Wood, the estimates will have to be greatly increased.

In the summary of our own national obligations only those were considered with which Congress is most intimately connected; but the individual taxpayer, who is paying the bills, is also maintaining city, town, county, State, and other municipal indebtedness of the country that reach many billions of dollars. Two items are shown in $345,942,305 of total State indebtedness in 1913 and $3,305,260,000 of municipal indebtedness in 1915, according to the United States Bureau of Census. In this connection it is a startling commentary on our city governments to learn that last year alone 149 cities of over 30,000 population increased their debt liability $86,013,326 in a single year, and that the net local indebtedness reaches $76.64 per capita.

OTHER TAX BURDENS TO BE FACED.

Other actual tax burdens carried by the citizen are indirectly related through freight charges to many billions of dollars in railway bonds and similar securities, but all these sink into insignificance compared to taxes levied by the butcher, the baker, and candlestick maker, who have united, with hundreds of other tax gatherers, including beef barons and coal operators, in doubling living expenses within the last five years for tens of millions of helpless taxpayers. How long this may continue to increase no man ventures to predict. A few profiteers have reaped enormous gains, and monopoly that defies the Sherman antitrust law takes extortious toll while the vast majority of those who pay have not received a moiety of the increased cost of living which is now exacted from them.

I have tried briefly to place before you, without exaggeration, a situation that confronts us as lawmakers. No sermon on the imperative necessity of strict public economy could be more impressive than a brief review of cold statistics, which carry their own unanswerable argument. And it is because of this critical time in the Nation's history, when governments are changing form and the toll of life and property is beyond human comprehension, that this lawmaking body should meet the problem without evasion or legislative quibbling.

Many efforts and some actual steps have been taken toward the adoption of a national budget in this country, and House Document No. 854, Sixty-second Congress, second session, presents the message of President Taft on the subject, and an exhaustive report covering over 500 pages submitted by the Commission on Economy and Efficiency on the subject of the need for a national budget.

Again, in Senate Document No. 1113, Sixty-second Congress, third session, is a proposed budget submitted by President Taft, and accompanying data covering over 400 pages devoted to the same general subject.

GENERAL PROVISIONS OF EFFECTIVE BUDGET SYSTEMS.

As previously stated, it is no part of this discussion to enter into the intricacies of a budget system, but rather to call attention to the urgent need of some method of curtailing present waste, similar to that adopted in other countries where the budget performs the duty. Of approximately 50 different countries that have adopted the budget, the English system was the pioneer, and others have been patterned after it. The English budget system provides that the House of Commons receives the budget of proposed expenditures from the ministry, or cabinet. The treasury issues a notice to the different departments, requesting them to furnish, on or before December 1, estimates of financial needs for the ensuing year. No estimate or alteration of an estimate can be received after January 13, and the only protection for a department that fails to send in estimates is by inclusion of an amount arbitrarily recommended by the treasury. Departments are required to quote the authority for any variations from preceding estimates regarding persons employed, salaries, and so forth. The estimates are checked up by the treasury authorities, and a noted departure occurs at this point from our own loose practice in that it is the duty of the treasury to see that the items are economical and sufficient. All the departments report to the treasury.

When the budget is presented to the House it is accompanied by a speech from the chancellor of the exchequer, explaining in detail the different needs of government. The bill is taken up in general debate, and then the bill is discussed in detail.

A statement of the parliamentary procedure is set forth by Higgs in The Financial System of the United Kingdom, pages 25 to 36.

The first broad departure from our own system, apart from the parliamentary procedure, is that wherein the English

treasury arbitrarily passes upon the departmental items before presentation.

Second. Estimates received by the House of Commons are considered by one committee, whereas here the Speaker distributes unrestricted departmental requests to 10 or more separate committees, some of which, in turn, take up the examination by subcommittees.

Third. The House of Commons limits the rights of members to reduce items, whereas here the right to increase is a God-given privilege exercised by Senators and Representatives.

Fourth. The bill becomes law whether or not accepted by the Lords in England, providing the speaker determines it is a money bill. With our practice the several appropriation bills become law only after the Senate has added generous amendments.

Fifth. In England an audit or thorough investigation is made of expenditures by the comptroller or auditor general, who is an officer responsible to the House of Commons rather than an official of the Treasury Department, as in this country. This audit or check by the legislative body is declared to be of great value in limiting wasteful estimates and expenditures.

Appropriating from the consolidated fund, providing for deficiencies, and other differing practices found in the English system are worthy of study, although under our form of government it is probable certain methods would require modification. That is the purpose of the resolution hereto attached, which proposes a joint congressional commission to study and report to Congress a practicable system for this country.

SOME GOOD THINGS A BUDGET SYSTEM WILL DO.

First. It will require annual submission of carefully prepared estimates by the different departments of all proposed expenditures to a central agency (in England the treasury), there to be reviewed, pruned, and approved before submission to Congress for consideration. Congress will then intelligently determine what should be allowed for the support of government. This substitutes Executive responsibility in preparation for the present system, wherein a score of unrelated committees in the House and Senate prepare, add to, and pile up appropriations, including frequent increases on the floor and in conference, with absence of any fixed official responsibility, administrative or legislative.

Second. It will abolish direct pressure now exerted upon Representatives and Senators in Washington by irrigation, reclamation, water power, river and harbor, highway, public building, and many other lobbies organized to secure from Congress grants for countless local or private interests, and it will adopt a system of expense checks that has the legislative sanction of practically every other Government in the world.

Third. It will tend toward wise and disinterested consideration of appropriation bills, increased efficiency, curtailment of legislative logrolling, public waste, and extravagance and will materially shorten sessions of Congress.

WILL CONGRESS MEET ITS PUBLIC RESPONSIBILITY?

Every Member, with a single exception, supported the President's request when the Foreign Relations Committee brought in its resolution a few days ago. Another request contained in his message remains unfulfilled—a return to a single appropriation committee. Need for private and public economy, if the war is to be won, is imperative in view of the colossal and growing tax burdens the people of this country are now called upon to meet. These burdens will become heavier to bear because of war waste and loss of productive man power; heavier also because the increase of 100 per cent in living expenses is not likely to fall. Practically every Government on earth—some fifty in number—have adopted some form of public budget in order to promote efficiency, economy, and responsibility. Our own Government alone invites wholesale extravagance by refusing to adopt any intelligent legislative financial policy. Until the budget system can be adopted, a single appropriation committee as pledged by the Democratic national platform and urged by the President is of vital need. During this hour of national peril will our Democratic friends repudiate their party pledge and disregard their leader's request, or will they in fact as well as words join hands with this side of the aisle and unitedly "stand by the President"? [Applause.]

Joint resolution (H. J. Res. 178) creating a commission to report a plan for the adoption of a national budget system.

Whereas in times of peace the expenditures of the Government were increasing yearly at a rapid rate; and

Whereas our entry into the world war will enlarge these expenditures to enormous proportions; and

Whereas the increased taxation to support the Government will place new burdens upon the shoulders of every citizen of the United States; and

Whereas this vast sum of money should be spent with the utmost efficiency and economy, and under modern methods of control; and

Whereas the estimates for the expenditures of the Government come to Congress without revision or scrutiny by any centralized agency of the Executive Government and are not treated by Congress as a part of its legislative program; and

Whereas under our present methods of legislative procedure the responsibility for the expenditures of the Government is scattered amongst a number of standing committees in the two Houses of Congress, which work independently of each other, and of the Executive Government in providing funds; and

Whereas it is possible for private Members on the floors of the two Houses to offer amendments at will increasing the items of expenditure provided in the respective appropriation bills beyond the amounts requested by the Executive; and

Whereas under this procedure the evil practices known as "logrolling" and "pork-barrel" methods have grown up and flourished; and

Whereas under this system there is no possibility of a governmental business program, or of a financial policy, or of a coordination of expenditures with revenues; and

Whereas it is the consensus of opinion among men of business, publicists, and students of public finance that the adoption of the national budget system would put the finances of the Government upon a sound, efficient, and economical basis by making possible a business program prepared upon the responsibility of the Executive and presented by him to Congress, to be enacted into law; and

Whereas the chief political parties of the country in their platforms in 1916 pledged themselves to carry out budgetary reforms for the Federal Government; and

Whereas it is the experience of practically all foreign governments that the national budget system is the only efficient method of dealing with the expenditures and revenues; and

Whereas to plan such a system for this Government requires careful study: Therefore be it

Resolved, etc., That a joint commission to report out a plan for adoption of a national budget system is hereby established. Its membership shall consist of the Secretary of the Treasury and two other officials of the Executive Government, to be appointed by the President; three Members of the Senate and three Members of the House, to be appointed by the presiding officer of the House and Senate, respectively.

SEC. 2. That no compensation shall be paid to any member of said commission.

SEC. 3. That said commission is hereby empowered and directed to report at the opening of the next session of Congress a plan for the adoption of a national budget system for the Government of the United States, and showing therein what changes, amendments, or adjustments the adoption of said budget system would cause in the rules of the Senate and the House in the laws now in operation relative to revenues and expenditures, in the organization of the Treasury Department, in the forms and methods of preparation of the departmental estimates, in the method of presenting said estimates to the Congress, in the methods of accounting and audit, and such other and further information as said commission may see fit to lay before the Congress.

SEC. 4. That said commission is authorized to employ such experts and such clerical assistance as may be necessary to carry out the provisions of this resolution.

SEC. 5. That the sum of $25,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the provisions of this resolution.

SEC. 6. That said commission shall expire on the 31st day of December, 1917.

EXTENSION OF REMARKS.

Mr. COX. Mr. Speaker, I move that the House do now adjourn.

Mr. DYER. Will the gentleman withhold that a minute in order that I may ask unanimous consent to extend my remarks in the RECORD?

The SPEAKER. About what?

Mr. DYER. I desire to incorporate a decision of the Supreme Court of the United States.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, I would like to ask what the subject is.

Mr. DYER. It is on the subject of segregation in municipalities—the Louisville, Ky., case.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 7572. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 7572. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 7572. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes.

ADJOURNMENT.

Mr. COX. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned until to-morrow, Saturday, December 15, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of War transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Oswego Harbor, N. Y. (H. Doc. No. 570); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

2. Letter from the chairman of National Advisory Committee for Aeronautics, transmitting draft of provision recommended for insertion in the urgent deficiency bill (H. Doc. No. 571); to the Committee on Naval Affairs and ordered to be printed.

3. Letter from the Postmaster General, transmitting reports from the bureaus of Second, Third, and Fourth Assistant Postmasters General showing the number of employees of their services who receive the benefits of increased compensation as provided by law (H. Doc. No. 572); to the Committee on the Post Office and Post Roads and ordered to be printed.

4. Letter from the Secretary of the Treasury, transmitting a detailed statement of the refunds of customs duties, etc., for the fiscal year ending June 30, 1917 (H. Doc. No. 573); to the Committee on Ways and Means and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CARLIN, from the Committee on the Judiciary, to which was referred the joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States, reported the same with amendment, accompanied by a report (No. 211), which said bill and report were referred to the House Calendar.

Mr. WALKER, from the Committee on the Judiciary, to which was referred the bill (S. 2489) to create two additional associate justices of the Supreme Court of the District of Columbia, reported the same without amendment, accompanied by a report (No. 216), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HELVERING: A bill (H. R. 7690) to incorporate the Recreation Association of America; to the Committee on the Judiciary.

By Mr. CARAWAY: A bill (H. R. 7691) to increase the salary of the clerk of the district attorney for the eastern district of Arkansas; to the Committee on the Judiciary.

By Mr. GREEN of Iowa: A bill (H. R. 7692) making provision for the admission to the tuberculosis hospitals of the United States of any soldiers of the present war discharged on account of disability and found within 90 days thereafter to have contracted pulmonary tuberculosis; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 7693) to postpone the going into effect of certain sections of Title XI, postal rates, of the war-revenue act of October 3, 1917, and providing for a commission to investigate the cost of transporting and handling second-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. BELL: A bill (H. R. 7694) providing for a certain percentage of cancellation of stamps, and making an allowance for rents, fuel, and lights, etc., to fourth-class postmasters; to the Committee on the Post Office and Post Roads.

By Mr. MONTAGUE: A bill (H. R. 7695) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. AUSTIN: A bill (H. R. 7696) to create a volunteer militia for the District of Columbia; to the Committee on Military Affairs.

By Mr. JONES of Virginia: A bill (H. R. 7697) to authorize the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes; to the Committee on Military Affairs.

By Mr. BANKHEAD: Joint resolution (H. J. Res. 190) authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALMON: A bill (H. R. 7698) for the relief of Mrs. W. E. Crawford; to the Committee on Claims.

By Mr. ASHBROOK: A bill (H. R. 7699) granting a pension to Louisa C. Kinney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7700) granting a pension to William H. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7701) granting a pension to Orlando R. Edwards; to the Committee on Pensions.

By Mr. AUSTIN: A bill (H. R. 7702) granting an increase of pension to James C. Claxton; to the Committee on Pensions.

By Mr. CLAYPOOL: A bill (H. R. 7703) granting a pension to Daniel White; to the Committee on Invalid Pensions.

By Mr. COOPER of West Virginia: A bill (H. R. 7704) granting a pension to William Weddington; to the Committee on Pensions.

By Mr. CROSSER: A bill (H. R. 7705) for the relief of the Cleveland Trinidad Paving Co.; to the Committee on Claims.

By Mr. DICKINSON: A bill (H. R. 7706) granting an increase of pension to Hezekiah S. Williams; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 7707) granting a pension to Michael Lacey; to the Committee on Pensions.

By Mr. ELLIOTT: A bill (H. R. 7708) granting a pension to Winifred M. Dill; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 7709) granting a pension to Sarah D. Bowman; to the Committee on Invalid Pensions.

By Mr. HEATON: A bill (H. R. 7710) granting an increase of pension to Hugh Stevenson; to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 7711) granting an increase of pension to Benjamin P. Baldwin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7712) granting an increase of pension to Robert Kepner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7713) granting an increase of pension to Benjamin G. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7714) granting an increase of pension to John C. James; to the Committee on Invalid Pensions.

By Mr. IGOE: A bill H. R. 7715) for the relief of Mary Neaf; to the Committee on Military Affairs.

By Mr. KELLEY of Michigan: A bill (H. R. 7716) granting a pension to Osa A. Powell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7717) granting a pension to William H. Hill; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 7718) granting an increase of pension to Mister W. Wickham; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 7719) granting an increase of pension to Lewis Pratt; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 7720) for the relief of the heirs of Ann Gregory, deceased; to the Committee on Claims.

By Mr. LITTLE: A bill (H. R. 7721) granting an increase of pension to Robert S. Parker; to the Committee on Pensions.

By Mr. McCLINTIC: A bill (H. R. 7722) for the relief of Townley H. Bellomy; to the Committee on Military Affairs.

Also, a bill (H. R. 7723) granting a pension to Charles L. Johnson; to the Committee on Pensions.

By Mr. McKENZIE: A bill (H. R. 7724) granting an increase of pension to John A. Benninger; to the Committee on Invalid Pensions.

By Mr. RIORDAN: A bill (H. R. 7725) granting a pension to Mrs. David Anderson; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 7726) granting a pension to Nancy L. Bonnett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7727) granting an increase of pension to James Hall; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (H. R. 7728) granting a pension to Thomas J. Kelly; to the Committee on Pensions.

By Mr. TEMPLE: A bill (H. R. 7729) granting an increase of pension to James Mackall; to the Committee on Invalid Pensions.

By Mr. WALKER: A bill (H. R. 7730) for the relief of the heirs of Solomon Cohen; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Washington Chamber of Commerce, relative to increase in pay of Government employees; to the Committee on Appropriations.

Also (by request), memorial of members of church of Kidder, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petition of National Federation of Postal Employees, favoring increase in pay of postal employees; to the Committee on the Post Office and Post Roads.

By Mr. CARY: Petitions of F. T. Zentner, cashier of the National Bank; Henry Groth, cashier of the German-American Bank; and Edwin Schuette, cashier of Manitowoc Savings Bank, all of Manitowoc, in the State of Wisconsin, protesting against prohibition legislation; to the Committee on the Judiciary.

Also, petition of F. S. Morris, treasurer of the Vollrath Co., of Sheboygan, Wis., requesting the exclusion of beer and light wines; to the Committee on the Judiciary.

Also, petitions of Milwaukee Western Malt Co. and Stuart Hyde, secretary and treasurer Charles A. Krause Milling Co., both protesting against prohibition legislation; to the Committee on the Judiciary.

Also, petitions of F. J. Schmidt, general manager E. C. Kropp Co.; William J. Gleeson, president, and A. A. Raisler, secretary, State Retail Liquor Dealers' Protective Association; A. Sibilsky, secretary Milwaukee Waiters' Alliance, Local No. 59; Adam Muth; J. Kuehn, secretary B. Hoffman Manufacturing Co.; O. C. Mason; William P. Hug, president Hug & Frey Insurance Co.; Walter Schroeder, of the Chris Schroeder & Sons Co., general insurance; the C. W. Fischer Furniture Co.; the John Schroeder Lumber Co.; Baumbach, Reichel Co.; and E. G. Hundt, all of Milwaukee, Wis., protesting against passage of prohibition legislation; to the Committee on the Judiciary.

Also, letter from Walter Kempster, of Milwaukee, Wis., urging passage of the bill creating the volunteer officers' retired list; to the Committee on Military Affairs.

Also, telegram from Hon. George H. Russell, of Milwaukee, Wis., protesting against the passage of the national prohibition amendment; to the Committee on the Judiciary.

Also, telegram from Frank J. Weber, of Milwaukee, Wis., secretary of the Federated Trades Council, consisting of over 30,000 organized workers, protesting against passage of national prohibition legislation; to the Committee on the Judiciary.

Also, telegram from Jack Y. Feldman, chairman legislative committee No. 3, Milwaukee Affiliated National Federation of Federal Employees of Milwaukee, Wis., urging passage of Keating bill to increase salaries of Federal employees; to the Committee on Appropriations.

Also, telegram from Rev. Charles B. Moulinier, of Marquette University, Milwaukee, Wis., protesting against legislation which forbids the use of beer and light wines; to the Committee on the Judiciary.

Also, telegram from Edwin F. Korvening, president Wisconsin Association of Wholesale Liquor Dealers, of Milwaukee, Wis., protesting against national prohibition; to the Committee on the Judiciary.

Also, telegram signed by L. B. Riley, president; Thomas Shannon, secretary; and H. H. Meirer, treasurer, representing Milwaukee Association of Railway and Steamboat Clerks, protesting against national prohibition; to the Committee on the Judiciary.

Also, telegrams from Guy F. Gregg, H. L. Hadfield, Blatz Hasten & Co., Fred C. Minard, Wisconsin Barrel & Cooperage Co., John Pritzlaff Hardware Co., Manitowoc Malting Co., August Rebhan, Howard D. Plimpton, Runkel & Dadmun, Milwaukee Western Malt Co., Carl A. Zinn, Otto E. Schulz, Henry Balzer, president Lakeside Distilling Co., the Rudolph Wurlitzer Co., and Louis F. Jermain, all of Milwaukee, Wis., protesting against the passage of the national prohibition amendment; to the Committee on the Judiciary.

Also, petitions from Thomas J. Mahon, counsel for the Wisconsin Association of Wholesale Liquor Dealers, of Milwaukee, Wis., and J. P. Schmidt, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of Joseph Rebholz, of Milwaukee, Wis., and Harry A. Gwin, of Washington, D. C., protesting against prohibition legislation; to the Committee on the Judiciary.

By Mr. DALE of New York: Petition of Board of Aldermen of St. Louis, Mo., urging a speedy passage of House bill 6537; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Papers in support of House bill 7423, granting a pension to Elizabeth A. Mueller; to the Committee on Pensions.

Also, papers in support of House bill 7425, granting an increase of pension to Absalom Erickson; to the Committee on Invalid Pensions.

Also, papers in support of House bill 7424, granting a pension to Henry C. Clauson; to the Committee on Pensions.

Also, papers in support of House bill 7426, granting an increase of pension to John R. Ogden; to the Committee on Invalid Pensions.

Also, memorial of American Federation of Labor, favoring increase in pay of postal employees; to the Committee on the Post Office and Post Roads.

By Mr. FITZGERALD: Resolutions of Parkway Club, of Borough Park Heights Civic Association, and the New Utrecht Democratic Club, Brooklyn, N. Y., favoring the passage of House bill 17806; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the Borough of Brooklyn, city of New York, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

Also, memorial of American Federation of Labor, favoring increase in pay of post-office clerks and city letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. FOSS: Petition of 100 women of the churches of Evanston, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. FOSTER: Resolution of Grand Army of the Republic, Post No. 102, Salem, Ill., urging favorable consideration of increase of pension for soldiers of the Civil War; to the Committee on Invalid Pensions.

By Mr. FREAR: Petition of Otto A. Olson, Star Prairie, Wis., favoring an allowance for clerk hire, etc., for fourth-class postmasters; to the Committee on the Post Office and Post Roads.

Also, petition of Alfred E. Coons and Alton Beggs, rural carriers of Wisconsin, urging the passage of H. R. 7219; to the Committee on the Post Office and Post Roads.

By Mr. FULLER of Illinois: Petition of T. W. Critchette and Andrew J. McQuiston, favoring bill to increase pensions of maimed soldiers; to the Committee on Invalid Pensions.

Also, petition of American Bottle Co., opposing the proposed prohibitory amendment; also petition of the Litchfield Manufacturing Co., of Waterloo, Iowa, favoring the proposed prohibition amendment; to the Committee on the Judiciary.

By Mr. HAMLIN: Papers to accompany H. R. 2060, a bill to pension Lewis J. Moon; to the Committee on Pensions.

By Mr. HERSEY: Resolution of committee of public safety and defense, of Waterville and Winslow, Me., urging legislation to put down pro-German activity and other forms of disloyalty; to the Committee on the Judiciary.

By Mr. LINTHICUM: Petition of A. Hoen & Co., Baltimore, Md., and memorials by the Baltimore Federation of Labor (representing 40,000 workmen) and the executive board of the Maryland State-District of Columbia Federation of Labor (representing 100,000 workmen), protesting against the prohibition amendment; to the Committee on the Judiciary.

Also, a memorial of the Harvard Avenue Methodist Episcopal Church, Baltimore, Md., urging a favorable vote on the prohibition amendment; to the Committee on the Judiciary.

By Mr. LUFKIN: Petitions of the Grand Army of the Republic, Post No. 108, Georgetown, Mass., and Grand Army of the Republic, Post No. 82, Marblehead, Mass., favoring an increase of pensions allowed veterans of the Civil War; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: Petition of A. C. Ayres and 84 men and 391 women from various parts of Indiana, praying for a woman suffrage amendment to the United States Constitution; to the Committee on Woman Suffrage.

By Mr. RAKER: Petition of Miss Belle Stevens, Igo, Cal., urging legislation increasing the compensation of postmasters; to the Committee on the Post Office and Post Roads.

By Mr. RANDALL: Petition of citizens of Los Angeles, asking adoption of national prohibition constitutional amendment; to the Committee on the Judiciary.

Also, memorial of First Congregational Church of Glendale, Cal., asking for adoption of joint resolution for constitutional amendment prohibiting manufacture, sale, transportation, and

importation of intoxicating liquors; to the Committee on the Judiciary.

By Mr. SNELL: Petition of voters of Keeseville, N. Y., favoring the submission of the national prohibition amendment; to the Committee on the Judiciary.

Also, petition of citizens of Peru, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SNYDER: Resolution of the Utica, N. Y., home-defense committee, favoring the enactment of more stringent legislation against certain persons, organizations, etc., in this country; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of members of the Red River Valley (Minn.) Medical Society, favoring bill to increase the rank of medical officers in the United States Army; to the Committee on Military Affairs.

Also, petition of Federal Employees' Union of White Earth Indian Agency, Minn., favoring increase in pay of Federal employees; to the Committee on Appropriations.

By Mr. TEMPLE: Petition of members of the Woman's Christian Temperance Union of Lawrence County, Pa., favoring national prohibition amendment to the Constitution and protesting against use of grains in manufacture of all intoxicants as a war measure; to the Committee on the Judiciary.

Also, petition of the Women's Missionary Society of New Bedford United Presbyterian Church, New Bedford, Pa., favoring national prohibition amendment to the Constitution and prohibition of all grains for the manufacture of intoxicants; to the Committee on the Judiciary.

Also, resolution adopted at mass meeting of citizens of New Bedford, Pa., favoring prohibition amendment to the Constitution and protesting against manufacture and sale of wine and beer for the period of the war as a food conservation measure; to the Committee on the Judiciary.

Also, petition of members of Second United Presbyterian Church of New Castle, Pa., in favor of prohibition amendment to the Constitution and a law to prohibit the use of grains in the manufacturing of intoxicants during the period of the war; to the Committee on the Judiciary.

Also, resolution adopted on November 17, 1917, by Upper Buffalo Presbytery, representing a congregation of 182 people, favoring an antipolygamy amendment to the United States Constitution; to the Committee on the Judiciary.

By Mr. WINSLOW: Petition of inmates of Summer Street Jail, Worcester, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WOODYARD: Petition of members of the Seventh Avenue Methodist Episcopal Church, Huntington, W. Va., urging the national prohibition amendment; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

SATURDAY, *December 15, 1917.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, incline our hearts to Thee, that amid the terrible ordeal through which we are passing, the clash of arms, the destruction of life and limb, the untold misery which follows in its wake, our faith in Thee may not be impaired nor our confidence in the overruling of Thy Providence may not be diminished.

It is written, "For my thoughts are not your thoughts, neither are your ways my ways, saith the Lord. For as the heavens are higher than the earth, so are my ways higher than your ways and my thoughts than your thoughts. For as the rain cometh down, and the snow, from heaven and returneth not hither, but watereth the earth and maketh it bring forth and bud, that it may give seed to the sower and bread to the eater, so shall my word be that goeth forth out of my mouth; it shall not return to me void, but it shall accomplish that which I please, and it shall prosper in the thing whereto I send it."

Thus we are assured that Thy will is supreme, though men may depart from the paths of righteousness. In the dispensation of Thy Providence Thy purposes and plans shall not be thwarted. Thus continue our faith and confidence in Thee.

> In the beauty of the lilies Christ was born across the sea,
> With a glory in His bosom that transfigures you and me;
> As He died to make men holy, let us die to make men free
> While God is marching on.

Amen.

The Journal of the proceedings of yesterday was read and approved.

RESIGNATIONS FROM COMMITTEES.

The SPEAKER. The Chair lays before the House the following resignations from committees, which the Clerk will report.

The Clerk read as follows:

DECEMBER 15, 1917.

Mr. SPEAKER: I hereby tender my resignation from the Committee on Rules, the same to take effect immediately.

WILL R. WOOD.

—

DECEMBER 15, 1917.

Mr. SPEAKER: I hereby tender my resignation from the Committee on Enrolled Bills, the same to take effect immediately.

WILL R. WOOD.

—

WASHINGTON, D. C., *December 14, 1917.*

Hon. CHAMP CLARK,
House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hand you herewith my resignation as a member of the Committee on Rivers and Harbors.

Yours, very truly,

ALLEN T. TREADWAY.

—

DECEMBER 15, 1917.

Hon. CHAMP CLARK,
Speaker House of Representatives.

MY DEAR MR. SPEAKER: I respectfully tender my resignation as a member of the Committee on Appropriations.

W. C. HAWLEY.

—

DECEMBER 15, 1917.

Hon. CHAMP CLARK,
Washington, D. C.

DEAR SIR: I hereby tender my resignation as a member of the Committee on the Merchant Marine and Fisheries.

Yours, very truly,

RICHARD P. FREEMAN.

—

DECEMBER 15, 1917.

Hon. CHAMP CLARK,
House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on the Merchant Marine and Fisheries of the House of Representatives, and respectfully request that same be accepted, effective immediately.

Sincerely, yours,

W. A. RODENBERG.

—

DECEMBER 15, 1917.

Hon. CHAMP CLARK,
Speaker House of Representatives.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Alcoholic Liquor Traffic, to take effect immediately.

Yours, very truly,

FREDERICK K. LEHLBACH.

The SPEAKER. Without objection, these resignations will be accepted.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 1419. An act to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 1419. An act to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

HOUR OF MEETING—11 O'CLOCK ON MONDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock on Monday morning.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock next Monday morning. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, can the gentleman inform the House as to what the plan will be for a vote on the consideration of the prohibition amendment?

Mr. KITCHIN. After I get unanimous consent to meet at 11 o'clock on Monday, I am going to make another request for unanimous consent.

The SPEAKER. Is there objection?

There was no objection.

VOTE ON THE PROHIBITION AMENDMENT.

Mr. KITCHIN. Mr. Speaker, since a great many Members live so far away from Washington it will take two or three days, and maybe longer, to get home, and they wish to leave, some of them, on the 6 o'clock western train and some on the 8 and 9 o'clock trains, and there are some Members who live in the New England States who would like to come down and be present and leave on the 7 o'clock train in the evening, I believe——

The SPEAKER. On what day?

Mr. KITCHIN. On Monday. I ask unanimous consent that the vote on the prohibition constitutional amendment be taken at 5.30, or not later than 5.30, o'clock Monday.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the vote on the prohibition amendment be taken not later than 5.30 on Monday.

Mr. LITTLE. Mr. Speaker, reserving the right to object, does not the gentleman think it would be better to fix it definitely at 5.30? I noticed once before, when we were expected to vote at 5 o'clock——

Mr. KITCHIN. I meant we would begin to vote on all amendments on the bill at 5.30.

Mr. LITTLE. You said "or sooner."

Mr. KITCHIN. I said if we get through.

Mr. LITTLE. I noticed the other day that when we were expected to vote at 5 o'clock, and did vote at 4 o'clock, quite a number were not here. If we should fix it definitely at 5.30 we could all be here.

Mr. KITCHIN. Mr. Speaker, I amend my request by making it at 5 o'clock; that we begin to vote under general debate and five-minute debate at 5 o'clock.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that any sort of debate, general debate or five-minute debate, shall close at 5 o'clock next Monday, and that the voting on the submission of this amendment and all amendments thereto shall begin at 5 o'clock.

Mr. WEBB. That includes the debate on all amendments?

The SPEAKER. Of course; it cleans up the debate entirely. Is there objection?

There was no objection.

CLERKS TO CERTAIN COMMITTEES OF THE HOUSE.

Mr. PARK. Mr. Speaker, I submit a resolution from the Committee on Accounts.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 192 (H. Rept. 223).

Resolved, That clerks to committees of the House during the session provided for by the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1918, be, and they are hereby, assigned for the present session of Congress to the following committees, to wit: Committee on Education, Committee on Railways and Canals, Committee on Reform in the Civil Service, Committee on Invalid Pensions (assistant clerk), Committee on the Judiciary (additional assistant clerk), Committee on Enrolled Bills (assistant clerk), Committee on Disposition of Useless Executive Papers.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ASSISTANT CLERK, COMMITTEE ON THE MERCHANT MARINE AND FISHERIES.

Mr. PARK. Mr. Speaker, I submit another resolution.

The SPEAKER. The Clerk will report the next one.

The Clerk read as follows:

House resolution 190 (H. Rept. 220).

Resolved, That the Committee on the Merchant Marine and Fisheries be allowed an assistant clerk, at the rate of $6 per diem, during the second session of the Sixty-fifth Congress, to be paid out of the contingent fund of the House.

The SPEAKER. The question is on agreeing to the resolution.

Mr. MADDEN rose.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. MADDEN. I rise to oppose the resolution.

The SPEAKER. The gentleman from Georgia [Mr. PARK] has charge of the time.

Mr. PARK. The gentleman can have five minutes if he wants it.

The SPEAKER. The gentleman from Illinois is recognized for five minutes.

Mr. MADDEN. Mr. Speaker, I think that for the Committee on the Merchant Marine and Fisheries one clerk is all that should be allowed. There is no justification for appointing an additional clerk for that committee. The business of the committee is not very onerous; not very voluminous; and if one clerk can not do the work of that committee the clerk is not qualified.

Of course, this side of the House is not responsible for the extravagant expenditures that will be made as the result of the resolutions which have been reported. If the gentlemen on the other side of the House who are chairmen of these committees are willing to state on their honor that clerks are needed for committees that have no business, we really ought not to complain much.

Mr. PARK. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. PARK. I wish to state that the chairmen of these committees did state that these clerks were necessary.

Mr. MADDEN. I realize that. Under that statement I do not know what the chairman of the Committee on Accounts could do except report in favor of the clerks that have been asked for by the chairmen of these committees; but it does seem to me that when clerks are named for committees that never meet and committees that ought not to have clerks, it is a species of extravagance that ought not to be indulged in. There ought not to be any appointments made simply for the purpose of giving somebody a job, and that is all this amounts to. I protest against it. Of course, my protest will not amount to anything. I realize that the resolution will be passed.

Mr. ALEXANDER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. ALEXANDER. Does the gentleman know anything about the work of the Committee on the Merchant Marine and Fisheries?

Mr. MADDEN. I know enough about the work of the Committee on the Merchant Marine and Fisheries to know that it does not need an extra clerk.

Mr. ALEXANDER. I beg the gentleman's pardon. The gentleman does not know enough about it, or he would not express his opinion in that arbitrary way.

Mr. MADDEN. The gentleman has no right to scold me for expressing my opinion.

Mr. ALEXANDER. The gentleman ought not to express an opinion unless he has information on the subject.

Mr. MADDEN. I do not recognize the gentleman's right to read me a curtain lecture when I express my opinion about the injustice of these expenditures. I propose to express my opinion, and the more he reads me a curtain lecture the more strongly my opinion will be expressed.

The SPEAKER. The gentleman's time has expired.

Mr. MADDEN. I ask for five minutes more, if I may have it.

Mr. PARK. All right.

The SPEAKER. The gentleman from Georgia yields to the gentleman from Illinois five minutes more.

Mr. MADDEN. The Committee on the Merchant Marine and Fisheries never has had an extra clerk and never had anything for an extra clerk to do. The committees for which clerks were authorized a few moments ago never had need for any clerks. They never meet. They have no business. They are ornaments, created to give some Member of Congress the title of chairman. Not one of these committees has had a meeting for I do not know how long, and when they do meet they do not meet to transact business. They have no business. Otherwise they probably are all right. [Laughter.] Why should we indulge in the expenditure of the public money just to accommodate the chairman of some committee that has no business, so that he may be able to appoint one of his constituents to a job, not to a place where employment is to be found, but to a job where he has an opportunity to sign the pay roll once a mon'h? I do not think it ought to be done. I submit that the House ought not to do it.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. KELLEY of Michigan. What do these clerks get per day?

Mr. MADDEN. Six dollars per day, 30 days a month, if it happens to be a month of 30 days, and 31 days a month, if it is a month of 31 days; and if by any chance the committee has a meeting and there is any business done, then they come in with a bill for extra pay for the clerk because he has done something. [Laughter.] That is true. Nobody will deny it. Every gentleman who has served here in the House long enough to know what the practice is will have to admit it. I remember one chairman of a committee in the last Congress came in here with a bill for $500, I think it was, for extra compensation for a clerk to one of these committees. I think he had worked about 15 minutes at something during his occupancy of the office of clerk, and because he had exercised himself in the interest of the public for a short time extra compensation was requested for his services. Of course he was not expected to perform any service for the regular compensation. That was a gratuity; but

if by any chance on earth he was ever called upon to do any work, why then the compensation which was given to him as a gratuity by action of the House was considered inadequate. I hear somebody say that it was given to him in the nature of a retainer, in order to keep him at the service of the committee, so that he would be on call. I have known clerks appointed to these committees who never came to their committee rooms in all the time that they occupied the position. Many of them never came to the city of Washington. I have known a case where the chairman of a committee drew the compensation of the clerk. Whether he divided it with the clerk or not I do not know, but I have some doubt about it; and I want, with all the vigor that I possess, to go on record as protesting earnestly, sincerely, and unequivocally against the rottenness of this practice of appointing clerks to positions where there are no duties to perform. [Applause.]

Mr. ALEXANDER. Will the gentleman from Georgia yield to me five minutes?

Mr. PARK. I yield to the gentleman from Missouri [Mr. ALEXANDER] five minutes.

Mr. ALEXANDER. Mr. Speaker, if the gentleman from Illinois intends his remarks to apply to the Committee on the Merchant Marine and Fisheries, they are based on a total lack of information. There are few committees of this House more active than the Committee on the Merchant Marine and Fisheries. There are few committees in this House that consider more bills. There are few committees in the House that have more hearings or meet oftener each week. Our regular meeting day is on Thursday. We often have meetings on other days. We report out, and the Congress passes, more bills of a general character than most of the committees of this House. Every member of that committee will bear testimony to that fact. Myself and Mr. GREENE of Massachusetts, who was chairman of the committee when I first became a member of it and who is now the ranking minority member of the committee, appeared before the Committee on Accounts and gave all the information upon which this resolution is based.

If there is any suggestion that this additional clerk is simply to make a place for some constituent of mine, it is absolutely untrue. We have needed an additional clerk for some years past. I had a clerk to that committee who worked more hours than any other clerk in Congress, I believe. He has gone from me now, and if the House intends that the work shall be efficiently done, if it is intended to provide the committee with an efficient organization, we are entitled to a session clerk. The gentleman from Illinois [Mr. MADDEN] is a member of the Committee on the Post Office and Post Roads, and I will venture to say that my committee does twice as much work as that committee, and I do not disparage the Committee on the Post Office and Post Roads. It is not a question of mere clerical work alone, but an organization should be efficient, so that the clerkship may be of service to the members of the committee in many other ways.

There may be committees in the House that do not need additional clerks, but that criticism does not apply to this committee, as I think the testimony before the Committee on Accounts will show. This committee is one of the most efficient committees of the House. We have reported out much legislation of a comprehensive nature. The gentleman from Massachusetts [Mr. GREENE] is the ranking minority member, and he appeared before the Committee on Accounts with me, and we made a sufficient showing to warrant that committee in reporting this resolution.

Mr. PARK. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SANFORD].

Mr. SANFORD. Mr. Speaker, it is probably unnecessary, as far as the passage of this resolution is concerned, for me to repeat what I had to say yesterday. The committee that had charge of this resolution gave to this matter about 40 minutes of consideration, and in that consideration we weighed the facts as this House can not pretend to weigh the facts. We heard the gentleman from Missouri, the chairman of the committee, the gentleman from Massachusetts, the ranking member of the committee, and we felt that we were obliged to take the statement of facts they made on this subject.

So far as I am concerned, I think this House should follow the unanimous recommendation of the Committee on Accounts without too much consideration, for the reason that the House is incapable within the time it is willing to take of giving to each of these separate questions, involving the expenditure of public money, the consideration that it should have. My attitude on the committee is that when we report a matter of this kind to the House the House, if it would act wisely, should follow our recommendation. The House yesterday saw fit not to follow the recommendation of the committee, but provided a clerkship for a committee where there were no facts to justify the expenditure of any money, taking the position that because some committees are given clerks others should have them also, regardless of the facts. In that matter yesterday and in this matter to-day I feel that the House should follow the action of the committee that has considered the matter, because it can not know and weigh the facts itself. I think this resolution should pass.

Mr. PARK. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GREENE].

Mr. GREENE of Massachusetts. Mr. Speaker, I am the senior member in service on the Committee on the Merchant Marine and Fisheries, having been a member ever since I entered the House 19 years ago. I want to say that during the last two years that committee has done more work than it did in the five previous years. The members of the committee are faithful in attendance, and it takes about all of our time. I serve upon no other committee in the House. I retired from another committee of which I was a member because this committee took all of my time, and I could not give attention to both committees. I appeared before the committee and approved of this application made by the chairman of the committee, and I think the request should be granted for an additional clerk. It is almost impossible to find a man of the ability of the former clerk of the committee, who had a better assignment elsewhere and gave up the position of clerk of this committee. I doubt whether we shall be able to complete the business with one clerk, he practically being a new man to the business which engages the attention of the committee. We have had a number of changes in the membership of the committee, and the clerk has a great deal of work to do and the committee itself has a great deal of work to do. It seems to me that no one having acquaintance with the facts can have any objection to granting the request. I hope that the Members of this body will consent unanimously to granting the request embodied in the pending resolution.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

ASSISTANT CLERK TO THE COMMITTEE ON RULES.

Mr. PARK. Mr. Speaker, I call up House resolution 180 for immediate consideration.

The Clerk read as follows:

House resolution 180 (H. Rept. 224).

Resolved, That the Committee on Rules be allowed an assistant clerk, at the rate of $100 per month, during the second session of the Sixty-fifth Congress, beginning the 3d day of December, 1917, to be paid out of the contingent fund of the House.

Mr. LENROOT. Will the gentleman yield to me?

Mr. PARK. I will yield to the gentleman from Wisconsin five minutes.

Mr. LENROOT. This is a proposition for an assistant clerk to the Committee on Rules. I am frank to say that in my opinion it may become necessary, but it is extremely improbable that it will become necessary unless the Committee on Rules should be called upon to enter into some investigation such as we had last year. The membership must recognize that in the nearly equal political division of the House there can not be many contests as far as the rules are concerned, but in all probability during this entire session there will be very few rules from the Committee on Rules, and such as there are will probably be unanimously, or nearly so, reported from that committee. Now, when we are asking the poorest people in the land to buy liberty bonds, to put up $50, to take it from their hard-earned earnings, it seems to me that the House ought to set some example with reference to economy.

This resolution can well be deferred until it is determined whether or not the Committee on Rules will have any work that makes it necessary to have an assistant clerk. No one will say that with the present duties imposed on the Committee on Rules, or that with anything that is pending before the committee, there is the slightest necessity for an assistant clerk, and if an assistant clerk is appointed he will have a sinecure, and absolutely nothing to do.

Mr. PARK. Mr. Speaker, I yield to the chairman of the Committee on Rules, if he happens to be present. He does not seem to be here; but I wish to state that the chairman of the Committee on Rules appeared before our committee and made such statements as caused us to believe the assistant clerk was necessary. We therefore recommended it without a dissenting vote.

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

Mr. PARK. Yes.

Mr. LENROOT. I do not think it is any reflection upon the chairman of a committee that he asks for an assistant clerk when he sees other committees getting assistant clerks, irrespective of the need of such clerks, as was stated by the gen-

tleman from Missouri [Mr. HAMLIN] yesterday with reference to his committee. He said he would be glad to get along without a clerk if other committees situated as was his would do the same; but it must be recognized that there is a piece of patronage for the chairman of the committee, and he has that in mind, and if other committees are to have these sinecures, very naturally he wants it for himself also. But I do think the Committee on Accounts should go into the question of what work a committee is called on to perform, and not merely take the bald statement of the chairman that he wants a clerk or an assistant.

Mr. SANFORD. Mr. Speaker, will the gentleman yield to me for five minutes?

Mr. PARK. I yield to the gentleman for five minutes.

Mr. SANFORD. Mr. Speaker, I am sorry for the apparent necessity that compels me again to speak about a matter of this kind. The gentleman from Wisconsin [Mr. LENROOT] is absolutely in error, I think, with reference to the method that is being followed now by this Committee on Accounts. Our committee does not take the word of the chairman as to his need for anything whatever, but we do take the facts that he states, governing the situation. The chairman of the Committee on Rules with great detail was heard, I dare say, for half an hour, and he described the particular work that the clerk has to do and stated it as his opinion that the clerk now assigned to the committee absolutely could not do the work effectively now or at any other time without the assistance of this assistant clerk in the work he has to do. We were not influenced by any desire of the chairman of the committee, but by the statement of the facts that he made. It happens at this time that the responsibility in the Committee on Rules is on that chairman and not on the gentleman from Wisconsin [Mr. LENROOT], where I perhaps would much prefer to have it be, but the responsibility is upon the present chairman, and he stated the facts concerning the work under his control.

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. LENROOT. I think the House is entitled to have those facts so that the House can form some judgment as to whether the facts justify this.

Mr. SANFORD. The facts were all brought out in the testimony and the testimony is in the committee room. We have not gone to the expense of having the hearings printed, but if the House wants the facts from the proper source, the House would have to hear them from the chairman of the committee.

Mr. LENROOT. The gentleman knows them. Can not the gentleman state to the House the facts that influenced his judgment?

Mr. SANFORD. I can state them to the House if I desired to do so, but I prefer to take the position that this House should follow the judgment of this committee. I take this position because I know from experience that I have had already with the House, that the House will not listen to the facts in reference to each one of these clerkships, and I will not make a particular exception with reference to this case, because it would be perfectly futile to examine this one case. I tried to get the House yesterday to examine one case, only to find in the end that the House said in effect that our system is such that if one man gets a clerk all the rest must have one. I will not take that position. I take the position that with reference to each case it is a question of proof.

Yesterday I found the House was disposed to say, "You have given it to so many committees, give it to another." I will not take that position with reference to the expenditure of public money, nor will I attempt to come here and state all the reasons with reference to all of the 20 or 30 clerkships in question when I know that the House will not listen to or consider the particular reasons if they are brought forth.

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. LENROOT. The gentleman is unwilling to state the facts to the House. May I ask him this? Was the gentleman impressed that the business now pending before the Committee on Rules was of such character that an assistant clerk was necessary?

Mr. SANFORD. I was impressed from the testimony of the chairman of the Committee on Rules with the facts that he stated to be true, and I said that if those facts did exist it was proper, so long as the system of doing legislative business that now prevails in the House continues to prevail to allow this clerk.

Mr. LENROOT. I am sorry the gentleman could not answer the question.

Mr. SANFORD. It is my opinion from what I have learned already that the clerical work of the House could be done with about 10 per cent of the disbursement that is now made for that work, but it would be inconsistent with the system that now prevails to deny to this important committee the help the chairman says is absolutely necessary.

Mr. WHEELER. Mr. Speaker, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. WHEELER. The gentleman refers to the present system. What is the present system; providing places and clerkships whether they are absolutely needed or not?

Mr. SANFORD. The present system provides, as I recall it, for an expenditure of a half million dollars for clerical help in the House, and it is my idea that a large proportion of it is unnecessary.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. MONDELL. Did it develop in the hearings before the committee that there was an unusual amount of business before the Committee on Rules at this time? That is, that the committee had before it, and was likely to have before it in the immediate future, more business than it has had before it in the past?

Mr. SANFORD. I think there was no unusual condition claimed to exist, but, as I recall this particular committee, the testimony was that the character of work is such that there is need for collaboration between two men.

Mr. MONDELL. But that has been the situation always in the work of that committee, has it not?

Mr. SANFORD. I understand so.

Mr. MONDELL. So that it is the gentleman's opinion, as I understand it, that there is no more necessity for an additional clerk now than there has been at any time in the past?

Mr. SANFORD. I do not know anything about the past. I take the statement of facts that the chairman gives me without respect to the past.

Mr. MONDELL. As I understood him, the gentleman has no information that there is an unusual amount of business before the committee?

Mr. SANFORD. I think there is not.

Mr. MONDELL. Conditions are as they have been in the past?

Mr. SANFORD. As far as I know.

Mr. MONDELL. The committee has gotten along without this clerk in the past?

The SPEAKER. The time of the gentleman has expired. [Cries of "Vote!"]

The question was taken; and the Speaker announced that the noes seem to have it.

On a division (demanded by Mr. PARK) there were—ayes 31, noes 84.

So the resolution was rejected.

WIDOW OF E. L. CURRIER.

Mr. PARK. Mr. Speaker, I offer another resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 178 (H. Rept. 221).

Resolved, That the Clerk of the House of Representatives is hereby authorized to pay to the widow of E. L. Currier, late a messenger on the soldiers' roll of the House of Representatives, a sum equal to six months' salary and funeral expenses not exceeding $250, the same to be immediately available.

The committee amendment was read, as follows:

In line 5, after the word "be," insert the words "paid out of the contingent fund of the House."

The question was taken, and the amendment was agreed to.

The resolution as amended was agreed to.

On motion of Mr. PARK, a motion to reconsider the votes by which the several resolutions were passed was laid on the table.

ATTORNEY'S FEE, CLERK OF THE HOUSE.

Mr. PARK. Mr. Speaker, I offer another resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 189 (H. Rept. 222).

Resolved, That the Clerk of the House be, and he is hereby, authorized to employ counsel at a reasonable fee not to exceed $500 to represent him in the matter of suit brought against him in his official capacity as Clerk of the House by Aaron P. Prioleau, the same to be paid out of the contingent fund of the House.

Mr. NORTON. May I ask the gentleman what is the occasion for the employment of counsel?

Mr. PARK. I understand from the Clerk, Mr. Trimble, that Prioleau claims that the papers sent were not filed by the Clerk, and he is bringing suit for $20,000 against him. This resolution provides that so much of the $500 as may be needed may be used to meet that suit. It may be knocked out on demurrer, with a cost of $50 or $100.

Mr. NORTON. What claims were not filed?

Mr. PARK. His contest papers.

Mr. GILLETT. Does the gentleman say the papers were not filed?

Mr. PARK. No; I do not say anything. He said that they may have been filed.

Mr. GILLETT. Is the gentleman cognizant of the fact as to whether or not they were filed?

Mr. PARK. No, sir; the Clerk, Mr. Trimble, said they were not filed with him, and he gave him notice in plenty of time to file. I do not know anything except what the Clerk says about it.

Mr. GILLETT. I understood from the gentleman's statement that he admitted that the Clerk of the House was negligent.

Mr. PARK. No, sir.

Mr. GILLETT. And if that was so I think we might consider whether we should allow this or not.

Mr. PARK. The gentleman misunderstood me.

Mr. GILLETT. I understand the gentleman did not admit that?

Mr. PARK. No.

Mr. GILLETT. Then I misunderstood the gentleman. Has the committee made an investigation to determine?

Mr. PARK. Nothing, except Mr. Trimble appeared before the committee and made a statement about it.

Mr. GILLETT. He just asked for $500, on the ground that it was for an attorney's fee?

Mr. PARK. No; he asked so much of $500 that might be necessary to defend him be allowed, because it was against him as Clerk of the House. It may be disposed of by general demurrer.

Mr. NORTON. Does the gentleman think this suit ought to be defended by the Government?

Mr. PARK. I think the Clerk is entitled to this fee, as the suit is brought against him officially.

Mr. GILLETT. Suppose the Clerk is in fault? Did he give the committee any explanation as to that?

Mr. GRAHAM of Illinois, Mr. LANGLEY, and Mr. STAFFORD rose.

The SPEAKER. To whom does the gentleman yield?

Mr. PARK. To the gentleman from Illinois.

Mr. GRAHAM of Illinois. Has the suit been brought?

Mr. PARK. Yes.

Mr. GRAHAM of Illinois. Does the gentleman know in what court?

Mr. PARK. I only have the Clerk's word.

Mr. LANGLEY. Well, my understanding is that the Clerk contends there was not an error on his part. I understand that to be his contention, and I do not think myself that he was at fault. He is too conscientious, painstaking, and efficient to have done what the plaintiff alleges.

Mr. PARK. The Clerk contends there was no error on his part.

Mr. STAFFORD. Will the gentleman yield?

Mr. PARK. Yes.

Mr. STAFFORD. As I understand it summons has been served upon the Clerk of the House in his official capacity by a former contestant in an election case, claiming large damages against the Clerk of the House. It has been customary in this House whenever such conditions have obtained heretofore to allow officials of the House to employ counsel and pay the counsel fees. As I understand it, this is merely an authorization to the Clerk of the House to employ counsel and pay a fee to the extent of $500 to defend the Clerk in the suit brought against him in his official capacity.

Mr. GILLETT. Will the gentleman yield?

Mr. PARK. Yes.

Mr. GILLETT. As I understand it, the gentleman said he knows nothing about the merits of the case as to whether the Clerk was negligent or not. Now, it seems to me——

Mr. PARK. I stated to the gentleman awhile ago I only had the Clerk's statement before the committee about it. The Clerk stated, as I remember, that no contest papers were filed with him. If they were, he does not know anything about it.

Mr. STAFFORD. Will the gentleman allow me to ask a question of the gentleman from Massachusetts?

Mr. PARK. I yield to the gentleman from New York [Mr. SANFORD].

Mr. SANFORD. I want to ask the gentleman from Massachusetts if he thinks the Committee on Accounts should try the case first before we decide whether or not we will allow the Clerk to have counsel?

Mr. GILLETT. I certainly do not.

Mr. SANFORD. How else can we find out the truth and facts of the case?

Mr. GILLETT. I do not see why, unless all precedent is that way, the House should in advance of the case furnish the money. It seems to me the Clerk should defend himself and pay his own bills, and when it is over, if he should prove he was not negligent, we should reimburse him. Now, you are assuming that the Clerk was not negligent. I hope he was not. If he was, I do not see why the House should pay his resulting expenses.

Mr. STAFFORD. Will the gentleman from Georgia [Mr. PARK] yield so that I may ask a question of the gentleman from Massachusetts?

Mr. PARK. Yes.

Mr. STAFFORD. Does not the gentleman recall that some 10 years ago, when the Committee on Printing was sued by an outside party an authorization was asked of the House to employ counsel and defend it? The House did not determine the merits of the controversy. We naturally voted authority to employ counsel. Here is an official of the House with summons brought against him in a matter arising out of the performance of his official duties. Naturally he should have some counsel, and the sum of $500 is not large, to protect him in a suit arising out of the performance of the duties as an officer of this House.

Mr. GILLETT. As I remember that case it was against a committee of the House, and it seems to me that would make a distinction. But, at the same time, what occurs to me is that if you make his appropriation now and it proves that it was the Clerk's own fault and his carelessness, we are protecting him in that. It seems to me the proper way would be to wait.

Mr. STAFFORD. We are only protecting him to the extent of the counsel fees, and not the damages that may be awarded against him.

Mr. GILLETT. If he is subject to damages, why should he not pay his own counsel fees? It seems to me the proper way would be to wait. The Clerk would be under no financial embarrassment in advancing this money. Let him pay the expense and let us reimburse him if it is proper that he should be reimbursed. It seems to me that would be the natural way. If all precedent is on the other side, perhaps we should not do it.

Mr. NORTON. Will the gentleman from Georgia yield?

Mr. PARK. I yield to the gentleman five minutes.

Mr. NORTON. Mr. Speaker, it seems to me if the Clerk is sued in his official capacity and as an official is not at fault—that is, if in any action for which he has been sued he has used reasonable care and diligence in the performance of his duty—it is only just and right that the House should pay his reasonable attorney's fees.

ADJOURNMENT FOR THE HOLIDAYS.

Mr. KITCHIN. If the gentleman from Georgia will yield, I wish to say that I have an engagement at 1 o'clock, and I would like to offer a resolution.

Mr. NORTON. I yield to the gentleman.

Mr. KITCHIN. Mr. Speaker, I move the adoption of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from North Carolina offers a resolution, which the Clerk will report.

The Clerk read as follows:

House concurrent resolution 29.

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Tuesday, the 18th of December, 1917, they stand adjourned until 12 o'clock meridian of Thursday, the 3d day of January, 1918.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

COUNSEL FEES FOR CLERK OF THE HOUSE.

Mr. NORTON. Mr. Speaker, this resolution proposes to authorize the Clerk of the House to employ counsel at an expense not to exceed $500. The chairman of the committee tells the House that the committee has made no investigation to determine whether the Clerk has been grossly at fault in this matter or not. It seems to me that to pass this resolution without more facts before the House would establish a very dangerous precedent. I understand that the case of Aaron P. Prioleau is one of these cases from the South where a negro candidate for Congress has brought a contest for a seat in this House after every biennial election for many years. As a result of these contests he has received several thousands of dollars for attorney fees and expenses. With this colored man these election contests seem to have been a sort of a biennial Christmas present.

Mr. GARRETT of Tennessee. What district is that from?

Mr. NORTON. I am not advised of the district this man Prioleau is from, but one of the Members of the House acquainted with the facts in the case, as I have stated them——

Mr. GARRETT of Tennessee. Is it from South Carolina?

Mr. NORTON. He is from South Carolina, I believe. Any attempt that may have been made by the Clerk to shut off the payment to this man of the attorney's fees that he has received year after year is commendable. However, it seems to me that the payment of attorney's fees in cases like this without any

more information than is now before the House establishes a bad precedent on the part of the House. I do not know whether, as a matter of fact, in this case, attorney's fees should be authorized for the Clerk, but the Committee on Accounts, it seems to me, should be able to come into this House and say to the Members that they know from investigation that the facts are such that it is only fair and reasonable on the part of the House to grant these attorney fees.

Mr. DYER. Will the gentleman yield for a question?

Mr. NORTON. Certainly.

Mr. DYER. Is it not presumed that the Clerk has properly attended to his duties in connection with this matter, and it is not necessary for the Committee on Accounts to bring in an inquiry as to that?

Mr. NORTON. I take it the gentleman is an attorney learned and experienced in the practice of the law. Does the gentleman think it is a good precedent for this House to establish to employ an attorney for any official of the House who may simply ask the House to authorize the employment of an attorney, at an expense not to exceed $500, in a suit for damages brought against the official in his official capacity?

Mr. DYER. I do. I take it that the law presumes that the public official has discharged his duties correctly and faithfully, and that when he needs counsel it is the duty of the Government to employ that counsel and pay for it.

Mr. NORTON. Then the gentleman would say that the Doorkeeper here, or any official or servant of this House against whom an action is brought, would only need to come to this House and say, "Permit me to employ an attorney at an expense not to exceed $500," and the request would be granted. I want to say, as a Member of this House, that such would be a bad precedent and one that should not be established.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. NORTON. Certainly.

Mr. GARRETT of Tennessee. I do not think the gentleman would be willing to stand entirely by that statement as he has just made it.

Mr. NORTON. I stand strictly by that statement, that I would not set the precedent for every employee of the House to come before the House and say that he had an action brought against him and should have counsel at the Government expense on the presumption that he has performed his duties properly.

Mr. GARRETT of Tennessee. The gentleman would not accord to the Doorkeeper the right to make an obligation to agree to certain expenditures. That kind of case bears no relation to such a matter as this. Now, I will say frankly that I do not know about this case, but——

Mr. NORTON. It seems to me the better precedent would be this: To have the Clerk employ counsel and defend his case, and then, if it was found that he was not negligent, the Congress should reimburse him for reasonable expenses incurred.

Mr. GARRETT of Tennessee. Oh, Mr. Speaker, if the gentleman will permit, I do not think that principle is right at all. I do not think the Clerk of the House ought to be required to advance money out of his own pocket to defend an official act of his, if correctly taken. I think that he ought to have a fund for use in his official capacity without having to pay it out of his own pocket.

With the details of the case now before the House I am not at all familiar. I asked the gentleman a few minutes ago for information. I do not think that an official of this House ought to be required to advance the money out of his own pocket to defend his own official acts. If there is anything involved in it that is personal, that is an entirely different proposition; but he ought not to be required to make whatever sacrifice may be involved in advancing the funds out of his own pocket and out of his own personal account to pay for the defense of that action which he has taken as the official representative of this House.

Mr. NORTON. Let me proceed. I contend this——

The SPEAKER. The time of the gentleman from North Dakota has expired.

Mr. NORTON. Mr. Speaker, may I have about two minutes more time.

Mr. PARK. Mr. Speaker, I yield to the gentleman two minutes more.

The SPEAKER. The gentleman from North Dakota is recognized for two minutes more.

Mr. NORTON. I contend this, that before the House should authorize an appropriation for attorneys' fees for the Clerk or any other official of the Government, sued in his official capacity, a showing should be made to the Committee on Accounts, such that the committee could come to the House and say that the committee believes from that showing——

Mr. PARK. Mr. Speaker, will the gentleman yield?

Mr. NORTON. In just a moment. Let me complete my statement—that the committee believed from that showing that the House was justified in granting that request made by the official for an appropriation for attorneys' fees.

Mr. PARK. Now will the gentleman yield?

Mr. NORTON. Certainly.

Mr. PARK. I have made the statement twice. I can not speak loudly, because I am suffering from a cold this morning; but Mr. Trimble came before the committee, and Mr. Trimble stated that no contest papers had been filed with him, so far as he knew; that he had made investigation among the officials in his office and that they did not know anything about it. He is presumed by the law to do his duty. He is presumed in this case to have done his duty. What investigation can the Committee on Accounts make beyond that? Can it go into his office and into the files? Let the gentleman make some suggestion as to what they ought to do besides what is being done.

Mr. NORTON. He made the statement that no papers had been filed in his office, so far as he knew.

Mr. PARK. Yes; that no papers had been filed in his office, so far as he knew, and the clerks say the same thing to him.

Mr. GILLETT. Mr. Speaker, will the gentleman from Georgia allow me a question?

Mr. PARK. Yes.

Mr. GILLETT. Does the gentleman think if it had been proved that the Clerk had been negligent and had not performed his duty we should still pay?

Mr. PARK. That is for the court to decide.

Mr. GILLETT. If we paid it now, it would not be decided by the court. That is the point.

The SPEAKER. The time of the gentleman from North Dakota has again expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman from Georgia yield to me?

Mr. PARK. Yes; I yield to the gentleman from Kansas.

Mr. CAMPBELL of Kansas. Mr. Speaker, I understand the facts in this case to be these: A contest was filed, or alleged to be filed, against the sitting Member holding the certificate. The Clerk had rumor of it. He wrote the contestant that his papers were not on file. The contestant then sent his papers to the Speaker of the House. The Speaker of the House referred them to the proper committee. It was done in time. The committee decided against the contestant. The House agreed with the committee. The contestant then asked for his usual $2,000 fee, that he had been receiving biannually for many, many years. The Committee on Accounts allowed him $1,000, and brought their report upon the floor, and in a hotly contested hour here the House refused to give him even the $1,000.

These are the facts in the matter; and now, three years after, suit is brought in damages in the home State of the contestant against the Clerk of the House. The Clerk of the House will have to employ counsel to file his answer and make his defense. Under these circumstances I think there is no question but that the House should stand by its Clerk and furnish the counsel. [Applause.]

Mr. COOPER of Wisconsin. Mr. Speaker, if the gentleman from Kansas will permit, what is the charge which the contestant makes in his complaint against the Clerk? What is the charge that he made? What is the ground of his action?

Mr. CAMPBELL of Kansas. He sets out as the measure of his damages the salary for two years $15,000.

Mr. COOPER of Wisconsin. What does he allege against the Clerk?

Mr. CAMPBELL of Kansas. That the Clerk failed to file his papers. But his papers were not offered to the Clerk, but to the Speaker, and the Committee on Elections and this House decided against him.

Mr. ELSTON. I should like to ask the gentleman a question if he will yield.

The SPEAKER. Does the gentleman yield?

Mr. CAMPBELL of Kansas. For a question.

Mr. ELSTON. Do the duties of the Attorney General cover a case of this kind, of the defense of an officer of the House?

Mr. CAMPBELL of Kansas. Not at all.

Mr. ELSTON. There is no question as to that?

Mr. CAMPBELL of Kansas. No.

Mr. JUUL. I want to ask the gentleman if he does not think that if we fail to stand by the Clerk of the House at this time, a new industry will spring up in this country, that of suing the Clerk for damages? [Laughter.]

Mr. CAMPBELL of Kansas. Well, that may be.

The SPEAKER. The time of the gentleman from Kansas has expired.

Mr. GILLETT. Will the gentleman from Georgia yield to me two minutes?

Mr. PARK. I yield to the gentleman from Massachusetts two minutes.

Mr. GILLETT. After the statement made by the gentleman from Kansas, I certainly shall have no objection to this appropriation being made; but I wish to say that it does seem to me that as a rule when an officer of the House is sued there is no reason why the House should anticipate that he is innocent and advance money to him. It seems to me the proper method should be always to wait until the result of the suit. If an officer of the House was not negligent, of course we ought to reimburse him for anything he had to pay, as well as his counsel fees; but, on the other hand, if he was negligent, it seems to me he personally ought to be held responsible for the pecuniary results of his own negligence. In this case I am quite satisfied that this resolution should be passed.

Mr. STAFFORD. Does the gentleman differentiate between a suit against a committee of the House, such as the committee that went over to New York to investigate the actions of the then Representative Buchanan and of United States District Attorney Marshall, and a suit against an officer of the House?

Mr. GILLETT. I should want to think about that.

Mr. STAFFORD. In that case, though some of us believed the members of the committee to be at fault, and later the Supreme Court overruled the position taken by the committee of the House, nevertheless we voted them money for counsel.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. PARK, a motion to reconsider the last vote was laid on the table.

COMMITTEE ASSIGNMENTS.

Mr. GILLETT. Mr. Speaker, I have here a list of Republican assignments to fill vacancies on committees, and I move that the following gentlemen be, and hereby are, elected to the committees named.

The SPEAKER. The gentleman moves the election of the Members whose names will be reported by the Clerk for assignments to committee vacancies.

The Clerk read as follows:

ALCOHOLIC LIQUOR TRAFFIC.

Thomas A. Chandler, of Oklahoma.
Joseph McLaughlin, of Pennsylvania.

APPROPRIATIONS.

William R. Wood, of Indiana.

CLAIMS.

Schuyler Merritt, of Connecticut.

ENROLLED BILLS.

James W. Husted, of New York.
Willfred W. Lufkin, of Massachusetts.

EXPENDITURES IN THE DEPARTMENT OF AGRICULTURE.

John M. Baer, of North Dakota.

EXPENDITURES IN THE WAR DEPARTMENT.

Willfred W. Lufkin, of Massachusetts.

INDUSTRIAL ARTS AND EXPOSITIONS.

Charles C. Kearns, of Ohio.
Louis W. Fairfield, of Indiana.

IRRIGATION OF ARID LANDS.

Charles B. Timberlake, of Colorado.

THE MERCHANT MARINE AND FISHERIES.

Frederick R. Lehlbach, of New Jersey.
Sherman E. Burroughs, of New Hampshire.

PUBLIC BUILDINGS AND GROUNDS.

Richard N. Elliott, of Indiana.

RAILWAYS AND CANALS.

Louis B. Goodall, of Maine.

REFORM IN THE CIVIL SERVICE.

Willfred W. Lufkin, of Massachusetts.

RIVERS AND HARBORS.

Richard P. Freeman, of Connecticut.

REVISION OF THE LAWS.

John F. Miller, of Washington.

RULES.

William A. Rodenberg, of Illinois.

THE TERRITORIES.

Schuyler Merritt, of Connecticut.
John M. Baer, of North Dakota.

WAR CLAIMS.

Burton L. French, of Idaho.

WAYS AND MEANS.

Willis C. Hawley, of Oregon.
Allen T. Treadway, of Massachusetts.

The SPEAKER. Are there any other nominations? If not, the Chair will put the question.

The motion was agreed to.

DECEMBER SALARIES.

Mr. FITZGERALD. I ask unanimous consent for the present consideration of the following joint resolution.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of a joint resolution, which the Clerk will report.

The Clerk read H. J. Res. 193, authorizing the payment of salaries of officers and employees of Congress for December, 1917, as follows:

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives are authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1917, on the day of adjournment of the present session for the holiday recess; and the Clerk of the House is authorized to pay on the same day to Members, Delegates, and Resident Commissioners their allowance for clerk hire for the said month of December.

The joint resolution was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the last vote was laid on the table.

WOMAN SUFFRAGE.

Mr. RAKER. Mr. Speaker, by unanimous vote of the Committee on Woman Suffrage, I make the following motion:

I move that the following House joint resolutions proposing amendments to the Constitution of the United States extending the right of suffrage to women be rereferred from the Committee on the Judiciary to the Committee on Woman Suffrage, with jurisdiction, namely House joint resolution No. 1, introduced by myself; House joint resolution No. 3, by Miss RANKIN; House joint resolution No. 4, by Mr. MONDELL; House joint resolution No. 11, by Mr. KEATING; House joint resolution No. 19, by Mr. HAYDEN; House joint resolution No. 34, by Mr. TAYLOR of Colorado.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that that motion is not now in order.

The SPEAKER. The Chair will hear the gentleman.

Mr. GARRETT of Tennessee. Section 3 of Rule XXII, found on page 378 of the Manual that I hold in my hand, provides that—

All other bills, memorials, and resolutions may, in like manner, be delivered, indorsed with the names of Members introducing them, to the Speaker, to be by him referred, and the titles and references thereof and of all bills, resolutions, and documents referred under the rules shall be entered on the Journal and printed in the RECORD of the next day, and correction in case of error of reference may be made by the House, without debate, in accordance with Rule XI, on any day immediately after the reading of the Journal, by unanimous consent, or on motion of a committee claiming jurisdiction, or on the report of the committee to which the bill has been erroneously referred.

Of course, the Journal was read quite a while ago and much business has intervened. I wish the gentleman from California would let this motion go over until next week.

Mr. RAKER. I will state to the gentleman that I was prepared to present this following the reading of the Journal, and have presented it at the earliest opportunity, and believe that I am strictly within the rule.

Mr. GARRETT of Tennessee. The Journal was read quite a while ago, and we have appropriated several thousand dollars since.

Mr. LITTLE. I understood the rule which the gentleman read to say that at the conclusion of the Journal it "may be" presented.

Mr. GARRETT of Tennessee. It says may be made by the House, without debate, on any day immediately after the reading of the Journal, by unanimous consent.

Mr. LITTLE. Does the gentleman from Tennessee construe that language to mean that it must be read at that moment and that it shall not be brought up at any other time?

Mr. GARRETT of Tennessee. It may be done if brought up at once.

Mr. LITTLE. It says that it "may be" brought up at that time.

Mr. GARRETT of Tennessee. No; it says that it may be done if brought up at that time.

Mr. LITTLE. That does not mean that it may not be brought up a little later.

Mr. RAKER. Mr. Speaker, I will say that I was here and had seen the Speaker, so as to be definite as to the rule, but I am going to leave it to the Speaker's judgment as to whether I am in time.

Mr. HELVERING. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HELVERING. I understand that an agreement was made as to the recognition immediately after the conclusion of the reading of the Journal. The gentleman from California [Mr. RAKER] has conformed to that agreement for recognition. The fact that the Speaker could not recognize two men at a time,

other gentlemen being recognized, prevented the gentleman from California from presenting it at that time. Am I correct in that statement?

The SPEAKER. That is a correct statement.

Mr. HELVERING. Then the objection of the gentleman from Tennessee will not lie.

The SPEAKER. Here is the situation: The gentleman from Georgia [Mr. PARK] had certain privileged matters that he had been trying to get up for five or six days. The Chair had put him off because there were other matters that he considered of more importance and entitled to the right of way.

Mr. ROSE. Mr. Speaker, I would like to ask the gentleman from Tennessee a question. With the creation of this new committee a few days ago, does it not create a new jurisdiction, and is it not correct that an exception can be taken at any time to jurisdiction? Would not the Committee on the Judiciary, since the formation of the Committee on Woman Suffrage, lose its jurisdiction of this question, and would not the Committee on Woman Suffrage take jurisdiction of these resolutions automatically?

Mr. GARRETT of Tennessee. I want to ask the gentleman, with entire candor, this question: The adoption of the resolution reported from the Committee on Rules on September 24 provided for the creation of a Committee on Woman Suffrage, and if the reference to it of certain matters did fundamentally change the rules of the House and fundamentally change the jurisdiction upon one of the constitutional questions, it was not created until day before yesterday, and in the meantime, if I am correctly informed, the Committee on the Judiciary has reported to the House the subject matter which is now in controversy. It seems to me that the House is entitled to vote on the report from the Committee on the Judiciary, which undoubtedly had jurisdiction within the time that it did report.

Mr. MEEKER. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. MEEKER. If that be correct, then the prohibition amendment rightfully belongs to the Committee on Alcoholic Liquor Traffic. Is that correct?

Mr. GARRETT of Tennessee. I do not think so, under the practice of the House.

The SPEAKER. The Chair will state the situation. Since the gentleman from California had the conversation with the Speaker an unexpected thing has happened; that is, the Judiciary Committee has reported this bill out, and the report is now in the basket.

Mr. GARRETT of Tennessee. And on the calendar?

The SPEAKER. The Clerk says that it is on the calendar.

Mr. STAFFORD. Mr. Speaker, I presume that the question presented to the Speaker is a question involving the business under the morning hour, which has rarely been called up in these later days.

Mr. GARRETT of Tennessee. That is not the whole question. The Committee on the Judiciary has reported without recommendation a resolution providing for an amendment to the Constitution covering the question of woman suffrage. That resolution is in the basket and on the calendar of the House. How are you going to take it from the committee which has reported it when it is not before the committee and refer it to the Committee on Woman Suffrage? Do gentlemen who are in favor of the resolution desire it to be taken from the calendar and referred to the other committee?

Mr. RAKER. I take it for granted that it is in the basket. I investigated this morning before the Journal was read, looked at the RECORD, and no report had been made. If it was in the basket, it was put in while we have been waiting for recognition. It can not be on the calendar unless they have taken it from the basket and taken it to the office. Until it comes up for consideration, the House has full power to refer or transfer it. In other words, the committee that has jurisdiction does not lose jurisdiction until its report is on the proper calendar of the House.

Mr. STAFFORD. Mr. Speaker, I want to say that I agree with the last contention of the gentleman from Tennessee; but I believe the first point made is good, because under the construction of the rule for the business of the morning hour I direct your attention to Rule XXIV, paragraph 1, which enumerates the business that may be considered.

The order of business is, first, the prayer, next the reading and approval of the Journal; then the correction of references of public bills, which, if the resolution had not been reported, would then have been in order; then the disposal of business on the Speaker's table; fifth, unfinished business; sixth, for the consideration of bills called up by committees. Bills have been considered this morning that have been called up by committees, namely, the resolutions presented by the Committee on Accounts. Therefore the order in which this matter could have been considered under the third designation—the correction of reference of public bills, has passed, and it is now too late to consider it, even if the resolution had not been reported by the Committee on the Judiciary and the matter having passed out of the jurisdiction of that committee.

Mr. SAUNDERS of Virginia. Mr. Speaker, I suggest that if it is true, as a matter of fact, and I take it that it is true, that the bill is actually here, then this other matter being discussed is merely a moot question and has no sort of relation to anything, and there is no excuse to take up further time in discussion.

The SPEAKER. The Chair thinks the gentleman from Virginia is entirely correct in that.

Mr. LITTLE rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. LITTLE. Mr. Speaker, I am a member of this committee and I would like to say a word about the matter.

The SPEAKER. About what?

Mr. LITTLE. This point of order.

The SPEAKER. The Chair will hear the gentleman.

Mr. LITTLE. That is all I seek. Mr. Speaker, a correct reading of the clause read by the gentleman from Tennessee [Mr. GARRETT] does not warrant any such interpretation as he gives it.

The SPEAKER. What does the gentleman think about the fact that unexpectedly to the Speaker, at least, the Chair does not know how many people knew it, but after the Chair had had his conversation with the gentleman from California [Mr. RAKER] this morning, the Committee on the Judiciary actually reported this resolution?

Mr. LITTLE. I think I see a solution of that difficulty.

The SPEAKER. The Chair will be obliged to the gentleman if he will state the solution.

Mr. LITTLE. This rule that gave these bills to the Committee on Woman Suffrage provided that any proposition with regard to woman suffrage should go to the Committee on Woman Suffrage. I take it, Mr. Speaker, that that meant just what it said. It does not need any interpretation. There is no ambiguity; there is nothing to discuss. The minute the House adopted that rule that proposition, ipso facto, automatically belonged to the Woman Suffrage Committee, and the Committee on the Judiciary had no more authority over it than the Committee on Accounts would have over a revenue bill. They had no right under our rules to report it in here. The only thing that could be done with the constitutional amendment when this rule was adopted was to send it to the Woman Suffrage Committee. That was the reason for adopting the rule. It states distinctly that all propositions with regard to woman suffrage should go to the Committee on Woman Suffrage, and that is where this should have gone.

The SPEAKER. The gentleman does not contend that the new rule about the Woman Suffrage Committee automatically took a bill away from a committee that already had it, does he?

Mr. LITTLE. That is exactly what I do contend.

The SPEAKER. The Chair differs with the gentleman on that proposition.

Mr. LITTLE. I would like to be heard for a moment on that.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. LITTLE. In just a moment. It has been suggested that this is analogous to the creation of a new court, where certain cases were before the old court, and that the new court would take jurisdiction of them, but would not take cases already set in the old court for hearing unless some provision to that effect were made; but, Mr. Speaker, that is only when they have concurrent jurisdiction. The minute the old court was deprived of jurisdiction and jurisdiction was conferred upon the new court, the old court had nothing to do with those cases and could not do a thing with them, and the minute that the Woman Suffrage Committee was given full authority over this bill the other committee ceased to have any authority over it whatever.

The SPEAKER. How will the gentleman get a bill that has already been referred away from the committee to which it has been referred and have it referred to the Woman Suffrage Committee?

Mr. LITTLE. I take it that when this rule was adopted the Judiciary Committee would obey the rules of the House.

The SPEAKER. But the committee was obeying the rules of the House.

Mr. LITTLE. Not when it brought the resolution in here over which they had no authority. Suppose the Committee on Accounts should bring in a revenue bill, it would amount to nothing.

The SPEAKER. The Chair is ready to rule.

Mr. WEBB. Mr. Speaker, will the Speaker hear me for a moment?

The SPEAKER. Yes.

Mr. WEBB. Mr. Speaker, the woman suffrage proposed amendments to the Constitution have been referred from time immemorial to the Committee on the Judiciary. Amendment or resolution No. 1, the author of which is the gentleman from California [Mr. RAKER], was referred to our committee, as usual at the beginning of this Congress. It was decided not to report the resolution out during the war session of Congress, as we did not regard it as a war measure, but we did agree to give hearings, and for a day or two both those for the Susan B. Anthony amendment and those against it came before our committee, and we sat and gave them all the time they wanted. We told them we would not report the resolution during the war session but that we would in December. The very second meeting of the committee in December we took up two proposed amendments to the Constitution, one relating to prohibition and the other to woman suffrage. The House ordered the creation of a Committee on Woman Suffrage in September. I did not want anything unseemly to occur between the Committee on the Judiciary and this new committee of the House, and I inquired of the Speaker and other Members who knew the rules of the House and told them I did not want my committee to act upon this measure if we had no jurisdiction of it. I was told universally from the Speaker down that our committee did have jurisdiction of it; that there was no intention of taking it away from us as long as we had hearings on it and was ready to report. Having the resolution on our hands, on Tuesday last we ordered it reported out as we had stated we would do. The committee ordered the report and the report has been filed and is now before the House for its consideration. Our committee properly had jurisdiction of this proposed amendment, and we had hearings upon it and we have voted the resolution out of the committee. It is now on the calendar.

Mr. WALSH. Will the gentleman yield?

Mr. WEBB. I will yield.

Mr. WALSH. Is it not also a fact, I will ask the chairman of the Committee on the Judiciary, that the chairman was instructed and endeavored to procure a rule from the Committee on Rules for the consideration of this resolution before the Christmas recess?

Mr. WEBB. Yes; that is true, too, Mr. Speaker. We did promise the ladies last summer that we would get a vote as quickly as possible after the war session ended. We did what we promised. Mr. Speaker, I make the further point of order that having had regular jurisdiction of this amendment, having had hearings, having determined upon a report and that report actually having been made, that under the rulings, too numerous to cite, it is now too late to ask that the resolution be taken from the Judiciary Committee. I make that further point of order and ask for a ruling on it.

Mr. RAKER. Mr. Speaker, may I be heard on the point of order?

Mr. GARRETT of Tennessee. Mr. Speaker, I think this matter can be settled very easily, and I want to make a request for unanimous consent. It is perfectly evident, of course, that the gentleman from California [Mr. RAKER] is now opposed to the amendment [laughter], because it has been reported to the House and is now ready for action, and I think we can settle this matter good-humoredly and pleasantly by entering into a unanimous-consent agreement; and I therefore, pending the decision on the point of order, ask unanimous consent that the resolution providing for the submission of the question of the constitutional amendment, and all resolutions related thereto, shall lie upon the table until the end of this session of Congress. [Laughter.]

Mr. RAKER. Of course I would have to object to that.

Mr. CALDWELL. I object to that.

Mr. RAKER. Mr. Speaker, without undue feeling and with perfect confidence and the highest respect for the distinguished gentleman who graces the chairmanship of the Committee on the Judiciary and all of that committee, we tried to take this baby, as the gentleman called it, from the Committee on the Judiciary before they acted on it and before they reported, so that the friends of the baby, or the women interested in this resolution, might assist the Committee on Woman's Suffrage in seeing that it had proper clothing and was brought to manhood or womanhood and given the right to participate in the functions of this Government. [Laughter and applause.] Now, as to the gentleman's statement that there was an effort to have this voted upon on the 17th or 18th of this month. All of those who are interested in this amendment—and I believe that is two-thirds of the House—asked and requested that this be voted on early in January, either the 7th or 8th of January. It was agreed upon by the leader that that would be satisfactory and that he would secure unanimous consent to take up this resolution on the 7th of January, when Congress reconvened after the holidays. These folks have been working accordingly. Only those who are opposed to the amendment, who think they can take some advantage of it, have stated now that they want, as my friend from Massachusetts, to vote on it before the holidays.

Mr. WEBB. If the gentleman will permit, I do not think the gentleman fairly represents me. I stated to my friend from California and everybody that I have no feeling about this matter. That I was willing to vote on this resolution whenever it is suitable to the women, although I am opposed to woman suffrage.

Mr. WALSH. Mr. Speaker——

Mr. RAKER. The gentleman from North Carolina correctly states it; that the gentleman was ready to take a vote on the 7th of January next?

Mr. WEBB. Any time.

Mr. RAKER. And in deference to him and the members of the committee I talked with, I will say they are satisfied with the request of the women who are asking for this resolution. That is the view of the majority as near as we could get on the other side, that they would fix it for the 7th of January. I yield to the gentleman from Massachusetts.

Mr. WALSH. I want to state to the gentleman from California that the reason that I objected yesterday when the request was made that this matter be assigned to the 7th of January was because of the action taken by our committee, and further because on the 5th of December last the majority leader, in his place on the floor of this House, stated in a colloquy with the gentleman from Pennsylvania [Mr. MOORE] that undoubtedly both of these resolutions would be voted on before the Christmas holidays, and that was done before the Woman's Suffrage Committee had been elected by this House, and in fact unanimous-consent agreement for action upon the prohibition resolution was secured in this House before the Committee on the Judiciary reported it out, and the gentleman should not assume that the only people to be considered in this matter are those in favor of woman suffrage. I submit that those who are opposed to it conscientiously should have some consideration, and that the gentleman from California and the majority leader and others interested in the passage of the resolution ought not to enter into agreement regardless of what others who may be opposed to them think.

Mr. RAKER. Would the gentleman have objection now to fixing January 7 for the consideration of this resolution?

Mr. WALSH. If that is satisfactory to the chairman of the committee, I should not object; certainly.

Mr. WEBB. If I may be allowed to make a preliminary statement, it was the general understanding, I think, among all the Members of the House that they wanted to get both of these amendments off of their hands before the holidays and that is the reason why the Committee on the Judiciary requested the chairman of the committee to ask the Committee on Rules to dispose of woman suffrage and the prohibition amendment before the holidays, and I did ask the Committee on Rules; that is, I stated that to members of the Committee on Rules.

The committee itself, however, has no objection as to any date that you want to set to vote on this amendment.

Mr. RAKER. Would the chairman ask the House now to fix January 7 for the consideration of this amendment?

Mr. WEBB. If that is more agreeable than the 18th of this month, I would be glad to vote on it.

Mr. RAKER. Those of us who have gone over the matter wanted the 7th of January.

Mr. WEBB. Is that satisfactory to all advocates of woman suffrage?

Mr. RAKER. It is. I have talked to both sides.

Mr. WEBB. Then I have no objection, and I do not think the committee has.

Mr. CAMPBELL of Kansas. I have anticipated the decision of the Speaker on this snarl that the matter has gotten into, and have introduced a joint resolution providing for woman suffrage that can immediately or has already been referred to the Committee on Woman Suffrage. They can act on it this afternoon and report it favorably and have it on the calendar next week.

Mr. RAKER. I will say that I would not take that course as chairman of that committee. I am not going to act after one committee has acted in the House. It is not treating them fairly.

Mr. CAMPBELL of Kansas. I take it the gentleman was anxious to have the matter referred to his committee.

Mr. RAKER. I want to do it under the rules, and in that way there can be no criticism from any man.

Mr. CAMPBELL of Kansas. But that is exactly under the rules.

Mr. RAKER. Under the strict reading of this rule, before that bill was filed this morning there is no question on earth but that the Speaker of the House would have transferred its jurisdiction to the Committee on Woman Suffrage. The committee made their report and put it in the box in the last 15 minutes.

Mr. CAMPBELL of Kansas. The gentleman from California in good faith—and I take it he was in good faith—made his motion to refer all the matters to the Committee on Woman Suffrage.

Mr. RAKER. Surely.

Mr. CAMPBELL of Kansas. Bills heretofore introduced on the subject were properly referred to the Committee on the Judiciary, there being no Committee on Woman Suffrage. Now, there being a Committee on Woman Suffrage I have introduced a resolution that can be referred to that committee and reported on this afternoon, and the committee's report will take precedence of any other report on that subject.

Mr. MEEKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MEEKER. How is it possible for me to get recognition? I have been waiting here so patiently.

Mr. RAKER. In just a moment. Pending this matter, I am going to ask unanimous consent that the voting on woman suffrage be fixed for Monday, the 7th day of January.

The SPEAKER. In making that request you withdraw this?

Mr. RAKER. I ask unanimous consent that it be fixed on that day, of course.

The SPEAKER. The gentleman from California [Mr. RAKER], in order to settle this muddle, asks unanimous consent that the woman-suffrage amendment be considered on the 7th day of January.

Mr. WEBB. As a substitute for that unanimous consent, I ask that unanimous consent be given to vote on this resolution next Tuesday, the 18th. [Applause.]

Mr. DYER. Will the gentleman yield to that. The gentleman is aware that the House this morning has passed a resolution to adjourn the session for the holidays on next Tuesday. Many gentlemen will be going away. Why hasten? Why not give everybody a fair opportunity, the same as the gentleman has had and the Members have had who wanted to bring up the prohibition amendment?

Mr. WEBB. I did that because the members of the committee wanted me to do it.

The SPEAKER. You can not offer an amendment for unanimous consent unless the Members agree to it.

Mr. GARRETT of Tennessee. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent that the woman-suffrage amendment be considered on the 7th day of January. Is there objection?

Mr. GARRETT of Tennessee. I object.

The SPEAKER. Now, does the gentleman from North Carolina [Mr. WEBB] want to renew his request?

Mr. WEBB. Yes, sir. In obedience to the request of the Judiciary Committee, I ask that next Tuesday be set aside to consider the woman-suffrage amendment.

Mr. LUNN. I object, Mr. Speaker.

Mr. LANGLEY objected, but subsequently withdrew his objection.

The SPEAKER. In the proper conduct of the business of the House some months ago—I do not remember the date—the Chair referred this constitutional amendment to the Judiciary Committee, where constitutional amendments have usually gone for the last 125 years. There was not any such thing as a Woman Suffrage Committee at that time. Very early in September, I think it was, they passed a resolution creating the committee. As a matter of fact it was appointed in the last two or three days. When the Chair refers a bill he parts company with it, for that purpose at least. The Chair has no more right to take a bill from a committee than any other Member of the House has. Now, it would take a very narrow construction to sustain the original point of order that the gentleman from Tennessee [Mr. GARRETT] made. So there is no use to pass on that. Under the peculiar circumstances of the case, if that were the only point of order, the Chair would be very much inclined to overrule it temporarily on account of the conversation the Chair had with the gentleman from California [Mr. RAKER] and the gentleman from Virginia [Mr. SAUNDERS] as to the order in which the business was coming here this morning. It is not necessary to pass upon that point.

Mr. RAKER. Now, Mr. Speaker, before you rule I wish to be heard just a moment.

SEVERAL MEMBERS. Oh, no!

Mr. RAKER. Oh, gentlemen should not be impatient with me. I have hitherto taken up very little time.

Mr. CONNALLY of Texas. Mr. Speaker, will the gentleman yield?

Mr. RAKER. I will yield to the gentleman for a question.

Mr. CONNALLY of Texas. Would it not be satisfactory to your committee to let the matter stand as it is by passing a little resolution giving the Suffrage Committee credit for killing bear? [Laughter.]

Mr. RAKER. I do not quite gather the point in that elucidative remark of the gentleman [laughter], but that is all right. On the question of jurisdiction—and I would like to have the attention of the House a moment; I promise I will be short—under the rules, under the strict construction of the rules, there is no method provided for a case of this kind unless the House adopts an analogous proceeding for taking up the matter. You can transfer the jurisdiction or rerefer the bill by unanimous consent, and by vote of the committee having jurisdiction, or by the request of the committee claiming jurisdiction when a bill has been erroneously referred. That could not occur in this case.

Mr. GRAHAM of Illinois. Mr. Speaker, will the gentleman yield?

Mr. RAKER. I will yield in just a moment. Let me finish this first. In this instance the House itself, since the bill was referred, amended the rules and created a new jurisdiction. There can not be any doubt about the jurisdiction conferred. The rule reads:

> All proposed action touching the subject of woman suffrage * * *, to the Committee on Woman Suffrage.

The House adopted this rule. There is no rule of the House now in existence by which, if you will follow it, this resolution can be disposed of to the committee having proper jurisdiction, and still at the same time the House is not so impotent that it can not conduct its business and transfer the jurisdiction of bills to a committee that it has created, particularly under the circumstances of this case. But notwithstanding that belief and understanding the situation, I this morning saw the Speaker. He stated it as it occurred. I waited to give the other gentlemen a chance, and did not follow right on the rule strictly and act immediately after the reading of the Journal and make the motion directed by the Committee on Woman Suffrage this morning. And in the meantime—and I want you gentlemen to think about that—I am discussing the rule.

In the meantime, pending the discussion, the committee filed a report, not a favorable report, but simply a report shoving it back to the House without consideration, without either a favorable or an unfavorable report; so that, legally speaking, the House having control of its procedure, where none is provided, using an analogous proceeding, as in our courts, in all courts of the land, that where there is no rule laid down you apply a procedure analogous to the usual procedure in a court of justice or court of law—therefore a motion of this kind is eminently proper and eminently fit that I should move the House to transfer this jurisdiction to the Committee on Woman Suffrage.

Mr. GRAHAM of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. RAKER. I yield for a question.

Mr. GRAHAM of Illinois. I am asking this question in all sincerity, without a disposition to be captious. What difference does it make to the House and to the country at large what committee reports out this resolution, so long as we have it here to act upon? [Applause.]

Mr. RAKER. I will answer that question. The Committee on the Judiciary has reported adversely, in fact. The distinguished chairman of the Committee on the Judiciary of the House on the 24th of September, 1917—and the RECORD I hold before me—said the Judiciary Committee was against this amendment. Now that a new committee has been appointed to handle this special subject, do not you believe the resolution ought to be in the hands of those who are in favor of it and not in the hands of those who oppose it, as stated by the chairman of the committee?

Mr. MEEKER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from California yield to the gentleman from Missouri?

Mr. RAKER. I want to finish my statement.

Mr. MEEKER. As a member of the committee, I want to ask the gentleman a question.

Mr. RAKER. On page 7374 of the RECORD I read as follows:

> Mr. MONDELL. Did I understand the gentleman to say that his committee is ready to report favorably on the constitutional amendment in December?
>
> Mr. WEBB. No; I did not say favorably; I mean to say that the majority of the Judiciary Committee is opposed to woman suffrage, as is also a majority of the House against it.

Now, that being the case, with absolute respect and confidence of feeling, nevertheless I believe that where we have our committees appointed they ought to have charge of the matter.

Mr. MEEKER. Mr. Speaker, will the gentleman yield now?

Mr. RAKER. I yield for a question.

Mr. MEEKER. Are we, then, to understand that the creation of this committee, which was for the purpose of hearing this question discussed in open court, was effected with knowledge in advance that it was to be favorable to the amendment?

Mr. RAKER. I believe the committee are in favor of it.

Mr. GARRETT of Tennessee. Will the gentleman from California submit to an inquiry?

Mr. RAKER. I do.

Mr. GARRETT of Tennessee. Is not the gentleman from California unique in history in this, that he is the only lawyer on earth who ever moved for a new trial before he lost his case? [Laughter and applause.]

Mr. RAKER. I want to answer that. I want to say to the gentleman that when I learned that the judge was against me and had so stated on the street, I spent four months at our State capitol getting a bill introduced, so that I could take the jurisdiction from him, so that I could get a fair trial by a man who was unprejudiced in regard to the matter, and then I was ready to take my chances.

The SPEAKER. The Chair is ready to rule and get rid of this.

SEVERAL MEMBERS. Rule! Rule!

Mr. WEBB. I want to ask my friend from California if he has not undertaken to do just what he objected to that judge doing? Has he not undertaken to pack the committee so as to get a favorable decision?

Mr. RAKER. Oh, no!

The SPEAKER. The Chair started to state the history of this peculiar transaction. Some months ago this resolution was introduced into the House, and undoubtedly under the rules and practice it ought to have gone to the Judiciary Committee. The thing dragged along, and we had an agreement that we would not pass anything except war measures, and the Judiciary Committee, acting under that understanding, never reported the resolution. In September the Rules Committee brought in a rule to create this new Committee on Woman Suffrage, but the committee was not appointed until three or four days ago. The gentleman from California [Mr. RAKER] and the gentleman from Virginia [Mr. SAUNDERS] talked to me. I did not have the remotest idea whether the Judiciary Committee were going to report the resolution or not, but they did report it after this conversation, and that changed the situation entirely. This new rule here about this woman-suffrage business—

All proposed action touching the question of woman suffrage, to the Committee on Woman Suffrage—

undoubtedly applied to any business coming up after that rule was adopted, and not to the business that had been started before that, even by introduction into the House. After the Speaker assigns a bill to a committee he has no more control over it than the man in the moon, not a bit. I can not take a bill away from a committee, and the rule I have just read does not act automatically and is not retroactive. It would require exactly the motion that the gentleman from California [Mr. RAKER] has made here. Well, the gentleman from Virginia [Mr. SAUNDERS] made the suggestion some time ago that inasmuch as the Committee on the Judiciary had reported this resolution, that ended the matter. The decisions are numerous that when a committee has done that, even if it did not have original jurisdiction—which this Judiciary Committee did have in this case—it has the right to go on with it, and he further suggested that all the rest of this talk was moot business. That is about the right name for it, as far as I can find out. If the Judiciary Committee had not reported this resolution, then I would have carried out my statement to the gentleman from California; but the decisions are too numerous even to quote that where an erroneous reference is made—and the case is stronger where a correct reference was made—and the committee reports or even considers the matter referred to it, it has jurisdiction. And the gentleman from North Carolina [Mr. WEBB] finally crystallized the suggestion of the gentleman from Virginia into a point of order properly made. The Chair would be compelled under the circumstances of this case to hold that, as far as committees are concerned, this thing was concluded when the Judiciary Committee made its report, and the Chair so holds.

Mr. DYER. Mr. Speaker, I ask unanimous consent that the minority members of the Judiciary Committee may have three days in which to file a report in favor of this amendment.

The SPEAKER. The gentleman from Missouri asks three days in which the minority may file their views. Is there objection?

Mr. MEEKER. Reserving the right to object——

Mr. WEBB. I hope my friend will not object.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAKER. By request of the Committee on Woman Suffrage, I ask unanimous consent that H. R. 242 be rereferred from the Committee on the Election of President and Vice President and Representatives in Congress to the Committee on Woman Suffrage.

The SPEAKER. Has that bill anything to do with woman suffrage?

Mr. RAKER. Yes; it is a bill to protect the rights of women citizens of the United States to register and vote for Senators of the United States and for Members of the House of Representatives.

The SPEAKER. Where is that bill?

Mr. RAKER. I have it in my hand.

Mr. GILLETT. We would like to know what the bill proposes to do.

The SPEAKER. The Chair would like to know, too.

Mr. RAKER. That bill reads as follows:

Be it enacted, etc., That women who are citizens of the United States and possess such qualifications of age, residence, property, or education as may be required of men to make them legal voters in the several States shall be eligible to register and vote in all States of the Union at all elections for Senators of the United States and for Members of the House of Representatives.

The SPEAKER. Is that a law or a constitutional amendment?

Mr. RAKER. This is just a law.

The SPEAKER. The Chair will recognize the gentleman the first thing Monday morning after the Journal is read, to make his motion.

Mr. RAKER. All right.

Mr. MEEKER. A parliamentary inquiry, Mr. Speaker. Did I understand the Chair to say that he would recognize the gentleman on next Monday?

The SPEAKER. Yes; the Chair will recognize him the first thing after the Journal is read on Monday, to make that motion.

Mr. MEEKER. Just for the motion. It comes up in the morning-business hour only?

The SPEAKER. Yes; and it is not debatable.

Mr. CANNON. Has there not been an agreement made that the vote shall be taken at 5 o'clock Monday on the resolution submitting the prohibition amendment?

The SPEAKER. Yes.

Mr. CANNON. If I had been present, I should have objected to it; but the motion of the gentleman from California is likely to lead to a roll call, and the time for debate on the prohibition amendment is exceedingly short.

The SPEAKER. Then the Chair will recognize the gentleman from California immediately after the reading of the Journal on Tuesday morning.

Mr. GARD. Mr. Speaker, I ask unanimous consent that January 10 be assigned as the day for the consideration in the House, and for voting upon House joint resolution 1, known as the national woman suffrage resolution.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the 10th day of January be set aside for the consideration of House joint resolution 1 and for voting on the same. Is there objection?

Mr. GARRETT of Tennessee. I object.

The SPEAKER. The gentleman from Tennessee objects.

Mr. LANGLEY. Mr. Speaker, a parliamentary inquiry. A while ago under a misapprehension I objected to the request of the gentleman from North Carolina for a vote next Tuesday on the suffrage amendment, but immediately withdrew the objection. I want to know if the Chair announced that I had objected. I did not quite catch what he said. I want to be sure that the RECORD shows that my objection was withdrawn.

The SPEAKER. The Chair said there was objection.

Mr. LANGLEY. I withdrew my objection when I was assured that I was wrong in my first impression that the purpose of the request was antagonistic to the amendment. Personally, I think we ought to wait until after the holiday recess when there is a full attendance, but I am for the proposition and ready to vote at any time.

Mr. DYER. Mr. Speaker, I ask unanimous consent that the Committee on Rules be requested to bring in a rule providing that the House may be permitted to vote on woman suffrage on January 7.

Mr. GARRETT of Tennessee. Mr. Speaker, I demand the regular order.

PNEUMATIC-TUBE SERVICE.

Mr. MOON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 114 and consider the same.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

S. J. Res. 114. Joint resolution extending the commission provided for in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, with the same authorities, powers, and provisions until on or before March 1, 1918.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was read.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. MOON, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

COMMITTEE ON RULES.

Mr. POU. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. POU. Mr. Speaker, I did not apprehend that there would be any fight against giving the Committee on Rules a stenographer. My experience has been that the chairman of the committee needs all the help that he is authorized to have under the rules of the House, including a secretary. I would like to say to the House that since I have been chairman of the committee, without any charge or suggestion of additional compensation, I have had compiled every rule and every report in the last three Congresses and have had them bound in book form for the use of the members of the committee and the Members of the House. The clerk to the committee is now engaged in the additional task of compiling every decision that has been rendered during the three Congresses on every one of the rules that has been presented to the House. If the House does not see fit to allow a stenographer I am going to continue the work. I am sorry that I could not get here in time this morning, but I was unavoidably detained in the Post Office Department on official business.

I make the statement to the House so that it may have full light on the subject.

Mr. MONDELL. Will the gentleman yield?

Mr. POU. Yes.

Mr. MONDELL. If the clerk was not doing this work which the gentleman alludes to, what other work would he be doing?

Mr. POU. The clerk is busy all the time. I have never seen a time when the clerk was not busy. I do not believe that there is a busier clerk to any committee of this Congress than the clerk to the Committee on Rules, excepting, of course, the great committees having charge of supply bills. He has no time to write letters. He is answering questions and serving Members most of the time while the House is in session. He is a very accommodating young man and takes a great deal of pride in answering every inquiry made by Members of the House on any subject connected with the committee.

Mr. LENROOT. Will the gentleman yield?

Mr. POU. I will.

Mr. LENROOT. I would like to ask how many special rules are now pending before the Committee on Rules?

Mr. POU. There are 39 resolutions, of which 9 are House joint resolutions. The gentleman from Wisconsin knows that the work of the Rules Committee is not confined to pending rules. Time after time gentlemen come in and want questions looked up. The gentleman from Wisconsin must know that the work of the clerk of this committee is a full man's work.

Mr. LENROOT. The "gentleman from Wisconsin" remembers that in the past a session clerk was not provided for until the congestion of the business before the Committee on Rules was such as to make it necessary, and at that time the ordinary business of the committee did not require a session clerk. The business before the Committee on Rules at this session is less than it has ever been in my knowledge.

Mr. POU. It is exceedingly difficult to secure a stenographer, as everybody knows. In order to successfully do the work of the committee it will take every person under the control of the chairman, as the gentleman from Wisconsin will find out if his party gets in power and he is made chairman of the Committee on Rules.

FEDERAL JUDGE FOR MIDDLE DISTRICT OF TENNESSEE.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing some resolutions adopted by the Judicial convention of Tennessee last week in relation to the necessity for an additional Federal judge for the middle district of Tennessee, and also a resolution on the conduct of the war.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD by printing the resolutions referred to. Is there objection?

There was no objection.

The resolutions are as follows:

Whereas the middle district of Tennessee is the only Federal judicial district in the United States, save one, which does not have a United States district judge of its own; and

Whereas in recent years numerous laws have been enacted by Congress which have produced much additional work for such courts, and this together with the natural increase in litigation, has resulted in such a volume of litigation that no one judge can dispose of the business of the Federal district courts in both east Tennessee and middle Tennessee; and

Whereas a large amount of work is rapidly accumulating by reason of prosecutions under the selective-service law, the speedy disposition of which is of vital importance to the Government: Therefore be it

Resolved, That this convention does hereby earnestly urge all the members of the Tennessee delegation in the Congress of the United States to use all legitimate means to have created a new Federal judgeship in and for the middle district of Tennessee at the very earliest possible moment, the public welfare requiring it.

The war resolution is as follows:

CONDUCT OF THE WAR.

Whereas a world war is raging in which autocracy is arrayed against democracy, tyranny against liberty, brutality against humanity, savagery against civilization, and our Government has entered this conflict in behalf of democracy, liberty, humanity, and civilization: Therefore be it

Resolved, That we heartily indorse our President and the Congress and pledge them our loyal and unanimous support in all that has been done or that may be done by them in this crisis looking to a victorious and triumphant conclusion of this conflict so as to assure the perpetuation of our institutions and a permanent peace throughout the world; and be it further

Resolved, That we condemn Prussian militarism and denounce it as the curse of the world, which has drenched the earth with blood, violated every precept of humanity and civilization, disregarded the rights of neutrals and nonbelligerents, set at naught every principle of honor among men and nations, and now by terrorism seeks to subjugate the world.

Mr. HOUSTON. Mr. Speaker, I have one further request to make. I ask unanimous consent to extend my remarks in the RECORD by printing an editorial in the Evening Star on the services of the gentleman from Kentucky [Mr. SHERLEY] and the gentleman from Tennessee [Mr. SIMS].

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The editorial is as follows:

TWO HOUSE PROMOTIONS.

Mr. SHERLEY for chairman of the Appropriations Committee and Mr. SIMS for chairman of the Interstate Commerce Committee are excellent selections. Both have served long in the House. Both are familiar with the subjects they will be called upon to handle. And those subjects have taken on increased importance by reason of the war. Appropriations have mounted to the skies. No such figures have ever before been considered by Congress. Interstate commerce is now a foremost problem, with war as well as peace connections.

It is noteworthy, too, that both Mr. SHERLEY and Mr. SIMS are friends of the President and supporters of his policies. They will work in harmony with him. And in war matters harmony between the legislative and the executive branches of the Government is highly important. There is so much to be done, and so much of it of unfamiliar character, working at cross purposes would be expensive to the people.

Mr. SHERLEY has long been an advocate of a budget. He has probably given more attention to the subject than any other national legislator. He has worked it out with care, and presents it persuasively. If these were peace times, his promotion might operate in the interest of the adoption of a budget plan.

But the war times are not favorable to that reform. Estimates are extremely difficult. Income and outlay fluctuate. The Government's needs must be supplied, whatever they may be. If money is lacking, more must be raised. The Government is now a heavy borrower. It can not live within its means.

Mr. SHERLEY, a southern man, succeeds Mr. FITZGERALD, a northern man. Mr. SIMS, a southern man, succeeds Mr. ADAMSON, another southern man. But section had nothing to do with either selection. Both promotions rest on merit and seniority. Both are competent men and succeed competent men. And just now sectionalism cuts much less than its usual figure. It is very little considered. All public men are to-day thinking nationally more than ever.

There is nothing disturbing, therefore, in these two changes. Rather is the country assured of good work under the direction of two men who know the ropes, and bring to their places the confidence and respect of their legislative associates.

PENSIONS.

Mr. SHERWOOD. Mr. Speaker, I call up the omnibus pension bill, H. R. 7634, for consideration.

The Clerk reported the title to the bill, as follows:

A bill (H. R. 7634) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHERWOOD. Mr. Speaker, this bill contains 344 names, and 90 per cent of them were in bills considered by the last Congress. The Committee on Invalid Pensions had no bill after the 1st of February of this year. The actual cost of the bill per month is $3,918. If the soldiers pensioned by this bill should live until the end of the year, the actual cost of the bill would be a trifle over $49,000. These are nearly all desperate cases. The bill will not cost in the aggregate over $40,000. The increases are all moderate. No widows are pensioned in this bill, except eight who have helpless and dependent children. For the information of the House I desire to state that the Committee on Invalid Pensions have decided that they will consider no pension bills for widows, owing to the fact that the act of October 6, 1917, provided a pension of $25 a month for all widows of the Civil War. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. The gentleman asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of William B. Hampshire, helpless and dependent child of William W. Hampshire, late of Company C, Twenty-third Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Jefferson Cherry, late of Company C, Forty-eighth Regiment, and Company B, One hundred and forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Wesley B. Calder, late of Company A, First Rhode Island Light Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John J. Bradford, late of Company C, Forty-third Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George Russell, late of Company A, Twentieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James K. Jennings, late of Company D, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edward Wilkinson, late of Company A, One hundred and sixty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frank Logsdon, late of Company K, Forty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George Butterbaugh, late of Company A, One hundred and thirty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Theodore S. Smith, late of Company G, Fourth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John C. Carroll, late of Company A, Second Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William M. Pace, late of Company E, Third Regiment Tennessee Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of David H. Hatfield, late of Company I, Thirty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James G. Young, late of Company B, Sixteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John R. Ward, late of Company K, Fiftieth Regiment New York Engineers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Peter F. Baker, late of Company G, Fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Alexander Hall, late of Company I, Twenty-first Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Oscar G. Robinson, late of Company A, Eighth Regiment Massachusetts Militia Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph W. Snave, late of Company E, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph McArmstrong, late of Company H, One hundred and seventy-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Andrew Robertson, late of Company B, One hundred and thirty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Francis M. Choat, late of Company A, Fifty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of David Harris, late of Company D, One hundred and eighty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Perry A. Crandall, late of Company A, Fifth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elijah Campbell, late of Company C, Twenty-second Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Philip Richards, late of Company A, Forty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Philip Liebrick, late of Company I, First Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Daniel Bachman, late of Company G, Eighty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jay P. Eddy, late of Company F, Fourteenth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Isaac Luke, late unassigned, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Lemuel Cross, late of Company E, Ninety-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Heastan, late of Company B, Thirteenth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Moses McCleary, late of Company F, Eighth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Lewis H. Bradshaw, late of Companies F and A, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of David Belinap, late of Company E, Twenty-third Regiment, and unassigned, Twenty-ninth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elsden B. Stephens, late of Company C, Ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Alfred H. Chaplin, late a first-class fireman, United States Navy, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Frank Drewes, sr., late an ordinary seaman, United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elijah A. Hearn, late of Company C, First Regiment Delaware Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edward B. Ward, late of Company I, Forty-sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Thomas R. Beasley, helpless and dependent child of John C. Beasley, late of Company A, Second Regiment Tennessee Mounted Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Sidney G. Sidner, late of Company A, One hundred and thirty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William Sewing, late of Company B, First Regiment, and Company I, Fifth Regiment, Missouri Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Adam Allwein, late of Company H, Third Regiment Pennsylvania Heavy Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Joshua Gage, late of Company C, First Regiment Arkansas Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jeremiah Shine, late of Company H, One hundred and sixty-fifth Regiment Pennsylvania Drafted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Watson, late of Company C, Third Regiment Arkansas Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Marshall Barnes, late of Company L, Third Regiment Colorado Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Alexander J. Souden, late of Company F, Forty-ninth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Benjamin F. Umfleet, late of Company F, Fiftieth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lewis J. Cundiff, late of Company F, Forty-seventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Riley A. Reeves, late of Company B, Ninety-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles Ford, late of Second Battery, Minnesota Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James F. Bellew, late of Company G, Thirty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Francis S. Layton, late of Company D, Fourth Battalion Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jacob Erow, late of Company A, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Sanford Earley, late of Company C, Fifteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elisha W. Phillips, late of Company F, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel M. Reese, late of Company B, One hundred and fiftieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Nicholas Wolf, late of Company I, One hundred and ninety-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Samuel D. Mowrey, alias David O. Mowrey, late of Lambert's company, Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Daniel Campbell, late of Companies G and C, Eighth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Milton Cooper, late of Companies I and B, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles Bishop, late of Company F, One hundred and twenty first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James Doyle, late of Company K, Sixty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John A. Quick, late of Company K, Fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Elias Cleveland, late of Company K, Eighty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Ezra McIntyre, late of Company C, Fourteenth Regiment New York Volunteer Infantry, and Company E, First New York Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John F. Bass, late of Company E, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John J. McKenna, late of Company L, Fifth Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Harvey Bartley, late of Company G, One hundred and twenty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John T. Whetzal, late of Company B, Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Trenter, late of Company A, Twelfth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Atwell, late of Company F, Third Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Franklin Manning, late of Company L, Fourth Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Joseph Hoskins, late of Company A, Seventy-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Albert S. Scroggins, alias Allen S. Craig, late of Battery H, West Virginia Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles White, late of Company G, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of William H. Hindman, late of Company F, First Ohio Volunteer Light Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William A. Swearengin, late of Company C, Twenty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William T. Stone, late of Company H, Fifteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Alexander McGahan, late of Company K, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George M. Mays, late of Company D, Fifty-second Regiment Kentucky Mounted Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Enos R. Clark, late of Company K, Sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Stephen J. Coleman, late of Company A, First Regiment East Florida Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jacob Andrist, late of Company I, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George L. Davis, late of Company A, Twelfth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Luther S. Pitcher, late of Company A, Forty-first Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Dabner D. Wright, late of Company D, Third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William Henry Jenkins, late of Company K, Sixteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hamilton L. Karr, late of Company G, One hundred and sixteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Daniel Ambrosier, late of Company H, One hundred and twenty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James H. Scott, late of Company D, Sixty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Albert B. Clark, late of Company D, First Regiment Ohio Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William G. Sadler, late of Company E, Third Regiment, and Fifty-eighth Regiment, Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles W. Foster, late of Fourteenth Independent Battery, Massachusetts Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John H. Nutter, late of Company B, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George D. King, late of Company G, Fourth Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Devon, late of Company E, Eleventh Regiment, and Company K, Eighth Regiment, Michigan Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James Cassidy, late of Company H, Twenty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Michael Greeley, late of Company H, Seventeenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Joseph N. Abbott, late of Company B, Ninety-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Myers, late of Company D, Seventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $21 per month in lieu of that he is now receiving.

The name of Henry Sanders, late of Company E, Fifty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Norman B. Yarwood, late of Company D, First Battalion Sixteenth United States Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John H. Rivers, late of Company G, Twentieth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Charles Kinne, late of Company G, One hundred and eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James S. Doolittle, late of Company H, One hundred and fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Samuel A. Maxfield, late of Company H, Forty-ninth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John Mallet, late of Company F, One hundred and twenty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Daniel W. Thurston, late of Company I, One hundred and ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Pary McNair, late of Company H, Third Regiment Potomac Home Brigade, Maryland Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Benjamin F. Shipley, late of Company A, Eleventh Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Albert M. Butts, alias Albert J. Stewart, late of Battery D, First Maryland Volunteer Light Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James Smith, late of Company E, Third Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William L. Tate, late of Company I, Twelfth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Melville F. Allyn, late of Companies E and C, Third Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John W. Johnson, late of Company G, Fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Robert N. Hawkins, late of Company C, Ninth Regiment Missouri Volunteer Cavalry, and Company E, Eleventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ananias B. Reeser, late of Company D, Hickory County Battalion, Mounted Home Guards, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Daniel H. Wise, late of Company A, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George A. Rubush, late of Company B, Eleventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Alfred M. Wheeler, late of Company C, Sixth Regiment, and Company D, Fourteenth Regiment, Missouri Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jeremiah R. Sensenich, late of Company D, Ninth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Eli House, late of Company K, Sixteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James K. P. Wyman, late of Company G, Fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Wilson Taylor, late of Company A, Fifth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Christopher C. Russell, late of Company E, Fifteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Barker, late of Company F, Third Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Garrett W. Freeman, late of Company K, Fifth Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edward S. Ragan, late of Company B, Baltimore Battalion Maryland Volunteer Light Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Isaac W. Waters, late of Company K, Forty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William F. Raines, late of Company H, Sixth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Shepherd M. Gaston, late of Company E, Eighty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Christian Lock, late of Company D, One hundred and forty-eighth Regiment Illinois Volunteer Infantry, and Company C, Twenty-first Regiment United States Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Anderson J. Bowman, late of Company K, Ninety-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Julia Esther Hammond, helpless and dependent child of Israel B. Hammond, late of Company I, Twenty-eighth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of John W. Robinson, late of Company D, Thirty-sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William H. Null, late of Company E, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Warren, late of Company F, Second Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John W. Hank, late of Company F, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph A. Stephens, late of Company G, Third Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Daniel Thomas, late a seaman, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Marcus L. Moore, late of Company E, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles M. Dority, late of Company K, Nineteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Richard M. Johnson, late of Company F, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Samuel L. Brown, late of Company C, Eighth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry King, late of Company D, Forty-sixth Regimeat Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James J. Short, late of Company H, First Regiment Alabama Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John G. Hunter, late of Company H, Twenty-fifth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Peleg B. Washburn, late of Company C, Eighteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas H. Goodrich, late of the United States Navy, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Edward G. Sanchez, late of Company A, First Connecticut Heavy Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Charles P. Cook, late of Company K, One hundred and twenty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of David E. Godfrey, late of Company G, Fifth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William Schwicardi, late of Company G, Thirty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Helen A. Benjamin, helpless and dependent child of John Benjamin, late of Company I, Fifteenth Regiment New York Engineers, and pay her a pension at the rate of $12 per month.

The name of George R. White, late of Company B, One hundred and sixty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William B. Porter, late of Company F, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Emmet Ellis, late of Company F, Twenty-sixth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Benjamin Cuddeback, late of Company B, One hundred and forty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry L. McMullin, late of Company K, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Simon Kephart, late of Companies K and A, One hundred and tenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Abner A. Hurt, late of Company K, Seventeenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James C. Haslett, late of Company L, Second Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Deborah Sebring, helpless and dependent child of John Sebring, late of Company F, Fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Monroe J. Potts, late of Company G, Thirty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Phillip P. Keller, late of Company G, Thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Derning, late of Company B, Sixteenth Regiment, and Company K, Twelfth Regiment, Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Alonzo Fiero, late of Company C, One hundred and forty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Edward N. Whitney, late of Company B, Forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jasper N. Cummins, late of Company C, Eighteenth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Orville H. Patten, late of Company B, Twenty-first Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of David H. Crumpacker, late of Company E, Forty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Albert Mason, late of Company E, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Calvin Custer, late of Company L, Seventh Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Horton S. Calland, late of Company D, Ninety-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ephriam Bartlett, late of Company B, One hundred and forty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry Johns, late of Company C, Twelfth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George T. Harwood, late of Company K, Ninetieth Regiment New York Volunteer Infantry, and Company B, Nineteenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Hutcheons B. Durham, late of Company H, One hundred and thirty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jonathan H. Robbins, late of Company F, Eighty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Theodore Tooley, late of Company H, Ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles Dominick, late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Nelson Hart, late of Company D, Second Regiment United States Sharpshooters, and pay him a pension at the rate of $66 per month in lieu of that he is now receiving.

The name of Israel L. Hahn, late of Company M, Fifteenth Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Townsend Roberts, late of Company A, Seventh Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry M. Cottrill, late of Company A, Seventh Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mathew Whitford, late of Company A, One hundred and thirty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry G. Hixson, late of Company C, Twenty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Philip H. Lind, late of Company H, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Albert Helms, late of Company G, Seventieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George Proudfit, late of Company A, Thirty-third Regiment New York Volunteer Infantry, and Company E, Third New York Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edward Gridley, late of Company H, Ninth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles E. Knox, late of Company D, Ninth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Eaton Kinney, late of Company F, First Regiment New York Dragoons, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Little, late of Company B, One hundred and sixteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Thomas Covell, late of Independent Company C, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Noah W. Tryon, late of Seventh Battery, Indiana Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William McClarren, late of Company D, Fourth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Wilson J. Parker, late of Company I, Fourteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Samuel H. Keech, late of Company G, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alfred T. Hawk, late of Company K, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William R. Gillespie, late of Company G, Fourteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Levi Vandervort, late of Company B, Eighty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Isaac Postlethwait, late of Company B, Two hundred and sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Pope, late of Company I, Fifth Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Samuel R. Easter, late of Company A, One hundred and seventy-fifth Regiment Ohio Volunteer Infantry, and pay him a

pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William J. McCormick, late of Company C, Seventeenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John C. Bolinger, late of band, First Regiment Maryland Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Carrie B. Wilson, helpless and dependent child of Braman J. Wilson, late of Company I, Ninth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of James Buchanan, late of Company C, Eleventh Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sidney E. Timerman, late of Company B, Ninth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph Guest, late of Company D, Twelfth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Ebenezer Riley, late of Company K, First Regiment Maryland Veteran Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Andrew York, late of Company A, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Thomas Lee, late of Company F, Stone County Missouri Home Guards, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Felix Karl, late of Company B, One hundred and forty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Shadrack B. Johnson, late of Company G, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Greenbury Vickrey, late of Company I, Sixty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John Sanns, late of Company A, One hundred and fifty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John J. Callahan, late of Companies K and C, Second Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Johnston B. Geisinger, late of Company G, One hundred and forty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Myrtle Webster, widow of Norman E. Webster, late of Battery B, Second Illinois Volunteer Light Artillery, and pay her a pension at the rate of $25 per month.

The name of John A. Davidson, late of Company F, One hundred and sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry J. Kinney, late of Company L, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Oliver Budd, late of Company K, Eighty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Cashman, late of Company C, Ninety-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Charles Decanter, late unassigned, Tenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Langley, late of Company A, Sixteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Josiah Dock, late of Company K, Thirty-eighth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alonzo M. Hobbs, late of Company E, Sixty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jacob D. Peterson, late of Company M, Sixth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jacob Wetzel, late of Company D, Fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William Row, late of Company B, Forty-third Regiment, and Company H, Fiftieth Regiment, Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Willaby L. Groves, late of Company I, Thirty-fourth Regiment Ohio Volunteer Mounted Infantry, and Company I, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Andrew M. Murray, late of Sixty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Theresa Dietz, widow of Henry Dietz, late of Company B, First Regiment United States Reserve Corps, Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary Gehres, former widow of Jacob Diehl, late of Company H, Twenty-fourth Regiment, and Company A, Forty-third Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Henry Garvey, late of Company D, One hundred and eighty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of David Carter, late of Company I, Forty-fourth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Flint, late of Company I, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Christian Broemer, late of Company E, Forty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $26 per month in lieu of that he is now receiving.

The name of Amos McKinley, late of Company E, Tenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Silas H. Shepherd, late of Fourth Independent Company, Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Doctor E. Davis, late of Company A, Ninth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John Jones, late of Fourth Independent Company, Ohio Volunteer Cavalry and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Dudley G. Allen, late of Company G, Thirtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $18 per month.

The name of Harrison Smith, late of Company H, Second Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Francis M. Uhler, late of Company H, Seventy-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henderson Craft, late of Company D, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John F. Gibbons, late of Company M, First Regiment Minnesota Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry Ferster, late of Troop G, Third Regiment United States Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William McCloud, late of Company A, Second Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George Stillman, late of Company I, Eighteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles W. Green, late of Company C, Fifteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Augustus A. Prugh, late of Company C, Fortieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles Schmidt, late of Company H, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Moritz C. Young, late of Company B, Fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Isaac N. Splawn, late of Company G, First Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Fairfield Dresser, late of Company M, Second Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Daniels, late of Company A, Seventh Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Alfred York, late of Company A, Forty-seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frances A. Sapp, widow of Willis M. Sapp, late of Company C, Fourth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $25 per month.

The name of Frederick Freund, late of Company K, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of David Hartman, late of Company D, Sixty-third Regiment Enrolled Missouri Militia, and pay him a pension at the rate of $20 per month.

The name of James T. Hewitt, late of Company G, Forty-eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Winfield S. Gregory, late of Company E, Fiftieth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Alexander H. Lamb, late of Company B, Second Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph Davis, late of Company G, Forty-eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John C. Shields, late of Company G, Thirteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alfred G. Daniels, late of Companies L and F, Second Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Harrison W. Fox, late of Company B, Sixth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Julius O. Deming, late of Company F, First Regiment, and Company G, Sixth Regiment, Connecticut Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Lafayette Barnes, late of Company I, Sixty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Clark K. Denney, late of Company F, Forty-second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Isaac N. Mahan, late of Company H, First Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Pelly T. Martin, late of Company I, Ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas Ward, late of Company I, One hundred and thirty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Newton J. Wells, late of Company C, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry Hoover, late of Company D, Eighty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John C. Baker, late of Company H, Fifty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John I. Smallwood, late of Company K, Fifth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles L. Dunham, late of Company L, Eighth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Simon J. Martin, late unassigned, Fifty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Porter W. Roundy, late hospital steward, Thirty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William M. Gosnell, late of Company A, Thirty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Delia A. Lapham, helpless and dependent child of Alphonso M. Lapham, late of Company C, Second Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of George C. Presley, late of Company D, Twentieth Regiment Michigan Volunteer Infantry, and Company B, Fourteenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William F. Bailey, late of Company E, One hundred and ninety-first Regiment Pennsylvania Volunteer Infantry, and Company H, Sixth Regiment Pennsylvania Reserve Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Adams, late of Company D, Twenty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John M. Fesler, late of Company B, Forty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John Gessner, late of Company K, One hundred and nineteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Josiah James, late of Company D, First Battalion Maine Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John T. Follette, late of Company G, Seventh Regiment Maine Volunteer Infantry, and Company G, First Regiment Maine Veteran Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Thomas T. Owens, late of Company F, Ninth Regiment Rhode Island Volunteer Infantry, and Company B, Seventh Battalion Rhode Island Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary J. Guy, widow of William Guy, alias Andrew J. Guy, alias Charles G. Artz, late of Company F, Third Regiment Pennsylvania Volunteer Heavy Artillery, and Company C, One hundred and forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Anna Jacobs, widow of William B. Jacobs, late of Fifty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Lilly Howard, helpless and dependent child of Cyrus Howard, late of Company H, One hundred and eighty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of William R. Boren, late of Company G, Thirty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George H. Devol, late of Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Troxler, late of Company E, One hundred and forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Simon Bollinger, late of Battery D, Fifth Regiment United States Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Benjamin Griffith, late of Company E, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Beverly W. Brittain, late of Company E, Seventh Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas L. Jennison, late of Company G, Second Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Charles G. Ginther, alias Charles Skinner, late of Company L, Second Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Anna Smith, widow of Oscar Smith, late of Company B, Twenty-eighth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Henry C. Livezey, late of Company I, Sixty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William Warren, late of Company C, One hundredth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elisha L. Powers, late of Company K, Thirteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William J. Nash, late of Company K, One hundred and eighty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George M. Loring, late of Company K, Ninth Regiment New Hampshire Volunteer Infantry, and Seventy-fifth Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles Shaffer, late of Company B, Fourth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Asbery Mayfield, late of Company P, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James N. McHenry, late of Company B, Twelfth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Andrew J. Gaskins, late of Company C, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William L. Faucett, late of Company K, Ninth Regiment West Virginia Volunteer Infantry, and Company H, First Regiment West Virginia Veteran Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Levi Brock, late of Company F, Fifteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William C. Martin, late of Company K, First Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Alonzo Whitehouse, late of Company C, Eighteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John S. Skeels, late of Companies I and C, One hundred and thirteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Edwin C. Beall, late of Company H, Thirteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph McGuire, late of Company D, Eighth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Collins South, late of Company F, Twenty-ninth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Josephine Freeman, widow of Charles C. Freeman, late of Company B, Sixty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Daisy B. Freeman, helpless and dependent child of said Charles C. Freeman, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Josephine Freeman the name of said Daisy B. Freeman shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of the death of said Josephine Freeman.

The name of Michael Kouth, late of Company B, Twenty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jacob L. Hinkle, late of Company G, Twenty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John R. Houchin, late of Company E, Seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Wallace Chamberlin, late of Company I, Forty-ninth Regiment Massachusetts Militia Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John E. Stanton, alias Edward A. Stanton, late of Battery D, First Battalion Massachusetts Volunteer Heavy Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John Bardill, late of Company F, First Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Fagley, late of Company K, Eightieth Regiment, and Company A, One hundred and eighty-fifth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Catherine O'Connor, widow of Timothy O'Connor, late of Company H, Thirty-fifth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Ellen O'Connor, helpless and dependent child of said Timothy O'Connor, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Catherine O'Connor, the name of said Ellen O'Connor shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Catherine O'Connor.

The name of Ansil T. Bartlett, late of Company D, Fifty-eighth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frederick Christy, late of Company E, Fourteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Wright, late of Company B, One hundred and twenty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles H. Kindle, late of Company B, Eighty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hobart Hamilton, late of the One hundred and second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Henry Daniels, late of Company D, One hundred and fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Alexander Frazier, late of Company D, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John A. Lovens, late of Company K, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry J. Loughmiller, late of Company A, Seventh Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William W. Kimball, late of Company B, Seventh Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The following amendments were severally offered and severally agreed to:

On page 31, line 8, being the case of George T. Harwood, Company K, Nineteenth Regiment New York Volunteer Infantry, insert the dollar mark before the figures "40."

On page 40, line 10, being the case of Willaby L. Groves, strike out "apension" and insert "a pension."

On page 52, line 3, being the case of Anna Smith, strike out the word "window" and insert in lieu thereof the word "widow."

Mr. SHERWOOD. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SHERWOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

The foregoing bill is a substitute for the following House bills referred to said committee:

H. R. 449. William B. Hampshire.
H. R. 455. Jefferson Cherry.
H. R. 456. Wesley B. Calder.
H. R. 459. John J. Bradford.
H. R. 510. George Russell.
H. R. 511. James K. Jennings.
H. R. 514. Edward Wilkinson.
H. R. 515. Frank Logsdon.
H. R. 521. George Butterbaugh.
H. R. 555. Theodore S. Smith.
H. R. 556. John C. Carroll
H. R. 558. William M. Pace.
H. R. 575. David H. Hatfield.
H. R. 579. James G. Young.
H. R. 581. John R. Ward.
H. R. 583. Peter F. Baker.
H. R. 593. Alexander Hall.
H. R. 607. Oscar G. Robinson.
H. R. 634. Joseph W. Snave.
H. R. 657. Joseph McArmstrong.
H. R. 658. Andrew Robertson.
H. R. 659. Francis M. Choat.
H. R. 688. David Harris.
H. R. 689. Perry A. Crandall.
H. R. 690. Elijah Campbell.
H. R. 711. Philip Richards.
H. R. 712. Philip Liebrick.
H. R. 729. Daniel Bachman.
H. R. 738. Jay P. Eddy.
H. R. 742. Isaac Luke.
H. R. 743. Lemuel Cross.
H. R. 755. James Heastan.
H. R. 768. Moses McCleary.
H. R. 769. Lewis H. Bradshaw.
H. R. 770. David Bellnap.
H. R. 778. Elsden B. Stephens.
H. R. 779. Alfred H. Chaplin.
H. R. 780. Frank Drewes, sr.
H. R. 791. Elijah A. Hearn.
H. R. 839. Edward B. Ward.
H. R. 849. Thomas R. Beasley.
H. R. 857. Sidney G. Sidner.
H. R. 869. William Sewing.
H. R. 877. Adam Allwein.
H. R. 897. Joshua Gage.
H. R. 898. Jeremiah Shine.
H. R. 899. William Watson.
H. R. 909. Marshall Barnes.
H. R. 930. Alexander J. Souden.
H. R. 935. Benjamin F. Umfleet.
H. R. 937. Lewis J. Cundiff.
H. R. 969. Riley A. Reeves.
H. R. 971. Charles Ford.
H. R. 1011. James F. Bellew.
H. R. 1075. Francis S. Layton.
H. R. 1098. Jacob Erow.
H. R. 1105. Sanford Earley.
H. R. 1116. Elisha W. Phillips.
H. R. 1117. Samuel M. Reese.
H. R. 1133. Nicholas Wolf.
H. R. 1135. Samuel D. Mowrey, alias David O. Mowrey.
H. R. 1159. Daniel Campbell.
H. R. 1164. Milton Cooper.
H. R. 1175. Charles Bishop.
H. R. 1188. James Doyle.
H. R. 1196. John A. Quick.
H. R. 1197. Elias Cleveland.
H. R. 1207. Ezra McIntyre.
H. R. 1209. John F. Bass.
H. R. 1229. John J. McKenna.
H. R. 1230. Harvey Bartley.
H. R. 1302. John T. Whetzal.
H. R. 1308. John Trenter.
H. R. 1316. William H. Atwell.
H. R. 1327. Franklin Manning.
H. R. 1328. Joseph Hoskins.
H. R. 1331. Albert S. Scroggins, alias Allen S. Craig.
H. R. 1346. Charles White.
H. R. 1467. William H. Hindman.
H. R. 1472. William A. Swearengin.
H. R. 1480. William T. Stone.
H. R. 1482. Alexander McGahan.
H. R. 1485. George M. Mays.
H. R. 1508. Enos R. Clark.
H. R. 1510. Stephen J. Coleman.
H. R. 1544. Jacob Andrist.
H. R. 1558. George L. Davis.
H. R. 1560. Luther S. Pitcher.
H. R. 1585. Dabner D. Wright.
H. R. 1590. William Henry Jenkins.
H. R. 1591. Hamilton L. Karr.
H. R. 1593. Daniel Ambrosier.
H. R. 1604. James H. Scott.
H. R. 1606. Albert B. Clark.
H. R. 1633. William G. Sadler.
H. R. 1637. Charles W. Foster.
H. R. 1638. John H. Nutter.
H. R. 1642. George D. King.
H. R. 1823. John Devon.
H. R. 1824. James Cassidy.
H. R. 1827. Michael Greeley.
H. R. 1829. Joseph N. Abbott.
H. R. 1830. William Myers.
H. R. 1851. Henry Sanders.
H. R. 1858. Norman B. Yarwood.
H. R. 1916. John H. Rivers.
H. R. 1923. Charles Kinne.
H. R. 1937. James S. Doolittle.
H. R. 1963. Samuel A. Maxfield.
H. R. 1983. John Mallet.
H. R. 2016. Daniel W. Thurston.
H. R. 2018. Pary McNair.
H. R. 2043. Benjamin F. Shipley.
H. R. 2045. Albert M. Butts, alias Albert J. Stewart.
H. R. 2048. James Smith.
H. R. 2053. William L. Tate.
H. R. 2079. Melville F. Allyn.
H. R. 2142. John W. Johnson.
H. R. 2147. Robert N. Hawkins.
H. R. 2148. Ananias B. Reeser.
H. R. 2226. Daniel H. Wise.
H. R. 2227. George A. Rubush.
H. R. 2235. Alfred M. Wheeler.
H. R. 2272. Jeremiah R. Sensenich.
H. R. 2287. Eli House.
H. R. 2383. James K. P. Wyman.
H. R. 2403. Wilson Taylor.
H. R. 2406. Christopher C. Russell.
H. R. 2409. John Barker.
H. R. 2411. Garrett W. Freeman.
H. R. 2414. Edward S. Ragan.
H. R. 2433. Isaac W. Waters.
H. R. 2445. William F. Raines.
H. R. 2466. Shepherd M. Gaston.
H. R. 2469. Christian Lock.
H. R. 2485. Anderson J. Bowman.
H. R. 2501. Julia Esther Hammond.
H. R. 2536. John W. Robinson.
H. R. 2551. William N. Hull.
H. R. 2552. John Warren.
H. R. 2562. John W. Hank.
H. R. 2638. Joseph A. Stephens.
H. R. 2674. Daniel Thomas.
H. R. 2681. Marcus L. Moore.
H. R. 2687. Charles M. Dority.
H. R. 2710. Richard M. Johnson.
H. R. 2727. Samuel L. Brown.
H. R. 2728. Henry King.
H. R. 2740. James J. Short.
H. R. 2742. John G. Hunter.
H. R. 2828. Peleg B. Washburn.
H. R. 2857. Thomas H. Goodrich.
H. R. 2957. Edward G. Sanchez.
H. R. 2977. Charles P. Cook.
H. R. 2986. David E. Godfrey.
H. R. 3056. William Schwicardi.
H. R. 3060. Helen A. Benjamin.
H. R. 3066. George R. White.
H. R. 3067. William R. Porter.
H. R. 3069. Emmet Ellis.
H. R. 3073. Benjamin Cuddeback.
H. R. 3087. Henry L. McMullin.
H. R. 3088. Simon Kephart.
H. R. 3094. Abner A. Hurt.
H. R. 3099. James C. Haslett.
H. R. 3105. Deborah Sebring.
H. R. 3114. Monroe J. Potts.
H. R. 3161. Phillip P. Keller.
H. R. 3166. James Derning.
H. R. 3183. Alonzo Fiero.
H. R. 3205. Edward N. Whitney.
H. R. 3277. Jasper N. Cummins.
H. R. 3278. Orville H. Patten.
H. R. 3280. David H. Crumpacker.
H. R. 3306. Albert Mason.
H. R. 3308. Calvin Custer.
H. R. 3312. Horton S. Calland.
H. R. 3326. Ephriam Bartlett.
H. R. 3390. Henry Johns.
H. R. 3391. George T. Harwood.
H. R. 3392. Hutcheons B. Durham.
H. R. 3403. Jonathan H. Roberts.
H. R. 3412. Theodore Tooley.
H. R. 3413. Charles Dominick.
H. R. 3445. Nelson Hart.
H. R. 3460. Israel L. Hahn.
H. R. 3488. Townsend Roberts.
H. R. 3510. Henry M. Cottrill.
H. R. 3527. Mathew Whitford.
H. R. 3528. Henry G. Hixson.
H. R. 3542. Philip H. Lind.
H. R. 3677. Albert Helms.
H. R. 3717. George Proudfit.
H. R. 3722. Edward Gridley.
H. R. 3725. Charles E. Knox.
H. R. 3729. Eaton Kinney.
H. R. 3730. James Little.
H. R. 3735. Thomas Covell.
H. R. 3741. Noah W. Tryon.
H. R. 3752. William McClarren.
H. R. 3755. Wilson J. Parker.
H. R. 3756. Samuel H. Keech.
H. R. 3758. Alfred T Hawk.
H. R. 3816. William R. Gillespie.
H. R. 3826. Levi Vandervort.
H. R. 3849. Isaac Postlethwait.
H. R. 3866. John Pope.
H. R. 3911. Samuel R. Easter.
H. R. 3916. William J. McCormick.
H. R. 3963. John C. Bolinger.
H. R. 3966. Carrie B. Wilson.
H. R. 4138. James Buchanan.
H. R. 4224. Sidney E. Timerman.
H. R. 4297. Joseph Guest.
H. R. 4298. Ebenezer Riley.
H. R. 4319. Andrew York.
H. R. 4362. Thomas Lee.
H. R. 4420. Felix Karl.
H. R. 4454. Shadrack B. Johnson.
H. R. 4471. Greenbury Vickrey.
H. R. 4543. John Sanns.
H. R. 4646. John J. Callahan.
H. R. 4660. Johnston B. Geisinger.
H. R. 4667. Myrtle Webster.
H. R. 4672. John A. Davidson.
H. R. 4677. Henry J. Kinney.
H. R. 4685. Oliver Budd.
H. R. 4691. John Cashman.
H. R. 4712. Charles Decanter.
H. R. 4713. George W. Langley.
H. R. 4775. Josiah Dock.
H. R. 4780. Alonzo M. Hobbs.
H. R. 4788. Jacob D. Peterson.
H. R. 4798. Jacob Wetzel.
H. R. 4841. William Row.
H. R. 4842. Willaby L. Groves.
H. R. 4857. Andrew M. Murray.
H. R. 4869. Theresa Dietz.
H. R. 4900. Mary Gebres.
H. R. 4931. Henry Garvey.
H. R. 4947. David Carter.
H. R. 4966. William Flint.
H. R. 5014. Christian Broemer.
H. R. 5052. Amos McKinley.
H. R. 5053. Silas H. Shepherd.
H. R. 5058. Doctor E. Davis.
H. R. 5061. John Jones.
H. R. 5083. Dudley G. Allen.
H. R. 5126. Harrison Smith.
H. R. 5190. Francis M. Uhler.
H. R. 5224. Henderson Craft.
H. R. 5232. John F. Gibbons.
H. R. 5243. Henry Ferster.
H. R. 5298. William McCloud.
H. R. 5315. George Stillman.
H. R. 5374. Charles W. Green.
H. R. 5397. Augustus A. Prugh.
H. R. 5400. Charles Schmidt.
H. R. 5480. Moritz C. Young.
H. R. 5483. Isaac N. Splawn.
H. R. 5590. Fairfield Dresser.
H. R. 5591. George W. Daniels.
H. R. 5682. Alfred York.
H. R. 5684. Frances A. Sapp.
H. R. 5729. Frederick Freund.
H. R. 5739. David Hartman.
H. R. 5740. James T. Hewitt.
H. R. 5741. Winfield S. Gregory.
H. R. 5742. Alexander H. Lamb.
H. R. 5743. Joseph Davis.
H. R. 5781. John C. Shields.
H. R. 5803. Alfred G. Daniels.
H. R. 5851. Harrison W. Fox.
H. R. 5852. Julius O. Deming.
H. R. 6082. Lafayette Barnes.
H. R. 6085. Clark K. Denney.
H. R. 6255. Isaac N. Mahan.
H. R. 6258. Pelly T. Martin.
H. R. 6373. Thomas Ward.
H. R. 6399. Newton J. Wells.
H. R. 6620. Henry Hoover.
H. R. 6625. John C. Baker.
H. R. 6634. John I. Smallwood.
H. R. 6665. Charles L. Dunham.
H. R. 6683. Simon J. Martin.
H. R. 6699. Porter W. Roundy.
H. R. 6701. William M. Gosnell.
H. R. 6709. Delia A. Lapham.
H. R. 6729. George C. Presley.
H. R. 6739. William F. Bailey.
H. R. 6822. John Adams.
H. R. 6823. John M. Fesler.
H. R. 6824. John Gessner.
H. R. 6829. Josiah James.
H. R. 6837. John T. Follette.
H. R. 6864. Thomas T. Owens.
H. R. 6874. Mary J. Guy.
H. R. 6917. Anna Jacobs.
H. R. 6918. Lilly Howard.
H. R. 7036. William R. Boren.
H. R. 7040. George H. Devol.
H. R. 7041. John Troxler.
H. R. 7042. Simon Bollinger.
H. R. 7043. Benjamin Griffith.
H. R. 7069. Beverly W. Brittain.
H. R. 7099. Thomas L. Jennison.
H. R. 7104. Charles G. Ginther, alias Charles Skinner.
H. R. 7105. Anna Smith.
H. R. 7107. Henry C. Livezey.
H. R. 7155. William Warren.
H. R. 7195. Elisha L. Powers.
H. R. 7197. William J. Nash.
H. R. 7241. George M. Loring.
H. R. 7266. Charles Shaffer.
H. R. 7270. Asbery Mayfield.
H. R. 7271. James N. McHenry.
H. R. 7272. Andrew J. Gaskins.
H. R. 7273. William L. Faucett.
H. R. 7274. Levi Brock.
H. R. 7365. William C. Martin.
H. R. 7379. Alonzo Whitehouse.
H. R. 7384. John S. Skeels.
H. R. 7385. Edwin C. Beall.
H. R. 7390. Joseph McGuire.
H. R. 7392. Collins South.
H. R 7399. Josephine Freeman.
H. R. 7403. Michael Kouth.
H. R. 7415. Jacob L. Hinkle.
H. R. 7427. John R. Houchin.
H. R. 7464. Wallace Chamberlin.
H. R. 7465. John E. Stanton, alias Edward A. Stanton.
H. R. 7497. John Bardill.
H. R. 7509. John Fagley.
H. R. 7518. Catherine O'Connor.
H. R. 7519. Ansil T. Bartlett.
H. R. 7520. Frederick Christy.
H. R. 7537. George W. Wright.
H. R. 7538. Charles H. Kindle.
H. R. 7539. Hobart Hamilton.
H. R. 7540. Henry Daniels.
H. R. 7553. Alexander Frazier.
H. R. 7555. John A. Lovens.
H. R. 7559. Henry J. Loughmiller.
H. R. 7560. William W. Kimball.

GARABED.

Mr. GARRETT of Tennessee. Mr. Speaker, I present the following privileged report from the Committee on Rules, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 194.

Resolved, That immediately upon the adoption of this resolution the House shall proceed to the consideration, under the general rules of the House, of H. J. Res. 174, entitled "Joint resolution for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the 'Garabed,' claiming to make possible the utilization of free energy."

Mr. GARRETT of Tennessee. Mr. Speaker, it has been very well understood that this matter would come up this afternoon. Does the gentleman from Kansas [Mr. CAMPBELL] desire to enter into any agreement as to time for discussion of the rule?

Mr. CAMPBELL of Kansas. Yes.

Mr. GARRETT of Tennessee. I suggest 20 minutes on a side.

Mr. BORLAND. Mr. Speaker, I want about 15 minutes on the rule. I am opposed to the rule.

Mr. CAMPBELL of Kansas. If the gentleman from Tennessee desires more time than that, I have no objection.

Mr. GARRETT of Tennessee. I do not desire that much time. The gentleman from Missouri is opposed to the rule?

Mr. BORLAND. Yes.

Mr. GARRETT of Tennessee. And the gentleman from Kansas is in favor of it?

Mr. CAMPBELL of Kansas. Yes.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that debate on the rule be limited to 40 minutes, one-half of that time to be controlled by the gentleman from Kansas [Mr. CAMPBELL] and one-half by myself, and that at the end of that time the previous question shall be considered as ordered.

The SPEAKER pro tempore. Is there objection?

Mr. BORLAND. Mr. Speaker, reserving the right to object, I understand that both these gentleman are in favor of the rule. I desire to oppose the rule and I would like to have about 15 minutes in which to oppose it.

Mr. GARRETT of Tennessee. Mr. Speaker, I shall withdraw the request. The purpose of the resolution, which by direction of the Committee on Rules I have called up, is to provide for the consideration, under the general rules of practice of the House, of House joint resolution 174, Calendar No. 77, entitled "Joint resolution for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the 'Garabed,' claiming to make possible the utilization of free energy."

The resolution or special rule which the Committee on Rules presents is simple in its terms and requires no explanation. Its adoption is necessary, in view of the parliamentary situation, if the House is to consider the joint resolution.

I think, sir, it is highly important that we should consider and pass the joint resolution. It will be remembered that the House and Senate passed this measure at the very close of the last session of the Congress. It reached the President only a few moments before the hour that had been fixed for final adjournment of the session and was not signed by him. I assume that this did not indicate opposition upon his part, because I suppose if he had been opposed to it he would have vetoed it. My supposition has been that the President felt he should give it further investigation than the hurried and congested condition of affairs would then admit of, knowing that Congress would shortly reconvene, and that it could be again passed and submitted to him.

I have heard—and I suppose I violate no confidence in so stating—that with the amendments as adopted by the Committee on Patents, the Department of the Interior has no objection to the measure, and I feel quite hopeful that it will receive Executive approval if again passed.

A brief statement of the facts and purposes of the joint resolution will suffice, I trust, so far as debate on the rule I propose is concerned.

Mr. Garabed T. K. Giragossian, who, I understand, is a gentleman of Armenian birth, but who is and has long been a resident and naturalized citizen of the United States, claims to have developed a mechanism whereby what scientists call the cosmic or elemental forces or energies of nature may be utilized for industrial purposes. Whether this claim is well founded we do not know. If it be well founded, then, as the report of the Committee on Patents aptly says, "the possible results of the use of the means in question is beyond the power of man's imagination." It is so stupendous a thing that it is not strange that men should be frankly skeptical and openly cynical concerning it.

And yet, sir, I think all scientists are agreed that these cosmic energies do exist, that they flow in steady and unceasing streams throughout the universe. Would the successful harnessing of them be any more strange or wonderful than was the utilization of the power of steam or the leashing of the lightnings?

Mr. Giragossian claims to have the device developed and stands ready to submit it to the test, the only way in which its worth may be demonstrated. He asks no appropriation of the Congress. Unless he has something worth while, there is no contingency under which this Government will expend a penny.

On the other hand, if he does demonstrate that he has something worth while, an assignment of the right to utilize it for the Government's own use is made to the Government, said assignment "free of charge or expense," and he is to have a patent for 17 years. Certainly, the proposition of Mr. Giragossian does not have the earmarks of fakerism or fanaticism.

Mr. BORLAND. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. I will.

Mr. BORLAND. I would not want to suggest that this bears the earmarks of fake or fanaticism, but does not section 4 of the bill absolutely prejudge Mr. Giragossian's case by saying that the Government of the United States shall not issue to anyone else a patent involving or relating to the principle of Garabed, regardless of its form or shape? Does it not absolutely assume the minute we pass this bill that he is the inventor and no one else has ever invented anything else involving the same principle, and that nobody else must be permitted to have a patent on anything involving the same principle?

Mr. GARRETT of Tennessee. No. The gentleman from Missouri is wrong in that conclusion. That is only to happen in the event the demonstration is made to the satisfaction of the board of scientists to be selected by Mr. Giragossian and approved by the Secretary of the Interior. In other words, it places him, if I construe the measure correctly, in no different shape than he would be in if he obtained his patent under the general law, except in so far as improvements are concerned.

Mr. BORLAND. If the gentleman will indulge me further a moment, no such condition appears in section 4; but assuming that it did appear there and assuming that Mr. Giragossian demonstrates to these scientists that his invention will work, have we not still prejudged his case as to all other inventors of the same principle? Would he not, after the demonstration, step into the rights of all persons who claim to have invented that same principle?

Mr. GARRETT of Tennessee. Not any more than it would do so under the general patent law, except, as I have said, in the matter of improvements.

Mr. BORLAND. Let me call the gentleman's attention——

Mr. GARRETT of Tennessee. If the gentleman will pardon me, I do not want to go into details. We are providing for the consideration of the bill, and I should prefer that gentlemen from the Committee on Patents discuss that matter of details with the gentleman from Missouri.

Mr. BENJAMIN L. FAIRCHILD. Is there anything in the bill that determines the question of priority if there is any controversy as to the first inventor of this great invention?

Mr. GARRETT of Tennessee. I will say that the effect of House joint resolution 174 will be to grant to Mr. Giragossian a patent in the event he demonstrates his device to the satisfaction of the board of scientists approved by the Secretary of the Interior.

Mr. BENJAMIN L. FAIRCHILD. But if there is any proof afterwards that there is a prior inventor, the door is closed to him by this bill?

Mr. GARRETT of Tennessee. That might be the effect of it, but if the gentleman will bear with me in patience I will proceed——

Mr. STAFFORD. Will the gentleman permit a question on the rule?

Mr. GARRETT of Tennessee. I will.

Mr. STAFFORD. Is it not a fact under the rule, if adopted, the gentleman who has the bill in charge can do as he did when the bill was last under consideration, when only one amendment was offered, move the previous question and prevent any amendment to this most important question, which would give Mr. Giragossian, under section 4, the absolute right, even if the committee of experts appointed find in his favor, not to allow a patent to be given to anybody else?

Mr. GARRETT of Tennessee. The gentleman asks a question as to procedure. I answer it in the affirmative, that it will be considered under the general practice of the House and it will lie within the power of the gentleman from Ohio, the acting chairman of the Committee on Patents, at any time under the general rules of the House to move the previous question. If the House orders the previous question it will cut out amendment.

Mr. STAFFORD. In view of the action before, does the gentleman think it is proper such action should be taken without opportunity to amend the bill?

Mr. GARRETT of Tennessee. That is a matter which addresses itself to the discretion of the gentleman from Ohio and the taste of Members of the House. A test of its elements indicates absolute good faith. Those gentlemen with whom Mr. Giragossian has come in personal contact all testify before the Rules Committee and the Committee on Patents to his gentlemanly demeanor, his intellectual strength, and the apparent sincerity which runs through his conduct and is evidenced in his character.

I am quite conscious of the fact that there are gentlemen who indulge their gift of wit in opposing this proposition, and I have even heard it put as strongly as that Congress was rendering itself ridiculous in passing it. That remains to be seen, Mr. Speaker, and I am willing to take the chance.

Mr. STAFFORD. Will the gentleman yield as to the statement he just made?

Mr. GARRETT of Tennessee. I will.

Mr. STAFFORD. Will the gentleman kindly inform the House what test he referred to which Mr. Giragossian has made and submitted to any committee of the House?

Mr. GARRETT of Tennessee. I referred not to the test of the mechanical device. The continuity of my remarks was broken by inquiry, and what I meant to say was that the test of the proposition which he submitted, as contained in the resolution, bore the evidence of good faith. Do I make myself clear to the gentleman? [After a pause.] I meant that the proposition contained in House resolution 174, the contract involved in that resolution, bore evidence of good faith. I did not refer to the device.

Mr. STAFFORD. If the gentleman will permit, the resolution now under consideration is more drastic, as far as Government rights are concerned, than the one passed last when we had it under consideration.

Mr. GARRETT of Tennessee. Of course, that is aside, if the gentleman will pardon me, from the——

Mr. STAFFORD. Does that show good faith on the part of Mr. Giragossian?

Mr. GARRETT of Tennessee. Well, perhaps our minds do not run together on that proposition. The passage of the joint resolution in its present form can not possibly endanger a single public interest, and I feel that if the demonstration fails I can recover from the shock, and since no harm can have been done to any living person, I shall be able to go about my business, I think, without hanging my head in humiliation and shame. If it shall, on the other hand, prove a success, if it possesses even a tithe of the possibilities claimed for it, I shall be glad for my country's and for humanity's sake. I shall feel gratified to have even this small part in its advancement.

Why is it that gentlemen do so much fear to ascertain whether we really have some new blessing for mankind? [Applause.]

Mr. GREENE of Vermont. Does the gentleman ask that rhetorically or directly?

Mr. GARRETT of Tennessee. As the gentleman chooses.

Mr. GREENE of Vermont. The gentleman asks why we fear. It is because before we know what the result is going to be we mortgage to this man any favorable result——

Mr. GARRETT of Tennessee. But only in event the result is what he claims it will be.

Mr. GREENE of Vermont. That is where the gentleman makes a mistake if I may address that remark, with all respect, to him.

Mr. GARRETT of Tennessee. Certainly.

Mr. GREENE of Vermont. We promise beforehand that if he produces what he says he has he shall have exclusive right to the use of it except for the Government's own use, even if it should comprehend all the laws of physics known to science or hereafter to be discovered, and he can sue any man who subsequently brings in an invention which may in the consideration of some one of those laws impinge upon his own.

Mr. GARRETT of Tennessee. That is a question of construction. If Mr. Giragossian has what he claims to have, I think he should have a special patent, and I think the Government would be extremely fortunate in obtaining the use of it as provided by the terms of this measure.

Mr. GREENE of Vermont. Will the gentleman again yield?

Mr. GARRETT of Tennessee. I will.

Mr. GREENE of Vermont. Will the gentleman undertake, in the spirit of true democracy, to argue that one man, by the terms of this resolution—which means the purchase of a pig in a poke—should utilize for himself all the royalties and profits to be had from his discovery of some great fundamental law of physics and nature?

Mr. GARRETT of Tennessee. Well——

Mr. GREENE of Vermont. That is not the pure mechanical device——

Mr. GARRETT of Tennessee. The gentleman and I differ in our contention of construction.

Mr. GREENE of Vermont. That is not the mere mechanical device.

Mr. GARRETT of Tennessee. I think it would be construed necessarily to apply only to the device and improvements upon the device directly related to it.

Mr. GREENE of Vermont. Without offense, is not that begging the question, for the utilization of a heretofore unknown law of nature may be possible only through a certain device, but if you protect him in the device he is the only man who can use the law.

Mr. GARRETT of Tennessee. Mr. Speaker, in that event, of course, the Government can become the owner of it.

Mr. GREENE of Vermont. The Government in this country is not every private manufacturer.

Mr. GARRETT of Tennessee. But my construction—I may be in error about it—the gentleman from Vermont is a clearer lawyer than I am——

Mr. GREENE of Vermont. I am not a lawyer.

Mr. GARRETT of Tennessee. I may be mistaken about it. However, we are not discussing the measure, we are merely discussing the rule for its consideration.

My thought concerning the measure is that the limitation with reference to the patent or improvements will apply only to improvements that under common sense, which is always good law, would relate directly to this mechanism itself.

Mr. CHURCH. Will the gentleman yield?

Mr. GARRETT of Tennessee. I will.

Mr. CHURCH. I call the gentleman's attention to the fact that in order to prevent monopoly the Government has the right to purchase this outright from Mr. Giragossian at any time.

Mr. GARRETT of Tennessee. I thank the gentleman from California. I just stated that in reply to the gentleman from Vermont.

Mr. Speaker, the miracle of yesterday is the commonplace of to-day. There was a time when man was perfect in all his parts and elements. He was complete physically. The poet, the painter, the sculptor, the dreamer, in the wildest flights of superb fancy, never caught more than a fleeting vision of that beauty which was given by the Lord to the first man and first woman.

Mr. HAMILTON of Michigan. May I ask the gentleman a question when convenient for him to be interrupted?

Mr. GARRETT of Tennessee. At this time.

Mr. HAMILTON of Michigan. I simply wanted to ask why this gentleman did not proceed in the usual way to apply for a patent.

Mr. GARRETT of Tennessee. The report from the Committee on Patents, of which I am not a member—I am merely reporting the resolution from the Committee on Rules—states that. The difficulties which have attended every revolutionary invention in the history of our country have caused this man to ask for a special patent rather than to pursue the usual way.

Mr. HAMILTON of Michigan. Does he fear in some way that the device, for instance, might be stolen before the patent issues, or may leak out in some way?

Mr. GARRETT of Tennessee. Yes. Or that there may be improvements and devices suggested that will result in endless litigation, such as marked the course of the telephone and other great inventions lying within the knowledge of all of us.

I was about to proceed further when interrupted by the gentleman.

Not only was man complete physically at one time, but he was perfect mentally. He knew all philosophy and all science. Mathematical exactness was instinctive with him. He knew and could interpret bird song. He knew where the flower bloom came from, and why. He understood the passions of the tiger. He saw all problems with clear and unmistakable vision.

He was complete spiritually. He discussed with the Divine the themes of the divinity. He communed with the angels.

He was so complete in his structure that he possessed the power to destroy his own perfection, and he exercised this power. He sinned. That is to say, he violated some law of harmony. What it was we do not know. Perhaps we never shall know. But we know that it was the exercise of a power by which the integrity of his triple structure was destroyed.

Mr. HAMILTON of Michigan. May I ask the gentleman a question?

Mr. GARRETT of Tennessee. Surely.

Mr. HAMILTON of Michigan. Is the gentleman proceeding upon the theory that mankind was created perfect in the beginning and has been degenerating since?

Mr. GARRETT of Tennessee. I told the gentleman privately he ought not to interrupt a speech like this.

Mr. HAMILTON of Michigan. It is a very difficult problem the gentleman is discussing now.

Mr. GARRETT of Tennessee. There is lots of time to do it, and I am going to elucidate it.

There was some power by the exercise of which the integrity of the triple structure was destroyed. I think that touched his every phase and characteristic. It devitalized him physically. The majestic brow receded; the form became bent. Warts and vile protuberances grew upon the skin. The nerves lost control over the muscles, and these, uncontrolled, fell to hideous expression.

And it devitalized him mentally. He lost intellectual excellence. He lost that power of discerning the truth clearly amidst every confusion and complexity.

It devitalized him spiritually. He could no longer look clear-eyed upon the angels nor commune in freedom with the God. And in this condition—a physical degenerate, a moral wreck, an intellectual prostitute—he was cast into the wild amid the wild things over which he had held an unrestrained dominion. But somehow, some way, there lingered in the sin-touched brain a glimmer of what he had been. And in the sin-dwarfed soul there sprang up an aspiration to regain by labor that which had been his by gift. And the master passion of the centuries, whether men be always conscious of it or not, is this great passion to be as the first man was, to see as the first man saw, to know as he knew, to be perfect as he was perfect, to walk abroad with the angels, to commune in freedom with the God. And the development of that ambition and all the activities essential to its growth is, after all, the fundamental thing that challenges each of us. [Applause.] Throughout all the long ages it has been the fight. It has been fought amid sneers, amid criticisms, amid cynicisms. It is rather remarkable that humanity has made the advance it has made.

It has advanced spiritually. Each race has developed its moral philosopher, its Buddha, its Confucius, its Mohammed, its St. Paul. I speak only of the human, not of the divine. The grunts have been developed into a language with which poets have expressed the intimate secrets of the human heart and philosophers have explained in a wondrous way the development of human impulse. The artist has looked upon the marble, surprised the dream that lay within it, and chiseled out the figure filled with life, almost love, and wondrous beauty. The painter has mixed the pigments and spread on canvas another longing for the lost dominion to fill us with delight or thrill us with despair.

Not alone in the spiritual and artistic world, but in the material and the mechanical world, what wonders man has wrought! From the crude, dwarfed, distorted man, standing weaponless and naked in the primeval wilderness, have sprung the splendid creatures who with soul and brain and nimble fingers have moved steadily toward the restoration of the dominion lost in the long ago.

What wonders man has wrought! He has piled stones and timber into massive mansions as beautiful as the dreams of heaven. He has set the poles and strung the wires and talks with his fellows across rivers and seas and continents; aye, without the wires he sends his message through the unseeable air. He has caught the secret of steam and made it do his bidding. He has taken the web spun by the worm and woven it into a fabric fit to clothe the angels.

Why do we speak of things as being impossible? Here comes a man who says he has plucked the heart out of another human mystery. It is no reflection on him that he comes from comparative obscurity. If what he claims proves true, he will stand among the great of all ages and all times, and his place in the sun will be quite secure. He offers to submit his proposition to a fair and proper test. He offers to this Government the benefit of his genius and his industry. If indeed he has plucked the heart of another mystery, why not have the benefit of it? I am entirely at a loss to understand why this body or any other body should refuse to give to him the opportunity to demonstrate, under the terms and conditions of this measure, whether or not he has worked one of those other things that we once called "miracles," but which, as I said a while ago, have become after all common places. [Applause.]

Mr. Speaker, I reserve the remainder of my time.

Mr. CAMPBELL of Kansas rose.

Mr. BORLAND. Mr. Speaker, I want to oppose the rule.

The SPEAKER pro tempore. The gentleman from Kansas, a member of the Committee on Rules, is recognized.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. LENROOT] 10 minutes out of my hour.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 10 minutes.

Mr. LENROOT. Mr. Speaker, I would like first to make an inquiry of the chairman of the committee, the gentleman from Ohio [Mr. CROSSER]. There was, and I presume there is—and I would like to have it stated publicly—an understanding that if this rule is adopted there shall be three hours' consideration of this bill?

Mr. CROSSER. Does the gentleman include in that the time that has already been consumed, or does he still want three hours?

Mr. LENROOT. I believe we could not give it proper consideration by 5 o'clock this afternoon. With this understanding——

Mr. CROSSER. Can we not finish it to-night?

Mr. LENROOT. I do not know. That will depend. There was an understanding, a private understanding, that there would be three hours' consideration of this bill after the adoption of the rule.

Mr. CROSSER. I assumed that that would include the little time we might consume on the rule. I did not assume that there would be any debate on the rule.

Mr. GARRETT of Tennessee. I did not have that understanding. The only understanding we had was that the gentleman from Kansas and I thought we would each use an hour.

Mr. LENROOT. I believe it will be satisfactory, so far as I am concerned, that if we can not finish to-night, well and good. But substantial amendments are pending——

Mr. STAFFORD. Mr. Speaker, would not the gentleman be willing to allow a certain amount of time for debate under the five-minute rule to consider amendments? I judge from the temper of the House that the purpose is to pass the bill, but I feel there should be time granted so as to allow discussion of the amendments.

Mr. CAMPBELL of Kansas. I hope this is not coming out of my time, Mr. Speaker.

The SPEAKER pro tempore. The Chair understands that this discussion is going on in order to promote an understanding.

Mr. BORLAND. Do I understand, Mr. Speaker, that there has been an understanding entered into by anybody in regard to the limitation of debate?

The SPEAKER pro tempore. The Chair does not know that anybody has entered into any.

Mr. LENROOT. It was within the power of the gentleman from Ohio [Mr. CROSSER] to move the previous question at any time, and I went to him, privately, as I had a perfect right to do, and had an understanding with him that the previous question would not at once be moved, and that before it was moved—or that was the effect of it—we would have three hours for full discussion.

The SPEAKER pro tempore. No understanding has been reached. If these gentlemen have made an informal agreement among themselves, it would have to be submitted to the House before it would be binding.

Mr. BORLAND. This matter can not be foreclosed in that manner.

Mr. LENROOT. The gentleman from Ohio had it in his power to move the previous question at any time. I bring the question up now, so that we may get an understanding.

Mr. BORLAND. The evident purpose is to foreclose the whole subject in the interest of one man.

Mr. CROSSER. So far as I am concerned, I would like to finish to-night. I am willing to stay.

Mr. LENROOT. The gentleman will not move the previous question prior to 5.30 o'clock?

Mr. CROSSER. No.

Mr. CAMPBELL of Kansas. Mr. Speaker, I doubt if there will be a quorum here at 5.30.

Mr. LENROOT. Then we can raise the point at that time.

Mr. CAMPBELL of Kansas. I am anxious that this matter be concluded this afternoon with a quorum of the House present. The discussion so far has been on the merits of the proposition. I take it that the discussion in the ensuing hour will be on the merits of the proposition rather than upon the rule itself.

Mr. LENROOT. I want an understanding as to the time for voting. I do not want to be shut off in a few minutes.

Mr. CAMPBELL of Kansas. I am perfectly willing to go on, with an understanding that the previous question will not be moved until 5.30, unless we finish before that.

Mr. LENROOT. Unless we finish before that.

Mr. CROSSER. I have not consulted any other member of the committee about this. I want to satisfy everyone concerned, but I do want to finish this to-night.

Mr. CAMPBELL of Kansas. It is understood that the previous question will not be moved before 5.30, unless we conclude before that time.

Mr. CROSSER. Unless we conclude before that time, and I reserve the right to move the previous question at that time.

Mr. LENROOT. With that understanding, I shall not object.

Mr. CARLIN. Will the gentleman permit a question?

Mr. LENROOT. Yes.

Mr. CARLIN. I want to inquire whether the rule permits amendments to the bill.

Mr. LENROOT. Under the rules of the House, if the previous question is not moved—and that is the purpose of getting this understanding—amendments can be offered. With the understanding that has been reached, I shall not oppose the rule, but I do want to take the time to call the attention of the House to the necessity of very materially amending this joint resolution, if the House would be true to itself and the country.

It is true this joint resolution passed in the last session of Congress, and yet we must conclude that the only reason why it passed in its present form was that Members were so tired and so worn out that they were not in a condition to give that careful consideration to measures that they usually give. The gentleman from Tennessee [Mr. GARRETT] has stated that there is no public interest that can possibly be injured, nor the Government in any way made liable by the passage of this resolution in its present form. Why, Mr. Speaker, unless this joint resolution is amended, even though this committee of scientists shall find that there is nothing of value in this alleged discovery of Mr. Giragossian, nevertheless this bill provides that at no time during 17 years shall any patent be issued to anyone covering this principle of free energy, although this alleged inventor may have nothing whatever of value. There is no such condition attached to section 4 as was implied by the gentleman from Tennessee [Mr. GARRETT]. This commission might unanimously find against there being anything of value in this discovery, and yet section 4 provides that the United States Government shall not issue to anyone else any patent involving or relating to the principle of the Garabed free-energy generator; and not only shall not issue a patent, but—

shall prevent the construction, importation, use, or exploitation thereof, in whole or in part, in the United States, and shall protect the said Garabed T. K. Giragossian, his heirs and assigns, in the rights and interests in the "Garabed" in the above respect for a period of 17 years in the United States and in foreign countries where such protection is afforded by treaty obligations, international law, or diplomatic representation.

In other words, although there may be nothing of value in this discovery, by this bill we agree that if some one else does discover something along this line the public shall not have the use of it or have the right to use it at all. Is it possible that the House of Representatives is in favor of any such proposition as that?

Then we come to section 5, another most remarkable section, providing—

SEC. 5. That any essential improvement or contrivance by any person or persons other than Garabed T. K. Giragossian relating to the "Garabed," or its principle, which shall prove valuable and essential thereto in the opinion of the Secretary of the Interior during the period of the said Garabed T. K. Giragossian's special protection shall be bought by the United States Government for its own use in conjunction with its use of the said "Garabed," with adequate compensation to the inventor or contriver thereof. If, however, the said Garabed T. K. Giragossian wishes to utilize any such invention or contrivance so acquired by the United States Government, he or his assigns, and no other person or corporation, shall be entitled thereto upon the payment of a fair, just, and reasonable royalty therefor. In consideration of this right the United States Government shall have, without expense, the right to use for its own purpose any new improvement or device made by the said Garabed T. K. Giragossian.

Not even a patent is required upon this improvement or contrivance; and yet the Government agrees to purchase it and not permit the inventor of that improvement or contrivance to use it or the public to have the use of it except through Mr. Giragossian, although this committee of scientists might agree that there was nothing of value in this discovery. Is it possible that the House of Representatives is going to pass legislation of this nature? I am perfectly willing to vote for this bill amended, willing to take the chance that the gentleman from Tennessee [Mr. GARRETT] speaks of in giving Mr. Giragossian protection by this special patent, if this committee of scientists shall approve. I am willing that he shall have the right under this bill, upon the payment of a reasonable royalty fixed by the Secretary of the Interior to use any improvement or contrivance that some one else may invent in connection with this discovery. That gives full, complete, and ample protection to Mr. Giragossian. More than that neither he nor anyone else has the right to ask. Neither has he the right to ask, as is contained in section 4, that no patent shall be issued to anyone else, although he may have nothing, and that the Government will not permit anyone else to use the discovery or invention relating to the generation of free energy when he has not. Why, the very statement of the proposition shows its absolute absurdity. I sincerely hope that when we reach the point of amendment the committee will accept some of these amendments. And even then, although I am willing to vote for it I am frank to say that Congress will have gone further in extending a special privilege than has ever been done in the history of the United States.

Mr. Speaker, I yield back the remainder of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, since this bill was under consideration in the House in the closing days of the last session there have been some developments that were unknown to me and unknown to the membership of the House. I have been informed that the bill passed the Senate in the closing hours of one day with a very small membership present, even after a disclosure made by one of the Senators that sometime before a person by the name of Mr. Casey had called at his office with a device that operated on the general principle proposed to be embodied in the invention claimed by Mr. Giragossian.

Since I came on the floor this morning it has been called to my attention that some person—whether Mr. Casey or some one else I do not know—demonstrated by a device to a Member of this House the very principle claimed by Mr. Giragossian. When the proposal was under consideration at the last session I attempted to point out in 10 or 15 minutes' discussion on the rule the fact that the rights of other inventors were not protected; that even if the committee of scientists that were to be appointed on the nomination of Mr. Giragossian, with the approval, it is true, of the Secretary of the Interior, should find that he had a device that was practicable, this bill took away the right of any other person, whether Mr. Giragossian was the inventor or not. Since the resolution was considered we have the positive statement in another body and also by a colleague in this Chamber to-day that there are other persons who have a similar device.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. HAMILTON of Michigan. Has this other person or persons patented the device?

Mr. STAFFORD. As far as I am informed, he has not. I am not advised, nor does the CONGRESSIONAL RECORD show whether the other person has made an application for letters patent, but this resolution granting a patent to Giragossian does not hinge on whether he was the original inventor, but on whether he has a device that can utilize this energy. I have been informed that in Africa they have devices in operation that utilize the rays of the sun for generating power, not very successfully, but utilized to some extent.

Under this bill we are granting a patent to a man who may have created a device, although he may not be the inventor, and the bill will also give him an inclusive right to the use of a principle of nature. It is a fundamental principle of patent law—and I do not claim to be an expert on patent law—that a patent will not be granted for a principle of nature.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. GREENE of Vermont. I want to direct an inquiry on that very point.

Mr. STAFFORD. I am glad to have the interruption and to have the gentleman's opinion.

Mr. GREENE of Vermont. Has the Patent Office ever determined for patent purposes what free energy is?

Mr. STAFFORD. I understand under the patent law they have refused in all times past to grant patents on a principle of nature, like electricity or any other cosmic force, holding that that belongs to the public generally and only a device to utilize that cosmic force can be patented.

Since the resolution passed both bodies and was submitted to the President of the United States, who vetoed it by a pocket veto, I am informed only this morning, although my attention was not called to it in the public press, that a statement was given out setting forth the reasons why he refused to sign this bill. I do not know what his reasons were. Perhaps some member of the Committee on Patents may be able to inform the House. It is their duty, if they are acquainted with them, to state them to the House, for we are virtually considering a veto measure. It was the practice in early days of the Government when a bill was vetoed by a pocket veto in the closing days of a session because time did not permit the President to convey his reasons to Congress at that session, to submit the reasons to the House in which it originated at the next session. We have not the views of the President, but it may be that some member of the committee may have read the newspaper article that contained the statement of the White House as to the reasons why the President declined to approve the resolution. Certain it is that this resolution is not as favorable to the Government as the former resolution, because under section 6, if the Government wishes to purchase the exclusive right to this invention under the form as it existed when the bill passed the House, the compensation was determined by a committee of six, three to be appointed by the Secretary of the Interior and three to be appointed by the inventor, Mr. Giragossian. But now it provides that the finding of the committee shall be subject to the approval of the Secretary of the Interior and of Mr. Giragossian. Why, if the gentleman is going to obtain a patent under this bill for the use of a force of nature, and even though Congress should wish to purchase the right exclusively for all mankind, notwithstanding the committee of six have determined the amount of remuneration, he could reject it and hold the Gov-

ernment up and refuse to sell it. He could sell it to a corporation that might be capitalized at a fabulous amount. Is it possible that in this Congress we are willing to grant a man, who may not be the original inventor, the right to capitalize a principle of nature which may or may not have been discovered heretofore, and let him exact a tribute from all mankind that may amount to hundreds of millions of dollars?

Mr. DENT. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. DENT. Does not the gentleman think that one of the reasons that actuated the President in vetoing the measure was that if we gave this privilege to one man we would have to give it to every other man who discovered something relating to free energy? That is the reason that the Military Committee of the House turned down the proposition.

Mr. STAFFORD. Mr. Speaker, I was unadvised that the Committee on Military Affairs had ever considered the proposition. We now have the statement of the chairman of the committee why they refused to give any recognition to the proposition contained in this bill. Gentlemen, this is not granting a congressional patent; it is giving to a man who may not be the original inventor an exclusive right to use a law of nature. He may submit a device that is operated by electricity, something well known, a device which, if it could be utilized, would, under the terms of this resolution, grant him an absolute monopoly. This committee of scientists and the Secretary of the Interior would have no right under the terms of the resolution as it passed before and as it is presented by this committee to refuse to grant him a patent for utilizing the cosmic forces of nature, whether electricity or any other energy, but he would have that exclusive privilege for the term of 17 years.

Mr. PURNELL. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. PURNELL. Does the gentleman think that this man could capitalize this invention or discovery if this board of scientists should discover or decide that it is not practicable?

Mr. STAFFORD. I can well understand that this man may have a device where he uses electricity, something not new.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. STAFFORD. The situation might be such that if the device were practicable under the terms of the resolution the committee will be obliged necessarily to find in favor of it, and then under the terms of the resolution the Secretary of the Interior has nothing more to do, but is compelled to enter into contracts to carry out this law.

Mr. HULBERT. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. In a moment. Another provision of the measure says that the Congress will have the right to purchase this patent, but it is a limited right, limited only as I wish to call to your attention to that period of time in case the Congress is in session or to a limited time thereafter in case the Congress is not in session. Certainly we know by reason of the usual procedure of Congress that that might be too limited a time. I now yield to the gentleman from New York.

Mr. HULBERT. The gentleman has anticipated and answered the interrogatory I intended to propound.

Mr. STAFFORD. Furthermore, under the terms of this resolution the Government of the United States becomes a guarantor as against all prior inventors and all succeeding inventors of any improvement in the case of this principle. The history of the growth of manufacture in this country is due to the development of improvements on some basic patent, and yet under the form of this bill future improvements are estopped.

This bill, I dare say, was written by the attorney of Mr. Giragossian, for I can not conceive of any disinterested person writing it, who had at heart the welfare of the Government, as the bill, in the form in which it is before the House, grants away all of the rights—and I measure my words when I say all—of the Government except under conditions which in the ordinary application could not be fulfilled.

Mr. HAMILTON of Michigan. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. HAMILTON of Michigan. The gentleman stated that some other person had invented a device or an instrument which he thought was similar to the device which was involved in this resolution. I desire to ask the gentleman whether that gentleman has offered to submit his device to a test?

Mr. STAFFORD. That gentleman, as I was informed this morning by my colleague, Mr. LENROOT, who was informed by some Member of the House, stated that he was willing at any time not only to submit it to a committee of the House, but that he had showed it to this Member. The CONGRESSIONAL RECORD discloses further, when this matter was under consideration one evening late in the Senate, that a gentleman came to the office of Senator NEW and demonstrated to him a similar device. Whether that person, Mr. Casey, whom Senator NEW referred to, is the identical person my colleague referred to this morning I do not know, but the man to whom we are conferring such great privileges absolutely refuses to show his device to any Member of Congress. The report in this case speaks in glowing terms of the standing of this man and of the three people who indorsed the invention. Let me call attention to the fact that while these three men may be estimable gentlemen, they are not scientists. One is a director of music in Boston, another is an artist in Boston, who has been advancing money to Mr. Giragossian, and the other is the chairman of some board of directors. They are not scientists.

I may be a little hard-headed, but before I am willing to vote away a valuable right foreclosing the public for 17 years from the use of an element of nature, even if Mr. Giragossian is the original discoverer of it, I shall demand more evidence than we have presented in this case. I am unwilling to transfer or mortgage the rights of all of the people in the United States in such a way that they can be capitalized to the tune of millions of dollars to the advantage of Mr. Giragossian and some promoter.

Mr. BORLAND. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BORLAND. The gentleman says that Mr. Giragossian refused to show his device or its operation to any member of the committee.

Mr. STAFFORD. Or to any committee that would be appointed by the House.

Mr. BORLAND. I want to ask the gentleman whether he knows how Mr. Giragossian was able to present such convincing evidence to the committee that they brought this bill in the second time?

Mr. STAFFORD. I have no evidence on that subject. I know that he called at my office, and that other persons called there in his behalf, and I presume they did upon other Members of Congress, just as they did upon me.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. LONGWORTH. In case this proposed committee should report that this device was not practicable, as it stands, would the Government, under section 4, be debarred from granting any patent to any person who might subsequently bring in a practicable device?

Mr. STAFFORD. That was brought out by my colleague [Mr. LENROOT]. The Government is absolutely debarred, whether the committee reports favorably or unfavorably. Section 4 provides as follows:

> That the United States Government shall not issue to anyone else any patent involving or relating to the principle of the "Garabed" free-energy generator, regardless of its form or shape, or for any device, improvement, process, equipment, or apparatus based upon the system or correlative principle of the said discovery or invention, or for any improvement or change developed in the use of the said "Garabed," and shall prevent the construction, importation, use, or exploitation thereof, in whole or in part, in the United States, and shall protect the said Garabed T. K. Giragossian, his heirs and assigns, in the rights and interests in the "Garabed" in the above respect for a period of 17 years in the United States and in foreign countries where such protection is afforded by treaty obligation, international law, or diplomatic representation.

I can not believe any Member of the House would permit any such ridiculous proposal.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Speaker and gentlemen of the House, the debate on this proposition seems to be more in reference to the merits of the bill than the adoption of this rule. I listened with a great deal of interest to the objections urged by the gentleman from Wisconsin [Mr. LENROOT] with reference to section 4. If this section 4 is adopted as it is, and in the event that this committee that is appointed finds that it is a fake and of no avail, why there is not a court in the land that would hold that Giragossian would be entitled for a minute to the rights sought to be guaranteed to him here, and if there are any people that doubt that proposition of law—and I state it as a proposition of law—this could be very easily remedied by a simple amendment that in the event that this committee approved after their investigation this proposition then the section shall apply.

Mr. LONGWORTH. But the bill as it now stands would absolutely bar for 17 years the acceptance by the United States Government of any invention which would be practical, no

matter whether this committee should decide in favor of or against it.

Mr. WOOD of Indiana. No.

Mr. GORDON. No; if the gentleman will yield, it will have to be on this distinctive principle.

Mr. LONGWORTH. The distinctive principle is patented, you know.

Mr. GORDON. It is not.

Mr. LONGWORTH. It is.

Mr. WOOD of Indiana. We state as a proposition of law, in the event this bill is adopted exactly as it is and the committee approved by the Secretary of the Interior would find that it was a fake, that it would not do the things that it is said here it will do, then it will become a dead law from that minute, and anyone who had any principle or invention involving this principle would not be denied the right under this bill, for the reason that it has been decided there is nothing in the proposition stated here. But I say there is no trouble about that; it can be made absolutely beyond peradventure by inserting that in the event this committee does approve then he shall be guaranteed the rights spoken of in this bill.

Mr. BORLAND. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. BORLAND. Suppose the committee does not find that the invention is a fake, but simply finds this apparatus, and so forth, is impracticable, but there is some principle there that other prior inventors had developed. This would unquestionably foreclose the rights of those prior inventors to that principle, as the gentleman from Ohio says.

Mr. LONGWORTH. That is exactly what I have tried to bring out.

Mr. WOOD of Indiana. I say if there is any fake about it that the Government should be protected absolutely, and it can be very easily secured by inserting the words I have suggested, that in the event it has proved itself to be what Mr. Giragossian alleges it to be.

Mr. GREENE of Vermont. Will the gentleman yield for a question there?

Mr. WOOD of Indiana. Yes.

Mr. GREENE of Vermont. Then if by process of amendment to all the various sections of this bill, Mr. Giragossian is finally to come down to the estate of any patentee and take his chances under the law as to whether his invention is one of merit, why is it you bring his case in here as a matter of special resolution?

Mr. WOOD of Indiana. I will answer the question and take pleasure in answering it. It has been demonstrated and been admitted here and even the gentleman from Wisconsin, in debating this question at the last session of Congress, that the patent laws of this country are so absolutely defective that a man who has invented an idea is very, very many times robbed of his invention. It has been repeatedly so. The records of this Capitol and the history of invention in the United States is filled with invention after invention where the man who invented it was absolutely deprived of his invention or the emoluments that came from it. The time was once in this country, and during that time a patent meant something, when the patents were granted solely by this Congress.

Mr. GREENE of Vermont. Exactly, and we are getting around to that same point in a vicious circle again.

Mr. WOOD of Indiana. I think we had better be doing that thing than be doing the injustice we are doing under the present patent laws to the men who invent these great benefactions. When this matter was under debate before I quoted the evidence of Mr. Edison, who has been a great benefactor to mankind, where he said that it cost him more money than it brought him in defending the patents he had made, and he points out very fully the many defects to which the inventor has to subject himself and that he virtually has no protection at all under the present patent laws of the United States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOOD of Indiana. I ask for one more minute; I have just gotten started.

The CHAIRMAN. I yield the gentleman two minutes more.

Mr. GREENE of Vermont. Does not the gentleman think we ought to correct the patent laws we have before we fly to evils we know not of?

Mr. WOOD of Indiana. I will answer that question by saying that there was a gentleman who came here more than 30 years ago and said to the people of the United States, "I have a great benefaction for mankind; I can send a telegraph message through the air without the intervention of wire."

He was doubted. The cynics sneered at him. Criticism was heaped upon him. And he went back to his home and died in less than three months after that time. Thirty years after then Marconi proved to the world what that man then said could be done, and he did it.

Mr. GREENE of Vermont. Will the gentleman permit me to say that it is described by the old term in logic of post hoc reasoning, "after this, therefore, because of this"?

Mr. WOOD of Indiana. I do not care what kind of "hoc" it is. I want to say to you that, in these trying times, if this gentleman has what he says why not adopt it now; if he has not, why not explode the bubble now? The Treasury of the United States is not called upon to be opened in order that this man may filch money from it.

Mr. GREENE of Vermont. He is evidently simply putting something in hock. We will put our money in hock if we provide the terms in the bill.

Mr. WOOD of Indiana. It is provided that this Government of ours may, if we find this thing proves the success that it is said it will, buy it for the benefit of all mankind.

Mr. GREENE of Vermont. But we buy it for money.

Mr. WOOD of Indiana. Would you buy it for nothing?

Mr. HAMILTON of Michigan. Mr. Speaker, why can not we proceed with the consideration of this resolution, and if it can be amended to meet the views of Members, we can proceed with it.

Mr. WOOD of Indiana. I think the quickest way is to adopt this resolution.

Mr. HAMILTON of Michigan. I understand the gentleman from Ohio desires to press this resolution to a vote to-night, and we ought to go about the consideration of it if we are going to do so.

Mr. GARRETT of Tennessee. I would like to see if we can agree upon time. How much time does the gentleman from Kansas [Mr. CAMPBELL] desire on the rule?

Mr. CAMPBELL of Kansas. Ten minutes. I could get along with that.

Mr. GARRETT of Tennessee. Mr. Speaker, I have requests for a certain length of time against the proposition.

Mr. CAMPBELL of Kansas. That discussion can be transferred to the Committee on Patents.

Mr. GARRETT of Tennessee. I would like to have an agreement that we can vote after the gentleman has used his 10 minutes.

Mr. BORLAND. Mr. Speaker, may I suggest this: No one has spoken yet, as I understand, against the rule itself. I asked leave to oppose the rule, but the time was claimed by the gentleman on the Rules Committee who was in favor of the rule, and he has parceled it out to gentlemen who are in favor of the rule. As a matter of fact, I undertook to oppose the rule, and I think nothing yet has been said against it.

Mr. GARRETT of Tennessee. If the gentleman from Kansas will permit, I yield 10 minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Speaker, I am glad to have 10 minutes. I asked for 15.

Mr. Speaker, I am opposed to the adoption of this rule and am somewhat surprised at its being brought in. I am somewhat surprised that this kind of a bill is being considered under a special rule, or that it has the merit or the steam behind it to secure a special rule. From all that has been said here, it is apparent that no evidence was presented to any committee of the House in regard to the merits of this proposition. We are just simply told that this man may have something very valuable, and therefore Congress ought to revolutionize its procedure and give him a special privilege. Now, assuming that that principle were right, if it turned out that this man did not have what he claims, it is perfectly manifest that Congress would be very unwilling in the future to grant a similar privilege to any man who might have a commendable proposition. In other words, it would completely destroy the opinion in Congress in favor of such a method of procedure. But that is not the only and chief objection to the rule. This bill itself provides that Mr. Giragossian shall have a patent upon a principle, not upon any machine which he claims to have invented, not upon any device which is patented, but he shall have a patent upon a principle. It strengthens that declaration by providing that no one else shall infringe—what? His device? No. His principle. In other words, if he claims that his device operates by means of a certain principle, all other devices operating, in whole or in part, by that principle are to be utterly and completely and forever barred.

Now, that is the chief objection to this bill. As has been stated here, and is perfectly apparent upon the face of this bill, it does not base that upon the necessity of novelty, which is the primary principle of the patent law. It does not say that Mr. Giragossian shall have been the sole and original discoverer of this alleged principle. There may be 50 inventors who are

to-day at work, and who may have carried their inventions much further than Mr. Giragossian, upon the same principle. It does not base it upon the question of his novelty, of his being the original discoverer of the scientific proposition of that principle. It says there shall be no infringement of his principle. And it further strengthens that by going on to say that if the award is made to Mr. Giragossian, then all subsequent devices which operate under the same principle shall be purchased by the United States for the benefit of Giragossian and his assigns.

That is a most remarkable proposition. Now, as a matter of fact, what Mr. Giragossian claims, as near as we can discover in this maze of mystery that surrounds it, because there is nothing but mystery presented here to this House, is a name, namely, free energy. I am not a scientist and would not undertake to discuss the thing from a scientific standpoint; but, so far as I have learned, free energy is applied to the collection of electricity from the atmosphere or the earth without applied force. It is applied to the collection of electric energy by some other process than the dynamo. Now, that is free energy, as the word is generally used. I will guarantee that there are inventions in existence assuming to use the principle of free energy. And that is exactly what this invention is entitled to include.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. DENISON. Will the gentleman give the House the advantage of any information he has along that line?

Mr. BORLAND. Yes. A hearing was had yesterday morning on an invention by a man named Perigo, who claims to have invented a machine to collect electricity by free energy; that is, to collect it from the energy of the air. In other words, his invention is based upon the idea, as I gather it, that electricity can be collected from the air, where it must be collected, by some other means than by the force of a dynamo.

Now, if this is true—and I am not enough of a scientist to know—there may be many devices that are patentable for doing that particular thing, or applying that particular principle. If Mr. Giragossian has a device for utilizing free energy, his device or machine or appliance is patentable, but the principle of free energy evidently is not patentable under the existing law. Anybody else who produces a better machine for utilizing free energy is just as well entitled to use it for the benefit of mankind as the man who first obtains the patent on it. In other words, we can not foreclose that principle.

Now, we have got a machine here in the Capitol—I understood from Judge ROMJUE a few minutes ago that the machine which Mr. Perigo had demonstrated before the Patent Committee had been brought over here. It was shown to the Patent Committee. It is in a small box. I have seen it. If they opened it I would not know anything about it. It runs a dynamo or motor, and it lights certain lights. In other words, there is some power in that box. What that power consists of I have no means of knowing. The inventor says it contains free energy. In other words, this device has been brought to a state of completion. It is in actual working order.

Now, it does seem to me that this bill ought not to be passed at all unless it provides that this committee of scientists shall not only have the power but shall be charged with the duty of ascertaining whether or not this device of Mr. Giragossian utilizes the same principle of free energy

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. LITTLE. Can not this man get a patent on his invention?

Mr. BORLAND. I have no doubt that any of these gentlemen can get patents. In my judgment what is patentable is the device, not the principle, and I have no doubt that all of them, including Mr. Giragossian, can get a patent on their device, if they have one, and be protected from infringement.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. MOORE of Pennsylvania. This is a very weird proposition. I have been wondering why Congress should give this special privilege to this gentleman. Does the gentleman from Missouri, or does anyone, know if he is a citizen of the United States?

Mr. BORLAND. I know nothing about Mr. Giragossian. I never heard his name until this thing came up.

Mr. MOORE of Pennsylvania. There is nothing in the report except letters by way of commendation from three persons in Boston who have known him. Otherwise it seems to be a mystification, a question of the occult, so far as Congress is concerned.

Mr. GARRETT of Tennessee. If the gentleman will permit, it was stated before the Committee on Rules that the gentleman referred to is a naturalized citizen of the United States and has been for 26 years, I think it was.

Mr. BORLAND. I do not want to yield for that question, because it is so far removed from what we are talking about that I think it does not matter.

Mr. SHERWOOD. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. SHERWOOD. The gentleman's idea is that one can obtain a patent on an invention and not on an idea or principle?

Mr. BORLAND. Yes; and I feel that if this bill is passed at all—which is a very extraordinary procedure—we ought certainly to safeguard the rights of prior inventors, if there should be any. We ought not to assume, as this bill does, that Mr. Giragossian is the inventor of a machine he claims to have invented, and we ought not to agree that he shall have the entire field to himself. Suppose his machine did work, and it were ascertained that he was not the first inventor. It would be a manifest mistake, as well as a manifest injustice, for Congress to retard the development of science by providing that only he should enter that field.

Mr. PURNELL. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. PURNELL. As a matter of fact, would the gentleman urge this objection if these scientists were compelled by this resolution to discover or find out in advance whether or not his invention is practicable, whether or not he is the discoverer, the original discoverer?

Mr. LITTLE. And the only one?

Mr. BORLAND. That would remove a part of my objection, but I still feel that the principle which the inventor claims to have discovered is not patentable.

Mr. PURNELL. I will say to the gentleman from Missouri that I objected to that section 3 of the bill because if this committee of scientists should find that this invention is practicable the Government will consider him as the sole inventor, which does not necessarily follow. I think that an amendment will be offered, and perhaps agreed to by the committee, requiring the committee of scientists also to find that he is the original discoverer or inventor. Would the gentleman still insist on his objection if that were done?

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. BORLAND. Mr. Speaker, can the gentleman give me five minutes?

Mr. GARRETT of Tennessee. I will yield three minutes to the gentleman.

Mr. SAUNDERS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. SAUNDERS of Virginia. It is to be open for amendment until 5.30 o'clock.

Mr. BORLAND. That is not my understanding.

Mr. SAUNDERS of Virginia. The gentleman from Ohio [Mr. CROSSER] and the gentleman from Wisconsin [Mr. LENROOT] know that that is the understanding.

Mr. BORLAND. The Chair knows otherwise.

The SPEAKER pro tempore. That was the understanding.

Mr. SAUNDERS of Virginia. Very well, whatever it was that passed in the presence of Mr. LENROOT and Mr. CROSSER. I will not characterize it as an agreement.

Mr. GARRETT of Tennessee. Mr. Speaker, maybe we had better see if we can get an agreement. Do I understand that the agreement between the gentleman from Ohio [Mr. CROSSER] and the gentleman from Wisconsin [Mr. LENROOT] holds?

Mr. LENROOT. The only agreement was that the gentleman from Ohio would not move the previous question prior to 5.30. Of course, that is not an agreement to vote at that time.

Mr. BORLAND. That is the only agreement that I know of. The gentleman from Ohio stated that he would not move the previous question before 5.30.

Mr. LENROOT. He has a right to move it then.

Mr. FORDNEY. I am told by gentlemen on this side of the House that there is another gentleman who is going to give a demonstration of this power, a man whose name has not been mentioned here, who is ready to demonstrate to the House that somebody else knows something about this matter. I should like to see that demonstration before we conclude this matter and vote upon it. Am I right about that?

Mr. STAFFORD. The gentleman is absolutely correct. The gentleman from Missouri [Mr. ROMJUE] has the machine in the corridor, and is going to demonstrate it as soon as he has time.

Mr. GARRETT of Tennessee. Then I think we ought to proceed to the consideration of the bill itself. The gentleman from Missouri [Mr. BORLAND] stated that he desired to discuss the rule. As a matter of fact, he has discussed the bill and not the rule. I yield to the gentleman two minutes.

Mr. BORLAND. Mr. Speaker, I think I have come as near discussing the rule as anybody else on the floor.

Mr. HAMILTON of Michigan. Nobody has discussed it.

Mr. BORLAND. I have not discussed Paradise Lost, anyhow.

Mr. GARRETT of Tennessee. It is perfectly obvious that the gentleman will not discuss that. He does not know anything about it.

Mr. BORLAND. No. I might discuss Paradise Regained. [Laughter.]

Mr. Chairman, the fundamental objection to this rule is that it makes in order this particular bill, the whole purpose of which is to preclude any other inventor or any other process. Every paragraph in this bill bristles with the name of Garabed T. K. Giragossian.

I looked over this bill with the idea of amending it, to see whether these scientists could not investigate some other invention, or the general principle involved, but everything in this bill is Garabed T. K. Giragossian, showing very conclusively that it was drawn by some interested parties connected with that inventor. The bill itself ought to be entirely recast. It ought not to come before Congress in this shape. If it comes before Congress at all it ought to be in the shape of a bill providing for a committee under the Secretary of the Interior, a totally disinterested committee, to investigate the appliances supposed to utilize the principle of free energy, and under that Mr. Garabed T. K. Giragossian would have the same chance as any other man. I assume that these scientists will be above any ulterior influence, just as much so as if they were appointed solely for the purpose of investigating this gentleman's invention.

Mr. SHERWOOD. Will the gentleman yield?

Mr. BORLAND. I yield to the gentleman.

Mr. SHERWOOD. The gentleman raises a very interesting and delicate question. As I understand, for instance, an improved device for recording the speech of a Congressman would be subject to a patent?

Mr. BORLAND. Certainly.

Mr. SHERWOOD. But the speech of a Congressman, even if it contained new ideas, would not be patentable, and the ideas contained in it would not be.

Mr. BORLAND. They would not be patentable. The speech would be copyrightable by the man who makes it. But the speech of a Congressman, of course, is free energy, and any possibility of utilizing it might come under the objection to this bill. [Laughter.]

The SPEAKER pro tempore (Mr. SMAEL). The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker——

Mr. GARRETT of Tennessee. Does the gentleman desire to close? If he does, I will yield to the gentleman from Virginia. I intended to move the previous question, but I will yield to the gentleman from Virginia [Mr. SAUNDERS]. How much time have I remaining, Mr. Speaker?

The SPEAKER pro tempore. Thirteen minutes.

Mr. GARRETT of Tennessee. I yield to the gentleman from Virginia 13 minutes.

Mr. CAMPBELL of Kansas. And I yield two minutes and a half.

Mr. SAUNDERS of Virginia. Mr. Speaker, I do not know that I shall occupy all of my time, but I certainly desire to answer some of the objections urged, and difficulties sought to be created, by the opponents of this resolution.

This matter has been before this body on a previous occasion. At that time a quorum was required by the gentleman from Wisconsin [Mr. STAFFORD], and we did not proceed with the consideration of the bill until a quorum had arrived. A number of speeches were made on this resolution, and it passed this body something like two months ago by a vote of 234 to 14. It passed the Senate with practical unanimity. Then it went to the President, and under the circumstances which have been narrated, failed to receive his signature.

Since that time this resolution has been considered by the Interior Department, which has suggested one, or two amendments. If they are agreed to by the House the resolution will be acceptable to that department. It seems to me that this brief recital of the facts of the case ought to suffice to take the pending resolution out of that weird realm, to which the gentleman from Pennsylvania [Mr. MOORE] seeks to consign it.

The real, basic proposition before this House is this: Is this body willing to ascertain without money, and without price, whether this man has made a discovery which, if made, as the gentleman from Tennessee [Mr. GARRETT] has very justly observed, will write him down as the greatest among all those great of all the ages? That is the real proposition that confronts us. If he has made the discovery that he alleges that he has made, then the difficulties and objections that have been urged this evening are simply fantastic. If this man makes good, then we can not go amiss in giving him the benefits and protection proposed by this resolution, which contemplates the creation of a committee of scientists of the highest order of capacity, and reputation to pass on the merits of the alleged discovery.

The resolution by its terms transfers this discovery to the United States Government. In this connection I wish to point out how impossible it would be for any of the consequences to follow that have been projected into this debate by the all too vivid imaginations of some of the gentlemen who have preceded me. When this measure was considered before, it was suggested—this suggestion now appears to have been abandoned—that a perfect orgy of stock speculation would follow upon its passage. That was about as good an argument against the measure, as any that have been made to-day; and yet how could an orgy of stock speculation arise out of an alleged invention that can not go on the market, until a committee of scientists has determined its merits, and the Government has refused to exercise its option of purchase?

Mr. BORLAND. The gentleman says the first operation of this bill is to transfer this invention to the Federal Government. Where does he find that? Not in section 6?

Mr. SAUNDERS of Virginia. The trouble with many of the gentlemen in opposition is that they have in large measure consulted their imagination, rather than their reason, in their attacks upon this resolution. I refer the gentleman to section 1 of the bill, which provides for this transfer, and concludes in these words:

> Said assignment to and utilization of said discovery or invention by the United States Government shall be free of charge or expense.

More than this the inventor in a later clause turns over to the Government for its use any improvements that he may hereafter make upon the essential principle.

Mr. BORLAND. Then what does section 6 mean, that if after a successful demonstration the United States Government wishes to purchase it, it shall pay him for his invention, and that that option shall be exercised at the present or next session of Congress.

Mr. SAUNDERS of Virginia. Precisely. The resolution first makes the Government the trustee of the discovery, thus rendering stock speculation impossible, and later provides that if the merits of the invention are established, the United States shall have the option to purchase the same, on an agreed compensation.

Mr. BORLAND. But it must do it within the session.

Mr. SAUNDERS of Virginia. It matters not when the Government takes this action.

Mr. REAVIS. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. REAVIS. The gentleman states that the purpose is to ascertain whether or not this gentleman has discovered something of service.

Mr. SAUNDERS of Virginia. Yes.

Mr. REAVIS. The question of the gentleman's discovery has nothing to do with the bill.

Mr. SAUNDERS of Virginia. We first propose to ascertain whether this man has something worth while, and if so, the Government is given the right to purchase it.

Mr. REAVIS. Purchase it of this gentleman whether he has discovered it or not.

Mr. SAUNDERS of Virginia. Oh, no. The gentleman, with some others, occupy an inconsistent position. They first maintain that the alleged discovery is incredible and impossible, and that on this ground the resolution ought to be defeated. Later they complain that Giragossian is given an exclusive right in an absurdity and an impossibility. If the committee of scientists should ascertain that this discovery has been made as alleged, then of course the Government ought to purchase it, but if the committee is of the opinion that the alleged discovery is a myth, an impossible and fantastic dream, an air bubble, why worry ourselves because the bill gives Giragossian an exclusive right in and control over the bubble?

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. GREENE of Vermont. What is the real purpose and necessity for bringing in special legislation for this man?

Mr. SAUNDERS of Virginia. That question has been answered so completely by the gentleman from Indiana that I hardly think that I ought to take the time of the House to make further answer. It has been pointed out in the report of the committee, and we know that it is true as a matter of fact, that some of the greatest discoverers have never been able to realize the benefits of their inventions on account of the defects of our patent laws. This man says that he is not willing to take his chances under a patent. He says that he has discovered something greatly worth our while. The question is, Do we want it? He puts the matter up to us. He is willing to have this alleged discovery investigated by five scientists of the highest eminence. I do not say that he has discovered what he claims. I have no knowledge whatever on the subject, but in the event that a committee of scientists capable of passing on the merits of this or any other invention, should report that Giragossian has discovered all that he claims to have discovered, or even measurably all that he claims to have discovered, the question is, Do we want it or not on the terms proposed?

Mr. GREENE of Vermont. But they all say exactly that same thing when they present a claim, what evidence have we that this man has discovered this thing?

Mr. SAUNDERS of Virginia. For that we will take the report of the scientists, we will put it up to them.

Mr. MOORE of Pennsylvania. Will the gentleman pardon me?

Mr. SAUNDERS of Virginia. I will yield.

Mr. MOORE of Pennsylvania. The scientists are to be appointed by the gentleman himself.

Mr. SAUNDERS of Virginia. With the approval of the Secretary of the Interior.

Mr. MOORE of Pennsylvania. It is all in his hands.

Mr. SAUNDERS of Virginia. Not a bit of it, the gentleman misunderstands the bill. The bill says that he shall appoint them subject to the approval of the Secretary of the Interior. Suppose he should suggest a man for the committee, and the Secretary of the Interior should say: "This man does not suit me, he does not measure up to the requirements of the position." What will happen? Why that man must be dropped. And so in succession all names must be withdrawn, until a committee is finally selected that will be acceptable to the Secretary of the Interior.

Mr. MOORE of Pennsylvania. Is it not a fact that every man selected must be satisfactory to Mr. Giragossian?

Mr. SAUNDERS of Virginia. The committee must be satisfactory to the Secretary of the Interior. Does the gentleman think that an official of the standing and intelligence of the Secretary of the Interior, confronted with a matter of such vital importance as this, will for a moment agree that any member of this committee shall be other than a scientist of the highest standing?

Mr. MOORE of Pennsylvania. The Secretary should appoint five men without regard to Mr. Giragossian.

Mr. SAUNDERS of Virginia. What is proposed amounts to the same thing. The objection is a triviality.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. GREENE of Vermont. In making answer to my question, I think the gentleman from Virginia misapprehended the question. I say that all inventors claim that their discovery is the most remarkable thing in the world; and in this instance you say that we must have a special legislation, because possibly he has discovered such a thing. Upon what does the gentleman base the idea that this is any more plausible than that claimed by any other man?

Mr. SAUNDERS of Virginia. This man claims that he has discovered a method of utilizing the cosmic forces to drive machinery. I do not need anyone to tell me, that if he has discovered how to do this, he has made the greatest discovery in the history of mankind. I am willing to take the chance of ascertaining by a method that will cost the Government absolutely nothing, whether or not he has made this discovery. The committee of scientists that is proposed will be amply able to pass on the scientific or other merits of this alleged discovery.

Mr. BORLAND. Does not that sound like that the intelligent gentleman picking up the right shell?

Mr. SAUNDERS of Virginia. I do not know what this proposition sounds like to the gentleman from Kansas City. But I do know this that the gentleman from Kansas City sneers at the invention under consideration, and then indicates that some other party has discovered something equally as remarkable and incredible. That is the attitude of the gentleman from Kansas City. He has maintained upon this floor this evening that we ought not to give this man the protection proposed by this resolution, on the ground that there is somebody else who has discovered something similar, and equally as astounding.

Mr. BORLAND. The gentleman from Kansas City does not ask any special rights.

Mr. SAUNDERS of Virginia. I do not say he does. But I do say that the gentleman has indicated to this body that there is another inventor who has devised an instrument that will in all respects be as extraordinary in its possibilities as the possibilities claimed for the Garabed. If this be true, if this party has discovered anything that will do what is claimed for the Garabed, then I will be willing to deal with this inventor, precisely as it is proposed to deal with Giragossian. In other words, with respect to his distinctive principle to give him the same rights, and the same protection that is proposed to be given to the inventor of the Garabed. His invention will be upon the same plane as the Garabed, and should be dealt with precisely in the same way. Surely, the gentleman from Missouri will not complain of this plan of dealing with his inventor.

Mr. REAVIS. Mr. Speaker, I am not concerned with the statement that this is an absurdity. I want the gentleman to tell me what he thinks about section 3, wherein it recites that if a demonstration should establish the fact that the device of this gentleman is practicable, then by this legislation the United States recognizes this man as the discoverer of it.

Mr. SAUNDERS of Virginia. It has already been indicated by a member of the Patent Committee that this suggested difficulty will be removed by an amendment to the effect that the committee of scientists shall be empowered to ascertain whether Giragossian is the original discoverer of the device which he will submit.

Mr. REAVIS. Then it will not depend upon the demonstration, but on the fact of its discovery?

Mr. SAUNDERS of Virginia. The committee will be empowered to fix and report on the priority of discovery of the device utilized in the Garabed.

Mr. REAVIS. As the bill is written now that is not true.

Mr. SAUNDERS of Virginia. Why trouble about the bill as it is written, when the gentleman's trouble will be relieved by an amendment that will be proposed by the Patent Committee?

Mr. CAMPBELL of Kansas. Mr. Speaker, I make the point of order that the House is not in order, and I ask that the Sergeant at Arms or the Speaker restore order, and if anybody has brought an electric device upon this floor, that they be directed to take it out.

Mr. SAUNDERS of Virginia. I believe that it is claimed on the part of the device referred to by the gentleman from Kansas that it too, taps the cosmic forces. If this is maintained of the device now in the House, why this attitude of incredulity toward the claims of Giragossian?

Mr. WATSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. WATSON of Pennsylvania. The gentleman has made an intelligent and a forceful argument. I want to know if he would be in favor of the resolution if we were not at war?

Mr. SAUNDERS of Virginia. If we were not at war the circumstances would not be so exigent as they are to-day, but being at war, can we afford to take any chances?

Mr. WATSON of Pennsylvania. This resolution would never have been brought into the House if we were not at war.

Mr. SAUNDERS of Virginia. Possibly not, but what conclusion do you derive from that? We are at war, and the resolution is before us. The conditions of war are absolutely different from the conditions of peace, and justify different attitudes and different action.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. GREENE of Vermont. Each time hereafter that a man comes to us claiming to have discovered a new principle in cosmic forces, are we to treat him as we propose to treat Mr. Giragossian?

Mr. SAUNDERS of Virginia. I will answer that question categorically. Every time anyone shall come before this body submitting a proposition to test a discovery which in the judgment of this body will be as mighty and transcendent as the discovery alleged to have been made by Mr. Giragossian, put him on the same plane as Mr. Giragossian and try out his alleged discovery by the same method proposed in this resolution. That answers the gentleman's question.

Mr. GREENE of Vermont. I beg the gentleman's pardon if I dissent from that suggestion. We do not know how great the discovery of Mr. Giragossian is until it is demonstrated.

Mr. SAUNDERS of Virginia. We must leave the determination of the merits of future propositions to the judgment of future Congresses. We pass on this proposition to-day in the exercise of our best judgment.

Mr. GREENE of Vermont. On what evidence?

Mr. SAUNDERS of Virginia. None whatever.

Mr. GREENE of Vermont. Exactly. Then what about the next man who claims to have an invention and who comes to us with precisely the same evidence—none whatever?

Mr. SAUNDERS of Virginia. Very well. The gentleman thinks he has put me in a quandary. The next man who comes before this body with the unanimous report of the Committee on Patents, and a unanimous report from the Committee on Rules, providing for the consideration of his proposition, should be treated precisely as I ask this body to treat this man. That is fair.

Mr. GREENE of Vermont. What evidence has the Committee on Patents or the Committee on Rules had to substantiate this man's claim?

Mr. SAUNDERS of Virginia. I am putting the future man on the same plane as the present man. Any man who will be able to satisfy future Rules Committees and Patent Committees without evidence or otherwise, who can so impress himself on the judgment of these men, who are capable men——

Mr. GREENE of Vermont. Undoubtedly.

Mr. SAUNDERS of Virginia. That they are willing unanimously to report that it is in the interest of this Government to ascertain the merits of the proposition, and in the event it is ascertained that the device is meritorious to make the contract proposed, should be put precisely upon the footing of this man.

Mr. LENROOT. Mr. Speaker, I am sure the gentleman does not wish to put the Committee on Rules in a false position. All the Committee on Rules does by a unanimous report is to give the House an opportunity to consider the proposition.

Mr. SAUNDERS of Virginia. I only meant to say, so far as the Rules Committee is concerned, that this resolution is before us, by a unanimous report from that committee. The attitude of some of the opponents of this resolution is highly inconsistent. First, they say that it is in the highest degree incredible and absurd to say that any man can drive machinery by utilizing directly the cosmic energies, that is to say by putting his machinery in direct relation to the flow of these energies. Right on the heels of that statement they submit the invention of a gentleman who claims he has discovered how to utilize one form of cosmic energy. I believe the statement is made that this machine derives its power from the utilization of cosmic electrical force. So that at the very moment when the effort is made to laugh the claims of Giragossian out of court, another inventor bobs up to maintain that he has done the very thing claimed on behalf of Giragossian, that he too has related machinery to the cosmic forces, and using the free electricity of the universe, has turned it to the uses of man.

Mr. MOORE of Pennsylvania. But is not there this difference, that this man is willing to go to the Patent Office under the laws made by the Congress, whereas Giragossian is not willing to go there? Is it not a question of regularity of procedure?

Mr. SAUNDERS of Virginia. No, he is here impeding the passage of the Giragossian resolution.

Mr. MOORE of Pennsylvania. Not at all. No one I have heard has said that what Mr. Giragossian has is fantastic, except he does not want to conform to the law in this case as other inventors are obliged to conform to it; but he wants to take a short cut through Congress and get a patent right for 17 years, and if his bill is passed the other man has no right to bring his invention forward.

Mr. SAUNDERS of Virginia. If Giragossian can make good, and he asks to be allowed to make good, I favor giving him the short cut, or any other cut. I hope he will get it. The Government will not lose anything, if this man's claims prove to be fantastic and absurd.

Mr. MOORE of Pennsylvania. But the other man is cut out.

Mr. SAUNDERS of Virginia. Not at all. Giragossian is not given any indefinite rights. He is only protected for 17 years in his distinctive principle. If there is anything in this discovery the Government will buy it. If the committee reports there is nothing in Giragossian's contentions, and that his device is worthless, will the gentleman tell me how this man will be able to capitalize a proposition so decisively condemned?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I would rather proceed without interruption. It is the easiest thing in the world for a Member to find fault and criticize. Fault is found with Mr. Giragossian because he has not gone to the Patent Office and taken his chances under the general patent laws of the United States on his invention, whatever it may be, and that the Congress should not give him special consideration.

Mr. Giragossian, in section 1 of this bill, offers the free use of his invention to the Government of the United States on its battleships, its aeroplanes, and wherever it may be utilized for all time. The improvements on this device provided for in section 3 may be made by anyone, and they may be taken over by the Government, and if Mr. Giragossian desires to sell them to Tom, Dick, and Harry, or the public, he must pay the inventor for their use in connection with his device.

Mr. LENROOT. The gentleman wishes to be accurate. He does not pay the inventor. The Government must take it over, and then he pays the Government.

Mr. CAMPBELL of Kansas. He pays for it is what I assert.

Mr. LENROOT. Pays the Government for it.

Mr. CAMPBELL of Kansas. At a reasonable price. I have not been able to get any definite information as to what this device is. I am told that it is so important, that it is so simple, that if its nature were disclosed it would give the key to other inventors to complete devices which they may have been working on or had in mind and almost grasped, but did not grasp, and he would lose his 25 years of labor and intelligent energy which has been expended on his device. The inventor of this discovery, if it will do what he says it will do, is what the gentleman from Tennessee and the gentleman from Virginia have said, a benefactor to mankind such as few men have been.

He offers this device to the Government of the United States for nothing, and no doubt the people of the United States will reap from it whatever benefit there is. More men and women are interested in this and are looking forward to its use, or what it is claimed the inventor has, than have looked forward to any discovery in years. There has been a subconscious feeling that the time is ripe for some great discovery. It is believed that that discovery is being now offered to the Government and to the people of the United States by the inventor, Mr. Giragossian. If he has nothing, we have but given the time of Congress and nothing else for a demonstration of the matter. If he has what he claims he has, Congress will have never done a more important thing than to give consideration to the resolution that permits the Government and the people of the United States to reap the benefit of the invention.

Mr. HAMILTON of Michigan. I would like to suggest if these matters suggested by the Interior Department——

Mr. CAMPBELL of Kansas. They are now in the bill. The only amendment suggested by the Interior Department is in the bill by way of amendment—in section 4, I think. As a Member of this House I do not want to take the chance of putting an obstruction in the way of the passage of this resolution so that the people of the world may have the benefit of this discovery. I believe there are wonderful possibilities. I do not know whether we are to realize them or not. But if there should be something in the claims of Mr. Giragossian, it is not for this Congress at this time to say to him and to the world, and to the people of the United States, "no." There may be some one in Missouri, there may be some one in Indiana, there may be some one in Michigan, there may be some one in Kansas, who has something just as good. Indeed, I have men in my district who claim they have something just as good as this man has. I am more interested in the welfare of the world, the people of the United States, and the Government of the United States than the interest of any inventor, whether the inventor of this electrical device that was brought in here on the floor, or any other. This is no time to consider the welfare of a particular inventor. This man has a device in the use of which he says he can not be protected under the general patent laws of the United States. And everybody knows that is true. And he offers the Government of the United States, for the action of Congress in this special patent, the free use of his device. No other patentee makes such offer under the general patent law to the Government or people of the United States. The consideration for our action here to-day is the free use of this device for the Government, of untold value, if it is what he claims, with no loss to the Government or the people of the United States if it turns out to be a farce.

Mr. Speaker and gentlemen, as a citizen of the United States, as a Member of this House, I am not going to take the chance of voting against this resolution. I want to try out this device and see whether or not there is behind the claims of Mr. Giragossian such a device as would utilize the free energy that surrounds the earth. I am in favor of the rule and of the resolution. [Applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, I move the previous question on the adoption of the rule.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the adoption of the rule.

The rule was agreed to.

The SPEAKER pro tempore. The question is now on agreeing to the resolution.

Mr. CROSSER. Mr. Speaker, I want to have the resolution read.

The Clerk proceeded with the reading, as follows:

Joint resolution (H. J. Res. 174) for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy.

Mr. BORLAND. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER pro tempore. Evidently there is no quorum present. The Clerk will call the roll.

Mr. FOSTER. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Farr	Kennedy, R. I.	Riordan
Bacharach	Fess	King	Robinson
Bathrick	Fields	Kinkaid	Rogers
Beshlin	Fitzgerald	Kitchin	Rowe
Blanton	Flood	Kreider	Rowland
Bowers	Flynn	LaGuardia	Scott, Pa.
Brand	Frear	Lazaro	Scully
Britten	Fuller, Mass.	Lee, Ga.	Sears
Brodbeck	Gallivan	Lesher	Sisson
Browne	Gard	Lever	Slemp
Browning	Garner	Linthicum	Smith, Mich.
Bruckner	Goodall	McArthur	Smith, C. P.
Brumbaugh	Goodwin, Ark.	McCormick	Smith, T. F.
Butler	Gould	McCulloch	Snyder
Capstick	Graham, Pa.	McKenzie	Stedman
Carew	Gray, N. J.	McKinley	Steele
Carter, Mass.	Gregg	Maher	Stephens, Nebr.
Cary	Griest	Mann	Stevenson
Chandler, N. Y.	Griffin	Mason	Sullivan
Chandler, Okla.	Hamill	Merritt	Swift
Clark, Fla.	Hamilton, N. Y.	Miller, Minn.	Switzer
Coady	Hamlin	Miller, Wash.	Tague
Cooper, Wis.	Harrison, Va.	Mondell	Talbott
Copley	Haskell	Montague	Taylor, Colo.
Costello	Hayes	Mudd	Templeton
Curry, Cal.	Heintz	Neely	Thompson
Dale, N. Y.	Helvering	Nelson	Tinkham
Davidson	Hilliard	Nolan	Towner
Dewalt	Hollingsworth	Olney	Vare
Dickinson	Howard	Osborne	Walton
Dies	Hull, Tenn.	O'Shaunnessy	Watson, Va.
Dooling	Husted	Overmyer	Webb
Drukker	Hutchinson	Parker, N. J.	Whaley
Dunn	Johnson, Ky.	Polk	White, Me.
Eagan	Johnson, S. Dak.	Porter	White, Ohio
Eagle	Johnson, Wash.	Powers	Winslow
Edmonds	Jones, Va.	Pratt	Wise
Ellsworth	Kahn	Price	Woodyard
Estopinal	Kearns	Ragsdale	Young, Tex.
Fairchild, G. W.	Kelley, Mich.	Reed	

During the roll call the following occurred:

Mr. BORLAND. Mr. Speaker, I withdraw my point of no quorum.

Mr. FOSTER. It is too late now.

Mr. BORLAND. Mr. Speaker, I ask unanimous consent to withdraw my point of order.

Mr. FORDNEY. Mr. Speaker, I object to the gentleman withdrawing his point of order.

The SPEAKER pro tempore. The roll call will proceed, the absence of a quorum having been ascertained.

Thereupon the Clerk resumed and completed the calling of the roll.

The SPEAKER. On this roll call 270 Members answered to their names, a quorum.

Mr. GARRETT of Tennessee. Mr. Speaker, I move to suspend further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The gentleman from Ohio [Mr. CROSSER] is recognized for an hour.

Mr. CROSSER. Mr. Speaker, I ask for the reading of the joint resolution.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Interior is hereby authorized to accept, as trustee for the United States Government, from Garabed T. K. Giragossian an assignment of the right to utilize for the Government's own use a discovery or invention to be known as the "Garabed." Said assignment to and utilization of said discovery or invention by the United States Government shall be free of charge or expense.

SEC. 2. That the Secretary of the Interior is authorized to perform any and all acts, and to make such rules and regulations, and enter into such contracts as may be necessary to carry this resolution into effect: *Provided, however*, That the said Garabed T. K. Giragossian shall demonstrate the practicability of his discovery or invention to a commission of five eminent scientists, who shall be appointed by the said Garabed T. K. Giragossian and be approved by the Secretary of the Interior. The United States Government shall be under no expense in connection with the demonstration of the "Garabed."

Mr. BORLAND rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. BORLAND. I rise to offer an amendment to section 2.

The SPEAKER. The Clerk has not finished the reading. The Chair thinks the Clerk had better read the bill through and then the Chair will recognize the gentleman.

The Clerk read as follows:

SEC. 3. That if such demonstration shall in the opinion of the said scientists prove the practicability of said discovery or invention, the said Garabed T. K. Giragossian shall be recognized by the United States Government as the original discoverer, inventor, and legal owner of the invention or discovery and of any improvements pertaining thereto that may be made by the said Garabed T. K. Giragossian. The certificate of said commission of scientists, to the effect that said discovery or invention is practicable, shall constitute the said Garabed T. K. Giragossian the legal owner of and entitle him to all the rights and benefits of said discovery or invention for a period of 17 years. The right is reserved to the said Garabed T. K. Giragossian, his heirs and assigns, to take out patents for his aforesaid discovery, invention, or for any improvement or device pertaining thereto.

SEC. 4. That the United States Government shall not issue to anyone else any patent involving or relating to the principle of the "Garabed" free-energy generator regardless of its form or shape, or for any device, improvement, process, equipment, or apparatus based upon the system or correlative principle of the said discovery or invention, or for any improvement or change developed in the use of the said "Garabed," and shall prevent the construction, importation, use, or exploitation thereof, in whole or in part, in the United States, and shall protect the said Garabed T. K. Giragossian, his heirs and assigns, in the rights and interests in the "Garabed" in the above respect for a period of 17 years in the United States and in foreign countries where such protection is afforded by treaty obligation, international law, or diplomatic representation.

SEC. 5. That any essential improvement or contrivance by any person or persons other than Garabed T. K. Giragossian relating to the "Garabed," or its principle, which shall prove valuable and essential thereto in the opinion of the Secretary of the Interior during the period of the said Garabed T. K. Giragossian's special protection shall be bought by the United States Government for its own use in conjunction with its use of the said "Garabed," with adequate compensation to the inventor or contriver thereof. If, however, the said Garabed T. K. Giragossian wishes to utilize any such invention or contrivance so acquired by the United States Government, he or his assigns, and no other person or corporation, shall be entitled thereto upon the payment of a fair, just, and reasonable royalty therefor. In consideration of this right the United States Government shall have, without expense, the right to use for its own purpose any new improvement or device made by the said Garabed T. K. Giragossian.

SEC. 6. That after the successful demonstration of the "Garabed," if the United States Government wishes to purchase the right and title for the exclusive use of said discovery or invention, the said Garabed T. K. Giragossian will comply with the request of the United States Government: *Provided*, That he shall be remunerated to the extent commensurate with the value of his discovery or invention, which shall be appraised by a committee of even number, one-half of the membership of which shall be selected by the Secretary of the Interior and one-half selected by the said Garabed T. K. Giragossian, and the finding of said committee shall be subject to the approval of the Secretary of the Interior and of the said Garabed T. K. Giragossian.

If the United States Congress in session at the time of the demonstration, or at the latest during the following session, does not decide to avail itself of this privilege, the said Garabed T. K. Giragossian's legal rights and powers shall continue unimpaired as prescribed and set forth in this resolution.

SEC. 7. That any sale, or attempted sale, by the said Garabed T. K. Giragossian, or by his representatives or assigns, of any interest in or any title to said discovery or invention, or any part thereof, prior to the approval of the same by said commission of scientists, shall be illegal, invalid, and void.

SEC. 8. That the United States Government will have the right to exercise the aforesaid right to utilize said discovery or invention for its own use simultaneously with the beginning of the public and general use of the said "Garabed" system.

With committee amendments as follows:

On page 3, line 5, insert the word "distinctive."

On page 3, line 7, after the word "the," strike out the words "system or correlative" and insert the word "distinctive."

Mr. CROSSER. Mr. Speaker——

The SPEAKER. The gentleman from Ohio has addressed the Chair and is entitled to an hour.

Mr. BORLAND rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. BORLAND. I would like to ask a question of the gentleman from Ohio before he proceeds, and that is whether there will be opportunity to offer an amendment?

Mr. CROSSER. I expect to move the previous question at about the time suggested. There will be one or two amendments.

Mr. BORLAND. I will ask the gentleman if he will object to this amendment?

Mr. CROSSER. The gentleman may send it up. I ask, Mr. Speaker, that this be not taken out of my time.

Mr. BORLAND. I join with the gentleman in asking that this be not taken out of his time. The amendment is to section 3, requiring that "the said Garabed T. K. Giragossian is the

sole discoverer and inventor thereof" and that "it does not involve any known principle." Has the gentleman any objection to that?

Mr. CROSSER. The committee has an amendment bearing on that same subject. I will discuss it during my time. The gentleman from Missouri has taken a great deal of time upon the question already.

Mr. Speaker and gentlemen of the House——

Mr. SHERLEY. Will the gentleman yield for a brief inquiry?

Mr. CROSSER. Yes.

Mr. SHERLEY. I want to know whether it is the purpose of the gentleman, by moving the previous question, to prevent any amendments being considered other than those that the committee having the bill in charge bring in?

Mr. CROSSER. Not necessarily. We want to conclude the debate here to-night.

Mr. SHERLEY. That does not answer the question, and I am asking it in good faith. I want to know just what the gentleman's purpose is, and I think the House is entitled to know that.

Mr. CROSSER. We have discussed certain amendments with Members of the House, which we are willing to accept, and some others we can not.

Mr. LENROOT. Is the gentleman willing to have the House consider those amendments?

Mr. CROSSER. Gentlemen have consumed the time in calling the roll, in debate, and so forth, and we can not agree to any further delay.

Mr. SHERLEY. It is not a question of personal wishes. The House is entitled to know.

Mr. CROSSER. I am going to try to explain when I get the floor here, if I ever get it.

Mr. SHERLEY. The gentleman has it now.

Mr. CROSSER. I have not taken any time thus far, and I want to make a few remarks.

Mr. Speaker and gentlemen of the House, this bill came before the House during the latter part of the last session, was quite fully considered, and passed the House by a vote of 234 to 14. It went to the Senate, and there were not half a dozen votes against it there. It reached the President's hands a few minutes before the expiration of the time fixed for the adjournment of the last session of Congress. I am not sure whether there was any misapprehension about it, but since that time we have had suggestions from the Secretary of the Interior as to two slight modifications, with which the committee are satisfied and with which the author of this discovery or invention is satisfied. Those amendments have been read by the Clerk. We have also a report upon the resolution from the Secretary of the Interior, and I want to read that. His letter is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, December 12, 1917.

Hon. CHARLES B. SMITH,
Chairman Committee on Patents, House of Representatives.

MY DEAR MR. SMITH: I am in receipt of your letter of December 7, 1917, asking for early report upon H. J. Res. No. 174, relating to the invention or discovery of Mr. G. T. K. Giragossian.

It appears that the resolution is, with the exceptions hereinafter noted, practically identical with the resolution passed by both Houses of Congress during the first session, 1917. In the present resolution section 4 has been so amended as to limit the protection extended to the inventor to "any patent involving or relating to the principle of the 'Garabed' free-energy generator" instead of "for any kind of free-energy generator," as in the original resolution.

Section 6 has been amended so as to give to the United States the option of acquiring the right and title for exclusive use of the discovery or invention anywhere instead of "within the boundaries of the United States," as originally proposed.

I know nothing of the invention or device to which the resolution relates, and can therefore express no opinion as to its feasibility. The resolution contains provisions designed to insure an investigation and examination as a prerequisite to the vesting of any right in the inventor or the imposing of any obligations upon the United States. The results claimed for this invention would be of such vital importance that I am inclined to the view that opportunity should be accorded for a trial thereof.

I suggest, however, that in order to afford opportunity to other inventors to secure patents upon discoveries which do not infringe the distinctive principle of the Garabed invention, that line 4 of page 3 be amended by inserting the word "distinctive" at the end of the line, and that lines 7 and 8, page 3, be amended by striking therefrom the words "system or correlative" and inserting in lieu thereof the word "distinctive." So amended I have no objection to interpose to the passage of the resolution.

Cordially, yours, FRANKLIN K. LANE, *Secretary.*

Now, Mr. Speaker——

Mr. SAUNDERS of Virginia. Will the gentleman yield for a question?

Mr. CROSSER. Yes.

Mr. SAUNDERS of Virginia. On account of the confusion on the floor I could not fully hear all that the gentleman read. Do I understand that is a letter from the Secretary of the Interior?

Mr. CROSSER. That is a letter from the Secretary of the Interior.

Mr. SAUNDERS of Virginia. And he is the head of the Patent Office?

Mr. CROSSER. Of course the Secretary of the Interior is the head of the Patent Office.

Mr. SAUNDERS of Virginia. And with respect to this resolution that we are now considering he has suggested that certain amendments ought to be agreed to?

Mr. CROSSER. He has suggested the amendments which have been indicated.

Mr. SAUNDERS of Virginia. And his department is satisfied with the bill if those amendments are agreed to?

Mr. CROSSER. Yes.

Mr. SAUNDERS of Virginia. Has your committee reported these amendments?

Mr. CROSSER. Yes. His department is not only satisfied but he says he is inclined to the view that opportunity should be accorded for a trial thereof.

Now, Mr. Speaker, the committee has approved these two amendments. Personally, I think the same meaning was conveyed in the original resolution. That resolution provided that no patents should be granted based upon the principle of the Garabed. The whole question is whether or not the words "distinctive principle" make it any more definite than the term "principle."

We are glad to accept the amendment, and we are glad to have the Secretary of the Interior approve the idea.

When this bill was considered by the House before there was a great effort made by certain all-wise, very humorous gentlemen, who imagined that nothing good could come from an obscure source, that nothing good could come out of Nazareth, to ridicule this proposition out of court.

That effort failed ignominiously, as it should have failed. If this gentleman has what he claims he has, he is bringing to mankind something greater than all the discoveries, greater than any material thing ever brought to the human race in this or any other country. I can not see how men can stand here and quibble about the difference between tweedledum and tweedledee when it is possible—and I am almost inclined to say probable—that this man is holding out to the United States Government and to the people a thing of as great importance as this. I say that if there is even slight probability that such a discovery has been made, then quibbling about little details is, to say the least, not laudable.

Mr. MOORE of Pennsylvania. I would like to ask the gentleman if the President has approved of the bill?

Mr. CROSSER. I have explained that the Secretary of the Interior has sent to the committee a letter expressing the opinion that with two slight amendments, which we have adopted, opportunity should be afforded for a trial thereof.

Mr. REAVIS. Will the gentleman yield?

Mr. CROSSER. No; I have not much time before the time suggested for a vote. Now, Mr. Speaker, it has been suggested that it may be that this man may have something which is practicable but which he did not discover. The members of the committee themselves, since this report was directed, finding that such objection had been raised, while they did not believe it to be likely, have agreed to incorporate in the bill, after the words "that if such demonstration shall in the opinion of said scientists prove to be practicable," the following language: "and that he is the discoverer or inventor of the same."

Mr. BORLAND. Will the gentleman yield on that point?

Mr. CROSSER. No; I can not yield; I want to finish my remarks. Now, this would make it absolutely impossible for anyone to be injured in any event. If this man is the original discoverer and inventor, and his discovery or invention is practicable, and if the commission of five scientists who are to be agreed upon by the gentleman and the Secretary of the Interior declares such to be the fact, protection is given to him, and he would be entitled to it if he has what is claimed.

It is the opinion of your Patent Committee, expressed on two occasions, that this man is worthy of the greatest confidence. He has impressed me, after hours of talk, as being one of the most intelligent and scientific men I have met, and no one who has ever talked with him will dispute the statement. Even if this man is able to dispense with the use of fuel of any kind, we nevertheless find men here objecting that he will get too much protection. In my opinion the United States Government could not give him enough protection during a period of 17 years to equal the benefit and blessing that such a discovery or invention would bring to the people of this country and the entire world. [Applause.]

Mr. BORLAND. Will the gentleman yield?

Mr. CROSSER. No; I do not yield, and it is useless to ask me until I have finished speaking. Now, gentlemen, why should there be any serious opposition to a proposition of this nature?

In the very first section of the bill he makes an assignment of whatever he has to the Government for its own uses everywhere free of charge and expense. Is any better evidence of his good faith required than that; if so, I would like to know what it is. Then it was suggested that it might be to the advantage of the people of this country that the Government should control even the private sale and use of the discovery or invention and permit it to be used by the people of the United States. He even provides that the Government shall have the right to buy the exclusive right to control its public and private use not only in the United States but throughout the world. Could there be any better evidence of good faith than that? And yet we have men standing here saying, "Oh, perhaps he may have made such a discovery, but why not tie him down still tighter." Do you realize that what we are considering is not an ordinary statute? This man has the right to some consideration in the determination of the terms of the proposed agreement.

I would like to know why it is that if these gentlemen who are now said to have discovered the same thing that Mr. Giragossian says he has discovered, if they have had it in mind all these years, they have never come forward before to announce their discovery to the public until it seemed likely that this man would be given the opportunity he asks to demonstrate his proposition? Does it not seem rather strange that just about the time he is to have the opportunity to demonstrate, and only to demonstrate, for if he does not prove anything he gets nothing, that then all these claimants should come forward saying that they had it also? A man in Cincinnati, in my own State, said to me, "I have something, but I need $1,000 to complete it, and if the Government would help me I can solve the mystery."

Mr. BORLAND. Has the gentleman time to yield now?

Mr. CROSSER. Not now. I yielded before and was deprived of time necessary to conclude my remarks. This resolution gives this man no rights whatever unless he has made a discovery and that discovery is proven to be practicable. The gentleman from Tennessee [Mr. GARRETT] has eloquently described the possibilities of the human mind and who knows but that Mr. Giragossian has learned one of nature's secrets; and how can men justify the obstruction of an effort to prove his contention when it costs the Government not a penny?

Mr. Speaker, may I yield some time now and offer an amendment later without losing the floor?

The SPEAKER. The gentleman can yield time for debate, and reserve the balance of his time. If he yields for the purpose of amendment he loses the floor.

Mr. CROSSER. I yield five minutes to the gentleman from Virginia [Mr. SAUNDERS] and reserve the balance of my time.

Mr. SAUNDERS of Virginia. Mr. Speaker, I wish to apologize to the Members who were here during the former discussion of this matter, for taking the floor again and would not further trespass on the time of the House but for the fact that a very large proportion of the gentlemen who are now present were not here during the discussion on the rule. For the benefit of those not then present, I simply wish to epitomize and emphasize the features of this resolution that appeal to me, and which I think will appeal to other Members, so that they will be in mind, when the time arrives for voting. In the first place, this matter was fully discussed when it was last before this body. The gentleman from Illinois [Mr. CANNON], the gentleman from Indiana [Mr. WOOD], and many others spoke in favor of it. The gentleman from Wisconsin [Mr. STAFFORD] and others spoke against it. There was a full debate. A call of the House was demanded before the discussion was allowed to proceed. Hence a quorum was present at the discussion.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. STAFFORD. Is it not a fact that when the bill was under consideration for amendment only one amendment was permitted and the previous question was then moved, without any opportunity to offer other amendments?

Mr. SAUNDERS of Virginia. Doubtless the gentleman in charge of the bill was irritated by the extent to which the available time was frittered away, in useless contention, instead of upon the merits, and did move the previous question. He may have done that. But there was ample discussion of the bill and opportunity was given, if it had been availed of, to offer amendments. The gentleman from Wisconsin, as the RECORD will show, occupied the floor twice in the course of that debate, and spoke at length.

Mr. STAFFORD. Mr. Speaker——

Mr. SAUNDERS of Virginia. I can not yield. I have but five minutes. I have not stated other than what the RECORD shows. I see before me the gentleman from Illinois [Mr. CANNON]. He I think, is in a position to support the statement that I have made.

Mr. SIEGEL. Mr. Speaker, will the gentleman state what the vote was on that occasion?

Mr. SAUNDERS of Virginia. Two hundred and thirty-four to fourteen.

Mr. MOORE of Pennsylvania. Is it not true that the President has since declined to approve this?

Mr. SAUNDERS of Virginia. Mr. Speaker, for the satisfaction of the gentleman from Pennsylvania [Mr. MOORE] who has already asked that question once, if not twice, and received the answer which I will now make, I will say that the President did not sign the resolution. Is the gentleman now satisfied? Has he put the precise matters he wanted, before the House? I admit that the resolution went up to the President one-half hour before the time of adjournment, and that he did not sign it. It was a pocket veto. The fact of that pocket veto affords the reason for bringing this resolution again before the House.

Mr. NICHOLLS of South Carolina. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. I yield to the gentleman.

Mr. NICHOLLS of South Carolina. Has the gentleman any information as to the President's attitude now?

Mr. SAUNDERS of Virginia. The President of course does not give out any information as to his attitude. All that I can say in this connection is that the Secretary of the Interior has had this particular resolution before him, and has indicated two amendments that he favors. Should these amendments be adopted by the House, he writes that he will not be opposed to this resolution.

Now for the benefit of my friend from Pennsylvania, having stated the attitude of the Secretary of the Interior, I will again make the statement, that the President did not sign this resolution when it was before him at the last session of Congress.

Mr. KNUTSON. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will.

Mr. KNUTSON. I voted for this resolution when it was up in the last Congress, and I wish the gentleman would tell the House what the status of the matter would be in case Mr. Giragossian has not got what he claims to have?

Mr. SAUNDERS of Virginia. Should the committee report that Mr. Giragossian's alleged discovery is without merit, then this bubble will be exploded. That is all. The Government will incur no risk or liability, in that event.

Mr. KNUTSON. Will it bar out other inventors?

Mr. SAUNDERS of Virginia. Absolutely not. This report will merely serve to explode the Giragossian bubble. I want to be frank about this matter. It may be that we are pursuing a bubble, it may be that Mr. Giragossian does not possess what he claims to possess, but we will not buy a bubble. Should the committee of scientists report favorably upon the merits of this proposition we have an option upon the invention, but even then we are not compellable to buy it. Should the report of the committee be adverse, we will of course go no further in this matter.

Mr. McCLINTIC. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. Yes.

Mr. McCLINTIC. The gentleman has looked this resolution over carefully, can he see any harm in allowing this to be amended so this board of scientists would have the right to look at any other invention if they so desired?

Mr. SAUNDERS of Virginia. Of course the committee will take the claims of others into consideration in making their inquiries. They will have the right to determine the priority of discovery, if a counterclaim is submitted. I am perfectly willing to say that I see no objection to a number of amendments that might be offered, but on the other hand no particular reason why they should be adopted. I have never seen a bill before this body that could not be amended without any prejudice to the real merits of the bill. But on the other hand, these amendments could be omitted. That is true of the amendment suggested by my friend. Indeed another amendment will cover that point. Time presses. Hence I insist that this resolution should be passed with the committee amendments for the reason that it will then be in the form that is approved by the Secretary of the Interior. I undertake to say, of course this is merely my personal judgment, that the interests of the Government are amply protected by this resolution with the amendments, and in the form in which it will be voted on.

Mr. JUUL. Will the gentleman yield for a brief question?

Mr. SAUNDERS of Virginia. I will.

Mr. JUUL. Has any other inventor appeared before the committee with a similar claim to the one here presented?

Mr. SAUNDERS of Virginia. I understand not. Mr. Giragossian does not claim (I think I understand what the gentleman refers to) that his discovery has anything to do with electrical energy. I believe there is a gentleman who has come forward in the last two or three days who claims to drive machinery by the use of free electricity. But his claims do not conflict with the claims of Giragossian in any way whatever. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. CROSSER. Mr. Speaker, I wish to offer several committee amendments.

The SPEAKER. There are two in the bill.

Mr. CROSSER. I wish to have those acted upon first.

The SPEAKER. Which?

Mr. CROSSER. Those in the bill.

The SPEAKER. The time has not come yet, unless the gentleman yields the floor.

Mr. CROSSER. Mr. Speaker, I want to say this before I conclude, that there are other people in the world, and I do not want to be too definite about it, although I know of what I am speaking, who will not sputter and quibble about terms. The failure of this resolution to become law last October was noticed very quickly, and less than two weeks ago there were very clear and definite suggestions made to Mr. Giragossian. I do not think I need to say anything further.

The SPEAKER. The Clerk will report the amendments.

Mr. LENROOT. Will the gentleman yield for a question?

The SPEAKER. Will the gentleman yield to the gentleman from Wisconsin? Has the gentleman from Ohio [Mr. CROSSER] yielded the floor?

Mr. CROSSER. No; I have not. I want to have these amendments read first.

The SPEAKER. The Clerk will read the amendments in the time of the gentleman from Ohio.

The Clerk read as follows:

Committee amendments: Page 3, line 5, insert before the word "principle" the word "distinctive."

Page 3, line 7, after the word "the," strike out the words "system or correlative" and insert in lieu thereof the word "distinctive."

Mr. CROSSER. Those are committee amendments.

Mr. LENROOT. Will the gentleman yield?

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from Wisconsin?

Mr. CROSSER. Yes.

Mr. MOORE of Pennsylvania. Mr. Speaker, does the rule permit debate upon this amendment—argument for and against?

The SPEAKER. After the amendment is read in the time of the gentleman from Ohio.

Mr. MOORE of Pennsylvania. Mr. Speaker, does that preclude argument against the amendment?

The SPEAKER. The gentleman from Ohio [Mr. CROSSER] still holds the floor.

Mr. MOORE of Pennsylvania. May I ask the gentleman from Ohio [Mr. CROSSER] a question?

Mr. CROSSER. I have yielded to a number of questions.

Mr. MOORE of Pennsylvania. Does the gentleman intend to permit debate against any of these amendments?

Mr. CROSSER. I can not answer everybody. I am trying to confer with everybody here at once.

The SPEAKER. The gentleman rose to a question of information. That is the end of it, unless he can get the consent of the gentleman from Ohio [Mr. CROSSER].

Mr. MOORE of Pennsylvania. And the gentleman from Ohio refuses to answer?

Mr. CROSSER. I am yielding to another man.

Mr. BORLAND. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BORLAND. The Speaker has stated that these amendments were offered to be read in the time of the gentleman from Ohio [Mr. CROSSER]. Does that mean that they are offered and are now before the House?

The SPEAKER. It means that they are pending; yes.

Mr. BORLAND. Then they are to be debated and voted on?

The SPEAKER. They will be voted on; yes.

Mr. BORLAND. Will they not also be open to debate?

The SPEAKER. Of course, if you can ever get the floor.

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. Does this rule permit amendments to be offered by anyone else?

The SPEAKER. If the gentleman from Ohio [Mr. CROSSER], whenever he gets ready, moves the previous question, and it is carried, that is the end of amendment.

Mr. CRISP. An amendment can not be offered by anybody else?

Mr. McCLINTIC. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCLINTIC. Has the chairman of the Committee on Patents the right to submit amendments, and if so, to be heard on them?

The SPEAKER. The Chair has stated three or four times that the gentleman from Ohio has the floor.

Mr. HULBERT. Do I understand that the only method by which a Member can discuss amendments is by defeating the previous question?

The SPEAKER. That is precisely the situation. The gentleman from Ohio [Mr. CROSSER] can do whatever he wants with the hour. He can move the previous question at the end of the hour, or at any time, if he does not lose the floor.

Mr. HULBERT. Mr. Speaker, a parliamentary inquiry.

Mr. SAUNDERS of Virginia. If the gentleman from Ohio [Mr. CROSSER] in his own time submits an amendment, which is read in his time from his desk, he does not lose the floor by that action?

The SPEAKER. He has not lost the floor now; no.

Mr. SAUNDERS of Virginia. So that he can offer in his own time any amendment that he thinks proper?

The SPEAKER. He can have anything read in his own time that he wishes.

Mr. SHERLEY. Mr. Speaker, I submit that the gentleman from Ohio has the right to offer an amendment or amendments when he pleases, but the moment he offers an amendment he must either then move the previous question or lose the floor. He can not offer amendments and afterwards debate them.

The SPEAKER. The gentleman from Kentucky is entirely correct.

Mr. SAUNDERS of Virginia. That is not my inquiry, Mr. Speaker. My inquiry was, when he offers his amendments it will be competent for him to order the previous question then and there on the bill and amendments.

The SPEAKER. That is right. He must occupy the time or surrender the floor. There is no dispute about that.

Mr. LEHLBACH. Mr. Speaker——

Mr. LENROOT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. LENROOT. To ask the gentleman from Ohio if he will yield for a question. I desire to ask whether it is the gentleman's intention to move the previous question on the bill and amendments thereto?

Mr. CROSSER. Yes.

Mr. LENROOT. Without giving the House opportunity to discuss the amendments or offer other amendments?

Mr. CROSSER. It is 5.30 o'clock p. m., at which time I was to offer amendments. If I thought it was going to serve any purpose to go on indefinitely with this——

Mr. LENROOT. The only opportunity the gentleman proposes to give the House to consider amendments is to vote down the previous question?

Mr. PURNELL. Will the gentleman yield for the purpose of allowing me to offer an amendment in his time?

Mr. CROSSER. Send the amendment to me. I think I have the same amendment the gentleman has.

Mr. CRAMTON. Will the gentleman yield for a question?

Mr. BORLAND. Will the gentleman yield to me to ask a question?

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from Missouri?

Mr. BORLAND. I ask the attention of the gentleman from Ohio.

Mr. DOWELL. Mr. Speaker, I make a point of order.

The SPEAKER. The gentleman will state it.

Mr. DOWELL. If the gentleman from Ohio desires to keep the floor, he must proceed instead of holding caucuses.

The SPEAKER. The Chair just stated a minute ago that there is no sort of controversy on that proposition.

Mr. DOWELL. Then I insist that he has surrendered the floor.

The SPEAKER. The gentleman is out of order.

Mr. CROSSER. Mr. Speaker, I am going to follow the gentleman's advice. Here are two amendments that I offer.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield for a question?

Mr. CROSSER. Those are amendments that I intended to offer a while ago, and I have not had any opportunity.

Mr. CRAMTON. Will the gentleman yield for a question before he does that?

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Ohio [Mr. CROSSER].

The Clerk read as follows:

Amendment offered by Mr. CROSSER: Page 2, line 14, after the word "invention," insert the following: "and that he is the original discoverer or inventor of same," and insert, after the word "practicable," the following: "and that he is the original discoverer or inventor of same."

Mr. CROSSER. Now, Mr. Speaker, I move the previous question on the bill and amendments.

Mr. BORLAND. Will the gentleman withhold that motion for a moment?

The SPEAKER. The gentleman from Ohio moves the previous question on the bill and amendments. Those in favor of the previous question will say "aye"; those opposed will say "no."

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. GILLETT. A division, Mr. Speaker.

The SPEAKER. The gentleman from Massachusetts demands a division.

Mr. STAFFORD. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Wisconsin demands the yeas and nays. Those in favor of taking this vote by yeas and nays will rise and stand until they are counted. [After counting.] Sixty-eight gentlemen have arisen, a sufficient number, and the Clerk will call the roll. This vote is on agreeing to the previous question.

The question was taken; and there were—yeas 163, nays 105, not voting 166, as follows:

YEAS—163.

Adamson	Dill	Jacoway	Raker
Almon	Dixon	James	Ramsey
Ashbrook	Dominick	Jones, Tex.	Randall
Aswell	Doolittle	Juul	Rose
Ayres	Doughton	Keating	Rouse
Baer	Drane	Kehoe	Rubey
Bankhead	Eagan	Kettner	Russell
Barkley	Emerson	Key, Ohio	Sabath
Barnhart	Ferris	Kincheloe	Saunders, Va.
Beakes	Fields	Larsen	Sears
Bell	Fisher	Lea, Cal.	Shackleford
Black	Focht	Little	Shallenberger
Blackmon	Foss	Littlepage	Sherwood
Booher	Foster	London	Shouse
Buchanan	Freeman	Lonergan	Siegel
Burnett	French	Lundeen	Sims
Burroughs	Fuller, Ill.	Lunn	Sinnott
Byrns, Tenn.	Gallagher	McAndrews	Slayden
Caldwell	Gandy	McKeown	Small
Campbell, Kans.	Garrett, Tenn.	McLemore	Smith, Idaho
Campbell, Pa.	Garrett, Tex.	Mansfield	Smith, Mich.
Candler, Miss.	Glass	Mapes	Snook
Cannon	Godwin, N. C.	Martin	Steagall
Caraway	Gordon	Mays	Steenerson
Carlin	Gray, Ala.	Moon	Stephens, Miss.
Carter, Mass.	Greene, Mass.	Moores, Ind.	Sterling, Pa.
Church	Hadley	Morin	Switzer
Clark, Pa.	Hamilton, Mich.	Nicholls, S. C.	Taylor, Ark.
Claypool	Harrison, Miss.	Oldfield	Thomas
Collier	Hastings	Oliver, Ala.	Tillman
Connally, Tex.	Hayden	Oliver, N. Y.	Venable
Connelly, Kans.	Heflin	Overstreet	Vinson
Cox	Helm	Padgett	Walker
Crisp	Hensley	Paige	Walton
Crosser	Hersey	Park	Watson, Pa.
Currie, Mich.	Holland	Phelan	Weaver
Dale, Vt.	Hollingsworth	Polk	Williams
Dallinger	Hood	Pou	Wingo
Darrow	Houston	Purnell	Wood, Ind.
Dempsey	Igoe	Quin	Young, N. Dak.
Denton	Ireland	Rainey	

NAYS—105.

Alexander	Green, Iowa	Magee	Snyder
Anderson	Greene, Vt.	Moore, Pa.	Stafford
Bland	Haugen	Morgan	Sterling, Ill.
Borland	Hawley	Mott	Stiness
Byrnes, S. C.	Heaton	Nichols, Mich.	Strong
Carter, Okla.	Hicks	Norton	Sumners
Classon	Huddleston	Parker, N. Y.	Sweet
Cooper, Ohio	Hulbert	Peters	Temple
Cooper, W. Va.	Hull, Iowa	Platt	Tilson
Crago	Kelly, Pa.	Ramseyer	Timberlake
Cramton	Kennedy, Iowa	Rankin	Treadway
Decker	Kennedy, R. I.	Rayburn	Vestal
Dillon	Kiess, Pa.	Reavis	Volgt
Dowell	Knutson	Robbins	Waldow
Dupré	Kraus	Roberts	Walsh
Dyer	La Follette	Romjue	Ward
Elliott	Langley	Rucker	Wason
Elston	Lehlbach	Sanders, Ind.	Watkins
Esch	Lenroot	Sanders, N. Y.	Welling
Fairchild, B. L.	Longworth	Sanford	Welty
Fairfield	Lufkin	Schall	Wheeler
Francis	McArthur	Scott, Iowa	Wilson, Ill.
Garland	McClintic	Scott, Mich.	Woods, Iowa
Gillett	McFadden	Sells	Zihlman
Glynn	McLaughlin, Mich.	Sherley	
Good	McLaughlin, Pa.	Sloan	
Goodall	Madden	Snell	

NOT VOTING—165.

Anthony	Beshlin	Britten	Bruckner
Austin	Blanton	Brodbeck	Brumbaugh
Bacharach	Bowers	Browne	Butler
Bathrick	Brand	Browning	Cantrill
Capstick	Card	Lee, Ga.	Rowland
Carew	Garner	Lesher	Sanders, La.
Cary	Goodwin, Ark.	Lever	Scott, Pa.
Chandler, N. Y.	Gould	Linthicum	Scully
Chandler, Okla.	Graham, Ill.	Lobeck	Sisson
Clark, Fla.	Graham, Pa.	McCormick	Slemp
Coady	Gray, N. J.	McCulloch	Smith, C. B.
Cooper, Wis.	Gregg	McKenzie	Smith, T. F.
Copley	Griest	McKinley	Stedman
Costello	Griffin	Maher	Steele
Curry, Cal.	Hamill	Mann	Stephens, Nebr.
Dale, N. Y.	Hamilton, N. Y.	Mason	Stevenson
Davidson	Hamlin	Meeker	Sullivan
Davis	Hardy	Merritt	Swift
Denison	Harrison, Va.	Miller, Minn.	Tague
Dent	Haskell	Miller, Wash.	Talbott
Dewalt	Hayes	Mondell	Taylor, Colo.
Dickinson	Heintz	Montague	Templeton
Dies	Helvering	Mudd	Thompson
Dooling	Hilliard	Neely	Tinkham
Doremus	Howard	Nelson	Towner
Drukker	Hull, Tenn.	Nolan	Van Dyke
Dunn	Humphreys	Olney	Vare
Eagle	Husted	Osborne	Volstead
Edmonds	Hutchinson	O'Shaunessy	Watson, Va.
Ellsworth	Johnson, Ky.	Overmyer	Webb
Estopinal	Johnson, S. Dak.	Parker, N. J.	Whaley
Evans	Johnson, Wash.	Porter	White, Me.
Fairchild, G. W.	Jones, Va.	Powers	White, Ohio
Farr	Kahn	Pratt	Wilson, La.
Fess	Kearns	Price	Wilson, Tex.
Fitzgerald	Kelley, Mich.	Ragsdale	Winslow
Flood	King	Reed	Wise
Flynn	Kinkaid	Riordan	Woodyard
Fordney	Kitchin	Robinson	Young, Tex.
Frear	Kreider	Rodenberg	
Fuller, Mass.	LaGuardia	Rogers	
Gallivan	Lazaro	Rowe	

So the previous question was ordered.

The Clerk announced the following pairs:

Until further notice:

Mr. BATHRICK with Mr. ANTHONY.

Mr. BESHLIN with Mr. AUSTIN.

Mr. BLANTON with Mr. BACHARACH.

Mr. BRAND with Mr. BRITTEN.

Mr. BRODBECK with Mr. BROWNE.

Mr. BRUCKNER with Mr. CAPSTICK.

Mr. BRUMBAUGH with Mr. CHANDLER of New York.

Mr. CANTRILL with Mr. BOWERS.

Mr. CAREW with Mr. CARY.

Mr. CLARK of Florida with Mr. BUTLER.

Mr. COADY with Mr. CHANDLER of Oklahoma.

Mr. DALE of New York with Mr. VOLSTEAD.

Mr. DENT with Mr. COOPER of Wisconsin.

Mr. DEWALT with Mr. COPLEY.

Mr. DICKINSON with Mr. COSTELLO.

Mr. DIES with Mr. CURRY of California.

Mr. DOOLING with Mr. DAVIDSON.

Mr. DOREMUS with Mr. DAVIS.

Mr. EAGLE with Mr. DENISON.

Mr. ESTOPINAL with Mr. DRUKKER.

Mr. EVANS with Mr. DUNN.

Mr. FITZGERALD with Mr. EDMONDS.

Mr. FLOOD with Mr. ELLSWORTH.

Mr. FLYNN with Mr. GEORGE W. FAIRCHILD.

Mr. GALLIVAN with Mr. FARR.

Mr. GARD with Mr. FESS.

Mr. GARNER with Mr. FORDNEY.

Mr. GREGG with Mr. FREAR.

Mr. GRIFFIN with Mr. FULLER of Massachusetts.

Mr. HAMILL with Mr. GOULD.

Mr. HAMLIN with Mr. TOWNER.

Mr. HARDY with Mr. GRAHAM of Pennsylvania.

Mr. HARRISON of Virginia with Mr. GRAY of New Jersey.

Mr. HELVERING with Mr. GRIEST.

Mr. HILLIARD with Mr. HAMILTON of New York.

Mr. HOWARD with Mr. WHITE of Maine.

Mr. HULL of Tennessee with Mr. HAUGEN.

Mr. IGOE with Mr. HAWLEY.

Mr. JONES of Virginia with Mr. HAYES.

Mr. KITCHIN with Mr. MANN.

Mr. LAZARO with Mr. WINSLOW.

Mr. LEE of Georgia with Mr. HUSTED.

Mr. LESHER with Mr. HUTCHINSON.

Mr. LEVER with Mr. JOHNSON of Washington.

Mr. LINTHICUM with Mr. JOHNSON of South Dakota.

Mr. LOBECK with Mr. KAHN.

Mr. MAHER with Mr. KEARNS.

Mr. MONTAGUE with Mr. KELLEY of Michigan.

Mr. NEELY with Mr. KING.

Mr. OLNEY with Mr. KINKAID.

Mr. O'SHAUNESSY with Mr. KREIDER.

Mr. OVERMYER with Mr. WOODYARD.

Mr. PRICE with Mr. MCCORMICK.

Mr. RAGSDALE with Mr. MCCULLOCH.

Mr. RIORDAN with Mr. MCKINLEY.
Mr. SANDERS of Louisiana with Mr. MASON.
Mr. SCULLY with Mr. MEEKER.
Mr. SISSON with Mr. MERRITT.
Mr. CHARLES B. SMITH with Mr. MILLER of Minnesota.
Mr. THOMAS F. SMITH with Mr. MILLER of Washington.
Mr. STEDMAN with Mr. MONDELL.
Mr. STEELE with Mr. MUDD.
Mr. STEPHENS of Nebraska with Mr. NOLAN.
Mr. STEVENSON with Mr. OSBORNE.
Mr. SULLIVAN with Mr. PARKER of New Jersey.
Mr. TAGUE with Mr. PORTER.
Mr. TALBOTT with Mr. BROWNING.
Mr. TAYLOR of Colorado with Mr. PRATT.
Mr. THOMPSON with Mr. REED.
Mr. VAN DYKE with Mr. RODENBERG.
Mr. WATSON of Virginia with Mr. ROGERS.
Mr. WEBB with Mr. ROWE.
Mr. WHALEY with Mr. ROWLAND.
Mr. WHITE of Ohio with Mr. SCOTT of Pennsylvania.
Mr. WILSON of Louisiana with Mr. SLEMP.
Mr. WILSON of Texas with Mr. SWIFT.
Mr. WISE with Mr. TEMPLETON.
Mr. YOUNG of Texas with Mr. TINKHAM.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the first committee amendment.

Mr. BORLAND. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Missouri moves that the House do now adjourn.

The question was taken, and the motion was rejected.

The SPEAKER. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 3, line 5, at the beginning of the line, insert the word "distinctive."

The amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 3, lines 7 and 8, strike out the words "system or correlative" and insert the word "distinctive."

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

Mr. GILLETT. Mr. Speaker, a parliamentary inquiry. Were those amendments offered, or were they simply read?

Mr. CROSSER. They were offered.

The SPEAKER. They were offered.

The Clerk read as follows:

Amendment offered by Mr. CROSSER: Page 2, line 14, after the word "invention," insert the following: "and that he is the original discoverer or inventor thereof."

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. CROSSER: Page 2, line 20, after the word "practicable," insert the following: "and that he is the original discoverer or inventor thereof."

The amendment was agreed to.

Mr. BORLAND. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BORLAND. Is it not possible to offer amendments after the previous question is ordered?

The SPEAKER. It is not. The only way to get at that is to beat the previous question. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

Mr. LENROOT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

By Mr. LENROOT: I move to recommit House joint resolution 174 to the Committee on Patents with instructions to forthwith report the same back to the House with the following amendments:

On page 3, line 3, after the word "That," insert "if the said Garabed T. K. Giragossian shall receive the special protection provided for in section 3 of this act, then."

On pages 3 and 4, strike out section 5 and insert:

"SEC. 5. That any essential improvement or contrivance patented by any person or persons other than Garabed T. K. Giragossian relating to the 'Garabed' or its principle which shall prove valuable and essential thereto in the opinion of the Secretary of the Interior, evidenced by such finding by him filed in the Patent Office, may during the period of the said Garabed T. K. Giragossian's special protection, if the same shall become effective, be used by the United States and the said Garabed T. K. Giragossian or his assigns upon the payment of a fair, just, and reasonable royalty therefor, to be fixed by the Secretary of the Interior, and every patent issued for any such improvement or contrivance shall be upon such express condition.

"In consideration of this right the United States shall have, without expense, the right to use for its own purposes any new improvement or device made or invented by the said Garabed T. K. Giragossian."

Mr. CROSSER. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. LENROOT) there were—ayes 69, noes 101.

Accordingly the motion to recommit was rejected.

The SPEAKER. The question now is on the passage of the joint resolution.

The question was taken, and the joint resolution was passed.

On motion of Mr. CROSSER a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

REGENTS OF THE SMITHSONIAN INSTITUTION.

The SPEAKER. There are three vacancies on the Board of Regents for the Smithsonian Institution, and the Chair announces the following appointments.

The Clerk read as follows:

Mr. FERRIS, to succeed himself;
Mr. GREENE of Vermont, to succeed Mr. Roberts of Massachusetts; and
Mr. PADGETT, to succeed Mr. Lloyd of Missouri.

ADJOURNMENT.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 15 minutes p. m.) the House, under its previous order, adjourned until Monday next, December 17, 1917, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of the Treasury, transmitting estimate of urgent deficiency appropriation, "Quarantine service, remodeling buildings, Cape Charles Quarantine Station" (H. Doc. No. 574); to the Committee on Appropriations and ordered to be printed.

2. Letter from the Secretary of the Treasury, transmitting amended estimate of appropriation (p. 5, Book of Estimates for 1918) for "Salaries, office of the Coast Guard" (H. Doc. No. 575); to the Committee on Appropriations and ordered to be printed.

3. Letter from the Inspector General and chief surgeon, National Home for Disabled Volunteer Soldiers and Sailors, transmitting report of inspection of State soldiers' and sailors' homes for the year ended June 30, 1917 (H. Doc. No. 576); to the Committee on Military Affairs and ordered to be printed.

4. Letter from the president of the board of managers National Home for Disabled Volunteer Soldiers, transmitting annual report for the year ended June 30, 1917 (H. Doc. No. 577); to the Committee on Military Affairs and ordered to be printed.

5. Letter from the Secretary of the Treasury, transmitting copy of a communication from the secretary of the Smithsonian Institution submitting a supplemental estimate of appropriation for the fiscal year 1918 (H. Doc. No. 578); to the Committee on Appropriations and ordered to be printed.

6. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate required for the service of the War and Navy Departments (H. Doc. No. 579); to the Committee on Appropriations and ordered to be printed.

7. Letter from the Secretary of the Treasury, transmitting copy of a communication from Hon. Newton D. Baker, chairman of the Council of National Defense, submitting a supplemental estimate of appropriation for the fiscal year 1918 (H. Doc. No. 580); to the Committee on Appropriations and ordered to be printed.

8. Letter from the Secretary of War, transmitting a detailed statement showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation (H. Doc. No. 623); to the Committee on Appropriations and ordered to be printed.

9. Letter from the Secretary of War, transmitting a detailed statement showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation (H. Doc. No. 582); to the Committee on Appropriations and ordered to be printed.

10. Letter from the Secretary of War, transmitting report of the commanding officer of Watertown Arsenal of "tests of iron and steel and other materials for industrial purposes" made at that arsenal during the fiscal year ended June 30,

1917 (H. Doc. No. 619); to the Committee on Military Affairs and ordered to be printed, with illustrations.

11. Letter from the Secretary of the Treasury, transmitting statement from the sundry offices and bureaus of the Treasury Department showing in detail what officers and employees traveled on official business to points outside of the District of Columbia during the fiscal year ended June 30, 1917 (H. Doc. No. 624); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

12. Letter from the secretary of National Home for Disabled Volunteer Soldiers, transmitting record of changes in membership of the home during the fiscal year ended June 30, 1917 (H. Doc. No. 577); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. LONDON, from the Committee on Labor, to which was referred the joint resolution (H. J. Res. 189) to provide for a commission to inquire into the advisability of establishing national insurance against unemployment, invalidity, and sickness, reported the same without amendment, accompanied by a report (No. 218), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DENT, from the Committee on Military Affairs, to which was referred the bill (H. R. 7697) to authorize the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes, reported the same without amendment, accompanied by a report (No. 225), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARLIN, from the Committee on the Judiciary, to which was referred the joint resolution (H. J. Res. 1) proposing an amendment to the Constitution of the United States extending the right of suffrage to women, reported the same with an amendment, accompanied by a report (No. 219), which said resolution and report were referred to the House Calendar.

He also, from the same committee, to which was referred the joint resolution (H. J. Res. 188) extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, reported the same without amendment, accompanied by a report (No. 227), which said resolution and report were referred to the House Calendar.

Mr. GLASS, from the Committee on Banking and Currency, to which was referred the bill (H. R. 7731) amending section 32 of the Federal farm-loan act, approved July 17, 1916, reported the same without amendment, accompanied by a report (No. 228), which said bill and report were referred to the House Calendar.

Mr. SEARS, from the Committee on Education, to which was referred the joint resolution (S. J. Res. 110) to amend an act entitled "An act to provide for the promotion of vocational education," approved February 23, 1917, reported the same without amendment, accompanied by a report (No. 229), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FIELDS, from the Committee on Military Affairs, to which was referred the bill (S. 1418) to authorize the President of the United States to appoint Harry Graham captain of Infantry, reported the same without amendment, accompanied by a report (No. 226), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 2206) authorizing the payment of salary due to J. A. McCreary, of Forestville, Cal.; Committee of Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 4889) granting a pension to Mrs. Harriet Alexander; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6990) granting an increase of pension to Edgar C. Martin; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7560) granting an increase of pension to William W. Kimball; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7416) granting a pension to Fred D. Marshall; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GLASS: A bill (H. R. 7731) amending section 32 of the Federal farm-loan act, approved July 17, 1916; to the Committee on Banking and Currency.

By Mr. GARD: A bill (H. R. 7732) to amend the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to exclude from the excess-profits tax income derived from personal services; to the Committee on Ways and Means.

By Mr. CROSSER: A bill (H. R. 7733) to provide better sanitary conditions in printing offices within the District of Columbia; to the Committee on the District of Columbia.

By Mr. WHITE of Ohio: A bill (H. R. 7734) to provide for an increase in the compensation of rural free delivery carriers; to the Committee on the Post Office and Post Roads.

By Mr. LANGLEY: A bill (H. R. 7735) to amend an act entitled "An act to amend an act entitled 'An act to increase the pension of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War,' approved April 19, 1908, and for other purposes," approved September 8, 1916; to the Committee on Invalid Pensions.

By Mr. McKEOWN: A bill (H. R. 7736) extending the franking privilege of the Government to the members of the Council of National Defense, and to the chairman of the several councils of national defense in the United States; to the Committee on the Post Office and Post Roads.

By Mr. LANGLEY: A bill (H. R. 7737) to increase the rates of pensions of certain widows and Army nurses; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7738) to increase the rate of pension allowed to Army nurses; to the Committee on Invalid Pensions.

By Mr. DICKINSON: Joint resolution (H. J. Res. 191) amending section 201 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. CAMPBELL of Kansas: Joint resolution (H. J. Res. 192) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. GLASS: Resolution (H. Res. 197) for the consideration of House bill 7731; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 7739) granting an increase of pension to Irene Reid Ervin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7740) granting a pension to Lucy M. Roby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7741) granting a pension to Dartha Swihart; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 7742) granting an increase of pension to Edward Durbin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7743) granting an increase of pension to Green P. Gray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7744) granting an increase of pension to Thomas C. Layton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7745) granting an increase of pension to Calvin A. Hutchinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7746) granting an increase of pension to Marion F. Willis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7747) granting a pension to Samuel Ash; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7748) granting a pension to Mary J. Titus; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7749) granting a pension to Margaret A. Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7750) granting a pension to Herschel Spainhour; to the Committee on Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 7751) to grant a gold medal to James F. Walker for conspicuous bravery; to the Committee on Military Affairs.

By Mr. CLAYPOOL: A bill (H. R. 7752) granting an increase of pension to Joseph Donnells; to the Committee on Invalid Pensions.

By Mr. COOPER of Ohio: A bill (H. R. 7753) granting an increase of pension to Ross Montgomery; to the Committee on Invalid Pensions.

By Mr. DEWALT: A bill (H. R. 7754) granting a pension to Catherine F. Reinert; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 7755) granting an increase of pension to Horace W. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7756) granting an increase of pension to Belle W. Dexter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7757) granting an increase of pension to D. W. Farington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7758) granting an increase of pension to James H. Kabrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7759) granting an increase of pension to George Kint; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7760) granting an increase of pension to John Keefe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7761) granting an increase of pension to Silas W. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7762) granting an increase of pension to Albert Vantassel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7763) granting an increase of pension to George W. White; to the Committee on Pensions.

Also, a bill (H. R. 7764) granting a pension to Joseph Karr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7765) granting a pension to Christian A. Baldwin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7766) for the relief of Albert T. Huso; to the Committee on Claims.

Also, a bill (H. R. 7767) for the relief of John C. Kathan; to the Committee on Military Affairs.

Also, a bill (H. R. 7768) for the relief of Edward Looby; to the Committee on Military Affairs.

Also, a bill (H. R. 7769) for the relief of Robert McFarland; to the Committee on Military Affairs.

By Mr. JOHNSON of Kentucky: A bill (H. R. 7770) granting a pension to Wedding Colgate; to the Committee on Pensions.

Also, a bill (H. R. 7771) granting a pension to Hiner A. Rawlings; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 7772) granting an increase of pension to John Day; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7773) granting an increase of pension to Jacob C. Stupp; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 7774) granting an increase of pension to Fannie M. O'Linn; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 7775) granting an increase of pension to Noah Porter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7776) granting an increase of pension to James L. Stover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7777) granting an increase of pension to Charles McCarthy; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 7778) to amend the military record of George W. Laland; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 7779) granting an increase of pension to William E. Kirkpatrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7780) to correct the military record of Thomas Fogle; to the Committee on Military Affairs.

By Mr. MOORES of Indiana: A bill (H. R. 7781) correcting the military record of Daniel H. Prunk; to the Committee on Military Affairs.

By Mr. NEELY: A bill (H. R. 7782) granting an increase of pension to Emanuel B. Silcott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7783) granting a pension to George W. Sampson; to the Committee on Invalid Pensions.

By Mr. SWEET: A bill (H. R. 7784) granting an increase of pension to Enoch E. Boyd; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 7785) granting a pension to Ophelia F. Covert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7786) granting a pension to Hamilton B. Pate; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7787) granting a pension to Anna E. Pagett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7788) granting a pension to Franklin B. Washburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7789) granting a pension to William H. Miller; to the Committee on Pensions.

Also, a bill (H. R. 7790) granting a pension to John J. McGinley; to the Committee on Pensions.

Also, a bill (H. R. 7791) granting a pension to Laura A. Davis; to the Committee on Pensions.

Also, a bill (H. R. 7792) granting an increase of pension to Sylvester C. Loveless; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 7793) for the relief of Dr. George W. Flynn; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of congregation of the First Christian Church, Webb City, Mo., urging the passage of Senate resolution No. 17; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of California, Colorado, Indiana, Kentucky, Massachusetts, Nebraska, New York, Pennsylvania, and Texas, favoring the passage of the Moore Purple Cross bill, H. R. 5410; to the Committee on Military Affairs.

Also (by request), petition of F. Terry and 166 other students of Teachers' College, Columbia University, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BLAND: Evidence in support of bill for increase in pension of Green P. Gray; to the Committee on Invalid Pensions.

Also, evidence in support of bill for increase in pension of Samuel Ash; to the Committee on Invalid Pensions.

Also, evidence in support of bill for increase in pension of Thomas C. Layton; to the Committee on Invalid Pensions.

Also, evidence in support of bill to increase pension of Calvin A. Hutchison; to the Committee on Invalid Pensions.

Also, evidence in support of bill to increase pension of Mary J. Titus; to the Committee on Invalid Pensions.

Also, evidence in support of bill to increase pension to Marion F. Willis; to the Committee on Invalid Pensions.

Also, evidence in support of bill to increase pension of Margaret A. Cooper; to the Committee on Invalid Pensions.

Also, evidence in support of bill for pension for Herschel Spainhour; to the Committee on Pensions.

Also, evidence in support of bill for increase in pension of Edward Durbin; to the Committee on Invalid Pensions.

By Mr. CARY: Telegrams from Edward A. Uphrig, president Milwaukee Western Fuel Co.; Fehrer & Meyer Co.; Benjamin Wells & Sons Co.; Blumenfeld Locher Co.; William Marnitz Co.; Vilter Manufacturing Co., H. P. Andrae, treasurer Julius Andrae & Sons Co.; the Boston Store; O'Neil Oil & Paint Co.; Joseph J. Kozourek; Richard Philip; W. H. Upmeyer, president Bunde & Upmeyer Co., all of Milwaukee, Wis., protesting against passage of national prohibition amendment; to the Committee on the Judiciary.

Also, telegram from William F. Luick, treasurer Luick Ice Cream Co.; Fred F. Luedke; L. W. Bunde, of Bunde & Upmeyer Manufacturing Co.; E. P. Hunkel; Dr. F. J. Gaenslen; O. R. Pieper; Edwin Wollaeger, of the Wollaeger Manufacturing Co.; Arthur Wenz; and Peter Brust, all of Milwaukee, Wis., protesting against national prohibition; to the Committee on the Judiciary.

Also, telegrams from the Kurth Manufacturing Co.; Hoffman & Bauer; Leedom Miller & Noys Co.; Hoffman & Billings Manufacturing Co.; H. S. Hadfield; Frank Luensman Co.; John L. Klinger, president Milwaukee Association of Commerce; and Biersach & Niedermeyer, all of Milwaukee, Wis., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition from Frank B. Metcalfe, secretary-treasurer Trades Union Liberty League of Wisconsin; Otto E. Schulz; and F. T. Andrae, secretary Julius Andrae & Sons Co., all residing in Milwaukee, Wis., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of Joseph Dehan, secretary Labor's Emergency Liberty League, representing 60,000 men, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. DALE of New York: Petition of the executive committee of the Manufacturers and Dealers' League, of the city and

State of New York, and of the general counsel of the Malsters' Bureau of Statistics, Chicago, Ill., protesting against the submission of the prohibition amendment; also, resolution of the Brewery Workers' International Union, representing 60,000 workmen, protesting against the prohibitory amendment; to the Committee on the Judiciary.

Also, resolution of the National Council of American Cotton Manufacturers, urging Congress to make liberal appropriations for the support and development of the Bureau of Foreign and Domestic Commerce and the creation and maintenance of a bureau for the extension of American foreign trade; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: Memorial of Republican city central committee, St. Louis, Mo., favoring the Anthony suffrage amendment; to the Committee on Woman Suffrage.

By Mr. ELLIOTT: Memorial of Woman's Auxiliary to Local 130, National Federation of Post Office Employees, favoring increased salaries for clerks and carriers in first and second class post offices; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Resolutions by the county board of supervisors of Monroe County, Wis., favoring the suffrage amendment; to the Committee on Woman Suffrage.

By Mr. FREEMAN: Petition of First Baptist Church, Stonington, Conn., urging the submission of the prohibition amendment; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petition of citizens of Streator, Ill, opposing the prohibition amendment; to the Committee on the Judiciary.

Also, memorial of Anti-Saloon League of America, urging the adoption of the prohibitory amendment; to the Committee on the Judiciary

By Mr. HILLIARD: Memorials of Local Union No. 18, Journeyman Cooks and Pastry Cooks; Sheet Metal Workers' International Alliance; Local No. 68, International Brotherhood of Electrical Workers; Local No. 1874, United Brotherhood of Carpenters and Joiners of America; Local Union No. 930, Glass Workers and Glaziers; Buildings Laborers of Denver; Local Union No. 634, Meat Cutters' Union; Local Union No. 3, Plumbers' Apprentices; Division No. 451, Brotherhood of Locomotive Engineers; Local Union No. 111, Electrical Workers; International Workers' Defense League; Local Union No. 25, International United Brotherhood of Leather Workers on Horse Goods; Journeyman Barbers' International Union of America; Lodge No. 35, Switchmen's Union of America; Local Union No. 79, Painters' Union; Local No. 577, O. P. & C. F. I. A.; Mile High Lodge No. 680, Brotherhood of Railroad Trainmen; Local Plumbers' Union No. 3; Bricklayers', Stonemasons', and Marblemasons' Union; Local Waiters' Union No. 14; Denver Lodge No. 47, International Association of Machinists; Snowy Range Lodge No. 30, Brotherhood of Railroad Trainmen; Local Union No. 7, Retail Clerks' International Protective Association; Local Union No. 40, International Broom Makers' Union; Denver Council No. 539, Knights of Columbus; Denver Buildings-Trades Council; Golding Fairfield, Esq.; W. C. Castwright; and Central Labor Union of Boulder and vicinity, all in the State of Colorado, urging the passage of House bill 1654, granting an increase of pay to post-office clerks and letter carriers; to the Committee on the Post Office and Post Roads.

Also, petitions of Mrs. J. A. Easton and three others; C. J. Morley and seven others; Interdenominational Committee, representing 60,000 women; Women's Foreign Missionary Society of Methodist Episcopal Church of Colorado, comprising 21,000 women; Interchurch Council of Denver, representing 34,000 protestant church members, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. M. W. Morrison, of Colorado Springs, Colo., urging the adoption of a constitutional amendment providing for woman suffrage; to the Committee on Woman Suffrage.

By Mr. KAHN: Petition of citizens of San Francisco, Cal., in favor of the Madden bill, granting an increase of pay to the letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petition of Sayles B. Steere, of Chepachet, R. I., favoring national prohibition amendment; to the Committee on the Judiciary.

Also, petition of Bottlers and Drivers' Union No. 245, of Providence, R. I., against national prohibition legislation; to the Committee on the Judiciary.

Also, petitions of Mrs. B. Wallace Comstock, of Providence, and Mrs. Helen Hazard Bacon, of Peace Dale, in the State of Rhode Island, in opposition to passage of woman-suffrage legislation; to the Committee on the Judiciary.

Also, petitions of Laurel Grange No. 40, of Gloucester; Daniel Partridge, of Pawtucket; Henry A. Sayles, of Chepachet; C. R. Martin, of Pawtucket; Neighborhood Auxiliaries to the Woman's Home Missionary Society; Providence Woman's Christian Temperence Union; and Providence County Pomona Grange, Patrons of Husbandry, all in the State of Rhode Island, favoring national prohibition legislation; to the Committee on the Judiciary.

Also, petitions of the Sunday school of Embury Methodist Episcopal Church, of Central Falls; adult department of the Fourth Baptist Sunday School, of Providence; First Methodist Episcopal Church, of Pawtucket; and Rhode Island Glass Division, of Central Falls, all in the State of Rhode Island; also 518 citizens of Rhode Island, favoring national prohibition legislation; to the Committee on the Judiciary.

By Mr. LINTHICUM: Letter of George C. Balton, of Baltimore, Md., urging that new clerks be not discriminated against in providing increases of salary; to the Committee on Appropriations.

Also, petition of Arthur E. Slagle and 62 other citizens of Baltimore, Md., and a memorial from the Maryland legislative committee, Antisaloon League of America, favoring submission of the prohibition amendment; also letters and telegrams from the Baltimore Enamel & Novelty Co. and nine other firms and organizations of Baltimore, Md., protesting against the submission of the prohibition amendment; to the Committee on the Judiciary.

Also, memorial of Baltimore Branch No. 4, United National Association Post Office Clerks, and Local No. 181, National Federation Postal Employees, indorsing House bill 1654; also a letter of the same import from L. C. Perkins, of Baltimore, Md.; to the Committee on the Post Office and Post Roads.

By Mr. MEEKER: Resolution adopted by the American Federation of Labor in favor of an increase in salary of the postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of surviving officers of the Civil War praying for the passage of the officers' retired bill; to the Committee on Military Affairs.

Also, petition of Locals No. 3, No. 37, No. 91, and No. 148, of the Coopers International Union, of St. Louis, Mo., protesting against national prohibition; to the Committee on the Judiciary.

Also, resolution of the Chamber of Commerce of the United States and approved by the Manufacturers' Association of St. Louis, Mo., in favor of the establishment of a foreign exchange department in the Federal reserve banking system; to the Committee on Banking and Currency.

Also, resolution adopted by the Board of Aldermen of St. Louis, Mo., asking for time extension for the completion of the municipal bridge across the Mississippi River; to the Committee on Interstate and Foreign Commerce.

By Mr. PAIGE: Petitions of George R. Wallace and 300 others, of Fitchburg, Mass., against woman suffrage amendment; to the Committee on Woman Suffrage.

Also, petitions of 395 persons in various cities of Massachusetts in favor of woman suffrage amendment; to the Committee on Woman Suffrage.

By Mr. SANDERS of New York: Petition of the Waterport Woman's Christian Temperance Union, urging the passage by Congress of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for their ratification; to the Committee on the Judiciary.

Also, petition of the Barre Center Presbyterian Church, the Woman's Christian Temperance Union Missionary Society, the Red Cross, the Ladies' Aid, the Christian Endeavor, Loyalty Class, and Men's Bible Class, all of Barre Center, N. Y., urging the passage by Congress of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union, the Epworth League, and Women's Home Missionary Society, all of West Barre, N. Y., urging the passage by Congress of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petition of the women of the First Presbyterian Church of Albion, N. Y., urging the passage of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petitions of 45 male voters and of 63 women voters of the West Avenue Methodist Episcopal Church, of Rochester, N. Y., urging the passage of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petitions of 73 male voters and 115 women voters of the Calvary Baptist Church, of Rochester, N. Y., urging the passage of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petition of the First Baptist Church, the First Methodist Episcopal Church, and the Lake Avenue Baptist Church, all of Hilton, N. Y., in joint assembly, urging the passage of the joint resolution for the submission of a prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petition of 65 women voters of Rochester, N. Y., urging the passage by Congress of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petition of the women of the Press Club of the Young Men's Christian Association Auxiliary, of Rochester, N. Y., urging the passage by Congress of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

Also, petition of the Willing Workers' Circle, the World Wide Circle, and the Emily Barrett Circle, of Rochester, N. Y., urging the passage of the joint resolution for the submission of the prohibition amendment to the Constitution to the several States for ratification; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of postal clerks and carriers at St. Cloud, Minn., urging early and favorable action on House bill 1654; to the Committee on the Post Office and Post Roads.

By Mr. STINESS: Letters and telegrams from East Greenwich Baptist Church, Rev. Theodore C. Gleason, pastor, East Greenwich; Rev. W. H. Lane, Shawomet; Christian Endeavor Society, Alice M. Farrow, secretary, North Scituate; Bradford Y. P. B., Ruby E. Collings, secretary, Bradford; Providence Young Men's Christian Association, John G. Olmstead, acting general secretary, Providence; Niantic Baptist Sunday School, Ray B. Kenyon, secretary, Bradford; Phenix Baptist Sunday School, Frank Gardner, pastor, Phenix; Lutheran Bethany Church (950), Joel Ol, pastor, Auburn; First Baptist Church, F. Stewart Kinley, minister, Westerly; Advent Christian Sunday School, W. F. Bliven, superintendent, La Fayette; First Methodist Episcopal Church, Francis H. Spear, pastor, Warren; First Seventh Day Baptist Church of Hopkinton, George B. Shaw, pastor, Ashaway; Lutheran Conference of the Providence District (Pontiac, R. I., Nov. 12, 1917), Providence; Sunday School of the East Baptist Church of Hope Valley, E. T. Spencer, superintendent, Hopkinton; and church and congregation and Sunday school, Oak Lawn Baptist Church, Oak Lawn, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, letters and telegrams from St. Paul's Methodist Episcopal Sunday School, Frederick E. Hawkins, superintendent, and Providence Epworth League Union, Myrtie A. Brown, secretary, Providence; St. Luke's Episcopal Church Sunday School, Ida Collette, secretary, East Greenwich; St. Stephens Church, George McClellan Fiske, rector, Providence; Sunday schools in North Scituate held in the Free Baptist Church, Philip Shippee, C. A. Durfee, and Ernest M. Spencer, superintendents, North Scituate; Sunday School of the First Baptist Church, Joseph E. Matteson, secretary, Allenton; Woman's Christian Temperance Union, through Mrs. H. E. King, North Scituate; Mary J. Locke, Narragansett Pier; Eunice B. Clark, Wakefield; Emma B. Potter, corresponding secretary, North Scituate; Mrs. R. J. Griffin, Mrs. G. A. Griffin, and Fannie E. White, Wakefield; Apponaug Woman's Christian Temperance Union, through Mrs. W. C. Pierce, secretary, and 300 representative citizens, Nathan M. Littlefield, chairman, Providence; Quonocontaug Grange, Patrons of Husbandry, No. 48, Anne L. Waite, secretary, Westerly; and Oak Lawn Grange, Edgar A. Wood, grand master, Oak Lawn, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, telegrams from John A. Tandwin, Bertha A. Bissell, Horace G. Bissell, Everett Messinger, Mrs. Thomas Uray, E. P. Bogert, Florence A. Moulton, Emily B. Aldrich, H. Cutler, Harry A. Slocumb, W. D. Olson, Elizabeth Joynt, Rev. E. F. Jones, Frank C. Dudley, Mrs. W. C. P. Faunce, William A. Farren, Francis Gallagher, Mary A Gifford, Henry A. Fifield, Alfred M. Thompson, Jesse V. Dudlong, Mr. and Mrs. H. A. Whitmarsh, Ellen G. Hunt, W. H. Faunce, Mrs. William L. Coop, Rhode Island State Federation of Women's Clubs (39 clubs, representing 3,000 women), Maude Evelyn Bradley, and Rhode Island State Grange, Clara L. Chase, secretary (representing 3,500 patrons of Rhode Island), Providence; Mrs. David Harley and William Rogers, Pawtucket; William D. Chickle, East Providence; and Charles Knowles, Lillian Knowles, Julia Knowles, Asa Humphrey, and Marshall Young, Wakefield, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, telegrams and letters from Sarah Champlin, John Champlin, C. Hill, Emma Humphrey, Mrs. E. E. Hill, and Mrs. William G. Sweet, Wakefield; Men's Club of Cranston Community, H. B. Coombs, and T. W. Waterman, Providence; Herbert M. Clarke, Arctic; and New England Coal Co., Harry E. Davis, Woonsocket, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, letters from Mrs. Eva H. Smith, Washington; F. L. Fowler, Oak Lawn; J. F. Archibald, Providence; Chester Donelly, Oliver W. Sherman, Clifford A Woodmansee, and Edward E. Kenyon, West Kingston; Charles L. Johnston, Auburn; Alston W. Knowles, N. K. Hazard, Charles J. Tucker, Charles W. Hall, Joseph A. Boss, Stephen B. Gardiner, Charles H. Knowles, Louisa H. Knowles, William Young, and Moses Young, Narragansett Pier; Chesman O. Childs and John A. Allen, Peace Dale; Marshall Young, Harry S. Champlin, Asa H. Humphrey, Leon M. Champlin, and John R. Champlin, Point Judith; Leon L. Holland, and W. A. Pollock, Saunderstown; and Hartford P. Brown, Robert P. Graves, Everett E. Jones, Mrs. E. G. Babcock, Charles C. Armstrong, Ransford Collins, Oliver H. Jones, J. Haskell Edson, John B. Peck, W. F. Congdon, L. W. Tucker, Charles E. Mitchell, James H. Buton, John E. Ross, and Oscar T. Dykstra, Wakefield, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, letters from Johnson Hoyle, Daniel C. Watson, Joseph B. Tucker, Stephen B. Gardnier, jr., Benjamin W. Palmer, Mrs. B. W. Palmer, James G. Champlin, L. D. Miner, W. Luther Bates, Henry W. Partelow, and Howard R. Tucker, Wakefield; William P. Brownell, Miss Annie B. Arnold, E. M. Docherty, Woman's Christian Temperance Union, Mary E. Olney, corresponding secretary, of the State of Rhode Island, and members of the parish of the Church of the Mediator, Providence; Potter Hill Sunday School, Potter Hill; and Rowland W. Gilbert, Louis R. Houston, Charles G. Houston, Story E. Johnson, B. P. Pollock, and Walter J. Westlake, Peace Dale, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, telegrams, letters, and petitions from Tabernacle Methodist Episcopal Sunday School, G. W. Amison, superintendent, and Liberty B. Greene, Providence; A. J. Webster, Auburn; Henry B. Trinkhover and Ada Blinkhom, Providence; Mrs. E. O. Benson, Auburn; Charles E. Westcott, Christie C. Crowe, and Olly R. A. Jillson, Providence; Thomas J. Clarke, Charlestown; Harlon A. Page and Albert E. Titchener; Mrs. Jennie F. Smith, representing 45 members of Woman's Christian Temperance Union, Wakefield; William Entwistle; Ethel Johnston, Arlington; Carrie O. Brown, John D. Miner, and Alice O. Miner, East Greenwich; Robert McGhee, Providence; John Siswick, manager Mystic Woolen Mill, Hope Valley; Broad Street Christian Church (385), Samuel Glivven, clerk, Archie Meikle and 22 citizens, and John C. Stanton and 35 citizens, Westerly; 58 members of People's Church (Baptist), Rev. William O. Keirstead, Providence; and Frank Hill and 13 other citizens of the town of Westerly, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, letters and petitions from A. J. Schultheiss and Joint Local Executive Board of the International Union of the United Brewery Workmen, William H. Lovett, secretary, Providence; Jacob Mack, Rudolph Mitschke, and Joseph Wacker, Cranston; Paul Wermuth and John Grasslin, Providence; Christian Ackermann, Arlington; Albin Hertzsch, Providence; Gotthard Wemmer, Arlington; Mathias Kormann, Providence; Michael Bosko and Melchior Buck, Cranston; Nicola M. Loudoti and Paul Kaleen, Providence; Louis Gentile and William L. Reichert, Cranston; Frederick W. Weise, Salvatore Pullano, Lewis L. Cushman, Ernest R. Williams, John J. Brennen, and Alex J. Langlois, Arlington; Benjamin R. Jepson, Thomas F. McMahon, T. J. Tiernan, Fred H. Bartels, John W. Nolan, Roderick McGary, Bernard McCabe, William J. Guest, I. Precourt, and M. Hercov, Providence, all in the State of Rhode Island, opposing prohibition; to the Committee on the Judiciary.

By Mr. TREADWAY: Resolutions of Shields Court No. 63, Massachusetts Catholic Order of Foresters, Holyoke, Mass., and by Holyoke Council No. 90, Knights of Columbus, of Holyoke, Mass., in support of legislation to draft alien ally population into the military service of this country or have them deported; to the Committee on Military Affairs.

By Mr. VARE: Memorial of the Pennsylvania Woman Suffrage Association requesting the passage of the suffrage amendment; to the Committee on Woman Suffrage.

SENATE.

MONDAY, *December 17, 1917.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee out of the rest and recreation of the holy Sabbath day. We thank Thee for this institution that is not only precious in our memory and sacred in our lives but also holds the forces of the Christian civilization within it. We thank Thee that Thou dost preserve for us this day of rest.

As we start on the labor of a new day do Thou give to us the inspiration that God only can give. May we have an open-eyed vision of the tremendous responsibilities resting upon us in this hour. May we not wait for the clash of swords or the sound of guns or the wail of the broken hearted over their dead boys to arouse to an interest, to a deep concern, and to a self-sacrificing effort to put forth the best of this Nation to establish peace and brotherhood and freedom among men. We ask for Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. SMITH of Michigan and by unanimous consent, the further reading was dispensed with and the Journal was approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the chief clerk of the Court of Claims, transmitting, pursuant to the order of the court, certified copies of the findings of fact and conclusions filed by the court in the following causes:

Mabel Cushman Hitt (daughter), Florence Cushman Mudge and Douglas Cushman (grandchildren), heirs of William H. W. Cushman, deceased, *v.* The United States (S. Doc. No. 132);

Tunis Vosburgh *v.* The United States (S. Doc. No. 133);

George F. Sinclair *v.* The United States (S. Doc. No. 134);

Edmund Johnson *v.* The United States (S. Doc. No. 135);

John H. Ingram *v.* The United States (S. Doc. No. 136);

Thomas Cusack *v.* The United States (S. Doc. No. 137);

Horace D'B. Cutler *v.* The United States (S. Doc. No. 138);

William T. Cessna *v.* The United States (S. Doc. No. 139);

James W. Briscoe *v.* The United States (S. Doc. No. 140);

John Acker *v.* The United States (S. Doc. No. 141);

Wesley R. Adams *v.* The United States (S. Doc. No. 142);

Robert L. Wilson *v.* The United States (S. Doc. No. 143);

William W. Stinnett *v.* The United States (S. Doc. No. 144);

Joseph Sears *v.* The United States (S. Doc. No. 145);

George B. Randall *v.* The United States (S. Doc. No. 146);

Jonas C. Littlefield *v.* The United States (S. Doc. No. 147);

Jonathan F. Linton *v.* The United States (S. Doc. No. 148);

Theodore F. Lewis *v.* The United States (S. Doc. No. 149);

Henry T. Lee *v.* The United States (S. Doc. No. 150);

R. P. Higgins, administrator of John P. Higgins, deceased, *v.* The United States (S. Doc. No. 151);

John Douch *v.* The United States (S. Doc. No. 152); and

James H. Day *v.* The United States (S. Doc. No. 153).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the joint resolution (S. J. Res. 114) extending the commission provided for in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, with the same authorities, powers, and provisions until on or before March 1, 1918.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 7237. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes;

H. R. 7634. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. J. Res. 174. Joint resolution for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy; and

H. J. Res. 193. Joint resolution authorizing the payment of salaries of officers and employees of Congress for December, 1917.

The message further announced that the House had passed a concurrent resolution providing that when the two Houses adjourn on Tuesday, the 18th day of December, 1917, they stand adjourned until 12 o'clock meridian on Thursday, the 3d day of January, 1918, in which it requested the concurrence of the Senate.

HOLIDAY RECESS.

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution from the House of Representatives, which will be read.

The concurrent resolution was read as follows:

House concurrent resolution 29.

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Tuesday, the 18th day of December, 1917, they stand adjourned until 12 o'clock meridian on Thursday, the 3d day of January, 1918.

Mr. MARTIN. I ask unanimous consent for the present consideration of the House resolution which has just been read.

The VICE PRESIDENT. Is there any objection?

There being no objection, the concurrent resolution was considered by unanimous consent and agreed to.

PAY OF EMPLOYEES.

The VICE PRESIDENT. The Chair lays before the Senate a joint resolution from the House of Representatives.

The joint resolution (H. J. Res. 193) authorizing the payment of salaries of officers and employees of Congress for December, 1917, was read the first time by its title.

Mr. PENROSE. Let it be read at length.

The joint resolution was read the second time at length, as follows:

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives are authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1917, on the day of adjournment of the present session for the holiday recess; and the Clerk of the House is authorized to pay on the same day to Members, Delegates, and Resident Commissioners their allowance for clerk hire for the said month of December.

Mr. MARTIN. I ask unanimous consent for the present consideration of the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETITIONS AND MEMORIALS.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a petition of the congregation of St. Matthew's Episcopal Church, of St. Anthony Park, St. Paul, Minn., praying for national prohibition, which was ordered to lie on the table.

Mr. GRONNA presented the petition of Mrs. L. A. Day, president of the Woman's Christian Temperance Union, of Southam, N. Dak., praying for national prohibition, which was ordered to lie on the table.

Mr. JONES of Washington presented petitions of sundry citizens of Seattle, Prosser, Kennewick, North Bend, South Bend, Chehalis, and Ellensburg, all in the State of Washington, praying for an increase in the salaries of postal clerks, which were referred to the Committee on Post Offices and Post Roads.

Mr. GALLINGER presented a petition of Gate City Branch, No. 230, National Association of Letter Carriers, of Nashua, N. H., praying for an increase in the salaries of letter carriers, which was referred to the Committee on Post Offices and Post Roads.

Mr. TOWNSEND presented petitions of sundry citizens of St. Joseph and Berrien Counties, of the Literary Club of Trenton, and of the Federation of Labor of Detroit, all in the State of Michigan, praying for national prohibition, which were ordered to lie on the table.

Mr. THOMPSON presented a petition of sundry citizens of Ottawa County, Kans., praying that farmers be exempted from the draft law, which was referred to the Committee on Military Affairs.

He also presented a petition of Pollock Post, No. 42, Grand Army of the Republic, Department of Kansas, of Marion, Kans., praying that a pension of $50 a month be granted to veterans of the Civil War, which was referred to the Committee on Pensions.

He also presented a petition of the Ladies' Auxiliary, National Association of Letter Carriers, of Kansas City, Kans., praying for an increase in the salaries of letter carriers and postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. FRELINGHUYSEN. I present resolutions adopted by the National Security League of Passaic, N. J., pledging support to the President and the country in time of war. I ask that the resolutions be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

[Branch of the National Security League (Inc.) of the city of Passaic, N. J.]

Whereas the security of the United States and the success of our arms are endangered by the activities of disloyal persons and organizations within the borders of our country, we, citizens of the city of Passaic, in the State of New Jersey, in mass meeting assembled, and representing the National Security League, do hereby adopt the following resolution:

Resolved, That we heartily indorse the action of our President and the Congress of the United States in the declaration of war against the Imperial German Government.

Resolved, That we pledge our manhood to the cause until a victorious peace and the elimination of German military autocracy both have been accomplished. We stand for the defense of liberty, civilization, and morality. We believe in our flag and all that it stands for. We condemn German frightfulness in all its branches, the sinking of merchant and passenger ships without warning, and the murder of civilians and noncombatants, including women, children, and aged persons. We condemn in general the barbaric warfare now being carried on by the Imperial German Government.

Resolved, That we do hereby petition the Congress of the United States to enact forthwith a law imposing punishment upon all persons or organizations responsible for pro-German activities or for the publication or public utterance of statements tending—

(1) To impede or interfere with the operations or success of the United States in war or in recruiting or enlistment.

(2) To hold the Government of the United States or any of our allies up to ridicule or obloquy.

(3) To cause disloyalty or refusal of duty on the part of any person in connection with the war.

Resolved, That we applaud the President of the United States for his patriotic endeavors in the conduct of the war and for his various able and statesmanlike proclamations. We pledge ourselves to stand behind the President and the Government of our country until our flag shall return unsullied, undefiled, and victorious.

Resolved, That a copy of these resolutions, signed by the chairman and secretary of this meeting, be transmitted to the President of the United States and to the Senators and Members of Congress from the State of New Jersey.

BIRD W. SPENCER, *Chairman*.
C. H. BICKELL, *Secretary*.

OCTOBER 27, 1917.

Mr. FRELINGHUYSEN presented petitions of the National Security League of Passaic, of sundry citizens of Englewood, of the National Security of Westfield, of the Borough Council of Rutherford, and of sundry citizens of Ridgewood, all in the State of New Jersey, relative to the public utterances of Hon. ROBERT M. LA FOLLETTE, a Senator from the State of Wisconsin, which were referred to the Committee on Privileges and Elections.

He also presented petitions of sundry citizens of Paterson, Short Hills, and Newark, all in the State of New Jersey, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a petition of sundry letter carriers of Ridgewood, N. J., praying for an increase in their salaries, which was referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by Stockton Grange, No. 88, Patrons of Husbandry, of Stockton, N. J., and of the board of agriculture of Monmouth County, N. J., relative to the importation of nitrate of soda, which were referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted by the Chamber of Commerce of Asbury Park, N. J., favoring the enactment of legislation providing rank and uniforms for members of selective draft boards, which were referred to the Committee on Military Affairs.

He also presented resolutions adopted by the board of agriculture of Monmouth County, N. J., relative to the supply of farm labor, which were referred to the Committee on Education and Labor.

He also presented resolutions of the Chamber of Commerce of Trenton, N. J., favoring full taxation for all Federal officeholders, exempting the President, members of the Cabinet, and men in the service of the Army and Navy, which were referred to the Committee on Finance.

He also presented resolutions adopted by the American Cotton Manufacturers' Association, favoring liberal appropriations for the support and development of the Bureau of Foreign and Domestic Commerce of the Department of Commerce, which were referred to the Committee on Commerce.

Mr. CURTIS presented a petition of sundry citizens of Horton, Kans., praying for national prohibition, which was ordered to lie on the table.

He also presented petitions of Lew Gove Post, No. 100, Grand Army of the Republic, Department of Kansas, of Manhattan; of Pea Ridge Post, Grand Army of the Republic, Department of Kansas, of Chetopa; and of Canby Post, No. 11, Grand Army of the Republic, Department of Kansas, of Osage City, all in the State of Kansas, praying for an increase in the pensions of veterans of the Civil War, which were referred to the Committee on Pensions.

He also presented a petition of the Ladies Auxiliary, National Association of Letter Carriers, of Kansas City, Kans., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Men's Brotherhood of the First Presbyterian Church, of Chanute, Kans., remonstrating against the use of cigarettes by soldiers, sailors, and marines, which was referred to the Committtee on Military Affairs.

He also presented petitions of sundry citizens of Wichita, McPherson, and Hutchinson, all in the State of Kansas, praying for the enactment of legislation to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a petition of the Board of County Commissioners of Wyandotte County, Kans., praying for the passage of the so-called river and harbor appropriation bill, which was referred to the Committee on Commerce.

SHORTAGE OF COAL.

Mr. SMITH of Michigan. Mr. President, I have a number of telegrams this morning bearing upon the coal situation. I do not desire to discuss the matter at all, but one telegram I hold in my hand I desire to emphasize particularly. It is from the president of the Pere Marquette Railroad Co., a railroad consisting of about 2,200 miles, operated in Michigan and Indiana, who says:

For your information, the fuel situation on the Pere Marquette Railway has become so serious that we will be obliged to discontinue more service to-morrow, and unless relief is forthcoming our operations will be largely closed down by Tuesday. The trouble is inability of the railroads serving mines in Ohio, Indiana, and Illinois to handle the coal under our contracts. Mines serving us were partially idle during past week, due to lack of service by railroads. There is no shortage of empty cars. It is all a question of transportation. What we need is to have the railroads serving the mines give the movement of fuel coal preference over everything, even passenger trains. I believe this is what the priority order contemplates. Any assistance you can render will be very much appreciated. I am wiring you in the interests of the people of Michigan, that you may bring pressure to bear whereby the roads of Michigan will secure their full share of fuel coal in order to provide the service. Roads in Ohio and south of us are also short of fuel, and unless positive orders are issued they will naturally look after the interests there before helping Michigan.

That telegram is signed by Frank H. Alfred, president of the Pere Marquette Railroad, and represents a situation which is so deplorable that I rise this morning, somewhat in violation of the rule, to emphasize again the desirability of the fuel situation receiving practical attention at our hands without further delay.

The VICE PRESIDENT. The telegram will be referred to the Committee on Manufactures.

Mr. GRONNA. Mr. President, I wish to state that I have received a number of telegrams from citizens of my State calling attention to the fact that there is a shortage of fuel. I have not presented any of them here. I sent them to the fuel administrator. I simply want the RECORD to show that I have taken such steps as I deem best.

EAST ST. LOUIS LABOR TROUBLE.

Mr. SHERMAN. I wish to present a list from the attorney general of Illinois and call the attention of the Senate to the fact that in the East St. Louis riot cases prosecuted in that county there have been 51 convictions by a jury, and the penalties ranged all the way from fines and jail sentences to 15 years in the penitentiary. About half of them are convictions for felony. I ask that the list be printed in the RECORD without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The list referred to is as follows:

LIST OF CONVICTIONS IN EAST ST. LOUIS RIOT CASES AND DISPOSAL OF CASES UP TO DECEMBER 10, 1917.

James W. Andrews: Case No. 7806, acquittal.
Marshall Alexander: Case No. 7794, 14 years.
Sam Bauchens: Cases No. 7802, 7818, 7824, 7825, nol-prossed; case No. 7829, plea, 30 days' jail.
Richard Brockway: Case No. 7806, 5 years and $1,000 fine.
Tony Borcey: Cases No. 7812, 7849, 7850, 7851, nol-prossed; case No. 7852, plea, 30 days' jail.
Joe Braunagel: Case No. 8043, guilty; sentence not yet pronounced.
Charles Calvin Beener: Case No. 7805, indeterminate sentence in penitentiary.
Daisy Clavin: Case No. 2041, nol-prossed; case No. 8042, $50 fine.
Joseph Dickerson: Case No. 7804, nol-prossed; case No. 7806, acquitted; case No. 7807, plea, $50 and costs.

John Doe: Cases No. 7811 and 7847, nol-prossed.
Leon Doherty: Case No. 8041, nol-prossed; case No. 8042, plea, 60 days' jail.
Mike Evanoff: Case No. 7818, $500 fine.
Tobe Fancher: Case No. 7806, nol-prossed.
Charles Foster: Case No. 7794, 14 years.
Leslie Fowler: Case No. 7794, acquittal.
John Gow: Case No. 8046, 15 years.
Charles Hanna: Case No. 8046, 15 years.
Ralph Hood, jr.: All cases nol prossed.
Mat Hayes: Cases No. 7794, 7860, 7862, nol-prossed.
Albert Hughes: Case No 7794, 14 years.
John Johnson: Case No. 7806, 1 year.
Leo A. Keane: Case No. 7796, 14 years.
Robert H. Kelley: Cases No. 7798 and 7823, nol-prossed; case No. 7844, plea, 30 days' jail.
Emmet Krisnic: Case No. 7852, plea, $50 and costs; all other cases nol-prossed.
Moze Lockett: Case No. 7820, nol-prossed.
Charles Luden: Case No. 8063, plea, $50 and costs; other case nol-prossed.
John Luden: Case No. 8063, plea, $50 and costs; other case nol-prossed.
Jess Meeker: Case No. 7818, nol-prossed.
John Mateer: Case No. 7806, nol-prossed.
Christ Mouralec: Case No. 7841, nol-prossed; case No. 7945, plea, 30 days' jail. (In case No. 7945 indicted under name of Christ Movchelis, which is correct.)
Guy Moore: Case No. 7794, acquittal; all other cases nol-prossed.
Henry Morris: Case No. 8045, plea, 10 days' jail; other case nol-prossed.
John Morris: Case No. 8044, nol-prossed; case No. 8045, plea, 30 days' jail.
Pete Majouskas: Case No. 8045, plea, $50 and costs; case No. 8044, nol-prossed.
Chester Ortgier: Case No. 7818, nol-prossed.
Ed Otto: Case No. 7818, $500 fine.
Mary Osborne: Case No. 8063, plea, 30 days; all other cases nol-prossed.
William Palmer: Case No. 7794, 14 years.
George Palmer: Case No. 7848, plea, $50 and costs.
Otis Pigg: Case No. 7852, plea, 30 days; all other cases nol-prossed.
O'Faniel Peoples: Case No. 7794, 14 years.
Fayette Parker: Case No. 7794, 14 years.
Harry Robinson: Case No. 7806, plea, 5 years; case No. 8046, jury could not agree.
John Rogers: Case No. 7818, acquittal; all other cases nol-prossed.
Richard Roe: All cases nol-prossed.
Herman Rohwedder: All cases nol-prossed.
Henry Rohwedder, jr.: Case No. 7858, plea, $50 and costs; all other cases nol-prossed.
George Roberts: Case No. 7794, 14 years.
William Ragen: Case No. 8045, plea, $50 and costs; other case nol-prossed.
Dorothy Ruth: All cases nol-prossed.
Robert Roberts: Case No. 8042, plea, $50 fine; other case nol-prossed.
Will Shears: Case No. 7829, plea, 60 days; other case nol-prossed.
S. L. Schultz: Case No. 7806, plea, 5 years; case No. 7835, plea, 1 to 14 years; all other cases nol-prossed.
Joe Sanicki: Case No. 7830, plea, $50 and costs; all other cases nol-prossed.
Dee Smotherman: Case No. 7794, 14 years.
Connor Smith: Case No. 8045, $50 and costs; other case nol-prossed.
Red Smith: Case No. 8042, plea, $50 and costs; other case nol-prossed.
John Tish: Case No. 7806, 5 years.
Bud Townsend: Case No. 7794, 14 years.
Horace Thomas: Case No. 7794, 14 years.
Thomas Takcett: Case No. 7794, acquittal; all other cases nol-prossed.
Alice Taylor: Case No. 8044, nol-prossed; case No. 8045, plea, $50 and costs.
Herbert F. Wood: Case No. 7796, 14 years.
Dan Walsh: Case No. 7818, $500 fine.
Joe Welch: Cases No. 7811 and 7847, nol-prossed. (Should be Clarence Welsh.)
Clarence Welsh: Case No. 8059, nol-prossed; case No. 8063, plea, 10 days' jail.
Felix Wiercik: Case No. 7839, plea, $50 and costs; all other cases nol-prossed.
George Zeman: Case No. 7818, nol-prossed.

PURCHASE OF FARM-LOAN BONDS.

Mr. HOLLIS. From the Committee on Banking and Currency I report back favorably without amendment the bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916, and I submit a report (No. 184) thereon.

This is a matter of emergency, and I ask for its immediate consideration.

Mr. PENROSE. I object, Mr. President.

Mr. HOLLIS. I hope the Senator from Pennsylvania will not object. The matter was very carefully considered in the Committee on Banking and Currency. The Senator from Massachusetts [Mr. WEEKS] took a position against the bill, but I think he is satisfied that the bill might well be considered at this time. There is no disposition to smother anything or to prevent a full discussion, but it is a matter of the greatest importance, and I appeal to the Senator to withdraw his objection.

Mr. PENROSE. This is a matter of very great magnitude, and in my opinion involves a most questionable transaction. I do not feel like permitting it to be passed without proper discussion and opportunity for examining it. Those Members of the Senate who are not on the committee have had no opportunity to look into this question, and I think there will be a good deal of scandal involved in this proposition before the Senate gets through with the discussion.

Mr. HOLLIS. Mr. President——

Mr. PENROSE. I insist on my objection, Mr. President.

The VICE PRESIDENT. Objection is made, and the bill goes to the calendar.

Mr. HOLLIS. The request was not that the matter be passed without the fullest consideration, but that the matter might get before the Senate so that it might be discussed, and if there is any scandal involved in it that it may come out at once.

Mr. PENROSE. I can not see the reason for this undue haste. These rural banks have been permitted to drift along until they have been in what is virtual bankruptcy, and no brake has been put on the slide down the precipice. It certainly seems to me reasonable that Senators who are not members of the committee should have an opportunity to look into it. I only know regarding this matter from desultory reports in the newspapers of what would seem to me to be a scandalous condition into which these banks have been permitted to drift. If the Senator has any idea that he can get unanimous consent to drive this legislation through without proper discussion and without an opportunity of calling the attention of the country to the condition which the administration of these banks has permitted them to be involved in he is gravely mistaken.

Mr. HOLLIS. I can not allow the statement to pass that there is any scandal or any bankruptcy or anything allowed to drift involved in the bill. There is no such condition. If the Senator objects to the immediate consideration, of course that settles it. He has a perfect right to do so; but I do not want his statements to go unchallenged, because they are without foundation.

Mr. PENROSE. I disagree with the Senator. Since this bill has been reported——

The VICE PRESIDENT. Either the bill goes over on objection or it is up for discussion.

Mr. OVERMAN. I ask for the regular order.

Mr. HITCHCOCK. Will the Senator from Pennsylvania agree to withhold his objection—he can make it later on—until a small opportunity is given to explain exactly what the situation is?

Mr. PENROSE. No; I intend to object in a matter of this magnitude. I have information that the banks have been wired not to make any more loans since this bill has been reported.

Mr. GALLINGER. I ask for the regular order, Mr. President.

The VICE PRESIDENT. The bill goes over on objection.

Mr. HITCHCOCK. Does the Senator from Pennsylvania insist on his objection?

The VICE PRESIDENT. The bill is either going over or it is going to be considered.

Mr. SMITH of Michigan. Regular order.

The VICE PRESIDENT. The bill goes over on objection.

EMPLOYMENT OF TELEPHONE OPERATORS.

Mr. OVERMAN. From the Committee on Rules I report a joint resolution and ask for its consideration.

I wish to say that the manager of the telephone exchange says it is impossible to do the work, and Senators know how hard it is to get connections now with the different departments. She asks for four more telephone operators during the war. The committee has passed upon it, and I ask for present consideration of the resolution.

The joint resolution (S. J. Res. 115) providing additional telephone operators for the Senate and House of Representatives was read the first time by its title and the second time at length, as follows:

Resolved, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,680 for the salaries of four telephone operators, two for the office of Sergeant at Arms and Doorkeeper of the Senate and two for the office of the Clerk of the House of Representatives, at the rate of $840 per annum each, from January 1 to June 30, 1918, both dates inclusive.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CONSTITUTIONAL AMENDMENT.

Mr. BRANDEGEE. From the Committee on the Judiciary I report back favorably the joint resolution (S. J. Res. 90) proposing an amendment to the Constitution of the United States. I ask that it may be read. It is very short.

The joint resolution was read and ordered to be placed on the calendar, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That Article V of the Constitution of the United States is hereby amended to read as follows, to wit:

"ARTICLE V.

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the legislatures of two-thirds of the several States shall

call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution when ratified within six years from the date of their proposal by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, or by the electors in three-fourths thereof, as the mode of ratification may be proposed by the Congress: *Provided*, That no State, without its consent, shall be deprived of its equal suffrage in the Senate."

ELLEN M. STONE RANSOM FUND.

Mr. POMERENE. From the Committee on Foreign Relations I report back favorably without amendment the bill (S. 1848) for the relief of contributors of the Ellen M. Stone ransom fund, and I ask unanimous consent for its present consideration.

Mr. SMOOT. It has been passed by the Senate before at the same amount.

Mr. POMERENE. The bill providing the same amount has passed the Senate four or five different times.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to return, out of any funds in the Treasury not otherwise appropriated, to such contributors, or, in the event of the death of any such contributor, to the legal representative thereof, as may file their claims within one year from the passage of this act, the money subscribed by such contributor to pay the ransom for the release of Miss Ellen M. Stone, an American missionary to Turkey, who was abducted by brigands on September 3, 1901, said total sum not to exceed $66,000.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 3236) granting six months' pay to Katharine Taylor Dodge, widow of Charles Dodge, captain, United States Army (with accompanying papers); to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota:

A bill (S. 3237) granting an increase of pension to James Dorman (with accompanying papers);

A bill (S. 3238) granting an increase of pension to Luther L. Rewalt (with accompanying papers);

A bill (S. 3239) granting a pension to R. C. Warne (with accompanying papers); and

A bill (S. 3240) granting a pension to Barnett C. Toliver, alias Charles Swartz (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington (for Mr. KENYON):

A bill (S. 3241) to amend section 4, chapter 1635, Revised Statutes of the United States, page 994; to the Committee on Appropriations.

By Mr. JONES of Washington:

A bill (S. 3242) to increase pensions of certain soldiers and sailors of the Civil War;

A bill (S. 3243) granting a pension to Charles Dohr (with accompanying papers); and

A bill (S. 3244) granting an increase of pension to Charles M. Baskett (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 3245) for the relief of Quartermaster Sergeant Herman G. Seyler; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 3248) granting an increase of pension to John Beahan (with accompanying papers); and

A bill (S. 3249) granting a pension to Franklin Polen (with accompanying papers); to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 3250) granting a pension to Margaret Dicks (with accompanying papers); and

A bill (S. 3251) granting a pension to Alphonso L. Armstrong (with accompanying papers); to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 3252) granting an increase of pension to Charles W. Cross; to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 3253) for the relief of the heirs of Ann Gregory, deceased; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 3254) granting a pension to Daniel P. Wright (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 3255) granting a pension to Frank Fessenden (with accompanying papers); to the Committee on Pensions.

By Mr. MYERS (for Mr. WALSH).

A bill (S. 3256) for the opening and settlement of a part of the Crow Indian Reservation in the State of Montana; to the Committee on Indian Affairs.

By Mr. FRELINGHUYSEN:

A bill (S. 3257) granting a pension to Barney McKay; to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 3258) for the relief of Ethel Proctor; to the Committee on Claims.

A bill (S. 3259) for the relief of fourth-class postmasters; to the Committee on Post Offices and Post Roads.

A bill (S. 3260) to remove the charge of desertion from the record of Wilbur F. Lawton;

A bill (S. 3261) to remove the charge of desertion from the military record of Alonzo W. Livingston;

A bill (S. 3262) to remove the charge of desertion from the military record of James F. Cole;

A bill (S. 3263) for the relief of Sarah De Witt;

A bill (S. 3264) to remove the charge of desertion from the military record of Harrison H. Frain;

A bill (S. 3265) to correct the military record of John Corwin;

A bill (S. 3266) correcting the military record of Abram H. Johnson;

A bill (S. 3267) to correct the military record of William Harman;

A bill (S. 3268) to correct the military record of John P. Webber, alias John J. Webber;

A bill (S. 3269) to remove the charge of desertion from the military record of John H. Armstrong;

A bill (S. 3270) to remove the charge of desertion from the record of Andrew B. McIntire; and

A bill (S. 3271) to remove the charge of desertion from the military record of Moses Chauncey; to the Committee on Military Affairs.

A bill (S. 3272) granting a pension to Arelia Gleason; and

A bill (S. 3273) granting an increase of pension to Charles M. Colby; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 3274) granting an increase of pension to Zed Culver;

A bill (S. 3275) granting an increase of pension to Thomas Haxton (with accompanying papers);

A bill (S. 3276) granting an increase of pension to Cal K. Shoemaker (with accompanying papers);

A bill (S. 3277) granting an increase of pension to Stephen Schiedel (with accompanying papers);

A bill (S. 3278) granting an increase of pension to Elnathan Wert (with accompanying papers);

A bill (S. 3279) granting a pension to Sarah F. Steele (with accompanying papers);

A bill (S. 3280) granting a pension to Elvira Jarrett (with accompanying papers);

A bill (S. 3281) granting an increase of pension to Josiah T. McKnight (with accompanying papers);

A bill (S. 3282) granting an increase of pension to Sylvester H. Gaskill (with accompanying papers);

A bill (S. 3283) granting a pension to Mary J. Maclary (with accompanying papers);

A bill (S. 3284) granting a pension to Elizabeth E. Bay (with accompanying papers);

A bill (S. 3285) granting a pension to Marshall Ray (with accompanying papers);

A bill (S. 3286) granting an increase of pension to Henry O. Pixley (with accompanying papers);

A bill (S. 3287) granting a pension to Julia A. Tucker (with accompanying papers);

A bill (S. 3288) granting an increase of pension to Abram A. Raub (with accompanying papers);

A bill (S. 3289) granting a pension to Sarah Ann Williamson (with accompanying papers); and

A bill (S. 3290) granting a pension to Mary E. Allen (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington (for Mr. KENYON):

A joint resolution (S. J. Res. 116) amending section 201 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Finance.

TAXES ON SALARIES UNDER REVENUE LAW.

Mr. STERLING. Mr. President, I introduce the bill which I send to the desk, and as it is short I ask unanimous consent that it may be read by the Secretary.

The VICE PRESIDENT. The Secretary will read as requested.

The bill (S. 3246) to amend an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, was read the first time by title and the second time at length, as follows:

Be it enacted, etc., That subdivision (a) of section 201 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, be, and the same is hereby, amended so as to read as follows:

"(a) In the case of officers and employees under the United States, or any State, Territory, or the District of Columbia, or any local subdivision thereof, the compensation or fees received by them as such officers and employees: *Provided*, That this exception shall not be construed to apply to the compensation or salaries received from the Government by Senators and Representatives of the United States."

Mr. STERLING. Mr. President, just a word in connection with this bill. I think there has been a great deal of misapprehension in regard to subdivision (a) of section 201 of the revenue law. It appears from communications which I have received, as well as from statements contained in some of the newspapers, that there is a general impression that Representatives and Senators are, under the revenue law, exempt from the operations of the income tax provided for by the law of 1917. That, Mr. President, is certainly a mistake. Representatives and Senators are liable to the income-tax law proper the same as other individuals are liable; but the clause to which reference is made is the clause relating to the excess-profits tax. This clause or paragraph provides that there shall be an exception—

In the case of officers and employees under the United States, or any State, Territory, or the District of Columbia, or any local subdivision thereof, the compensation or fees received by them as such officers or employees.

In other words, the excess-profits tax is not to apply to these officers or employees of the United States or of the several States nor, according to the interpretation put upon this provision by many, to Senators or Representatives.

Mr. President, I do not believe that it was the intention of Representatives or Senators that they should in their salaries or compensation be exempt from this tax; nor do I believe that the provision itself properly bears that construction. I think the weight of authority will be found to be to the effect that Representatives and Senators are not within the meaning of the Constitution or of this statute officers "under" the United States; and that hence it would not apply to them; but in order to settle the question of construction I have introduced the bill so that the provision I have quoted shall be construed as not to apply to Senators and Representatives; and in order that there may be no reason for holding that they are exempt from the excess-profits provisions of the act.

Mr. SIMMONS. Mr. President, I desire to ask whether the measure introduced by the Senator from South Dakota was a bill or a joint resolution?

Mr. STERLING. It is a bill amendatory of the provision of the revenue act therein referred to.

Mr. SIMMONS. I simply rise to ask that the bill be referred to the Committee on Finance.

I will state, Mr. President, that I entirely agree with the Senator from South Dakota that there is a very serious doubt as to whether the provision to which the Senator refers would release Senators and Representatives from the payment of the excess-profits tax. Of course they are subject to the income tax; there is no doubt about that; I wish to say to the Senator and to the Senate that I am inclined to think that the department will so construe the law; but I am advised that the other House, in order to remove all doubt, will probably to-day consider an amendment something in the nature of the amendment which is proposed by the bill which has been introduced by the Senator from South Dakota.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. SIMMONS. I yield.

Mr. McCUMBER. Mr. President, I can not quite understand the purpose either of the bill or of the suggestion which has been made by the Senator from South Dakota. Of course, the normal tax upon incomes provided for by the old law and reinserted in the new law applies to the salaries of all persons, including Representatives and Senators.

Mr. SIMMONS. Undoubtedly.

Mr. McCUMBER. The other law to which the Senator from South Dakota refers is simply the law relating to excess profits or war profits.

Mr. SIMMONS. Yes.

Mr. McCUMBER. Will the Senator tell me how he is going to figure a salary of an officer which has not been changed since the war from what it was before the war as constituting an excess profit? We determined our excess profits between 6 and 9 per cent, I think, as the law reads, as between what a man in business or a corporation in business was earning before the war, as compared with what they are earning since the war, and if there is an excess between those two figures of 6 and 9 per cent, that is the basis of the excess taxes; but inasmuch as there has been no excess earned in salaries, which are exactly the same, why do we need a law to cover it or to explain it?

My own opinion was that when we inserted that matter in conference—for it was no part of the original bill as it passed either the Senate or the other House—it was unnecessary and really had no meaning in the particular section of the bill in which it was inserted, that being a section which dealt only with excess profits. It was intended to exclude, of course, from the excess profits those additional sums that were granted to Government employees; but inasmuch as no additional amount was granted to these other officers, I can neither see the occasion of inserting it in the excess-profits provision or in the amendment now proposed.

Mr. SIMMONS. Mr. President, of course it is self-evident that if a salary has not been increased the general provision of the excess-profits tax would not and could not apply, because that provision purports to place a tax upon the excess earnings over the prewar period. Where there has been no increase of salary we could not possibly reach the salary of an officer through that provision of the excess-profits tax law. The only way in which a salary could be reached where there has been no increase would be to apply to it the flat 8 per cent provision, which is applied to occupations and professions having but very little or no fixed capital invested.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Idaho?

Mr. SIMMONS. I do.

Mr. BORAH. I should like to ask the Senator from North Dakota, and also the Senator from North Carolina, why section 209 does not apply? It provides:

SEC. 209. That in the case of a trade or business having no invested capital or not more than a nominal capital there shall be levied, assessed, collected, and paid, in addition to the taxes under existing law and under this act, in lieu of the tax imposed by section 201, a tax equivalent to 8 per cent of the net income of such trade or business in excess of the following deductions: In the case of a domestic corporation $3,000, and in the case of a domestic partnership or a citizen or resident of the United States $6,000; in the case of all other trades or business, no deduction.

Would not our salaries come under that provision, unless they were excepted?

Mr. SIMMONS. The Senator probably does not advert to the exception in the act; there is an exception.

Mr. BORAH. I know there is an exception; but unless that exception is sufficient, would not our salaries come under this clause, generally speaking?

Mr. SIMMONS. Undoubtedly; and I have just stated to the Senate that it was my opinion, as a result of a conference I have had with the Commissioner of Internal Revenue, that the department will hold that the salaries of Members of the Congress were not exempted under that exception clause. I do not know with certainty how that may be; but I stated that I was so advised. I do not know how the commissioner will hold; I am merely stating what impression I received after talking with him; and I stated that I was advised that the House of Representatives, or I may say another branch of Congress, with the purpose of removing all possible doubt, would probably pass some legislation on the subject to-day.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. SIMMONS. I do.

Mr. GALLINGER. I have offered a bill proposing to amend the existing revenue law by repealing that provision of it. The Senator will remember that such a provision was voted down in the committee of the Senate; it was in neither the Senate bill nor in the House bill, but was inserted in conference, contrary to every rule of this body or of any other legislative body of which I have knowledge.

Mr. SIMMONS. To what provision does the Senator refer—to the exception?

Mr. GALLINGER. To the 8 per cent tax. Now, I will ask the Senator this question: The Senator intimates that a bill on the subject is to come over from the other body to-day, and I should judge the Senator is in favor of passing it. I hope the Senator will not do that; but that he will give some consideration to the bill which I have introduced and had referred to the

committee of which the Senator is chairman. There is a great deal of opposition to that provision throughout the country.

Mr. SIMMONS. I wish to make it clearly understood that I have expressed no opinion about it, and no purpose about it. I was merely trying to state the facts to the Senate.

Mr. BORAH. Mr. President, may I ask the Senator a question before he takes his seat?

Mr. SIMMONS. Certainly.

Mr. BORAH. In view of the colloquy which has taken place in regard to this matter, may I ask the Senator if it is contemplated upon the part of his committee to deal with the revenue act in any other respect than that which relates to the matter which we have been just discussing? There has been considerable said to the effect that the committee proposes to rehabilitate that measure to some extent or to renovate it, and I ask if the Senator is informed as to what the committee is going to do about it.

Mr. SIMMONS. Mr. President, I will say to the Senator that there has been no meeting of the Finance Committee at this session; there probably will be a meeting of the committee tomorrow; but I wish to say to the Senator, most emphatically, that, in my judgment, there is no purpose on the part of the committee of this House or of the other House to attempt any general revision of the revenue act of the last session. The Senator knows, however, that the Secretary of the Treasury has appointed what he calls an advisory committee, who have been examining the law very carefully with a view to aiding the Commissioner of Internal Revenue with reference to its administration and possibly to some extent its interpretation. I understand that probably that committee will bring to the attention of the commissioner some errors and omissions and probably some inconsistencies that call for possible legislation, if they can not be removed or remedied by construction and administration. Of course, if any such case as that should be brought to the attention of the Finance Committee, I assume the committee would consider it; but as for undertaking any general revision or rewriting the law, I do not think that that is contemplated. On the contrary, I think the country has accepted the law as a very good piece of legislation.

Of course, Mr. President, no measure of as great magnitude as the revenue law, of a pioneer character and affecting so many interests, can be expected to be absolutely perfect. We have heretofore passed no general legislation of this character since I have been a Member of this body that has not called for some emendation. For instance, the act creating the Federal Reserve System, which was thoroughly discussed and debated both in the committee and in the two Houses, has required frequent emendation, and there will possibly be some amendments at this session of Congress to the revenue law; but I think they will deal only with errors, omissions, inconsistencies, and, in case a very great injustice should be pointed out as the result of rigid construction or even a liberal construction, the committee might take that under consideration.

Mr. BORAH. Mr. President, I did not anticipate that there would be any legislation which would deal with any phases of the law other than its inconsistencies and its omissions; but I do think that in dealing with those it will be necessary to go much further than has been suggested by the Senator. There are some fundamental things which were omitted from the law which I think the business of the country will require us to consider before this session closes, and I venture to say that by the time the advisory committee to which reference has been made reports to the Senator and to his committee there will be found sufficient grounds for a very general review of that measure.

Mr. SIMMONS. I am advised, Mr. President, that the advisory committee has found very little to criticize in the law.

Mr. BORAH. I have not seen any report of the committee.

Mr. SMOOT. Mr. President, of course I can not speak for the Finance Committee of the Senate, but I do want to say, in answer to the Senator from North Carolina [Mr. SIMMONS], that there is not a feeling among the business interests of this country or among the people generally that the legislation is anywhere near perfect. There is a feeling growing throughout the country—and I think it has a just ground—that the law is so inconsistent in many of its provisions that it will become necessary for Congress to amend it, if not to rewrite it.

When the conference report on the bill was before the Senate I called attention then to some of the changes that had been made in the bill by the conferees that made it almost impossible of administration. I doubt very much, Mr. President, whether the advisory committee that has been appointed can possibly arrive at their decisions before the citizens of this country will have to make the returns, and I think that there will be trouble from the very day the citizen begins to make out his return until it is finally examined by the examiners of the Internal-Revenue Department, for as the law now stands no one can tell just what it means. I can not find two persons in the United States who construe the law in the same way.

Mr. BORAH. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. I yield.

Mr. BORAH. Is not the difficulty with which the Senator is now dealing a difficulty arising from the fundamental defect of the bill? The whole basis of calculation is wrong, in my judgment.

Mr. SMOOT. Mr. President, I think that if the original bill as reported to the Senate had not been so emasculated by the conferees the business men and the citizens generally who fall within its provisions would have known how to make the required report. But the conference report on the bill which became a law was based partly on one system and partly on another system, and it seems to me that it is almost impossible of construction. I know myself that there will be a great deal of trouble in having it construed in such a way that the people generally will understand what it means. I have heard some of the best attorneys in the United States say that they have tried to come to a conclusion as to how to advise their clients to make out reports, and they say that it is absolutely impossible to do so; they can not come to any conclusion as to what the provisions of the bill really mean.

Mr. McCUMBER. Mr. President——

Mr. SMOOT. I yield to the Senator from North Dakota.

Mr. McCUMBER. The Senator will remember that in the committee I urged several times, if we could not make out a bill starting from the very bottom—from the foundation—a new bill that would take in such part as we desired to continue of the old bill, that at least we should attempt to have our experts so combine the old bill with the new bill that they themselves at least might understand it and give us some information concerning it. But the real difficulty lies in this: We ingrafted upon one bill, embodying one system of taxation, another entirely new system of taxation covering exactly the same incomes, with a thousand different ramifications, so that no person could apply one system and then apply the other system and have the two agree upon the same income, even from the same source. Until we rectify that incoherency of the several sections of the bill not only not one citizen out of ten thousand will know how to make out his report but no two of them among the ten thousand will agree.

Mr. SMOOT. Mr. President, when that bill was before the committee I was in favor of repealing all of the revenue laws that were then upon the statute books and writing one law to cover revenue taxation. But in justification of the action of a majority of the committee I will say that the idea was to leave the act of September 8, 1916, upon the statute books, and only enact such legislation as would be necessary during the war, and at the close of the war the bill that was passed at the last session of Congress was to be repealed, leaving the law of September 8, 1916, in force. That was the object of a majority of the members of the committee in having the two laws which now trouble all who have to make reports as a basis of their taxation. I believe now, Mr. President, that it would be best to repeal all of the revenue laws and write a single law so that the average citizen can understand it. If that were done we could raise just as much revenue, and even more if we desired, and have it so simple that anyone would know just what the Government required in the report.

I called attention to the fact, when it was under discussion, that the law could be written in one-third of the words of the law that was passed at the last session if we had not undertaken to keep upon the statute books the law of September 8, 1916; and in writing the law that was passed at the last session we had to refer over and over again to provisions that were covered in the act of September 8, 1916.

Mr. McCUMBER. Mr. President, can the Senator give any good reason why it was necessary to write such a complex proposition for the American people to decipher in order that we might not be put to the trouble, when we want to change it, of reenacting an old law that we could reenact with 10 words, if we desired to do so?

Mr. SMOOT. The Senator is correct, and the Senator takes the position that he took in the committee and the position that I took in the committee at the time. I think the real trouble comes from the arrangement that was agreed to beforehand that the law of September 8, 1916, should not be interfered with.

Mr. LA FOLLETTE. Mr. President, I rise to a parliamentary inquiry. I desire to know whether this discussion is proceeding

in order. I have some very definite views upon this question which I wish to submit. I do not want to begin an argument here if it will be cut off by a call for the regular order. If this discussion is proceeding out of order, so that there can not be a full and free discussion of the revenue bill enacted at the last session, its injustice, its unsoundness in principle, and its insufficiency in all respects, then I do not think we should proceed further with this irregular debate.

Mr. SMOOT. Mr. President, I recognize the fact that if the Senator from Wisconsin desires to object the discussion of this matter is not in order, although it has been before the Senate now for thirty-odd minutes.

Mr. LA FOLLETTE. I do not desire to object at this time, Mr. President, if it is understood that we may proceed here by unanimous consent——

Mr. SMOOT. That is what we were doing.

Mr. LA FOLLETTE (continuing). To a thoroughgoing discussion of the whole subject. With that understanding I would be very glad to have the debate proceed.

Mr. SHAFROTH. Mr. President, there is a bill which is the unfinished business——

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. The Senator from Michigan.

Mr. SMITH of Michigan. I will say to the Senator from Wisconsin, who has just entered the Chamber, that before he entered the Senator from North Carolina [Mr. SIMMONS] practically gave notice to the Senate that the war-revenue law would not be reconsidered here or recast, and out of that statement grew a rather harmonious discussion between the Senator from Utah and the Senator from North Dakota, during which they were trying to account for the fact that two different kinds of fruit were growing on the same legislative tree, as a result of differences between two schools of economic policy.

What I want to say before this discussion closes is this: I do not favor and did not favor that law. I did not think it was a good bill, and my feeble voice answered "No" here in the viva voce vote on the bill. There were only a few of them, however, as I recall. But there is a feature to that law to which I think public attention has been appropriately directed and which ought to receive encouragement and emphasis from the floor, and that relates to the exemption from taxation of the salaries of Members of Congress. Where did such a proposition come from, in the name of Heaven?

Mr. SMOOT. Conference.

Mr. SMITH of Michigan. When everybody is being taxed, where did such a proposition come from? In what brain was it born? How did a provision exempting from taxation the salaries of Members of Congress ever find its way into an act? I do not believe there is a single Senator on this floor who would for one moment knowingly vote for such an exemption; yet through this very novel and illegal method of procedure, as far as the rules of the Senate are concerned, we turn over the Senate bill and the House bill to conferees, and they amend it to suit themselves.

So far as I am concerned, I am sick and tired of that practice. Legislation by conference committees is not legislation at all. I know the Senator from Utah has criticized it, but the Senator from Utah was on the committee, and I have heard him again and again protest against it.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Kansas?

Mr. SMITH of Michigan. I do.

Mr. CURTIS. I should like to suggest to the Senator that I have proposed an amendment to the rules that will allow a Senator to make a point of order against such a provision, and I am glad to say that the Committee on Rules has agreed to report on that amendment early after the holidays.

Mr. SMITH of Michigan. I commend the amendment of the Senator from Kansas; but if we had depended upon that amendment here I doubt very much whether this provision would have gone out of the bill.

Mr. CURTIS. It would have been subject to a point of order.

Mr. STERLING and Mr. KNOX addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Michigan yield, and if so to whom?

Mr. SMITH of Michigan. I know it would have been subject to a point of order, but it was surreptitiously put into the act.

Mr. NORRIS. Mr. President, may I make a suggestion to the Senator?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Nebraska?

Mr. SMITH of Michigan. Certainly.

Mr. NORRIS. Even without the amendment suggested by the Senator from Kansas, which I am glad to say will perhaps make it plainer and more emphatic, it is a parliamentary rule that as far as I know has no exception in any parliamentary body that conferees have not any right to put into a bill that which has not passed either of the two Houses that they represent. That is part of our rules, without any provision on the subject.

Mr. SMITH of Michigan. The function of conference committees is a question of reconciliation between the two Houses. That is their function, reconciliation only, and they have no more right to originate legislation than one of the page boys.

Mr. CURTIS. Mr. President, the difficulty is this——

Mr. PITTMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. PITTMAN. Has the morning business been closed?

The PRESIDING OFFICER. It has not. This discussion is proceeding by unanimous consent.

Mr. PITTMAN. I make the point of order against it.

The PRESIDING OFFICER. The point of order is well taken. The introduction of bills and joint resolutions is still in order.

BERT H. CLARK AND OTHERS.

Mr. STERLING. I introduce a bill for reference to the Committee on Public Lands.

The bill (S. 3247) for the relief of Bert H. Clark, Maud A. Graham, Grace A. Graham, Lee Hurley, Emma I. Gordon, Mabel H. Dwight, and Nellie A. Pardy was read twice by its title and referred to the Committee on Public Lands.

Mr. SMITH of Arizona. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SMITH of Arizona. As I understand, these private bills can be handed to the Secretary without formal introduction.

The PRESIDING OFFICER. The Chair is advised that this is not a private bill.

Mr. SMITH of Arizona. Then I beg the Senator's pardon. By hearing the title, I thought it was. Anyway, I wanted to call the attention of Senators to the fact that all private bills ought to be handed to the Secretary.

Mr. GALLINGER. They can be if we wish to do it.

The PRESIDING OFFICER. Concurrent and other resolutions are in order.

REMOVAL OF SNOW AND ICE IN DISTRICT OF COLUMBIA.

Mr. POINDEXTER. I submit a resolution and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 169) was read, as follows:

Resolved, That the Commissioners of the District of Columbia be, and are hereby, directed to inform the Senate what measures, if any, have been taken under their authority, or by their direction, for cleaning ice and snow from the sidewalks of the city of Washington; and if no measures have been taken, to inform the Senate the reasons for failure to take action in that regard.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. GALLINGER. Mr. President, I will not object to this or any other resolution seeking information, but I think if the Commissioners of the District of Columbia undertake to remove the ice from the streets of Washington at the present time they will need a much more liberal appropriation than we have given them to do it. I think it would be an impossibility for the Commissioners to accomplish that task.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

Mr. POINDEXTER. Mr. President, just a word in that connection, with reference to the suggestion of the Senator from New Hampshire, who for a long time was chairman of the Committee on the District of Columbia, that the commissioners would need a more liberal appropriation than is now afforded them if they are to clean the ice and snow from the sidewalks.

I will say that the manner in which the ice and snow ought to be cleared from the sidewalks is by a regulation of the Commissioners of the District of Columbia under the existing law, if the present law authorizes it, or, if not, under a law which ought to be enacted requiring the occupants of all premises that are occupied to clean the snow from in front of their premises. Almost every other intelligently governed city in the country has such a regulation; and if the occupants of premises do not remove the snow and ice from the sidewalks in front of their premises, then it ought to be removed by the public authorities and the cost of removing it taxed to the premises occupied.

I had assumed, from the enormous extent of smooth ice of a dangerous kind in front of premises, that probably there has been some object in keeping it there instead of an effort to remove it; but if it is intentionally done through some deliberate public policy I want to say that it is a pretty expensive proposition. I do not know whether it is done in complicity with enemies of the country; but if some pro-German influences had conspired to injure the military forces of the United States, they might well have adopted this plan. I know military officers who have been seriously crippled—men whose services are of importance in the preparation for the waging of this war—long before they had any opportunity to get on the battle front, by attempting to walk on the sidewalks of the city of Washington, and falling upon the smooth ice which covers the greater part of them.

I should like in that connection also to call the attention of the Committee on Rules—I think that is the committee that has jurisdiction of it—to the steps leading into the Senate Chamber and to the Senate Office Building and inquire of them what regulations have been made by the Senate for the supervision of the property under its jurisdiction to make it at least reasonably safe to get into the place where it and its Members transact business. They apparently have adopted the plan of putting gravel on the ice. I do not know what the purpose of that is. It is just as easy to sweep snow off the steps as to go and get gravel or coal cinders and put on it and wait until accidents have happened, or the snow has melted, and then sweep off the remains of that and clean off the gravel and cinders and carry them away. As a matter of fact, the much-boasted government of the Capital of the Nation—and it has good grounds for boasting of its efficiency in many respects—has left the sidewalks of the city in a condition that would be disgraceful to a frontier mining town.

Mr. DILLINGHAM. May I interrupt the Senator?

Mr. POINDEXTER. In just one moment, just to make one further comment, and then I shall be glad to yield to the Senator. There is not a city in the country outside of the city of Washington that I know of that has not had to pay for damages out of the city treasury for accidents to people falling and either killing themselves or crippling themselves, sometimes for life, upon smooth ice which has been allowed to accumulate and remain from day to day upon a sidewalk. Wherever the responsibility exists—and it exists somewhere in the government of this city—it has a duty which it owes to citizens who have a right to walk upon public streets to make those streets reasonably safe for that purpose; and they are not in that condition to-day. A good many people in the last few days have been subjected to pain and suffering and to being crippled by reason of the unsafe condition of the sidewalks, due to the ice that has accumulated on them.

I yield to the Senator from Vermont.

Mr. DILLINGHAM. I wanted to say, in view of the criticism the Senator is making of the streets, that at different times in the history of legislation there have been two acts passed by the Congress to remedy this evil, and both of them have been held to be unconstitutional under the decisions of the court of appeals of the District. Two or three years ago another bill was introduced into this body and came out of the committee of which the honorable Senator from New Hampshire [Mr. GALLINGER] was then chairman, which was believed to be constitutional and would reach the evil which the Senator from Washington is complaining of. It was intended to place the responsibility upon the abutting proprietors. That bill has twice passed the Senate, but never has passed the House of Representatives, and so far as I know has never been reported out of the committee to which it was referred. I want that fact to appear, that the Senate has already passed such an act.

Mr. POINDEXTER. I am very glad the Senator has given the information. I should like to ask the Senator from Vermont if, in view of those decisions and of the fundamental law of the District, he claims that it is unconstitutional to remove snow from the sidewalks of this city?

Mr. DILLINGHAM. Not at all.

Mr. POINDEXTER. That is the only question that is involved. If it is not unconstitutional to do so, there certainly can be a way found to do it.

Mr. DILLINGHAM. In the bill that was passed by the Senate it was believed a method had been found that the courts would be compelled to respect.

HOUSE BILLS AND JOINT RESOLUTION REFERRED.

H. R. 7237. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, was read twice by its title and referred to the Committee on Post Offices and Post Roads.

H. R. 7634. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, was read twice by its title and referred to the Committee on Pensions.

H. J. Res. 174. Joint resolution for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy, was read twice by its title and referred to the Committee on Patents.

MINING OF COAL, ETC., ON THE PUBLIC DOMAIN.

Mr. PITTMAN. I ask unanimous consent that the unfinished business, Senate bill 2812, be laid before the Senate and proceeded with.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.

Mr. LEWIS. Mr. President, this is an oil bill. Oil is very smooth matter, and I wish to address a few remarks to what it occurs to me has been the object of smooth proceedings, which I feel not altogether foreign to an oil bill—it is itself a sleek movement. At the outset I should say that I have no objection to what appears to be the provisions of this particular bill; but, Mr. President, I want to consume one or two moments to bring attention to what I think might attract the public as from this body.

Already there has set upon Congress a fever of investigation. We remember that Hamlet bemoaned that the world was out of joint and despaired and deplored that he was chosen to set it right. At certain periods of our country there ever arises a certain set of gentlemen who conceive to themselves that Heaven has delegated them as the particular emissaries to the earth to readjust all matters and to assume to set everything right which they feel is out of joint. That is a commendable pursuit, and on the part of those who have any qualifications to perform it meets my hearty approval. But, sir, it has fallen to my lot in the uneventful era of public life that I have enjoyed to note how many ill-advised spirits enter upon the general undertaking of correcting all the ills of mankind, and particularly to observe those who feel that they are Heaven inspired to drop the intimation that all mankind except themselves are either corrupt or ignorant.

In every instance where there has been any conflict between this Government and any other Government that led to war, or indeed within the Government itself, there were gentlemen who would canter to the front of the stage and view themselves in the reflectory of the spot light, and among these there would arise those who felt it their privilege to intimate every form of charge that could suggest scandal upon officials of the Government or reflections of dishonor or incompetence upon the administration, whatever might be in power.

Mr. President, it is a commendable task to investigate anything with which the public are concerned. If there be anything wrong, it ought to be revealed; it should be divulged and promptly condemned and its perpetrators execrated by public opinion or punished by the processes of the law. If, however, sir, the motive of these investigations, wherever they arise, is to gratify the private grievance of some competitor of business or to vent the vengeance of some disappointed aspirant for military or naval honor, or, sir, to give glamor and notoriety to certain sets of individuals who like to pose as correcting the evils of mankind and seek to be known as the author of all forms of disruption, dismay, and confusion, such should be carefully reflected upon before an investigation stimulated by such agencies should be undertaken.

Mr. President, this morning in every diplomatic court of Europe, I am permitted to say upon the credit which Senators have for the information communicated by another Senator, we are being held up as having discovered in our Government frauds in the undertakings of our supplies, crimes on the part of the officials who administer the Government, weakness and incompetence on the part of the administration conducting the war. Second, we are in certain imperial capitals this morning advertised as a people whose citizenry have arisen in revolt against the manner of the conduct of the war. It is charged that the country has discovered that it has been tricked in one quarter and betrayed in another, and that the spirit behind the conduct of the war has been greatly weakened by the disclosures of how money has been made out of the enterprises of

the military and of the civil departments of the Government. This is being spread as proving the charge which has been made against America in certain quarters that "money grubbing" was the principal object of our life and the real purpose which led us to the declaration of war.

Mr. President, if these things were true, I and my brother Senators would be the first to leap to see that the investigation led to the very final end of any discovery and of all the facts that could justify the imputations. But where I am confronted, as I am at this hour and as is almost every other citizen, with the knowledge that the imputations are born of no fact that has been shown to exist and that the insinuations against the officers of the Government are springing from no act that has been shown to have been perpetrated, I am compelled in my place to advise the Government to move cautiously and the people to reflect considerately and Congress to act with deliberation, lest we do wrong to those in power, injustice to those administering the offices of the Government, and visit a hardship upon those executing severe tasks in this solemn hour. We must not hasten to embarrass the officials in their discharge of duties and finally bring such reflection upon our own citizenry that for years they will be unable to absolve themselves from it, and that, too, without the slightest foundation of fact or justification in acts for it.

Mr. President, may I be pardoned, sir, for adverting to it, a personal experience. I was a Member of Congress just before the Spanish-American War, as was your distinguished self, Mr. President [Mr. KING in the chair], and as were many colleagues in this body who were likewise Members then of the House. These will admit, with me, that we saw the beginning of the imputation hurled against officers of the Government then under the McKinley administration. These accusations, as time devolved, had no real foundation, and was so established in the final result. It fell to my lot to render an insignificant service as officer in the Spanish-American War, being then a colonel of a State guard. I returned to Congress after the war, and there, sir, I had occasion, as many of my colleagues sitting around me (some who were in the Senate at that time and others Members of the House) to see what was the aftermath of those general wholesale accusations, and what were the facts, and what was the final result upon the Government.

Sir, let us reflect upon the time to which I allude. The charges then hurled against the War Department drove Gen. Shafter, who was then in command of transportation and supplies, into a condition of confusion and demoralization by which his whole service was of no utility whatever to the Government. We were left in a state of complete disorganization, and yet it developed, after that distinguished soldier passed to his grave and when the final result came, that there was not that which could mar him with a shade much less with a cloud.

Gen. Alger, the then Secretary of War, was driven, sir, into sickness and then to political suicide by withdrawing from every political honor, notwithstanding the fact that at the conclusion of all the investigation, at the end of all the intimations, his character came out without the suggestion of a dishonorable deed, or, sir, without the insinuation of his knowledge of a dishonorable or dishonest act by others.

Ludington, then head of the supply department, was held up and cauterized before the country as having some qualities of irascibility of temper, coupled with an inefficiency of service, and a participation in dishonesty of conduct. He passed to his grave in sadness if not in dishonor, yet when the final result came forth it disclosed that there was not an act in existence for which he could have been held responsible. Yet his whole life in his generation was tainted with those unjust intimations.

What was the final result? Senators about me will recall, and, in order that they may be guided by it, it developed, we repeat, that certain profiteers in the Government had taken advantage of the officials of McKinley's administration, which, in its great hurry and responsibility, could not have had an opportunity to investigate every incident. There were a certain set of men in that time availing themselves of the opportunity to take advantage of that administration, as a class of men are ever to be found in every Government to take advantage of any administration in any crisis, and ever succeed in overreaching the Government; in imposing upon the Government by putting supplies upon their country that were decayed; powder that was deficient, if not wholly fraudulent; armor plate and other conduct, if you please, sir, that were a reflection upon the honor and integrity of the whole Nation.

Secretary Long, then, of Massachusetts, upon whom reflections came from quarters which were never justified, was disclosed afterwards as bearing no more relation to the subject of complaint than a man upon foreign soil who had never seen the American Continent; yet, sir, these reflections were permitted to rest upon these distinguished men, and they passed into the end of their life, receiving in after days just credit due when it was too late to remedy a wrong unpardonable.

Mr. President, I ask that no man in this administration of any nature, whatever be his politics, escape from any investigation necessary to disclose what he has been doing and all the conduct relating to his public business. I ask that no guilty man be permitted to escape, whether that guilt be a crime, inefficiency, or mere neglect. But I do demand, sir, that we pause at this threshhold and, remembering the history of the past, either in the Civil War or following it or the Spanish-American War and following it, of which we have knowledge, that it may admonish us that we, at the outset, refuse to be stimulated and hastened by a sentiment of scandal mongery and sensationalism to enter into things that will reflect upon the integrity of honest business men or upon the honor of competent officials or upon the efficiency of men who administer this war, particularly when doing such we merely gratify the desire of those who would use the occasion to satisfy personal grievances of their own. We would leave the outside world to misunderstand, to misapply, and to construe all of such course as a certificate on the part of our Republic of a want of confidence in those who are conducting the war, and it would leave our opponents in Europe, our enemy, Germany, and the civilized world generally to conclude that America has risen up in revolt against her officials, in accusation against her war officers, and besmirching her own people upon the assumption that they have been guilty of something and shown to have been responsible for crimes and conduct unworthy of a patriotic people.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Massachusetts?

Mr. LEWIS. Gladly.

Mr. WEEKS. I wish to ask the Senator if he thinks any such investigation has been undertaken. I ask particularly because the Military Committee of the Senate is making an examination of the War Department, which, I understand, has the full approval of the Secretary of War, and it is being done in order to obtain facts very largely to consider in connection with the appropriation bills which will come before Congress. I have not heard that there was any criticism of that examination or of any other, and I am asking the question whether the Senator has any basis for the address he is making.

Mr. LEWIS. Mr. President, I am sure the Secretary of War has never objected to that investigation, nor will he be found ever objecting to any form of investigation. I answer the Senator to say that no members of this administration, who are called Democrats, or that eminent set of men that they have brought in to aid in the conduct of the war, called Republicans, are objecting to investigation, either upon the ground of present self-preservation or because they fear its future disclosures. What I want the distinguished Senator to understand, as every other Senator understands, is that which I am striking at. It is that, however we may enter upon an investigation, we ought to really pause at the threshhold to inquire as to two things: Are there foundations of fact that justify entering upon it in order that we might not carelessly rush into investigations from which there may be drawn conclusions such as now are drawn and published all over Europe; second, that we consider the man behind the investigation, wherever he is, his object in inciting it. Then, sir, that we go further to inquire of the motive behind the man who undertakes to incite or initiate these forms of investigation at the hands of the public agencies of the Government——

Mr. GALLINGER. Mr. President——

Mr. LEWIS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I will ask the Senator from Illinois if those very facts will not be developed by any investigation that may be held? I will furthermore ask the Senator if he finds any reason for objecting to the investigation that a Democratic committee is making of the coal and sugar situation as it exists to-day? Some of us believe that those matters ought to be inquired into, calmly and dispassionately, and that a report ought to be made to Congress as to what has been found in connection with them.

The situation is very serious; it is inflicting incalculable discomfort upon multitudes of people. I saw this morning a poor woman, with tears running down her cheeks. Upon inquiring what the trouble was, she said: "I have not a pound of coal in my house, and I can not get it." If that is the condition which exists to-day to any considerable extent, surely a committee of Congress is justified in looking into the matter, making a report, and pointing to a remedy, if one can be found. There are two investigations going on, both headed by eminent Democrats, and

I can not believe that they have any purpose of smirching the administration or of giving aid and comfort to the enemies of the Republic.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Iowa?

Mr. LEWIS. I will yield in a moment.

Mr. KENYON. I want to make a suggestion to the Senator from New Hampshire at this point.

Mr. LEWIS. Then, I yield.

Mr. KENYON. I want to suggest to the Senator from New Hampshire that the resolution for the investigation of the coal and sugar situation was introduced by the senior Senator from Massachusetts [Mr. LODGE], who certainly could be accused of no ulterior purpose in those matters.

Mr. GALLINGER. I am quite aware of that fact.

Mr. LEWIS. Mr. President, before replying to the Senator from New Hampshire [Mr. GALLINGER], there is no objection from any source to investigation, I answer the Senator directly; certainly not. Mr. President, it is not accurate, however, to state that an investigation anywhere is before any Democratic committee. The investigation is before a committee of the Senate, composed of Senators representing both political parties.

But what I will have the able Senator from New Hampshire to understand is this: I say certainly the situation as to coal should not only be investigated, but the evils, which we gather from the public press are being suffered by so many, should be remedied if there is any way in the world to do it. The same must be said of sugar or of any other necessity.

Mr. President, what I am alluding to is the fear that must be drawn by anyone who reads but the public press and sees what is transpiring. It is, sir, that there will unnecessarily go forth the impression that these investigations, instead of being what the Senator from New Hampshire [Mr. GALLINGER] correctly characterizes them, as they should be—a calm and careful investigation of facts—will take at the outset the coloring of imputations of offense against officials and against public servants, leaving that impression in foreign countries from where—the final result never being understood—we will be stamped as either inefficient or dishonorable.

I wish to say, sir, that I rose merely that I might by the past experience attract the attention of the Senate and of the public to the method in which these investigations are invariably begun, not so much by the public agencies, such as the Senate, from knowledge had by themselves, but stimulated oftentimes by designs on the part of certain persons who wish to gratify their private grievances, or from the Army and Navy oftentimes through some disappointment, and to put upon others wholly innocent the imputation of a wrong that never exists. To avoid that kind of result I merely invite the Senate's attention to what has transpired about them.

Mr. President, 11 months ago England entered charges against certain officers in government. All over the United States the charges were circulated in the press that those officials of the English Government were guilty of things which in other tribunals would receive designations personal and regrettable. We have never seen what was the outcome of that investigation. Not a man of those charged has been found guilty of any offense; not one of them has been held up before the public, based upon any truth or fact, as unworthy; and yet there has never been removed from the public American mind imputations against them.

Sirs, I ask your attention that in Canada a few months ago charges were made against officials of the Government in matters of investigation, leaving to our minds and thought that criminals in the administration of Canada had perpetrated offenses for which they should go to the penitentiary, and that those were officials of the Government. From that day to this, sir, we have seen no corroboration of the charges; there has been no conviction of the men; there has been no justification for the imputations. I invite the Senate's attention to that final result.

Sir, it surely is in the mind how in France but a short while ago a cabinet went to pieces and fell as a house of cards under charges stimulated by certain persons outside that found their way to the public halls of their legislation. The cabinet went to pieces; it was succeeded by others. Up to the present day, sir, we have had no final report. The imputations against the Government rested on rumor. We now discover that one of those officials who was formerly charged was taken from what was supposed to be a political obscurity, and to vindicate his life he has been made practically the premier of the Government. It is because I wish to avoid those unnecessary imputations on our own Government at the outset, against whoever may be involved in an investigation, I beseech the Senate and warn the public that we do not fall into that offense of making reflections upon the character of officials, imputations upon his undertakings, where there has been no evidence to justify and no proof to sustain. I beseech that these investigations shall continue; that it be undertaken calmly as to facts; that the facts be divulged; that remedies, wherever they can, be applied; but that we shall withhold gratifying any man or men who have either private business grievances on the one hand or disappointed aspirations to avenge and gratify on the other, to stimulate investigations or to accept them as legitimate authority in circulating reflections and accusations that can so easily be asserted and at the end, sirs, never be proven.

Mr. President, I do not seek that any man shall be exempt; I trust none shall be; I trust there will be a full and a complete investigation of every department of this Government as to what it has done for the public, what is being done connected with the Army, what as to its supplies, what as to all officials; but that it shall be conducted with the object of disclosing the truth, the facts, and not, sir, for the purpose of using the investigating committees of Congress as a forum in which business competition, the rivalry of competitors, or the vengeance of disappointed officials may be gratified. Let the maxim be, sir, "proceed," and let the theory be that no guilty man escape, but that no innocent man suffer.

Mr. POINDEXTER. Mr. President, I shou'd like to ask a question of the Senator.

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Washington?

Mr. LEWIS. I am about to yield the floor, but I yield to the Senator from Washington.

Mr. POINDEXTER. Aside from any inquiry as to crime or malfeasance in office of an official, which the Senator has animadverted upon, I should like to inquire of the Senator, really for the purpose of getting his view, whether or not he objects to an inquiry, for instance, into the question as to whether or not an official or a department has used due diligence in carrying out the acts of Congress in making preparation for the war? I have read in the newspapers some reports about the investigation conducted by the Committee on Military Affairs—and I assume that that is one of the things the Senator has in mind—as creating a bad impression in the governments of Europe; but in so far as I have read in the newspapers any report of the proceedings there, it has dealt with evidence tending to show lack of diligence, undue delay; and it seemed to me that that, at least, was a proper subject of inquiry. I should like to know where the Senator would draw the line.

Mr. LEWIS. Mr. President, I answer the Senator from Washington fully—and the inquiry is a competent one—that, far from objecting to an inquiry to ascertain if there has been diligence, I would inaugurate one; I would inspire one; I would stimulate one; I would do everything I could to have one, and have the results disclosed to the public; but I would see that it was known to the public that the investigation was honestly to ascertain the diligence of service and to betray and expose to the public the full extent of its absence. On the other hand, I would do all I could to prevent an investigation that had that for its outward reason of public good but for its inward reason the real purpose of seeking in some way, by intimation and insinuation, private vengeances, and to besmirch the honor of a man or reflect upon the servants of the country.

Mr. KENDRICK obtained the floor.

Mr. SWANSON. Mr. President, will the Senator yield to me for just a moment?

Mr. KENDRICK. I yield to the Senator.

Mr. SWANSON. I desire to offer some amendments to the pending bill, because I expect shortly to be called away from the Chamber. I understand the Senator who has charge of the pending bill has agreed to eliminate from the bill all reference to the naval reserves which were set aside to obtain oil for the use of the Navy. I have very carefully drawn the amendments, and, if the Senator from Wyoming will permit me, I should like to offer them and have them adopted at this time. It will take but a few moments.

Mr. BORAH. Mr. President, I do not desire to unnecessarily interfere with the expedition of this bill, but this is a bill of tremendous moment to the western people. While it may be that the amendments about to be offered by the Senator from Virginia are appropriate, and at the proper time should be adopted, I do not want to consent to their adoption at this time. I want the consideration of the measure to proceed regularly, so that we may know precisely what we are doing. There is no measure before Congress, except those which have to do with the war, that is of so much concern to our people as is this bill.

Mr. SWANSON. Mr. President, if the Senator will permit me, my idea was to eliminate from the provisions of this bill all

reference to naval reserves, to provide that this bill shall not touch them at all, the idea being to introduce a bill later on dealing with these lands which the Government needs. The other phases of the bill are not touched at all by the proposed amendments, but if the amendments are adopted, the provisions of the bill will apply to all lands now covered by it except naval reserves.

Mr. BORAH. Mr. President, I dislike very much to interfere with the Senator's program, but in view of the fact that we are dealing with this bill rather unexpectedly, upon my part at least, I am not in the position to consent to the request until I know the effect of the amendments.

Mr. SWANSON. Mr. President, I withdraw the request and simply ask the Senator from Wyoming to permit me to offer the amendments at this time, which I think I have the right to do.

Mr. BORAH. If that is the purpose, I have no objection whatever. I thought it was the intention to have the amendments acted upon without debate. I have no objection whatever to having the amendments presented and having them printed; in fact, I should like to see the bill in print in its entirety before I vote on it.

Mr. LODGE. Mr. President——

Mr. SWANSON. I yield to the Senator from Massachusetts.

Mr. LODGE. I merely want to say to the Senator from Virginia that he knows I am very anxious to conserve the oil lands for the Navy, but I was told that an amendment was proposed which would simply wipe out a number of people who in good faith and before the land was reserved for the Navy invested large amounts of money there, and that the amendment proposed to cut them out entirely and completely confiscate and destroy all their property. That I do not think is fair, but I have had no time to examine the amendments. I have been otherwise engaged.

Mr. SWANSON. Mr. President, if the Senator will permit me, the amendment does not affect their rights one way or the other. It simply eliminates from the provisions of this bill every allusion to naval reserves, leaving that matter to be brought up in a subsequent bill, by providing that nothing in the bill shall in any way affect the naval reserves which have been set aside for the use of the Navy. It is not proposed to affect the rights of any individual at all.

Mr. LODGE. But as the Senator knows—he has seen the maps, as I have—there are wells in the naval reserves that were worked in good faith before the lands were taken over by the Government. Now, we ought not to destroy those people and give them no compensation.

Mr. SWANSON. I have refused to accede to a change that will either add to or subtract from the rights of those people. Amendments have been offered to the bill to try to affect rights under existing law, but I have insisted that we ought not change existing law to perfect or detract from the rights now possessed by anybody. This bill would, to some extent, affect the rights in naval reserves of people who have entered lands there, either adding to or subtracting from their rights. So as not to interfere with the passage of this bill those in charge of the bill have agreed to leave out all reference whatever to the naval reserves, the pending bill to be followed by a subsequent bill affecting those reserves. However, I will not interfere with the speech the Senator from Wyoming has to make, but I should like to offer the amendments. I simply ask to have them filed at this time and will state that I shall offer them later.

Mr. GALLINGER. Will the Senator have them printed?

Mr. SWANSON. I offer the amendments and ask to have them printed.

The PRESIDING OFFICER. The amendments will be printed and lie on the table.

Mr. BORAH. Mr. President, may I make a suggestion before the Senator from Wyoming proceeds?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Idaho?

Mr. KENDRICK. I yield.

Mr. BORAH. Is it expected by the Senator in charge of the bill that we will be able to dispose of it before we recess for the holidays? I have understood that we are going to recess to-morrow. I was not present this morning, being compelled to be in the Supreme Court, but understand a resolution to adjourn was acted upon.

Mr. PITTMAN. I will state, Mr. President, that I had hoped that the bill would be acted upon to-day. There is no new question involved in it except the question which the Senator has just been discussing with the Senator from Virginia, namely, the elimination of the naval reserve from the provisions of the bill.

Mr. BORAH. I realize, Mr. President——

Mr. PITTMAN. If the Senator will pardon me for just a moment, there is a separate bill which the Senator from Virginia has in his possession and which he has shown to me dealing with the lands in the naval reserve, private property as well as public property. It is his intention to introduce that bill and to have it submitted to the Committee on Naval Affairs. It is for that reason that the members of the Committee on Public Lands are willing to exclude from this bill the lands in the naval reserves.

Mr. SWANSON. I will say to the Senator, if he will permit me, that the bill that is prepared was not such as we approved entirely, but it is to allow the Government to condemn the lands in these naval reserves, to use the oil, and to pay for them as it does when it condemns other lands. I had purposed to offer that as an amendment to this bill; but since it has not been perfected, and I desire to see all parties interested—the Attorney General, the Secretary of the Navy, and the people whose rights are involved—it was decided that it was better to let that bill go over and be prepared during vacation and be introduced and referred to a committee, to be discussed and considered. With that understanding, it has been agreed that every reference in the bill to the three naval reserves will be eliminated and a provision put in there striking out the language that applies to them, and then have a provision that nothing whatever in this bill shall be construed as referring to the naval reserves.

Mr. LODGE. And that carries with it all the private claims within the reserves.

Mr. SWANSON. All of them; so that it can not affect the private claims or the Government claims at all. All of that is to be settled by a separate bill, to be prepared and introduced later.

Mr. BORAH and Mr. SHAFROTH addressed the Chair.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from Wyoming yield, and, if so, to whom?

Mr. KENDRICK. To the Senator from Idaho.

Mr. BORAH. Mr. President, as I understand, we have passed a joint resolution to adjourn to-morrow. The result of it will be that we will consider and pass a measure which fixes the policy for some 8 or 10 States of the Union with some 10 or 12 Members of the Senate present. It is altogether probable, I admit, that the bill will finally pass in its present form. I have reason to suppose that from inquiries and investigations which I have made; but it is rather discouraging to those who feel very sincerely that there is a fundamental wrong being done to the Western people by reason of this bill to be compelled to discuss it and consider it when those who should vote upon it are out of the city or preparing to leave the city.

While I rather admire the zeal of the Senator in charge of the bill, I do not myself think that this bill ought to pass to-day. If we can not have a consideration of such measures as this by the entire Senate, it is scarcely worth while for us to be here at all.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Colorado?

Mr. KENDRICK. I yield to the Senator.

Mr. SHAFROTH. I should like to say to the Senator from Idaho that this matter has been considered by the Committee on Public Lands for four years. I have been very violently opposed to one feature of the measure; but inasmuch as compromises have got to be made in order to get any legislation through, there was a compromise made by the members of the committee with relation to this bill, and I think the western Senators will be satisfied with it.

I feel there ought to be consideration if it is necessary, but attention has been given to it day after day and week after week, and I do believe that we have gotten a measure which will be satisfactory even to the Senator from Idaho.

Mr. BORAH. Mr. President, I have very great confidence in the judgment of the Senator from Colorado with reference to these matters, and I confess that I was lulled into security by the thought that the Senator from Colorado had approved this bill, but I took the bill home Saturday night. Since that time I have been reading it and studying it, and the fundamental principle in this bill—the thing which was in all former bills, I should say—is now in this bill, and that is the question of leasing all the natural resources of the public lands in the West. Now, it is said—I will detain the Senator only a moment—that in the bill there is a provision which permits of an alternative policy of sale. It is technically there, but as a matter of fact it is a dead letter except the law be executed by some one who is in favor of sale. If the Department of the Interior does not see fit to indorse the principle of sale,

there need not be a single piece of this public land sold, and all of it can be reduced to a leasehold condition.

Mr. SHAFROTH. Mr. President, while an excessive opponent of permitting any lands to be sold might obstruct in some way the operation of this law, I take it that the officers of the United States Government will attempt to carry out the express mandates of the bill. There is a provision there that when a man makes application to purchase, the land shall be put up at auction and sold.

Mr. BORAH. I will not detain the Senator from Wyoming longer now; but when we come to discuss this bill, I should like to see the provision which compels the Secretary of the Interior to sell a single foot of land if he does not want to do it.

Mr. SHAFROTH. I think it is in the first section there relative to coal lands. The Senator will find that it is there.

Mr. KENDRICK. Mr. President, as you have already heard, the measure now under discussion has claimed the attention of Congress for a period of at least four years. Two bills of similar character have at different times passed the House, and one, at least, has passed this body and failed in conference. The measure is practically unchanged from those that have passed, other than in the fact that, in my judgment, it provides greater protection for those who have located upon oil and coal lands than any other bill that has been presented here.

No State in the Unioif will be affected to a greater degree by this measure than my own State of Wyoming, and I feel that I would not be doing my full duty toward that Commonwealth or toward this body if I did not take this opportunity to give expression to the opinions on the great subject here involved which I believe are held by a large majority of the people of my State.

It has seemed to me particularly appropriate that this measure should be brought before this Congress, and that it should here receive legislative sanction, already too long delayed. It is a measure that in many ways is a radical departure from our traditional land policy, but it comes at a time when many world traditions are being broken and when the new and revolutionary practices that are being adopted as temporary expedients point the way to permanent changes in our economic and industrial life. The new method of administering the natural resources of the country outlined in this measure is, in my judgment, conservative, when compared to some of the new policies that are coming with the war. But just as the conditions of the war have taught us the need of a better system of distribution, a better system of taxation, a more equitable division of the privileges and burdens of Government, they have deepened the conviction that it is unwise and even foolish to allow the natural resources of the country to pass without restriction into private hands in which they not only may be but frequently have been manipulated and controlled to the detriment of the Nation.

Mr. President, this bill offers a plan of conservation which has unhappily been delayed for more than 100 years. Had the principles which are here laid down been adopted when our Government was first established, development of our resources might to a certain extent have been delayed in the beginning, but the eventual use of the Nation's natural wealth would have been along such broad and comprehensive lines that we would not to-day be vexed by many of those problems growing out of private and arbitrary control of natural wealth, which have occupied the attention of this body since the beginning of the war. We would not be worrying to-day over maximum and minimum prices, over production and distribution, over speculators and dictators, if the principles of this measure had guided our development from the beginning.

Do not misunderstand me as suggesting any reflection on the leaders of the past. During the early days of the Nation, while the original States were being occupied and settled, it was impossible for even the far-sighted statesmen of that time to have foreseen the enormous increase of population and the great industrial development of the present age. The statesmen of the past are not to be blamed for their failures to foresee the great growth of their country, and the serious consequences that would flow from a policy permitting the concentration in private hands of power over the Nation's resources. Theirs was a different light and theirs a different viewpoint from ours, but the legislators of to-day can plead no such excuse. From our own experience we know the powers and the evils of monopoly. The statesmen of the earlier years failed because they did not have the evidence. We have the evidence, and having it, if we fail there will be none to defend us in the future.

With this brief introduction, Mr. President, permit me to call the attention of the Senators to the resources the Nation has to conserve and to the divergent theories now advanced as to how they should be administered.

I believe that the tremendous benefits that will inure to the people and to the country from the enactment of this measure are but dimly understood, because there is a very false notion abroad with respect to the amount of our natural wealth still included in the public domain. The general assumption seems to be that the Nation is now dealing with the fragments of a once glorious heritage, and in some quarters there seems to be a disposition to cultivate the belief that so little is left as to make it scarcely worth while to draft a new policy.

A continuation in the West of the old land policy, which in the East deprived the people not only of the ownership but also of the control of the natural wealth, is urged by those who hold this view. For purely local reasons they argue that the West should be permitted to squander its resources just as the East has done. Mr. President, this argument, in my judgment, is based entirely on a misconception, and serves neither the interests of the West nor of the Nation itself. It serves only the interests of the individuals who could take advantage of the old order to establish in the West the same sort of control over the public wealth as is now exercised elsewhere in the country. It will be of no advantage to the West if by failure to meet the conditions with which we are now confronted we merely extend the opportunity of private capital to broaden its unrestricted ownership of our resources. These untouched sources of supply of the materials needed in our industrial expansion do not belong to East or West, to North or South; they belong to the whole Nation. I can not understand the point of view that conceives anything less than the welfare of the entire Nation to be involved in their disposition, nor the point of view that conceives the interests of the State to be in any sense different from the interests of the Nation. We can adopt no policy with respect to the subject matter of this measure that does not affect both alike. If the policy which experience in the East has demonstrated to be a foolish one is now followed in the West, then within a few years that whole section will be in the same position as the East is now, and we shall have invited for the country at large the same unfortunate and I may say disastrous consequences of which complaint is now justly made in the East.

Quite different from the theory that the old order should not be changed is the view of the "conservationist." The creed of conservation, at least as popularly understood, has been that private greed has not only absorbed the resources of the East but the resources of the West as well, and that it is incumbent upon the Government to prevent further development of the remainder until that which is in private control is exhausted lest future generations be forever impoverished. Not to use but to hold against use, not to conserve but to hoard, has been the aim of this faction, wholly unmindful both of the interests of the West and of the needs of the entire country.

No one would be more thoughtful than I of the rights of the future, but, on the other hand, it would be manifestly unfair to overlook the rights of the present generation. Surely no argument is needed to show that the view of the man who would prevent all use is quite as dangerous to the present as the view of the man who would continue the old policy is to the future, for it would make the whole Nation dependent upon the resources now in private control and it would thus serve only to give a new lease of life to the evils from which we are now suffering.

Both views are based upon the assumption that our natural wealth is practically exhausted. Mr. President, I feel perfectly free in saying that we are not dealing with the fragments of the public estate. We are dealing with the treasures of an empire.

The newer States of the Union, the acreage of which is fortunately still held by the Federal Government as part of the public domain, contain within their confines more natural resources than all of the States whose lands have passed to title. That territory which is included between the Missouri River on the east and the Pacific coast on the west, the entire Rocky Mountain watershed, possesses resources that are as unlimited as they are still uncharted.

I do not mean to weary you with statistics, but if there are any Senators who have believed the fable that within a hundred years the coal of the country would be exhausted, let me say to them that in 12 Western States there are to-day almost 45,000,000 acres of coal lands withdrawn from entry and development. Almost as much more, Mr. President, has been restored to entry.

Is there anyone who believes that our oil reservoirs have been drained, that one very wealthy individual and a few subsidiary corporations have gained all the advantage that is to be gained from the Nation's natural supply? Then let me say that in 8

Western States almost six and a half million acres of oil lands are to-day withdrawn from entry and development, while there are other hundreds of thousands of acres of possible oil lands which may yet be tapped to supply the Nation.

Is there anyone who believes that we must forever depend upon foreign powers for our supply of phosphate rock? Then let me say that in 4 Western States there are to-day almost two and one half million acres of phosphate land withdrawn from entry.

In this western empire to which I have referred, Mr. President, there are to-day undeveloped resources the actual value of which is beyond imagination. The reports of the Geological Survey show that there is iron enough to supply every possible need for centuries. Dr. George Otis Smith, Director of the Geological Survey, in a bulletin which he prepared shortly after the outbreak of the present war said:

> The United States is not only the world's greatest producer of mineral wealth but so far as estimates of the earth's treasures have shown it possesses greater reserves of most of the essential minerals than any other nation.

And now, Mr. President, let me call the attention of the Senators to some features of the history of the last 10 years that, in my judgment, prove the necessity of early action.

Agitation for a new policy began fully 10 years ago, and this period has been one full of trials for western communities. It was gradually becoming clear that the old order could not be prolonged, but Congress could not, and seemingly has not yet quite decided what should be done. This period of transition has been one of doubt, uncertainty, and endless confusion, the hardships of which would be difficult to describe to one who has not actually experienced the results of the innumerable Executive orders withdrawing public lands from the operation of the public laws that have been issued to bridge over the gap while Congress has been trying to formulate a program.

The sum total of withdrawal orders on July 31 of the present year, Mr. President, amounted to 56,715,014 acres. Almost 57,000,000 acres of the most valuable territory in 20 States are to-day locked and barred against the settler, while legislators take their time to make up their minds as to what shall be done with it. In the list of withdrawals are found almost 45,000,000 acres of coal land, over 6,000,000 acres of oil, over 100,000 acres of oil shale, 2,500,000 acres of phosphate lands, over 100,000 acres of potash, 8,000 acres of mineral land, almost 3,000,000 acres of water-power sites, reservoirs, etc.

I shall not burden you with these figures, but I shall ask that this summary prepared by the Geological Survey of the outstanding withdrawals by States be printed in the RECORD.

The PRESIDING OFFICER. It is so ordered, without objection.

The matter referred to is as follows:

Summary of outstanding withdrawals on July 31, 1917.

State.	Coal.	Oil.	Oil shale.	Phosphate.	Potash.	Mineral.	Water power.	Reservoirs.	Public water.	Total.[1]
	Acres.	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*
Alabama							120			120
Alaska							69,300			69,300
Arizona	141,945	230,400				8,507	300,324	23,040	12,438	716,654
Arkansas							22,354			22,354
California	17,643	1,257,229			91,207		266,484		52,474	1,685,037
Colorado	4,503,297	87,474	45,440				276,514		480	4,913,205
Florida				119,737						119,737
Louisiana		467,030								467,030
Idaho	338,452			966,377			262,454		7,210	1,574,493
Michigan							1,240			1,240
Minnesota							12,309			12,309
Montana	10,912,205	1,346,105		119,227			164,297	9,080	3,301	12,554,215
Nebraska							761			761
Nevada	83,833				39,422		27,361		4,336	154,952
New Mexico	5,613,263						62,602		2,286	5,678,151
North Dakota	14,656,455	84,894						1,569		14,742,918
Oregon	4,361						329,723	10,619	2,482	347,185
Utah	5,326,256	1,952,326	86,584	302,465			447,424		33,827	8,148,882
Washington	827,193						114,061	35,943	40	977,237
Wyoming	2,437,723	923,182		998,592			86,903		82,831	4,529,231
Total	44,862,626	6,348,640	132,024	2,506,398	130,629	8,507	2,444,231	80,251	201,708	56,715,014

[1] The same land may be included in more than one type of withdrawal, so that some of these totals are greater than the area in fact withdrawn from entry.

Mr. KENDRICK. Do not think that I quarrel with the wise policy which has temporarily withheld these lands from improvement in order that a new and wiser policy might be developed. I am merely trying to convey to you some appreciation of the vexations which the West has had to endure. I am trying to draw a picture of what the uncertainties and delays of this period have meant to the settler. It is only proper, however, Mr. President, that I should go on record here and now as saying that during the past few years there has been an increasing disposition on the part of the people of my State and of the whole West to rely more and more implicitly not only upon the good intentions of the Department of the Interior, but also upon the wise judgment which has been displayed in interpreting the needs of the West under the able leadership of the man who is now the executive head of that department.

But no official, however wise and comprehending, could overcome the evil consequences of the absence of a national policy, and of the substitution—necessary though it may have been—of executive rulings. I need not recount to you the humiliating experiences that many of the most honorable and valuable citizens of the West were forced to endure when the Government first began to attempt to correct by Executive order the shortcomings of the law. I need only say that the wholesale attacks which were made upon coal-land patents and timber patents, based upon allegations of fraud, worked a very serious hardship on hundreds of upright men and revealed them to the public in the aspect of criminals, when, as a matter of fact, they had, in most cases, acted in complete good faith, in complete honesty, and in complete conformity to the law.

One of the great difficulties has been that prejudice has too often beclouded the vision of men who have had the responsibility of enacting and enforcing laws governing the public domain, and they have found in the actions of a few unprincipled men sufficient grounds on which to base an indictment of a whole people.

Not only did the individual suffer, but whole communities and States were forced to bear the burden in arrested development. And the industrial loss incurred by delayed development can never be quite recovered. Lost years are never regained. The man who undertook to develop Government land was always taking the hazard that though he acted under the law, his labors and his investment would be lost through some sudden Executive order or land withdrawal. The settler was deprived of what was the legitimate reward of effort. States and counties were deprived of sources of taxation of which they were in great need. It should scarcely excite wonder that conditions of this kind, indicating a wide distinction between the manner in which the resources of the East had been administered and the manner in which the resources of the West were being administered should have made the people of the West resentful of this lack of a definite policy.

But, Mr. President, I want to point out that there is a vast difference between impatience with such delay and opposition to the establishment of a practical plan of conservation. That man does not know the people of the West who believes that they want to hold for themselves alone the limitless resources I have described, or that they want the Federal Government to repeat in the present the blunders of the past. The man who believes that the West wants to exploit the wealth of the Nation understands neither the temper nor the character of the people who are laying the foundation of a great empire in the Rockies and beyond. They have vision that is national in scope, and they will give their hearty and unqualified support to a measure like this which, while permitting them to use the natural wealth of the country in which they dwell for the great constructive task that engages their attention will, at the same time, preserve the control of that wealth in the hands of the

whole people, so that the time will never come in the West, as it has already come in the East, when the necessities of the many will become the opportunities of the few.

While it is clear that the West needs this measure, I believe it may also be demonstrated that the Nation at large needs it, and needs it immediately. Almost every bill that has been brought before the Senate at this session has been urged on the ground that its passage was necessary for the successful prosecution of the war. Of no measure could this be said, in my judgment, with greater accuracy than of this one. The country is in great need of an increased output of the very substances affected by this measure, not alone that an increased supply may be opened up to relieve the condition of high prices with which we are confronted, but that the country may have the fuel and the lubricant with which to carry on the present conflict. It has been well said, Mr. President, that not a train, not a naval vessel, not an aeroplane can move without oil. So great is the demand, according to the testimony of experts before the committee, that every available source of supply must be used. We have recently appropriated $640,000,000 for the construction of a vast aerial fleet. Every dollar of this sum will have been uselessly expended if we have not the oil to operate the airships. The passage of this bill will place almost immediately at the disposal of the country the oil resources of over 6,000,000 acres of withdrawn oil lands and of other millions of acres of Government land which, though not withdrawn, are believed to be rich in oil.

It is needless to dwell upon the national—yes, the world—need for the devolpment of the natural resources of the United States. No one who is conversant with present-day conditions can fail to see it. The question to be decided, it seems to me, Mr. President, is not whether this development should be permitted, but how it should be carried on.

This brings us to the present measure and the system there outlined for encouraging the proper development of these resources.

Mr. President, let me say here, I am definitely committed to the leasing system, because it reserves to the people the right to alter the system of administration whenever new conditions arise to make new duties. One of the most farsighted and statesmanlike utterances of the able Secretary of the Interior was, in my judgment, his declaration that it would be unwise to transfer the title or to give a lease to any of the remaining natural resources in such a manner as to make it impossible for those who are to come after us to pass upon the methods of development and use at least once in every 50 years.

Although section 2 of this bill provides for the sale of coal lands to individuals and corporations under certain conditions, the measure is essentially a leasing measure, and I accept it as the best upon which all interests to be affected by such legislation can agree. I am impressed with the thought that one of the principal objects to be attained in the disposition of our coal and similar resources is to prevent the possibility of arbitrary control of the output. This end is clearly secured by the restrictions contained in this same section by which the amount of acreage to be held by any individual, corporation, or association is definitely limited, and by which any such individual or group is forbidden to hold an interest in any other association or corporation which secures such lands under the act. The industrial history of the country affords no single instance in which monopoly has been maintained in any commodity when the sources of supply of such commodity have been properly safeguarded against the accumulation of holdings. When these safeguards are provided, as they are in this section, competition can not be stifled.

This section, containing, as it does, such restrictions, is a legitimate concession to those who fear the leasing system will delay development, and particularly so because, in my judgment, it is so drawn that only a limited amount of coal lands will be sold and coal operators themselves will quickly come to the conclusion that it is better to lease than to buy. The section provides that any qualified individual, association, or corporation shall—

> have the right to enter * * * vacant coal lands * * * not exceeding 2,560 acres upon payment * * * of not less than $10 per acre for such lands where the same shall be situate more than 15 miles from any completed railroad and not less than $20 per acre for such lands as shall be within 15 miles of such railroad, and the Secretary of the Interior shall offer such coal lands and award the same through advertisement and competitive bidding, reserving the right to reject any and all bids which he may deem to be unfair.

Mr. President, the average valuation placed upon the coal lands of the United States still in the public domain is not $10 or $15 per acre. It is more than $40 per acre, and even this low average is not representative of the real values, because it is affected by the extremely low appraisal of certain territory containing poor grades of lignite. The lands which will be really sought for development, the really valuable lands, are appraised at from $150 to $200 or $300 and in some cases $400 per acre. I have personal knowledge of large tracts of coal land that only a few years ago were valued at $20 and less per acre, but which are not now to be obtained for less than $200 or $300.

The Secretary of the Interior will not sacrifice these lands at the minimum price named in the bill. It would be impossible for him to do so even if he desired, for natural competition would drive the prices up to the honest mark, and the operator would then find it cheaper to lease than to buy. The business man who deals in coal will not be long in learning that it will be far more satisfactory to pay a modest royalty of not less than 2 cents per ton than to tie up in a permanent investment the large amount of capital that will have to be absorbed in the purchase of these valuable lands.

Let me refer now to the argument which has been advanced by those who advocate the application in the newer States of the old order, namely, that the leasing system will delay development just as the lack of any system has delayed it during the period of transition. Those who express the fear that the leasing plan can not be made a success base it upon the belief that capital will be disinclined to finance an industry the title of which is founded in a lease and not on a deed in fee simple. This may have been true in the past, Mr. President. It may even be true now, and for a short time after the passage of this measure when capital may to an extent still be in a position to choose to finance only those enterprises the securities of which are based on absolute title, but this attitude, in my judgment, will be immediately changed when the leasing system becomes the rule and not the exception. When it is clear that the right to develop the resources of the country may be obtained only by lease, capital will come to look upon securities based upon a lease from the United States Government as the very safest and best form of investment. There has already been experience enough in my home State with the leasing of State lands to indicate to my mind that no man need fear delayed development simply because the people, through their Government, prefer to give a lease rather than to surrender all title.

My only criticism of this measure, Mr. President, would be directed against that feature which puts it at the discretion of the Secretary of the Interior to lease by cooperative bidding. This plan might well apply to coal, but not to oil, for of our great natural resources none lends itself more completely to monopoly than does oil. Whether under a system of ownership or under the leasing system the business of producing oil, because of the peculiarities of transportation and for other reasons, tends readily to monopoly. This danger, I believe, was overlooked when the bidding system was authorized by the committee, which, I am constrained to believe, did not give full weight to the advantages of a flat-rate royalty system over the competitive-bidding plan.

The whole theory of this measure is that the natural resources of the country are the property of the whole people, and that the old policy of permitting these valuable lands to pass into the control of private individuals must be abandoned in order to protect the rights of those who are not in a position to acquire ownership. This is confessedly the object of the measure, yet it may be utterly defeated, so far as oil is concerned, at any rate, if the Secretary adheres to the competitive-bidding plan. Fortunately the law provides that the lands may be leased "by the Secretary of the Interior through competitive bidding, or such other methods as he may adopt by general regulations." For my part, Mr. President, I trust that the Secretary will follow the "other methods," because the bidding system works to the disadvantage of the small operator and to the advantage of the monopolist. With only a limited capital at his disposal and with a hundred operating costs drawing upon it, the small operator can not become the rival of a wealthy corporation in a bidding contest. Beyond a certain point he can not take the risk that is involved in pledging a high royalty to the Government. If for any reason the large operator finds it to his interest to acquire certain leases, the small operator must yield the point and the man of unlimited means will find it easy to secure control.

Bear in mind that ordinary restrictions which might well prevent one set of interests from dominating the coal trade, for example, will not work so well with oil. This is a product which must go to the refineries, and the interests which own the refineries can find manifold ways to control the output. Secret agreements are not altogether a thing of the past, and employees are still known to act for their principals. It would not be impossible under this law for individuals friendly to a large refinery corporation to outbid the small operators and then sell the output at a low price to the refiner. The peculiar power which the refiner exerts may be illustrated by the fact that in

Wyoming, where there are only two refineries, both of which, I am informed, are controlled by the same company, oil sells at less than $1.50 a barrel, while in Ohio and Pennsylvania practically the same class of oil brings from $2.75 to $3.50. It is needless to say that the cost of transportation does not altogether account for this difference in price.

What becomes of the interests of the consumer under conditions like this? The Government by entertaining competitive bidding invites a concentrated control of the output and at the same time an increased cost of production, which will, of course, be passed on to the consumer.

While it is true that the small operator may not offer as high a royalty to the Government, he offers a much more valuable consideration by helping to reduce to the consumer the price of the commodity. The Government can not afford to discount the advantage that will accrue from a multiplicity of producers. If many small operators are engaged instead of only a few large ones, the price to the consumer will tend to be lower—and this in all justice must be considered as part of the return to the Nation for the use of the oil. A flat royalty would eliminate the danger that the control of the output might fall into the hands of a few, because it would provide a common basis for the operator of limited means and for the operator of unlimited capital. It would give wealth no advantage over energy and ability.

I shall now take an opportunity, Mr. President, to say a word with respect to section 17 of this bill, protecting the rights of present bona fide claimants of oil lands. The laws now on the statute book constitute in effect an invitation to the enterprising pioneer to enter upon the Government domain in search of oil. Hundreds of men have responded to that invitation, giving their time and labor to the development of tracts which Government geologists, after inspection, had frequently reported as nonoil bearing, and which, because of such reports, these pioneers naturally believed would not be withdrawn by the Government. In spite of the pessimistic verdicts of the Government experts, these prospectors went in upon the land in search of oil. They spent hundreds and often thousands of dollars in making preliminary surveys of the grounds, in preparing maps, in securing investigations and reports by private geologists, in the construction of rigs, the building of roads, the transportation of machinery, while near-by communities underwent the changed economic conditions that naturally accompany development work of any kind. Then, in case after case, when private initiative had demonstrated the probable existence of oil, the Government suddenly reversed itself and withdrew the lands from entry, stopping all work in a way that was often disastrous to the individuals and communities affected. Many other pioneers became operators in good faith on land that has not yet been withdrawn from entry.

No one can justly say that these men have not established an indefeasible right to the consideration of the Government. They were not responsible for the laws now on the statute books. Neither were they responsible in any degree for the absence of better laws. Members of this body who have watched with interest the struggle that has been waged for the framing of a wise policy of conservation will surely not charge these men for the delay, and no Senator, I am constrained to believe, will say that they should have waited with idle hands during the four years in which Congress was trying to make up its mind what to do, or whether, indeed, to do anything at all.

Congress has no legal or moral right to legislate such men out of their equities. It may be proper to say, "You may not have a patent," but to say "You shall not have a preferential lease to the very land you proved yourself" would not only be improper, it would be criminal. It is incumbent upon us to recognize the equities these men have established, else the Government will be placed in the position of snatching away from its citizens with one law the property it permitted them to acquire under another.

With this concession to established titles, the bill holds an even balance between the present and the future, between those who have already acquired rights under existing law and those coming after us whose rights to an inheritance we are bound to respect. By its concessions in the coal sections to those who fear that to deny patents to coal lands would be to hamper seriously the mining of coal, and in the oil sections to those who have established equities under the present law that may not be justly disregarded, the bill affords every necessary protection to those who have invested labor or money in development. By the encouragement which it extends to the prospector and the restrictions which it imposes upon capital, it protects the present from the danger of a limitation of supply, while it guards the future against the danger of the absorption of our natural wealth by monopoly. It places generous tracts of Government land at the disposal of one man, who would recover the values therein, but it requires him to exercise diligence in the prosecution of his work under pain of losing his lease. He may not obtain land and hold it in idleness. The bill provides for renewable leases at 10-year periods in the case of oil lands and for indeterminate leases in the case of coal, potassium, and sodium; but it also provides that no individual or organization may take or hold an interest in leases exceeding in the aggregate 2,560 acres except when such interest is acquired by inheritance or judgment. In such cases the interest may be held for only two years. The bill offers liberal inducements in low rentals and otherwise for the development of these deposits, but it forbids any person who has taken advantage of these inducements to hold an interest in any agency engaged in the resale of the products of the leases.

Thus, while the bill throws down the bars for the use of the great untouched deposits belonging to the Nation, it raises very effectual bars against the growth of monopoly. Under its terms there can be no concentration of control, save in the hands of the people. The Government will always retain the power to direct the use of these resources, but no private individual or corporation can ever acquire such ramifying interests in these leases as to control the output. In other words, while every provision is made to encourage use, every necessary prohibition is made to prevent abuse.

And now, in conclusion, Mr. President, let me urge the favorable consideration of the Senators for this measure. In my judgment it is one of the most important pieces of domestic legislation which will be considered by this Congress and will direct the future growth and happiness of this Republic to a greater and more favorable degree than many of us imagine. It marks the passing of an old system, the tendency of which was to produce great wealth and extreme poverty side by side. It is the herald of a new era; it reveals a new vision of national responsibility which, while providing for the welfare of the present, protects and safeguards the interests of future generations.

Mr. BORAH. Mr. President, I am not prepared to discuss the pending bill. I really did not expect that this measure would come up for consideration before the holidays. Other matters have engaged my attention, so that I have not had the time to prepare for a discussion of the measure such as I should like to have made.

As I said a few moments ago, it is a matter of unusual concern to our Western States. It fixes the policy for all the public-land States. It fixes a policy which, in my judgment, is not in harmony with the best interest of those States or conducive to their development and growth. I do not question at all the good faith of those who are urging it, nor do I doubt that they are of the opinion that if it is not the best thing that could be done it is the best thing that can be done under the circumstances. There is a great deal, of course, in that argument. We can not always have what we want in legislation. So sometimes we are compelled to take what the other party wants, or what no one wants, in the nature of a compromise.

The objection which I have to the bill as a whole and fundamentally is that it commits the Western States to the policy of the leasing system. I am aware that those who have been opposed to the leasing system believe that there is sufficient in the bill to enable settlers of the West, those who are building up those Western States, to have the advantage of a sales system if they desire. My hasty reading of the bill since Saturday night and my study of it lead me to believe that in its practical operation it is a leasing bill, and will never be construed in any other manner, and in its operation will effectuate no other result. Therefore, I am not content, as some others of the West are, to permit the bill to go to enactment without at least stating some of my objections.

But, as I said a few moments ago, I have not had the opportunity to collect my data, and I shall not therefore be able to discuss this measure. So I desire to discuss another matter for a few moments, which I think is of equal concern, and as we are to adjourn to-morrow it is perhaps the only opportunity I shall have. I hope that at least the measure will not pass to-day, so that those of us who want to make some remarks upon it will have this evening to prepare to do so.

Mr. President, let me call the attention of the Senate and of the country, if I may say so, to a most extraordinary situation, which, it seems to me, ought to be dealt with finally and conclusively before this Congress adjourns for the holidays. Last spring the Government called upon the producers, the agriculturists, the farmers of the West—and when I say "West" I

mean the great West lying west of Chicago—to speed up production and to make every effort to produce to the fullest extent of their acreage in order that we might not suffer a breakdown in food products. Everyone realized, of course, that the production of food was just as essential to the successful prosecution of the war as was any other particular element in its prosecution. Therefore the Government very promptly and properly called upon the farmers of the West to do their utmost to prepare to feed not only the people of their own country but those of the allied nations, particularly those of the allied nations who were engaged in the actual military prosecution of the war. It was understood that the burden of feeding the forces upon the allied side would rest very largely upon the people of the United States; and it was understood, of course, that the granary of the United States lies west of the Mississippi River. So the farmers and producers of the West, understanding that situation, fully alive to the responsibility which rested upon them, and being at all times willing and anxious to do their part, proceeded to the cultivation of their acreage to the fullest possible extent. They purchased their seed at a very high price in many instances; they paid a very liberal wage; and in every way they exerted their energies to respond to the call of the Government, and they did so. They produced crops to the fullest extent of their ability.

When the time came, Mr. President, to transport those crops to the points where they could be of service to the people of the United States and to the allies the transportation system of the country was not equal to the exigency. I say this without any criticism upon the transportation companies. I assume they simply found themselves in a position where the demands exceeded anything that they had anticipated or anything that they had been able to prepare for. They were not able to move the crops which the farmers in the West had produced. Who was at fault or wherein the default lay I do not now discuss.

What was the result? The result was that a very large portion of those crops was entirely lost; that is to say, the crops were either not garnered for lack of labor, or, being garnered, they were not sent to market for want of transportation facilities. Hundreds of thousands of bushels of potatoes have been utterly lost, and other products of like nature which the country stood in need of, and now stands in great need of, were lost by reason of the fact that it was impossible to find means of transporting such products to the market. Cars were not to be had. The demand on the transportation systems seemed to exceed all expectation.

I have seen, Mr. President, in print statements to the effect that this condition of affairs has been exaggerated in the West, but I beg to state to those who so view the situation that they are greatly in error. It has not been exaggerated. The loss has not been overstated and the discouragement to the producers in no sense overdrawn. The loss of crops of this year and the want of a market not only affects the present situation but it is going to have a tremendous effect upon the next year's planting and the next year's crop. No one, I presume, anticipates at this time that this war will close before another crop's demands shall have been called for; no one, I presume, anticipates that we shall get through until there shall be dire need of the utmost productive capacity of the western producers.

Mr. President, unless we are prepared speedily, without any delay, to assure the western producers that that condition of affairs shall again happen, it is bound, out of the very necessities of the situation, to reduce the acreage and the crop production throughout the entire West. To what extent I would not undertake to say, but I venture to say to a sufficient extent to materially affect the situation.

There can be no reason for producing if one has no means of getting his products to the market. Under present conditions the farmer is warned of the fact that there will be repeated during the next year the experience which he has suffered during the present year.

Another fact, Mr. President. We are just now entering what seems to be a very severe winter. Already throughout the United States we hear upon every hand a call for fuel and for food. We are advised by the great dailies of the cities that many people are suffering and that many deaths are being caused by reason of exposure to cold and by reason of an insufficient supply of food. This is at the very beginning of the winter. Heaven only knows what it will be before spring comes. Here in our own country, Mr. President, before we are actually in the war, before we have actually participated in the true sense of the word, we are suffering for want of fuel and for want of food, neither of which, as an actual fact, is in any sense scarce. In other words, the question of transportation again arises, and demands attention, compels a solution. The transportation companies are unable to respond to the demands and the fuel is not transported, and people are cold. Products which the people need are rotting or being destroyed. All this not only affects the present situation, but will have an unquestioned bearing upon the progress which we hope to make during the coming year in the successful prosecution of the war.

I venture to say, Mr. President, that you can not successfully carry on this war with discontent and want at home. Especially is that true when there is believed to be a remedy for that condition of affairs. I do not know, Mr. President, myself to what extent this situation arises by reason of inefficiency of the transportation facilities of the country; but I think it is conceded upon every hand that that is a very large portion of the difficulty.

We are about to take a holiday recess to-morrow, so I am told. I was not present when the resolution was passed. We shall recess without any transportation policy whatever. We leave this cloud of gloom upon the country and go home to our respective places to enjoy the holidays. We go for two weeks, and the amount of suffering, the business distress which may characterize the country during that time will be wide-reaching and most serious. And, sir, the very fact that Congress adjourns for two weeks without any apparent concern as to the situation will of itself add greater anxiety to the country. A willingness upon our part to remain at our post and work out a solution of this difficult problem will be encouraging and helpful. Besides it is not to be presumed that we can not find a remedy if we give our attention to the subject.

Mr. SMITH of Arizona. Mr. President, while I appreciate what the Senator from Idaho is suggesting, the question which arises in my mind is, how are we by keeping in session to put another engine on a railroad or how are we to pass a law between now and the end of the ordinary Christmas holidays which would relieve the situation of which the Senator from Idaho complains and of which the country is complaining? If we could do that, I should very much oppose any adjournment.

Mr. BORAH. Does the Senator think that there is no balm in Gilead? Is the situation hopeless?

Mr. SMITH of Arizona. I do not know Gilead, and I do not know much about balm. [Laughter.] The balm of Gilead, however, does not come from talking in the Senate.

Mr. BORAH. No; I am aware of that fact; but does the Senator think that there is no remedy for this situation? If he does not want to talk, will he stay to vote?

Mr. SMITH of Arizona. There may be a remedy; but what is the use of complaining about the Christmas holiday adjournment unless the Senator can show that that adjournment affects the application of the remedy?

Mr. BORAH. Precisely. I think if we remain and do our duty we will find a remedy.

Mr. SMITH of Arizona. That is what I am talking about.

Mr. BORAH. Mr. President, I am not myself a railroad expert, and I do not know that I could suggest a remedy out of hand, but I venture to say that when the remedy comes it will require some aid or legislation from Congress. I venture to say that there will not be a substantial and effective change in the situation until Congress acts upon this matter, because that which the railroads need must necessarily come to some extent from this body. It is our business to confer among ourselves and to determine precisely what we must do, and then proceed to do it. We certainly will not determine it and certainly will not arrive at a conclusion as to what we should do if we are not in session and are not undertaking to do it. It is no answer to the situation to ask if we stay here could we do anything. If we stay here, we can undertake to do something, and I feel, in conjunction with the President, we will effectuate a change of conditions.

Mr. SMITH of Arizona. Has the Senator from Idaho introduced a resolution looking to that end?

Mr. BORAH. No; I have not; I had supposed we would cooperate with the administrative department; I had been led to believe the President would soon ask us to act.

Mr. SMITH of Arizona. I agree with the Senator from Idaho. I myself would not ask an adjournment; I should rather we would not adjourn; but it seems to be the sense of the two bodies that we should do so. I desire to ask, however, has the Senator introduced a resolution or has he any remedy to propose to meet these conditions? Has he anything to suggest in the shape of legislation? Has he introduced a resolution that will relieve this condition by our action? If he has, I shall certainly join with him in opposing any thought of adjournment.

Mr. BORAH. Mr. President, we have been advised for several days that we were to have a message upon this subject from the President. Naturally, we have awaited that message,

and I am sure we ought to be here to receive it when the President is ready. I have introduced no bill. If nothing is to be done by others, I shall certainly try my hand.

Mr. SMITH of Arizona. By whom have we been so advised?

Mr. BORAH. We have been so advised by the press. I do not myself have any other source of information.

Mr. SMITH of Arizona. I should judge so.

Mr. BORAH. I have to rely upon the public press for such information. I am not so fortunately situated as the Senator; therefore not so wise.

I have no doubt that the President is dealing with this matter and is applying his time and his energy and his ability to the subject; but I also have no doubt that the President will not be able to do what is necessary to be done in order to change the situation without some help upon the part of Congress. I do not believe that all can be done which will be necessary without the aid of Congress. I certainly do not want Congress to be away in case its help should be required.

I can not conceive of the fact that the President will not need any assistance upon the part of Congress upon this subject for two weeks; that it is going to be permitted to remain here without any action upon our part at all for the next two weeks and then for another two weeks for debate and consideration.

Mr. SMITH of Arizona. Two months of debate, the Senator probably means, if we ever get it here.

Mr. BORAH. Yes.

Mr. Fairfax Harrison, in discussing this matter, and he is an expert upon the subject, I presume, if there are any, says:

WHAT THE RAILROADS DO ASK.

3. The immediate appointment of a traffic officer to represent all important Government departments in transportation matters, with whom the railroads can deal, to secure active Government cooperation, the prompt and orderly transportation of Government traffic, and avoid the excessive use of preference orders, which congest traffic instead of facilitating it.

4. Most of the railroads need locomotives immediately, and enough new cars to replace those worn out. There are approximately 3,800 locomotives and 33,000 cars still on order undelivered for American railroads. The railroads expect to provide the capital. Priority orders are essential for prompt delivery of such equipment.

5. Approximately 2,000 locomotives and 150,000 cars, in addition to those now on order, are necessary for early construction to meet the requirements of next year. This is no more than the railroads usually require every year, and at present prices represent a cost of approximately $500,000,000.

While a number of railroads are able to purchase their quotas of such equipment without aid, it is apparent that because the United States has necessarily occupied the investment market for war loans, as evidenced by the recent request of the Secretary of the Treasury that no new private financing shall be undertaken without conference with him, the railroads can not next year provide through their usual channels for the requirement of capital, for the acquisition of equipment, and other possible additions to plant. They invoke therefore the cooperation and aid of the Government through the Treasury Department and the Federal Reserve Board to secure for them, on their own individual credit, the new capital found by the Government to be necessary not only for enlargement of plant but for renewing maturing obligations.

6. Immediate increases in rates, as defined by the Interstate Commerce Commission's special report, to meet increasing operating expenses and strengthen credit are necessary in eastern territory, and may become necessary in other territories.

It is apparent that if those things are to be done there will have to be legislation in order to effectuate them. There may be some other program which will not call for legislation, but if so, it has not yet been suggested. For myself, however, I do not see how this situation is to be remedied without some kind of legislation, and certainly that legislation is essential to be had at as early a date as possible.

It is not my business, and I would not do so under any circumstances now, to criticize any department of the Government, because I assume that every department of the Government is speeding ahead as fast as it can, but I am sure in my own mind that without the aid of Congress no plan which the President will submit will be effectual to remedy the situation. If we are to take over the roads by the Government, will there not be need of legislation? If we are not to take them over, but to aid them in getting cars and engines, it seems to me we will be needed.

Mr. SMITH of Arizona. Granting that, as I understand—I may be very much misinformed about it; I have no expert knowledge or any other definite knowledge about the situation in connection with the transportation of this country—the railroads are asking the United States Government to extend enormous loans to the railroads for the purpose of meeting the present situation. The only legislation, as I understand, that the railroads want in this connection—and I say I gather the opinion from the press—is that the Congress of the United States empower the President to guarantee to the railroads for the balance of time the amount of dividends and money that they made last year and the year before; in other words, they ask Congress to protect the railroads from any loss in case the Government issues an order for the moving of this train or that train or this locomotive or that locomotive over this road instead of that.

They only want to have Congress say that in all these changes the railroads shall be safe against loss and that their roadbeds shall be kept in repair. Now, if that is all we can do in the present emergency it is a question of whether or not we are going to vote to do that, even if we stay here, and on that question I can conceive that a very long debate would naturally arise.

Mr. BORAH. If Congress does not loan large sums of money—and I am not yet favorable to any such program—then it may conclude to operate the roads, I presume, in conjunction with the owners, all of which will require legislation. But I did not rise to discuss specific remedies, but to urge that Congress either await the President's message or, if that is not coming, then take up the matter itself.

I do not indorse any particular program, because we have not even considered the subject yet as a Senate. Certainly there must be some means by which we can remedy the situation. One thing is certain, that there must somewhere be found a remedy or we are going to break down in the entire question of production and of supplying foods and fuel to the people of this country.

Mr. SMITH of Arizona. That does not follow.

Mr. BORAH. The Senator says that does not follow. Well, we have already broken down to a great extent. True, the railroads are moving more stuff than ever before, but the exigency has not been met.

Mr. SMITH of Arizona. No; we have not broken down.

Mr. BORAH. There are several cities in my State that are without coal and without any fuel whatever; there are hundreds of thousands of people throughout the country that are now cold for the want of coal, and there are people who are hungry for the want of food, and yet the food is to be had if it can be transported. If that is not a breakdown, what is a breakdown?

Mr. SMITH of Arizona. That is a breakdown that has occurred in times past, though perhaps not very often, and it is one that might be expected in the transformation of an army of from 35,000 to 50,000 men to an army of a million and a half or 2,000,000 men. That is the condition that faces the country, and it has to be met. The railroads have not the power to do it, but there is certainly somewhere somebody doing something to retard matters, and it is certainly not the Federal Government nor Congress nor any agency of the Federal Government. Lurking behind it or somewhere is a sinister purpose that neither the Senator nor I can locate, whether we stay here until Christmas Day or not.

Mr. BORAH. Mr. President, I utterly disagree with that statement. There is not, in my judgment, the slightest foundation for any such statement.

Mr. SMITH of Arizona. Well, let us see. I came through the town of Harpers Ferry a short time ago. How many loaded cars of coal were at Harpers Ferry last week, and how many at every other railroad junction in the United States? Enough to supply the United States.

Mr. BORAH. If the Senator is correct in his statement, then that is all the more reason why the Congress should stay in session here. I do not believe, Mr. President——

Mr. SMITH of Arizona. We can not manufacture an engine by staying in session.

Mr. BORAH. I do not believe, Mr. President, that there is any sinister purpose on the part of the transportation companies of this country to break down transportation.

Mr. SMITH of Arizona. I did not say that there was on the part of the transportation companies.

Mr. BORAH. And I do not believe that there is any sinister motive on the part of anyone who has power to affect the situation. There are undoubtedly men in this country who would like to see the situation break, but they are few and far between, and fortunately they are not in a position to affect the situation. This condition of affairs arises not out of a desire to impede the progress of the war, but out of a lack of policy or a system to meet this emergency or exigency——

Mr. SMITH of Arizona. Well, will the Senator suggest how we can meet it?

Mr. BORAH. And the Congress of the United States is one part of the Government which may have to do with the determining of that policy.

Now the Senator from Arizona asks me to suggest at once and out of hand how we shall meet that situation. The Senator calls upon me for something which would require some consideration by both railroad and military experts. I would not undertake to say out of hand what should be done. I am of the opinion, however, that until substantial aid in the

way of legislation is had there will be no real and substantial relief. I have an opinion as to what should be done, but I frankly state that I should want to hear from men who have given more study to the question and who have had more experience.

Mr. SMITH or Arizona. Does the Senator think that the railroad trains will stand with the coal undelivered until Congress shall have acted? Does he think that there is no earthly way out of it except by the action of Congress? If that be true, we ought to take action right now.

Mr. BORAH. The Congress is here and is the lawmaking body for the people, and as a body having to do with these things, I think it is the duty of Congress to remain here and undertake to deal with them, and not to go away and leave the situation wholly undiscussed and wholly unattended to.

Mr. SMITH of Arizona. If the Senator will pardon me, I will not interrupt him any more.

Mr. BORAH. I do not object to interruptions by the Senator.

Mr. SMITH of Arizona. My only suggestion is that when Senators rise to make complaint of conditions they should have thought the matter out before they commence their criticisms. Having risen to criticize the question of adjournment over the holidays, I would suggest to the Senator the propriety of submitting something worthy of the consideration of Congress. It is easy merely to criticize a condition when perhaps ten thousand different things enter into the problem; it is easy to say that we ought not to adjourn without suggesting in the remotest degree what we ought to do.

Mr. BORAH. Mr. President, I am very sorry if my remarks have so heavily pressed upon the highly wrought and sensitive soul of the Senator from Arizona.

Mr. SMITH of Arizona. The Senator is mistaken if he thinks he is worrying my soul by any of his remarks.

Mr. BORAH. But, Mr. President, I did not rise here to criticize. I think a Senator may rise here and discuss a serious situation without being placed in the rôle merely of a critic. He certainly will not be placed in that rôle by anyone who has commensurate knowledge of the situation or who appreciates the conditions of the country; he will only be placed in that rôle by some one who is sufficiently self-complacent to take care of his personal interests and let the general interests go over.

Mr. SMITH of Arizona. I wonder if the suggestion the Senator makes is not in a measure the one that I made. If I criticized at all, it was his possession of such an enormous amount of that commodity to which he refers that he imposed a mere criticism without any suggestion whatever of meeting the conditions. The suggestion of egotism and self-importance may be based on the Senator's speech rather than on my criticism of it.

Mr. BORAH. I hope the Senator will not leave the Chamber.

Mr. SMITH of Arizona. I will not.

Mr. BORAH. I did not appreciate the fact until I was advised by the Senator that I was indulging in any criticism. My only suggestion was that the Congress ought to remain here until we could determine as a Congress what was to be done and how we should do it. The Senator objects—further comment on that phase of the matter seems unnecessary.

I am accredited here by one of the States of the Union, and I had supposed that without the consent or permission of other Senators, so long as I kept within the rules, I might rise in my place and make suggestions with reference to these questions without being brought under a schoolmastership from a Member of the Senate.

Mr. President, I suggest again that here is a condition which everyone recognizes to exist and that it demands a remedy. I have no doubt at all but that a portion of that remedy must come from Congress. I have no doubt but that if we adjourn and go home, not only will it be postponed these two weeks, but it will be postponed another two weeks after we return, and a month will have been lost. Sometime or other, I opine, we have got to deal with it. Sometime or other we have got to discuss it and consider it, and, as the Representatives of the different States of the Union, come to a conclusion. It is my judgment that we must do that speedily in order to relieve the suffering which now exists in this country, not by reason of anyone's fault in particular, but by reason of the fact that, generally speaking, we have not arrived at a policy with reference to the transportation system.

It might take weeks, it might take a month to work it out, but sometime or other we will have to do it; and when it comes it will not come as the result of a suggestion from any single Senator in the Chamber. It will come as a result of the consideration of the committees and the different Members of the Congress, and finally, I hope, result in something which will be satisfactory and effective with regard to the entire situation.

Mr. KNOX. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. BORAH. I yield to the Senator.

Mr. KNOX. May I ask a question of the Senator from Idaho?

Mr. BORAH. I yield.

Mr. KNOX. The talk in the press has almost universally been that the President would take over the railroads under the provisions of the act of August 29, 1916, which provides that in time of war the President may, through the Secretary of War, take charge of the railroads. I call the Senator's attention to the fact that there is nothing in that act providing for compensation to the railroads or any means of ascertaining compensation to the railroads; and if the Senator is willing to express his opinion, I should like to ask him if he believes that that act can be enforced until Congress provides for compensation, or the means of ascertaining compensation?

Mr. BORAH. My opinion, offhand, would be that there would have to be some provision for compensation; indeed I have no doubt about it; but all this brings us back to the proposition, Mr. President, that of course Congress will have to have a part in this matter. If it amounts to anything more than appointing merely an administrator—which act alone, in my judgment, will not be satisfactory to the President—Congress will necessarily have to have a part in it. The matter which the Senator from Pennsylvania has suggested will be one of the things which Congress undoubtedly will have to consider, and there will be other matters coming up for the consideration of Congress.

We all know that we can not arrive at a conclusion upon these matters without consideration, and in all probability no program will be suggested which will be so clear and conclusive in its effect and in its wisdom that it can be passed out of hand and without consideration. At some time or other we shall have to deal with it. There is no time like the present to deal with this situation, because it is not only resulting in suffering but it is one of the discouragements of the progress which we are making in this war. It is one of the things which inhere in the entire situation and while the President is dealing with this matter and working with the situation we ought not ourselves to place the Congress beyond the reach of the President when the time comes to deal with it effectually.

I insist that it is the duty of Congress to rescind the resolution of adjournment and remain right here until there is a practical, clear, and unquestioned solution of this question presented to the country and to the people of the United States. You will not revive industry, you will not again energize the business of the country, you will not bring into play the hopes and the aspirations of the business of the country and the producers of the country until there goes out to the country a clear and definite and decisive policy with reference to our transportation facilities. If it could go out before Christmas Day it would be altogether the most magnificent Christmas present which the Congress has ever presented to the American people in one single act.

Therefore, without assuming to criticize anybody or desiring to be placed in the rôle of a critic, I simply say that our duty is here until a policy with reference to transportation is settled upon and becomes the established policy of the Government until this war shall have closed, unless experience discloses the necessity of some change.

While I am on my feet I desire to give notice of a motion to reconsider the vote by which the concurrent resolution to adjourn for the holidays was passed.

Mr. PITTMAN. Mr. President, I should like to proceed with the consideration of the first amendment, the amendment offered by the Senator from Virginia [Mr. SWANSON]. I should like to have that amendment stated.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. The first amendment is on page 12, line 15, where it is proposed to strike out the words "or within naval petroleum reserve numbered 2."

Mr. PHELAN. Mr. President, the Committee on Public Lands have for many months been discussing the question of relief for the owners of oil land claims in naval reserve No. 2 in the State of California, and I learned from the amendment just offered by the Senator from Virginia [Mr. SWANSON], whereby he attempts to eliminate naval reserve No. 2 from the relief afforded by this bill, that there was possibly some understanding by which the measure, with the exception of the relief afforded

claimants in naval reserve No. 2, might be passed before the holidays, and that after the holidays the consideration of naval reserve No. 2 and the rights and equities involved in that naval reserve might be considered in a separate measure.

This change has occurred so suddenly that I have had no opportunity to examine very closely the effect which the eliminations provided in the Senator's amendment would have upon the general subject of relief. I do know, however, that a representative oil company, the Honolulu Consolidated Oil Co., having claims to something like 3,000 acres out of the 30,000 acres in naval reserve No. 2, has expressed dissatisfaction at any attempt on the part of the California representatives to give consent to this change. The Honolulu Consolidated Oil Co. has had most of its claims adjudicated in its favor by the courts so far as the courts have passed upon the claims, but there are still a number of acres, aggregating, I believe, six or seven hundred, which have not been yet adjudicated, and the company naturally does not want to lose the benefits proposed by this act. It desires the opportunity of benefiting by the provisions of this bill, because it was among the earliest pioneers in oil development in California and has complied with the law, but that fact is disputed by the Department of the Navy, but not by the Department of the Interior.

A telegram which I have received reads as follows:

SAN FRANCISCO, *December 15.*

Hon. JAMES D. PHELAN,
United States Senate, Washington, D. C.:

Understand amendment is proposed to prevent relief provisions of Walsh oil bill, now up in the Senate, from applying to lands within naval reserve No. 2. This would be unfair and unjust discrimination against those having legitimate claims within the reservation. Strongly urge you to oppose the amendment.

HONOLULU OIL CO.

Therefore, I do not wish the Senate to go uninformed as to the lack of unanimity among the oil developers of California. Many of them who apparently were not seriously affected have given their acquiescence, I am informed, in some change which might eliminate not so much section 16 as the opposition of the Navy Department. The Oil Producers' Association have written a letter to that effect. That is to say, they are so timorous, however, about the opposition of the Navy Department, which would deprive the State and Nation of the benefit of increased development under the leasing system, that they are willing to lay aside temporarily the consideration of those rights which we in committee have carefully studied and provided for as a matter of justice and equity in section 16 of the bill. Now, it is proposed by the Senator from Virginia, speaking largely for the Navy Department, to eliminate petroleum reserves No. 1 and No. 2 in California and No. 3 in the State of Wyoming, but naval reserve No. 2 in the State of California is the only one that interests the department.

There are 30,000 acres of land there, and the Government has only a slender interest in them, because most of the land has passed to patent except about 7,000 acres, and the Southern Pacific claims are outside the purview of the bill. It is of very small consequence in a broad view compared to the vast acreages of oil lands outside the naval reserve; but I do not think that we should suffer injustice to be done or, at any rate, refuse justice to the men who have a legitimate claim. The section which I have before me protects and safeguards in every possible manner the Government of the United States, providing for leasing lands and the payment of royalties. The oil or sums derived from the royalties shall go to the Navy Department, and that no claimant who has been guilty of fraud in the location of any oil claims or gas-bearing lands shall be entitled to any of the benefits of this section.

If it were a mere question of development it is possibly wiser for the Government to produce oil under the royalty and leasing system. But there was an intimation here the other day that in withdrawing naval reserve No. 2 it was the intention of the Navy Department not to conserve the oil, to make it a reservoir for future use in some great emergency, if there can possibly be a greater emergency than there is to-day, but to develop it, to extract the oil from the ground.

I submit that the Government has never engaged in mining oil or in mining gold or in mining copper; and if it had from the beginning, instead of providing a system by which individual incentive and enterprise is encouraged, it would have been greatly out of pocket, because more money has been spent in developing than has been extracted from the ground. The unfortunate pioneers of the West, many of them wrecks of their hopes and aspirations, testify eloquently to that, but we only hear of the successful. It is a matter of statistical fact that more money has been expended in the discovery and in the development of mines of every character in the West than has been extracted from the ground, so the Government would have lost money if it had originally gone into the business of mining.

Now, it is thought by the administration of the Navy Department, if I am correctly informed, that the work of development can be taken up more profitably by the Government than by leaving it in the hands of the operators. I think the Government is correct in that, especially in regard to naval reserve No. 2, because the pioneers, under the protection of the placer-mining law, the laws of the United States and of Congress, have proved the existence of oil in naval reserve No. 2; so that the Navy Department will take very little risk. It is like appropriating a man's property after he has accumulated it. I do not care whether it is under the forms of law or otherwise; it can be described as nothing less than burglary unless prompt compensation be made. But why not let the established law and practice of the Government from the beginning of the Republic prevail, and the Government allow the owners to operate and pay a fixed royalty rather than force them to sell their property?

Mr. SHAFROTH. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Colorado?

Mr. PHELAN. I do.

Mr. SHAFROTH. Does not the Senator recognize that with a fight on this bill from the Naval Committee and from the Navy Department it will be impossible to get any legislation whatever through at this session of Congress? Therefore, had we not better leave that question to be determined by a separate bill as to the rights of any of the parties under it?

I am in favor of a provision similar to the provision that is in this bill. I thought the committee carefully considered it; but if you take the consensus of opinion in this body, you will find that when it comes to the proposition of passing this bill with the provision with relation to the naval reserve we will not be able to get the bill through; and even if we were to get it through, it would be only after a long debate, probably, of six weeks or two months. We will also have a contention over it in the House.

While I should like to have something of this kind done, some determination of the rights of the parties such as we have referred to and determined in this bill, yet I recognize the impossibility of getting any measure whatever through, and thereby we will not be able to develop public lands, the development of which is so necessary for coal, oil, and other of the natural resources of the United States. For that reason I hope the Senator will not object to the motion of the Senator from Virginia to leave this to an entirely new bill, by which we will fight with him, when it comes to that, in determining and fixing the rights of the parties that, in my judgment, should be respected and which, it seems to me, is wrong upon the part of the Government as to the lands that were taken up by persons under the existing law at that time.

Mr. KING. Mr. President, will the Senator from California permit me to ask the Senator from Colorado a question?

Mr. PHELAN. I yield for a question.

Mr. KING. As I understand from the statement which has just been made by the Senator having this bill in charge and the report of the committee, and as I understand the statement of the Senator from Colorado, there are certain bona fide claimants of oil lands within this naval reserve No. 2 who have vested rights—rights which are recognized by the courts; not only by the local courts but by the Federal courts.

Mr. SWANSON. Mr. President, if the Senator will permit me, I should like to answer that question.

Mr. KING. Let me complete it. As I understand, the Navy Department, or some executive of the Government, is standing here now, and has been standing here in the past, with a bludgeon threatening Congress, preventing the passage of legislation that Congress believes to be just and fair and right, and the committee of which the Senator is a member has been coerced by the threats of the Navy Department into reporting a bill which confiscates property, and it has done that because of the attitude of the Navy Department. Is that correct?

Mr. SHAFROTH. Oh, no, Mr. President; it is directly the contrary of that. We have reported a bill which provides for the determination of the rights of these parties, and that determination seems to me to be just and fair. Notwithstanding the Secretary of Navy and other officials that appeared before our committee, we were of the opinion that these rights should be respected. Now, the proposition comes up as to whether we are going to mix that proposition with a proposition of entering upon the public domain and taking up land for coal, for oil, and for phosphates, and whether or not we are going to

absolutely lose the entire bill by bringing on a contention of this kind and putting too many propositions in our bill. That is the proposition as I see it.

Mr. SWANSON. Now, if the Senator will permit—does the Senator from California yield to me?

Mr. PHELAN. I yield.

Mr. SWANSON. Since the Navy Department has come in, and certain reflections have been made on it, I will submit a statement as to what its contention is.

These very men in this naval reserve came to Congress and got through what is known as the Pickett Act. They say that all they ask is to be allowed to take care of their cases under existing law. They are not satisfied with existing law, however. They come here and want the law changed so as to give about $100,000,000, the value of this property, to whom? The Standard Oil Co.; the Honolulu Co. They want to change existing law. The Navy Department has not asked to have the law changed. The Navy Department has not asked them to do anything but go into the law courts and contend for what is right and just. This bill comes in here and changes the law, and gives these people rights to which they are not entitled under existing law; and they try to connect what they want with the general policy, hoping to put it through by attaching it to a bill for general relief outside of that.

We are not afraid of any discussion of this measure, in Congress or elsewhere. We are willing to have it investigated. It was heard by the Naval Affairs Committee. All we ask is that these people may have the rights to which they are entitled under existing law. Do not change the law. Let them go to the courts and contend for their rights. This bill comes in here and changes the law, and I will tell you how in one case it will change it.

It is in evidence here before the Naval Affairs Committee that a prospector or prospectors from San Francisco, Cal., went to the stockyards in Chicago and got 39 men, I believe, to file claims under the law as it then stood—all fraudulent claims, mere dummies. After that title was obtained it was sold to these people. The title to nearly two or three thousand acres of the land under this reserve is in fraudulent dummies, entered by men in the stockyards, who came and testified that they thought they were signing an election petition.

The Navy Department does not ask any relief. It says, "Let these people have what they are entitled to under the law when it was settled years ago." Finding that they can not get what they claim to be their rights under the law, they come in here and want the law changed so as to turn over rights worth about $100,000,000 to a few private individuals that we say under the law, in justice and equity, are not entitled to it. Thank God, you have got a Secretary of the Navy who has the nerve and the zeal and the patriotism to stand here for the public interest!

We have not asked that this bill be delayed. We simply say that we are not going to consent to any unanimous-consent agreement by which this bill will be hurried through without a full discussion of this matter, to the people and to the Senate, as to its provisions and the beneficiaries of the proposed relief. All we ask is to let this naval reserve go out, so as not to retard and delay this bill in other phases. We will introduce a bill here to bring relief and give these people every opportunity to have every right, in court or elsewhere, to which they are entitled.

Mr. PHELAN. Mr. President, I am delighted to hear the zeal with which the Senator from Virginia relegates the claimants to the existing law for relief, and he does that to exonerate the Navy Department from blame. The Senator in his zeal for the enforcement of the existing law must have overlooked that provision of the law of 1914 which gave discretion to the Secretary of the Interior to make temporary leases with the claimants whose claims were in dispute, and he so exercised his discretion in many cases; and when about to exercise it in naval reserve No. 2 in order to provide for continuous development of oil, what happened?

The Secretary of the Navy interfered to the extent of requesting the Secretary of the Interior, invested with this discretionary power, to grant no leases for development or any other purpose in naval reserve No. 2. So the benefit of the law which Congress had carefully provided for in matters of dispute was set aside by the interference of the Secretary of the Navy.

Mr. SWANSON. Will the Senator permit me to interrupt him there?

Mr. PHELAN. I yield.

Mr. SWANSON. It was left to the discretion of the Secretary of the Interior, and Congress appropriated money to defend the titles to these lands that were sought to be taken away from them by large interests in California and elsewhere. The Secretary of the Navy was the guardian of the land in this naval reserve. He requested the Secretary of the Interior to exercise that discretion and not lease lands that were of great value to the Navy and needed for the Navy until the right and title was established. He exercised his discretion. It could not have been gotten through the Senate unless the expression had been put there to take care of cases where wrong might be perpetrated on the Government. The discretion is left to the Secretary of the Interior. The Secretary of the Navy was left to defend these lands and look after the interests of the Government, to see that they were not taken away, and he would have been derelict in duty if he had not done so. He is a faithful, earnest, efficient public servant, and I am glad the Secretary of the Navy has insisted that the Government should not be deprived of these valuable oil lands.

Mr. SHAFROTH. May I make a suggestion to the Senator from California?

Mr. PHELAN. I yield to the Senator from Colorado.

Mr. SHAFROTH. From the very temper of the discussion which is going on it is manifest that no bill can be passed if we are going to permit this amendment to remain in it. I want to say that there is a question of dispute, and a bona fide question of dispute, between the parties. I understand the reserve was made after men had gone there and had sunk wells but had not been able to get the discovery of the oil which the law required, and that by reason of that, in the midst of that development where thousands and hundreds of thousands of dollars were spent, there followed a proclamation of a reserve over that land, and now the question is whether or not the person who expended that money would have a right to have a patent issued to him or to have a lease by the Government of the lands so entered.

Mr. PHELAN. I did not desire to precipitate the discussion of the merits of this question, and if I am allowed to hold the floor without interruption I will presently conclude.

Of course there is not involved in this question at all the patriotic purpose of the Secretary of the Navy. The Senator said that he would relegate the claimants to the law. I simply pointed out that Congress enacted a law in 1914, and it was vetoed by the Secretary of the Navy. We have a Government which is topsy-turvy. The rights of Congress have not been vindicated on this floor, and it is a fruitful topic, and I should like, if it did not interfere with the passage of this bill, to go into that subject. But certainly the Secretary of the Navy can not, in view of the fact, claim that, great as his zeal for the law enacted by Congress for relief, he would allow it to take its way unheeded if it contained his own views.

Now, so far as the Secretary of the Navy is concerned, I am willing to concede that he is conscientious in believing that the enactment of such legislation in some way impairs the rights of the United States. That is his view, and that has been a matter of elaborate discussion in the hearings and in taking the testimony, and the committee have come to the conclusion that the Secretary of the Navy is in error. As he is not infallible, I assume that with Congress against him in the act of 1914 and the committee of the Senate and recent decisions of the Federal courts against him there is a reasonable presumption, at any rate, that he may be wrong.

Now, the Senator from Virginia has imported into the discussion the question of fraud. It is perfectly safe to say that your committee would not countenance the acquisition of property by fraud, and as I have already pointed out there is a special provision in this bill that "no claimant who has been guilty of fraud in the location of any oil claims or gas-bearing lands shall be entitled to any of the benefits of the section." So I do not know what the stockyards case to which the Senator from Virginia refers has to do with this discussion. We desire to protect the Government and protect the citizen as well.

Mr. SWANSON. Will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Virginia?

Mr. PHELAN. I am pleased to yield to the Senator from Virginia.

Mr. SWANSON. What the stockyards case has to do with it is this: The men who entered were not the claimants. These dummy interests were sold to others. They were sold to the Standard Oil Co. They are the claims of the Standard Oil. We have letters to prove that the Standard Oil knew of this fraud. This amendment is so drawn that unless you can carry knowledge that the Standard Oil Co. claimed this property the fraud could not be used to protect the interests of the Government. If that is the intention it ought to have been put there that no individual or dummy entries——

Mr. PHELAN. Why specify the Standard Oil Co.?

Mr. SWANSON. Because the Standard Oil, I understand, is one of the beneficiaries of these dummy entries. So I have been informed by the attorney in this letter. I have not looked into it thoroughly.

Mr. PHELAN. Of course the Standard Oil has an interest everywhere, wherever there is oil; but ordinarily on the hustings it is customary to mention specific corporations as malefactors in order to give color to the discussion. But in this instance the charge that the legislation is in favor of the Standard Oil appears to be rather lame and impotent, because I have before me a statement of the companies that are interested in naval reserve No. 2 printed from the Hearings of the Public Lands Committee of the House, Sixty-third Congress, second session; and it appears that the Standard Oil has an interest in 230 acres out of a total acreage in this particular naval reserve of 30,000 acres. So I do not believe that the interests of the Standard Oil are particularly concerned except in the general question of development in any of this legislation. Whoever developes oil land in any part of the world may be invited by the Standard Oil to contribute its supply for a consideration to the Standard's stock of oil.

Mr. SWANSON. Will the Senator allow me?

Mr. PHELAN. I desire to say here of the Standard Oil that Mr. Frankfurter, representing the Secretary of Labor, on a very recent visit to California sent for the manager of the Standard Oil Co. to ascertain what was the result of the voluntary increase of wages given by the Standard Oil of California to men in the field and the diminution of hours, because the Standard Oil, like perhaps a benevolent despot, a benevolent employer, fixed the standard of hours at eight and the minimum standard of wages at $4 a day. As a result, Mr. Frankfurter, representing the Secretary of Labor, was informed that the Standard Oil over a period of 9 months on which they made observations actually increased its output at less cost. There was a greater efficiency by having three shorter shifts by better paid men—the oil wells were worked for the entire 24 hours, having three shifts of 8 hours each—than by having but two longer shifts; and the increase of wages has well justified the change that they made improving their own condition, bettering the condition likewise of the worker. It gave the Standard Oil of California a position in the eyes of the Secretary of Labor, who is so devoted to the interests of labor, of an employer worthy of example. These facts were ascertained during the investigation just had last month in California for the purpose of inducing other corporations to go and do likewise.

Now, I am told by the Senator from Colorado [Mr. SHAFROTH] that as a matter of practical statesmanship it would be very much better not to discuss at this time the provision of section 16, and to allow all questions relating to naval reserve No. 2 to go over until after the holidays, when the question will be discussed calmly and on its merits, whether the claimants shall be allowed rights as we provide here, whether the Government shall appropriate money for the purpose of the purchase or the condemnation of these several claims, whether the Government shall preserve it as a reserve or develop it in order to meet the extraordinary crisis which is upon us because we are running behind to-day at a portentous rapidity in the production of oil as compared to its use and consumption, or whether it shall be developed by leasing.

The Senator seems to know the minds of the other Senators, which indicate that a discussion now would be futile and I am quite willing, as a matter of practical statesmanship, to give away with the express understanding that the whole question of the rights of these gentlemen in naval reserve No. 2 and in No. 1, No. 3, in the States of California and Wyoming, shall receive under the form of a new bill that careful attention of Congress to which their claims are entitled, and to have a settlement of the oil question in these western States on a high, patriotic plane to meet the exigencies of the Government and the necessities of the Navy.

If the Navy needed the oil of the oil reserves there is not a man holding an adverse claim but would surrender it if the substantial and real interests of the Government were concerned. They only contend that they can better produce oil than the Navy, and we all contend in the committee, and we can, I am sure, convince the Senate that reserve No. 2 can not be maintained as a reserve for use 10, 20, 30, 40, or 50 years from now, nor do I believe in this changed view it is the intention of the Navy Department that it be retained as a reserve, because they need all the resources of the Government at this fateful time. The crisis has come, the hour has arrived, when the mobilized resources of the United States, wherever they may be, shall be utilized to win this war.

Mr. SWANSON. Mr. President, I desire to state that the Navy Department has never desired to deprive anybody in any of these reserves of any right that he has to any of this land. All that they have done is an effort to change the laws which would give relief to people that the Navy Department thought were not entitled in right, in law, or in equity and justice to lands.

Now, as to the Standard Oil Co., the Senator from California is entirely mistaken. I have here an estimate made by the Navy Department. They contend that 2,240 acres is the amount involved in the suit against the Standard Oil Co., estimated to be worth anywhere from ten, twenty, or thirty million dollars. It is hard to tell what oil lands are worth. The only contention the Navy Department has ever made is the people's right to fix it under the Pickett Act. The desire now is to get possession of this land for the Navy and to work these wells. They desire to come in and to have this land condemned and pay for all the rights that anybody has, to pay the value of it and have it settled.

Now, as to the contention of the Navy Department, whether the Standard Oil or the Honolulu, or any company, large or small, it is to give what they are entitled to receive under the law. They went in under the Pickett Act. The Navy Department think they could do nothing more and nothing less. They never contended that any law should be changed or any effort made to increase or decrease the rights of these people which was fixed by legislation and which they themselves favored. The only contention they ever made was an opportunity to discuss this matter when it came up in this bill. They thought it ought not to be included in the general bill. The bill as it passed the House did not include it, as I understand it, but it was put on in the Senate, and they also thought it ought to go out and come up as a separate measure.

I shall introduce a bill and try to carry out what the Attorney General and what the Navy Department think is right between these people and the Government, and have it referred to the committee, giving these people an opportunity to be heard. I am satisfied that no Senator wants, nor does the Navy Department, want to injure anybody, to either increase or decrease the right of anybody, however strong or however poor. They have insisted that the right as fixed when the legislation was passed, known as the Pickett Act, be sustained. They do not think it ought to be increased or decreased since that time.

Mr. PHELAN. May I ask the Senator, does he recall the date of the Pickett Act?

Mr. SWANSON. I do not recall it exactly.

Mr. PHELAN. In the year 1907 it passed. I referred to the legislation passed in 1914, the most recent expression of the Congress.

Mr. SWANSON. Now, take 1914. A bill was passed leaving it discretionary with the Secretary of the Interior to lease these lands. The Secretary of the Interior presented the case to the Government against leasing lands through the Navy Department. After presenting that, after giving the views of the Navy as to what would occur and the necessities of the Navy, the Secretary of the Interior refused to exercise that discretion. According to the act, if the discretion had not been given to him, I do not believe the bill would have passed the Senate. How is it in violation of law? How is there any injustice done? Here is a statement made by the Secretary of the Interior regarding the leasing of this land in the exercise of his discretion. He refused to make a lease of the naval lands. Is that an injustice? Is that wrong? Is not that carrying out the very language and purpose of the act?

Mr. PHELAN. It was not the discretion of the Secretary of the Navy; it was the discretion of the Secretary of the Interior that Congress provided for; and it was an inference, and there is a controversy, which it is needless to bring up here, between the two departments, showing that one has interfered in the operation of the other department, and for purposes of harmony it is better that we do not bring that up now. But I can not consider it an exercise of one's discretion when a man holding a coordinate office comes to your office and says you shall exercise your discretion this way. There was no voluntary exercise of discretion, and I am quite satisfied that there was duress of a mild character, because, after all, it would be a painful exhibition if the officers of the President's Cabinet can not agree upon matters of such vast importance as to the right of humble claimants in a remote district in California.

Mr. SWANSON. I do not know what restrained the Secretary of the Interior from exercising his discretion and bringing

these oil lands in the naval reserve. All I know is that Congress asked that the discretion be given him. Congress directed the Secretary of the Navy to take care of this reserve and appropriated money to defend that. What prevented the Secretary of the Navy from leasing this naval reserve? The Secretary of the Interior refused to do it. Now, can you say that the Secretary of the Interior is coerced, is bulldozed, and that improper influence was exercised by the Secretary of the Navy over the Secretary of the Interior. I think the Senator from California does not know the nerve, the backbone, and the judgment of the Secretary of the Interior; but it is patent to Congress that neither the Secretary of the Interior nor the Secretary of the Navy was willing to lease the lands and let them be disposed of in that way, and it came here for Congress to dispose of it. The Secretary of the Navy has never asked that the law be changed. He has never sought to deprive these people of any of their rights. The Senator from Utah [Mr. SMOOT], I think, told me that when the Pickett bill was passed the very claimants, the people interested, came here and the bill was prepared by the people asking for relief. Was it not prepared by the oil people?

Mr. SMOOT. Mr. President, when the so-called Pickett bill passed the Congress it was distinctly understood at that time that relief was to be given to the oil people. They were in Washington and agreed to the bill, thinking the bill covered their case. But the construction placed upon it by the Interior Department prevented the relief intended. Those same people have been coming to Congress ever since 1912 asking for remedial legislation. Such legislation has passed the Senate once or twice, but it never yet passed the House, or if it has passed the House it has failed in the Senate, and the oil people located within Naval Reserve No. 2 did not have the relief that they anticipated at the time of the passage of the Pickett Act.

Mr. SWANSON. A great many people got relief under that act, all that Congress would have given at that time, but they had a great deal of money made. Some cases were left out. Some cases of dummy interests could not be covered by it. Some cases of what are called constructive development. A man building a pipe line said he had in contemplation 5, 8, or 10 interests as well and the construction if carried out might cover all. There was, they said, not a liberal enough construction to say whether you were working all the time, but all these cases are cases to be determined by the Secretary of the Interior under the law. The law was broader than the general law at that time. Other people had mined under it and it seemed to me the law ought not to be changed. The only contention we have had is that we ought not in this bill giving general relief to take care of special cases which have been a subject of litigation. The people had notice not to go on this naval reserve. They had notice at that time that the Government proposed to take these lands and consequently we said that the naval reserve should be treated differently from other oil or public lands mentioned.

Mr. SMOOT. I will say to the Senator that the Honolulu Oil Co. cases have been before the Secretary of the Interior for a number of years. There is a dispute between the Secretary of the Interior and the Secretary of the Navy as to the rights of the company bill. If I understand it aright, the Honolulu Oil Co. is perfectly willing to have all its claims adjudicated by the Secretary of the Interior the same as most of them have already been. But the Secretary of the Navy does not want the claims of the company located in naval reserve No. 2 to pass to a patent. There is that difference between the heads of the two departments, and there is a conflict between them to-day.

Mr. SWANSON. As I understand, the Senator wishes to be heard on this question of the transfer of construction work from one claim to another, and whether to continue or whether a man can stop for three or four years, going to Paris, London, and New York trying to get money to operate or whether he has to work on the claim or not. All that is involved. He has asked to be heard on this before it went to final passage; but this bill the Secretary of the Navy sent to me and asked me to introduce. I have not introduced it yet, because I want to look it over more myself and confer with those interested previous to introducing it, so that the final title shall be passed on by the Secretary of the Interior. This bill did not propose to change the law one iota in reference to that. I see no dereliction on the part of the Secretary of the Navy, who wants to protect the interests of the Government in this regard, who asked for opportunity for counsel to be heard, and the facts to be ascertained before the matter is definitely settled.

Mr. SMOOT. I wish to say to the Senator that the Committee on Public Lands have held hearings two or three times within the last four or five years at which both the Interior Department and the Navy Department have represented their side of this very case. The Secretary of the Navy has appeared before that committee several times. I have not the testimony here, but I could secure it in a very few moments.

Mr. SWANSON. I have the testimony.

Mr. SMOOT. The attorneys of the Navy Department have also appeared and gave testimony before the committee, and also the attorney for the Secretary of the Interior, who testified as well, I think, as the Secretary himself, although I do not remember the Secretary testifying in this particular as to the dispute between the two. But if he did not testify it is because he did not want to testify, because every chance in the world was given the Secretary of the Interior and the Secretary of the Navy or any representative that they might want to have heard.

Mr. PHELAN. Mr. President——

Mr. SWANSON. I yield to the Senator from California.

Mr. PHELAN. I desire to remind the Senator from Utah that recent decisions in the controversy between the two Secretaries sustained the Secretary of the Interior.

Mr. SMOOT. That is what I just told the Senator from Virginia.

Mr. SWANSON. What is the recent decision?

Mr. PHELAN. The recent decision of the Federal court.

Mr. SWANSON. You mean the circuit court?

Mr. PHELAN. The circuit court.

Mr. SMOOT. I did not have reference to the decision of the court.

Mr. SWANSON. The Secretary of the Navy and his counsel have insisted that what they did in the Honolulu case is a proper construction of the law. A man says he is going to extend his pipe line, which simply proves that, in his mind, he expected to extend it as much as the law will permit, and simply nullified the requirement of the man who worked on the section. As I understand, in the Honolulu case and in some of these cases as soon as the patent is issued it can not be rejected in the courts; that is final, I understand. Consequently, he has asked that in some of these cases before the patents were issued he should have an opportunity to investigate the facts and see whether there is any fraud and get the facts and have an opportunity to have the law construed in the courts, because it could not be construed in the courts if a patent was issued in any of these cases. I do not know whether he has asked that or not, but if he did, that would be the only purpose he would have where the court construed the Pickett Act as the law.

Mr. SMOOT. The Senator knows that under the law it is the duty of the Secretary of the Interior to look up all those questions, and if I am correctly informed the Secretary of the Interior has done all that work, and the reports are in from the department in which every patent that is there, every claim for not only homestead but mining claims and oil claims of all kinds, have to pass through before a patent can be issued.

Mr. SWANSON. That is true, but Congress has passed an appropriation—I do not know the amount of money—directing the Secretary of the Navy and the Attorney General to look especially to this naval reserve and protect the interests of the Government. Under that authorization and direction of Congress both have felt that they were obligated and ought to do so. As I was saying, the bill that was drawn by the Navy Department provides that the Secretary of the Interior shall pass finally on all these claims, as the present law provides. After that is done, then these oil lands will be condemned and the value ascertained, the Government paying for them.

I thought such a provision should be included in the bill as was embodied in the legislation under which the Government commandeered steel and other things; that there should be an opportunity for the Secretary of the Navy or the Attorney General to compromise cases which might be in dispute, and that claimants should not be required to go through the slow process of having condemnation proceedings determine the matter. Such provision was made in other war measures, including the naval law of 1916. Let the Government pay three-fourths of the price, and if the party is not willing to take what the Government ascertains to be right, let him have an opportunity, as he has in other cases, to go into the Court of Claims or elsewhere, as might be thought best, litigate the matter, and ascertain the value. That is what was done as to steel, and that is what has been done as to everything which the Navy and the Shipping Board have taken for construction. I think the same procedure ought to be followed as to these oil lands—nothing more and nothing less; that these parties should be given no more and no

less. Give them the same privileges and the same rights regardless of to whom the property belongs. That is the purpose of the bill which I have in view and which I contemplate preparing and introducing when Congress reassembles after the holidays.

Mr. PITTMAN. Mr. President, inasmuch as the discussion on this particular subject has gone on, I should like to know whether or not the Senator from California is willing to accept the assurance of the Senator from Virginia in regard to his intention to introduce a special bill?

Mr. PHELAN. Mr. President, as I stated in the few remarks which I have heretofore made, I am quite willing to conditionally accept the assurance of the Senator from Virginia that the matter shall be brought up after the holidays for the consideration of the Senate.

Mr. SMOOT. Mr. President, before the Senator from California takes his seat I should like to have an understanding in relation to his attitude on this amendment. Am I to understand the Senator from California to say that he is perfectly willing to accept the suggested amendment; that the provision shall go out of the bill, and that he is willing to take his chances, on behalf of the oil producers of California, who own claims within naval reserve No. 2, to secure the legislation which they desire and the relief for which they have asked so long by the bill that the Senator from Virginia shall hereafter offer?

Mr. PHELAN. Mr. President, in reply to the Senator from Utah, I desire to say that there are circumstances under which one must accept less than one desires. Such is the situation to-day. There is such a thing as the Oil Producers' Association of California, composed of nearly all the oil men, who are interested in the protection of their rights. That association does not include the Honolulu Oil Co. and one or two others. The only protest which I have received has been from the Honolulu Oil Co. The Oil Association, as well as the Honolulu company, would much prefer to have section 16 of this bill enacted and settle this question for all time. I am told, however, by Senators of greater experience that it is impracticable, in view of the fact that this bill has to be passed by both the Senate and the other House, if we expect this legislation to be enacted before the holiday recess, to insist upon the consideration of that matter now. I therefore accept in good faith the promise of the Senator from Virginia that the matter shall be taken up and discussed after the holidays, and therefore I will not object now to the Senator's amendment eliminating naval reserves No. 2 and No. 1 and No. 3 from the provisions of this bill, in order that the bill may pass without serious objection, and the vast lands outside the reserve be developed on the plan of the leasing system.

Mr. SMOOT. Mr. President, inasmuch as the Senator from California is satisfied that the proposed amendment shall be accepted, I shall certainly not interpose any objection to naval reserve No. 2 being located in that State; but I wish to say, in order that there shall be no misunderstanding about the matter, that the Honolulu Oil Co. is not the only company which objects to this provision going out of the bill. I have received a number of telegrams from California and I have seen a number of oil people from California, and they are not satisfied with this program. Of course, I can not say whether the parties to whom I refer have seen the Senator from California and have finally decided that it is best to agree to this program rather than the legislation for which they have fought during so many years and which, it seems, might be consummated at this time. Therefore, I am going to rely upon what the Senator from California says as expressing the opinion of the oil people of that State and shall make no further objection.

I did intend, Mr. President, to have something to say upon the amendment proposing to eliminate this feature from the pending bill, but I shall content myself by now saying that some years ago these parties came to Congress asking for relief. It was shortly after it was decided that the so-called Pickett bill did not give them the relief we all thought it did. I think we have passed this same provision—or substantially the same—some three times through the Senate since that time. I remember once we put it upon an appropriation bill, if I am not mistaken, and it would have remained there but for the fact that at the last moment there was a disagreement as to what the wording of the amendment really meant. Some felt that it did not cover all the cases and would be construed by the Interior Department as not covering the cases which they desired covered. So it was finally decided to allow the matter to die in the last hours of the session.

The Senator from California may be right—that it is the best policy now to adopt this amendment and rely upon the promise which has been given that some relief will be granted in a bill yet to be introduced and acted upon which will be acceptable to the Secretary of the Navy. I know that the Secretary of the Interior and all of the officials of the Interior Department have been in favor of this legislation. They believe that the locations made in naval oil reserve No. 2 are mostly regular and were made in good faith; that there was no fraud connected with the greater part of them. Many of those titles, as the Senator knows, have been passed upon.

Mr. President, I will say nothing more about this amendment, so far as I am concerned, upon the assurance of the Senator from California that it is the best policy for the people of California that the amendment should be adopted. I shall not even object to its being voted upon at this time.

Mr. PHELAN. Mr. President, just one word. The Senator from Utah should clearly understand my position. I believe that this relief should be given, but it seems impracticable that it should be passed at this time for this reason: Outside naval reserve No. 2, which contains 30,000 acres, there are 1,000,000 acres of public land containing oil. This bill provides for the development under a leasing system of 1,000,000 acres of oil-bearing land. The oil men of California do not wish to stand in the way of the general development of oil-bearing land, and are therefore willing to wait until after the holiday recess for the consideration of their special rights in naval reserve No. 2. I have been in communication with the attorney in Washington of the Oil Producers' Association of California, and he says that the attitude of that association is by all means to get provision for relief; but if insistence upon such a provision should defeat the larger measure providing for the development of 1,000,000 acres of land so needed in the country at this time, that association would not stand in the way. So I say the only protest I have had has been from the Honolulu Oil Co., which is outside the association. I am, therefore, willing to accept, as I said in good faith, the promise of the Senator from Virginia and let the matter go over until after the holiday recess.

Mr. GALLINGER. Mr. President, living, as I do, on the Atlantic seacoast, I have never claimed any special knowledge of the questions which concern Senators particularly from the Western and the Pacific Coast States, but I recall with a good deal of interest the excited debates we have had on this question at former sessions of the Senate. I recall particularly the vehemence of the Senator from Colorado [Mr. SHAFROTH] whenever the word "lease" was uttered. Then the Senator was instantly on his feet and denounced it as not being in the public interest. The Senator from Colorado seems to be silent in this debate. For some reason or other he has apparently changed his mind, and I should like to know exactly upon what ground that change of mind has been brought about on the part of the Senator from Colorado, and perhaps on the part of other Senators.

Mr. SHAFROTH. Mr. President, I should like exactly to explain the situation to the Senator from New Hampshire.

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Colorado?

Mr. GALLINGER. I will yield for that purpose, for I want information.

Mr. SHAFROTH. I will state to the Senator from New Hampshire that I have an antipathy to a leasing system; I do not believe it is right; I do not believe that it is expedient; I do not believe that it is practicable; but there has come a proposition which is an alternative; which permits the man who makes the entry to buy or to lease. Inasmuch as that proposition comes to us I feel that it is wise that the legislation shall be accepted, even if it does permit a lease under some circumstances.

I have always felt that no man would lease a piece of property on the public domain if he had the ability to buy it and my opponent, the Senator from Montana [Mr. WALSH], who is the author of the other bill, was always of the opinion that nobody would buy and invest the amount of capital that would be required, but that he would lease, my position being that nobody would lend any money on a lease. So far as I am concerned I hope this development will take place; and I hope it will take place under a purchase system; but in the event that it does not, if the other system is more acceptable to the entryman, if a leasing system is not forced onto the entryman, I do not see why it is not a wise thing to let this alternative proposition be presented to him. Then we shall surely get the development to which we in the West think we are entitled. It is for that reason that I am supporting this bill.

Mr. GALLINGER. Mr. President, I have been told by at least one Senator that that alternative proposition is not actually contained in the bill in the shape in which the Senator from Colorado states it. But, however that may be, under the alternative proposition leases can be made. The Senator from Colorado will not deny that?

Mr. SHAFROTH. Oh, yes; leases can be made under it, but I am satisfied that no leases will be made under it. We have had experience along this line in Alaska. I made the prediction that there would not be a single lease taken out in Alaska. Nobody is going to lend money for the purpose of buying great machinery costing probably a half million or a million dollars and have for security only a lease which may be forfeited to the Government. That has been true in Alaska with respect to the leasing system. For that reason I believe that giving this alternative proposition would produce a development of the West.

Mr. BORAH. Mr. President——

Mr. GALLINGER. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, I want to call the attention of the Senator from Colorado to section 7, the portion of the bill relating to phosphates, which reads:

That the Secretary of the Interior is hereby authorized to lease or sell to any person qualified under this act any lands belonging to the United States—

And so forth.

Mr. President, I think the Senator from Colorado will agree with me that if the Secretary of the Interior should, as a matter of policy, be opposed to the sales system, there would be no opportunity whatever for a man to purchase under that clause. The land would never be offered for sale at all. Tender of the land to the public for sale could not be forced. The Secretary of the Interior may authorize leasing or he may authorize selling, but if he sees fit not to offer the land for sale there is no way by which the public can enforce a sale or compel the Secretary of the Interior to tender the land to the public for sale.

Mr. SHAFROTH. Mr. President, if the Senator will examine the first——

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Colorado?

Mr. GALLINGER. I yield, briefly.

Mr. SHAFROTH. If the Senator from Idaho will examine the first part of the bill, in section 2, he will find that there is a provision that the Secretary of the Interior, if application is made for the purchase, "shall offer such coal lands and award the same through advertisement and competitive bidding," just as he is authorized to call for competitive bids for a lease. That is, as to coal lands. It is true that the wording is not exactly the same as to other lands; but I take it that the Secretary of the Interior wants development; and I take it that he is not going, when this power is given to him to sell or lease, to say, "I will not sell, but will lease," when, in my judgment, he will not get a single bidder under a leasing proposition.

There has been no development whatever in Alaska; and yet the prediction was made that men were in Washington at the time that legislation was passed for the purposes of entering into leases with the Government. Men will not enter into leases, for under them they can not raise money to finance their enterprises.

For these reasons, this bill being based upon an alternative proposition, I am willing to risk the fact that men will not take land under the leasing system; and not only that, but, if they do not, that the Secretary of the Interior will be in duty bound, under this very bill, to offer it for sale. Under these circumstances, I am certain that we are going to get development.

I have not changed my mind one particle as to the wisdom of the sales system. I am satisfied that we can not secure development under a leasing system. We have had a wonderful success in this country under the sales system, and it seems to me that it would be very unwise to change to a leasing system; but I recognize the fact that the House of Representatives particularly are insisting upon a leasing system and nothing else. We have got to make some concessions if we are going to have this great domain developed; and when the proposition comes to me from the Senator from Montana, that he is willing to take the alternative, I feel that it is wisdom on the part of the Congress of the United States to accept it.

Mr. SMOOT. Mr. President, will the Senator from New Hampshire yield to me for a moment?

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Utah?

Mr. GALLINGER. I yield to the Senator from Utah.

Mr. SMOOT. In order that Senators may know what kind of coal land will be for sale, I want to call attention to the following provision of section 2 of the bill:

SEC. 2. That any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State, or any municipality of any State, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State of the Union—

Now note—

not otherwise appropriated or reserved by competent authority.

Coal land in the United States is reserved already and withdrawn from entry.

Mr. SHAFROTH. Oh, no, Mr. President.

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Colorado?

Mr. SHAFROTH. The Senator knows that the coal lands were reserved at one time——

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Colorado?

Mr. GALLINGER. I have the floor——

Mr. SHAFROTH. I should like to answer the statement just made by the Senator from Utah.

Mr. GALLINGER. If the Senator from Utah wishes to yield, and has the right to yield under the circumstances, I have no objection; but I want about one minute more and I will be through.

Mr. SHAFROTH. Well, I want to say right here that there was a time when all of these coal lands were reserved. The Secretary of the Interior knew years ago that the law relating to reservations contemplated temporary reservations, and every act provided that they should be temporary; he knew that holding coal lands under a reservation order lasting for a long time would be illegal. So, in order to overcome that, under the classification clause, it was concluded 10 years ago to classify these lands and to place a value upon them, because the act of Congress provided that they should be sold for not less than $10 an acre if more than 15 miles from a railroad and for not less than $20 an acre if within 15 miles of a railroad. The secretary had valuations made, and as high as $500 an acre value was placed on these lands. While in effect that keeps these lands from being taken up, it is not a reservation which would come within the operation of the exception.

Mr. SMOOT. Mr. President, I desire to add just a word.

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Utah?

Mr. GALLINGER. I yield to the Senator from Utah.

Mr. SMOOT. Most of the western lands, Mr. President, that have been classified have never been by proclamation of the President made open to entry and, therefore, we will find them "reserved by competent authority." What the Senator says about withdrawals being temporary, of course, is true. The Pickett Act itself specifically states that the withdrawals shall be temporary, but since the passage of the Pickett Act in 1910 no attention has been paid to the word temporary, and there are withdrawn to-day millions of acres of land that were withdrawn immediately after the passage of the Pickett Act and some years before. It may be that if some one would go into court and have the word "temporary" construed, it would be decided that 7 to 15 years would be long enough to constitute a temporary withdrawal; but I doubt very much whether anybody wants to undertake the expense of such a contest, particularly after the lesson which has been taught in the past that in going to court upon any of these withdrawals very little success has attended the effort.

Mr. GALLINGER. I observed that the Senator from Colorado suggested that a price as high as $500 per acre had been fixed upon some of these lands. In this bill the price is fixed at from $10 to $20.

Mr. SHAFROTH. No; if the Senator will read the provisions of the bill he will find that it is not less than $10 or not less than $20 an acre.

Mr. GALLINGER. Oh, yes.

Mr. SHAFROTH. And then the land is to be put up and sold at auction, so that the actual value of the land can be ascertained and paid to the Government.

Mr. GALLINGER. Well, Mr. President, I have been here too long to be deceived, not by any suggestion of that kind, but by any argument that when a price is fixed in a bill of not less than a certain amount it is going to cost any more. These lands are going to be sold at from $10 to $20 an acre beyond a question.

Mr. SHAFROTH. That is the law at the present time, and one has a right to enter the land right now, except as to the restriction upon the amount of land, 160 acres being the maximum that can be taken up now. The valuation has been changed. The department has said, "The law provides for a price of not less than $10 an acre," so the Secretary has put it at $50 or $100 an acre, and where it says that a price shall be charged of not less than $20 an acre he has put it at $400 or $300 an acre.

Mr. GALLINGER. Why did you not have that put in the bill?

Mr. SHAFROTH. That is the way it is now, and we did not want it to be framed in that way. We want the provision so shaped that the fair value of the land will be paid. We have been protesting against that very thing, because nobody would take up land with any such valuation, and consequently it was a barrier to any development whatever.

Mr. GALLINGER. Mr. President, I am not laboring under any illusions regarding this matter. I am satisfied that somebody is going to make a very handsome profit out of this transaction. I hope that it will be men who deserve consideration, and not men who are simply engaged in speculation at the expense of the Government. But what I particularly wanted to add to the observation I made a few moments ago was that inasmuch as the Secretary of the Interior is in favor of leasing, and has made that known on all occasions and at all times, it seems to me absurd to suppose that the leasing system will be abandoned and that the system of selling these lands will be adopted.

The Secretary of the Interior has great influence in all these matters, and it will be found, in my judgment, when this bill goes on the statute books and is being administered, that the leasing system will be in vogue to an extent that would have horrified the Senator from Colorado a few months ago, but which I think he is going to accept with complacency at the present time.

Mr. President, I was converted in a debate that was held here on a former occasion to the belief that the leasing system was an abomination. I did not entertain that view until the debate commenced. I had not examined the matter very carefully, but having heard the eloquent appeals of the Senator from Colorado in favor of a different system from that of leasing made on this floor day after day with a vehemence that did him credit, because I believed he was honest and sincere in it, I confess that I am more than astounded to learn to-day that the Senator from Colorado has yielded his convictions and is now in favor of a system that he so earnestly condemned a few months ago. I was then converted particularly to the belief that the leasing system was wrong. I have not changed my mind, and while my vote probably will be in a very large minority when this bill is passed, I shall continue to hold that belief just as I entertained it during that memorable debate and shall vote against the bill.

Mr. SHAFROTH. Mr. President, I want to say in answer to the Senator that I am sorry that he believes that I have changed my position in any particular. I have recognized the fact that the leasing system is an evil, and I recognize the fact that it was never contemplated by our Government that we should have a leasing system, yet we are confronted with the fact that a leasing bill has been brought over to the Senate of the United States several times nearly unanimously from the House of Representatives; we are confronted with the fact that in the absence of some legislation these lands are not going to be developed at all. The Ferris leasing bill came over from the House not once but three times, with an enormous majority in the House. My contention is that we want development. I do not want it to be had under a leasing system, but I do want it to be had under a selling system. We have a provision in this bill that permits the man who is to develop the country to determine for himself which he will do; in other words, whether he will buy or whether he will lease, and it seems to me, inasmuch as compromises have got to be made at some time, that it was wise to have made it in this instance.

ENROLLED JOINT RESOLUTION SIGNED.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 193) authorizing the payment of salaries of officers and employees of Congress for December, 1917, and it was thereupon signed by the Vice President.

HOLIDAY RECESS.

Mr. BORAH. Mr. President, I desire to give a notice which I gave in part a few moments ago without looking at the rules. I wish to amplify it. I give notice that on to-morrow morning I shall move to reconsider the vote by which the concurrent resolution providing for a recess of Congress over the holidays was agreed to, and I shall also make a separate motion to recall the resolution from the House of Representatives for further consideration in the Senate.

MINING OF COAL, ETC., ON THE PUBLIC DOMAIN.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.

Mr. KING. Mr. President, owing to pressing duties of a public character, I have had but limited opportunity to examine the provisions of the bill under consideration; but as I interpret its provisions I am compelled to state that I am opposed to it, to its fundamental principles, as well as to the details relating to its execution. I stated to the Senator having the bill in charge that the bill was repugnant to my ideas and that before a vote was taken I should seek an opportunity to discuss some of its provisions. I had not intended making any observations to-day, but at the time amendments were being considered I expected to discuss some phases of the questions involved.

A few moments ago I asked the Senator from Virginia [Mr. SWANSON] a question with respect to the naval oil reserves, and he with knightly courage rushed to the defense of the Secretary of the Navy. My knowledge of the situation in California, so far as it is affected or may be affected by this bill, is not extensive and consists largely of what I have learned from hastily reading the report submitted by the Senator from Nevada accompanying the bill which we are now considering. I have also hurriedly read a number of the decisions referred to in the report just mentioned.

I regret that the Senator from California [Mr. PHELAN] has assented to the amendment suggested by the Senator from Nevada. As I view the facts in the matter, I regard it as the part of wisdom, as well as a legislative duty, for Congress to dispose of the questions involved in the oil fields and in the oil locations in California, so far as this may be done by legislative enactment. As I understand the situation, in brief it is this: A number of years ago a large number of qualified locators entered upon unoccupied public domain of the United States which contained oil, and under the placer laws made locations. They went into possession of their respective claims and began the necessary work for the discovery of oil. Proper locations were filed and the laws in all respects were complied with. While they were in possession and were diligently engaged in digging and boring for oil President Taft, on September 29, 1909, issued a proclamation reading as follows:

Temporary petroleum withdrawal No. 5.—In aid of proposed legislation affecting the use and disposition of the petroleum deposits on the public domain, all public lands in the accompanying lists are hereby temporarily withdrawn from all forms of location, settlement, selection, filing, entry, or disposal under the mineral or nonmineral public-land laws. All locations or claims existing and valid on this date may proceed to entry in the usual manner after field investigation and examination.

Many of those in possession had spent large sums of money in their efforts to discover oil and were acting in the utmost good faith. The geology of the district indicated that oil was present at depth and that in due season the oil sands would be reached. It was the view of most of the eminent lawyers of the United States who gave the question consideration that the power to dispose of public lands rested in Congress alone and that the act of the President was an act of usurpation. Indeed, as I am advised, President Taft himself had serious doubts as to the legality of his position. Acting under the advice of counsel, many of the locators continued their expenditures, as a result of which upon various claims oil was discovered. Still other locators construed the words of the proclamation "all locations and claims existing and valid on this date may proceed to entry in the usual manner after field investigation and examination" to mean that, where they had made their locations in harmony with the law, even though there had been no actual discovery of oil, there was no intention to include such locations within the proclamation; or, in other words, that the proclamation, were it valid, specifically excluded from its provisions those locations which in all respects complied with the statute except that oil or gas had not actually been discovered at the date of the proclamation.

Of course, if the act of the President in issuing the proclamation was without authority, it could in no way affect the rights of the locators or those in possession as their successors; and if they continued in possession and made discovery of oil at any time thereafter, if there were no intervening rights, the validity of their locations could not be questioned. They would have vested rights of which they could not be deprived by Executive or legislative enactment.

It is a matter of common knowledge that under the mining laws of the United States those who are qualified to make entry and who enter upon the public domain and locate under the mining laws acquire property of which they can not be deprived. The claims held by them were property and are the subject of devise and alienation as other real estate might be. Of course, if the locator fails to comply with the law, he may forfeit his rights to the located claims. The Supreme Court of the United

States finally upheld the action of the President. I hope it will not be considered as gravely improper to remark that the opinion of the dissenting justices more nearly represents the views of the bar and voices practically the unanimous opinion of the West. The majority opinion rests upon the theory of estoppel. The view seems to be that if an executive department of the Government violates the law and is guilty of usurpations, if the violations and usurpations are continued sufficiently long, they are sanctified into a right.

However, Congress, desiring to fully protect the bona fide locators upon the lands embraced within the Executive proclamation of withdrawal, passed what is known as the Pickett Act on the 25th of June, 1910. This act provided:

That the rights of any person who, at the date of any order of withdrawal heretofore or hereafter made, is a bona fide occupant or claimant of oil or gas bearing lands, and who at such date is in diligent prosecution of work leading to discovery of oil or gas, shall not be affected or impaired by such order so long as such occupant or claimant shall continue in diligent prosecution of said work.

These locators, fortified by the Pickett Act, continued in possession, made further improvements and additional expenditures, and produced oil in abundance. Notwithstanding these facts and notwithstanding the further fact that many of the locators had applied for patents and the Interior Department had ruled that they were entitled to patents, the Secretary of the Navy, or officers within his department, acting through the Department of Justice, brought suits against the locators or their successors in interest, and in many instances had receivers appointed. The litigation thus commenced and the threatening attitude of the Interior Department and the Department of Justice in other instances where suits were not brought resulted in great loss, damage, and injury to persons rightfully in possession of oil claims. In the suits brought the contention, as I understand the situation, was made that the Executive act of withdrawal deprived locators of any rights they may have had in the claims located by them, because at the time of such act of withdrawal no discovery of oil within the contemplation of the statute had actually been made.

The contention was further made that even though oil had been discovered and expenditures aggregating many thousands of dollars had been made by individuals the locators or their successors had no rights because they had not been "diligent in the prosecution of work leading to the discovery of oil or gas." A narrow, inequitable, and unlawful construction was placed upon the law and upon the acts of the occupants of the mining claims by the representatives of the Navy Department and the Department of Justice.

I submit that many of these suits exhibit a cynical contempt for the law and a brutal disregard for justice and fair dealing. Many locators were wronged and robbed by the cruel and unwarranted proceedings of the department just referred to. That some locations were fraudulent and invalid may be true, but that many of them were valid is apparent from the decision of the court in the Mutual Oil Co. case recently decided by the Circuit Court of Appeals. In the decision just referred to the contentions of the Government were swept aside.

I might say in passing that the record in these cases show the vexatious and oppressive conduct of the Government and the tyrannous bureaucracy to which the West has been subjected under the system that has grown up and is fast being developed in our Government. The Senator from New Hampshire [Mr. GALLINGER] has just stated that he regrets to learn that the distinguished Senator from Colorado [Mr. SHAFROTH], who has been for many years the conspicuous opponent of the encroachments and tyrannies of the Interior Department, and who has stood against any scheme which involved the leasing of the public domain by the Federal Government, had abandoned that position and announced his support of this bill. The Senator from Colorado knows perhaps more than any other man the evils of a paternalistic policy by the Government and is cognizant of the wrongs which have been inflicted upon the West, as a result of which its development has been hindered and its prosperity greatly interfered with. It is apparent that by this bill an iniquitious leasing system is to be fastened upon the West. We have been able to defeat it in the past, but it appears that the triumph of this vicious policy is about to be realized and that the West must bow in humiliation to this undeserved and shameful servitude. Before concluding my remarks I shall discuss with more or less detail the mineral policy of our Government and the evils of a leasing system, and call attention to this radical departure from what I feel justified in denominating a historic policy which has been productive of such beneficent results not only to the West but to the Nation.

But first I desire to briefly comment upon the provisions of the bill dealing with what are called "naval oil reserves," and particularly the oil reserves in California. I think that it is unwise and unjust to fail to effectually dispose of this entire question here and now if the general provisions of this bill are to be enacted into law. I am not sure that any legislation upon our part is required in order to protect the rights of the locators to whom I have referred. However, it would not be inappropriate to enact some legislation that will protect bona fide locators from vexatious, unfounded, and oppressive litigation. As I interpret this bill it states that if certain locators or claimants will abandon their claims they will be permitted to obtain title to a portion of the same. At any rate, the situation calls for additional legislation to protect the rights of bona fide locators within the oil reserves, or further enactment to restrain executive departments from inaugurating crusades to harass and oppress individuals. I am of opinion that the facts disclosed with respect to the subject of this legislation call for a stern rebuke of the unprecedented and unwarranted usurpations upon the part of the Navy Department. It is astonishing to hear the statements openly made in the Senate by distinguished Senators that Congress is unable to pass any other bill than the one under consideration because of the opposition of the Navy Department.

It should be humiliating for the Senate to confess that some executive branch of the Government is so puissant that it can compel legislation desired by it and prevent legislation desired by a majority of the Members of Congress.

I desire to briefly call attention to a few of the provisions of the bill under consideration before discussing the fundamental and basic theory and policy upon which it rests.

Section 2 provides that any association composed of persons severally qualified by law to enter coal lands, or any corporation, and so forth, shall have the right to enter by legal subdivisions, vacant coal lands of the United States not "otherwise appropriated or reserved by competent authority." As I understand, millions of acres of coal lands have been withdrawn from entry by the Government and are therefore "otherwise appropriated or reserved by competent authority," and accordingly would not be subject to entry. These acts of withdrawal of coal lands by Executive order have been numerous in the past, as a result, as stated, millions of acres of coal lands have been withdrawn from entry and locked under the seal of Federal control. Lands still remaining within these reserves are not subject to entry under this act. The same section further provides that the Secretary of the Interior shall offer such coal lands—that is, those that are subject to entry—"through advertisement and competitive bidding, reserving the right to reject any and all bids which he may deem to be unfair."

The able Senator from Colorado [Mr. SHAFROTH] has announced as one of the reasons why he will support this bill, that it permits the purchase by individuals or corporations of coal lands, and does not submit a leasing bill exclusively.

Mr. President, I respectfully insist that this provision just referred to nullifies the terms of the section providing for vacant coal lands to be entered. First, the land must be "advertised," and there must be "competitive bidding." Second, the Secretary of the Interior may reject all bids if they are deemed to be "unfair."

It is a matter of common knowledge that the Interior Department has classified large areas of coal lands and offered them for sale at prices which the department fixed, and which presumably the Secretary of the Interior considered to be "fair." A price lower than that fixed for these lands manifestly would be deemed by the Secretary of the Interior to be too low, and therefore "unfair." Under the policy which now obtains in the Interior Department, but a very limited number of sales of coal lands have been made since the inauguration of this practice. If the opening up of the coal lands upon the public domain is desired, then it is clear that this bill will not accomplish that desirable result. The coal lands upon the public domain have been subject, for years, to entry under prices fixed by the Secretary of the Interior, but we have awakened to the fact that these prices have not been paid by the public and the coal lands therefore have not been sought by the public.

What price will be deemed "unfair" or what figure will be regarded as "fair" by the Secretary of the Interior? There is no restriction or limitation upon his discretion. This bill with greater propriety could be denominated "a bill to prevent the sale of coal lands, to increase the power of the Interior Department, to foster bureaucracy, to destroy the mining system which has brought prosperity to the West and to the Nation, and to seal up a portion of the mineral lands of the United States."

The system of competitive bidding is obnoxious to those who are familiar with our public-land system and must prove highly objectionable to those who desire the development of the West and the general prosperity of all classes. It has never been

the policy of our Government to treat the public lands as a commodity to be sold in a competitive market.

The statesmen of our Nation who have addressed themselves to the question of the method of disposing of the public lands have with practical unanimity taken the view that the public lands, whether agricultural or mineral, should be freely disposed of to the people; that the smallest possible charge should be made therefor, because the Government and the Nation generally would be compensated ultimately in the increase in national wealth and taxable property and in the development and general prosperity that would result to all the people.

A competitive system will put the lands in the hands of those possessing wealth; it will deny to the poor man or the man of small means an opportunity to acquire coal lands. This provision of the bill is discriminatory and is legislation in the interest of the rich and against the man of small means. In my opinion it is unwise, undemocratic, and un-American.

Of course it is obvious that whatever additional price is paid to the Government for the lands must be added to the price for which the coal is sold, so that in the end the consumer is the one who will bear the burden.

Section 2 is also objectionable because it prevents individuals or associations owning separate parcels of land from cooperating in any manner to produce economies or for the public good. This section would prevent the owners of two or more properties from establishing a selling agency, no matter the advantages to the public in the way of reduced prices that would result therefrom. If the coal of each company was different and it would be mutually advantageous to each to have one agency sell the same, such act is prohibited. Two or more companies could not unite or cooperate in the construction of coal bins or switches or railroad tracks or in the operation of any form of transportation. It compels each corporation or individual to operate in "splendid," though destructive, isolation. All persons familiar with the development of coal lands know that the initial outlay required to produce coal is considerable. Railroads, switches, bins, tipples, and many other improvements costing large sums are indispensable. Two properties adjoining could unite or cooperate in the construction of yards, bins, and tracks with mutual advantage and in such a way as to benefit the public.

This is an age of cooperation and unity of action. Industrially it is essential that there should be cooperation for the purpose of producing economies which will result in reducing the cost of production, thus benefiting the consuming public. There can be cooperation and unity of effort without monopoly. It is a mistaken policy that prompts the proposed legislation found in section 2 of this bill.

In the same section is the further provision that any ownership or interest forbidden by the section which may be acquired by descent, will, judgment, or decree may be held for two years and not longer. Under this provision if an individual by descent obtained a share of stock in one coal company from his father and another share in a different company from his mother, he would be unable to retain both for a longer period than two years, and this notwithstanding both companies were engaged in purely intrastate business. The Federal Government by this bill is entering the domain belonging to the State. It seeks to control the ownership of property, the right of descent, the procedure of probate courts, and the sovereign powers of sovereign States. To those who believe that the States are sovereign and that they have delegated to the Federal Government certain of their sovereign powers, the proposition will come as a rude surprise that the Federal Government in a matter, which is so unquestionably local and domestic as that involved in the question under discussion, is charged with control of the same.

It is further provided that if any association or stockholder of a corporation violates any of the provisions of the section, it or he shall be guilty of a felony, and punished by a fine not exceeding $10,000, or by imprisonment in the penitentiary not exceeding two years, or both. If two or more corporations are interested in one track or pipe line or power house, or in a common agency for the sale of their products, or unite in any way for the public welfare, the stockholders of both corporations are guilty of a felony and subject to the penalties just referred to. The Federal Government by this bill is put into the States and enforces penal statutes with respect to acts and conduct of a purely local and domestic character. It was never intended by the framers of the Constitution that the Federal Government should enact a general penal code. Its functions are national, not local. It is not invested with municipal power, nor should it be clothed with authority to provide and enforce police regulations within the States.

Section 5 of the bill provides that the Secretary of the Interior is authorized to lease deposits of coal or lignite through advertisement, competitive bidding, or such other methods as he may by general regulations adopt, in blocks or tracts of 40 acres each or multiples thereof.

This provision must be repugnant to any person who understands the genius of our institutions and is familiar with the moral and spiritual qualities of the American people, from which have sprung the inspiration that has vitalized this Republic and produced the vigorous, alert, and progressive business men of this Nation.

It has been frequently said that Congress no longer legislates; that it delegates its legislative powers to some bureau, department, or agency, and clothes the same with plenary power to deal with the entire subject committed to its care. Of course, there are matters that can not be fully covered by legislation, and authority in some instances must be conferred upon agencies or instrumentalities of the Government to discharge functions that apparently are legislative. But the distinctions have been repeatedly pointed out by the courts and it is not necessary or proper that I should pause to discuss them now. It is, however, a regrettable tendency upon the part of the National Legislature to delegate power which it should exercise to subordinate and inferior executive tribunals. Nothing so makes for an offensive and autocratic bureaucracy as the unlimited power of regulation and control. The appetite for power increases with the exercise of power. The history of all nations furnishes indubitable proof of the fact that executive departments constantly reach out for increased power. A department as it grows takes on new authority and seeks executive aggrandizement. It creates a multitude of bureaus, and they in turn seek for entrance into new fields and reach out for additional authority. And the bureaus in time divide and each division enters into another field, and it there seeks exploitation and power. An examination of any of the departments of our Government conclusively proves the truth of what I have stated.

An illustration occurs to my mind in support of this statement. A few years ago the Interior Department created the Bureau of Mines. This department has enlarged its field of operations and its jurisdiction until it has reached almost the stature of a Cabinet department.

It is unwise to give unlimited power to inferior tribunals to "regulate and control." The West has suffered from the exercise of this regulatory power exercised by the Interior Department and in some instances by the Department of Agriculture. Great abuses have been perpetrated in the administration of the forest reserve, and wrongs and injustice have been suffered by the people by the narrow, iniquitous, and oppressive rules and regulations promulgated and enforced by the Interior and Agricultural Departments.

In the section just referred to the Secretary of the Interior is empowered to adopt whatever general regulations he may desire with respect to the leasing of the lands mentioned therein. He may adopt any method he pleases for the purpose of leasing such lands. I submit that such a provision is unwise and dangerous; that it commits too much power to a department.

If every Secretary of the Interior were familiar with the West, had broad and comprehensive vision as to the future of the West, understood the policies most conducive to the public welfare, and should surround himself with wise and just subordinates, the consequences might not be serious. But human experience demonstrates that ideal persons are seldom found and that legislation should be shaped with a knowledge that finite, infirm, and often despotic and dishonest persons will be intrusted with power and be called upon to administer the law.

Section 5 provides that leases shall be for "indeterminate" periods, conditioned upon "continued operation of the mine or mines," and that there shall be "readjustment" of terms and conditions at the end of 20 years. It is not clear that the lease shall be for 20 years or for an "indeterminate" period. When a "readjustment" of the terms and conditions occurs there is no limitation upon the power or authority of the Secretary of the Interior in respect thereto. What the terms and conditions in the "readjustment" may be, we are unable to determine. All power in the matter is left with the Interior Department.

Section 5 provides that for the privilege of mining, extracting, and disposing of the coal in the lands covered by his lease the lessee shall pay to the United States such royalties as may be specified in the lease, and that in addition there shall be an annual rental, payable at the beginning of each year. The bill does not provide what the terms of the lease shall be or the amount of royalties that may be charged. The Interior Department determines all these questions. Unlimited, unrestrained

power and authority and discretion are conferred. It is obvious that coal lands will not be developed under this bill. Under the hysterical demands of the country a leasing bill was enacted by Congress with respect to the coal lands of Alaska. It was jubilantly affirmed that such legislation would destroy monopoly and result in producing coal in such abundance as to satisfy all the demands of the people and at prices greatly below the existing market. This legislation called for additional governmental machinery, which necessitated additional appropriations. It fastened more firmly bureaucracy with its barnacles upon the country. It called for investigations and surveys and classifications and agents and inspectors and employees; but all this machinery produced no coal. I understand that a few leases were executed, but the whole scheme was an ignominious and wretched failure.

Capital will not invest in leases that are held by such a precarious tenure that they may be forfeited at the whim and caprice of some subordinate, or the tenure of which will be effected by the report of some narrow, prejudiced, and incompetent employee, fastened upon the Government in many instances by a civil-service system, which under the law can only result in making incompetency a fine art, and which devotes a portion of its energies in carrying on a propaganda in favor of pensioning those who are in office under its terms.

Section 7 deals with phosphates and is subject to the same criticism I have urged against the provisions of the bill relating to coal lands. Sections 11 to 17, inclusive, deal with oil and gas. Section 11 provides that the Secretary of the Interior is authorized under such rules and regulations as he may prescribe to grant a prospecting permit for oil or gas, which is good for two years; but the permittee is limited to prospecting upon 640 acres of land if the same is situated within 20 miles of a producing oil and gas well, and to 2,560 acres if the land is over 20 miles from any producing oil or gas well.

My first criticism of this section is that the Secretary of the Interior is vested with unlimited power and may prescribe whatever "rules and regulations" he desires in regard to the leasing of the land. The fixing arbitrarily of the 20-mile limit, to determine whether the permit shall extend to 640 acres or 2,560 acres, is not scientific or logical. The purpose, I assume, is to encourage the development of oil and to induce explorations within fields where oil has not yet been discovered. If there is to be a limitation in the permit, it should be governed or determined rather by the question as to whether the explorations are to be within the geological structure of a producing well or outside of such structure or formation. There are far greater risks and hazards in operating in a field with entirely dissimilar geological formations, though distant only 2 or 3 miles from a producing well, than if the explorations are 20 miles or more away, but within the same geological structure or formation as that within which the producing well is located.

Section 12 provides that if upon "establishing to the satisfaction of the Secretary of the Interior that valuable deposits of oil or gas have been discovered" within the lands embraced within such permit, the permittee shall be entitled to a patent for one-fourth of the land embraced within the prospecting permit. I submit that this section confers too much discretion and power upon the Secretary of the Interior. In providing that the value of the deposits shall be "established to the satisfaction" of the Secretary of the Interior, it means, of course, to the "satisfaction" of the agents, inspectors, and subordinates who will go into the operating fields and make investigation. The Secretary of the Interior must depend largely upon their reports and their investigations. The experience of those who have sought patents for mining claims or agricultural lands has brought convincing proof that these agents and subordinates of the Interior Department are unsympathetic with the efforts to procure title, and regard with distrust, which they do not conceal, all who are seeking to obtain patent from the Government. The prevailing spirit is that those who locate upon public lands and seek to initiate any right therein or obtain title thereto are enemies of the Government and are archconspirators with some one to defraud the United States.

How will it be established to the "satisfaction" of the Secretary of the Interior that the deposits of oil or gas are "valuable," and what quantum of proof is required? What are "valuable" deposits of oil or gas? Examples are numerous where Government officials have held that mining locations were invalid because the minerals thereon were "not valuable." Yet in many of such cases the properties were operated and with profit to the owner and with benefit and advantage to the community and to the Nation. A few years ago porphyritic ores containing 1 or 2 per cent, or even a higher per cent, of copper were regarded as being valueless. Yet those same "valueless" properties are producing millions of tons of copper per annum and yielding large returns upon the investment. There has always been a conflict between the courts, interpreting the statutes in a fair and liberal manner, and the agents, inspectors, and employees of the Interior Department in regard to the question of whether a discovery was valid or not. The agents of the Interior Department are constantly holding discoveries to be invalid because some ignorant subaltern or inspector determines that the ledge or vein upon which the discovery is made does not contain a "valuable deposit." The provision I am now discussing can be made the instrument of great wrong and injustice to a permittee who has expended thousands of dollars in his efforts to find a producing well. To surround a permittee with uncertainties and to subject him to the whims and caprices of employees of the Government, most if not all of whom will be antagonistic to him and seek for some pretext to cancel the permit or to restrict his rights thereunder, will not be conducive to the development of oil fields.

It is urged in support of this measure that it is a war measure; that the needs of the Government and its allies are so imperative that every possible inducement should be offered to increase the oil production. Of course, everyone knows that the sensible and sure way to increase the output of oil is to restore the withdrawn oil lands to public entry and to remove the clammy, oppressive hand of the Government from the adventuresome persons who are willing to go upon the public domain and hazard their money in the costly efforts to find producing wells. The development of the mineral wealth as well as the agricultural sections of our country has always followed a liberal policy by the Government. If it were known that tomorrow any qualified locator could enter upon public lands of the United States containing oil or gas and make entries under the placer law of the United States, thousands of energetic, adventuresome American citizens would be in readiness to make locations, and with the utmost enthusiasm and intelligent effort would prosecute the work of developing their locations, and within a short time streams of crude oil would be pouring from the ground, filling the refineries, and passing into the hands of the Government and the people for necessary consumption.

Section 12 offers further impediments to the development of oil lands and also contains a provision that appears to me to be unjustified. The permittee who may be compelled to spend many thousands of dollars to discover oil is entitled to patent only one-fourth of the land embraced in his prospecting permit. The residue of the tract covered by the permit is to be disposed of "by the Secretary of the Interior through compensation paid or such other methods as he may adopt by general regulation." No preference right is given to the permittee. It is a matter of common knowledge that most of the oil fields have been discovered by some person who has gone into an unknown region and at great expense and after suffering incredible hardships discovered oil. It would seem that a person who was a pioneer and was successful in opening up an oil field should have the preference right to acquire the entire tract embraced within his permit.

Section 15 provides that he has no preferential right but is limited to 640 acres, and if he acquires more he must go into an open market and bid against those who may enter the lists against him. Besides being unjust, this section is calculated to place the oil lands in the hands of corporations or individuals of wealth. No man of limited means could successfully enter the contest and bid for the possession of a tract upon which a well had been discovered. The result is apparent, that this legislation will force into the hands of the rich corporations or individuals of great resources the oil properties of our country. The provision is objectionable because of the indefinite and uncertain terms that will be or may be exacted by the Secretary of the Interior. He may adopt "other methods" in making disposition of the land. What those "other methods" are no one can determine or conjecture. No two Senators could agree as to what terms might be prescribed by the Secretary of the Interior in dealing with these lands. One Secretary might adopt one method and another Secretary of the Interior might prescribe an entirely different method of handling or disposing of or dealing with oil lands. The section further provides that the Secretary of the Interior may provide general "rules and regulations" concerning leasing and other conditions, but what the regulations and rules are no one can determine. Senators are as much in the dark in regard to what they may or will be as they are with respect to the methods that may be adopted concerning the leasing.

Section 28 of the bill provides that the Secretary of the Interior is authorized and directed to incorporate in every lease a provision giving the President the right to "regulate the price of such mineral extracted and sold from the leased premises." And a further provision that the lease shall provide that the

President shall have the right to "regulate the disposal of such mineral procured under such lease as to secure its distribution and use wholly within the limits of the United States or its possessions." It would be, perhaps, an act of folly to prophesy what result this section will have upon the development of the mineral lands mentioned in this bill. But it would seem that such provisions must have a deterrent effect upon energetic development. This section goes further in its effects and consequences than would at first appear possible. It is hateful enough in time of war and in an imperial and autocratic government, such as Germany, to grant authority to the chief executive to fix prices of products. In this free land, where the economic forces have such general free and unrestricted play, the authority to fix prices by the Executive will, in my opinion, be regarded with great apprehension.

The great world conflict in which our Nation is now engaged will doubtless call for departure from the traditional policy of our Nation. Price fixing is an old governmental policy. It is not within the purview of this discussion, nor have I the time to enter into a discussion of this important question. I will say, however, that Adam Smith dealt a mortal blow to the economic doctrine that prevailed in his day and had governed the world for centuries. I think there can be no doubt but that the philosophy of Adam Smith is sound. The individual left alone develops better than under governmental control. The law of supply and demand has been the basis of our industrial and economic development. Of course, conditions may arise which demand governmental interposition and the regulation of prices. But, generally speaking, I believe that industry owned and operated by government means the establishment of a bureaucracy and in the end destruction of individual initiative and the dwarfing of that vital spirit so essential to individual and national progress and a high and progressive civilization.

This section calls for more governmental machinery and takes the Government into the business activities of individuals. Men of prudence and business sagacity will hesitate to invest large sums of money in hazardous undertakings, such as the sinking of oil wells in untried fields must be, and in the opening up of coal mines, if they are still to be subject to the uncertain, conjectural, and unfathomable policy of the executive department of the Government. The section provides that a "fair and reasonable return to the lessee upon his investment" shall be yielded, but the consumer is to secure the product at the "least price reasonable and consistent with the foregoing." This means, if it means anything, national regulation and control of his business.

Some agency provided by the President will order hearings, investigations, and trials to ascertain what is a "fair and reasonable return upon the investment" of the lessee. That will mean, of course, delays, costs, and embarrassments. Then the same or some other agency is to determine what price will be fixed in order to insure to the consumer the "least price reasonable and consistent" with the conditions of the bill. This involves an examination of the entire subject of production and consumption and, incidentally, the question of transportation, with its complications and endless ramifications.

Moreover, the fixing of prices for the operators under leases from the Government inevitably will result in effecting and determining the prices of other oil producers, as well as the price generally in the country to the consumer. It seems axiomatic that if the power is lodged in the President to fix the price of a considerable portion of the oil products his act will fix the price of all oil products in all parts of the country, which in turn will effect and indeed fix the price of oil to all consumers in the Nation. I am not willing in a bill of this character to give such tremendous powers to the executive department. It may be that under existing law the President has the power to fix the prices of coal and oil. But a measure which seeks to fix the prices of a commodity as a war measure may not only be justified, but may be imperative. Such a bill is entirely different from general and permanent legislation of this character.

Section 32 possesses features that must be deemed objectionable. The Secretary of the Interior is given authority to insert in permits provided by the bill provisions for their cancellation in the event that the permittee or leasee fails to exercise "due diligence in the prosecution of the work." As I interpret this section there is no restriction upon the Secretary of the Interior in the exercise of this power. He determines whether "due diligence" has been exercised, and he defines what "due diligence" is. As already suggested, investigation of the work done and the diligence shown in the prosecution of the work must necessarily be committed to subordinates, investigators, agents, and clerks of this great department. There ought to be a judicial determination of a matter so important or at least an appeal to a court of competent jurisdiction from the adverse action of the Secretary.

Sections 33 and 34 contain provisions that are menacing and dangerous. Under these provisions if a person were to hold one share of stock in two corporations or leases, where the aggregate acreage exceeded 2,560 acres, he would be guilty of a felony. Not only is his interest in the property forfeited but he is guilty of a criminal offense and may be punished by imprisonment not more than three years and by a fine not exceeding $1,000.

Section 34 prevents two corporations, no matter how small the holdings of each may be, and also prevents two individuals or associations holding leases under the act, from creating any selling agency or any transportation or refining company to handle the product of the mines. Two individuals or corporations mining side by side, neither of which is financially able to lay the necessary pipe line to carry the oil to the refinery or to erect a refinery, could not cooperate for that purpose.

A study of the oil industry in the United States reveals the fact that there has been no monopoly in oil production. The monopoly has been in transportation and in the refining of the oil. There are thousands of individual oil producers, but the number of corporations engaged in transportation or in refining oil is very limited. The Standard Oil Co. produces but a small percentage of the oil consumed in our country, but it refines more than 70 per cent of the oil produced in the United States.

This bill will foster monopolies in transportation and in refining. Under section 34 it is a felony to purchase stock in two or more corporations or in a corporation having an interest in two or more leases; it is also a felony to handle, sell, or transfer any stock to a person or corporation that may own one or more shares of stock in a different corporation. This bill will prevent the development of oil claims. It shuts the door to the sale or purchase of oil stocks. A broker would be guilty of a felony if he should sell one share of stock to a client in a lease or property or corporation held by A and a share of stock in a lease or property or corporation held by B; and any person who desired to purchase stock, who desired to buy stock as an investment or for speculative purposes, must restrict his purchases to the stock issued by one corporation or company or be guilty of a felony.

There are many other objectionable features to the provisions and form and structure of this bill. I have hastily examined a few of the provisions that, to my mind, render the bill impracticable and call for its defeat. But another and stronger objection to this measure rests upon the ground that it destroys our mining system, in part at least, and inaugurates a vicious, paternalistic, and bureaucratic leasing system, which will be repugnant to those who are compelled to operate under it and which is not in harmony with our institutions and our national policies.

The history of the world is a history of the struggles of the people to emancipate themselves from autocracy and bureaucratic rule. The monarch or petty feudal rulers have claimed the soil and imposed oppressive burdens upon the people. This Republic was a protest against ancient forms of government and the tyrannies under which the peoples had existed. Autocratic government may exist without a monarch. No government can be more obnoxious and oppressive than one which subjects people to the arbitrary control of bureaus, departments, governmental agencies, and a myriad of irresponsible subalterns and hirelings of an executive department. It were far better to have an enlightened monarch who came in contact with his subjects than to have a form of government, though it be called a republic, where the people were subject to control by departments, bureaus, agents, subordinates, and a cloud of governmental flunkies and parasites, who seek to enforce rules and regulations and orders and decrees and edicts emanating from some bureau or head of a department, and where discretion and arbitrary power could be exercised without restraint. Of course, under such circumstances property would be unsafe and the liberty of individuals would be jeopardized. Civilization is the product of liberty, and liberty results from wise and humane laws and the imposition upon the people of as few burdens as possible. Self-initiative is the characteristic of the Anglo-Saxon race. Orderly progress under wise and humane laws has been the chief characteristic of the Anglo-Saxon race for a thousand years, and as the mile posts in the struggle out of darkness and absolutism have been passed, it has been observed that the people were freer from arbitrary power, unbridled, and unrestrained discretion upon the part of rulers, and that the power and authority of the bureaus which were a part of the contrivance of human institutions have diminished to the point of extinction. But as absolutism in the rulers and despotic power upon the part of kings and executive authorities have diminished, the reac-

tionary spirit represented by the vanishing figures referred to reappears in the efforts by governments to control, through bureaus, commissioners, departments, and divisions, which deny responsibility to the people and grow in power and authority with the passage of time.

The Roman Government, where it came in immediate contact with the people, was in the main a liberal form of government and developed personal independence and liberty; but where it governed through commissioners and satraps and agencies, particularly at points remote from the central authority, then abuses resulted, and the most despotic and oppressive rules, regulations, and measures were imposed upon the people. It is a dangerous experiment to govern by rules and regulations to be promulgated by some executive or department or bureau. Certainty in law and in the forces of government is essential to security of property, of life, and of person. If rights, whether of person or of property, rest in the discretion of individuals, singly or in groups, they are tenuous and precarious.

The bill which is under consideration disregards salutary lessons of the past and the philosophy finding expression in the history of governments and in the experiences of life. It is a profound concept of modern philosophy that the law of evolution applies to governments as well as to the animal kingdom and in the field of biology. Spencer in his synthetic philosophy has unfolded the great laws of progress and development and shown their application in the industrial, economic, and political world.

Government is not an exotic growth and a democracy is not a hothouse plant. The clammy hand of religious superstition or the despotic authority of a tyrant or the benumbing influence of medieval philosophies, whether in government or in any other field of mental activity, are the banalities against which humanity has had to contend as it has struggled from darkness into the light.

These observations may be deemed irrelevant, but I am insisting that this legislation belongs to the category of obsolete enactments and exploded theories of government. This bill seeks to establish an autocratic system that has been rejected by the Anglo-Saxon race and by the accepted canons of governmental philosophy. This bill proposes to control and govern through bureaus, and agencies and departments and subalterns and governmental hirelings, who shall have unrestricted power and unlicensed discretion. The public lands are diminishing in quantity, but the officials provided by the Federal Government to handle and control them are increasing in numbers. The expenses also of the Interior Department are being multiplied, though the territory controlled by it is being narrowed in area. More bureaus and departments and officials and agents and instrumentalities and clerks and experts and accountants and engineers and foremen and supervisors and appraisers and classifiers are being added to the department annually, and more rules and regulations and orders are constantly being promulgated. A division is organized, and that again divides into numerous divisions, and a bureau is created, and that divides and more bureaus result. The fecundity of a department is astounding and, indeed, miraculous. And this bill proposes a scheme that demands more bureaus and divisions and departments and employees and subalterns and inspectors, and additional rules and regulations and orders and edicts and proclamations. And, of course, this machinery thus created and the regulations and orders and rules promulgated, which are to have the force of statute, will call for more courts and marshals and deputy marshals and inspectors and investigators and a never ending but constantly increasing force of employees and agents that harass and annoy the people within the regions where they operate. This will, of course, retard development and rest like a dark and heavy cloud upon the people. It will lead to resentments, passions, and complaints and disgust, and finally hatred, for the parent Government, with its bureaucratic methods and its tyrannous paternalism.

This legislation is not all that may be expected. Bills of like character doubtless will soon be offered. There seems to be a purpose upon the part of some to destroy every vestige of local self-government possessed by the people and to reduce the States to mere lifeless forms. Under the pretext that bills are war measures, I am afraid that the vigor and, indeed, the very life of the States will be destroyed. No one would hamper, of course, the Federal Government in the stupendous task which lies before it. Every patriotic citizen in this broad land is behind the Government in every effort to protect our national honor and provide for the national defense to make the future of this Nation and the world safe and secure. But even under the specious guise of a war necessity, this bill can not be defended. Indeed, as I have stated, if the desire is to have additional coal and additional oil and to increase the phosphate output, this bill will prove a great disappointment. I do not deny but what oil fields will be developed under this bill, notwithstanding its vicious, tyrannous, and medieval provisions, but I do assert, without fear of successful contradiction, that the output of oil and coal would be very greatly increased over any possible results that will flow from this bill if the reactionary policies provided in this measure were abandoned and the coal lands and the oil lands and the phosphate lands were thrown open under existing law for occupancy and private ownership.

An hysterical movement, a number of years ago, was inaugurated in this country which loudly proclaimed that the public domain was being squandered and wasted, and that there must be a policy of national conservation. At various periods in the history of the Republic foolish and impractical and frenzied persons have sought to prevent the Government from parting with the lands which it held as trustee. Narrow and illiberal persons at various times have demanded that the Government domain should be held intact for the benefit of the Federal Government, or, if any portion were alienated, that the act of alienation should be accompanied by such restrictions, limitations, and impediments as necessarily would close the door to any further private acquisition. This same class of people have insisted upon the Government entering upon the public domain and engaging in various kinds of private enterprise. In other words, the theory was that the Government should be a landlord or a proprietor. It should engage in mining operations, dig the ore from the ground, erect the smelters and the mills, and derive the supposed great profits flowing from this class of business. It was deemed to be the duty of the Government by these same individuals to build power plants, construct railroads, open up coal mines, build telephone and telegraph lines, construct oil refineries, prospect for oil, construct pipe and other transportation lines, and, indeed, engage in the multitudinous undertakings to which the American people are giving their attention.

In line with this crusade, a demand was made a few years ago that the Government should withdraw all radium lands from location and that it should then employ prospectors and miners and develop the carnotite ores, erect smelters, mills, and plants to reduce the ores, and manufacture radium. And some of these evangelists, whose knowledge of the West and of the functions of the Government had never exceeded an "irreducible minimum," strenuously demanded that the Government as to those lands and resources which it did not operate itself and as a proprietor, should be, under rules and regulations, leased to individuals. In other words, the Government was to become a landlord; the title to mineral and other lands was to be reserved and held by the Government; the West was to be held in tutelage and bondage and a nation of tenants was to be developed. Of course, such a scheme as this is preposterous and repugnant to every true American. But an echo, and, indeed, a part of this plan finds expression in this bill. We are now to withdraw potash, coal, oil, and gas lands from the operation of existing laws. We are to repeal the splendid mineral system pro tanto. We are to govern by bureaus and rules and regulations. We are to crown the Federal Government with the approbrious title of landlord and embark upon a policy which has been repudiated by the statesmen of our country and reverse a policy under which not only the West but the Nation has prospered and developed a strong, virile, and independent people.

A few weeks ago a bill was passed putting the streams under the power of the Federal Government, and authorizing the leasing of the water power under rules and regulations and the authority of executive branches of the Government.

Some time ago a bill was passed providing for the leasing of coal lands in Alaska. I say it is apparent that there is a determination to make the Federal Government a gigantic leasing machine. Lands which it holds only in trust for the people are now to be held by the Federal Government as a proprietor. The very framework of the Republic is to be changed. The fundamental conceptions of the fathers of the Republic as to the functions and powers of the Federal Government are to be revolutionized. There is no question but what the United States holds the public domain as a trustee for the people, but the new scheme is to transmute title held by a mere trustee, held by it as a mere naked trust, into an indefeasible, perfect, fee-simple title.

I am afraid that many who look with favor upon this bill, and others who merely tolerate it because, while they regard it as unsatisfactory, they think it is the best that can be obtained, will very shortly awaken to the realization that they are giving away the people's patrimony, ravaging the States, encroaching upon their sovereignty, fastening the chains of a debasing servitude upon the people, and ministering to the growing appetite of a voracious Federal authority. I warn

Senators against this tendency and the wrong which this legislation will work upon your country.

Of course, with this bill enacted into law, the executive branches of the Government and this school of paternalistic centralization will demand that the residue of the public domain be held by bureaus and departments and divisions and subordinates, to be leased and controlled by rules and regulations and orders and edicts and pronunciamentos. In the public-land States from 50 to 80 per cent of the territory is held by the Federal Government. With the triumph of this reactionary and medieval program, I beg to inquire, what will become of the States? They can not tax these governmental instrumentalities, agencies, properties; they can not successfully compete in business with the Government and those who are its lessees and protégés and pampered ones. Already it is being said that copper and lead and antimony and silver are commodities which the Government should control; and I look for some bill to withdraw the mineral lands from location or entry or private ownership, to be followed, as suggested a moment ago, by another bill in harmony with this condemned and benighted policy, withdrawing from entry all lands the title to which is in the Government of the United States. This bill is a dark and dangerous precedent.

A number of years ago, when I had the honor to represent my State in the House of Representatives, a bill was offered to establish a leasing system upon the part of the Government with respect to the gilsonite lands in the State of Utah. I made a speech in opposition to it, and desire to place in the RECORD, as a part of my remarks, excerpts from the speech which I then delivered:

There are to be "rules and regulations," which mean circumlocution and red tape, and petitions and orders, and declarations and files, and memoranda and writings, and notations and briefs, and legal opinions, and heads of departments and bureaus, and surveys, and plats and maps, and reports, and the thousand nameless, dilatory, never-ending proceedings which prevent action, destroy hope and bring ruin. Then there is the fixing of the royalty to be paid by the operators of the property, the preparation of more rules, providing for classifying the material mined and for the time and manner of measuring and regulating the output; regulations as to when the mines shall be worked and timbered and drained and the improvements to be made.

To enforce and execute these regulations there must be more agents, and inspectors and experts, and accountants and weighers, and engineers and foremen, and supervisors and keen, lynx-eyed deputies, and gaugers and appraisers and classifiers. But this is merely the background to the charming picture presented for our consideration. Regulations and orders and laws are futile without penal provisions; so there must be the fines and forfeitures and misdemeanors and perhaps felonies. The occupant, if he is not the creature of a favoritism which this system creates, would vainly consume his time in attempting to comply with the regulations and repelling or placating the horde of officials enforcing the shameful system of espionage and surveillance. But to enforce the criminal features there must be marshals and deputies, and commissioners and judges, and jurors and lawyers, and courthouses and jails, and so on adinfinitum.

What a splendid spectacle such legislation presents! The mere enumeration of some of its workings causes one to wonder whether this plan is not the emanation of a Spanish grandee in the time of Philip II. Instinctively we look to see the dark-visaged soldier, representing the thieving scoundrelly officer of the Crown, that hounded and harassed the miners of Mexico and other Spanish Provinces and robbed and plundered while ostensibly enforcing the "regulations" which were so essential to secure the "royalty" due the king.

It would certainly be a quixotic effort if this vast machinery, which will be constructed if the committee's amendment is adopted, were only designed for this occasion. I sincerely believe, if this becomes a law, it will be the death knell to our mining laws and be regarded as a precedent for the withdrawal of all mineral lands from location and for the enactment of a measure the avowed object of which will be to obtain revenue for the Government, or the still more absurd and preposterous reason, to preserve the mineral wealth from becoming the subject of monopoly. Because of this belief I shall do all within my power to defeat the committee's recommendation.

Unpleasant and wearisome as this struggle has been, it will be continued, so far as I am concerned, as long as the mineral-land system of the United States is assailed and efforts made to yoke us to the iniquitous and intolerable system of leasing and landlordism. While upon its face the matter under consideration may appear insignificant, it is nevertheless one of great importance. The question is not merely whether a small tract of land in Utah shall be opened to occupancy with or without restrictions, but the real question is: Shall the wise and beneficent mineral policy which has contributed so immeasurably to our country's welfare and development be repealed, and one the history of which is indissolubly connected with the tyrannies of monarchies and the doctrine of the sovereignty of kings be fastened upon us?

Neither words nor rhetoric nor subtle arguments can disguise the issue. If the report of the conference committee is adopted, or the amendment just offered by my friend from Iowa [Mr. Lacey] is approved, this Congress will have raised its voice against the West and declared that the view so long maintained that the mineral wealth was the free inheritance of all, and open to the explorations of the poorest and humblest in the land is no longer to prevail, and the paternalism of Spain is to become the policy of this Republic. It is no sufficient answer to this question to disclaim opposition to the mining laws of the Government and to say that the only design is to withhold the application of the mineral laws from the Uncompahgre Reservation. It is seldom that the opponents of a policy or system which is strongly intrenched openly attack it or advocate its complete destruction. Occasionally a legislator unmasks his batteries upon an existing law and demands its repeal and the overthrow of everything founded upon it.

But more frequently the destruction of a system is quietly compassed. No protestation of affection for the magnificent juridical system relating to the mining industry of the United States will avail, because the course proposed will ultimately destroy it. It can not seriously be contended that the perpetuity of the system is not menaced when exceptions are made and the universality of the laws' application denied.

The distinguished gentleman from New York [Mr. Sherman] frankly admits that the adoption of the report introduces a change in our mineral laws, and the gentleman from Iowa [Mr. Lacey] confesses that his amendment is a repeal of the law of 1866, so far as gilsonite upon the reservation is concerned. But it is contended gilsonite is a new mineral, and therefore a different law should be applied. It is new in the sense that the chemical formation is somewhat different from other hydrocarbons, but as a bituminous hydrocarbon is not new. It is a mineral, and is governed by the general mining laws.

I stated a few moments ago that the Federal Government held only the legal title to the public domain and that it held such title in trust for the people. The Federal Government is one of enumerated and delegated powers. The thirteen original States owned all the public domain within their respective boundaries and did not grant or cede any portion thereof, except the District of Columbia, and perhaps such as was in use by the Government for military and naval purposes, to the Federal Government. Nor did the latter acquire title to any of the public lands within the States of Vermont, Kentucky, Maine, West Virginia, Tennessee, and Texas. In the enabling acts of each of the States admitted into the Union there was a provision to the effect that "the State when formed shall be admitted into the Union upon an equal footing with the original States in all respects whatsoever."

The original States owned the public lands within their borders, and wisely adopted the view that they were held in trust for the use and benefit of those who would enter thereon. The Federal Government did not become a landlord in either the original thirteen States or those carved out of territory ceded by them and from which cession the States of Tennessee, Illinois, Indiana, Ohio, Michigan, Wisconsin, and portions of Alabama, Mississippi, and Minnesota were formed. If this bill becomes a law, the States affected by it will be denied what is expressly provided in the enabling act of each, namely, "admission into the Union upon an equal footing with the original States." This bill, if not unconstitutional, is certainly in violation of solemn compacts between the Federal Government and the States, and is violative of the spirit and genius of our form of government.

In the case of Pollard's Lessee *v.* Hogan (13 How., 212) the doctrine is announced that the public domain shall be held as a temporary trust by the United States. This language is used by the court:

We think a proper examination of this subject will show that the United States never held any municipal sovereignty, jurisdiction, or right or soil in and to the territory of which Alabama or any of the new States were formed, except for temporary purposes, and to execute the trusts created by the acts of the Virginia and Georgia Legislatures, and the deeds of cession executed by them to the United States, and the trust created by the treaty with the French Republic of the 30th of April, 1803, ceding Louisiana.

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When Alabama was admitted into the Union on an equal footing with the original States she succeeded to all the rights of sovereignty, jurisdiction, and eminent domain which Georgia possessed at the date of the cession, except so far as this right was diminished by the public lands remaining in the possession and under the control of the United States for the temporary purposes provided for in the deed of cession and the legislative act connected with it. Nothing remained to the United States, according to the terms of the agreement, but the public lands. And if an express stipulation had been inserted in the agreement granting the municipal right of sovereignty and eminent domain to the United States such stipulation would have been void and inoperative, because the United States have no constitutional capacity to exercise municipal jurisdiction, sovereignty, or eminent domain within the limits of a State or elsewhere, except in the cases in which it is expressly granted.

To the same effect is the language of the court in the case of Kansas *v.* Colorado (206 U. S., 46), wherein the court states:

That the Government of the United States is one of enumerated powers; that it has no inherent powers of sovereignty; that the enumeration of the powers granted is to be found in the Constitution of the United States, and in that alone; that all powers not granted are reserved to the people. While Congress has general legislative jurisdiction over the Territories and may control the flow of waters in their streams, it has no power to control a like flow within the limits of a State, except to preserve or improve the navigability of the stream; that the full control over those waters is vested in the State.

I insist that it was not within the contemplation of the framers of the Constitution that the Federal Government would exercise a proprietary interest or ownership of the soil within any of the territory which is found within a sovereign State. The provision of the Constitution wherein Congress is given power "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States" did not empower the Federal Government to become a landlord or assume a proprietary interest in the public domain. They understood that the Federal Government had no proprietary interest in the soil of any of the States existing when the Constitution was adopted; and the history of the debates of that memorable convention clearly indicates that there was no intention that other States that might be admitted into the Union

should be treated in any different manner. President Jackson in a message to Congress December 4, 1833, states:

By the facts here collected from the early history of our Republic it appears that the subject of the public lands entered into the elements of its institutions. It was only upon condition that those lands should be considered as common property to be disposed of for the benefit of the United States, that some of the States agreed to come into a "perpetual union." The States claiming those lands acceded to those views and transferred their claims to the United States upon certain specific conditions, and on those conditions the grants were accepted. These solemn compacts, invited by Congress in a resolution declaring the purposes to which the proceeds of these lands should be applied, originating before the Constitution and forming the basis on which it was made, bound the United States to a particular course of policy in relation to them by ties as strong as can be invented to secure the faith of nations.

The Constitution did not delegate to Congress the power to abrogate these compacts. On the contrary, by declaring that "nothing in it shall be so construed as to prejudice any claims of the United States or of any particular State," it virtually provides that these compacts and the rights they secure shall remain untouched by the legislative power, which shall only make all needful rules and regulations for carrying them into effect. All beyond this would seem to be an assumption of undelegated power.

This view is supported by the provision in section 3 of Article IV of the Constitution of the United States, which reads:

Nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular State.

This language was a recognition that the obligation rested upon the Federal Government to enforce the conditions contained in the cession made to the United States by the original States, and that the duty rested upon Congress to dispose of the territory coming to it for the purpose of creating new States in such manner as that they would have the same rights and same sovereignty as the original thirteen States. Mr. Randolph uses this language:

Congress has pledged the public faith to new States that they would be admitted on equal terms. They never would or ought to accede on any other.

The language of the great Chief Justice Marshall, it seems to me, is pertinent to the discussion upon this point. In the Gibbons-Ogden case he says:

The genius and character of the whole Government seems to be that its action is to be applied to all external concerns of the Nation and to those internal concerns which affect the States generally, but not to those which are completely within a particular State, which do not affect other States, and with which it is not necessary to interfere for the purpose of executing some of the general powers of government.

Mr. Madison, in No. 18 of the Federalist, supports this view in the following language:

The local or municipal authorities form distinct and independent portions of the supremacy, no more subject within their respective spheres to the general authority than the general authority is subject to them within its own sphere. In this relation, then, the proposed government can not be deemed a national one, since its jurisdiction extends to certain enumerated objects only and leaves to the several States a residuary and inviolable sovereignty over all other objects.

And in his paper No. 45 he states his views as follows:

The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce, with which last the power of taxation will, for the most part, be connected. The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people and the internal order, improvement, and prosperity of the State.

The founders of the Republic were jealous of the rights of the States and framed an instrument which preserved their autonomy. They did not design to give the Federal Government authority to legislate generally for, and to treat as a proprietor of, the public lands within the States. The Constitution, I insist, limited the exercise of the power of Congress with respect to lands within the States to those tracts which are used exclusively for governmental purposes—lands which have been purchased with the consent of the States. Justice Brewer, in the case of Kansas against Colorado, states:

While arid lands are to be found mainly, if not only, in the western and newer States, yet the powers of the National Government within the limits of those States are the same (no greater and no less) than those within the limits of the original thirteen.

Of course in Territories Congress has dominion and sovereignty, national and local, and full legislative power over the subjects as to which the legislature of a State might legislate within the State, and may intrust this power to a legislative assembly of a Territory. (Simms *v.* Simms, 175 U. S., 162.)

However, a different situation is presented when the Territory becomes a State. Then the sovereignty or governmental power formerly exercised by the Federal Government passes to the State. Congress then holds the naked, legal title to the public domain as a trustee, not as a proprietor, not as an owner nor as a landlord, not for the purpose of profiting by it, but for the purpose of disposing of it to the people in the interest of the Commonwealth and for the general benefit of the Nation. In harmony with this view, Congress has regarded the public lands as the patrimony of the people, and has enacted the most liberal laws under which title might be acquired thereto.

As already stated, there were occasions when efforts were made to make profit out of the public lands. In the days of Clay and Calhoun the disposition to be made of the public lands made and unmade political parties and determined the political careers of statesmen. Calhoun regarded the question of the public lands "as the most dangerous and difficult of all which demanded the attention of the country."

So opposed was he to the scheme of selling the public lands with a view to realizing profit that he offered a bill on February 5, 1838, for a cession of the public lands within the limits of the new States to the respective States. He contended that this measure would remove Federal patronage, counteract centralization, relieve Congress from a tedious and troublesome problem, and remove the friction between the new and old States. In his speech in support of his measure he stated:

I have always seen that there was a period coming when this country must cede to the new States the possession of their own soil.

The history of the laws passed by Congress relating to public lands demonstrates that in the main Congress regarded itself as a trustee and felt that a wise, sound, and just policy was to open the public domain to settlers with as few restrictions and impediments as possible. It was always felt that even if the Federal Government had the power to exact large sums for the public domain and vend and dispose of them as a private proprietor might do, ultimately the Government would be profited and benefited in the development and progress that would inevitably follow a policy which placed the public lands in private ownership at as early a date as possible. The wisdom of this course is attested by the rapid development of almost unknown regions. The brave and hardy pioneers pushed beyond the Alleghenies; beyond the Ohio and Mississippi; far beyond the desolate plains and prairies of the great West; entered into and passed over the Rocky Mountain heights; and never rested until the great Pacific was reached.

The same liberal policy that has characterized the Government in dealing with agricultural lands has also been followed in handling the mineral lands. Of course, as stated, the National Government claims no mineral rights in the original States, nor in Vermont, Kentucky, Maine, West Virginia, Tennessee, or Texas. The original States and those carved out of the area claimed by them were not, of course, subject to the laws of Congress, and these States, being the paramount proprietors, disposed of the mineral lands, in the main, in the same manner as the agricultural lands were disposed of. A few of the States enacted police regulations with respect to coal mining, but New York and Texas were the only ones that made any pretense of enacting a mining code. I might add that Alabama, Kansas, Michigan, Minnesota, Missouri, and Wisconsin, by acts of Congress passed at various times, were exempted from the operation of any Federal mining statutes, and Illinois, Indiana, Iowa, and Ohio were not subject to the general mineral statutes of the United States for the reason that substantially all of the land within their borders and owned by the Government had been disposed of prior to the enactment of such statutes.

So it may be stated broadly that those States owning the public domain within their respective limits dealt with the mineral lands much in the same way as they disposed of the agricultural lands. There was no attempt to assert by virtue of their respective sovereignties the doctrine of jura regalia, which found expression in the common law. They felt that it was for the best interests of the people and of the States that the mineral lands reach the hands of private parties without impediment or difficulty, because under private ownership they would be more rapidly and advantageously developed and such development would tend to the enrichment of the State and the people. This liberal policy, as stated, with but slight variation, has been followed by the Federal Government. In the ordinance of 1785, which dealt with the lands in the Western Territory, it was provided that one-third part of gold, silver, lead, and copper mines to be sold or otherwise disposed of as Congress shall hereafter direct shall be reserved. However, at that time but little was known of the mineral resources of the territory embraced within this enactment. In 1800 the President, by resolution of Congress, was authorized to collect information concerning the copper mines in the Northwest Territory and to ascertain whether the Indian title had been extinguished. In 1807 Congress enacted that the lead mines of Indiana and such contiguous sections to each as the President might deem necessary should be reserved for future disposal by the United States. This enactment also contained this provision:

Any grant which may hereafter be made for a tract of land containing a lead mine which has been discovered previous to the purchase of such tract from the United States shall be considered fraudulent

and null; and the President of the United States shall be, and is hereby, authorized to lease any lead mine which has been or may hereafter be discovered in the Indian Territory for a term not exceeding five years.

This statute inaugurated a policy of leasing the mineral lands. Investigation of the debates at this time and the character of the discussion demonstrates that but slight attention was given to the subject. The view was expressed by some that the Government, in the event of war, would require the lead produced, and therefore it should maintain control of the mineral lands producing lead; and in 1816 an act was passed relating to settlers on the public lands of the United States which contained a provision that—

In all cases where the tract of land applied for includes either a lead mine or salt spring no permission to work the same shall be granted without the approbation of the President of the United States.

In 1823 a resolution was adopted by Congress requesting information concerning the mineral regions of the West. The President transmitted the information which had come to his possession, but this related only to lands containing lead and iron. In 1829 authority was given the President to "expose to a sale as other public lands the reserved lead mines and contiguous lands in the State of Missouri." In 1839 the House of Representatives adopted a resolution which is as follows:

Resolved, That the President be requested to cause to be prepared a plan for disposal of the public mineral lands, having reference as well to the amount of revenue to be derived from them and their value as public property as to the equitable claims of individuals upon them; and that he communicate to Congress all the information in the possession of the Treasury Department relative to their location, value, productiveness, and occupancy, and that he cause such further information to be collected and surveys to be made as may be necessary for this purpose.

With respect to some of the legislation just referred to, Hon. Abram S. Hewitt makes the following interesting observations:

No leases were issued under the law until 1822, and but a small quantity of lead was raised previous to 1826, from which time the production began to increase rapidly.

For a few years the rents were paid with tolerable regularity, but after 1834, in consequence of the immense number of illegal entries of mineral land at the Wisconsin land office, the smelters and miners refused to make any further payments and the Government was entirely unable to collect them. After much trouble and expense it was, in 1847, finally concluded that the only way was to sell the mineral land and do away with all reserves of lead or any other metal since they had only been a source of embarrassment to the department.

Meanwhile, by a forced construction (afterwards declared invalid) of the same act, hundreds of leases were granted to speculators in the Lake Superior copper region, which was from 1843 to 1846 the scene of wild and baseless excitement. The bubble burst during the latter year; the issue of permits and leases was suspended as illegal, and the act of 1847 authorizing the sale of the mineral lands and a geological survey of the district laid the foundation of a more substantial prosperity.

On January 30, 1828, the Committee on Public Lands in the House, in obedience to a resolution which required an inquiry "into the expedience of repealing such laws of Congress as prohibit the sale of public lands in the State of Missouri which contain or are supposed to contain lead mines," submitted a report, in which it was stated that it had been the policy of the Government since the acquisition of Louisiana to retain under its immediate control the lead mines of Missouri by withholding from sale the public lands in which those mines existed. "The original motives which led to the adoption of this policy, as it believes, can not be traced to any documentary source."

After referring to the report of the War Department, in which it was stated that the product of the public lands had not increased and that the veins, though existing, were abandoned for the hope of more accessible veins at different points, the committee stated:

This, the committee supposed, must ever be the case so long as those who work the mines have only a limited and temporary interest in them and are under the necessity of receiving an immediate remuneration from the capital vested in and the labor bestowed upon their mining operations. The ore will remain in its natural bed and never be drawn forth to mingle with and increase the aggregate mass of national wealth until subjected to the unimpeded action of exclusive individual interest.

There is another view of the subject which the committee believe entitled to great consideration. If all these (mining lands) are to be occupied by tenants of the Government there would be created a numerous band of dependents, who, however they may affect the General Government, can not but be viewed by the local authorities with distrust and jealousy. A population thus dependent upon the Federal Government and its officers for the continuance of their vocations must of necessity be unsettled and fluctuating, and the products of their temporary and irregular labors will afford a limited compensation for the exclusion from so large a portion of the State of a more settled, permanent, and useful class of citizens. Believing that the laws prohibiting the sale of public lands in Missouri which contain lead mines should be repealed, the committee report a bill.

In the first annual message of President Polk, December 2, 1845, it was shown that the leasing system was unprofitable; that the entire amount received by the Government from 1841 to 1844, both years inclusive, was $6,354.74, and that to collect this amount $26,111.11 was expended in salaries, clerk hire, agents, superintendents, bureaus, and so forth. The President then adds:

To this pecuniary loss may be added the injury sustained by the public in consequence of the destruction of timber and the careless and wasteful manner of working the mines. The system has given rise to much litigation between the United States and individual citizens, producing agitation and excitement in the mineral regions and involving the Government in heavy additional expenditures.

It is believed that similar losses and embarrassment will continue to occur while the present system of leasing these lands remains unchanged. * * * The present system is believed to be radically defective. More than a million acres of the public lands supposed to contain lead and other minerals have been reserved from sale and numerous leases upon them have been granted to individuals upon a stipulated rent. The system of granting leases has proven to be not only unprofitable to the Government but unsatisfactory to the citizens who have gone upon the lands, and must, if continued, lay the foundation of much future difficulty between the Government and the lessees.

President Fillmore, in his annual message of December 2, 1849, recommended extending the generous land laws of the Government to California, Utah, and New Mexico. Referring to the manner of disposing of the mineral lands of California, he declared that he was at first favorable to leasing them in order to obtain revenue, but that a recollection of the "experience in leasing lead mines and selling lands upon credit" had convinced him that great difficulty would ensue in collecting rents, "and that the relation of debtor and creditor between the citizens and the Government would be attended with many mischievous consequences."

The questions of leasing and royalty received earnest attention in the Senate in 1850. Senator Fremont, of California, had introduced a measure providing for certain police regulations for mining districts. (Congressional Globe, 31st Cong., p. 1362.) Some Senators advocated a policy which would yield revenue to the Government, and Senator Ewing proposed an amendment, which introduced a system of seigniorage, the product of the mine going to the Government, from which a portion was returned to the miner.

Senator Benton eloquently pleaded for a system of free exploration upon the mineral lands, and said:

I am of the opinion that the United States ought not to undertake to make a revenue out of the miners; that the United States ought to content herself with getting the wealth out of the bowels of the earth itself, which is now lying so useless; that she ought to content herself with receiving what will pay the expenses of the administration of such a system, and that system ought to be just as simple as it can be made and at the same time preserve order among the miners. * * * I do not believe in nations working gold mines at all.

I believe in individuals managing things of this kind, but not nations. I believe the true treasure of every government is the affections of the people, and that the true riches of every nation is the people first and the wealth afterwards that flows from that industry. * * *. I therefore wholly object to the whole idea of deriving revenue from these mines. I am in favor of getting what revenue we do get from the gold mines through the secretions of commerce, with no superintendence over the man as to what he digs and no accountability of the digger for what he gets; with nobody to stand over him and say how much he gets and no one to call him to account and tell him what he gets.

And have we not had experience in the attempt of our Government to raise revenue from mines? Have we forgotten the lead mines and salt springs we reserved in Missouri and Illinois? And have we forgotten that when we acquired these countries and heard of the salt springs and lead mines there we were inflamed with the idea of the United States deriving revenue from boiling salt water and digging lead mines? Under that excitement these salt springs and these lead mines were reserved to be leased. What was the result of it? It turned out that the Federal Government was never made for the purpose of boiling salt water or digging lead.

When I first came here the first legislative duty I had to perform was to endeavor to free the State of Missouri of the incumbrance of the landlordship of the United States over the lead mines and salt springs which was harassing the people. I was then joined by some of the fathers of the Republic—by such men as Macon—went against the whole idea of the Government working mines and making money out of it. We succeeded. The system was broken down in Missouri. The salt springs were given to the State. The lead mines, which had been reserved for lease, were thrown into market and sold, as other public lands, at $1.25 per acre. So we got rid of these things in Missouri.

Then came on the lead mines of upper Mississippi. Our imagination were inflamed again with the belief that we were to make a great deal of money by leasing out these lead mines. This scheme was adopted. I voted against it. * * * I told the Senate then, as it happened to lead mines of the State of Missouri, so it would happen to the lead mines of upper Mississippi; that this system would be harassing to the people and cramping industry would end with bringing the United States in debt. That turned out to be the fact, for one of the last messages sent to us by President Polk was to recommend the breaking of this system. He showed the amounts requisite to keep up the system, which were enormous, and he recommended the abolition of the system.

During the discussion Senator Seward stated:

I will add now only this, that the objects of the United States in regard to the gold mines in California ought to be, in the first place, to bring to the general public use of the people of the United States the largest possible acquisition of national wealth from their newly discovered fountains, and, secondly, to render the mining operations conducive to the best and speediest possible settlement of our vast countries on the Pacific which are so soon to exercise boundless commercial, social, and political influences over the eastern world.

The pecuniary wealth and political power then to be obtained will be obtained just in proportion to the number and assiduity of the persons who shall be engaged in working the mines of California. That

number and that assiduity will be in exact proportion to the liberty of the terms upon which the mines shall be opened. It was on this ground that I voted against the proposition of my honorable friend from Ohio [Mr. Ewing], which contemplated seigniorage and revenue to the Government from these mines, and in favor of the provision contained in the bill which stipulates for nothing in the way of revenue but enough to pay the expenses of regulating the operations of the mines.

The remarks of Senator Felch, of Michigan, upon the occasion so completely cover the subject that I submit them for the consideration of Senators:

In the first place we reserved the lands which had been sold by prior governments, but we have since abolished that system, because it was found impossible to manage these mines. We have lead mines in Missouri and Wisconsin and Illinois, and we commenced upon a system * * * first by granting permits to work these mines, and then by reserving to the Government the right of mining where the title to the land was sold. In each of these instances we have found it necessary to abolish this system, because it has been found impracticable to carry it out and unprofitable to the Government.

When the discovery of the copper mines was made on Lake Superior we reserved to ourselves the right of working them, and that right was afterwards abandoned, because it was supposed to be a right held in derogation of the right of the State, and also because it was building up a leasing system and placing a tenantry upon these lands and holding them from local taxation, compelling the authorities of the State to preserve order among these tenants, while not an acre of these lands was taxed to pay for the expenses incurred by the State. In the year 1845 the matter underwent an investigation in the Land Office and in Congress.

The agents were all dismissed except one, and a recommendation has been made that he should be dismissed also. In all these cases everything shows that we have never made anything under the mining system and that it is one which must be abandoned.

The Senator then proceeded to argue in favor of the freedom of entry upon the mineral lands and against Government machinery, agents, and so forth, to control them.

During the discussion of the mining law of 1866 (Congressional Globe, 39th Cong., p. 3236), Senator Sherman approved the policy of free entry upon mineral lands. He stated:

I think it is the interest of the United States to get rid of the mineral lands of the United States, to give them into the hands of private individuals, to give them the title by patents in the ordinary way, so that the United States will be divested of all proprietary right over the mines. * * * I might produce the opinions of Mr. Benton, Mr. Clay, and many of the most eminent statesmen of America to show that the title of mineral lands is of no benefit to the United States. From time to time the principle of disposing of mineral lands, salt mines, iron mines, etc., has been adopted, so that now, I believe, we have no proprietary title in the United States to any but the gold and silver mines. This bill gives the mineral lands to the people where they are, in Nevada and in the other mineral States. * * * It gives them the lands for probably less than it will cost to lay them out, survey them, locate them, plat them, and sell them, so that it is substantially a grant of all the mineral lands to the settlers in the mineral regions; and that policy I am in favor of adopting; while, on the other hand, if you should adopt the proposition now made by the Senator from Oregon, the United States would retain possession and control of these lands, would be subject to expenses, and there would be no legal right, no legal title, to the improvements made on these lands. A settler going upon a claim and building his improvements on the land there has no title whatever; the title to the improvements is in the United States; he has nothing but a possessory title, a customary right, which the United States at any time may destroy, and it seems to me that nothing could be more injurious to the people who go to our mineral lands than this system of affairs, no title, no right to a man's improvements, at any time subject to the legislation of Congress, no inducements to make improvements, no fixed and permanent settlement.

On July 14, 1866, a proposition was submitted to the Senate by which the Secretary of the Interior was to be authorized to lease certain saline lands containing mineral springs. The scheme was severely condemned by Senators and the evils which have resulted from such a policy clearly indicated.

Senator Grimes said (Congressional Globe, 39th Cong., p. 3805):

This Government never has and it never ought to become the landlord of a portion of the people of this country. That is not the relation that is encouraged by any of the laws of our States to any considerable extent, and it should not be encouraged by the Government of the United States.

The true liberty, understand, in a republican government is that, so far as possible, every man shall be the owner of his own soil, the owner of his own tools, the owner of his own labor and his own machinery. * * * But so long as you undertake to maintain the relation of landlord and tenant to the persons who are going to carry on these salting works, so long they will remain in an undeveloped state and the country will never realize a tenth part of the advantage from the salt springs that we would realize if they were conducted by private enterprise alone. That is the experience of this Government; it has been from its foundation; it is the experience of every government on the face of the earth. All such enterprises as these should be carried on by private energy and by private means, and so long as you allow the man who conducts it to be the owner of the property, so long he will be willing to invest more and more means in the appliances that may be necessary to conduct his business to a successful result.

Senator Conness declared that the leasing system was founded upon the monarchial idea that the most valuable things belong to the sovereign, but that he believed that nothing was of too great value for American citizens, and that, being the sovereigns themselves, it would be an act of supererogation and folly to lease the lands to themselves. Continuing, he said:

Why should not the ownership of that thing pass into the hands of the citizen? Is there anybody in the world, is there any power on earth, which can find the value or develop the value of a thing faster and more certain than its owner, and can there be any ownership of a higher character than of the American citizen? The whole system seems to me to be wrong. You are going to institute in one of your departments a power to lease and let a part of the public property to your own citizens, and no such lease, the bill provides, shall be for a longer period than 25 years, and then during the 25 years the lease is to be subjected to readjustment every 5 years by "disinterested referees."

The Interior Department or the Land Office is to appoint referees every five years. Where shall they go? Shall they act in regard to a piece of property that they know nothing about except as they get information from the Land Office, the information coming through a bureau that perhaps knows nothing about it? It appears to me to be very small business for this Government to engage in. It is especially provided, it will be observed, that this bill shall not apply to the section of the country from which I came. We are not to be made tenants. For one I am very much obliged to the committee for releasing us from such a vassalage.

If the saline lands and the mineral springs belonging to the Government are to be leased, why not lease the gold and silver mines? They are of infinitely greater value; they attract the attention of mankind to a greater extent and concentrate the effort of man and the capital that man can bring to the development of natural resources to a greater extent than these more ordinary classes of property.

And so the modified and limited leasing system adopted by the United States was swept away as being inexpedient and against the best interests of the Republic.

The question of congressional legislation with respect to mineral lands was brought to the attention of Congress after the discovery of gold in California. The excitement following this important event resulted in a mighty tide of emigration to the Pacific coast. There were some controversies growing out of the interpretation of the treaty of Quadalupe Hidalgo and the extent of grants therein recognized. For years there was no legislation of Congress which dealt with these mineral lands or determined the relations of occupants thereon. It is to the credit of the sturdy and courageous men who settled in these mining districts that their love of order and respect for law led them to the adoption of a system of customs and regulations which protected property rights and conduced to the development of the West and the production of the precious metals in great abundance. Speaking of this situation, Senator Stewart uses this language:

The reason and justice of the laws they formed challenge the admiration of all who investigate them. * * * These regulations were thoroughly democratic in their character, guarding against every form of monopoly and requiring continued work and occupation in good faith to constitute a valid possession. * * * The miner's law is a part of the miner's nature; he made it and he loves it, trusts it and obeys it. He has given the toil of his life to discover wealth, which, when found, is protected by no higher law than that enacted by himself under the implied sanction of a just and generous Government.

These rules produced a system of free mining. There were no royalties, no leasing, no interference by the Government, but a declaration of the fact that the lands of our country were the patrimony of a free people. Protected in their location, feeling as secure as if buttressed by courts and juries and the laws of our modern civilization, they toiled on, hopeful of success, achieving victories and encountering defeats, giving their lives and their all to the enrichment of the Nation.

These rules were approved by the United States Supreme Court.

In every district which they occupied they framed certain rules for their government. * * * They all recognized discovery followed by possession as the foundation of the possessor's title, and development by working as the condition of its retention. And they were so framed as to secure to all comers within practicable limits absolute equality of right and privilege of working the mines. Nothing but such equality would have been tolerated by the miners, who were emphatically the lawmakers as respects mining upon the public lands. * * * During the 18 years from 1848 to 1866 the regulations and customs of miners as enforced and molded by the courts and sanctioned by the legislature of the State constituted the law governing property in mines and in water on the public mineral lands. (Jennison *v.* Kirk, 98 U. S., 456.)

The Legislature of California recognized these mining regulations and customs, and Judge Field and other eminent jurists so applied and molded them that a wise, comprehensive "common law" was produced which will forever be a source of pride.

The system thus originating has been taken up and adopted by the States and Territories west of the Missouri River. And that is not all. This system, founded in the necessity of the hour, in man's sense of justice and love of right, became by adoption the child of our Government. In 1866 Congress declared:

That the mineral lands of the public domain, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and occupation by all citizens of the United States, subject to such regulations as may be prescribed by law, and subject to the local customs and rules of miners in the several mining districts, so far as the same may not be in conflict with the laws of the United States.

The discussions in Congress prior to the passage of the act, including that which occurred in 1850, conclusively established the fact that free entrance upon the mineral lands and unrestricted occupancy of the same for mining purposes were regarded as a right. The act of 1866—

was rather a voluntary recognition of a preexisting right of possession constituting a valid claim to its continued use than the establishment of a new one. (Broder *v.* Water Company, 106 U. S., 296.)

And further, to show how the Supreme Court regarded the encouragement offered by the Government to the people to freely enter and occupy the mineral lands, and in support of the view that it would be mala fides to now depart from a policy not only approved but adopted, let me quote from the statements of the court:

The Government, by its silent acquiescence, assented to the general occupation of the public lands for mining, and to encourage their free and unrestricted use for that purpose reserved such lands as were mineral from sale and the acquisition of title by settlement. (Atchison v. Peterson, 20 Wall., 512.)

Before 1866 mining claims upon the public lands were held under regulations adopted by the miners themselves. * * * These regulations were framed with such just regard for the rights of all and afforded such complete protection that they soon received the sanction of the local legislatures and tribunals. * * * In all the legislation, whether of Congress or of State or Territory, and by all mining regulations and rules discovery and appropriation are recognized as the sources of title to mining claims, and development by working as the continued ownership until patent is obtained. (Erhardt v. Boaro, 113 U. S., 535.)

In the most solemn manner Congress has declared the right of American citizens to occupy the mineral lands and procure title. The highest judicial tribunal has repeatedly affirmed the wisdom of free mining and the comprehensiveness and justice of the mining regulations and has enforced them as the rule of property.

The attention of Congress was repeatedly called to the situation in the West, and particularly with regard to mining lands between the discovery of gold and the passage of the law of 1866. President Lincoln in 1864 directed the attention of Congress to the subject and also to the report of the Secretary of the Interior relating to this important matter.

Notwithstanding the necessity of some legislation by the Federal Government dealing with the mineral lands of the United States, no comprehensive measure was passed until July 4, 1866. It is true there was considerable agitation in favor of a leasing system by which the mineral lands were to be controlled and as a result of which it was hoped revenue might be derived by the Federal Government. The Secretary of the Interior, Hon. Caleb B. Smith, in his annual report for 1861, stated that there were valuable and extensive mineral lands owned by the Government in California and New Mexico; that those who wished had been permitted to work the lands without limitation. He insisted that the lands belonged to the whole people, and that it would only be just and proper for those developing the mining properties to pay "a reasonable amount as a consideration for the advantages enjoyed." The same official the following year called attention to the same subject, as he did in 1863. In his last recommendation he suggested that the mines and minerals of the public domain should be opened and subjected to the occupancy of all loyal citizens, subject, as far as compatible with moderate seigniorage, to existing customs and usages, conceding to the discoverer for a small sum a right to one mine, placer or lead (quartz), with a preemptive right in the same district to an additional claim, both to be held for the term of one year, for testing the value.

Again, in 1865 the Secretary of the Interior in his report to Congress stated that the mineral lands which do not contain the precious metals should be brought into the market and placed under the guardianship of private owners. He further stated:

Individual proprietorship, it is conceded, would stimulate the development of coal fields, petroleum, deposits of iron, lead, and of other gross metals, and mineral formations. There can therefore be no sufficient reason for withholding such mineral lands from market. Congress has not legislated with a view to securing an income from the product of the precious metals from the public domain. It is estimated that two or three hundred thousand able-bodied men are engaged in such mining operations on the public lands, without authority of law, who pay nothing to the Government for the privilege or for the permanent possession of property worth, in many instances, millions to the claimant. The existing financial condition of the Nation obviously requires that all our national resources and the product of every industrial pursuit should contribute to the payment of the public debt. The wisdom of Congress must decide whether the public interest would be better promoted by a sale in fee of these mineral lands or by raising a revenue from their annual product.

Notwithstanding the frequent appeals to Congress from various sources to establish a leasing system no favorable response was accorded.

The Supreme Court of the United States, in the case of Ivanhoe Mining Co. *v.* Consolidated Mining Co. (102 U. S., 167), stated that Congress—

Passed a law [the law of 1866] by which title to mineral lands might be acquired from the Government at nominal prices, and by which the idea of a royalty in the product of the mines was forever relinquished.

Mr. Lindley, in his most excellent work on Mines, speaking of this legislation, says:

What had theretofore been technically a trespass became thenceforward a licensed privilege, untrammeled by governmental surveillance or the exaction of burdensome conditions. Such conditions as were imposed were no more onerous than those which the miners had imposed upon themselves by their local systems. That such a declaration of governmental policy stimulated and encouraged the development of the mining industry in the West is a matter of public history.

This Congress, speaking for the Nation, set its seal of disapproval upon all attempts to collect rents or royalties from mines upon the public lands, and in effect disapproved of the policy of attempting to govern and control, work, operate, or develop mining properties on the public domain by bureaus or executive departments.

Prof. R. W. Raymond, one of the ablest investigators of this and cognate questions, published a strong and able article which presents the reasons for the policy adopted by the Government in its legislation of 1866. A portion of the article is as follows:

Its object has been to encourage the development of the mineral resources of the public lands and to transfer the ownership of both land and mineral rights to individual citizens. That this course is wisest in itself and best adapted to the spirit of our institutions scarcely admits of question. The policy of administering the public lands as a means of producing revenue through mines, timber, agriculture, or rents is one which a highly centralized or despotic government may perhaps pursue, but certainly is not suited to democratic or representative government, and even in monarchical States it has not proved advantageous, as may be inferred from the general tendency in all enlightened nations at the present day toward the transfer of governmental enterprises to private hands. It may be questioned, perhaps, whether a system by which the Government, as in Spain, Portugal, and Mexico, retains the ownership of mines and leases them upon conditions involving their continuous working is not calculated to secure a more active and steady mining industry than a system which, conferring individual ownership, permits mines to lie idle at the will of their owners. But I think no one can fail to perceive, upon thorough consideration, that the advantages of the Spanish system are delusive, and that its disadvantages in the expense of administration and the inducements which it offers to the "robbing" of mines are greater than its advantages, even if these were real. The tenant of the Government mine will work it if it be profitable, of course. He would do the same if he owned it. When it ceases to be profitable, he may continue operations for a while, rather than lose his lease. But there is no economic gain to the State in forcing its citizens to unremunerative labor. On the contrary, if a mine does not pay, it is best that it should be closed, while labor turns to more productive enterprises; and if a mine is to be closed, it is far better that this should be done by an owner than by a tenant, for the owner may hope to resume operations under more favorable circumstances, while it is the interest of the tenant, whose abandonment of the property is final, to rob it of all accessible value and leave it in ruins. As for the revenue to be derived from renting mines, two things may be confidently asserted: First, if it were wise to burden the industry of mining with a tax not laid upon other forms of production, this could be done more effectively, conveniently, and equitably by a bullion tax; and, secondly, it is not wise to do anything of the kind. * * * It is quite sufficient at present to say that the obvious policy of the Government is to treat mining like any other industry, and to administer the mineral lands, like the agricultural lands, with as little machinery and as little interference with private enterprise as possible.

We come, then, to this proposition: The United States is the holder, as the trustee of the people, of a vast area of mineral land. On the whole, it is best to sell this land as fast as possible, not looking for large revenue from its sale, but rather transferring it to private owners at prices that will repay the cost of the surveys and other necessary proceedings, and under conditions that will favor the exploration of its resources. To encourage mining, or at all events to lay no unnecessary burdens upon it, and to get rid of the unproductive property in mineral lands which can not under our system be made productive by the Government—these are the objects to be attained by Federal legislation. In selling the mineral lands should the Government make any distinctions as to price? It would have a perfect right to do so; and it seems at first glance a wrong to the people that public property worth many millions of dollars should be given away to those who have no other claim than that of discovery. This point deserves careful consideration. There are three ways in which the Government might derive pecuniary benefit from the developed value of the mines on the public domain. It might provide for an estimate of value by its own officers, and a price based on such an estimate. It might sell the mining locations at public auction, thus leaving the estimate of value to competing purchasers. Or, it might reserve a certain percentage of the gross or net product of a mine—an unassessable interest in the property—which, in case of a large and profitable development, would amount to a considerable sum. These three alternatives cover substantially all that could be done in this direction, apart from the actual retention of ownership by the Government, and the collection of mine rents. As to the first of these it is evident that in most cases no Government officer could possibly make a just estimate of the value of a mine before it had been worked; and no intending purchaser would spend money in developing it, without knowing at what price he could buy it; nor would it be for the interest of any intending purchaser to develop the real value of the property and thereby enhance its price. The sale of locations at auction is open to similar objections. Nobody will explore and develop a piece of mining ground, with the knowledge that every proof of value which he may expose will make its acquisition more costly and more doubtful. But if such sales are to be held without previous exploration of the claims, then the chances are that the prices to be obtained by this method will not exceed the ordinary rates sufficiently to pay for the extra trouble and cost of administration.

The third alternative—the reservation of a portion of the proceeds of a mine—would prove in practice, I think, difficult, odious, and unremunerative. It would be really a special tax. If levied upon gross production, it would bear severely on struggling enterprises. If levied upon profits, it would involve an inquisition into private business, a premium on deceit and concealment, and a vast amount of official labor for comparatively small return. It would be like the revenue tax on spirits in difficulty of enforcement, but not in resulting revenue. We may conclude, then, that the true policy of the Government is to sell the mineral lands outright at uniform prices and with as little trouble and cost to itself and the purchaser as possible, seeking its profit, not in the direct proceeds of sale but in the rapid development of natural resources and the establishment of prosperous com-

munities. It remains to be considered whether the present system of Federal mining law, as construed by the courts and administered by the General Land Office, effectively executes this policy; whether it needs reform; and if so, whether that reform should be of the nature of moderate amendment or radical change. In the discussion of these questions I shall strive rather to present an impartial statement of both sides than to advocate a definite scheme. No scheme suggested by individual study or experience can claim to be the best under the circumstances, because it is of the very essence of the problem that the system adopted by the Government shall be acceptable to the mining communities. The present arrangement, whatever may be its defects, has the positive recommendation that it will work, is working; that it is a growth and, like all growths, possesses vitality, which mere symmetry without vitality can not replace; that its evils are known, while those of a new system are unknown.

The act of 1866 was defective in failing to provide for obtaining title to placer claims. So in July, 1870, the act of 1866 was amended, and in May, 1872, an act was passed entitled "An act to protect the development of the mining resources of the United States." This act was broad and comprehensive and reaffirmed the policy of the Government announced in the act of 1866. It declared that "all mineral deposits in land belonging to the United States are hereby open to exploration and purchase, and the lands in which they are found to occupation and purchase."

It is not my purpose to analyze these various acts of Congress, but attention is called to them merely to prove that after full investigation and with full knowledge of the mineral resources of our Government Congress deliberately chose a policy permitting free entry upon the mineral lands and offered the most liberal terms under which title to the same might be obtained. There was no fear of monopoly or that too much mineral wealth would be produced, or that the bold prospector who went out upon the public domain and, after difficulties and hardships, discovered and developed a mine would obtain too great a reward for his efforts and toil. Everyone knows that the policy was right, sound, and rational. The wealth produced, whether from gold or silver or coal or oil claims, flows into the veins and arteries of commerce and trade and enriches the Nation as a whole. A different policy would have sealed the mineral wealth of our country. The more mines open to development the more people obtain employment. The mountains and the canyons and the sterile wastes of the West have produced cities and towns and Commonwealths because of this generous and wise national policy.

The coal mines and the oil fields of the States east of the Mississippi Valley would never have reached the stage of development which has characterized them if a hateful, oppressive State or National leasing policy had prevailed.

It is true that some men have made large fortunes in the production of coal and in developing oil fields, but the greater gain has come to the entire people.

And this policy has not produced a monopoly in production of coal or oil. Wherever there has been monopoly of oil it has been in the field of transportation and refinement. There have been no monopolies in the public-land States by reason of the liberal policy pursued by the Government with respect to its mineral lands. The hundreds of millions of dollars in gold and silver produced in Nevada preceding and immediately following the Civil War were not held by a few individuals. This great wealth found its way into the channels of trade and commerce. And so it can be said with respect to all of the mineral products obtained from the public lands. Their development has made the West and strengthened and enriched the Nation.

The leasing system which was attempted in the early portion of the last century was a failure and was repealed. Executive departments of the Government in recent years in connection with the forest reserves have adopted a modified leasing policy. This has been obnoxious and has resulted in increased expenses upon the part of the Government. Personally, I think the public lands within the respective States should be ceded to the States. A number of years ago I offered a measure looking to a cession of the public lands to the States, and several months ago I introduced a bill in this body providing for a cession of the public lands to the respective States. At the proper time I shall offer this bill as a substitute for the measure which we are now considering.

In support of the proposition that Federal leasing is of no advantage to the people or to the Government, I call attention to Senate Document No. 482, published during the Sixty-third Congress, containing an article on the leasing of coal lands, by Thomas P. McDonald. He there admits that the plan for leasing coal lands in this country was a radical departure from our established system of disposing of public lands. He calls attention to the fact that Colorado had been leasing its school lands containing coal for 12 years, and that in 1912 only 13 coal mines were under lease; that the aggregate production of the leased properties during the year was 485,971 tons, while the total production of the State for the same year was 10,157,383 tons, and in conclusion he states that "after 12 years' experience in leasing coal lands Colorado has just one coal mine of commercial importance under operation under lease from the State.

It will be conceded that there is greater propriety in a State leasing lands owned by it to its own inhabitants, where it is directly in contact with them, than for the Federal Government to lease lands 3,000 miles distant from the seat of government. Mr. McDonald states that though Montana has a law leasing State lands, with no limit to the acreage leased, and with a royalty of only 10 cents per ton, eight leases only have been given, and that in 1912 the total production from leased properties was 25,668 tons.

The same year Montana produced more than 3,000,000 tons of coal. In the same document the writer states that North Dakota, Oregon, Utah, Idaho, New Mexico, and Wyoming all have laws for leasing coal on State lands, but that no lands have been leased by either of those States. As stated, there is far less objection to the leasing policy by a State. It occupies with respect to lands owned by it an entirely different position than that occupied by the Federal Government with respect to the public domain, held in trust for the benefit of the people. Mr. McDonald in the same document states that for the year 1909 there were mined by the owners of coal lands within the United States 334,669,298 tons, and that owners also leased adjoining land and produced therefrom 42,929,197 tons. The same year all of the lessees in the United States mined only 82,943,651 tons. It is manifest that even as between private individuals where there are not rules and regulations promulgated by the Government, and where the parties may deal with each other in any way they please, the leasing of mining properties does not appeal very strongly to the American people.

While I am referring to Mr. McDonald's publication I would like to call attention to the prices of coal in the United States and in other countries for the purpose of in part, at least, answering the constantly reiterated charge that the coal producers in the United States have a monopoly and have been charging extortionate prices.

In New Zealand 2,066,073 tons were produced in 1911. Coal was sold at the mine at a price in excess of $2 per ton, and the author states that the State mine which sold coal for that price made no profit. In Nova Scotia the output of coal in 1910 was 6,208,244 tons. The sale price at the mine was $2.01 per ton. Figures taken from the report of the United States Geological Survey for 1911 show that Illinois mined that year 53,679,118 tons, and that the price at the mine was $1.11. Indiana's production for the same year was sold at the mine at $1.08 per ton. Pennsylvania's output was sold at the mine of $1.01. Ohio's coal production was sold at the mine for $1.03, and the price at the mine for the West Virginia output was 90 cents. It is apparent that coal has been produced and sold at the mines in this country at a price less than that charged in other countries, notwithstanding the higher wages paid in the United States. It conclusively demonstrates that free competition existed in the United States, and that under this rule the competitive prices were not only fair to the consumer but were exceedingly low.

Mr. McDonald admits that experience of the coal producers in the bituminous coal fields for 20 years has resulted in cheap coal, but insists that the conditions demonstrate the necessity of some power to prevent what he calls "destructive competition." In the same paragraph the author states:

> In Australia, New Zealand, and Nova Scotia the price of coal at the pit mouth during the past 20 years has ranged from $1.75 to $2.25 per ton, while in our great bituminous coal districts the price of coal at pit mouth has ranged from 90 cents to $1.11 per ton.

I repeat that if cheaper coal and cheaper oil are desired and greater quantities are required the demands of the Nation and the people will be better satisfied by unlocking the coal and the oil and gas fields found upon the public domain. The profits from leasing of governments have never paid the expense of administering the law.

Mr. Fremont declares that with all the machinery of the Spanish monarchy, Spain never received in any year more than $60,000 as royalties from all her mineral properties. Gambo, the great Spanish historian, makes clear not only the imperfections but the injustices and wrong resulting from a national leasing policy. When Mexico threw off the Spanish yoke mining had practically ceased because of the blighting effects of Spain's mineral land policy. Mexico attempted to revive this languishing industry and accordingly abolished all of the taxes and royalties provided by Spanish law and substituted a duty of 3 per cent. Quicksilver mines were freely granted to all who would engage in development, and miners were relieved from personal

contributions as well as military service. A reward of $25,000 was decreed to be paid to each of the first four operators who would extract a certain stated amount of quicksilver.

I submit that the statement of the Secretary of the Interior contained in his report for the year ending June 30, 1917, supports the view for which I am contending, that the leasing system is not proper conservation and does not inure to the advantage of the people or the Government. His statement is as follows:

> The statement that the people of Alaska have borne more handicaps than any other people who have pioneered new, undeveloped territory, at least on the North American Continent, has been so often made that it has become trite. Nevertheless it is true. If the best portions of the far West had been reserved, if the pioneers had been forbidden to make use of those natural resources which they found at hand, and penalized if they attempted to use them, is it reasonable to suppose that the Middle West and the far West would have produced many great Commonwealths within a comparatively short time?
>
> Conservation, which is defined as the act of preserving, maintaining, supporting, or protecting, is, no doubt, sound in principle; but conservation as applied to Alaska, while it has preserved coal, oil, and timber, has largely estopped development along these lines. The coal lands of Alaska were reserved by Executive order in 1906 and the oil lands some years later, and there has been no general development of either coal or oil resources. Coal is mined to-day only on a small scale and oil development is at a standstill. The need of coal such as is found in Alaska is apparent all over the Pacific coast, yet the production is limited and confined to but one section of the Territory. The same is true of oil. There is no doubt that the coal areas of Alaska are capable of supplying sufficient quantities of coal for all domestic and industrial purposes of the Pacific coast regions were they developed commercially, and if the oil lands of the Territory could be properly developed they would largely add to the supply of gasoline.

Who can doubt that the cause of this lack of development in Alaska is the unwise policy which has withdrawn these lands from entry and purchase by the American people?

Mr. President, the leasing policy is not only harmful to the States but it is harmful to the Federal Government. It multiplies, as I have stated, governmental officials, increases the cost of Federal administration, alienates the people from the Government, creates friction between the States and the Federal Government, tends to overthrow the autonomy of the States, and tends to cripple them in their domestic and local affairs; sets up dual and conflicting governments within each State, prevents the growth and expansion of the States, denies them the right to tax property within their borders, builds up and fosters an autocratic paternalism, denies to the people the mineral products of the soil, and to that extent and thereby fosters monopoly, and finally raises prices and works injury to all the people. Now, while we are demanding that democracy be expanded, that all forms of autocratic power shall be destroyed, and that the utmost freedom shall be given to the people of the world, it subjects us to the charge of inconsistency, if not hypocrisy for this great legislative body to enact legislation directly opposed to our claims and demands.

Not only millions of acres of coal and other mineral lands have been directly withdrawn from entry by the Government, but the extension of the forest reserves over immense areas within the public-land States has locked up other mineral lands and prevented the development that otherwise would have ensued. Before this policy which I am condemning was inaugurated thousands of prospectors could be found upon the mountains and in the canyons in the mineral sections of the Western States. Now, hills and canyons and mining districts, except where developed properties are being operated, are silent, and unless a change shall take place in the policy of the Government there will be a constant diminution in the mineral production of our Nation.

Mr. McCUMBER. Mr. President——

Mr. KING. I yield to the Senator from North Dakota.

Mr. McCUMBER. I have always been in agreement with the Senator against the propriety of the leasing system, but now the Senator, I think, admits that we shall need oil and need more than the present fields that are now open will supply us. Does the Senator believe that there is any possibility of securing the adherence of a sufficient number of Representatives and Senators to his view and my view, that it would be better to throw these oil lands open to the public and secure the passage of a bill of that character? If we can not secure the passage of a bill of that character, if the people generally over the United States do not agree with us or the Congress by a majority vote would not agree with us, what would be the Senator's view of our present duty under the circumstances, to take the best we can get or to take nothing?

Mr. KING. Mr. President, no one could answer the question which has been so fairly stated by the Senator from North Dakota without feeling more or less of embarrassment and difficulty. I confess that if the premises were as suggested by him and I was absolutely sure that the public mineral lands could not be opened or operated at any time in the future except under the provisions of this bill, I might possibly vote for it. I have not yet been convinced that a bill can not be passed through Congress of the character that would meet the approval of the Senator and myself. It will be time enough to consider the enactment of legislation of this character when it is certain we can not pass a measure which is just and fair, and in harmony with our past national policy.

Mr. GALLINGER. Mr. President——

Mr. KING. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Does the Senator think that ever can be tested as well as for the Senate to stand by what seemed to be the prevailing opinion a little while ago in opposition to leases, and let the bill go to conference? Why should we abdicate simply because somebody tells us that the other House will not agree to our action unless we pass this bill? That, I think, ought not to have been said on the floor of the Senate; but it has been said, and for one I resent any such suggestion. The only way we could test this case is to send it to conference and let it be fought out there, and then if we can not get anything better than is proposed now we might have some excuse for yielding our convictions.

Mr. PITTMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Nevada?

Mr. KING. I should like to answer the Senator from New Hampshire now, but I yield to the Senator from Nevada.

Mr. PITTMAN. I simply want to say, if this were a new question it might be submitted as a test, but it is not new. It has been before both Houses of Congress for four years, and during that whole time, so far as Senators who favor the policy of the Senator from New Hampshire and the Senator from Utah, and I may say the Senator from Nevada, they have urged upon the Public Lands Committee of the Senate a certain policy, and have also urged it before the committee of the House. In the Senate that view could never get a majority, and in the House the committee was unanimously against it on three separate occasions. For that reason I think we have tested it sufficiently to know that it is either a bill of this character or none. That is what I meant in the report when I wrote it. I mean that now. That is my view of it.

Mr. KING. I will advert to the question of the Senator from New Hampshire in a moment. The Senator from Nevada seemed to ask a question. Does the Senator from Nevada think that the opposition to a system which opens the mineral lands to private entry comes from any executive branch of the Government?

Mr. PITTMAN. I think the principle announced by the Senator from Utah is opposed by the executive branch of the Government, although I am not so positive of that. But I know it is opposed by the most influential Members of Congress in the other House. I am not prepared to say, however, that I know of a single executive head who is opposed to what is known as the policy in opposition to this bill.

Mr. KING. I was about to supplement that question by another. If it be the opposition of the executive department, or any branch of that department, that prevents the passage of a measure which would meet the approval of the Senator from New Hampshire and the Senator from Nevada, does the Senator from Nevada think that we ought to yield to the demand of that executive branch of the Government?

Mr. PITTMAN. If it were only Executive opposition, I would feel that we could then overcome that opposition—at least I would be willing to try it—but I know from an experience covering four years with three separate bills of this character that, whether there be Executive opposition or not, there is sufficient opposition in the House, and intense, violent opposition, to make it to my mind impossible to pass a bill granting title absolutely.

Mr. SMOOT. Will the Senator yield to me?

Mr. KING. I yield to my colleague.

Mr. SMOOT. We might just as well understand where the opposition comes from now as at any other time. There is an organization in the United States, and has been for 10 years or more past, amply financed, and known as the Conservation Association. It is opposed to citizens of the United States becoming the owners of the public domain, and it has a great influence with Members of Congress. We also might as well know that the officials of the Interior Department believe in the leasing system rather than the individual ownership of mineral lands. It will be absolutely impossible to get a bill, as the Senator from Nevada has said, through the House to-day that would open all the lands of the United States to entry, the policy followed so many years, and under which our country has developed so rapidly. The leasing policy of the

department not only applies to public lands but it applies to water-power sites. For 12 years now they have been held locked up, as the Senator knows.

I can not for the life of me see how it is going to be different until the departments or Congress yields. The Senator knows that we have been notified on the floor of the Senate to-day that this bill as reported from the committee can not pass, because the Secretary of the Navy is opposed to a provision in it, and the question of a law that does not include the leasing system of public lands will not at present, at least, receive the sanction of the Secretary of the Interior, the Secretary of Agriculture, and I was going to say any other branch of our Government.

Mr. STONE. Mr. President——

Mr. KING. I yield to the Senator from Missouri.

Mr. PITTMAN. With the permission of the Senator from Missouri, I merely want to add to what the Senator from Utah has said that it has not received the sanction of any department of the Government for 8 or 10 years. I think it was under Mr. Roosevelt's administration that this peculiar policy originated, and it has gone on and, if anything, has increased, and is still growing stronger. I think it is hopeless to look for any change.

What we have done in this bill is this: We have said to the prospector he shall have the right to prospect on a piece of land and acquire title by patent. We have done that at least and we have faithfully reserved that in this bill. The prospector can go out and if he discovers oil land he can acquire title to it to-day and get a patent. I hope we will get that, and I hope it will not be discussed longer, because if the Senator from Utah will compel us to call attention to that it is very possible it will be stricken out by an amendment.

Mr. STONE. If my friend from Utah will permit me——

Mr. KING. I yield to the Senator from Missouri.

Mr. STONE. Mr. President, I have been in the Senate a good many years. I have heard this very matter now occupying our attention discussed before the Senate not only for four years, as the Senator from Nevada says, but it seems to me I have been hearing it discussed here for 10 or 15 years. I know I have been hearing it discussed so long that my memory runneth not to the contrary. I have heard the senior Senator from Utah [Mr. SMOOT] make, in substance, the speech or the several speeches he has made to-day over and over again. I have previously heard the Senator from Nevada [Mr. PITTMAN] make the speeches he has so well made to-day, as I have heard like speeches from both the Senators from Montana and others. It is an old subject of discussion here in the Senate. It is an old theme with all of us. I think we are familiar with it. The junior Senator from Utah is making a most interesting speech, a very able one that I think will be historically valuable, but for the purposes of present legislation, if I may say this without offense, there is nothing of practical value in his fine address unless there is a purpose on the part of Senators to defeat action on this bill.

Mr. KING. Will the Senator permit me to ask him a question?

Mr. STONE. I am speaking in the Senator's time.

Mr. KING. Yes; but I should be very happy before the Senator concludes if he will allow me to ask a question. Does the Senator approve of this proposed legislation? Does he, because the subject is old and has been debated at length in the past, think we ought not to discuss it further, particularly when a policy so long established and which has worked such beneficent results is about to be abandoned and an obsolete, condemned, and destructive one is about to be put into operation?

Mr. STONE. Mr. President, I am not going to enter into that discussion. We have heard that discussed at length already. I have favored the view advocated by the Senator from Colorado [Mr. SHAFROTH] and those associated with him, just as the Senator from New Hampshire [Mr. GALLINGER] did; but, unlike the Senator from New Hampshire, as he expressed himself to-day, I should like to have this question settled one way or the other now, and since those who are most familiar with the subject have submitted this compromise plan, while not entirely satisfactory to me, I agree with the Senator from Nevada [Mr. PITTMAN], in charge of the bill, that we had better do this thing than do nothing; and surely we should dispose of the subject for the time being at least, and this for reasons that have already been stated by Senators more strongly than I could state them—and I would have to state them to the same effect if I tried to state them at all—because of the necessities of the Government and of the people, that we should not in a time of stress lock up the great storehouses with which nature has supplied our country by struggling here now over this old, time-worn contest as to whether we shall open these storehouses through a leasing system or a purchasing system.

I have my preferences about that, as I have said. But, Mr. President, what I wanted especially to say at this time is that if there are Senators who do not mean to allow this bill to pass, then we are at the end of the rope. If Senators are willing to have the Senate express its opinion upon the passage of the bill, then in the interest of the public business while other things are waiting on the junior Senator from Utah and those cooperating with him, let us know where we stand, and either adjourn or else have a vote and go on with other business.

Mr. GALLINGER. Will the Senator from Utah permit me one word?

Mr. KING. Certainly.

Mr. GALLINGER. I infer from what the Senator from Missouri said that his only difference from me is that he was advocating early action on this bill, while he thought I was trying to postpone it.

Mr. STONE. No; I did not mean to say that so far as the Senator is concerned.

Mr. GALLINGER. Thank you.

Mr. STONE. I said that I was in sympathy with the Senator's general view about the bill. The Senator was maintaining, somewhat stubbornly, his attitude and stated that he would vote against the bill in its present form, and I said that I was ready to vote for it even in its present form.

Mr. GALLINGER. My attitude was not at all stubborn. I had taken about 10 minutes in discussing the bill and I am ready to vote on it at any moment, so far as I am personally concerned. I did say that I should vote against it. Of course that is my privilege and I thought I would advertise in advance that I had not changed my mind, as certain other Senators have changed their minds, without giving us any adequate reason for the change. That is all I proposed saying, and all I did say.

Mr. KING. I supposed when the Senator from Missouri propounded his question to me that he did it in good faith and out of commisseration for my youthfulness in the Senate, and with a desire to admonish me as to the proper course to pursue in addressing myself upon subjects submitted for consideration. I wish, however, the distinguished Senator from Missouri would follow the advice which he gave me, when it comes to a discussion of public questions upon his part. I wish the Senator from Missouri when he occupied five or six hours here a number of months ago and prevented largely the passage of an important measure, had remembered the advice which he gives me now when I address the Senate.

Mr. STONE. I think that is an unnecessary observation, because it is not a true observation.

Mr. KING. It is a true observation, and I challenge the RECORD.

Mr. STONE. I did not occupy five or six hours at the time referred to. Inopportunely and evidently the Senator is talking about the speech I made against the resolution authorizing the arming by the United States of merchant vessels.

Mr. KING. I am alluding to that speech.

Mr. STONE. That is what I assume the Senator refers to.

Mr. KING. I am alluding to that speech of the Senator from Missouri.

Mr. STONE. I supposed so. Mr. President, I occupied no such time as five or six hours in the delivery of that speech. When I concluded that speech there were left 19 hours for debate and action. Now, mark you, that great matter of going into this world war was not brought before the Senate until just a few hours before I took the floor to speak on it. A half dozen hours before, or something like that, it was brought before the Senate. When I took the floor to oppose the resolution there were twenty-odd hours at the service of the Senate. I spoke for approximately three hours against the resolution. After that more than half of the remaining time was occupied by those favoring the resolution; not by those opposing it.

I spoke for about three hours against this new and far-reaching resolution to involve this country in this world war. The Senator goes back for a year to bring up this. I do not know why. I am not criticizing my friend for what he thinks he should do. The cases are not parallel. If he thinks I was criticizing him personally he is mistaken. If I offended I apologize. I am speaking in good faith, because Senators, I know, are waiting to take up other things which they supposed they would get up this afternoon, and if it be the purpose of any Senators to prevent action on the pending bill, do not you think we had as well adjourn or go into executive session? There is no need of our staying here if the things that are waiting can not be considered. The Senator knows whether he is willing to have a vote on this bill to-day.

The Senator adverts to a rather long speech I made against war. But I remind him that more than once, I think three times, I announced on the floor of the Senate that I was ready to vote on the war resolution any minute. Is the Senator ready to say that now, that he is ready to vote on this old bill any minute?

Mr. KING. Did the Senator say he was willing to vote until after he had submitted all he had to say in opposition to that resolution?

Mr. STONE. I did not say that, nor was I willing to vote until I had completed my speech.

Mr. KING. Exactly. The Senator opposed, as he had a right to oppose, that resolution, and to speak as long as he desired and the rules of the Senate permitted. In what I have said in reply to the Senator I have not intended to criticize the attitude of the Senator or his vote. He is an able, patriotic, and courageous Senator, none more so, and is entitled to speak as his judgment dictates and vote as his conscience directs. But what I am objecting to is the attitude of the distinguished Senator from Missouri when he attempts to deliver a lecture when we seek to honestly express our opposition to a measure that changes a fixed and settled policy of our country and inaugurates a system that is so un-American and so dangerous and oppressive.

Mr. STONE. Mr. President, let me ask my friend——

Mr. KING. One moment. I will yield, but I do not wish to be driven by the Senator from Missouri into abating any criticism of this bill that I choose to make fairly and honestly.

Mr. STONE. The Senator is a very frank man and a very able man——

Mr. KING. I hope to be frank.

Mr. STONE. Mr. President, I want to stay here and vote on this bill. Can we vote to-night?

Mr. KING. I will say to the Senator we will not vote to-night before 6 o'clock if I am permitted to occupy the floor.

Mr. STONE. The Senator says we will not vote before 6 o'clock. I will ask the Senator if, so far as he is concerned, he is willing that we shall vote at 6 o'clock?

Mr. KING. I am willing that the Senate shall vote whenever it so desires, but I understood that this was a legislative body; that an important bill was up for consideration; it has not yet been read, and certainly the distinguished Senator from Missouri, with his large legislative experience, does not want to vote for a bill before it is read in the Senate.

Mr. STONE. Mr. President, may I interrupt my friend again by his courtesy?

Mr. KING. Certainly.

Mr. STONE. If he does not mean that we shall vote on this bill this afternoon there are Senators here who very much desire, for important reasons, to have an executive session.

Mr. KING. The Senator from Utah will be delighted to yield for such purpose, but I may desire to submit some further comments upon the bill before final vote is taken.

Mr. STONE. I shall not undertake to make the motion for an executive session without the consent of the Senator in charge of the bill.

Mr. KING. Let me say that I had said to the Senator from Nevada that, so far as I was concerned, I expected a vote on this bill to-morrow; I am willing that there shall be a vote on this bill to-morrow; but I did not know the Senator from Missouri was so impatient as to force a vote to-night.

Mr. PITTMAN. Mr. President, I think that I thoroughly understood the position taken by the Senator from Utah. He had assured me that he had no intention whatever of desiring to delay a vote on this bill; that he had intended to make some remarks before the bill was finally acted upon. I am satisfied now that the Senator has no intention whatever to attempt to delay a vote on the bill. I regret exceedingly, however, that we have lost about 30 minutes' time finding this out. I am forced to the conclusion that the body is now in such humor that it desires to go into executive session, and if the Senator from Missouri desires to make that motion I am perfectly willing, with the consent, of course, of the Senator from Utah, that he shall do so.

Mr. STONE. I move, Mr. President, that the Senate proceed to the consideration of executive business.

Mr. KING. I have not yet yielded the floor.

Mr. STONE. I thought the Senator had.

Mr. KING. The Senator from Nevada understood exactly my position with respect to this matter. He did not mean by his observation that he did not know 30 minutes ago what the position of the Senator from Utah was respecting this bill.

Mr. PITTMAN. Oh, no; I have known all the time the position of the Senator from Utah in relation to the bill.

Mr. KING. Now, Mr. President, I yield to the Senator from Nevada.

EXECUTIVE SESSION.

Mr. PITTMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 15 minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States, with amendments, in which it requested the concurrence of the Senate.

NATIONAL PROHIBITION.

Mr. SHEPPARD. Mr. President, I desire to give notice that to-morrow morning as soon after the conclusion of the morning business as convenient I shall call up for consideration the amendments of the House to the joint resolution relating to national prohibition. I also request that as large a number of Senators as convenient may be in attendance.

ADJOURNMENT.

Mr. MARTIN. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 18, 1917, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 17, 1917.

EXPLOSIVES INSPECTOR.

William J. Duval, of Hutchinson, Kans., to be explosives inspector for the State of Kansas, under the provisions of the act of Congress approved October 6, 1917.

AIDS IN THE COAST AND GEODETIC SURVEY.

Edgar H. Bernstein, of Virginia.
Elwood M. Wilbur, of Maine.
Benjamin Friedenberg, of New York.
William H. Overshiner, of California.
Lowell O. Stewart, of Michigan.
James D. Crichton, of New York.
Nathan Cherniack, of New York.

APPOINTMENTS IN THE ARMY.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

To be judge advocate with the rank of major.

Lewis W. Call, of Maryland, from October 13, 1917.

SIGNAL CORPS.

Col. Alexander L. Dade, Cavalry, to be brigadier general in the Signal Corps, with rank from October 29, 1917.

DENTAL CORPS.

To be first lieutenants.

John Loftus Richards, of Minnesota, from December 10, 1917.

First Lieut. Winfred E. Henshaw, Dental Reserve Corps, from December 11, 1917.

First Lieut. Joseph Earnest Schaefer, Dental Reserve Corps, from December 12, 1917.

First Lieut. George Julian Sibley, Dental Reserve Corps, from December 13, 1917.

First Lieut. Frank Phillip Kendrick Barker, Dental Reserve Corps, from December 14, 1917.

To be dental surgeon with rank from September 17, 1917.

Byram Sandford Purviance, of California.

APPOINTMENTS IN THE NATIONAL ARMY.

To be major generals with rank from November 28, 1917.

Brig. Gen. George H. Cameron, National Army.
Brig. Gen. George W. Read, National Army.
Brig. Gen. André W. Brewster, National Army.
Brig. Gen. Charles H. Muir, National Army.
Brig. Gen. Charles C. Ballou, National Army.
Brig. Gen. Charles T. Menoher, National Army.

To be brigadier generals.

Col. Malvern-Hill Barnum, Cavalry, from October 31, 1917.
Col. William H. Hay, Cavalry, from October 31, 1917.
Col. Jesse McI. Carter, Cavalry, from November 16, 1917.

PROVISIONAL APPOINTMENTS IN THE ARMY.

COAST ARTILLERY CORPS.

To be second lieutenant with rank from October 25, 1917.

Second Lieut. Milton Mortimore Levy, Engineer Officers' Reserve Corps.

To be second lieutenants with rank from October 26, 1917.

Ulric Johnson Mengert, of the District of Columbia.
Hugo Dalsheimer, of Maryland.
Richard Whitman Coward, of Tennessee.
Edward Tankard Browne, of Virginia.
John Ogden Merrill, of Minnesota.
Horace Clifford Levinson, of Illinois.
Second Lieut. Percival Spurr Howe, jr., Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Miles Whitney Kresge, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Edwin Scott Roscoe, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. George Worcester Ricker, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Edward Smith Fraser, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Milton Wayne Pollock, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Sumner Tucker Pike, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Sculand Whitney Landon, jr., Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Harold Connett, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Leslie Clyde, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. John Mead Silkman, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. John Summerfield Jenkins, jr., Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Stanley Raymond Mickelsen, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. William Le Roy Hart, Field Artillery, Officers' Reserve Corps.
Second Lieut. Lawrence Beatty Morse, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. George Parkhurst Lee, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Ralph Earl Glasheen, Coast Artillery Corps, Officers' Reserve Corps.
Earnest Jackson Oglesby, of Virginia.
Second Lieut. Eugene Morgan Vigneron, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Henry Clarkson Meredith, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Dana Little Barbour, Coast Artillery Corps, Officers' Reserve Corps.
Ralph Beatley, of Massachusetts.
Second Lieut. Carroll Gowen Riggs, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Max Weston Thornburg, Field Artillery, Officers' Reserve Corps.
Second Lieut. George Wright Farnham, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Richard Montague Kimball, Coast Artillery Corps, Officers' Reserve Corps.
Edwin Fry Barry, of Texas.
Second Lieut. Eugene Sinclair Taliaferro, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Robert Alexander Clyde, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Andrew Fleming Patterson, Coast Artillery Corps, Officers' Reserve Corps.
Forrest Glenn Tucker, of Washington.
Howard Tasker Evans, of Massachusetts.
Second Lieut. Spessard Lindsey Holland, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. William Penn Esterbrook Ainsworth, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Herbert Fritz Ernst Bultman, Coast Artillery Corps, Officers' Reserve Corps.
Donald Fisher McClure, of New York.
Second Lieut. Wilton Burton Persons, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Homer Case, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Edward Parry Sykes, Coast Artillery Corps, Officers' Reserve Corps.
John Vickers Ray, of West Virginia.
Second Lieut. Burleigh Adelbert Lum, Coast Artillery Corps, Officers' Reserve Corps.
Wilbur Southwood Vaughan, of New Jersey.
Reginald Scott Fleet, of Pennsylvania.
Roland Dyer Hawkins, of Massachusetts.
Second Lieut. Melzar Merrick Whittlesley, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Roscoe Plimpton De Witt, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. John George Murphy, Coast Artillery Corps, Officers' Reserve Corps.
Walter Joseph Collet, of New York.
Second Lieut. Joe Jene Miller, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. John Van Auken Mackenzie, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Frank Johnson McSherry, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. George Francis Arthur Mulcahy, Infantry, Officers' Reserve Corps.
Second Lieut. Charles Sydney Hammond, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. William Bertram Jones, Infantry, Officers' Reserve Corps.
Second Lieut. Cornelius Sheldon Whittelsey, jr., Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Carleton Engler Saecker, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Robert Benjamin Adams, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Clarence Cory Harshman, Engineers, Officers' Reserve Corps.
Second Lieut. Lewis Jerome Taylor, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Pennock Hart Orr, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. John Kay Christmas, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. James Milton Harris, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Walter Berry Littlefield, Infantry, Officers' Reserve Corps.
Second Lieut. Philip Hastings Middleditch, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Wilfrid Warren Montague, Coast Artillery Corps, Officers' Reserve Corps.
Donald Blake Webster, of Massachusetts.
George Bassett Roberts, of New York.
Second Lieut. Arthur Howard Warner, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Frank Elisha O'Neill, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Banks George Moreland, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Monroe Warren, Coast Artillery Corps, Officers' Reserve Corps.
James Muir Ralston, of New Jersey.
Second Lieut. Ransom Davis Spann, Coast Artillery Corps, Officers' Reserve Corps.
Donald Gibbs Crowell, of Massachusetts.
Second Lieut. Arthur Castle Hawkins, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Otto de Lorenzi, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Richard Marston Kew, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Alexander Goold Campbell, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Ernest Ray Campbell, Coast Artillery Corps, Officers' Reserve Corps.
Joseph Graham Pringle, of New York.
Second Lieut. John Wesley Card, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Jack Phinizy, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Manly Broadus Gibson, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Charles Henry Hagelstein, Engineers, Officers' Reserve Corps.
Second Lieut. Huntington Reed Hardwick, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Robert Clyde Jordon, jr., Coast Artillery Corps, Officers' Reserve Corps.
Malcolm Samuel Cone, of Georgia.

Second Lieut. Alvah Edgar Moody, Coast Artillery Corps, Officers' Reserve Corps.
Robert Kent Gooch, of Virginia.
Oliver Nelson Hollis, of Massachusetts.
Second Lieut. Cranston Bourquin Rader, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Cedric Ezra Scheerer, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Geoffrey Marshall, Coast Artillery Corps, Officers' Reserve Corps.
Lloyd William Taylor, of Iowa.
Second Lieut. Guy Head Hearon, Coast Artillery Corps, Officers' Reserve Corps.
Francis Eugene Harrison, jr., of South Carolina.
Second Lieut. James Wallace Hopkins, Coast Artillery Corps, Officers' Reserve Corps.
Ralph Ernest Billsborrow, of New Jersey.
Second Lieut. Alfred Wilson Chapman, Coast Artillery Corps, Officers' Reserve Corps.
William Austin Emerson, of Georgia.
Lawrence James Meyns, of Virginia.
James Cutler Vickery, of New Jersey.
Second Lieut. Clarence Elmer Muehlberg, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Edwin Converse Higbee, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. William Tillory Andrews, Coast Artillery Corps, Officers' Reserve Corps.
Stoddard Pintard Johnston, of New York.
Second Lieut. Lewis Allison Hudgins, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Levi Monroe Bricker, Field Artillery, Officers' Reserve Corps.
Thomas Paul Ahern, of California.
Lawrence Iverson, of New York.
Herbert Macmillan, of New York.
Second Lieut. John Pehrson MacNeill, Coast Artillery Corps, Officers' Reserve Corps.
Archibald Luther Parmelee, of California.
Second Lieut. Robert Emmett Ryerson, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Sam Henry Coile, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Junius Bew Peake, Infantry, Officers' Reserve Corps.
Second Lieut. Sam Williams Anderson, Coast Artillery Corps, Officers' Reserve Corps.
Richard Blodgett Cross, of Massachusetts.
Second Lieut. Geoffrey Airlie Ogilvie, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. John Scott Cansler, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. George Meade Holstein, jr., Engineers, Officers' Reserve Corps.
Second Lieut. Joseph Gerald Cole, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Ward Rubendall, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Clyde LeGage Walker, Coast Artillery Corps, Officers' Reserve Corps.
Richard Brownley Gayle, of Virginia.
Second Lieut. Stillman Brainard Hyde, Infantry, Officers' Reserve Corps.
Second Lieut. Winston Woodard Little, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Ralph Patterson Wagner, Engineers, Officers' Reserve Corps.
Second Lieut. John Andrew Spanogle, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Henry Morrell Atkinson, jr., Infantry, Officers' Reserve Corps.
Second Lieut. Charles Spurgeon Harris, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Paul Wolcott Rutledge, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Alvin Clark Smith, Coast Artillery Corps, Officers' Reserve Corps.
James Christopher Corliss, of Massachusetts.
Robert Tappan Chaplin, of the District of Columbia.
Second Lieut. Chester Bailey McCoid, Coast Artillery Corps, Officers' Reserve Corps.
Hugh Gray Lieber, of Oklahoma.
Earle Williams Marvin, of South Carolina.
Second Lieut. Robert Goodwyn Rhett, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. James Kenneth Morris, Field Artillery, Officers' Reserve Corps.
Second Lieut. Charles Emmet Bates, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Marshall Lawrence Gosserand, Field Artillery, Officers' Reserve Corps.
Second Lieut. Winthrop Myers Allen, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Maxwell Renvell McMillan, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. St. John Waddell, jr., Coast Artillery Corps, Officers' Reserve Corps.
Cary Breckinridge Easley, of Massachusetts.
Second Lieut. Nicholas Brown O'Connell, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Junius T. Moore, Engineers, Officers' Reserve Corps.
Second Lieut. Oscar Dubois McNeely, Coast Artillery Corps, Officers' Reserve Corps.
Abraham Robert Ginsberg, of Pennsylvania.
Second Lieut. Vincent Kinsman Smith, Infantry, Officers' Reserve Corps.
Second Lieut. Charles Lee Ordeman, Coast Artillery Corps, Officers' Reserve Corps.
Ramon Conroy, of New York.
Second Lieut. Thomas Jeffries Betts, Coast Artillery Corps, Officers' Reserve Corps.
David Oliphant Haynes, jr., of New York.
Second Lieut. Edwin John Patton, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Morris Clinton Handwerk, Field Artillery, Officers' Reserve Corps.
Herbert Benjamin Knox, jr., of Pennsylvania.
Charles Cobb, 3d, of Tennessee.
Second Lieut. Benjamin Franklin Harmon, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Ralph Albert Densmore, Coast Artillery Corps, Officers' Reserve Corps.
Charles C. Bell, jr., of Missouri.
Second Lieut. Charles William Lawrance, Coast Artillery Corps, Officers' Reserve Corps.
First Lieut. Edgar Carlyle Outten, Field Artillery, Officers' Reserve Corps.
Second Lieut. David Warner Burgoon, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Raymond Blanton Bottom, Engineers, Officers' Reserve Corps.
Second Lieut. Farrant Lewis Turner, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Henry Terry Morrison, Field Artillery, Officers' Reserve Corps.
Second Lieut. Lee Duren Pettingill, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Malcolm Harrison Ross, Field Artillery, Officers' Reserve Corps.
Second Lieut. Leonard Roscoe Crews, Engineers, Officers' Reserve Corps.
Second Lieut. Harold Marshall Jobes, Coast Artillery Corps, Officers' Reserve Corps.
Thomas Joseph Delaney, of Connecticut.
Second Lieut. William Fraser Cassedy, jr., Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. John Winthrop Loveland, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Scott Hayes, Field Artillery, Officers' Reserve Corps.
Second Lieut. Webster Hamlin Warren, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Callan E. England, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Evan Heber Benoy, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. John Brown Bethea, jr., Field Artillery, Officers' Reserve Corps.
Second Lieut. Charles William Higgins, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Hugh Nathan Herrick, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. George Wesley Norrick, Field Artillery, Officers' Reserve Corps.
Milton Livermore Dodge, of Massachusetts.
Second Lieut. Robert Mochrie, Coast Artillery Corps, Officers' Reserve Corps.
Albert Blakeslee Ede, of Illinois.

Second Lieut. Donald William Tyrrell, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Everett Maxwell Barton, Coast Artillery Corps, Officers' Reserve Corps.
Warren Slaughter Robinson, of Virginia.
Second Lieut. William Warren Wertz, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Vincent Joseph Flanagan, Engineers, Officers' Reserve Corps.
Second Lieut. Evans Read Crowell, Coast Artillery Corps, Officers' Reserve Corps.
Simon Lee Bear, of Pennsylvania.
Laurence Willis Hutchinson, of New Jersey.
Gilbert Herman Gaus, of New York.
Second Lieut. James Chester Bates, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Thomas Edison Troland, Infantry, Officers' Reserve Corps.
Second Lieut. William Alice West, jr., Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Louis Howard Thompson, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Albert Bonds, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Thomas William Conrad, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Frederick Wilhelm Hoorn, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Charles Cooper Stalter, Field Artillery, Officers' Reserve Corps.
Second Lieut. Joseph Carson Stephens, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Eugene Reedy Guild, Infantry, Officers' Reserve Corps.
Thomas Ryder Lannon, of Florida.
Leslie W. Jefferson, of Minnesota.
Second Lieut. Luther Orland Leach, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. James Denison Jones, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Guy Wesley Thomas, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. James Leo McMullen, Coast Artillery Corps, Officers' Reserve Corps.
Charles Rumford Walker, jr., of New Hampshire.
Harold Long Williamson, of Illinois.
Second Lieut. Isaac Wynne, jr., Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Temple Hoyne Buell, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Julien Robert Hume, Field Artillery, Officers' Reserve Corps.
John Reigel Embich, of Pennsylvania.
Second Lieut. Ernest William Soucy, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Donald Brooks Hilton, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Ralph Edwin Hill, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Francis Lancaster Christian, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Maitland Bottoms, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. William Robinson Epes, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Irvin Henry Zeliff, Field Artillery, Officers' Reserve Corps.
Second Lieut. Charles Harrington Stewart, Coast Artillery Corps, Officers' Reserve Corps.
John Fiacsan, of California.
Edward Norton Horr, of Ohio.
Joseph Edward Simmons, of Michigan.
Second Lieut. Lucius Tuttle Hill, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Hal Francis Corry, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Martin Allen Hayes, Engineers, Officers' Reserve Corps.
Second Lieut. Edward Ramsey Holland, jr., Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. John Wesley Russey, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. James Dennett McIntyre, Coast Artillery Corps, Officers' Reserve Corps.
Harry William Lins, of Pennsylvania.
Second Lieut. Bryan Lee Milburn, Coast Artillery Corps, Officers' Reserve Corps.
Alexander Berkeley Carrington, jr., of Virginia.
Frederick Henry Bachman, of Pennsylvania.
Second Lieut. Bradley Johnson Saunders, jr., Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Herbert Charles Bartlett, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Nyal L. Adams, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. William Brewer Cooley, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Lloyd Gerald Sparks, Field Artillery, Officers' Reserve Corps.
Second Lieut. Arthur Fernando Aston, Coast Artillery Corps, Officers' Reserve Corps.
Charles Milby Dale, of Minnesota.
Second Lieut. Stanford Rayne, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Harry Montgomery Carder, jr., Coast Artillery Corps, Officers' Reserve Corps.
William Anthony Clark, jr., of Massachusetts.
William Wallace Dinsmore, of California.
Arthur Duffy, of Pennsylvania.
Second Lieut. Ellsworth Young, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. John William Fuchs, Coast Artillery Corps, Officers' Reserve Corps.
Thomas Reed Bartlett, of Kansas.
Second Lieut. Dudley Franklin Taylor, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. James Leslie Dewitt Corey, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Andrew Jackson Bentley, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Frank Hitch Pritchard, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Clyde Mortimer Watson, Coast Artillery Corps, Officers' Reserve Corps.
Stanley Hamilton Franklin, of Rhode Island.
Second Lieut. Raymond Wilson Symonds, Field Artillery, Officers' Reserve Corps.
Second Lieut. Thomas Scott McConnell, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Detlow Mainch Marthison, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. James Daniel Harvey, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Jerry Vrchlicky Matejka, Engineers, Officers' Reserve Corps.
Arthur de Vries Burke, of West Virginia.
Second Lieut. Roy Lee Peck, jr., Coast Artillery Corps, Officers' Reserve Corps.
Edwin Eugene Aldin, of Massachusetts.
Thomas Lamar Cleaton, of Virginia.
Second Lieut. Charles Lennon Miller, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Joseph Earl Seiter, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. William John Hiller, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Adkins Foote Bowden, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Frank Harold Haupert, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Leroy Kerr Thompson, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Milton Heilfron, Field Artillery, Officers' Reserve Corps.
Second Lieut. Leonard Ober, Field Artillery, Officers' Reserve Corps.
Second Lieut. George Flory Begoon, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Maurice Francis Dunne, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Adam Jackson Bennett, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. William Hesketh, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. George Curtis McFarland, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. David Maxwell Waddey, Coast Artillery Corps, Officers' Reserve Corps.
Harry James Rice, of New York.

Second Lieut. Frazier Groff, Field Artillery, Officers' Reserve Corps.
John Ambrose O'Leary, of New Jersey.
Joseph Jennings Clarkson, of Connecticut.
Second Lieut. Joseph William Vann, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Guy Early Cate, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Walter John Wolfe, Infantry, Officers' Reserve Corps.
Lloyd M. Hanna, of South Dakota.
Second Lieut. Severn Parker Costin Duvall, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. James de Graffenriede Graves, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Hiram Hitchcock Maynard, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. George Warren Dunn, jr., Coast Artillery Corps, Officers' Reserve Corps.
James Willard Walters, of the District of Columbia.
Richard Cox Coupland, of New York.
William Joseph Burke, of Pennsylvania.
George Hammond Tilghman, of Maryland.
George William Brent, of Virginia.
Second Lieut. John Cornelius Roberts, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Daniel Webster Hickey, jr., Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Thomas Atkinson Jones, jr., Coast Artillery Corps, Officers' Reserve Corps.
Edwin Meade Newton, of Massachusetts.
Second Lieut. Samuel James Ogilvie, Coast Artillery Corps, Officers' Reserve Corps.
James Webb Benton, of New York.
Second Lieut. Bruce W. Mason, Infantry, Officers' Reserve Corps.
Second Lieut. Stapleton Conway Deitrick, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Arthur Wilson Winship, Infantry, Officers' Reserve Corps.
Second Lieut. Elvin Leon Barr, Coast Artillery Corps, Officers' Reserve Corps.
Thomas D'Arcey Brophy, of Massachusetts.
James Emerson Troupe, of Minnesota.
Second Lieut. John D. Hindle, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Douglas Eaton Morrison, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Ray Omer Edwards, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Samuel Davenport Bridge, jr., Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Carl Wood, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Thomas Eugene Jeffords, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Richard Dale, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Leslie Oakes Carr, jr., Coast Artillery Corps, Officers' Reserve Corps.
John McClelland Abrams, of Pennsylvania.
Ward Edwin Becker, of Minnesota.
Second Lieut. George Herbert Glover Campbell, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Amory Oliver, Coast Artillery Corps, Officers' Reserve Corps.
Seth Gerson Hess, of New York.
Second Lieut. John Webster Becker, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. James Boyden Crelvo Siske, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Ralph Scallon Herman, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Clarence Webb Dresser, Engineer Officers' Reserve Corps.
Second Lieut. Kenneth George Brown, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Robert James Malone, Coast Artillery Corps, Officers' Reserve Corps.
Louis Andre Lamoreux, of New York.
William Wayne Murphey, of Louisiana.
Earl Hendry, of New York.
Chester Edward Ames, of Massachusetts.
Second Lieut. Harry Bertram Aaron, Coast Artillery Corps, Officers' Reserve Corps.
William Boyd Sommerville, jr., of New York.
Second Lieut. James Lawrence Whalen, Coast Artillery Corps, Officers' Reserve Corps.
John Locke Doggett, jr., of Florida.
Second Lieut. Frank Hendricks Hastings, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Stephen Wilkins Thompson, Coast Artillery Corps, Officers' Reserve Corps.
Second Lieut. Joseph Hiram Gilbreth, Infantry, Officers' Reserve Corps.
Second Lieut. Adolph Frederick Youngberg, Coast Artillery Corps, Officers' Reserve Corps.
Harold Artemas Packard, of Massachusetts.
Second Lieut. Walter Allan Moore, jr., Infantry, Officers' Reserve Corps.
Second Lieut. Paul Americus Harris, Coast Artillery Corps, Officers' Reserve Corps.
John Aloysius Malone, of Pennsylvania.
Harry William Emil Bukowsky, of Oregon.
Howard Wright Reilly, of Colorado.
Walter Edward Hugins, of Colorado.
John Adolph Lindner, of Maryland.
Raymond Miller Richardson, of Maine.
Marion Nimmo Fisher, of Virginia.
Charles Oliver Pengra, of Massachusetts.
Second Lieut. Lionel David Smiley, Engineers, Officers' Reserve Corps.
Second Lieut. Harold Gilbert Archibald, Coast Artillery Corps, Reserve Corps.
Edward Garrett Cowen, of Tennessee.
Second Lieut. ———, Engineers, Officers' Reserve Corps.
Kenyon Putnam Flagg, of New York.
Charles Miller Black, of Colorado.
Murray Hoffman, of New York.
Waldo Huntting Rice, of Massachusetts.
Joseph Burske Hafer, of California.
Leavitt Randall Barker, of Iowa.
Second Lieut. Eben Sumner Draper, Coast Artillery Corps, Officers' Reserve Corps.
Carl Frederick Westerberg, of New Jersey.
John B. Roller, of Virginia.
Albert Converse Rountree, of Georgia.
James Kelsey Cogswell, of New Hampshire.
George Arthur Wilson, of Virginia.
Walter Burroughs Strong, of New York.
Walter H. Rice, of South Carolina.
Thomas Henry Healy, of the District of Columbia.
Second Lieut. Roy Arthur Horning, Engineers, Officers' Reserve Corps.
Henry Augustine Harkins, of California.
George Bernhard Anderson, of Massachusetts.
David Longfellow Patten, of Massachusetts.
George Edward Moore, of North Carolina.
John Atkinson Moore, of Kentucky.
Russell Meade Neff, of Michigan.
Second Lieut. Daniel Howe Hoge, Infantry, Officers' Reserve Corps.
Reamer Walker Argo, of Pennsylvania.
Edward Lucien Supple, of California.
Francis Whittlesey Swain, of Massachusetts.
William Kirk Fowler, jr., of New York.
Alexander Maxwell Hamburg, of New York.
Fred Beebe Hanchett, jr., of Illinois.
Paul Hatch, of Massachusetts.
Willard Paine Woodman, of Maine.
Walter Hannum Wheatley, of Colorado.
Armistead Landon Wellford, jr., of Virginia.
Samuel McCullough, of Massachusetts.
Owen Miner Rose, of Minnesota.
Frank Patterson Christian, jr., of Virginia.
Wilber Russell Ellis, of Virginia.
John V. Fenton, of New York.
Cyrus Bashford Austin, jr., of Ohio.
Mahlon Milton Read, of Massachusetts.
Roland Virgil Vaughn, of Massachusetts.
Allen Ferdinand Grum, of Virginia.
Donald Whitaker Campbell, of Massachusetts.
Frank Brodsky, of New York.
Bernard Clark Dailey, of New York.
Francis Paul McKenney, of Maine.
Second Lieut. William Cross Ferguson, Infantry, Officers' Reserve Corps.

George Montgomery Lovejoy, jr., of Connecticut.
Eugene Thomas Conway, of California.
Edward Carleton Moran, jr., of Maine.
John Woodbury Leavitt, of Massachusetts.
Richard Forrest Evans, of Massachusetts.
Clarence Stephen Babbitt, of Pennsylvania.
Robert Sherman Lewis, of the District of Columbia.
Walter Scott Stewart, of Rhode Island.
Linwood Irving Noyes, of Wisconsin.
Allyn Denison Stoddard, of Connecticut.
Arthur Knowles Stewart, of Rhode Island.
Adolf Blunk, of Nebraska.
McClellan Ratchford, of Alabama.
Standish Edmund Berry, of Colorado.
Hugh Williamson Rowan, of New York.
Edward Prescott Wright, of California.
Edward Columbus Jerome, of North Carolina.
Herbert Kuno Schulz, of California.
Robert Elwyn DeMerritt, of Massachusetts.
Jay Thompson Bell, of Michigan.
James Franklin Powell, of Virginia.
William Dalton Hohenthal, of California.
William Shelter Baxter, of New York.
Joseph Hall Van Schoick, of New Jersey.
Harry Browne Beale, of Virginia.
Rufus Laurence Nelson, of New Hampshire.
Henry Lafayette Miller, of New Hampshire.
James Ralph Lowder, of Iowa.
Frederick Mason Fischer, of New York.
Robert Joseph Miskovsky, of Nebraska.
Bayard B. Buchanan, of Oregon.
John Thomas Schneider, of Tennessee.
Willard Warren Scott, of South Dakota.
Curt Paul Richter, of Colorado.
Harold Deas, of New York.
Irving LaFetra Arbeely, of the District of Columbia.
Edwin Philip Hart, of Illinois.
Assistant Engineer Lee Bodenhamer, Coast Artillery Corps, Fort Mills, Philippine Islands.
Leonard Louis Davis, of Illinois.
Frederick William White, jr., of Connecticut.
Franklin Temple Ingraham, of Massachusetts.
George Roy Genung, of New York.
Capt. William Langley Granbery, jr., First Infantry, Tennessee National Guard, Fort Oglethorpe, Ga.
Harold Leo Stiebel, of Maryland.
Gilbert Agnew Hunt, of the District of Columbia.
Webster Fletcher Putnam, jr., of Colorado.
Merle Halsey Davis, of Vermont.
Frank Simmons Hubbard, of Massachusetts.
George Berry Dobyns, of Pennsylvania.
Henry Devries Cassard, of Maryland.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

CORPS OF ENGINEERS.

To be captains.

First Lieut. Herman H. Pohl, from August 30, 1917.
First Lieut. Gerald A. Counts, from August 30, 1917.
First Lieut. Hiram B. Ely, from August 30, 1917.
First Lieut. Kenneth M. Moore, from August 30, 1917.
First Lieut. Charles D. Harris, from August 30, 1917.
First Lieut. Edmond H. Levy, from September 2, 1917.
First Lieut. Thomas D. Stamps, from September 19, 1917.

To be first lieutenants with rank from August 30, 1917.

Second Lieut. Herman H. Pohl.
Second Lieut. Gerald A. Counts.
Second Lieut. Hiram B. Ely.
Second Lieut. Kenneth M. Moore.
Second Lieut. Charles D. Harris.
Second Lieut. Edmond H. Levy.
Second Lieut. Thomas D. Stamps.
Second Lieut. Bartley M. Harloe.
Second Lieut. Starr C. Wardrop.
Second Lieut. Girard B. Troland.
Second Lieut. Llewellyn M. Griffith.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

FIELD ARTILLERY ARM.

First Lieut. Francis Fielding-Reid, Infantry, to be first lieutenant of Field Artillery with rank from February 25, 1917.

First Lieut. Frederick R. Baker, Infantry, to be first lieutenant of Field Artillery with rank from August 8, 1917.

INFANTRY ARM.

First Lieut. Charles W. Chalker, Field Artillery, to be first lieutenant of Infantry with rank from August 8, 1917.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

First Lieut. Austin Mc. McDonnell, Coast Artillery Corps, to be captain from July 1, 1917, to fill an existing vacancy.

Second Lieut. Austin Mc. McDonnell, Coast Artillery Corps, to be first lieutenant from July 1, 1917, to fill an existing vacancy.

VETERINARY CORPS.

To be veterinarians.

Assistant Veterinarian Robert Vans Agnew, from June 3, 1916.

Assistant Veterinarian Richard H. Power, from October 26, 1916.

Assistant Veterinarian Henry W. Peter, from February 3, 1917.

Assistant Veterinarian William P. Hill, from February 4, 1917.

Assistant Veterinarian Jules H. Uri, from February 6, 1917.

Assistant Veterinarian John A. McKinnon, from March 26, 1917.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 17, 1917.

MEMBER OF THE INTERSTATE COMMERCE COMMISSION.

Balthasar H. Meyer to be a member of the Interstate Commerce Commission for the term of seven years.

EXPLOSIVES INSPECTORS.

The following named to be explosives inspectors for the States named, respectively:

Walter K. McAdory, Alabama.
Edward L. Shaw, Arizona.
Edwin T. Reaves, Arkansas.
John M. Griffin, California.
Thomas S. Price, Colorado.
James E. McGann, Connecticut.
William F. Hoey, Delaware.
Clarence E. Woods, Florida.
Carlos H. Mason, Georgia.
Edgar S. Elder, Idaho.
Lemuel T. Osborn, Indiana.
John J. Hughes, Iowa.
William J. Duval, Kansas.
Thomas S. Rhea, Kentucky.
Isaac A. Broussard, Louisiana.
Leon O. Tebbetts, Maine.
Lewis A. Griffith, Maryland.
Albert E. Stevenson, Michigan.
Madison C. Bowler, Minnesota.
Ellis S. Middleton, Mississippi.
Walter L. Lampkin, Missouri.
Jeremiah W. Farrell, Montana.
Charles F. Clark, Nebraska.
Denver S. Dickerson, Nevada.
Andrew W. Bingham, New Hampshire.
Edward D. Jackson, New York.
Miles C. Stewart, New Mexico.
Daniel A. McDonald, North Carolina.
William P. Porterfield, North Dakota.
Jasper S. Kinslow, Ohio.
Fred Rains, Oklahoma.
William N. Campbell, Oregon.
John W. Rittenhouse, Pennsylvania.
Francis E. Sullivan, Rhode Island.
William Banks, South Carolina.
Michael R. Magner, South Dakota.
Albert M. Leach, Tennessee.
Charles B. Watters, Texas.
David C. Dunbar, Utah.
Park H. Pollard, Vermont.
Martin Williams, Virginia.
Walter G. Ronald, Washington.
Edwin M. Gilkeson, West Virginia.
James A. Berry, Wyoming.
D. C. Sargent, Alaska.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 17, 1917.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, humbly and devoutly we bow in Thy Holy Presence, with mingled regrets and gratitude in our hearts—regrets, that we have been drawn into the most sanguinary and cruel war of the ages, to defend our sacred rights, and the rights of those who are engaged with us, against a cruel and insidious foe; gratitude, that the young men of our country are responding nobly, patriotically, bravely to the call of the colors in this hour of distress and peril.

Be with the fathers and mothers, wives and children, who have given their dear ones to defend all that is nearest and dearest to our hearts. God, be with them till they meet again.

Grant success to our arms, and bring to the world an enduring peace through the example of Him, who with righteous indignation drove the money changers from the temple dedicated to Thee.

And everlasting praise be Thine. Amen.

The Journal of the proceedings of Saturday, December 15, 1917, was read and approved.

EXCESS-PROFITS TAX.

Mr. GARNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a table prepared by the Internal-Revenue Bureau of the Treasury Department touching the excess-profits tax and a statement by Mr. Roper concerning the law.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by printing therein a table respecting the internal-revenue act. Is there objection?

There was no objection.

The table and statement referred to are as follows:

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, December 3, 1917.

TREATMENT UNDER SECTION 201, ACT OF OCTOBER 3, 1917, OF THE DEDUCTION AUTHORIZED BY SECTION 203, 204, 205, OR 210.

To collectors of internal revenue and internal-revenue agents in charge:

The method of allowing the deduction authorized by section 203, 204, 205, or 210 of the act of October 3, 1917, will be as follows:

In any case in which the deduction provided for in section 203, 204, 205, or 210 is greater than 15 per cent of the invested capital and therefore can not be fully allowed under the first rate or bracket of section 201, then in that event any remaining portion of the deduction will be allowed under the second bracket, and continued, if necessary, into the succeeding bracket or brackets until the entire amount of the deduction is allowed.

ILLUSTRATIONS.

An individual or partnership engaged in the manufacturing business with a capital of $30,000 and a net income of $12,000 for the taxable year, an average prewar net income of 9 per cent, or $2,700, and a total deduction of $8,700.

Bracket.	Rate (per cent).	Amount taxable under each bracket.	Tax.
First	20	.....	.....
Second	25	.....	.....
Third	35	.....	.....
Fourth	45	$1,200	$540
Fifth	60	2,100	1,260
Total	.....	.....	1,800

A corporation engaged in the manufacturing business with a capital of $30,000 and a net income of $12,000 for the taxable year, an average pre-war net income of 9 per cent, or $2,700, and a total deduction of $5,700.

Bracket.	Rate (per cent).	Amount taxable under each bracket.	Tax.
First	20	.....	.....
Second	25	$300	$75
Third	35	1,500	525
Fourth	45	2,400	1,080
Fifth	60	2,100	1,260
Total	.....	.....	2,940

DANIEL C. ROPER,
Commissioner.

Approved:
W. G. MCADOO *Secretary.*

[Speech of the Commissioner of Internal Revenue, Dec. 13, 1917.]

THE WAR-REVENUE ACT AND THE TAXPAYER.

When the full significance of winning this war is properly understood it will be seen that no country ever chiseled into statute a measure of greater importance than the war-revenue act of October 3, 1917. This law undertakes to provide a large portion of the necessary money to defend and perpetuate those institutions to which our forefathers devoted their lives. In this sense it is a beacon light toward which people the world around confidently look, for the liberties of our allies are equally dependent with ours upon the necessary financial support which this act undertakes to provide.

It is an interesting law in that it more generally distributes the burden of taxation than any internal revenue measure in the history of our country. It touches more nearly every phase of industry, and therefore becomes of greater personal interest to our people than any previous tax measure. Because of decreased exemptions the personal income tax will reach six or seven million persons who have heretofore not made returns. This number includes a large proportion of our farmers, a vast number of retail merchants, salaried employees, wage earners, and laborers. In addition, there is an estate tax, a capital stock tax on corporations, an excess-profits tax on individuals, partnerships, and corporations, and excise tax on dealers in a large number of commodities, a variety of stamp taxes, a tax on admissions and dues, a tax on public facilities, such as railway transportation, telegraph and telephone messages, and insurance policies, occupational taxes, and the special taxes on alcoholic and nonalcoholic beverages, cigars, tobacco, perfumeries, and various other objects. Finally, there is the munition manufacturers' tax and the increase in postage rates. In short, this war-revenue act is the most comprehensive tax law ever enacted, and the man who escapes its provisions is indeed an inconsequential member of his community.

Some persons have undertaken to criticize the law and to point out its crudeness and inequalities. Imperfections in the law are not to be wondered at when it is remembered that so many of its provisions invade virgin territory. A careful study of the act, however, will convince the unbiased student that it is a remarkable piece of legislation, requiring only an intelligent and sympathetic attitude on the part alike of administrative officials, the Congress, and the people to bring it into workable form and to accomplish its purpose without destroying business or visiting undue hardship upon taxpayers who properly cooperate in its administration. But to accomplish these desirable ends the sympathetic and patriotic cooperation of the Congress, the administrative officials, and taxpayers are each and all indispensable. If they are assured there need be no undue anxiety. A good law may be ruined by reckless methods of administration, and a defective law vastly improved by intelligent and painstaking administration. Considerations of this nature prompted the Secretary of the Treasury soon after the passage of the law to call to my assistance in interpreting the excess-profits provisions of the law nine able and representative American business men. For several weeks these men have devoted their entire time without compensation to hearing and studying the views of taxpayers regarding the excess-profits law to the end that they may be able to give to the Commissioner of Internal Revenue information as to business based upon fresh and up-to-date knowledge. The end sought is to collect the tax which the law imposes with the least possible hardship and inequality. These excess-profits advisers have brought to the assistance of the Bureau of Internal Revenue a dependable knowledge of the viewpoint of the taxpayer and of business conditions which is essential to the practical solution of the problems with which we are confronted.

This I believe to be the first time that any Government department has worked out a cooperative plan for ascertaining and digesting the business and industrial conditions affected by a Federal law. It is a step toward that understanding that should prevail in every democracy between the people and those whose duty it is to administer the law.

In furtherance of the desire of the department to solve its problems in the light of actual conditions rather than of superficial considerations there has been called to its assistance a group of legal advisers composed of representative lawyers of very broad experience, who are patriotically giving without cost to the Government assistance that we could not purchase in interpreting the law.

Following the publication soon to be made of the rules and regulations for the administration of the law is to come the tremendous task of actually collecting the taxes. The period between January 1 and March 1 is fixed by law for the filing of returns by the taxpayers. Payment must be made before June 15.

The campaign of administration involves a campaign of education. It is intended that every available avenue shall be utilized for informing taxpayers as to the amount of tax for which they are liable, and how, when, and where their taxes are to be paid.

To this end the field force of the bureau is to be expanded and reorganized and specially charged with the duty of coming into personal contact, between January 1 and March 1, as nearly as possible, with every person subject to this tax.

Schools of instruction are to be held in every collection district and early in the new year a competent revenue official will be sent into every county in the United States. These agents will be provided with all necessary forms and will be qualified to render assistance to taxpayers in making out their returns. Public announcement will be made through the press of the dates when these men will visit each community and taxpayers will be urged to call on them promptly. Their services are free and there should be no necessity for anyone to incur expense in the preparation of his return.

Plans have also been perfected whereby the revenue field officers are to have the cooperative aid of the State and county councils of national defense not only in disseminating information regarding the law but in arousing and stimulating a patriotic attitude toward war taxation. Volunteer assistance will be rendered also by committees of bankers, accountants, postmasters, and by the highly trained field force of the Department of Agriculture.

We hope so thoroughly to cover the field that ignorance of the law may not be consistently offered by any taxpayer as an excuse for failure to comply with its requirements. It must not be overlooked that the law plainly imposes upon the taxpayer the duty of seeking the revenue officials and of complying with its provisions and prescribes rigid penalties for failure to comply with them.

As a practical aid to the millions of new taxpayers, we have devised a comparatively simple, self-explanatory income-tax return form for the use of persons having a net income of less than $3,000. Many of these people do not keep books or records of accounts. They are not familiar with accounting terms and methods and would be unnecessarily confused if confronted with a form which carried the intricate

questions required by the surtax and excess-profits tax features of the law. Consequently, the man of small income, who is subject only to the normal tax of 2 per cent, is to have the benefit of a schedule drafted in the simplest possible form and language.

The man of larger income, who is required to compute surtax and excess-profits taxes in addition to the normal tax, will be required to use more detailed forms with appropriate instructions.

As illustrative of some of the recommendations touching the excess-profits tax, which are now being considered with a view to presenting them to the Secretary of the Treasury, the following, among others, may be cited:

Allowance of reasonable salaries in the case of partnerships and individuals, in order to place them on an equal basis in this respect with corporations. The effect of this allowance would be to transfer a reasonable salary allowance from income derived from capital invested, all of which would otherwise be taxable under the graduated rates of section 201, to section 209 which imposes a flat rate of 8 per cent on salaries and other income. It is readily seen that such a construction is fully within the spirit and intent of the law. It is within the letter of section 209, which allows each individual who really earns a salary by personal exertion, no matter in what business connection, to have it taxed under the 8 per cent provision of section 209.

That the 8 per cent rate be made to apply to professional men even if a small amount of capital is employed by them.

That merchants be permitted to make inventories of merchandise either at cost or at market value. That brokers be included, on the ground that they are merchants of securities.

That any taxpayer who is content with a 7 per cent deduction upon his invested capital will not be called upon to make a complete return of his prewar capital and income.

You have already observed that the Secretary of the Treasury has approved of a Treasury decision allowing the full exemption provided by the Congress to corporations in sections 201 to 203. The difficulty here arose that a definite exemption was provided for in section 203, but the mechanics provided for applying the exemption in section 201 were left incomplete in a limited number of cases. Hence this decision carries out the manifest intent and purpose of the Congress.

Without further taxing you with the details of our study of the law, I would state that we are confident that the rules and regulations to be adopted will interpret the law in a manner which will be in full accord with its intent and in harmony with the methods of legitimate business and the rights of the taxpayers. It is neither hoped nor expected that these regulations will please every taxpayer. They would not be good regulations if they did. The spirit of honest cooperation with the taxpayer, however, is being instilled into every employee of the bureau and will be insisted upon at all times and in all places.

All taxation is burdensome. War taxes are necessarily so, because they are heavy. The Government's needs are pressing, however, and must be met. The law imposes an obligation upon every citizen which he must meet honestly, patriotically, and, we hope, cheerfully. We have many evidences that American patriotism is responding to this condition.

No agency has done more or is capable of doing more to bring about these desirable ends than the business press of the country. You are now contributing space to this work. The people can only be reached and aroused through the kind of campaign that you are waging. Through your editorial columns you can point out anew your country's needs and the necessity of taxation as the fundamental method of financing this war. You will picture taxation for war purposes as an essential prerequisite to victory and as a necessary defense to liberty. The man who pays his liberty tax in full, without question or murmur, is no less a patriot than the man who invests in the liberty bond or volunteers his services for military duty. This is the spirit of America and I congratulate our country on the patriotic manifestation of cooperation by your great agency for publicity.

Mr. TIMBERLAKE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a petition signed by the executive officers of the State of Colorado against the provisions of the revenue law exempting State officers.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. WALSH. I object.

RESIGNATION OF A MEMBER.

The SPEAKER laid before the House the following notice of resignation.

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have to-day transmitted to the governor of the State of New York my resignation as a Representative in the Congress of the United States from the seventh district of New York, to take effect December 31, 1917.

Respectfully, yours, JOHN J. FITZGERALD.

NATIONAL PROHIBITION.

The SPEAKER. This day has been set apart for the consideration of the prohibition amendment, Senate joint resolution 17, and the Chair knowing that it is an exciting question on the floor and in the galleries asks all of the Members to assist in maintaining order and decorum, and warns the people in the galleries in advance that they are here through the courtesy of the House, and that any demonstration of assent or dissent is absolutely forbidden. If there is any evidence of anything of the kind, the Chair will have the galleries cleared. The Chair recognizes the gentleman from North Carolina [Mr. WEBB].

Mr. WEBB. Mr. Speaker, in accordance with the unanimous-consent agreement, I call up Senate joint resolution 17, and before beginning the debate upon it I would like to have some understanding as to who shall control the time both for and against the resolution. Of course, I would like to control the time in favor of the resolution.

The SPEAKER. Has the gentleman any suggestion?

Mr. WEBB. I suggest that the gentleman from Minnesota [Mr. VOLSTEAD], the ranking Republican on the Judiciary Committee, control half the time, with the understanding that I control the other half, with the further understanding that half of my time be given to those on this side in opposition to the resolution and half of Mr. VOLSTEAD's time be given to those on that side in opposition to the resolution.

Mr. FITZGERALD. Why should not some one in opposition to the resolution control the time?

Mr. WEBB. We have tried to get somebody to do that and no one seems to want to do it.

Mr. GILLETT. Mr. Speaker, I understand that Mr. VOLSTEAD is going to make exactly that arrangement with those who are opposed to the resolution.

Mr. STAFFORD. Mr. Speaker, would it be agreeable to the gentleman from North Carolina to yield one-half of his time in opposition to the ranking Democratic member on the committee in opposition to the amendment, and the gentleman from Minnesota yield one-half of his time in opposition to the amendment to the ranking member, or next ranking member, on the Republican side of the committee in opposition to the amendment on the Republican side?

Mr. WEBB. As far as I am concerned, I am willing to yield half of my time to some member of the committee who is opposed to the resolution on the Republican side if the gentleman desires that.

Mr. GARNER. Why not yield it to some one on the Democratic side?

Mr. WEBB. I think that would be better, but that was the suggestion of the gentleman from Wisconsin.

Mr. FITZGERALD. Mr. Speaker, I insist that the time in opposition to this resolution be controlled by those who are actually opposed to it.

Mr. STAFFORD. Mr. Speaker, will the gentleman from North Carolina yield until I make a suggestion to the gentleman from New York?

Mr. WEBB. Certainly.

Mr. STAFFORD. I would like to inquire of the gentleman from New York whether the suggestion made by me a moment ago is not agreeable, and that the gentleman from North Carolina control half the time and the gentleman from Minnesota half the time, and that each of them respectively yield one-half of their time to some one on their side in opposition to the resolution. In that way half of the time will be controlled in opposition.

Mr. FITZGERALD. We can not have four men controlling the time and regulating the distribution of the order of speakers. The time must be in the control of two men, one representing those in favor of the resolution and one representing those opposed to it. I am opposed to this resolution and I do not propose that two men in favor of it shall control the disposition of speaking upon it.

Mr. GILLETT. Why should not there be four men? Why should there not be one on the Democratic side in favor of it and one opposed to it, and one on the Republican side in favor of it and one opposed to it? That will divide the time equally.

Mr. FITZGERALD. This is not a partisan question. There are some Members of the House in favor of the resolution and some against it, and on that the House will divide and not on partisan lines.

Mr. VOLSTEAD. If the gentleman will pardon me, there is not any disposition to take advantage. The idea is to divide the time equally between the two sides, and it seems to me it can be done in that way just as well as any other.

Mr. WEBB. I want to supplement the statement of the gentleman from Minnesota that there is no desire to take advantage of the opposition to this resolution. We tried to get two or three of the ranking men opposed to the resolution to take charge of the time——

Mr. IGOE. Oh, no.

Mr. WEBB. I mean on the Republican side.

Mr. IGOE. That is all right.

Mr. WEBB. I suggest that I control the time in favor of the resolution and that the gentleman from Missouri [Mr. DYER] be permitted to control the time in opposition of the resolution.

Mr. GILLETT. I object to that; I think Mr. VOLSTEAD ought to have half the time.

Mr. GORDON. I object.

Mr. FITZGERALD. The gentleman from Minnesota is in favor of the resolution and he is not entitled to control half the time.

Mr. GILLETT. Why not as much as the gentleman from North Carolina?

Mr. FITZGERALD. The gentleman from North Carolina is the chairman of the committee and under the unbroken usages of the House he is entitled to control it. If there is any gentleman on that side opposed to the resolution, this side is willing that he shall control the time against it, but is not willing for some one in favor of the resolution to control the time against it.

Mr. GILLETT. I will not consent to that proposition.

The SPEAKER. The gentleman from North Carolina is recognized for an hour.

Mr. KITCHIN. Mr. Speaker, let me suggest to the House that this constitutional prohibition amendment is before the House with Republicans and Democrats favoring it and Democrats and Republicans opposing it, so why not let the gentleman from North Carolina and the gentleman from Minnesota control half the time in favor of the proposed amendment and the gentleman from Ohio [Mr. GARD] and the gentleman from Missouri [Mr. DYER] control half the time against the amendment and then they can arrange it among themselves.

Mr. GILLETT. That is satisfactory to me.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that in the first place the time, of course, be divided into two halves, one in favor and the other against; that the gentleman from North Carolina [Mr. WEBB] and the gentleman from Minnesota [Mr. VOLSTEAD] control the time in favor and the gentleman from Ohio [Mr. GARD] and the gentleman from Missouri [Mr. DYER] control the time against.

Mr. DYER. I suggest that my colleague, the gentleman from Pennsylvania [Mr. GRAHAM], ranking me on the committee, control the time against the resolution.

Mr. KITCHIN. I would have put the gentleman from Pennsylvania [Mr. GRAHAM] in because I understood he is the ranking member after Mr. VOLSTEAD, but I understood he did not desire it.

The SPEAKER. Then the Chair will substitute Mr. GRAHAM'S name for Mr. DYER. Under that arrangement the gentleman from North Carolina [Mr. WEBB] controls the prohibition side among the Democrats and the gentleman from Minnesota [Mr. VOLSTEAD] among the Republicans in favor of prohibition, and the gentleman from Ohio [Mr. GARD] the opposition among the Democrats and the gentleman from Pennsylvania [Mr. GRAHAM] the opposition among the Republicans. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

"ARTICLE —.

"SECTION 1. The manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within six years from the date of the submission hereof to the States by the Congress.

"SEC. 3. The Congress shall have power to enforce this article by appropriate legislation."

The amendments were read, as follows:

Page 1, line 9, after the word "The," insert "After one year from the ratification of this article the."

Strike out sections 2 and 3 and insert the following:

"SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

Mr. WEBB. Mr. Speaker, I would like to inquire before I begin how much time I can have under my control, so I can gauge my remarks.

The SPEAKER. The Chair does not know; there never has been any arrangement about how long this general debate shall run.

Mr. WEBB. At 5 o'clock all debate closes?

The SPEAKER. Yes.

Mr. FITZGERALD. I suggest that be understood, so there will be knowledge as to how the time shall be divided.

Mr. WEBB. General debate has already been agreed upon to close at 5 o'clock, all debate, so I would like to know how much time I have.

The SPEAKER. Five and one-half hours is the whole of it.

Mr. WEBB. That is right.

The SPEAKER. Now, a fourth of that is within the gentleman's control.

Mr. DYER. Will the gentleman from North Carolina yield?

Mr. WEBB. I have not the time; I am making a parliamentary inquiry, which does not come out of my time.

Mr. DYER. Did I understand the gentleman to say that general debate under the five-minute rule closes at 5 o'clock?

Mr. WEBB. Yes; all time.

Mr. DYER. Then I think we ought to have some time for debate under the five-minute rule.

Mr. KITCHIN. I suggest the gentleman ask unanimous consent that general debate close at a certain hour, and then we will take up the bill under the five-minute rule. I would say 4 o'clock.

The SPEAKER. That would take unanimous consent.

Mr. CANNON. It seems to me, Mr. Speaker, that the present agreement dispenses with all necessity of debate under the five-minute rule.

Mr. KITCHIN. I was speaking of amendments.

Mr. WEBB. They will be offered during general debate and debated.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. As I understand it, the understanding that was had the other day was that the debate of all kinds should continue until 5 o'clock, when a vote should be had on the resolution and amendments pending. Now, my parliamentary inquiry is whether or not it was understood that during that time amendments could be offered to be voted upon at that hour.

The SPEAKER. There was not a word said about that.

Mr. WEBB. I think, Mr. Speaker, it was clearly understood from the trend of the debate, however, that during general debate amendments could be offered and debated in general debate.

Mr. STAFFORD. If there was nothing said, will the gentleman make the request that amendments may be offered to be voted upon at 5 o'clock?

Mr. WEBB. Certainly; that is my understanding. I think gentlemen having amendments should be permitted to offer them.

Mr. STAFFORD. Will the gentleman make that request?

Mr. WEBB. I do request that during the general debate, if any gentleman has an amendment to offer, he may do so, and it may be considered along with the general resolution.

Mr. KITCHIN. That will be so, anyway.

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] asks unanimous consent that pending this debate any gentleman can offer an amendment whenever he wishes to do so, and that it to be pending and to be voted on after 5 o'clock. Is there objection [After a pause.] The Chair hears none.

Mr. WEBB. Mr. Speaker, I would like to be notified when I have consumed seven minutes of time.

Mr. Speaker and gentlemen of the House, I believe I will take up your time but briefly in explaining the committee amendments to this resolution as it passed the Senate. The first amendment adopted in the Judiciary Committee was the new section 2. As it passed the Senate it provided that the "Congress" should have the power to enforce this article by appropriate legislation. Most of the members, including myself, of the Judiciary Committee, both wet and dry, felt that there ought to be a reservation to the State also of power to enforce their prohibition laws. And therefore we amended the resolution by providing that the Congress "and the several States" shall have "concurrent" power to enforce this article by appropriate legislation. So the amendment reads:

The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

I believe, regardless of our division on the dry and wet question, every Member will agree with us that this is a wise and proper amendment. Nobody desires that the Federal Congress shall take away from the various States the right to enforce the prohibition laws of those States. If we do not adopt this amendment from the committee there might be a fight in Congress every two years as to whether the States should be given the right to help enforce this proposed article of the Constitution. Because, as I see it, after the States have delegated to the Federal Congress power to do a certain thing, for instance, to stop the manufacture and sale of alcoholic liquors for beverage purposes, the question is whether the State has not turned over to the Federal Congress the exclusive right to enforce it.

I recall the crime of counterfeiting. It is peculiarly a national offense, because it is offensive to the integrity of the national money, and yet nearly all the States have statutes con-

demning and punishing counterfeiting. But there the jurisdiction is concurrent, and if the State gets hold of a counterfeiter first the Federal Government sometimes lets the State handle it, but often asks the State to turn him over to the Federal Government. But the States have the right to enforce their laws against counterfeiters because the Congress has given them the jurisdiction. We thought it wise to give both the Congress and the several States concurrent power to enforce this article and let that power be set forth and granted in the article we propose to submit. Hence the amendment we adopted was adopted by the committee and we hope the House will agree with us.

Mr. CANNON. Will the gentleman yield?

Mr. WEBB. I will.

Mr. CANNON. Each State having the power to enforce this Federal law, the query is, With 48 States and the Government, I suppose the law that Idaho has passed would cover the whole country?

Mr. WEBB. Oh, no.

Mr. CANNON. If the gentleman will allow me, under the police powers of the States every State can prohibit within its boundaries the manufacture and sale.

Mr. WEBB. Indeed, within its boundaries. And that is what we want to permit them to continue to do. We do not want 10,000 Federal officers, with all the expense of salaries, going over the country enforcing these laws when the States have their own officers to do so and are willing to do so.

Mr. DEWALT. Will the gentleman yield?

Mr. WEBB. I will.

Mr. DEWALT. Under this amendment in section 2 you are giving Congress and the several States concurrent power. Another query: Suppose the State of Ohio should by its legislature pass a law or laws for the enforcement of this constitutional amendment. Suppose that law was not in conformance with the regulations as passed by Congress for the enforcement of this same provision of the Constitution, having, as you say, for this clause, concurrent power. Which of the two powers would be supreme, if any?

Mr. WEBB. The one getting jurisdiction first, because both powers would be supreme, and one supreme power would have no right to take the case away from another supreme power.

Mr. DEWALT. Does the gentleman say that as a lawyer?

Mr. WEBB. I unquestionably do. Both powers are supreme to enforce this article, and the first getting jurisdiction would enforce it.

Mr. DEWALT. Will the gentleman yield further?

Mr. WEBB. I can not. My time is running rapidly. I am embarrassed in not having more time.

Mr. BENJAMIN L. FAIRCHILD. Suppose there is a conflict in the laws between the laws of the State and the laws of the Federal Government?

Mr. WEBB. There would be none, because there would be no conflict of jurisdiction.

Mr. BENJAMIN L. FAIRCHILD. This amendment is that the State shall have jurisdiction to legislate on the subject?

Mr. WEBB. If the State should get jurisdiction first, the State jurisdiction would apply; and if the Government should get jurisdiction first, the Government jurisdiction would apply. Both would be supreme, and it would only be a question as to who got the offender first. Now, the next question——

The SPEAKER. The seven minutes have expired.

Mr. WEBB. I will proceed a little while longer.

The SPEAKER. How much longer?

Mr. WEBB. I will use 15 minutes.

The SPEAKER. Fifteen minutes more?

Mr. WEBB. No, sir; eight minutes more.

The next amendment is the one giving the brewers, distillers, and the bar rooms of the country two years in which to wind up their business in case the amendment should be ratified by the States. Two years seems to be a little long, but the idea of giving the brewers and distillers one year after ratification to wind up their business struck the dry members of the committee as being fair and just. We realize that the brewing business and the distilling business are legitimate at present in a number of States. It is legitimate to run bar rooms, and while we prohibitionists desire to have the country go dry, we do not propose to let our zeal in that great cause destroy our sense of justice, and I for one was willing to advocate the right of the brewers and distillers to have one year to wind up their business. We have distinguished precedents for this in the action of nearly all the dry States. Most of the States give them a year in which they may wind up their business. We saw no objection to giving them at least a year after this business is outlawed to wind up their affairs. I wanted to explain it to the House. I think it is a perfectly fair amendment, and I will be very glad to vote for it, and I hope the dry Members will vote for it. At the same time our opponents agreed to give the States one year longer in which to pass this amendment. As the amendment came from the Senate, it was limited to six years. If it failed in that time to be ratified by the several States it became inoperative and void.

We agreed to add one year further and make it seven years, so that we have an amendment providing that one year after the adoption of the amendment by the several States it will go into effect; we have given seven years in which the States may adopt it, and we have given the States concurrent power with the Federal Government to enforce it. I believe that the committee has strengthened the amendment. With those amendments I really believe we have made the amendment stronger and fairer.

Mr. FESS. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. Does the gentleman from North Carolina yield?

Mr. WEBB. Yes; I yield just for one question.

Mr. FESS. I think this is the only case where there was a limitation of any sort as to time. Why was any limitation put on it, as, for instance, seven years?

Mr. WEBB. I will say to my friend that that was a compromise in the Senate between our dry friends and our wet friends; and I understand, and, so far as I am concerned I believe, that every constitutional amendment ought to have some limitation of this kind to it. I do not believe in Congress submitting to the 48 States an amendment and letting it remain out forever, with no limitation attached to it. In the interest of definite and certain legislation there ought to be some limitation to the passage or adoption of all these constitutional amendments submitted by Congress. I will say to my friend that personally I wanted 10 years as the limitation, but, not being able to get that, I was willing to accept 6. But, being able to get 7, we thought that more agreeable and satisfactory to the "drys" and acceptable to the "wets," and therefore we made it 7 years.

Mr. FESS. It was not true with respect to the income-tax amendment or the amendment in reference to the election of Senators directly by the people.

Mr. WEBB. No; but our committee put it in the seven-year limitation with reference to woman suffrage. I do not believe that hereafter there will be an amendment submitted to the States without a limitation being attached to it. There is an amendment or two—and I will ask the gentleman from Pennsylvania [Mr. STEELE] to discuss the legality of these limitations presently—an amendment or two that have been out for a hundred years and have been forgotten.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Yes.

Mr. RUSSELL. Has there not been some question as to whether or not the Congress has the right to place this limitation on it?

Mr. WEBB. Yes.

Mr. RUSSELL. If so, what does the gentleman think about that legal proposition?

Mr. WEBB. I think we have the power to do it. But I am going, as I said, to call upon the gentleman from Pennsylvania [Mr. STEELE] to go into that. At my request he has made an investigation of the matter. I know he will do it well.

Now I have hurriedly explained the amendments. I will say that they were agreed to by practically all of the committee, regardless of how they stood on the wet and dry question.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. WEBB. I will yield to the gentleman for a question.

Mr. DENISON. I would like to ask the gentleman his opinion on this question: Section 2 provides that the Congress of the United States shall have the concurrent power of enforcement. What does the gentleman think of the exercise of power by the one excluding the exercise of power by the other?

Mr. WEBB. I do not think the punishment of the offense by the State government would be followed by the punishment of the same offense by the Federal Government, or vice versa. Three years ago, in passing on the prohibition amendment, we provided that the State and Federal Governments might jointly or separately exercise jurisdiction and punish. That meant that the Federal Government might punish a man for the same offense that the State would punish him for. But one punishment ought to be sufficient, although the offense may be committed against two sovereignties. Now having concurrent power, I think the Federal Government can not do it if the State government does it, and vice versa.

Mr. DENISON. Mr Speaker, will the gentleman permit another question?

Mr. WEBB. Yes.

Mr. DENISON. If that is true—and I think the gentleman is correct—if one of the States should provide very small penalties for the violation of the law, and had jurisdiction first, would not that practically defeat the operation of the law in that State?

Mr. WEBB. It might do it to a limited extent for a little while.

Mr. DENISON. What does the gentleman think of the wisdom of that?

Mr. WEBB. I think it is all right. I am not afraid to trust the States about that. The gentleman need not worry about the States. I never saw one that went counter to the United States Constitution, or whose law officers failed to enforce the law.

Mr. DENISON. But would not that lead to lack of uniformity?

Mr. WEBB. If the States did not do it, the Federal Government will nab a man who has violated the law. If the States will not do it, I do not think the violator of the law can get away with it so long as he is violating a Federal law also.

Mr. DEWALT. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Yes.

Mr. DEWALT. The gentleman refers to the case of counterfeiting, in which he said the United States jurisdiction and the State jurisdiction were concurrent.

Mr. WEBB. Yes.

Mr. DEWALT. Is the gentleman aware of the fact, or is it a fact, that if a State takes jurisdiction of a counterfeiting case and there is a trial and a conviction and a sentence, the United States Government can still try the same offender for that offense and punish him under the criminal satutes?

Mr. WEBB. That is because Congress passed a statute giving the States power to enforce the criminal law against these various acts, and only concurrent jurisdiction is given and that by Congress and not by the Constitution. We propose to give concurrent power by the Constitution itself.

Mr. DEWALT. If this portion of your amendment passes, would the same fact remain—that is, would the State and the Federal power have jurisdiction, and the party be liable to two punishments?

Mr. WEBB. No. I do not think it should be. In the form in which we passed the amendment three years ago that was so, but when the State convicts a man I do not think it wants a man to be convicted again by the Federal Government of the same offense, and vice versa.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Yes.

Mr. ALEXANDER. Does not the gentleman think the law should be uniform in all the States of the Union? If we are going to have prohibition, ought not the law to be uniform in all the States? If three-fourths of the States adopt this amendment, and the others are unfriendly to it, can they not adopt laws giving a minimum penalty and thus defeat the law?

Mr. WEBB. No. In that case the Federal officers will be after the man who violates the law pretty soon and will bring him into a Federal court.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. WEBB. I regret I have not the time now.

The SPEAKER. The gentleman has consumed 15 minutes.

Mr. WEBB. One minute more, Mr. Speaker, before I sit down. The papers are full this morning of letters both for and against this amendment. One that has attracted some attention is from Samuel Gompers, president of the American Federation of Labor, addressed to me as chairman of the Committee on the Judiciary of the House of Representatives, wherein some people claim he is trying to invoke the power of the Federation of Labor in opposition to this amendment. Samuel Gompers never did speak for and never will speak for the American Federation of Labor in opposition to the national prohibition amendment. [Applause.] He takes particular pains in the body of his letter to me to disclaim that he is speaking for the American Federation of Labor. It would be a slander upon the American people, and especially upon the American workingman, to say that they as a class are opposed to National or State prohibition; and as Mr. Bryan said this morning in answer to Mr. Gompers, it would be a worse slander still to intimate that the great laboring classes of this country have got to measure their patriotism by the quart or by the schooner. It is not so. [Applause.] Mr. Gompers says he does not represent the American Federation of Labor, and well may he say it. And while I am on this subject, here are the statements of a few American Federation of Labor presidents and labor leaders from dry States. The first one is from the State of Washington:

I was opposed to the passage of the prohibition act in this State. To the great body of our workingmen, however, the law has been a distinct blessing.

H. P. MARCH,
President Washington State Federation of Labor.

Here is one from Colorado:

I voted against prohibition. I am now irrevocably opposed to the saloon. You could not dig up a corporal's guard of trade-unionists who would vote for a return of the saloon.

WILLIAM C. THORNTON,
President Denver Trades and Labor Assembly.

JULY 22, 1917.

Here is one from Arizona:

Arizona workers are certainly better morally and financially than they were before prohibition was adopted.

JOHN L. DONNELLY,
President Arizona State Federation of Labor.

Ten years ago this town boasted 37 saloons. If anyone mentioned prohibition he was sneered and laughed at. Now, if a vote were taken, this district would vote dry. The workers now almost all have a bank account. The banks instead of saloons are crowded on Saturday night.

ERNEST BECKMAN,
Business Agent, Deputy Organizer, A. F. of L., No. 220 Carpenters and Joiners of America, Wallace, Idaho.

JULY 7, 1917.

That is one of the very organizations that was mentioned by Mr. Gompers in his letter, as suggested by Mr. Denham, whoever he may be, and that letter was written in July 7, 1917.

Mr. SNYDER. Will the gentleman yield?

Mr. WEBB. Wait until I finish. Here is the great State of Iowa, Mr. Speaker:

At the annual convention of the Iowa State Federation of Labor, this year, I was surprised to find a number of the boys who used to think it would be a calamity if the State went dry, telling of the improved condition in their cities since the saloons closed.

LEON A. LINK,
Secretary-Treasurer Waterloo Central Labor Union, Waterloo, Iowa.

JULY 11, 1917.

Here is one from Oregon:

Since the bone-dry law went into effect a rich man's law is seldom referred to. I might say that if the question of repealing the present law in Oregon and going back to the saloons was left to a vote of the union men only, that the State would be so dry that none in 100 years would try to wet it up again.

W. B. SOMERVILLE, *Oregon Labor Leader.*

JULY 9, 1917.

And you can multiply letters of this kind. The Washington Sunday Star printed more of them yesterday morning, from labor leaders all over the country. The brave ones who love their homes know that the liquor traffic, the saloon, is doing more to destroy their happiness and to destroy their bank accounts and the effectiveness of labor than all other evil agencies of every kind in this country combined, and that is why intelligent labor has risen up and repudiated Mr. Gompers's idea that we ought to keep laborers drinking in order to keep them at work, while we keep our soldiers sober in order to enable them to fight their best. That would be the attitude that Congress would put them in if it should refuse to pass this amendment.

Mr. SNYDER. Has the gentleman received any petition from any labor organization with a considerable number of names, the signatures of which he knew were correct?

Mr. WEBB. Not one to me personally, so far as I remember. I have not received a petition from a single labor organization in America, so far as I know, protesting against this amendment. I had a request from a man by the name of Denham, from Philadelphia, representing some of the joiners and brewers and saloons and bartenders, or something of that sort. But they need not worry. All these legitimate trade-unions know that the demand for labor is greater now than it ever was before, and that if they remain sober they will save more money, and the only jobs that will be lost will be those of the saloon and bartenders, and they ought to be put out of business. [Applause.]

I say this, gentlemen of the House, to let you understand the relation of labor to this question. I do not carry a labor card. I do not believe I have a labor union in my district; but it is a very significant fact that during all this fight I have not, so far as I remember, received a petition signed by individual laborers protesting against the passage of this constitutional amendment.

Mr. SNYDER. I should like to say to the gentleman that his experience with regard to labor organizations is entirely different from mine. Within the last few days I have had petitions representing union labor to the number of thousands

of names, many of whom I distinctly and personally know, who are opposed to the resolution.

Mr. WEBB. I do not say all the labor people are for the constitutional amendment. A great many of them are against it, like a great many lawyers and doctors and bankers who are opposed to it, but I tell you it is a slander to pick out the labor people of this country as a class and say that they are opposed to this resolution, because that is not true, and it is a worse slander to say that their patriotism depends on the amount of beer or liquor that they may be allowed to drink during the war.

Mr. GORDON. Do you claim that the Judiciary Committee has not received thousands upon thousands of remonstrances against this resolution?

Mr. WEBB. They may have in past days, but not within the past few months that I recall.

Mr. GORDON. I have filed thousands with your committee myself; what did the committee do with them?

Mr. WEBB. What is done with all of them—filed them in the file room. The Clerk handles those matters.

Mr. GORDON. Then why did the gentleman say that they had not received any?

Mr. WEBB. We have not, as far as I know, received any directed to me personally as chairman or to the committee.

Mr. GORDON. One of the gentleman's colleagues says that they have received more than a million of them.

Mr. WEBB. They have been addressed to you and to individuals but not to the committee. We have only had two men, as far as I know——

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. WEBB. Yes.

Mr. MOORE of Pennsylvania. Will the gentleman state the population of the States to which he has referred?

Mr. WEBB. No; but the population of Ohio has more great labor unions in it and more organizations of labor than many other States, and the labor unions went for prohibition in the last election. The location of a labor union or the population of a State has little to do with their attitude on the liquor question.

Mr. MOORE of Pennsylvania. And there is as large a population in the State of Ohio probably as in all the rest of the States the gentleman mentions.

Mr. CRAMTON. Will the gentleman yield?

Mr. WEBB. Yes.

Mr. CRAMTON. In the recent vote for state-wide prohibition in Michigan the urban population, which would naturally include a great many labor votes, counting only the cities of 5,000 population or more, voted dry, giving a dry majority of 12,000 and over.

Mr. WEBB. That is good testimony. That also happened in Akron and Youngstown, Ohio, the great labor hives of the State of Ohio. When you remember that the laboring men did that I resent the idea of putting labor in the attitude of being against prohibition.

Mr. GORDON. The gentleman is mistaken. Ohio did not go dry.

Mr. WEBB. The cities went dry. I did not say the State. The gentleman need not worry; one more chance and Ohio will go dry, not by eleven hundred but by fifty thousand.

Mr. FESS. The State of Ohio did go dry—that is, 77 counties went dry and 11 went wet.

Mr. WEBB. It will go dry next time.

Mr. Speaker, government is but the organized forces of the nation formed for strengthening its power and advancing its life. Its highest aim is to suppress those agencies which have a tendency to sap and weaken the nation's strength, to suppress vice and crime in order that the nation may, unrestrained by these evils, go forward in its efforts for greater liberty, freedom, and achievement; that it may raise itself into a higher civilization more nearly approaching our ideal of a perfect government.

The use of intoxicating liquors for beverage purposes has long attracted the attention of our leading statesmen, and with great unanimity has been condemned as one of the greatest agencies for evil and crime that is now retarding our national growth.

The right to make and use intoxicating beverages has so long been enjoyed, and this right so long licensed and sanctioned by Federal taxing laws, that the ignorant have come to the conclusion that it is one of the inalienable rights of man which the Government should not interfere with. Those with broader mental horizons insist that the long-continued toleration of this evil has given those who claim it a vested right to carry on their business or enjoy their beverage; a kind of immunity from any interference by the Government to aid humanity. The one is as fallacious as the other. Either would deprive the Government of one of its chief reasons to exist.

The resolution now under consideration would submit to the States of the Union the one question, whether the Federal Government shall prohibit "the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes."

The submission and ratification of the proposed amendment by the required number of States would be no invasion of States' rights. It would be but the orderly and legal granting of this power to the Federal Government by the legislatures of the several States in the way the sovereign people of the States have provided for amending their constitution.

The people of the United States, when they ordained and established the Constitution for the United States of America, stating in the preamble that it was "to promote the general welfare" and other objects, realized that in order to accomplish their aims it would probably become necessary to add to the powers granted, from time to time, as the nation grew in wealth and population, and as the Government from necessity became more complex. That unforeseen conditions and problems would arise and require solution.

In order to meet such conditions and problems the framers of the Constitution wisely provided in Article V:

> That Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, * * * which * * * shall be valid to all intents and purposes as part of this Constitution, when ratified by the legislatures of three-fourths of the several States.

The adoption of the amendment here proposed would not be a move to tear down or weaken this ancient landmark, but would be in keeping with the plan of its framers to add to it a power for "the general welfare" of the people.

If we should hold it too sacred to be changed, we make of it a dead monument to its fathers. Like the "Old Ironsides" that now floats in Boston Harbor, it would still be revered for the splendid service it has performed, but it would not be equipped to meet the modern problems.

If we give it a liberal construction which will afford a reasonable opportunity to amend it as provided for in the fifth article, then like the trees of the forest which add new cells to their structure each recurring season to perpetuate their life and strength, you will make of the Constitution a vital power adapted to this and succeeding generations.

Senator Blair, in a favorable report made to the Senate on a similar resolution in 1888, is authority for the statement that:

> It is well known that but for the belief in the conventions of the States that the opportunity to amend the Constitution would be most liberally afforded by Congress in accordance with the forms provided in that instrument, the original ratification never would have been obtained.

The question of the expediency of passing this resolution is primarily addressed to the Members of Congress. It is only after it has been favorably acted upon by Congress that it is passed out to the States for their ratification.

In passing upon this question I think Congress should view it from two angles: First, whether there is such a public sentiment back of it as to justify Congress in submitting it to the States; and, second, whether we, in our wisdom, approve this grant of power.

I do not believe it is the duty of Congress to submit every proposition that might be offered to the States for their ratification. Aside from the merits which the proposition might possess, such a course would result in a continuous agitation in the States which could not be justified by Congress.

On the other hand, any great question vitally affecting the life of the people that the wisdom of Congress might approve which has found sufficient public favor to lead Congress to believe might be adopted by the requisite number of States should be submitted in order that the sovereign people might pass upon it.

Senator Blair, in 1886, in favorably reporting to the Senate a resolution to amend the Constitution and provide for national prohibition, similar to the one under consideration, says:

> When any considerable and respectable portion of the American people desire to plead their cause in the great tribunal of sovereigns, who, in a free country, decide every fundamental issue in the last resort, it is the duty of Congress to enact such preliminary legislation as is here proposed, so that under the forms of the Constitution they can be heard on the question of its own amendment. To deny this is of the very essence of despotism, and for Congress unreasonably to refuse the hearing is just cause of revolution. The people will demand a hearing for every large and respectable minority, and to grant this opportunity is the purpose of this resolution. Whatever may be the result, all must abide by it. But there can be no justification of a denial of the right to be heard.

In 1890 Senator Blair, in making a favorable report to the Senate upon a similar resolution, sums up the duty of Congress as he sees it in the following extract from his report:

If being a fact that a very large proportion of the American people are anxious that the National Constitution be amended in accordance with the resolution, we believe that they have a right to be heard in the forum of the State legislatures, where alone the question can be decided whether the National Constitution shall be amended. That Constitution points out definitely the manner in which a change in its provisions may be effected. The Constitution of the country must be amended from time to time to correspond with the evolution of the Nation itself, for it is impossible to fetter the growth of the Nation in any direction. It will grow, peacefully or otherwise. The Constitution must yield here and there, corresponding to the necessities of the times and of the people, and the necessary changes be peacefully made, in accordance with the methods of amendment pointed out in the Constitution itself, or revolution and bloodshed will perform their work. The Constitution and the spirit of the age must be one. Whenever any considerable and respectable portion of the American people (and no considerable number can fail to be respectable) desire change in the fundamental law and ask respectful consideration of their propositions by the Nation at large, we hold it to be the duty of Congress to give them a status in the court provided by the Constitution for its own amendment.

I do not think this Congress can fail to find, beyond question, that this proposition is backed by a public sentiment of such strength and character as to not only justify, but require us to submit it to the States for ratification.

This movement is not of a temporary, spasmodic character, which may pass away with the summer, but has received the careful thought and approval of the moral and commercial forces of the Nation.

This and preceding Congresses have been overwhelmed by letters and petitions asking and pleading with Congress to submit this question to the States. These requests come from our highest type of law-abiding Christian men and women, who have their country's welfare closest to their hearts.

As further proof of the strength of this sentiment, it is not improper for me to call attention to the fact that during this Congress the Senate, on the 1st day of August, by a vote of 65 to 20, passed this resolution.

In 1907 only Kansas, North Dakota, and Maine had prohibition laws. Up to September 1, 1914, six additional States had been added. To-day we have legislative prohibition in 27 States of the Union, comprising a population of 61,000,000. Of the 2,543 counties in the United States, 2,238 are dry and only 355 counties in the entire Nation are wet. Over half of the world to-day is dry territory.

In my opinion the time has come when Congress can not fail to recognize the overwhelming demands that are being made from every section of this Nation and from all classes of her people to submit this proposition to the States for their ratification. The aim of the prohibition advocates is that the leaven that has been at work and brought good to the local districts, townships, counties, and finally States, may be permitted to leaven the whole Nation. With such an overwhelming sentiment, making new conquests at each new encounter, is it not reasonable to suppose that this sentiment would be reflected in the action which the several legislatures would take, and that this amendment would be ratified by them?

I appeal to the Members of this House to follow the lead of the Senate and give this proposed amendment your hearty approval as a wise and beneficial policy for this Government to pursue.

The use of alcoholic liquors for beverage purposes has long been regarded as a great national evil, which physically, mentally, and morally unfits man for his greatest usefulness.

The fact has been established by carefully compiled statistics that intemperate use of alcoholic beverages by parents weakens the vitality of their offspring, increases their death rate, increases the number of feeble-minded and defective children, and renders them more susceptible and less able to resist disease.

Alcoholic beverages impair the skill, lessen the power of endurance, increase accidents, and shorten the life of those addicted to its use. Alcoholism claims more victims than does either typhoid fever or smallpox. Drink is one cause of over 66,000 deaths every year in the United States. One insane person out of every four owes his affliction to its use, and it is given credit for breaking up over 9,000 happy homes each year.

The religious world has found it undermines the morals of the Nation. The business world has found that it weakens the intellect and has set the stamp of disapproval upon the use of such beverage by men it employs. The courts of the country find it the cause of crime, and justify this conclusion by the records of their criminal courts.

Such being its established reputation, it is not surprising to find the moral and religious forces of the Nation up in arms against it and trying to crush it by whatever means they have.

Is it not time for us to become aroused to the necessity of using the strong arm of the National Government to help suppress this great source of national weakness? This Government can be no stronger that the combined strength and vitality of the people. The Government can not serve its people better than by helping to preserve its people's strength and life.

It would be hard to understand why a National Government that has, with a lavish hand, reached out into the domain of the State and for the sake of protecting property smote down upon the cattle tick and the boll weevil and stopped the ravages of the foot-and-mouth disease, or that strained its power to regulate the commerce from the great manufacturing industries of the Nation in order to curb a practice that might weaken the vitality of the people, would then hesitate to lend its helping hand to meet and blot out the greatest agency for the destruction of property, life, and morals known to man.

The problem of suppressing the use of alcohol as a beverage is bigger than a county or a State. It is a national problem. Local regulations have been of great help in curbing the evil but they are not adequate. It has been demonstrated by an honest effort to regulate the traffic that one wet county in a State will inflict this evil upon the rest of the State. The same is true of a wet State in relation to the other States of the Union. You can not, by regulations, localize the bad effects that flow from this national evil.

Aside from the great difficulty in preventing the transportation of alcoholic beverages from a place where they can be legally made and sold into the dry territory, there would be no local boundary line to stop the degenerates, inebriates, weak-minded, criminal, and diseased persons whom it had produced, and keep them within the political division of the country that had permitted the manufacture and sale of the poison that had caused their sad condition. These would travel faster and with less restraint than the cattle tick, the boll weevil, or the cattle disease, and would become a menace to the health and morals of, and perhaps a public charge upon, some community that maybe had pleaded for an opportunity to help blot out these sore spots in our body politic.

Those engaged in fighting this great national evil think that this Government should cease to be a partner of the liquor manufacturer and seller by licensing such business in return for the tax which such a policy is made to pay. It is estimated that for every dollar collected by the Government in the shape of a tax $20 is paid into the pockets of the men carrying on this business by the poor, diseased slaves of drink. The Government can not afford to pursue this policy for the sake of the revenue it derives, when by doing so it puts it within the power of the liquor interests to collect for their own pockets many times this tax, and often from those who deprive their families of comforts and necessities to pay it. There is no way to accurately estimate the cost to the Government of accidents, crimes, and diseases caused by the traffic, but it must be appalling, and if it could be accurately stated in figures, I feel safe in predicting that no man, in opposition to this resolution, would ever have the temerity to speak or vote against its adoption on account of the incidental loss of taxes that might result from its ratification by the States.

Other solutions have been attempted to solve this liquor problem, but with only partial success. Opponents of the prohibition cause tell us our fight is all wrong; that it is a moral issue and we should appeal to the individual to restrain himself.

This disease of alcoholism is of stealthy character. It stimulates its victim into hilarity while it creeps upon him and binds him as its slave before he feels its grasp, even while the poor victim still boasts of his strength and power to resist it. They are to be pitied, for they need help to free themselves from its bondage. These victims should be able to look to their Government for protection against so dangerous an enemy.

We have already tried moral suasion. Godly men for all these years have preached temperance to the people and have saved many a poor soul from a drunkard's grave, but they still find that their weaker wards stumble on their journey through life and succumb to this frailty of humanity when faced by the alluring invitation of an open bar room, licensed, protected, and taxed, if not encouraged, by this Government of ours. Since we have not been successful in keeping our weaker brother from whisky, let us try keeping whisky from our weaker brother.

Here is a note I have just received from Miss Gordon:

CONGRESSMAN WEBB: It is an honor to present to you, and through you to the House of Representatives, the appeal of 500,000 members of the Woman's Christian Temperance Union, praying for the passage of the joint resolution providing for a referendum to the States on national constitutional prohibition. This appeal comes from a host of home-loving women who with untiring energy and unstinted devotion have wrought marvelously for the moral and spiritual advancement of our country. This appeal comes from half a million patriots who

answered promptly the call to the colors. The nobility of woman's sacrifice, the fine quality of her patriotic service, her keen discernment in the adjustment of industrial conditions for women and children, her tender ministrations at home and on the battle field should entitle her to the granting by the Congress of this appeal.

In addition to the petition of women members of the National Woman's Christian Temperance Union, I beg to present a huge petition of the indorsers of the joint resolution for a referendum to the States on national constitutional prohibition secured through the efforts of the Woman's Christian Temperance Union and representing 8,000,000 men and women of our Republic. Adding to these the petitions sent directly to Members of Congress it is safe to say that our appeal is backed by more than 11,000,000 people. If these petitioners could be massed in solid phalanx in our Capital City you would see more than thirty times the population of the District of Columbia. Unquestionably it is an appeal for an act of true democracy, an appeal for a patriotic, economic measure. Autocracy and alcohol must both be overthrown. "Speed up" is the urgent cry echoing back to us from the awful battle fronts of Europe. Speed up on the prohibition legislation is the respectful appeal of the Woman's Christian Temperance Union to the Congress of the United States. We pray that in this crucial time of a stupendous world crisis the House of Representatives will rise to this exalted opportunity and give to the legislatures of the various States the chance to deal with a question so enormously vital to the economic and moral interests of our Republic. When the war is over and a righteous peace has been secured, only the clear brain of a sober Nation can be intrusted with the solution of the mighty problems that will then confront the greatest democracy on earth—the United States of America.

ANNA A. GORDON,
President National W. C. T. U.

Mr. GARD. Mr. Speaker, I will conclude within 10 minutes, but if not voluntarily I ask the Chair to call my attention to the time. With that understanding, in view of the numerous requests for time, I ask not to be interrupted by questions until I conclude.

Mr. Speaker and gentlemen of the House, the minority members of the Judiciary Committee are in agreement with some of the things that have been done by the committee relative to making Senate joint resolution 17 a better measure. We are in agreement with that provision which permits the lapse of one year after the ratification of this amendment before its full and complete effect is ordered.

We are also in agreement that the power of the State shall not be taken away in the enforcement of this law. We are further in agreement that the policy of amendments should be that they not be deferred through an undetermined length of time; in other words, that there should be a time limit to the ratification of the amendment.

In that same connection I beg leave to say that I deem it important that the Members of this House know that the protection for the full understanding of the people of the State be made, and that not alone there be a time limit for ratification, but that a time should be included in this article of amendment which will permit the State which has voted upon it to reject, if it desires, a ratification already made.

Those are the things which the members of the committee have directly brought out in connection with Senate joint resolution 17 as it came to the committee.

I am opposed to the passage of this article of amendment because I think that it removes from the States the police power given to the States by the Constitution of the United States of America and never before sought to be taken away from them. I believe that this question is a nonpolitical, a nonpartisan question, that it is essentially a social and moral question, and therefore that it is properly for the control of the several States and not at all to be engrafted on the Federal Constitution.

It is not and never has been the policy of the law to engraft upon the Federal Constitution any policies of government. Those are left in two ways—the national provisions are for action of Congress; provisions applying to the States are left to the wisdom of the State legislatures. That has always been recognized and should be recognized to-day.

Mr. BARKLEY. Will the gentleman yield?

Mr. GARD. I regret to say that I have not the time, and I so stated in the beginning of my remarks. The powers are vested in the several States to do and declare whether or not liquor having any alcoholic base shall be used as a beverage or in any other way in the States. That power is completely ratified by acts passed by this Congress which has prohibited the transmission of liquor into dry territory; passed acts in every way affirming the rights of the States to prohibit or regulate alcoholic liquors as a beverage in any and all cases. So this American Congress has done everything it possibly could have done to sustain the rights of the States in this matter of police regulation.

Not alone that, but the Supreme Court of the United States, in a decision made December 10, 1917, just one week ago, in the case of D. Crane, plaintiff, against Campbell, sheriff, and others, known as the Idaho case, has held that the legislature of a State has a right to pass any laws for the regulation or prohibition of the use of alcoholic beverages; that it is no infringement of personal rights for a State to say that there be prohibition even against the personal possession or use of such alcoholic beverage. So I must conclude with the statement that every right guaranteed to the individual States for the regulation of this traffic has been made by this Congress and by the court of last resort, the Supreme Court of the United States.

We contend that the States should have the right to determine whether the States and the people of the States are best served by prohibition or by regulation. It is a constitutional right, and we ask that it be maintained.

Then I am opposed to this resolution for the reason that at this time it substitutes continued controversy for a sane settlement. The President of the United States, as Commander in Chief of the Army and Navy, upon this floor on December 4 last said that he had most clearly in his mind that the work of this Congress should be work for the winning of this war. It is likewise the work of all our people. I maintain that if this article of amendment be submitted it merely provokes a controversy in every State in the American Union which will necessarily divert into unwise contention the splendid unanimity of the American people.

There are many people in favor of prohibition, honestly in favor of it, and there are many people who are honestly against the prohibition of alcoholic beverages in the United States. Each should be entitled to his expression. Times have changed very materially since the Senate on the 1st of August, 1917, passed this amendment which is now brought into this House. On the 10th of August of this year there was passed a law prohibiting during the war the distillation of food products, and providing further that the President of the United States, having in mind the protection of the food products and an unlimited and good supply thereof, and also the protection of the national security, should determine whether there should be regulation, whether there should be prohibition, and what should be the alcoholic content; and the President only last Tuesday, I believe, declared that at this time no alcoholic beverages shall be brewed containing more than 2¾ per cent alcohol and that not more than 70 per cent of the product used last year shall this year be used for alcoholic beverage purposes. So that the matter as it is presented to us to-day, I repeat, is the substitution for what is working out as true temperance continued controversy in every one of our States for six or seven years. I submit that the great body of the American people, not those who have an interest in the manufacture of liquor, not those who are professional prohibitionists, but the great body of the American people have but one idea now. They want to live in these United States in a spirit of harmony, and by harmony and cooperation use every ounce of power toward the great task of winning the war. They want to live a life of contentment, they want to live under the guaranties of the Constitution of the United States of America. As a true, as a practical, as a sane temperance measure we are now working this out to the satisfaction of all of our people. I submit it should stand this way, and with that idea I oppose the adoption of this article of amendment. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER of Ohio. Mr. Speaker and Members of Congress, ever since I was a small lad until I came to Congress two years ago it has fallen to my lot to associate with the wage-earners of our country, and I have a warm feeling of brotherly love in my heart for the great army of working men and women who earn their living by labor in the shops, factories, mines, industrial works, and on the railroads.

Previous to March 4, 1915, when I took my seat in this House, I was employed for 19 years by the Pennsylvania Railroad Co. in the capacity of locomotive fireman and engineer, and it is with a feeling of great pride that I can say that I am at present a member in good standing of one of the great labor organizations of our country, the Brotherhood of Locomotive Engineers.

I desire to say a word about the relation of the liquor traffic to organized labor. There is at this time an effort being made by the representatives of the liquor interests to give the impression that the labor unions of the country are opposed to the prohibition of the liquor traffic, and the Members of this Congress are being threatened and flooded with numerous memorials, telegrams, and petitions by these men, protesting against the passage of this resolution and pretending to speak for the workingmen of this country. I deny and challenge the statement that the laboring people and the thousands of members of organized labor are in sympathy with the un-American licensed liquor traffic and that the beer keg and whisky bottle are their emblems. It is true that certain labor organizations are op-

posed to prohibition, but these men represent various crafts that are engaged in the manufacture, sale, and distribution of alcoholic liquors.

I hold no brief against these men, and I assure you that I would do them a good turn if it lay in my power so to do; but this fact remains, that they are engaged in the manufacture and sale of that which is the greatest enemy that the working people have in this land to-day. Therefore, as one who has the welfare of the working people at heart, I feel it is my duty to oppose not these men personally but this institution which they are upholding.

There are many labor organizations that do not oppose prohibition of the liquor traffic, and a goodly number of them have gone on record as being opposed to the saloon. I am glad that my name is recorded upon the rolls of one of the great organizations of workers which has gone on record in support of State and National prohibition. In 1915 the delegates to the triennial convention of the Brotherhood of Locomotive Engineers, representing abut 70,000 members, unanimously adopted a resolution pledging this organization and its best efforts in support of the abolition of the liquor business. In a letter recently made public Mr. Warren S. Stone, grand chief of the Brotherhood of Locomotive Engineers, has this to say concerning this question:

We fight the liquor evil perhaps as hard as any of the churches. Liquor has no place in our modern railroading. I never expect to be manager of a railroad, but if I were, a man could not work for me who did take a drink of liquor either on or off duty. I would not make a difference between the two, because a man who will drink off duty is not fit to go on duty when the time comes. I fail to understand why our men do not come out in the open in certain localities and fight this enemy. It tends to destroy the home life, to lower the tone of the citizenship of the community, and the morals of the individual as well, to say nothing of his mental and physical health.

Some time ago I wrote letters to the following leaders of organized labor in Denver and the State of Colorado: W. C. Thornton, president of the Denver Trades and Labor Assembly; Chester J. Common, president of the Denver Building Trades Council; Clint C. Houston, editor of the Denver Labor Bulletin, which is the official organ for the union labor organizations of Colorado, and requested these men to give me in writing their opinion as to the effect of prohibition on the working people of Denver and Colorado. I received an answer to my letters from all three of these labor leaders, and all of them speak in glowing terms for prohibition. Mr. Houston, editor of the Bulletin, says:

The prohibition law in nine months has worked a wonderful revolution for the good, and at least 75 per cent of the union voters who were against the amendment would support it now.

Mr. Common, president of the Denver Building Trades Council, said:

After 12 months of trial I am absolutely of the opinion that prohibition is the proper thing and has come to stay in Colorado.

Mr. Thornton says:

In my humble opinion the workers of Denver and Colorado are a lot better off mentally, morally, financially, and physically than they were when the State was wet, and you can not gather together a good-size company which would proclaim openly for the return of the saloon.

These statements come from prominent members and leaders and organizers of labor unions in one of the great States and large cities of the Nation, which have experienced the benefit of prohibition. I have received equally strong reports from union leaders in other parts of the country.

Ohio, the State which I have the honor to represent in part, ranks third or fourth among the great industrial States of the Union. About a million wage earners are employed at present in the manufacturing industries and on the railroads of the State. The result of the State-wide vote on prohibition in Ohio last month shows conclusively just where the workingmen stand on this question.

I make the statement that the workers of Ohio voted dry by an overwhelming majority in many communities on the 6th day of last November. Several of the large industrial centers, with thousands of workingmen voting, gave prohibition majorities, while every large city in the State showed dry gains. Youngstown, the second largest steel manufacturing center in the country, with its thousands upon thousands of skilled mechanics, gave a dry majority of over 1,000. Summit County, in which is located the city of Akron, the greatest rubber manufacturing center in the world, with many thousands of high-class workingmen employed in its factories, gave the largest dry majority of any county in the State—4,316. Stark County, including the cities of Canton, Massillon, and Alliance, all important manufacturing towns, showed a prohibition majority of 3,404. Columbus, the capital city, with many factories, is located in Franklin County, which cast a dry majority. During the last fight in Ohio there was organized a trade-union dry league, its officers being prominent labor leaders, and the good work they did in this campaign helped very much in the splendid dry gain Ohio made this year.

The wet stronghold of Ohio is Cincinnati and Hamilton County. Cincinnati, I believe, is the wettest place on the face of the earth. On the final election returns, through the ability of prospectors in Cincinnati to find 12,000 wet votes after the first returns showed the State to have gone dry, a wet majority of 1,137 was obtained. But if we leave out Cincinnati we find that the workingmen in the large industrial centers of Ohio, thousands of them members of unions, helped to cast a dry majority of 55,844.

I wanted to bring these facts before the Members of Congress because of the attempts at intimidation which are being made in the form of threatening petitions and telegrams by some who claim to speak for the workingmen. I say to you that it is a bald-faced lie when these men say to you that organized labor as a movement is against the passage of this resolution. I wish to call attention to the fact that not only our great railroad unions but also the splendid typographical unions and many other crafts in different sections of the country are on record in opposition to the liquor business.

Mr. MEEKER. Mr. Speaker, will the gentleman yield?

Mr. COOPER of Ohio. No. Some of the antiprohibition newspapers and the friends of the liquor traffic say if we pass this resolution to-day that it will cause strife and dissension among the workingmen of our country, that they will relax in their patriotism and not lend their best efforts in the shops, mines, factories, and mills to supply the needs of our brave soldier boys in France fighting your battle and mine.

I say that this is an insult to the patriotism of the American workingman. To me the very force of that statement is appalling. Is it possible that American workingmen are ready to admit that their patriotism is to be measured by the saloon? If this is so, then I say, God, look down in pity upon us and save our Republic. I pray that we will not commit the great folly that some of the European nations committed at the beginning of the war, and I would call your attention to the words of the eminent statesman, Lloyd-George, who said:

England is fighting three enemies, Germany, Austria, and the liquor traffic, and the liquor traffic is the greatest of the three.

My friends, these are not the words of the Anti-Saloon League or the Woman's Christian Temperance Union, but they come from the heart of the greatest statesman in Europe to-day.

During the last session of Congress this House by a vote of 397 to 24 passed a bill making it unlawful to sell liquor to soldiers in uniform in the United States. Now, if you believed at that time that liquor was not a good thing for the soldier, that it would have a tendency to lower his efficiency and impair his physical ability, would not the same principle apply with equal force to the workingman at home, who has to make the guns and ammunition and produce the food and clothing for the soldier?

The Congress and the President, his Cabinet, and our Army and Navy officers realize that in order to win this war our fighting men must not be ruined by intoxicating liquor. But what is the attitude of the liquor people along this line? Do they indorse the action of Congress and Gen. Pershing and Secretary of the Navy Daniels in checking the use of liquor? No; a thousand times no! They say we can not win this war unless we are a drunken Nation, and if they had their way they would make drunkards out of our soldier boys. That is a strong statement for me to make, but I want to back it up by reading again a letter, in part, which was sent to me by one of the liquor leaders of this country:

I believe that the soldier will need wine, beer, and whisky in and out of the trenches in moderation.

I believe that a good drink to each soldier before a charge will insure that steadiness of nerve that wins battles.

The man who rushes a rapid-fire gun should be given the relief from terror that alcohol imparts.

My friends, what an insult to the patriotism and bravery of the soldiers who are now in France following the flag under the leadership of Gen. Pershing for this man to say that unless our boys are filled with whisky they will be a lot of cowards and afraid to face the enemy upon the battle field. Such an un-American, unpatriotic, insulting, lying statement as this ought to be repudiated by every loyal American citizen who respects the boys who have offered to sacrifice their lives, if need be, for the great and righteous cause which we are contending for to-day. What consolation it must be to the Christian fathers and mothers of this land, whose lads have gone to the front from Christian homes and environment where they were never brought into temptation from the liquor traffic! Many of them are from prohibition States and Territories. It is the mothers who are

making the supreme sacrifice at this hour. It has torn their heartstrings to have their boys taken away from them, but they have been brave, God bless them. They have given their sons to our country to fight for a great and righteous cause, but the thing that is worrying the American mother to-day is, will her boy come back to her as pure and morally clean as he was when the strong arm of the Government reached into his home and took him for service? A few days ago I looked at a beautiful picture in the window of an art store. It was the picture of a young American mother standing by her only son, who was in the uniform of an American soldier. He was a fine specimen of manhood. The proud mother had her hands upon his shoulders, looking into his face with an expression that none but a mother can have, and underneath the picture I read, "May the Lord stand between me and thee while we are absent one from another." That is the prayer that is going up to Almighty God from the hearts of tens of thousands of mothers in our land to-day. Yet this man says when we get these clean, pure boys away from the influence of mothers fill them full of whisky and send them back not as he was when the Government took him but with the appetite created within for intoxicating liquor.

Let me say that to my mind the Government of the United States has no right to take the boy out of the home unless it guarantees to the mothers of this land that it will lend its best efforts to return that boy just as clean and pure as he was when they took him away.

Now, who was it that wrote this letter? If it came from some saloonkeeper, brewer, or irresponsible bartender, I would not have paid much attention to it. But this letter is signed "Yours, truly, Thomas M. Gilmore." Who is Thomas M. Gilmore? He is president of the National Model License League of America, one of the strongest and largest liquor organizations in our country to-day. And as a rule the president of an organization, when he speaks, expresses the sentiment of the stockholders. [Applause.]

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I yield eight minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Speaker and gentlemen of the House, I do not expect or even to attempt to convince any man of the fallacy of this amendment who is a reformed drunkard or any man who believes that his own personal views should be the views of the entire people. In sitting in my seat in the House this morning and looking into the press gallery of this House I saw there the picture of the President of the United States, and printed upon that picture are these words, "Stand by the President." Mr. Speaker, in the last session of this Congress we enacted a law known as the food survey and food control law, and section 15 of that law is, in part, as follows:

> Whenever the President shall find that limitation, regulation, or prohibition of the use of foods, fruits, food materials, or feeds in the production of malt or vinous liquors for beverage purposes or that reduction of the alcoholic content of any such malt or vinous liquor is essential, in order to assure an adequate and continuous supply of food, or that the national security and defense will be subserved thereby, he is authorized, from time to time, to prescribe and give public notice of the extent of the limitation, regulation, prohibition, or reduction so necessitated.

So he has complete power to stop the manufacture and the sale of every kind of intoxicating drink now being made. And, Mr. Speaker, you and I and all of us have appealed to the people of this country. We have appealed to the people whom we represent to stand loyally by the President of the United States in this hour, and let me ask you whether or not you believe that you are standing loyally by him when you vote to bring up for consideration in the country at this time, with the turmoil and the strife that is about us, this question, which is one of the most serious that the people have ever considered? Let me call the attention of Members to a few words from one of the great Senators of this country, who died but a short time ago, while discussing this very matter in the Senate. I refer to United States Senator Husting, of Wisconsin. Listen to what he said, a great Democrat, one who tried to uphold in every way the hands of the President in this great war. He said:

> We are engaged in a war that requires a strong feeling of unity throughout on the part of all. Vexatious domestic questions ought to be relegated to the rear and only legislation calculated to promote our success in arms should be passed now. None else should be considered, even. We want to draw together our people, not drive them apart, and every Senator here knows that there is scarcely anything that has so aroused bitterness and dissension among our people as the prohibition question.

Gentlemen, it is not to-day a question whether you believe in prohibition or not. It is a question whether or not you want to help the President win this war, whether you want to aid him in keeping the people united, keeping the labor organiztaions of this country, the men who have to do the hard work, in good humor over this matter.

It is not a question of alcohol; it is not a question so much as to whether or not it is good for the men who work in the mills to have their beer or not. That is not the question. It is a question whether these men in the great mills and in the great factories of this country and munition plants feel that you are depriving them of their liberty at this time in endeavoring to take away that privilege. If you do that you are creating dissension. The whisky of this country has all been doomed by act of Congress. There is now permitted by the President the manufacture of beer with 2¾ per cent of alcohol. No one here will claim that a man can get intoxicated upon drinking beer with that small per cent of alcohol. Gentlemen, this is nothing more nor less than a question of whether or not we shall stand by the President of the United States in this hour, when all good citizens ought, or whether we shall stand by Dinwiddie and the Anti-Saloon League, who think more, in my judgment, of this issue of "wet and dry" than they think of the issue of whether America or Germany shall win in this great war. So I appeal, Mr. Speaker, to the patriotism of the people of this country and those who are representing them here to-day to help us to win this war and not bring into discussion at this time these matters of dissension that will cause havoc and distress. We are proud, indeed, that we have been able in this Congress to stand together and give earnest and united support to the President, and I say, gentlemen, upon my responsibility, that were the President permitted under the Constitution of the United States to participate in a matter of this kind—that is, the submission of an amendment of the Constitution to the people—I believe that he would come to you with a message and say to you, "Gentlemen of the Congress, leave this vexatious domestic question alone until we have finished with the Kaiser."

The President has no authority under the Constitution in matters of this kind. It is for the Congress and legislatures of the States to decide, and therefore naturally he would feel it was not his privilege or his duty to bring this matter to your attention. But, gentlemen, we ought to leave it alone. We ought to leave these matters now in the hands of the President where they can be best worked out during the war. Let us win the war first. Let us restore peace in this country. Let us bring all our forces to bear upon the enemy, upon Germany and her allies. Let that be our whole aim now.

We have seen it in the papers that the Anti-Saloon League has stated that they are raising a great amount of money for the purpose of going out into the States, if this amendment carriers, in order to campaign for the adoption of the amendment. Could not the Anti-Saloon League do better with this money by putting it to the use of the war?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WEBB. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. CARAWAY], a member of the committee.

Mr. CARAWAY. Mr. Speaker and gentlemen of the House, I shall make the assertion, and prove it by the votes of the gentlemen in this House, that the question of whether the State should be permitted to deal with this question is not the reason that is going to actuate them in their vote here to-day. I can prove by the RECORD that there is not a consistent State rights man in this House; that there is not a man here who will not swap his position on that question any time the issue is one that he either approves or disapproves, as the case may be. [Applause.]

What does the word "prohibition" mean?

Now, prohibition does not necessarily mean to prohibit the manufacture and sale of intoxicating liquors. It means in its larger sense the prohibiting of the doing of anything. Most of the Ten Commandments are prohibitions. They forbid acts. Any question presented to the House, then, is always determined upon whether you are in favor of or against prohibiting the things proposed and not whether you are in favor of or disapprove State rights. It is merely whether you are in favor of or opposed to the particular act that it is then proposed to be voted on. In order to prove this I want to read to you from the RECORD. I shall read and ask you who it was who gave utterance to these sentiments.

A gentleman gave utterance to the following here on the 26th day of January last:

> Whenever you arrogate to one central government all the powers concerning the purely domestic and internal affairs of the people, which have always been left and are still left to the State to administer, then our Government will fall of its own weight.

Who said that? The distinguished chairman of the Committee on the Judiciary [Mr. WEBB] said that last January. [Laughter.]

Mr. MEEKER. Will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. MEEKER. We will expect to hear it again in his suffrage speech, will we not?

Mr. CARAWAY. Yes, sir.

Mr. WEBB. You will not hear it on the suffrage speech.

Mr. CARAWAY. I shall show by this RECORD that the gentleman who interrupted then [Mr. MEEKER] is the strongest prohibitionist in this House. I shall show that by his vote cast in this House. I have it right here. I want to read further:

> This bill is in line with the enlightened progress of the age, in line with advanced thought. I dislike to see and hear men falling back upon the Constitution of the United States when progressive legislation is urged in this body. I have more respect for the men who framed the Constitution of the United States than to take refuge in that instrument whenever we attempt progressive legislation. While it may be a fact that the property interests are better represented than the poor interests by the men who made the Constitution, still I do not believe that it was ever their thought to prohibit Congress from enacting legislation that would be of benefit to mankind in the suppression of child labor.

Inasmuch as the gentleman is not on the floor, I will not call his name, but he will vote against this prohibition amendment when it comes up.

I noticed a gentleman a moment ago interrupting the chairman [Mr. WEBB] to set him right, as he claimed, on the attitude of labor toward prohibition, and I take it from his remarks he opposes this resolution on the ground of interference with the right of the State to regulate its own affairs. I refer to the gentleman from New York [Mr. SNYDER]. If I am not correct, I will expect him to correct me. Mr. SNYDER, showing how little he thinks the State ought to be consulted when it comes to regulating the internal affairs of States—when he approves the act—the prohibition of something he disapproves—I read:

> Therefore, is it a source of wonderment that we of New York favor the enactment of this law? It is a source of wonderment by some of our southern friends and neighbors who oppose it. Their business interests will not suffer so greatly as they appear to fear, should this measure become law, and they will enjoy the benefit of their enviable location.

He favored this prohibition, and therefore voted for the enactment of that law—the child-labor law. I also voted for it.

Now, here is what I am trying to prove: That you vote for or against a measure as you favor or disapprove the proposed law. I am going to prove this by polling your votes as revealed in the RECORD and show you how you voted on that prohibition law, to show how you voted to deny the States the right to regulate their internal affairs on the question of child labor and said that the products of child labor should not be permitted in interstate commerce; in fact, to prevent children from being worked in mines and manufacturing establishments within the several States.

The gentleman from Ohio [Mr. GORDON] voted for that measure. He was entirely in favor of regulating the internal affairs of States, provided he favored the prohibition of the things sought to be prohibited. [Applause.]

Mr. GORDON. Will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. GORDON. That statute simply dealt with interstate commerce, and that is expressly authorized to Congress in the Constitution.

Mr. CARAWAY. The gentleman certainly does not mean that.

Mr. SNYDER. Will the gentleman yield?

Mr. CARAWAY. Let me answer this question and then I will.

Mr. SNYDER. The gentleman made some remarks concerning myself.

Mr. CARAWAY. I did; but I will give the gentleman an opportunity in a minute. If the gentleman wants to recant his position, I will give him the opportunity.

The gentleman from Ohio [Mr. GORDON], who says that that act regulating child labor had to do solely with interstate commerce, knows that "interstate commerce" was merely the vehicle by which Congress prohibited the employment of children within the States, prohibited their working in manufacturing establishments and mines under certain conditions and within certain ages. That is what the gentleman voted to prohibit. [Applause.] The matter of interstate commerce was merely the vehicle by which Congress undertook to prohibit child labor.

Mr. GORDON. Of course.

Mr. CARAWAY. In order to do that Congress chose the vehicle of interstate commerce.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. CARAWAY. Yes; I yield now to the gentleman from New York.

Mr. SNYDER. I wish to say to the gentleman that all I was undertaking to do at the time those remarks that the gentleman refers to were made was an endeavor to bring the industrial conditions of the South nearer to the industrial conditions in the North. That is all. [Applause.]

Mr. CARAWAY. Let us see what the gentleman did say, since he makes that statement. [Laughter.] Let us see what the gentleman's real reason was. He says:

> The northern manufacturers, too, will be better contented to know that the present so-called unfair competition of their own country has been largely done away with, and that the southern manufacturers, on the plane of labor cost, at least, have no advantage over them.

A noble reason. [Applause.]

That is what is the matter with the gentleman. He was trying to protect his own labor, not regulate the South.

Mr. SNYDER. That is all I was trying to do.

Mr. CARAWAY. Oh, well, you had an awfully unhappy way of saying it. [Laughter.]

Mr. SNYDER. I would like to know what that has got to do with this question anyhow. [Laughter.]

Mr. CARAWAY. Well, I hope the gentleman will take a day off and find out. [Laughter.] Why, bless your heart, this book is interesting. [Referring to the CONGRESSIONAL RECORD.] I wish I had time to read it all. [Laughter.] I would like to show that the gentleman from Pennsylvania [Mr. VARE] is the strongest prohibitionist in the House, if I had the time to read what he says. He is most violently opposed to the States being left any right to regulate their own internal affairs of anybody who spoke on that bill, and another gentleman from Pennsylvania likewise agreed with him. I commend this book to you.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. CARAWAY. I can not yield now.

Mr. MOORE of Pennsylvania. I would like the gentleman to be fair and quote some more.

Mr. CARAWAY. Gentlemen, let us be fair with each other and honest with the country. If we favor the suppression of the liquor traffic—and God knows we should—let us vote for this resolution.

It is needless to recount here the reason that should impel us to this course.

Does not the blood of the victims of intemperance cry out to us for redress?

We have all seen women heartbroken by this curse, children worse than orphaned.

Vice, poverty, and ignorance are its handmaids, and these will curse the world as long as we permit the manufacture and sale of intoxicating liquors.

For one I shall vote for this amendment. I shall vote for it because of the crimes it has bred, the sorrow and want it has caused. I shall vote for it to make the world better for women and children now living and for those yet in the womb of time. God hasten the day when this curse shall vanish from the face of the earth. [Applause.]

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I yield eight minutes to the gentleman from New York [Mr. CHANDLER].

Mr. CARAWAY. Mr. Speaker, just one moment. I want to ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, the debate is limited to-day on an important constitutional amendment. I think the debate in the RECORD should show the true proceedings that take place here to-day, and therefore I object.

The SPEAKER pro tempore. The gentleman from Wisconsin objects. The House will be in order. The Chair wishes to remind the occupants of the galleries that they must not manifest approval or disapproval and must not applaud remarks.

Mr. WEBB. I yield five minutes to the gentleman from New York [Mr. LUNN].

Mr. LUNN. Mr. Speaker, I was very much interested in the argument of my colleague from New York [Mr. CHANDLER] and to find that his vote is going to be determined by the alleged decision of some court as to just what he represents. He is going to vote against prohibition, but he is going to vote in favor of woman suffrage. Now, I do not know how all men reason, but I am of such a particular mental caliber that I can not see any difference, so far as submitting an amendment is concerned, whether it is a woman suffrage amendment or a prohibition amendment. [Applause.] The same principles are involved in each.

We are all agreed that our first and most important object at the present time is to win the war. There is no diversity of opinion as to that. It is absolutely essential that we preserve the utmost unity regarding the prosecution of the war. I do not want to see anything pass this House that would produce

disunity; nothing that would, in any possible way, impair our efficiency. There are some on this floor who argue that the passage of this amendment would produce dissension, while our need is for unity. Do they really mean this? They urge that we stand by the President, inferring that to do this the amendment must be defeated. Their argument is unsound. Anyone whose patriotism is measured by the quart has a type of patriotism that needs to be watched and watched continually. These gentlemen infer by their argument that we must placate certain citizens of this great Republic in order to secure their fullest support of the Government. They infer that in order to be sure that a certain class of our citizens shall uphold the arm of the President with their right hand we must allow them to have a bottle of whisky in their left. [Applause.]

To my mind, there is no force in the argument that the passage of this amendment would produce disunity. I want to ask this question of those who think differently: Can we consistently take the position that we are in the present war for the purpose of making the world safe for democracy and then show by our actions in this House that we are afraid to trust democracy in this country in dealing with this important question? Is it not logical that we allow the people to decide every question that touches the life of our Nation? Surely we are upholding democracy by submitting this amendment. I refuse to be a kaiser and decide the prohibition question in my district, my State, or the country. I want the people of my district, the people of my State, and the people of the United States to decide whether this Nation is to be dry or not.

Another argument is made to the effect that organized labor is against this amendment. There is no doubt but what there are many able leaders of organized labor who are opposed, but even Mr. Gompers, whom I greatly admire and respect for his splendid work in behalf of the workers of the country, distinctly states that in his stand against this amendment he is acting as an individual and not representing the American Federation of Labor. I have received a great many telegrams from various organizations of labor in my district, but, so far as I know, the rank and file of organized labor have not passed upon this great and important question.

I have always stood and always will stand for the mass of workers in all legislation, for their best interest is the highest interest of the country. I therefore refuse to believe that organized labor, as such, is opposed to this amendment; and, on the other hand, I believe that the best thought of organized labor is beginning to realize as they are advancing more and more into power that it is distinctly to their advantage to realize the evil effects of liquor. If I were opposed to organized labor, if I wanted to stop the workers in their determination to gain more political power and receive a larger share of the product of industry, I would certainly try to give them all the liquor they could drink, in order that they might be kept more easily in control. However, against the argument advanced by certain leaders who are opposed to this amendment may be placed the argument of equally prominent leaders who are heart and soul in favor of the amendment. I will always lift my voice in behalf of the workers; I will always use my influence for their advancement. As a principle to guide one in governmental affairs, I hold it to be true, following the advice of the great Lincoln, that the first consideration in all legislation—not the second, but the first consideration—should be for labor and not for capital, and on that basis I intend to support this national prohibition amendment. [Applause.]

Mr. GARD. Mr. Speaker, I yield seven minutes to the gentleman from Kentucky [Mr. CANTRILL].

Mr. CANTRILL. Mr. Speaker, it is known by all persons in Kentucky that the next legislature, which convenes in January, will submit to the voters of Kentucky an amendment to our State constitution prohibiting the manufacture of intoxicating liquors in our Commonwealth. This plan will enable each voter of the State to have a direct vote on the great question of prohibition. If this amendment for national prohibition prevails in this House to-day the members of our State legislature will be the only persons in Kentucky who will be permitted to vote on this question. I prefer that each voter in Kentucky should express his opinion at the ballot box concerning prohibition, and I shall therefore vote against the amendment now pending in the House. In this connection I will state that no man in Kentucky has taken a more pronounced stand for the submission of the prohibition amendment to our State constitution than I.

Under the Federal law to-day the manufacture of spiritous liquors is absolutely prohibited. Only very light wines and beers can now be legally made in this country, and the President of the United States can now by the stroke of the pen prohibit the manufacture of wines and beers and place the Nation strictly on a prohibition basis.

The Congress has placed absolute power in the hands of the President to control the manufacture and sale of spiritous, vinous, and malt liquors in the United States. I am willing to trust this entire question to his wisdom and judgment, knowing that he will use the great power he possesses for the best moral and material interests of the American people.

No man in history ever held the power which the representatives of the American people have cheerfully voted to our great President. By our legislation he controls entirely the food and fuel supply of this, the richest country in the world. If he so desires he can control the great transportation lines of our country, employing more men and representing more dollars than any business in the land. Under our law he controls absolutely the lives and destinies of millions of our boys who will be called for service in the Army and Navy. If the Congress can trust the President to control completely the food and fuel of the land and the lives of the young men of the Nation, why can not we trust him to control the liquor industry?

I will show my confidence in him by voting to defeat the pending amendment. I know that he will use the great power he has for the moral uplift of the Nation; I know that he will use that power for the prime purpose of bringing swift victory to American arms, and I will not vote to take away from him any power he has in handling the great problems which confront him.

Under our Federal Constitution our President is Commander in Chief of our Army and Navy. The burden of this great and terrible war is upon his shoulders. The American people, in my opinion, have perfect confidence in his judgment on all of the great questions pertaining to the proper conduct of our war plans. This being true, why single out the liquor problem and take only that question from his control? In the great crisis which now confronts us intemperate legislation on the liquor question might result in great disaster. Whenever the President of the United States believes that national prohibition is a good thing for the Nation he can, under the power he now has, bring it about by the stroke of his pen. I think that he can be trusted to exercise that power, and there is no need for further legislation by statute or constitutional amendment on the subject of the manufacture of intoxicating liquors. It would seem that our Government is in need of the hundreds of millions of dollars at this time from the liquor business. If this amendment prevails, the Government loses hundreds of millions of revenue, and this deficiency must fall on the necessities of the poor. Organized labor, which is working so patriotically to equip our Army and Navy, protests against the passage of this amendment and is willing to leave this liquor question to the judgment of the President, and without the full cooperation of organized labor the war will be lost. The President from his exalted position knows better than any man or any set of men what is best for the welfare of the Nation in the great struggle through which we are passing. Full power is now in his hands, and the lawmakers of the land make no mistake when they permit him to handle the liquor question along with a multitude of other questions of equal or greater importance. [Applause.] This is no time for Members of this House to consider their individual political fortunes in making up their minds how they will vote on the questions which come before them. When war was declared I made up my mind that it was my duty to fall in behind our great President and Commander in Chief and do that which he desired and ordered. He is our leader, and it is the duty of every American citizen to obey. In a life and death struggle for national existence there can be but one commander and one leader if we are to succeed. I have voted and will continue to vote for every request which our President deems for the interest and success of our Army and Navy. I would not embarrass him by taking away from him the power to handle at this crucial time the liquor question or any other question. In my vote to sustain the President on this and on other questions I believe that I voice the overwhelming sentiment of my constituents, and I shall therefore vote against the amendment pending. [Applause.] In the days to come history will record that Washington made possible the American Union, that Lincoln preserved it, and that Wilson made our Nation the leading factor in a world union dedicated to universal democracy. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Speaker, this is a big time in the history of mankind. This is a big question for the American people. No greater question has engaged the attention of the Congress than the question now under consideration—important to the individual, to the community, to the Nation, to man-

kind throughout the world. Much depends upon the people of the United States at this hour. We need a sober manhood. We have responsibilities thrust upon us that demand the very best that is in every man and in every woman in the Nation. I do not agree with the gentleman from Missouri [Mr. DYER], who says that liquor is essential to the laborer in the manufacture of arms and ammunition; that liquor is essential in the trenches. We want the best ability we have—and to be at its best it must be sober—in the manufacture of arms, in the manufacture of munitions, and in the use of such arms and ammunition in the world war now being waged.

You have a son; he is in the trenches to-day or on the way there. You want him supplied with the best arms, with the best ammunition that the soberest men can make. You do not want him supplied with deficient arms and ammunition made by men under the influence of liquor. Further, you want that boy of yours to have comrades over there who are sober and ready to do a man's part.

There never was a time when the ability of the manhood of America, all the ability we possess, was as much in demand as it is this very hour. I do not believe that labor organizations are in favor of devitalizing the manhood of the Nation at an hour when the very best that is in man is in so great demand.

No man speaks for the laborers of America when he says that they are all opposed to this constitutional amendment. Individuals? Yes. As an organization? No. More men united and affiliated with labor organizations are in favor of a sober manhood, a sober community, a sober State, a sober Nation than are in favor of the open saloon. The time is past in which it is necessary to talk upon the effect of the use of intoxicating liquors. Every man here can count by hundreds young men of his acquaintance who have gone to inglorious graves before they have passed the age at which they would now be taken into the service of the United States, where, if perchance they lost their lives, they would go to an honorable grave. Every year this stuff that is to be prohibited by this resolution has taken its toll by the thousands; yea, by the hundreds of thousands. I am in favor of the resolution. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I yield seven minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Speaker, I am one of the members of the Committee on the Judiciary who voted to report this resolution to the House with a favorable recommendation, reserving the right to vote against the resolution. I desire briefly to set forth my reasons, but before I do so permit me to congratulate the gentleman from Kansas [Mr. CAMPBELL] upon his high, patriotic courage. He, sir, would win this war, but he would not win the war nor would he support the men who are fighting the war if, perchance, they are going to shoot a rifle containing ammunition that has been made by a man who drinks liquor! Temperance in thought and speech, Mr. Speaker, is sometimes as wise as temperance in the use of food and drink.

Anyone who has read the debate and what took place in the memorable Constitutional Convention when that great document was framed will see how strongly the delegates to that body were opposed to the passage of sumptuary laws, and I, sir, do not believe that this measure should be considered, as the gentleman from New York has stated, with a view of simply the district a man represents. This is a proposition to amend and to change the fundamental law of this great Nation, and we should consider, I believe, not simply the interest of the district we have the honor to represent but we should look at it from a larger viewpoint, as to whether it is for the best interests of the Nation as a whole. I do not believe that the gentlemen in the sandy river bottoms of Arkansas prefer to have the people living in the Back Bay district of Boston to legislate and say to them what their personal habits shall be. We have in the State which I have the honor in part to represent what is known as a local-option law, which gives the people of the smallest municipal division the right to say once each year whether they believe the sale of intoxicants should be permitted or not. I say that we should not embark upon this program of changing and amending the fundamental law by injecting into it an article which would debase that great document to the mere level of a criminal statute. If you are going to write this article into the Constitution, why not go one step further and include within the Constitution the penalty for a violation of it? It is said that democracy is precious, and that we are engaged in a struggle for democracy, but to say that the States in one section of this country shall dictate to the States in another section of the country upon matters which heretofore have been within the sole control of the people of the several States, upon matters which by the fairest and plainest interpretation of the Constitution are reserved to the States, is not in the interest of democracy. So, for the reason that I am opposed to including in the fundamental law propositions of this sort I am opposed to this resolution.

Further, I am opposed to it, because I do not believe that this is the most important question that ever confronted the American Congress. There are some gentlemen here who, when they rise to address their colleagues, are swept off their feet by their enthusiasm for or against a measure. The most important question confronting not only this Congress but the entire Nation—yes, even the entire world—is the winning of this war, and I submit that we ought not at this time by our action here to transfer to the States a contest which will result in discussion and occupation of time, the expenditure of effort and money in each of 48 States of the Union, which same time, effort, and money might well be used toward the winning of this war. If the States desire to enact prohibition legislation, and I understand 27 of them have already done so, if they believe that by the enactment of that legislation victory will be more speedily assured, they can do so. The people of the States ought to be the best judge of that proposition. So I say that in submitting this resolution to the States and by permitting this discussion to arise and these differences of opinion, these clashes between classes of people, we will do more to divert our people from the supreme test confronting the country than we will if we concentrate our efforts and our thoughts and to encourage the expenditure of effort and money toward winning this great world struggle. [Applause.]

Mr. GARD. Mr. Speaker, I yield 10 minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Speaker, this resolution proposes an amendment to the Federal Constitution which prohibits the manufacture, sale, and transportation of intoxicating liquors, or the importation thereof, into the United States. I am constrained upon my conscience and in the exercise of my best judgment to vote against this proposed amendment. I shall not discuss the merits or demerits of prohibition. The attitude of a citizen or a Member of the House upon that question should not determine his vote upon this resolution. There are those who gravely doubt whether the attempt to enforce throughout the country total abstinence is the best solution. Many believe that the discouragement of the manufacture and use of distilled liquors and the encouragement of the use of light beers and wines would best subserve the interests of genuine temperance and good citizenship. But, as I have just stated, total prohibition, or partial prohibition, is not the issue before us. We are called upon to determine whether we will propose an amendment to the Constitution depriving the States of their present exclusive jurisdiction to regulate and control intoxicating liquors and transfer the same in whole or in part to the Federal Government.

I am opposed to this resolution because it proposes to incorporate into our organic law a proposition which is distinctly legislative. There have been 17 amendments to our Constitution and not one of them invaded the field of legislative action. They all relate to the Bill of Rights or the instruments of government itself, or, in other words, they relate to the form of government or the powers of Congress. If the Constitution is to forbid the manufacture and sale of intoxicating liquors there is no reason why in the future, in response to reformers, it should not forbid the manufacture and consumption of other products which may be deemed deleterious to humanity. The Constitution has been the great charter of our liberties. It describes the powers of our Federal Government and fixes the fine balance between the States and the Central Government. It has been the cohesive bond which has bound together the sovereign States into one indestructible union. We should not mar this great instrument by making it the receptacle of prohibitive or permissive legislation and thus mar this fine structure and bring it into disrepute.

I am opposed to this amendment because it proposes to take away from the States an essential right of local self-government. It proposes to impair the police power of the States. This is concededly true, else this amendment would not be proposed. If Congress had jurisdiction to regulate or prohibit the manufacture and sale of intoxicating liquors it would not be necessary to incorporate this legislative provision into the Constitution. The perpetuity of this Republic is based upon the maintenance of the right of local self-government in each of the States of the Union. If the time ever comes when the States are shorn of the right to govern themselves in all local matters and are deprived of the right to exercise their untrammeled police powers in the enforcement of the same we will see the beginning of the end of this Republic. When all government is centralized at Washington there will come local and State disaffection, loyalty to the Central Government will be impaired, and ulti-

mately revolution will stalk abroad throughout the land. It may be said that this invasion of a right of the States constitutes only one instance and that other invasions will not necessarily follow. In a matter of such supreme import even one invasion of local self-government may not be justified, but unfortunately this is only one of a number which are now being pressed by zealous reformers. The first error will make easier subsequent efforts. When we have once weakened the fine balance of powers between the States and the Federal Government we will have endangered the stability of the entire structure.

The Constitution was framed to protect the States in the right of local self-government. It was particularly intended to protect the small States. All the early efforts to amend the Constitution were prohibitions against the Federal Government and in favor of the integrity of the States. In the first 10 amendments which were adopted soon after the original Constitution, their provisions were so basic and fundamental that they have been universally denominated as the "Bill of Rights." So jealous were our fathers that some of the reserved and essential rights of the States might be impaired that in the tenth amendment it was provided that—

the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

They thought they had settled for all time any possibility that the right of local self-government reserved to the States should ever be successfully attacked.

This amendment is not necessary to enable any State to control or prohibit the manufacture, sale, consumption, or importation into such State of intoxicating liquors. Each State has the power, to use a familiar expression, to make itself "bone dry." Not only may each State pass laws prohibiting within its borders the manufacture, sale, or consumption of intoxicating liquors in any form, but under the Webb law, as interpreted by the Supreme Court of the United States, it may prevent the importation of any intoxicating liquors into such State. Through its administrative officers and by its own courts each State may literally enforce such laws. The statement may be emphasized that each State now has the exclusive power over intoxicating liquors.

It may be asked, then, What is the necessity of this amendment to the Constitution? Is it to enable one State in combination with others to exercise power over another State? To express it baldly, the purpose of this amendment is to enable the legislature of one State to join with the legislatures of 36 other States and impose absolute prohibition over the remaining 12 unwilling States. If the subject of prohibition is now a matter of local self-government with each State, which will be admitted, then it may be stated with equal force that it was never intended in our scheme of government that three-quarters of the States should take away from the remaining one-quarter any reserved right of local self-government. My own State of North Carolina, which is dry, can not consistently claim the right to join with 36 other States and impose prohibition upon the States of New York or Massachusetts or Wisconsin against the will of the people of those States. Such a result would be resented by the people of those States who are not yet ready to adopt prohibition. Let me give a concrete illustration. In 1881 there was a referendum in North Carolina upon the question of State-wide prohibition. There were cast for prohibition 48,000 votes and against prohibition 166,000 votes, an adverse majority of 118,000 votes. So long as the majority of the people of North Carolina were opposed to prohibition, I ask in all good faith what impression would have been made on the people of that State if 36 other States in a proposition to amend the Federal Constitution had decreed that North Carolina should be dry, contrary to the solemn vote of the electorate of the State? The question answers itself. There would have followed resentment, and the people of the State would have felt that they had been deprived of a sovereign right to settle this question for themselves. In 1908, 27 years later, North Carolina had another referendum upon prohibition, at which time a majority was recorded in its favor. May I ask if this change in the attitude of the people of the State toward a sumptuary law necessarily changes the fundamental proposition involved? If the people of North Carolina would have resented in 1882 the action of 36 other States in imposing upon them prohibition against their will, are the people of that State justified in 1917 in trying to impose prohibition upon the people of an unwilling State simply because the people of North Carolina have reversed themselves upon this question? The query answers itself.

It is contended that national prohibition is necessary in the interest of good morals. The leaders of the Anti-Saloon League say that they can not await the slow process of adopting prohibition State by State, and that they prefer the summary method of imposing it upon all of the States without having to undergo the trouble of discussion and education, in order to effect a change of public opinion in each of the States. I submit that the maintenance of the basis and the fundamentals of our Government is superior to the virtues of prohibition, even if we concede all its blessings by the most enthusiastic advocates. I confess that I deem it of more importance to defend the integrity of the States and to assure the perpetuity of our Republic than to anticipate the will of the people and to attempt to force prohibition by this summary process upon unwilling States.

There have been 17 amendments to our Constitution. Each one of these amendments dealt with the fundamentals of government and did not attempt to invade the reserved right of local self-government in the States except the fifteenth amendment. This amendment forbade any State to deny the right of suffrage to any citizen on account of race or color. It was intended to compel the Southern States to give to the negro equal rights of franchise with the whites. I shall not combat the righteous motives which actuated the advocates of that amendment. But I do submit these comments. Until the fifteenth amendment the right of the States to fix and regulate the qualifications of the franchise was not denied. It has always been conceded that the right to vote comes as a privilege from the States and not from the Federal Government. This amendment was an attempt to control this right of the States in so far as the negro was concerned by giving him equality of suffrage. It was contended by the white citizens of the South that the negroes as a whole were not qualified for the suffrage, and that to give literal effect to this amendment would imperil their civilization and make possible bad government. It is unnecessary to describe the results of this amendment. Reconstruction followed in its wake, racial disturbances were frequent, progress was checked, and evil government prevailed. The fifteenth amendment still remains, but by common consent in all sections of the country, the intelligence and the civic virtues of those who are qualified to ordain and preserve good government are left in the several States to settle this matter in the light of their consciences and their responsibilities.

In the face of the result of this attempt to invade the rights of the States to fix the qualifications of suffrage, I am led to inquire, What ought to be the attitude of the Members of this House from the Southern States in the consideration of this proposed amendment? Simply because most of the Southern States have adopted prohibition, shall they favor an amendment which would deprive other States of settling for themselves this question of prohibition? If they vote for this amendment, they will be doing an act which they would openly resent if an attempt was made by other States to invade their rights of local self-government. Very soon this House may be called upon to vote for another amendment to the Federal Constitution for woman suffrage. It so happens that in most of the Southern States public opinion does not yet favor equal suffrage, and they will vote against such an amendment. Why not be consistent? As a great fundamental of government, is the right of local self-government upon any one question to be determined by the attitude of the voters of a particular State upon that question?

The very fact that an amendment proposed by Congress is to be ratified by the legislatures of the several States rather than by the popular vote throughout the country indicates the firm attitude of the fathers in preserving the rights of the small States against the encroachments of the large States. It never occurred to the framers of the Constitution that Delaware and Rhode Island, or Nevada, would join in depriving the people of the State of New York of any essential and reserved right of local self-government. The fear was that New York and Pennsylvania and Virginia might unite with other large States and deprive Delaware and Rhode Island of some essential local power. Therefore, they provided in the ratification of an amendment that the vote of Delaware and of Rhode Island should count just as much as the vote of New York and Pennsylvania.

What is the duty of a Member of this House? A high official of the Anti-Saloon League recently made this statement:

The Anti-Saloon League is not asking any Member of Congress to declare that he is in favor of national prohibition, but simply that he shall not become an avowed exponent and protector of the liquor traffic by refusing to vote to allow the people of the Nation, by States, through their representatives, to determine this question in the manner provided therefor by the framers of the Constitution.

This has been a familiar form of expression by some of the advocates of this amendment. In other words, they contend it is the duty of a Member of Congress to vote for any proposed amendment if a considerable number of the voters of the country appear to favor same. There can be no more solemn duty imposed upon a Member than in determining his attitude toward a proposition to amend the Federal Constitution. Congress

must initiate the amendment, and each Member must consider it in the light of his intelligence and patriotic judgment. We are not mere automatons to register the will of the Anti-Saloon League or any other organization of reformers. We are sworn to defend the Constitution as it stands, and it is our solemn duty to avoid any action which will impair or imperil the foundations of our Government. Any Member who votes for or against this amendment solely actuated by fear of his political fortunes has little comprehension of the fundamentals of our Government and is elevating his political preferment above the preservation of the essentials of sound democracy. There has been already too much of intimidation and coercion. The highest ideal is to discharge one's duty, and if one is to adopt the personal view it is also the best politics.

We are engaged in a great war. The President, in his recent epochal address before Congress, invoked unity upon the part of all the people. He declared that we should mobilize every resource, material and spiritual, in the successful prosecution of this war. The adoption of this amendment will thrust before the people a mooted question upon which there are strong differences. In the famous "Shannon" letter of the President in 1911, while he was governor of New Jersey, he referred to the acute divisions in public sentiment which followed the injection of the liquor question into any party organization. This proposition ought not to have been brought into Congress at this supreme moment in the national life. Congress has heretofore enacted all necessary legislation regarding intoxicating liquors for the period of the war. The further production of distilled liquors has been forbidden. The President, under the authority of law, has decreased the production of beer and the percentage of alcoholic contents. The great body of the people are satisfied. For patriotic reasons alone we would be justified in defeating this measure at this inopportune time. [Applause.]

Mr. MORGAN. Mr. Speaker, my time is limited, and I can not therefore enter upon a general discussion of the subject of prohibition. I am in favor of this amendment. My judgment approves it and it is entirely in harmony with my personal views. It meets the approval of the people of my congressional district. My constituents are largely in favor of prohibition. Finally, the passage of this amendment, the submission of the prohibition amendment to the Constitution to the several States for ratification or rejection will be approved by the great majority of the people of Oklahoma, the State which I have the honor in part to represent. And, Mr. Speaker, when the roll is called and the vote is taken on this amendment in this House there will be a unanimous vote in favor of this proposition from the Representatives in this House from the State of Oklahoma. In due course the legislature of the State will ratify this amendment, and Oklahoma will be one of the 36 States which will ratify this amendment and make it forever a part of the organic law of this Nation.

The gentleman who just preceded me [Mr. SMALL], as I understood him, contended that Congress had no real authority to propose an amendment to the Constitution upon a subject like that of prohibition. I do not agree with my friend. The authors of the Constitution recognized that it was not perfect. They knew the changes which time inevitably brings would make modifications in the Constitution necessary. They wisely provided for its amendment. This provision is found in Article V of the Constitution. It contains only three limitations upon amendments. These are found in a proviso and are as follows:

> *Provided*, That no amendment which may be made prior to the year 1808 shall in any manner affect the third and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its suffrage in the Senate.

Two of these restrictions expired in 1808, more than a hundred years ago. To-day the only restriction, limitation, or reservation imposed upon the people in amending the Constitution is "that no State, without its consent, shall be deprived of its equal suffrage in the Senate." With this limitation the whole matter is left to the people. If they desire, they may by amending the Constitution change the form of government.

Some one in this debate, I think it was the gentleman from New York [Mr. CHANDLER], said that in his vote upon this resolution he would follow what he regarded as the sentiment of his constituents. He asserted, as I understood him, that a large majority of his constituents were opposed to submitting the prohibition amendment to the several States for ratification or rejection, and that, therefore, he should vote against the resolution. That question confronts Members of Congress on many occasions. Sometimes it is necessary for a Representative to decide whether in casting his vote he will be guided by his own views and convictions or follow the popular sentiment of his constituents. Ordinarily legislation does not involve questions of morality. The annihilation of the liquor traffic is essential in order that the American people shall attain the highest standard of morality. I would resign my seat in the House of Representatives rather than to vote to perpetuate the liquor traffic. Ever since I was a young man this has been my attitude on this question. I have been ready at all times, in public or in private, to strike down the liquor traffic, and there is where I stand to-day.

Some one has said that this is not the time to submit this question to the several States. They assert it will develop controversy among the people at a time when all of our energies should be devoted to winning the war. That is one argument that appeals to me with some force. Yet we should remember that the controversy between the liquor traffic and its opponents can never end. They represent two opposing forces between which there can be no compromise. Good can not make peace with evil. So the controversy must and will go on until the cause of temperance shall triumph over the evil forces of the liquor traffic.

The SPEAKER. The time of the gentleman has expired.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. MAGEE].

Mr. MAGEE. Mr. Speaker, as a member of the Judiciary Committee I voted to report out this resolution to the House without recommendation. I am opposed to the resolution at this time and in its present form. I stand for temperance and against intemperance. The question, however, in my judgment, is not temperance versus intemperance, but whether we are willing to use the condition of war as the chief instrument in attempting to bring about Nation-wide prohibition at this particular time.

Prohibition is an internal and domestic question over which the Congress has given the President full and complete control during the period of the war. I voted for the food bill, which prohibits the further manufacture of what are commonly known as alcoholic beverages and gives to the President power to commandeer existing stocks for purposes of redistillation. I do not know what it would cost to commandeer, under the provisions of the act, such stocks, but taking into consideration that the actual quantity remaining in bonded warehouses on October 31, 1917, approximated 175,000,000 taxable gallons, I estimate that such cost would exceed $200,000,000.

The annual report for the fiscal year 1917 shows that the Government collected from distilled spirits $181,131,770.62, and from fermented liquors $91,094,677.70. These items, though material in nature, are significant when we come to consider that the amounts authorized by Congress for this fiscal year, including loans to our allies, aggregate nearly $20,000,000,000, and that the estimated expenditures for the fiscal year ending June 30, 1919, aggregate nearly $14,000,000,000, which huge sum is bound to grow and does not include, as I understand, prospective advances to our allies.

The President is further authorized in such act to eliminate, in his discretion, the use of beer and light wines. Under such authority the President issued a proclamation on December 8, 1917, reducing the alcoholic content in the further production of beer to 2¾ per cent. Thus it will be seen that the Congress has given to the President power to bring about Nation-wide prohibition at any time he may see fit to act during the period of the war. It seems to me, in view of these circumstances, that the patriotic thing to do is to trust the President to act wisely in the premises and to let him alone during the war. When the war is over the people of this country can permanently settle the matter as they deem best.

The President says that we must win the war. I stand upon that platform with all my heart and soul. But we can not expect to reach the maximum efficiency in war if we permit ourselves to engage in bitter domestic dispute upon a question already placed in the hands of the President as Commander in Chief of the Army and the Navy of the United States. Nor can we prepare ourselves for efficiency in war, unless we are willing to lay aside temporarily internal questions, to sacrifice our personal and individual interests for the public interests, and to concentrate all of our resources, energies, and efforts into an irresistible unit for the sole purpose of winning the war. It is high time, in my judgment, that the good people of this country begin to realize that this Nation is engaged in a titanic conflict that threatens not only the security but the very existence of free democracies. [Applause.]

The adoption of the pending resolution will not save any grain nor sugar, nor any kind of edibles, nor decrease drunkenness during the war, if I am right in assuming that the war will be over long before this resolution, if passed in the House, shall receive the approval of the legislatures of 36 States. We all know that to bring about national prohibition by Federal amendment a long, bitter struggle will be engaged in between those

for and against. Such a contest will create much turmoil, much dissatisfaction, much internal dissension, and antagonize millions of workingmen in this country. It seems to me unwise to precipitate such a contest at this time.

We are passing through a tremendous national crisis that calls for a real exhibition of courage and patriotism. I realize that the line of least resistance is to yield to the demand of extremists, but no patriot ever kept his ear to the ground listening for public clamor. If the Government should do that we would be likely to lose the war. Let us rather rise above our personal and individual interests and base our official action upon the sole consideration of the best interests of our common country.

All the cities in New York under a local-option act, recently passed by the legislature of that State, will vote on the third Tuesday of April next. The control of the liquor traffic has always been held to be properly an exercise of the police powers of the State. However, I have no objections to nation-wide prohibition if the people want it. We have a form of government based upon the popular will and the majority must rule. I wish that it were legally possible to have a nation-wide referendum, and to permit the people to say by their votes what they want to the end that their will, if in favor of national prohibition, might promptly be written into the fundamental law of the land.

I am opposed to any limitation of time in a proposed Federal amendment. I doubt whether the Congress has the constitutional power to so act. In any event, I think that such a limitation is unwise. If Congress is going to submit a proposed Federal amendment to the legislatures of the several States it should be in the usual form, and, when submitted, be beyond the further control of Congress. Such a limitation can act only as an incentive to start at once a bitter fight in every State of this Union.

I do not intend to criticize, nor to impugn the motives of anyone, but I believe in calling a spade a spade. I think that the limitation contained in this resolution is a sop to the liquor interests, and that they figure that they can prevent the approval of the resolution if passed by the legislatures of 36 States within seven years.

In fact, whenever I read this limitation I think of that memorable speech made in the House by the distinguished gentleman from Michigan [Mr. HAMILTON] when he repeatedly told us that Barnum still lives. The way I feel about it is this: If I were "wet," or a quart prohibitionist, and placed my toddy above all else, I would vote for this resolution. If I were "dry" I would vote against it. It is probably useless to make to the ultra "dry" an appeal to reason. If this limitation were struck out of the resolution I should feel more favorably disposed toward it. As it is the resolution should be defeated by the "drys," the substantial thinking men in the House, who with their faces to the sun, with the cards upon the table face up, having in mind only the public interest, vote in accordance with their convictions and the dictates of their conscience, dealing directly and squarely with the people in accordance with the spirit of our institutions.

I want to say in conclusion that I hold no brief for "drys" or "wets." I assume to hold a brief for my country, and as between "drys" and "wets," and my country, I choose my country, first, last, and all the time. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Speaker, I do not concur in the argument which has been advanced by some gentlemen here to-day that we should not always be influenced by the wishes of the people whom we represent and who have honored us with a seat in this great body. I take the very opposite view. This is a representative Government, a democracy, the chief corner stone of which is the will of the people, whence springs the power of government. I conceive it to be my highest duty to carry out their wishes or let somebody take my place who will do it. My district first and the balance of the country next has always been my motto and will continue to be to the end of my service here. In this instance I am proud of the privilege of casting a vote which my people tell me they wish me to and which my conscience and judgment tell me is best for the Nation, too. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. POWERS].

Mr. POWERS. Mr. Speaker, I can not in the limited time at my disposal enter into much of a discussion of the merits of this resolution. Under the agreement no one Member can be given much time upon this occasion. I shall give the resolution my hearty support. I doubt if there is a Member here whose public and private record is more consistently dry than that of my own. I have throughout my life advocated prohibition, and practiced what I preached. The district I have the honor to represent is overwhelmingly dry. In voting for this resolution I not only reflect the sentiment and wishes of my constituents but do that which is in thorough harmony with the views I have long entertained.

Mr. GREENE of Massachusetts. Mr. Speaker, when the constitutional amendment came to a vote in the House in December, 1914, I voted against it, because I did not then think it was a wise measure to enact. Since that time I have received many communications from my constituents urging my support both for and against that measure. To them all I have given most careful consideration, supplementing many years of study and thought upon the question of liquor traffic and the best method of controlling it and of preventing the evils that follow in its trail, gained in part by an extensive municipal experience in a large city both as its mayor and as a member of the municipal board.

At this late day in my life it is but stating what all men know who are acquainted with my record when I say that I have no sympathy with the sale of intoxicating liquors nor have I ever had. I have never used it. If I could abolish it from the face of the earth by my vote I would not hesitate to do so. But no such millennium is possible, in my judgment, by the adoption of the pending amendment.

Some of my constituents seem to think that its passage will cause strong drink to disappear from the country at large and from every locality. Some have urged "that the interest of humanity will be served by the abolition of booze." I agree with this statement. If I thought this measure would accomplish that result I would support it, but the entire history of the world shows that this would not be the outcome. The only way it can be totally abolished is by losing the formulas by which such stuff is made. It is a question of the most available means of controlling the use of liquor and the best and most practicable method of enforcing legal restrictions upon its abuse.

Ours is not a Government of wishes but of law and its application in a practicable way to the ends sought to be obtained. Some who have urged my support for this amendment have evidently never read the measure nor considered how it would work out in practice. Others again have spoken of it as "a fair and equitable proposition to allow each State to register its opinion for or against the question." With this view I agree, but these people fail to realize that this amendment does not give to the people of each State the right to settle the question for themselves. If the Massachusetts Legislature should fail to adopt this measure but a sufficient number of other States with other conditions and with different people and surroundings in life should accept it, nevertheless, the people of Massachusetts would have forced upon them a policy with which the majority of them were not in sympathy. The people of Florida and Colorado and other distant States might thus be dictating to the people of Massachusetts what they might consume for food and drink. The habits and desires of the human race can not be changed by mere legislative enactment. A criminal law can not be successfully enforced in a locality in which the majority of the citizens are not in favor of it. No way has yet been found that I ever heard of to make a jury of 12 men, upon whom under our Constitution the enforcement of such a law will depend in the last analysis, sustain the enforcement of a law with which that community is not in sympathy.

My experience in life has led me to the belief that so-called local option is the best method of handling the liquor question; that if to the people of each locality, as determined by the policy of the separate States, is left the decision of questions such as are covered by the amendment, laws satisfactory to a majority of the people of the various States and municipalities will ensue and the favorable will of such majority will be a guaranty of their enforcement.

Principally for this reason I voted against this measure before and nothing has been called to my attention since to indicate that transferring the operation of such law from the favorable will of the locality in which it is to be enforced to the action of the Federal Government in places where it may not be regarded with favor will eliminate the drinking of liquor or tend to increase respect for law or to make better the morality of the people.

I am urged to vote for the amendment as a war measure and to protect our soldiers. This would be a strong argument were it not for the fact that the amendment can not be enacted by the different State legislatures within such time as there is any expectation that the war will continue. It should also be remembered that Congress has already legislated for emergency control of this traffic during the war. It has given to the President full authority, which he has already used, to forbid the manu-

facture of whisky and to regulate the contents of beer, and the law now forbids the sale of intoxicating liquors to our boys who have entered the military or naval service of the country.

I have been in favor of such control and voted for that legislation. I voted for the abolition of liquor from the Capitol long before this matter became a living issue. I have further shown my belief in and support of temperance measures by voting for the law that prevents the transmission of liquor into prohibition States, the so-called "bone-dry law."

Moreover, I believe this question is not fundamentally a governmental principle, such as always has had a place in the Federal Constitution. It is a matter of policy, of police regulation. To force all the States to conform to the police regulations of a majority of them will, in my judgment, tend to destroy that self-reliant local self-government which has been the security of our State and Nation since their foundation.

So, because I believe in using the strongest methods of control, those that will nearest aproach the abolition of the evils of this accursed strong drink, and that this will be best accomplished by permitting the citizens of the several States to enact and enforce their own police regulations, I can see my way clear only to vote against the amendment. [Applause.]

I may add that to precipitate the conflict upon the country which would be involved by the passage of the pending amendment by the Congress during the struggle of war among many nations abroad, and in which our country is engaged, would be extremely unfortunate.

Mr. VOLSTEAD. Mr. Speaker, I yield one minute to the gentleman from Ohio [Mr. HOLLINGSWORTH].

Mr. HOLLINGSWORTH. Mr. Speaker, I am not vain enough to think that any words of mine will influence a single vote in this House for or against this resolution. I doubt if there is a single Member of the House expecting to speak on the subject whose vanity exceeds my own in this respect. Manifestly, therefore, the day is to be devoted to oratory for the benefit of the country at large and our individual constituents in particular. On this question, as on all others, I have been frank with my own constituents. No one for or against the proposition has ever applied to me in vain for information as to my position.

I shall vote for the resolution. Therefore I only deem it necessary to explain to those friends who do not agree with me on the subject. I have done this in numerous answers to telegrams and letters sent me by well-meaning constituents within the last few days, one of which answers, as a sample, practically covering the whole subject, so far as my connection with it is concerned [applause], I ask to have read into the RECORD with my remarks.

It follows:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., December 15, 1917.

Mr. FRED A. BUECHE,
Secretary Jefferson County Trade and Labor Assembly,
Steubenville, Ohio.

DEAR MR. BUECHE: I have just received your telegram of to-day, in which you say:

"The Jefferson County Trade and Labor Assembly is opposed to the proposed national prohibition to be voted on next Monday, and respectfully request your vote and influence against same."

The right and courtesy shown by you in this telegram and the many acts of consideration and good will I have at various times received from individual members of your association, and, in fact, from sincere laboring men all over the district, lead me to feel that it ought not to be filed away or pigeonholed without a frank answer and explanation on my part. I have felt grateful and uniformly tried to reciprocate on all proper occasions the good will and courtesy shown me by labor, and certainly I have never entertained a thought of discrimination.

On the general subject of prohibition there is, as you know, a decided difference of opinion in Ohio. The recent State vote on the subject was not decisive—at least was not sufficiently so to deter its friends from bringing up the subject again. But in the congressional district which for a time I have the honor of representing the majority for prohibition was large, as it was also at the previous election when the question was submitted to the voters, so that it might be said to be an instruction on this point to the district Congressman, even if he did not personally agree in sentiment.

Besides, Mr. Bueche, while I have always tried to deal squarely and treat every law-abiding citizen with due respect, respecting the individual judgment of all men in my district, my own home environment, personal thought, and feelings have always been practically opposed to the use of intoxicants in any form.

Again, the question to be voted upon by Congress on Monday is not strictly one of prohibition as you state. It is rather one of whether or not Congress is willing to submit to the people, under the form provided in the Constitution, the question of national prohibition. Such submission is not conclusive of its adoption. This can only come when the people through three-quarters of the State legislatures—that is, 36 of the 48 States—vote they want it.

Over 6,000,000 people have petitioned Congress for its submission, more than have ever before petitioned Congress on any subject.

Really, Mr. Bueche, do you not yourself think that ordinary fairness and consideration for the rights of others require Congress under such circumstances to allow the people to settle for themselves all such questions when an orderly method is provided for it in their organic law? What fair answer can be given to the 6,000,000 petitioners for refusing their request for a vote on the subject? Can we say that the citizenship of the Republic is not to be trusted?

Besides, for me to refuse to so vote would be to stultify a long personal political and official record. As early as 1881, when a member of the Ohio senate, as the journal of that year will show, I voted to submit the question of State-wide prohibition to the people of the State. The next year, 1882, as chairman of the Republican State convention at Columbus, in my opening address, I personally favored prohibition, although it was not then as popular as it is now. Freely recognizing, during the thirty-odd years intervening since I thus began voting on the subject, the right of everyone to exercise his own individual judgment in a political way, I have never sought to hide under a bushel my own record or views, public or private.

It is too late now to begin, if I wished; too late to dissemble even if a candidate for reelection, which I am not.

Labor, organized or unorganized, is the basic foundation of American hope to-day, and I shall not consciously do it an injustice. But, as in other matters, I must follow my convictions of duty. It is the only way that I can preserve my self-respect, and this to me is more precious than public applause.

Therefore, Mr. Bueche, I trust that you and your associates, whose past good will and friendship I have appreciated and shall always remember, will at least in this instance give me credit for honesty of purpose.

With sentiments of personal esteem and respect, I am,
Very truly, yours,

D. A. HOLLINGSWORTH.

Mr. WEBB. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Speaker, the gentleman from New York [Mr. MAGEE] has asked why this resolution should come before the House at this time. I believe there is an answer which is irresistible, and that is that the sovereign American people, who have pledged their entire resources, all they are and have, to the carrying on of this mighty war, demand that this question be definitely settled at this time. If there is any one thing certain in this war-convulsed world, it is that the American people have definitely made up their minds to put the Government out of the liquor business, the liquor business out of the Government, and the liquor business out of business. The people have taken into consideration all of these arguments made here to-day. They have weighed the argument that prohibition does not prohibit and have proceeded to vote their States dry, with the result that liquor is proved to be not above law and that prohibition can be enforced as satisfactorily as any other law. They have listened to the infamous doctrine that the Government would perish were it not for the revenues derived from the liquor traffic, and have decided that they will no longer accept 10 cents in revenue for the sake of paying out a dollar to take care of the finished product of the business. They have weighed the arguments of blear-eyed defenders of personal liberty, and have decided that the personal liberty which means wrecked lives, destruction of property, disease, crime, and degeneracy is a menace to the public welfare and should be outlawed. They have listened to the plea that an army of workers is engaged in the liquor business and have decided to put that army of workers into constructive employment instead of destructive. They have heard of the 300,000 farmers who grow crops to keep the breweries and distilleries running and have decided that the foodstuffs thus wasted shall be preserved for those who are starving for it. They have heard of the millions of tons of coal used in the production and transportation of liquor, and have decided that it can much better be used by those who are freezing without it. They have listened to the argument that compensation is due the liquor interests, and have decided that when those interests compensate the Nation for the damage they have wrought, compensation to the liquor dealers will be considered.

Mr. JAMES. Mr. Speaker, will the gentleman yield there?

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Michigan?

Mr. KELLY of Pennsylvania. Yes; I yield to my friend.

Mr. JAMES. The statement has been made by some people that a man can not be a good munition maker unless he is a whisky drinker. Carrying that idea further, would it not follow that in order to make a good Congressman, in order to make us capable of being good men to legislate and carry on this war, it is necessary to drink so many drinks of grog each day? [Laughter.]

Mr. KELLY of Pennsylvania. Yes. The gentleman, as usual, is exactly right. His question answers itself. The American people are not being duped in this matter at all. They see through the sophistry of these stock arguments in behalf of a notorious evil, and they are ready to meet them at the ballot box.

Above all, Mr. Speaker, the people have considered this mighty war in which we are engaged and which taxes every resource and every atom of our strength. They see every ideal of democracy and Americanism swaying in the balance. They see the liquor interests as a barrier to our victory and they propose to break that barrier down. They propose to destroy this force which endangers our chances of triumph in the holiest cause in which America has ever engaged.

With that decision made in their heart of hearts, the American people are to-day asking their Representatives to submit this

problem to them, that they may settle it in American fashion. The Constitution provides the way, for the framers of that immortal document, wise and great as they were, knew well that new problems would confront succeeding generations, which must be settled by themselves. The 13 original States contained intelligence enough to frame the Constitution; the 48 States today contain intelligence enough to vote upon amendments to it.

Is there any doubt that the people demand this action and that the question is big enough to warrant it? Scan the temperance map of the United States and see where the saloon has been driven out of 88 per cent of the territory of America, with 60 per cent of the population living in that area. See that six out of every seven counties are dry. Note that 15,000 towns and cities have banished the traffic. See the petitions of 8,000,000 people that this question be submitted in constitutional manner. Note that the United States Senate has already answered the people's demand by passing this amendment by the decisive vote of 65 to 20.

In the face of these facts, can any Member doubt that this House of Representatives is charged with the duty of carrying out the will of the people, whose agents they are? No Member can justify his refusal to do that. Not his is the responsibility now of deciding the merits of that question itself. That rests with the sovereign power in this Nation—the people—and they will meet their test by electing 36 State legislatures charged by solemn mandate with their duty—that of ratifying this amendment.

I am glad that this issue is before us in this most memorable year in American history, the one which will be known as the year of decision. Beyond this year all the currents of our history will run in new channels. Definitely, irretrievably, America has taken a new path, and however rocky and rugged the road, she will never retrace her footsteps to the starting place again. The great decision in April of this year has changed the history of the entire world, and even to-day the destiny of unborn centuries is in the molding of the hands of America.

But let no man say that the decision could have been avoided. Conflict between America and Germany was written not only in the stars but in the very fiber and heart's blood of Americanism. There could not be a free America here and a triumphant Kaiser in Berlin. The Prussian idea and the American idea could not live in the world together. One or the other must die.

Just as inevitable was conflict between Americanism and the organized liquor traffic. Let no Member think this decision could have been avoided. These two can not live in peace together in this age. One or the other must die.

Everything which helps Prussian might is hurtful to America; and of all the allies of the Kaiser, giving aid and comfort to those who seek our overthrow, there is none so menacing as the liquor traffic.

The American people recognize this fact. They know that the outlawing of the liquor traffic will be the mightiest blow possible at the Prussian idea, and they are asking the right to strike that blow in peaceful, constitutional manner with the ballot, the invincible weapon of freemen, in their hands.

That is the kind of revolution the American people have decided upon. Those who paint fanciful pictures of revolution in case this measure is passed are totally mistaken. There is not going to be a revolution. There is one. It is not for the liquor traffic, but against it. The great heart of America, throbbing with the aspirations of its workers, its business men, its professional men, all classes, sects, and creeds, is determined to end the ravages of this iniquitous business now and forever.

Mr. Speaker and gentlemen of the House, when this war is ended by victory we shall face some of the most momentous problems in our history. The great task which will be ours of preserving democracy at home, government of the people for the people and by the people, would be made overwhelmingly difficult by the corrupting and debauching tactics of the liquor interests. They have shown their lawlessness in the past; they have polluted politics; they have used the boycott and the black list; they have sought to make cowards of public men.

There is coming a new political alignment in this country, with Americans on one side and anti-Americans on the other. All those who fight under the black banner of corruption and the yellow flag of treason must be lined up so that Americans may know their enemies. That division will be made. That battle will come. The elimination of the liquor traffic in America will mean assured victory to the forces of Americanism.

The adoption of this amendment to-day will be a pledge of moral progress to the world. It will be preparation for the day when America stands guarding a world set free. It will be a mighty blow in that cause for whose advancement we have beaten our plowshares into swords. It will be an omen of good cheer to every forward-looking man and woman in America. It will clear the decks for effective dealing with the problems of war and of peace. It will show that this House dares to meet a great moral, social, and economic problem involving a mighty financial interest and that it trusts the people with the solution. [Applause.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. GARD. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

The SPEAKER. The gentleman from Texas is recognized for five minutes.

Mr. SLAYDEN. Mr. Speaker, this resolution undertakes to deal with the terms of a covenant entered into between sovereignties 127 years ago. It is suggested that that agreement shall be broken and new conditions imposed. It is proposed that a majority of the States, parties to that contract, shall change the terms of the partnership—which is the American Union—and compel a minority of them to accept conditions that were not contemplated when the Union was formed and that are repugnant to them and to at least half the people of the country. It will sow the seed of dissension. It is the overturning and revolutionizing of the Federal Union and the destruction of the States.

Of course, we will have a Government, even if the resolution should be agreed to by two-thirds of the Congress and three-fourths of the States, but it will not be the Government our fathers gave us. The States will have lost their police powers, an essential attribute of sovereignty, and will have lost their control of local affairs. Thereafter the States will be mere expensive political shells, devoid of powers, without souls, and no good reason can be advanced why they should be maintained. As important political entities they will have passed into history. The historian of the future can say with truth that the American Union of free, independent, sovereign States died as victims of tyranny imposed by fanatics and that in its place was erected a strong, centralized government such as Patrick Henry predicted and Thomas Jefferson feared.

The purpose of the first Constitutional Convention, that which met at Annapolis in September, 1786, was to provide, as far as the delegates could, rules of interstate conduct in commercial matters and to care for the common interests of the States and insure permanent harmony between them. Their great purpose was to establish a constitution adequate to the exigencies of the Union, to deal with foreign affairs in the interest of each and all of the high contracting parties, and with the interrelations of the sovereign powers that were making the compact.

The Annapolis Convention was attended by delegates of only 5 of the 13 States. There was suspicion on the part of some of the States that the effort to adopt a constitution might become an assault on their independence and sovereignty about which they were properly jealous, and so some of them refused to attend the meeting. These fears were overcome and finally, although with great reluctance on the part of some, all were brought into the Union by subscribing to the Constitution adopted in the following year.

No one ever questioned the fact of the independence and complete sovereignty of the States in their first political association, the Confederation, as it was called, through which the founders of our Government tried to work out their political destiny. The Articles of Confederation developed certain weaknesses that compelled a new charter. It was provided in the Constitution of the United States and it is not the Constitution of a consolidated State. It is the written terms of the association of 48 separate sovereignties.

The delegates to the Constitutional Convention of 1787 went as the representatives of the States, and all the ability and eloquence of Edmund Randolph and Alexander Hamilton, who were believers in a strong, centralized, national, aristocratic government, could not persuade them to betray the States that sent them.

Few students of the history of that period could be made to believe that the Constitution would ever have been accepted if the plans of Randolph and Hamilton had been agreed to. There are many phrases in the Constitution that reflect the jealous care of men like William Patterson and Oliver Ellsworth to protect the independence of the States.

The Centralists did not rest patiently under their defeat in the Constitutional Convention, but immediately renewed their assaults on the integrity of the States, and the tenth amendment was intended to fix beyond doubt the relation of the States to the Federal Government. It is worth while now to quote the language of that amendment, as it is well worth while for every citizen of the States and of the United States who wants

to know his Government to read and reread the Constitution as a whole. It says—

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

Unlike the resolution now under consideration, which is frankly intended to be a mere police regulation and thus usurp the functions of the States, every one of the existing amendments to the Constitution is meant to be a guaranty of the rights of the citizen, or deals with purely political questions. This is a radical and dangerous departure from the practices of the past. It is, as I have already said, revolution. It does what the Southern Confederacy with a mighty effort failed to do; it breaks up the Union and in destroying the powers of the States sets up a centralized government, which, however, was far from the purpose of the Southern Confederacy.

To accomplish the purpose in the minds of the proponents of this resolution it is not necessary to amend the Constitution and to overthrow the union of the States. The power to regulate or destroy the liquor traffic already exists. Each State now has the right to forbid the manufacture or sale of alcoholic liquors within its jurisdiction and statutes of the United States protect it against shipments from other States. The validity of these statutes has been upheld by the Supreme Court.

But that does not satisfy the supporters of this resolution. The people of prohibition States seek to impose their will on the people of other States, and to do so they are willing to undo the wise work of the founders of the Government. It is certainly un-American; it is rank tyranny and full of danger. Constitutions of great countries are not meant to be vehicles for the carriage of simple laws. That work may be safely left to the wisdom of the various legislatures. Guaranty of rights and the great principles of government are enduring, while a law that is expedient in one generation may be inexpedient and undesirable in the next. The majority may want a certain law now and abhor it later. As democracies are supposed to reflect the views of the majority—and the most rabid prohibitionists in this House say they want that will exercised—it is both unwise and unfair to make a condition where the majority can not do its will hereafter unless it can control two-thirds of Congress and three-fourths of the States.

Suppose the prohibition majority of to-day should become an antiprohibition majority to-morrow, what would the prohibitionists do and what would be the situation? Would they, in their great respect for the democratic principles of the rule of the majority, help us repeal the amendment they now propose? No, Mr. Speaker; they would not. In fact, they want to get the technical advantage of having this clause in the Constitution because under it an antiprohibition majority of the future will have to be so overwhelming before it can enforce its will that it will control more than three-fourths of all the States. Supporters of this measure may be good men, but they are not good Americans, for they will, if they can, deny the right of the majority to rule, and they are not good Democrats or Republicans, although they wear party labels.

Let us, Mr. Speaker, consider another contingency of the future. It is conceivable that after this resolution shall have become part of the Constitution—if unfortunately that should occur—the people may change their views to such an extent that seventy-four out of every hundred voters would be opposed to prohibition. Could they rely upon the American doctrine of majority rule? Not at all, for twenty-six voters out of a hundred, just one more than a fourth of all the voters, with the technical advantage that would be given by the proposed amendment, could defy the 74 and laugh to scorn their efforts to assert a recognized principle of American democracy.

Do you believe, Mr. Speaker, that practically three-fourths of all the people of this country would patiently submit to the indefinite control of the country by one-fourth? They would not, unless they have lost all their spirit and capacity for government, and they would surely find some way of expressing their will even if it involved a new constitutional convention or revolution. This scheme is dangerous from every angle from which one views it.

Where will this movement to control the habits of men stop? It is liquor to-day; to-morrow it may be tobacco, for already there is in existence an important association working to prohibit the manufacture of cigars and cigarettes. Why should not they do so, for they are convinced that its use is hurtful to the body and a needless waste of money? It takes no prophet to foretell that if they should ever find themselves in a majority they will demand laws to prohibit the use of the most delightful and soothing of all the plants a benign Providence has vouchsafed man. Already some States have anticigarette laws, and the advocates of such legislation would certainly like to extend the prohibition to other preparations of tobacco.

Sumptuary legislation seems to appeal to a certain order of mind. It is progressive tyranny, as the history of this legislation shows. Just a little while ago, Mr. Speaker, the prohibitionists in Congress said they could not enforce the State laws against the liquor traffic, because they had no control over interstate commerce, and that they would be satisfied if Congress would give them the right to forbid the introduction of alcoholic beverages into States that had prohibitory laws. Congress complacently gave them what they wanted.

Some of the leaders in the movement on the floor of this House vehemently denied then that it was their wish or design to interfere with the right of an individual to import liquors for his own use. They claimed to be after the traffic in liquor, the saloons, and not after individuals. You know what happened. They have now thrown off all disguise, and, emboldened by these successes, frankly proclaim their purpose to regulate the habits of the individual citizen. They now urge the most outrageous sumptuary laws ever sought to be forced on any people who fancied themselves free, independent men. To-day they tell Americans what they shall drink. How long will it be before they will tell them what they shall eat and wherewithal they shall be clothed and how they shall worship the Lord?

How any man who ever believed in the rights of the States can support such a resolution passes my understanding. How any man who calls himself a Democrat and who believes in the principles and traditions of his party can do so is incomprehensible.

Here is what the great Democratic platform of 1868, on which Horatio Seymour, of New York, made his race for the Presidency, had to say about certain rights of the States and principles of government. It would be well for members of the Democratic Party to read and consider it. It is specially commended to the attention of Members from the South, in which section these doctrines once had their staunchest defenders.

And we do declare and resolve that ever since the people of the United States threw off all subjection to the British Crown the privilege and trust of suffrage have belonged to the several States, and have been granted, regulated, and controlled exclusively by the political powers of each State, respectively, and that any attempt by Congress, on any pretext whatever, to deprive any State of this right, or interfere with its exercise, is a flagrant usurpation of power which can find no warrant in the Constitution, and if sanctioned by the people will subvert our form of government, and can only end in a single, centralized, and consolidated government, in which the separate existence of the States will be entirely absorbed, and an unqualified despotism be established in place of a Federal Union of coequal States.

That plank in the Democratic platform of 1868 refers to the question of suffrage, an issue that came out of the war between the States; but the argument is even stronger when applied to such a resolution as that we are now considering. The question of suffrage is more important than the regulation of the liquor traffic, and I shall vote against its control by the Federal Government, but I can see many more reasons for supporting the so-called Susan B. Anthony amendment than I can for supporting that now before us. Yet, I dare say, some of our friends who sit on this side of the House will be able to persuade themselves that they should vote to take away from the States their police powers over the liquor trade and at the same time deny women the right to vote. Wonderful logic, that! There is no reason why the Constitution of the United States should deal with either, for the States have ample power over both subjects.

The Democratic platform of 1880 declared specifically against sumptuary legislation. That of 1884, when a great Democrat, Grover Cleveland, was nominated, says:

We oppose sumptuary laws, which vex the citizen and interfere with individual liberty.

The platform of 1888 reaffirmed the declaration of 1884, while that of 1892 said:

We are opposed to all sumptuary laws as an interference with the individual rights of the citizen.

The party platform of 1896 reaffirmed the allegiance of Democrats to the great principles announced in other conventions, specifically pledging loyalty to "freedom of speech, freedom of the press, freedom of conscience, the preservation of personal rights," and to all the great doctrines "which the Democratic Party has advocated from Jefferson's time to our own." Furthermore, it denounced "arbitrary interference by Federal authorities in local affairs," which denunciation must apply to the sort of thing now contemplated.

Mr. Speaker, the individual rights of the citizens do not appear to interest many people who call themselves Democrats. Legislation like this is only one step in the encroachment on the rights of the people. The right taken now encourages the believers in a centralized government to assault another in the future. No right, personal or political, will be sacred or safe against the whim of the majority, which, with this resolution agreed to, can impose its will in our social system or in religion.

From control of the person and habits of the people to control of their religious faith is no great step.

I shall vote against this resolution because it is undemocratic, because it destroys the States, because it destroys local self-government and is revolutionary. It is the sort of law that might be written into statutes to protect imbeciles and children, but should never be applied to the average American citizen, whose personal liberty it kills and whose political and religious liberty it puts in jeopardy.

Under the privilege conceded me by the House, I print as part of my speech an editorial, thoughtful and powerful in argument, from the Washington Times of December 14:

On Monday Congress will consider the advisability of changing the National Constitution to make it take the place of local policemen. The proposition is to alter the Constitution to oblige prohibition fanatics that have succeeded in making a servant of the United States Senate through political blackmail, and now find it convenient to alter the Constitution to suit their purposes.

Congressmen from the South are supposed to believe in State rights and State authority. They are considering the proposition to permit the Nation to do police work in the States.

Let them oblige the Anti-Saloon League by making the Federal Constitution an Anti-Saloon League plaything, and the South will formally indorse an ending of State authority and open the way for other kinds of Federal police work that will not suit the South so well.

If Congressmen from the South wish to open the way for future Federal amendments and populate their States with Federal spies enforcing a prohibition amendment, and available for use at elections, and in other ways that might please a new administration after 1920, let them fool with the Constitution now and pull it to pieces in obedience to the orders of Anti-Saloon League threats.

The State police has power to regulate prohibition. Every State has prohibition that wants it; every State can be bone dry if it chooses.

Let the South now force prohibition on New York, Illinois, Massachusetts, New Jersey, Pennsylvania, using the Constitution as a club, and later those States may use the army of Federal spies that this constitutional amendment would create in a manner not exactly welcome to southern statesmen, in a manner that might seriously interfere with Democratic supremacy in the South.

Congressmen from the South, think that over before you meekly bow your necks to the latest Anti-Saloon League order.

This constitutional amendment, if passed in the House, would represent not the convictions of the Congressmen but hypocrisy.

Every Congressman knows that this statement is true.

Every Congressman knows that if the ballot on the constitutional amendment were a secret ballot, making it impossible for the Anti-Saloon League bosses to punish disobedience, the amendment wouldn't pass. Far from getting a two-thirds majority, it wouldn't get one-fifth of the votes in the House.

This constitutional amendment would make labor dissatisfied, with just cause, and injure the Nation's efficiency in war.

It would inject into all of the 48 States a bitter controversy, a savage political fight now, when the Nation needs harmonious united action, freedom from bitterness, and especially freedom from dissatisfaction among the workers upon whom depends success in this war.

A prohibition amendment to the Constitution might be effective as regards the harmless mild stimulants; it would not be effective as against whisky or drugs after a few months.

The habits of the human race can not be changed over night to oblige fanatics. Mr. Hoover, head of the Food Department, told the truth when he said, "Those who wish brewing entirely suppressed should bear in mind that if such a course were pursued the country would be placed upon a whisky basis entirely."

The President has dealt with this vitally important question wisely, conservatively, and effectively, using the power given to him by Congress. He has reduced to a minimum the alcoholic content of beer.

He has forbidden the further manufacture of whisky. This has more than doubled the price of that alcoholic drug. In consequence, official statistics in the State of New York show that drunkenness has diminished by 50 per cent, and the alcoholic wards are practically empty. In New York there is no prohibition, and the consumption of beer among workingmen has increased, while drunkenness has diminished, because those that formerly drank whisky now content themselves with beer.

Cyrus H. K. Curtis, owner of the Saturday evening Post, the Ladies' Home Journal, and the Philadelphia Public Ledger, is an earnest worker for temperance.

Let the many sincere temperance men in Congress read on the first page of this newspaper what Mr. Curtis in his Ledger says about the proposed constitutional change:

"The Constitution has never been the vehicle for declarations of policy. Not even the Monroe doctrine has been incorporated in the fundamental law. To compel all the States to conform to the police regulations of the majority of States would be to destroy local government."

Let Congressmen from the South think over this statement in the paper of one of the most useful and sincere temperance workers in the United States. Let them think well before they "destroy local government."

The fanatics that are forcing this constitutional amendment upon them are planning to send thousands of Federal spies and investigators into every southern community, and those Anti-Saloon League fanatics will be first and most energetic, under some other administration, using those spies in their own particular way.

Congressmen from the South, remember that when you vote for this prohibition amendment to the Constitution you do more than vote to permit a little band of fanatics to control great Northern States and great bodies of workmen, coercing them against their will.

You are proposing to give to the leaders of the Anti-Saloon League thousands of Federal agents to be used as they please in your districts, in your local affairs, in your elections.

You know the character of the Anti-Saloon League well; many of you have described it to this writer and in a manner none too complimentary.

It may seem to you wise to oblige these gentlemen by turning over to them police powers in Northern States, where the prohibition that you approve, for local reasons, is not necessary and not wanted.

Take care how you twist the Constitution in such a way as to give some future Republican President, closely allied with the Anti-Saloon League, a well-organized band of Federal prohibition agents, with wide powers, capable of being made highly useful on election day, in your territory.

Don't be in too much of a hurry to change the Constitution of the United States—you might regret it.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. SLAYDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. STAFFORD. Mr. Speaker, I will have to object.

The SPEAKER. The gentleman from Wisconsin objects.

Mr. SLAYDEN. He will relent later. [Laughter.]

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. GRAHAM].

The SPEAKER. The gentleman from Illinois is recognized for five minutes.

Mr. GRAHAM of Illinois. Mr. Speaker and gentlemen, this resolution proposes to submit to the people of the United States the question as to whether the sale and manufacture in and the export from and import into the United States of intoxicating liquors for beverage purposes shall be prohibited. In my view of the matter but one main question presents itself to us for solution, namely: Is it wise and advisable for the Congress to submit this matter to the people of the United States in gross for determination? There may be other collateral questions involved here, but only in so far as they affect the main question that I have stated. We are not now discussing the moral question of whether the use of intoxicating beverages is wrong or is right; it is rather for us to say whether the people of the United States, as a whole, shall have a right to pass upon this question or whether they shall not.

Those who oppose this resolution strenuously contend that the manufacture and sale of intoxicating beverages are local matters and should be left to the jurisdiction of the States and their respective municipal subdivisions, while those who favor this resolution contend that it is a national question. The framers of the Constitution, having in mind, no doubt, the many differing customs, rules of living, and methods of self-government that had grown up with the widely separated American colonies, wisely concluded to preserve to each colony, thus to be made into States, as great a measure of local self-government as was possible, but that when the activities of one of these States might overlap and conflict with the activities of any other, the jurisdiction of the common General Government would obtain. So far as I can read our history there was no other underlying reason for the retention of State and local governments.

As the years have gone by our boundaries have expanded and our population has increased wonderfully, until the peoples of the sparsely settled colonies have flowed together and filled up the waste places. And when they began to flow together the activities of the people of each State began more and more to affect the peoples of other States. More Federal regulation became day by day more essential to the mutual welfare of all the people. Questions that were local and sectional in colonial days became national as the Nation developed. The development of home industries, at first local, became a national question, and the great Republican Party was founded, in part at least, on its demand that the protection of American industries be made a national question, a view that just now the bitterest enemies of that doctrine, the members of the Democratic Party, are preparing to embrace, and which before the lapse of three years they will be openly espousing. The question of human slavery, at first local, became national, and the recorder of human history turned a bloody leaf in writing it down as such. The development of the waste lands by homestead laws, by irrigation projects, and by flood control, and the national banking system were made necessary by these interlapping activities of the people of the States. But it is in recent years that the most surprising developments of national activity are to be observed. The antitrust laws, the interstate-commerce acts, the so-called Mann Act, the Federal reserve banking act, the pure-food laws, the farm-loan act are some of the evidences of broadening national power. I do not speak now of the many acts by which we have concentrated in the National Executive extraordinary powers in this time of war; they are powers that will disappear when the war is over. But I speak of the widening circle of Federal authority in times of peace. These are not usurpations of local authority, but are the natural and legitimate result of our growth of population. As our people become more homogeneous and nationalized we shall irresistibly be forced to strengthen our National Government. If the Constitution does not warrant it, then for the public welfare the Constitution must be amended. For instance, the time must come, and come soon, when we shall have a national law merchant and uniform rules and laws as to negotiable instruments and bills of exchange; we all appreciate that there must be a uniform law regulating marriage and divorce. At an early date there must

be increased Federal control over public utilities. While this war is in progress we may by our war powers do what must be done; but no one can view the future after the war is over, and all the mighty questions are to be adjusted without misgivings; when the nations turn to peace and suddenly we go back to our tasks, does anyone doubt that there must be Federal control to a degree never dreamed of by the founders of the Government?

Now, the only question in my mind is: Is the sale and manufacture of intoxicating beverages such a matter as to seem to call for Federal control? In the matter of its shipment from State to State it certainly does; but that power is already enjoyed by the General Government. Does the mere matter of its manufacture and sale in one State affect the people of other States so that the national good may require that it be regulated or stopped? I can not come to any other conclusion than that it does. The best scientific information I have, together with my own personal knowledge and experience, teaches me that the physiological effects of intoxicating beverages are harmful; its habitual use weakens and enfeebles a majority of its users. Many incidental evils travel in its wake, and these evils are not confined locally, but may and do affect the whole body politic. The whole structure of government is kept up by all of us; from it we derive equal benefits. The people of my State have a right to know that the people of Indiana or Iowa, our partners in this governmental enterprise, are not pursuing a course that leads to poverty, weakness, and disease; they have a reciprocal right as to our actions. We have an equal interest in the health and welfare of each other, for side by side we must work out the problems of peace, and side by side we must perform the onerous duties of war. Dismiss the matter of morals, if you please. Put it on the simple ground of national efficiency and economy and we must be forced to the unalterable conclusion that this is a national question and one that the people as a whole ought to have the right to settle.

This question has perplexed the people of all the States since the formation of the Republic. It has been a constant source of dissension and political controversy. Let the people decide this matter. He who opposes this resolution must do so with the idea that three-fourths of the people of the United States do not have a right to decide this matter. I do not agree with this contention, and because I do not, and because I do believe this to be a national question, I favor the submission of the resolution to the people for a vote.

The SPEAKER. The time of the gentleman has expired.

Mr. GRAHAM of Illinois. I ask unanimous consent to extend and revise my remarks.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend and revise his remarks. Is there objection?

Mr. STAFFORD. Mr. Speaker, I shall have to object.

At the request of the gentleman from Pennsylvania, I yield to the gentleman from Oregon [Mr. McARTHUR] five minutes.

Mr. McARTHUR. Mr. Speaker, if there ever was a time when this Nation should be united in spirit and in purpose rather than torn asunder by internal dissension, it is now. We are active participants in the greatest war in history, and our people should be standing shoulder to shoulder against the common enemy rather than quarreling among themselves over questions that might be better settled after the war. To inject a question such as national prohibition will not tend to solidify the people of the country in support of a common cause, but will so upset business, economic, and political conditions that the war will become of secondary importance in the minds of millions of people. The campaign that will naturally develop for and against the adoption of this amendment by the legislatures of the various States will create much bitterness, will call for the expenditure of large sums that would serve a better purpose if invested in Liberty bonds or donated to the Red Cross, and will lessen the public interest in the war. As proof of this, I have only to cite the prohibition elections that were held last month in some of our large States and cities.

To those who contend that this is a war measure let me say that it will be at least two years before the requisite three-fourths of the States will hold sessions of their legislatures; and granting, for the sake of argument, that the amendment will be adopted as soon as the legislatures have an opportunity to vote on it—which is extremely doubtful—there is a proviso that it shall not become operative until one year after its final adoption by the last of the necessary 36 States. This means it will be at least three years before national prohibition can become a reality. Let us fervently hope that the war will be over before three years have elapsed.

We have already suspended the manufacture of distilled liquors for the period of the war; have given the President authority to suspend the manufacture of malt liquors and wines, to commandeer and take over for governmental purposes liquors of all kinds, and to reduce the alcoholic content of such malt liquors as may be manufactured during the war; and, in addition to this, have prohibited the sale of liquors in and around military camps—and, incidentally, all of these propositions have had my unqualified support—but we can not by the widest stretch of the imagination classify the pending amendment as a war measure. Anything in the nature of a war measure must of necessity be temporary or provisional, to be altered or set aside at the close of the war. There is nothing of this character attached to this proposed amendment. It is to be a permanent proposition—an amendment to the organic law of our country—and, when once adopted, can not be repealed except by two-thirds vote of both branches of Congress and affirmative action of three-fourths of the legislatures. No change in the organic law of the country can be regarded as a war measure, and we must not delude ourselves by any false notions concerning this amendment. Its passage by Congress will not make the winning of the war easier, but, by plunging the country into the vortex of internal strife, will make it more difficult.

If this amendment is approved by Congress and sent to the States for approval or rejection, the question of standing by the administration and supporting the war will become secondary in the minds of several million radical prohibitionists and extreme antiprohibitionists when next year's elections are held. The general fitness of candidates and the all-important test of loyalty to the Government will be lost sight of in the campaigns that will hinge on the attitude of candidates on the question of prohibition. The result will be the election to office of numerous unfits who would never be heard of in an ordinary election.

The Anti-Saloon League and other agencies who have been so insistent in demanding the passage of this amendment by Congress have assumed a grave responsibility. They are going too fast and too far at a time when their energies might better be spent in constructive movements against bootlegging, moonshining, and other violations of the liquor laws on our statute books. They would serve a better purpose by conducting a campaign of education against liquor rather than precipitating a question that will create ill feeling and recrimination among millions of our people.

I can not agree that a vote in Congress for national prohibition is merely a "referendum," and that the responsibility in the matter rests with the States. Under our dual system of government a proposed amendment to the Federal Constitution must first pass both branches of Congress by a two-thirds vote in each branch and then be ratified by the legislatures of three-fourths of the States. There is no such thing as a referendum, for this implies a popular vote rather than a vote by the legislature. The act of amendment is, in the first place, an act of Congress expressing its judgment upon the question at issue, and the action of the States is secondary, a check upon the action of Congress and not a substitute. The Constitution says nothing about "submitting" an amendment to the States; it says that "the Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution," and that these shall become valid "when ratified by three-fourths of the States." The function of Congress in this matter is not purely ministerial, but is an essential element in the process of amendment. Were there any possible room for doubt as to this point, it would be removed by the consideration that a two-thirds vote in each House is required for the adoption of an amendment. Under the theory of "submission to the States" of a proposal for their legislatures to decide, surely a bare majority in Congress would be sufficient; but the idea of the framers of the Constitution was that a proposed amendment should, first of all, stand the test of commanding not only ordinary approval in Congress, but the emphatic approval embodied in a two-thirds vote of both Houses.

The constitutional provision which says an amendment may be adopted and sent to the legislatures "whenever two-thirds of both Houses shall deem it necessary" places upon the individual Senator and Representative a responsibility which he can not escape on the plea that he is voting for a "referendum," particularly where no such instrumentality as the referendum exists.

I hold no brief for liquor or the liquor traffic—particularly for that sink hole of iniquity known as the saloon—but I can not and will not be a party to any movement that I regard as inimical to the best interests of my country. I shall, therefore, vote against the amendment, not only for the reasons stated

but for the additional reason that the district which I represent, the people to whom I am accountable, voted against bone-dry, State-wide prohibition by a majority if 9,799 votes on the 7th day of November, 1916, the day that I was elected to my present term in this Congress. If I were to vote affirmatively on this question, I would deliberately misrepresent, not represent, the expressed wishes of my constituents.

In the language of our President in his great message of December 4, "our present and immediate task is to win the war, and nothing shall turn us aside from it until it is accomplished." The President appreciates the gravity of the situation; he not only defines our purpose, but he sounds a warning against questions that are beside the issue. Let us, therefore, keep our course clear and not wreck the ship of state on the shoals of internal dissension. [Applause.]

I yield back the remainder of my time.

The SPEAKER. The gentleman from Oregon yields back one minute.

Mr. VOLSTEAD. I yield two minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Speaker, Tennessee has successfully tried prohibition for six years. It has worked so well that both political parties are committed to it, and no political organization in that State would dare attempt to make a fight for its repeal. A law which has emptied the jails in Tennessee and virtually wiped out the criminal side of the dockets of the courts will do the same thing in every State in the American Union. [Applause.] King Alcohol has filled the world already with enough misery, with enough murders, with enough insane people, with enough unhappy wives and unfortunate children. Let us dedicate ourselves this day and this hour to the improvement of American manhood and womanhood by voting to make America the best country on the face of the earth. [Applause.] While our soldier boys are fighting to make the world free and safe, let the American Congress make the United States better physically, mentally, and morally. I predict that when the two great political parties in this country next assemble in their national conventions they will both adopt platforms favoring prohibition and woman suffrage. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Idaho [Mr. SMITH].

Mr. SMITH of Idaho. Mr. Speaker, I am heartily in favor of this resolution. I am sure that there is not a Member on this floor, be he for or against this resolution, who does not admit to himself that the liquor traffic is and has always been the cause of a large proportion of the crime, poverty, and inefficiency throughout the land. And yet, when it is proposed to legislate upon this question, with the view of curtailing the sale of liquor, certain influences attempt to throw every hindrance in the way of securing such legislation. Under ordinary conditions, those engaged in the liquor traffic make no apology for their business, but when cornered they fall back upon the stale arguments of "personal liberty" and the alleged right of the individual to do as he pleases. This argument is so absurd that it is scarcely worth answering. The first law of society is that individuals shall not be permitted to do that which, although considered beneficial to themselves, may be injurious to others or to the community at large. The statute books, both National and State, are full of restrictions founded upon that principle. Obnoxious factories can not be operated if injurious to the health or comfort of those in its vicinity. A butcher is not permitted to offer for sale unsound meat, nor the grocer adulterated food. The public gaming tables or devices are not permitted to operate, because it is considered criminal to even tempt a man to risk his property, or to provide himself with the means of squandering the substance of his family. Indelicate or indecenct exhibitions are not permitted because of the danger of debauching the minds of the people. No one is allowed in any well-regulated city to drive a team or automobile along the left side of a street. Nor are persons under the influence of liquor allowed to operate a car because of the danger to others.

Why, then, should there be any reluctance in restricting the sale of alcoholic liquors when their baleful effects on health and life are acknowledged by every disinterested person. We legislate to prevent the spread of poverty, crime, and disease. The use of intoxicating liquors produce all of these, and are we not justified in legislating to prevent the progress of its devastating influence?

The liquor interests urge the solving of the problem of intemperance through moral suasion or education, but have they ever been so inconsistent as to endeavor to either publicly or through the press attempt to influence the people to drink less? Do they hire lecturers to go throughout the country and hold meetings and tell the people of the injurious effects of drinking too much liquor? Do they have any newspapers or magazines print any such arguments? As a matter of fact, do they do anything toward attempting to influence the people, by education or moral suasion, against the use of liquor? How absurd and inconsistent their position. Instead of urging the people to drink less, they spend millions of dollars in advertising and extending their business in every way possible.

The only person engaged in the liquor traffic who has offered any solution of the evils of intemperance is that high priest of the trade, August A. Busch, president of the Anheuser-Busch Brewing Co., of St. Louis. I read from an article which appeared in the press recently which may be of interest:

ST. LOUIS, *December 5.*

August A. Busch, president and principal owner of the Anheuser-Busch Brewing Co., is starting a propaganda to combat the growing prohibition movement in the United States. The chief features of the scheme are:

First. A strict enforcement by State authorities of all excise laws.

Second. The establishment throughout the country of the German saloon system, which permits only beer, light wines, and temperance drinks to be sold in dramshops.

I wonder how popular it will be with the people of this country to have ingrafted upon us the German saloon system?

Third. Cooperation by brewers and State authorities to close up every saloon the owner of which does not obey the excise laws.

Can any of you point to any liquor dealers in this country who are cooperating toward enforcing the law against the enactment of which they fought so bitterly?

Fourth. The abolition of treating in saloons, to discourage drinking to excess.

How inconsistent he is in suggesting a plan to diminish the sale of his own wares.

Fifth. The discontinuance of bars in saloons, substituting service at tables at which customers will be seated.

How many of those who frequent the saloons would drink less if they sat down than if they stood up? How absurd. Yet that is Mr. Busch's plan for solving this great problem. My impression is that the American people will be no more likely to adopt the plan suggested by Mr. Busch to regulate the liquor traffic in this country than they will to take the suggestions of the Kaiser as to how we should conduct the war.

Mr. Speaker, because of the scarcity of sugar throughout this country the dealers, especially in the eastern part of the Nation, have been urged to sell not more than 2 pounds per day to any one customer, and yet over 70,000,000 pounds of sugar are annually used in the manufacture of beer, and in nearly one-half of the States in this Union the saloons are open. There is no limit upon the quantity of foodstuffs that may be used in the manufacture of malted liquor. Because of the scarcity of coal the public schools have been closed in some of the Eastern cities, union meetings are being held in the churches to save fuel, universities are being closed, and inmates of the hospitals are suffering from the cold, yet the chimneys of the breweries throughout the United States, where prohibition is not in effect, are belching forth the smoke from the thousands of tons of coal that are being burned to manufacture beer. What consistency.

Does it pay to permit a traffic which annually destroys 175,000 lives and the use of nearly $3,000,000,000 in order that a certain class of individuals should not be disturbed in their hurtful business? Does it pay to permit the continuation of a business which breeds paupers, lunatics, and criminals? Does it pay to enlarge our jails, asylums, and almshouses to take care of those who occupy these institutions as a result of the liquor traffic? Is it good sense to refuse to admit criminals to this country, as provided in our immigration laws, and allow a traffic to exist which manufactures them within our own borders? Does it pay to send missionaries abroad to Christianize the heathen and permit a business at home that results in the degradation of our own people? Does it pay to waste—yes, more than waste—millions of bushels of foodstuffs when the price of living is soaring day by day, because of its scarcity, in order that the liquor traffic may continue to exist?

If those engaged in the liquor traffic and those who are upholding the business had their way there would not be a prohibition State in this Union. There would be a saloon in each end of the Capitol, as was the case about 15 years ago. There would be the canteen in every Army post in the country, where liquor might be bought, instead of the law which is now upon our statute books preventing the sale of liquor to soldiers in uniform. There would be in the city of Washington eleven hundred open saloons, or more, instead of there being none as at present, under the prohibition law which has been in effect but six weeks.

The SPEAKER. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Speaker, there are two arguments advanced here against the proposed constitutional amendment.

One is that it has no place in the national Constitution, and the second is that it would interfere with the proper conduct of the war.

As to the first, it has a place in the national Constitution, for the reason that State prohibition, local prohibition, can not completely prohibit. I come from a State that has had State prohibition for 70 years, by the most drastic State laws the human mind could devise, and what is the result? From the wet State of Massachusetts, the wet State of New Hampshire, from the license cities of Portsmouth and Boston, on every train, on every steamboat, on nearly every auto that crosses the border the agents of these liquor dealers from the wet States bring intoxicants into my State. Under the cover of darkness, while the people of my State are asleep, these agents of the liquor traffic steal in to rob, plunder, and murder my people. The same is true of every county, every township, and every city that is dry and is up against a wet locality.

Mr. SABATH. Will the gentleman yield?

Mr. HERSEY. No. Here in Washington you have passed a dry law, and it is being violated by wet Baltimore every hour in the day. You never can have bone-dry prohibition until you have it through a national amendment to the Constitution.

As to the war, we must conserve our food resources if we are to win the war. It is utter nonsense to try to win without it. The greatest waste of our resources to-day is caused by the breweries of this Nation.

I want to say that we ought to learn something from history. Rome, once a great world power, collected her people into a great city and then sent her soldiers abroad to conquer her foes. She then took her resources—her foods, grains, and fruits—and converted them into strong drink and said, "Let the dance go on, the soldiers can take care of themselves." What happened? Why, her armies never came back. Her enemies thundered at her gates, and "where the temples of the Cæsars stood the lean wolf unmolested makes her lair."

Mr. Speaker, I hope it will never be said of America that she gave her soldier boys to die to save democracy to the world but herself she could not save. [Applause.]

Mr. GARD. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Speaker, Senate joint resolution 17, now under consideration, provides as follows:

The manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

This measure, when passed by a two-thirds vote of both branches of Congress and ratified by the legislatures of three-fourths of the States, will become a part of the Constitution of the United States, which every person who holds a public office, from President to constable, will be required to take a solemn oath to support. By this measure it is proposed to confer upon the Federal Government the sweeping police power necessary to enforce this drastic piece of legislation in all of the States and territory under the American flag.

A proposition so radical and revolutionary as this, which proposes to repudiate the principle of home rule and local self-government, to invade and violate the reserved rights of the States under the tenth amendment, to deprive them of a material source of their present income, and to take from them and confer upon the Federal Government the police power over what has always been considered and recognized as a subject of State and local jurisdiction and control, ought not to originate in, much less be passed by, the American Congress.

If this measure passes the House by a two-thirds vote and is approved by a bare majority of the legislatures in 36 of the 48 States of this Union it will become a part of the organic law of this Republic, although a large majority of the people of the United States may be opposed to its adoption.

Under the peculiar system of representation in the legislature which prevails in many States, by which the land area instead of the population is represented in their lawmaking body, it frequently happens that the legislature is not representative of the great body of the people of the State.

Some of the New England States have a system of town and township representation in their legislatures regardless of the population that they contain, which creates a rotten borough system and denies equal representation to the great body of the people residing in the populous centers. Under the constitution of my own State, as amended some years ago, each county has a member of the house of representatives, regardless of its population. Omitting the 15 largest counties, the average population of the remaining 73 is but 30,853, while the populous counties have under the last apportionment only one additional member to each 47,671 inhabitants. So that in many States of the Union in which the people have rejected State-wide prohibition by large majorities the legislatures would probably ratify this amendment if given an opportunity to do so, and the action of the legislature in so doing would not be subject to review by the people, even in those States which have the initiative and the referendum provided for in their State constitutions; and even if all members who vote to ratify this amendment should be defeated for reelection and be succeeded in office by Representatives opposed to the amendment, the ratification of the State could not then be withdrawn. This was determined when the fifteenth amendment to the Federal Constitution was ratified by the legislatures of the several States; a majority of the people in most of them repudiated this action of their representatives by defeating them for reelection, but it was held that the previous action of the legislature was final and irrevocable.

The admitted purpose of this constitutional amendment is to override and nullify the action of a number of the larger States of the Union which have rejected State-wide prohibition. No power is given to Congress by the Constitution to submit this or any other proposed change to a vote of the electors, either as a whole or by and through the States. The nearest Congress can come to giving the people of the several States a voice in the adoption or rejection of this proposed amendment is to submit it to constitutional conventions in the several States elected for the purpose of passing upon the question, but the proponents of this measure are unalterably opposed to giving the people of the States a voice in the matter, even to that limited extent, and will promptly vote down an amendment proposing to do so, as was done when the measure was under consideration three years ago.

Article 10, amendments to the Constitution, provides—

The powers not delegated to the United States by this Constitution nor prohibited by it to the States are reserved to the States, respectively, or to the people.

This proposed joint resolution is a bald, naked, and palpable repudiation of the letter and spirit of the tenth amendment to the Federal Constitution, the adoption of which was necessary to secure its ratification by the requisite number of States.

This joint resolution proposes to outlaw by prohibiting the use of many hundreds of millions in value of property now utilized in the production, manufacture, and sale of vinous, spirituous, and malt liquors, and to clothe the Federal Government with the police power necessary to enforce this destructive and confiscatory enactment. It is proposed to do this by a majority vote of the legislatures of three-fourths in number of the States of this Union. Eleven of these States—Arizona, Delaware, Idaho, Montana, New Hampshire, New Mexico, Nevada, Vermont, Rhode Island, Utah, and Wyoming represented on the floor of this House by 18 Members and in the Senate of the United States by 22 Senators—had, by the census of 1910, an aggregate population of 3,365,953, while by the same census the State of New York had a population of 9,113,614. Neither of these 11 States had as many people as the city of Cleveland, Ohio, at that time, and all of them combined had 1,400,000 less people than the city of New York. Here we have the impelling force behind this proposition, because the people of States like New York, Pennsylvania, Illinois, Ohio, Texas, Missouri, Massachusetts Indiana Wisconsin, and New Jersey refuse to conform to the ideas of rural and sparsely settled States, like the 11 I have named, the latter propose to join with the other small and sparsely settled States of the Union and by their preponderating power in numbers, each State having 1 vote on amending the Constitution, to force this amendment on the 10 States last mentioned, whose combined population by the census of 1910 was in excess of one-half the total population of all the States in the Union.

The injustice of this proposition is so apparent that even some of its advocates have sought to delay or mitigate the evil of its enactment by requiring action upon it by the several States within a limited time and by postponing its operation one year after it would otherwise become effective.

There is grave doubt as to the legal power of Congress to limit the time within which the requisite number of States must ratify this amendment, and if that provision should be held to be inoperative, it will remain open for adoption by the legislatures of the several States for an unlimited period. Its rejection by a majority of the States, or by all of them, would not settle the question, and its submission by Congress will simply open and keep open, for an unlimited period of time, a raw and bleeding sore on the body politic of every State in this Union to the exclusion of intelligent consideration of every other public question, however pressing.

It is proposed to postpone the operation of this drastic legislation one year after it has been ratified by the requisite number

of States. Is this not an admission of the injustice of the proposition? If it is a wise, just, and proper enactment why defer its operation one year or any other period of time? Why do the advocates of this measure try to shrink away from and defer the consequences of its enactment? Is it because they believe that it will result in financial disaster and ruin?

The enactment of the Webb law and the Reed law removes the only possible justification or excuse for this measure. By the terms of these statutes the several States of the Union may by their own enactment render themselves entirely immune from the importation or transportation to any point within their boundries of intoxicating liquors. The truth is that many men who will vote for this measure do so against their own best judgment and under political duress.

No provision is made for compensating those of our citizens who have large sums of money invested in the manufacture and production of spirituous, vinous, or malt liquors. The enormous increase in the sale of the many different varieties of patent medicines containing large percentages of alcohol throughout prohibition territory in the United States, whereby the consumption of spirituous liquors has actually increased with the growth of dry territory, will probably prevent any loss and damage by the manufacturers of whisky and other hard liquors. The constantly increasing demand in dry territory of alcoholic liquors for "medicinal" purposes, although sold in the form of patent medicines, will no doubt continue to increase with the increase in so-called dry territory; but wine and beer containing a very small percentage of alcohol can not be thus mixed and sold, and their manufacture and sale would stop if this measure could be enforced. No provision is made in this joint resolution for supplying the deficiency of between three hundred and four hundred millions of dollars annually which will be lost to the public revenues of the United States by the adoption of this measure, to say nothing of the loss of revenue to the States and their different subdivisions. The consequences of this legislation have not been fully considered by its authors and proponents.

Would the people of States like New York, Pennsylvania, Ohio, and Illinois, after having this amendment forced upon them by the legislatures of such States as New Mexico, Nevada, Wyoming, and Arizona be disposed to enact the necessary legislation to enforce it? The question answers itself.

The only recourse, then, for its enforcement would be through deputy United States marshals. How many would be required for a serious attempt to enforce such a law no one can even estimate. The only result certain to follow its adoption is a complete breaking down of the whole system of attempted law enforcement by the National Government, and a sickening disregard of this and all other laws as a natural consequence. If it should be adopted a majority of the States would soon wish to repudiate it, and it would hang like a millstone about the neck of this Nation until three-fourths of the States could be induced to join in its repeal.

But we are told that all these considerations must be disregarded because the country is engaged in war and we should adopt prohibition as an "efficiency measure." We have been solemnly urged to profit by the mistakes of the other nations engaged in this war, especially the mistakes of our allies. The only one of the allied nations to adopt prohibition was Russia, where the manufacture and sale of their alcoholic stimulant (vodka) was a Government monopoly. The czar by an imperial ukase adopted prohibition, and it resulted in the loss of his imperial crown and scepter and the national demoralization and anarchy which now obtains in that unhappy country. If nation-wide prohibition promoted efficiency in Russia nobody has discovered any evidence of that fact.

The only other nation engaged in this war to attempt even to restrict the manufacture or sale of intoxicating liquor was England, who, in the first year or two of the war limited the amount of grain which might be used in the manufacture of beer, but this restriction, I understand, has since been removed.

The contention that by outlawing and destroying hundreds of millions of dollars in value of the property of our own citizens we would thereby promote the efficiency of the people of this Nation in the prosecution of this war, or for any other purpose, is the wildest delusion that ever took possession of a human brain. Every man of common sense and business judgment knows that the enactment into law of such a drastic and revolutionary measure as this will embitter against the Government thousands of our citizens, whose property will be thereby destroyed or its value greatly reduced by its enactment. To secure the united and hearty support and cooperation of all of our citizens in the successful prosecution of this war, in this the greatest crisis in the Nation's history, ought to be the aim and effort of all good citizens, including Members of Congress. This act will repel and not attract such support and cooperation.

But we are told with vehement emphasis that the proposition to force this measure upon the different States of this Union, which have rejected prohibition and adopted regulation as a means of providing against the evils resulting from the sale of intoxicating liquors, is a moral question which justifies the invasion of the reserved rights of the States and the repudiation of the principle of home rule and local self-government, upon which our dual system is based. If by this it is meant that legislative prohibition raises the standard of morality in the prohibition States above that of similar States having a system of regulation I emphatically deny it and cite the experience of the New England States as examples, all of which have had prohibition at one time or another and all of which have abandoned it with but one exception. There is not much virtue in the term applied, either to an individual or to a system or policy of government. No improvement will be noted in the odor of a jimson weed by calling it a sunflower.

"That which we call a rose by any other name would smell as sweet."

These gentlemen from the rural districts who propose to assume the guardianship over the morals of the people who reside in the great and populous States of this Union are reminded that the great mass of the people of those States were born and have grown up in their own Commonwealths, are more familiar with the people and institutions of their own States than nonresidents possibly can be, and that the morals of the people, so far as the same are affected by what they eat and drink, are not likely to be improved by outside interference.

There is probably invested in property used in the manufacture, production, and sale of spirituous, vinous, and malt liquors, by people residing in the territory covered by this joint resolution, more than one thousand million of dollars. It is proposed by this measure to outlaw this property by prohibiting its use for the only purpose to which it is adapted and to place it in the same category with gambling implements and burglars' tools without notice and without compensation.

Whatever may be our opinions of the business of producing, transporting, importing or exporting, or selling intoxicating liquors, the wholesale confiscation proposed by this measure does present a moral question of much graver magnitude and consequence than is involved in the desire to regulate the appetites by controlling through one enactment the business relations and personal habits of all the people who live under the American flag. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield two minutes to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Speaker, I shall not attempt in the short time allotted me to debate the merits of this resolution. I am for it because I believe that whisky, with all of the misery and woes that it wears, should be driven from the haunts of this Nation. I think the time has come now to do that. My purpose in rising, however, is to call the attention of the House to section 3 of this resolution, concerning which I am very apprehensive. I opposed it as a member of the Committee on the Judiciary, and I intend to move to strike it out. The third section of this resolution declares that this amendment shall be inoperative if not acted upon by three-fourths of the legislatures of the States within seven years. Article V of the Constitution says that a constitutional amendment submitted as we propose to submit this shall be operative when acted upon favorably by three-fourths of the legislatures of the States. There is no time limit in the Constitution. The amendment is submitted until enough legislatures have passed upon it to indicate whether or not it will be approved by three-fourths of them. If this constitutional amendment shall be approved by three-fourths of the legislatures of the States in seven years and six months after it has been submitted, it will meet every requirement of the Constitution, because the Constitution says that it shall be operative when three-fourths of the legislatures of the States approve it. The reason for my apprehension is this: I believe this section 3 is unconstitutional. I do not believe it is worth the paper it is written on; but if section 3 should be held by the courts as the section which induced the passage of this resolution, then the resolution itself is void. Section 3 is a joker. It ought to be cut out of this resolution. Never before has there been in any constitutional amendment submitted to the legislatures in the history of this Nation a time limit. For the first time in the history of the Nation you find a time limit that is diametrically opposed to that article of the Constitution which grants authority to make the submission. It ought to be cut out. It is dangerous to leave it in.

Mr. WEBB. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. STEELE].

Mr. STEELE. Mr. Speaker, I shall confine my remarks to section 3 of this proposed amendment. It is true, as the gentleman from Nebraska [Mr. REAVIS] has said, that this is the first time that a limitation of time has been placed on the States for acting upon any proposed constitutional amendment, but the fact that a constitutional power has never been exercised by Congress is no argument whatever against its existence. The question was raised when this resolution was upon its passage in the Senate, and while I admit that there was some conflict of opinion among the best constitutional lawyers in the Senate, the preponderence of opinion, the very large preponderance of opinion, was in favor of the exercise of the right. As was stated upon the floor of the Senate, this resolution would not have been passed by the Senate if it had not been for this limitation placed in the resolution. I propose to show that this is a perfectly proper limitation and one that should be placed in the resolution. Otherwise, when a proposed constitutional amendment goes out to the States it rests there for agitation for all time without any limitation whatever, and, as I understand it, there is one constitutional amendment that was proposed more than 100 years ago that is still out, and if the contention of the gentleman is correct it could still be acted upon by the States, although it has been forgotten for more than a century of time and is not now a living question.

But let us look upon the language of the Constitution and ascertain whether, in accordance with the legislative and judicial practice under that amendment, the contention is correct. This article which permits Congress to submit amendments provides as follows:

> The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution when ratified by the legislatures of three-fourths of the several States or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress.

Then in Article I, section 8, it is further provided that Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing power and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.

Therefore, so far as the power vested in Congress is concerned, it is a general power, without any limitation, without any prohibition upon the exercise of that power, and it is practically raising the old question which has been in existence from the time of the organization of this Government, the question of strict construction, the question of liberal or rational construction, which was raised in the first Congress under the Constitution, when provision was made for the establishment of the United States Bank in 1791. There was no express power in the Constitution to establish a bank. Nothing is said in the Constitution upon the subject whatever. Provision is made, however, that Congress shall have power to lay and collect taxes and regulate interstate commerce, and because of this provision in the Constitution it was held to be one of the implied powers to carry out the express powers which had been conferred upon the Congress, and the Supreme Court subsequently held that it was a proper exercise of power.

Now, take your own experience here as Members of this Congress. The power is given under the Constitution, under the most general language possible, to declare war. There is no specific power conferred as to how war is to be carried on, nor is any power expressly conferred as to what shall happen after the declaration of war is made by Congress. Yet it has been held by the United States Supreme Court, acquiesced in by every Congress, that the mere general power to declare war includes the power to carry it on to a successful issue with all the means at hand by Congress, and one of the first things done by this Congress after the declaration of war was to pass a conscription act. Can anyone point to anything in the Constitution specifically authorizing the passage of a conscription act? I defy any to do so; and yet the power to pass the conscription act is under the general power conferred under the Constitution and has never been questioned by this House. Subsequently you passed a food-control act. Can anyone point to any specific power in the Constitution to control food, to enter every private house in the land and regulate what they shall do in the matter of food? It is simply under the general power to declare war. We then passed an espionage act. Is there any specific power in the Constitution to pass an espionage act? There is none. And so with all the legislation that we have enacted as war measures during this term of Congress, there was no specific warrant in the Constitution to pass, and it was only under the implied power that was given when the express power was given to declare war. And the same way with many other provisions in the Constitution.

We have upon our statute books a penal code. Can anyone point to any language specific in the Constitution that authorizes Congress to pass a penal code or to declare any offense a crime? It does not exist. It is simply part of the implied power conferred upon Congress, and this is under the interpretation of the Constitution the Supreme Court has repeatedly sanctioned. The Constitution used general terms, and whatever is prudent and proper and necessary to carry out those general and express powers are within the powers of Congress. The general power that has been conferred includes in it all that is necessary or proper to make it effective. Here is what Justice Story says upon this subject:

> The Constitution unavoidably deals in general language. It did not suit the purposes of the people in framing this great charter of our liberties to provide for minute specifications of its powers or to declare the means by which those powers should be carried into execution. It was foreseen that it would be a perilous and difficult if not an impracticable task. The instrument was not intended to provide merely for the exigencies of a few years, but was to endure for a long lapse of ages, the events of which were locked up in the inscrutable purposes of Providence. It could not be foreseen what new changes and modifications of power might be indispensable to effectuate the general objects of the charter, and restrictions and specification which at the present might seem salutary might in the end prove the overthrow of the system itself. Hence its powers are expressed in general terms, leaving the legislature from time to time to adopt its own means to effectuate legitimate objects and to mold and model the exercise of its powers as its own wisdom and the public interests should require.

Now, when the Constitution further declared that Congress should have the power to pass all necessary and proper legislation for carrying into execution this power, of course it conferred upon Congress the discretion in the first instance of deciding what was necessary and proper. Hence this term "necessary and proper," as conferred in this general power, has been repeatedly passed upon by the Supreme Court, and I will only refer to what is regarded as the classic definition of this power as used by Chief Justice Marshall in McCullough versus Maryland, where he said:

> The determination of what are appropriate means—

He declared—

> belongs to the government which is to employ them. The government which has a right to do an act and has imposed on it the duty of performing that act must, according to the dictates of reason, be allowed to select the means.

His interpretation of the use of the word "necessary" in this clause was as follows:

> The subject is the execution of those great powers on which the welfare of the Nation essentially depends. It must have been the intention of those who were giving these powers to insure, as far as human prudence could insure, their beneficial execution. This can not be done by confining the choice of means to such narrow limits as not to leave it in the power of Congress to adopt any which might be appropriate and which were conducive to the end. This provision is made in a Constitution intended to endure for ages to come and consequently to be adapted to the various crises of human affairs. To have prescribed the means by which government should for all future time execute its powers would have been to change entirely the character of the instrument and give it the properties of a legal code.

So that in the language of the Constitution itself Congress has the discretion to adopt all necessary and proper means of carrying into execution the power of submitting amendments to the States. That power has been exercised in this instance, and a very appropriate power, in my judgment, it has been. Now, just one other thought and I have finished. It is contended here that if this proposed amendment is submitted to the States in the form in which it is, with this limitation of time upon it, that then the States can act, whether it be 7 years, 10 years, or 15 years thereafter without any limitation upon them whatever. Is that a correct interpretation? Congress sends out to the States this proposed amendment. It attaches to it a limitation that they must act upon it in seven years. The State can only act upon the amendment as it is submitted to it by Congress. It is not within the power of the State to change any term of that submission. They must either accept it or reject it in the language sent out to them to act upon. Therefore, suppose that 30 States should act upon it with the limitation in it, ratify with the limitation in it, and then 7 States seven or eight years thereafter should attempt to act upon it, they could only act upon it with the limitation upon it just the same as the other States, and it would be clearly beyond their power to do so.

Now, that Congress can attach conditions of this kind to the action of the States has been expressly decided by the Supreme Court. And I wish to call attention to the facts under which it was submitted to them. In the submission of the fourteenth amendment to the Constitution there were three States which ratified the amendment, and subsequently, upon the election of new legislatures, those new legislatures rescinded the previous

action of the States and rescinded the ratifying resolution. It was necessary that the votes of those three States should be counted for the amendment or it would not be ratified. Mr. Seward, who was Secretary of State at the time, was doubtful about the matter, and he issued a proclamation reciting the facts and stating that if the States of Ohio, New Jersey, and New York had properly ratified this amendment, then the amendment was ratified, but otherwise not. The leaders in Congress were not satisfied with that statement, and they passed a resolution affirming that the amendment had been properly ratified, and Mr. Seward then issued a second proclamation, and in pursuance of this resolution of Congress he proclaimed the ratification of the amendment. In the reconstruction legislation afterwards enacted it was provided that the States that had been at war with the Federal Government should not be again admitted as member States of the Union unless they ratified this fourteenth amendment.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. STEELE. I would like three minutes more.

Mr. GARD. I yield three minutes more to the gentleman.

Mr. STEELE. The States of the South, in pursuance of that, were coerced into the ratification of the fourteenth amendment, and the question of the legality of the action of Congress in attaching that as a condition before these States could be admitted as members of the Union came before the Supreme Court for action. And you will be unable utterly to point to any provision in the Constitution which gave Congress the authority of imposing that as a condition upon the readmission of the States of the Union, and all the States, even though in rebellion, were in fact never out of the Union, so far as the Constitution was concerned. They were simply denied their political representation here because they were at war with the Federal power. When the question came before the Supreme Court as to whether or not that was a valid condition attached by Congress to the action of the State the Supreme Court, in White *v.* Hart (13 Wall., 643) said:

> The third of these propositions is clearly unsound and requires only a few remarks. Congress authorized the State to form a new constitution, and she elected to proceed within the scope of the authority conferred. The result was submitted to Congress as a voluntary and valid offering, and was so received and so recognized in the subsequent action of that body. The State is estopped to assail it upon such an assumption. Upon the same ground she might deny the validity of the ratification of the constitutional amendments. The action of Congress upon the subject can not be inquired into. The case is clearly one in which the judicial is bound to follow the action of the political department of the Government and is concluded by it.

[Applause.]

Upon any poinf of view, therefore, the limitation of time for action by the States is a valid exercise of power by Congress.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, I shall support this resolution, whether amended or not; but I wish to use the time allotted to me in a discussion of the very interesting question raised by the gentleman from Nebraska [Mr. REAVIS] and replied to by the gentleman from Pennsylvania [Mr. STEELE].

I think it is of the very greatest importance, because if the argument of the gentleman from Nebraska is correct, it is possible that if section 3 shall be held by the courts to be an inducement to the passage of the joint resolution itself, and that that was beyond the power of Congress to validly enact, this entire matter may become invalid and fall to the ground, even though ratified by three-fourths of the States.

Now, Mr. Speaker, it seems to me very clear that in the submission of the constitutional amendment Congress is given the naked power of submitting proposed amendments, and Article V itself takes care completely and effectually of everything beyond that. And if that is so we have no power to attach any condition to the ratification. The gentleman from Pennsylvania [Mr. STEELE] undertakes to support his argument by citing the section of the Constitution that gives Congress the power to enact legislation necessary to put into effect the powers granted by the Constitution. But Congress has no power to enact legislation that is in conflict with the provision of the Constitution itself. And Article V expressly provides that once this proposed amendment has gone from the halls of Congress and rests with the States, when ratified by the States it becomes a part of the Constitution. And that being so, Congress has no power, without violating that article itself, to say that the States must do it within 1 year, 2 years, 3 years, 6 years, or 10 years. I believe that section 3 is absolutely invalid, and if that be true the very serious question presents itself whether, when this amendment shall have been ratified by three-fourths of the States, the court may hold that section 3 was an inducement to the passage of the resolution, and if section 3 is invalid then the entire constitutional amendment may be held invalid.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GARD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Speaker, again the valuable time of this body is taken up and diverted from the consideration of many important legislative matters relating to the war and the general welfare of the country, again we are to interrupt and disturb business throughout the land, and many who are now doing a prosperous and successful business—and I do not mean saloonkeepers, either—will be ruined if the promoters of the pending measure have their way. A number of busy agitators and handsomely paid reformers are constantly at work keeping this prohibition wrangle before Congress and the country.

They are the same forces that upset and obstructed the plans of the administration at the late special session of Congress, and prevented the prompt enactment of a law for the conservation of food and fuel; as a result of needless controversy and delay at that time the poor and unfortunate in many sections of the country are to-day suffering because of the high and unreasonable prices demanded for food and fuel. There is a lobby here in the interest of prohibition, but none here in behalf of those who are suffering from hunger these cold winter days and freezing for want of coal.

If the people of the several States are anxious for prohibition, if they have such a desire as the promoters of this legislation claim to live in dry territory, there is no need of coming here demanding the passage of this joint resolution. The several States now have the power and can regulate by law the manufacture and sale of all intoxicating liquors. Congress has already stopped the manufacture and importation of whisky and has empowered the President to say whether light wines and beers shall be manufactured in the country. In view of all this, is it not a fact that we have all the law that is now necessary to make this country dry whenever it is essential to do so?

But this is not what the professional prohibitionists are after; they would stop the gathering of needed taxes, National, State, and municipal, that are now derived from the sale of liquor, ruin millions of dollars' worth of valuable property without recompense to the owners, destroy real estate values and rentals, make vineyards valueless, cause strikes and unrest among workmen and deprive them of opportunity to labor.

They would throw the entire country into violent and destructive political turmoil; bring about expensive, angry, and riotous election contests everywhere; disturb, hinder, and prolong legislative sessions in the various States; and destroy public interest in a cause that all should be interested in—that of winning this war.

I believe in temperance and favor laws that will regulate the liquor traffic. I also have some respect for the personal liberty and rights of others. I am against unjust and tyrannical laws. Merchants and manufacturers who contribute large sums of money to further this prohibition movement with an idea that they will receive greater efficiency from their employees may find in the end that it is simply money wasted, and if we knew now what it cost the Government to maintain a police force of United States marshals in many of the so-called prohibition States to prevent the manufacture and sale of liquor it might surprise many who favor this unnecessary legislation.

Many here who pretend they are anxious to pass this joint resolution that may change the organic act of the Nation to stop drunkenness and crime will assume a different attitude when the suffrage amendment is before us. We can then tell by the vote cast those who really favor law, order, and good government.

I hate hypocrisy and false pretense; there is more unfairness, deceit, and insincerity mixed up in the prohibition movement than any other I know of. A secret ballot here would show it. I am opposed to the pending resolution for national prohibition and will vote against it. President Wilson has wisely said—

> that every self-governing community which constitutes a social unit should have the right to control the matter of the regulation or the withholding of license.

And I feel positive that no people will be happy or contented in a State where the people of other States force upon them laws that they do not favor; and, further, I believe with the fathers of the Republic, that the just powers of the Government are derived from the consent of the governed. [Applause.]

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I yield four minutes to the gentleman from New Jersey [Mr. RAMSEY].

Mr. RAMSEY. Mr. Speaker and gentlemen of the House of Representatives, this important matter now before us is of

that character which prompts me to make some expression upon it and to in a way demonstrate to my constituents and to the people of this House the reasons why I shall vote as I will in a short time. The Constitution of the United States is a document which ought not to be disturbed without the most serious thought and the greatest consideration. We all recognize that probably the minds by which it was framed were those of some of the strongest men of our Nation, and I am speaking upon this question principally for the purpose of demonstrating and showing that I believe it ought not to be disturbed now. The Constitution of the United States, as we all know, reserved to itself certain policies of government, and it created practically a new form of government by giving to the States certain rights and powers. It provides as follows:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively—

And so forth. My conclusion is this: That until the Constitution of the United States is amended, and particularly that part of it which I have just quoted, this resolution is without right before us. This is a policy. It is not a principle of government. This matter which we are considering now is a police regulation which, under the Constitution, is vested in every State. I should like to know by what authority we have the right to interject as a constitutional amendment a matter which is merely a matter of police regulation.

This is not an amendment to the Constitution of the United States. It is a supplement or an addition to the Constitution. You might as well undertake by reason of logic and by reason of thought to say that we shall pass a constitutional amendment whereby the rite of marriage in each State should be regulated under it, or the right of divorce should be regulated under it, or the right of an insurance company to do business in a State should come under a constitutional provision. My conclusion, as I read it—and I believe it to be true—is that it is not a matter of proper constitutional action.

On the other hand, under this provision of the Constitution each State has successfully, so far as the desires of its inhabitants or voters go, determined the question of prohibition. I am not opposed to the regulation of the liquor traffic, even by prohibition, in the States where they desire to have it, nor in my own State, if the people therein so declare. A local-option bill will undoubtedly be passed by our legislature at its next session, and I am in favor of such legislation.

Under an act recently passed by this Congress, and for which I voted, the power is given to the President of the United States to exercise such privileges as to practically create prohibition throughout the whole country. The manufacture of spirituous liquors has been stopped, and under the regulations proclaimed by the President the percentage of alcohol in beer has been reduced to 2¾ per cent, which makes it practically a nonintoxicating beverage. Mr. Speaker, there has been and is great unrest in this country because of the war. This unrest should not be augmented and made greater. The war must be won, but I want to say that it is not alone the brave, courageous, and patriotic young men of this country who are and will be on the firing line that can or will win it.

There are thousands—yes, hundreds of thousands—of American citizens who are employed in the performance of honorable duties in factories, mills, and plants of various descriptions, making not only munitions of war but every other device and thing that is of advantage to the Government's and our people's interest, who not only desire their beer but who feel as if they are entitled to have it. Must we by our action to-day deprive them of that privilege, or at least put in operation a constitutional amendment which, if adopted, will do so? I think not. It is the boast of our people and the principle which has been instilled in the minds of American youth that we are a Republic of freedom, liberty, and democracy, and to destroy that conclusion by this proposed amendment, which I believe to have no legal standing here, I sincerly believe to be bad legislation.

It was only a few days ago when I sat in this House and heard with feelings of great pleasure and satisfaction encomiums paid to one of our Members. I doubt during the entire existence of Congress has a living man and one of its Members ever so justly received such flattering and just expressions as were accorded to him and his worth. They were based not only on the individual worth of the man—and I refer to the Hon. JOHN J. FITZGERALD, of New York—but because he was possessed of certain attributes, namely, intelligence, judgment, and courage. When he came to a conclusion honestly formed he had the courage of his conviction. Probably no greater, and I am sure no better, legislator is now a Member of this body.

And it is this courage of our convictions that we should have; and in the exercise of my prerogative at this time I am impelled by this alone, believing that my reasoning has brought me to the proper conclusion.

Mr. Speaker, the States that have exercised their rights under the sovereignty of the States as given to them by the Constitution of the United States upon the question of prohibition ought not to be permitted to force legislation for other States contrary to and against their will.

Again, let me say that, in my congressional district there is not a brewery located, to my knowledge, and I have no personal acquaintance, with one exception, as I now recall, with an owner of a brewery, and further, may I say, that I have not been approached by any person connected with a brewery as to how I should or will vote on this proposed amendment.

Mr. Speaker, therefore, in justice to my constituents, in justice to the people of my State, in justice to the people of this great Republic, and in justice to myself, I must conclude, for the reasons I have given, that this proposed constitutional amendment should not be adopted and made a part of the organic law of our country. And, regardless of the consideration of political favor or disfavor, I am constrained in the performance of an honest, fearless, and conscientious duty to vote against the resolution.

The SPEAKER pro tempore. The gentleman from New Jersey asks unanimous consent to extend his remarks. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER pro tempore. The gentleman from Wisconsin objects.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I yield one minute to the gentleman from Connecticut [Mr. TILSON].

The SPEAKER pro tempore. The gentleman from Connecticut is recognized for one minute.

Mr. TILSON. Mr. Speaker, it will not require one minute for me to state my position.

In my judgment this is not the time, the place, or the manner in which to bring about either prohibition or woman suffrage. Both should be accomplished, if at all, by means of the ballot at the polls within the several States, and at a time when the country is not in the midst of a great war. [Applause.]

I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I yield three minutes to the gentleman from New Jersey [Mr. PARKER].

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for three minutes.

Mr. PARKER of New Jersey. Mr. Speaker, I do not dwell upon the fact that the foundation of civil liberty lies in local self-government or upon the fact that the democratic power of the majority, exercised from a distant capital, may be just as tyrannical and arbitrary as a pure empire. This has been proved in Europe. The laws of the neighborhood, known and approved by the neighborhood, can be and will be enforced by the good will of the people; nothing else. One trouble with such a doctrine as National or State-wide prohibition is that it takes away the power to regulate according to the needs of locality, whether by license or by local legislation or by getting rid of saloons; I care not how. Let us have the locality determine what is best for itself.

But the main trouble is that this issue, when introduced, becomes the sole issue, as it has been in some of our States for 30 or 40 years. Our country has too many needs and too wide a variation of social requirements to be covered by the single question of rum or no rum, and in the States where this issue has once prevailed it has been paramount for years, with successive evasions or else attempts to change the constitution. A law not approved by the people is likewise the fountain of fraud and evasion and contempt for the law. I have seen in an Eastern State whisky sold as soda water in the railroad stations. I have seen in Western States whole towns wide open in the face of the State constitution. It becomes a burning issue. That is our trouble now. It will last through this war—this issue.

I have just been to Europe and have seen that the effective way of carrying on war is for the whole people to think about and deal with nothing else and not to be divided on issues of that sort, which will make some of our localities discontented when we want them all to be whole-souled for the war. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

Mr. WEBB. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. TILLMAN].

The SPEAKER pro tempore. The gentleman from Arkansas is recognized.

Mr. TILLMAN. Mr. Speaker, in this discussion it is neither my purpose nor desire to wantonly insult any man who may be engaged in the liquor business. The expression "Down with the saloon and up with the saloon keeper and the saloon patron" has obtained wide currency and generous approval in prohibition circles. But I shall not search for soft phrases in which to express an opinion of a traffic which is destroying men and women in this Republic alone at the rate of 100,000 a year, a traffic which fills the land with beggars and tramps, a traffic which draws from the pockets of the people of the United States two and one-half billion dollars annually and gives in return sorrow and suffering and tears and poverty.

King Alcohol collects from his vassal more of his substance than is required by any other potentate on earth, and when he has stripped him to his foolish hide he kicks him out of his palace into the street. The princes of earth, the executives of commonwealths, send abroad their taxgatherers once a year to collect from the people a small part of their earnings for government expenses, and they furnish officers to protect the life and preserve the peace and property of the citizen; they provide armies, hospitals, asylums, and pensions; but King John Barleycorn, who bestrides the narrow world like a colossus, haughty and heartless, the mightiest monarch of earth, greater than George the Fifth or William of Germany, greater than Sultan or Mikado, stations his collectors all over the land and gathers tribute from his thirsty subjects every hour in the day and every day in the year. Fair and generous rulers pension their servants, soldiers, and sailors when they become old or disabled, and provide for their widows and orphans if they fall while serving the State. Individuals and corporations do likewise, but you may serve this hard master till your money, character, happiness, and life are gone, and you will find that King John will not even provide a poorhouse to shelter your helpless wife and babies. If a subject flushed with the king's beverages, in lightsome sport or otherwise, kills a fellow man, King John does not draw from his well-filled purse money wherewithal to employ counsel to defend him, but he lets him hang, undefended, so far as he is concerned, when the real criminal is King John's agent, the man who sold the whisky. If a faithful subject, after paying tribute for many and many a weary year, at last yields to delirium tremens and dies a pauper's death, King John does not even give him swift burial in the potter's field. Pitiless King John! And yet men will march under his scarlet banner and give up honor, home, wife, and children that he may reign in guilty splendor. Men will serve this red despot and give him everything they have, even their bodies and their souls, and get not a pleasant look in return. The most arrogant, the least polite, the coldest mannered, the most disdainful citizen, is that haughty plutocrat, the American brewer, usually tainted with Teuton sympathies and damned by a German conscience. The average barkeeper—and it has been my ill fortune to meet him a few times in days long gone by—is as cold as the heart of the dead. One thing that can be said in his favor, however, he is always sober, because, paradoxical as it may seem, saloon keepers want bartenders who do not drink. They will cheerfully sell you their wares, but they have too much sense to drink their own liquors. A cynical old miller of my town once said of the flour made by a rival mill that it was not fit for anything except to sell. In the eyes of the sensible barkeeper, whisky is good for nothing except to sell.

Royal King Alcohol, let us drink his health in pure water. Sweet, beautiful water. "Brewed in the running brook, the rippling fountain, and the laughing rill; brewed in the limpid cascade, as it joyfully leaps down the mountain side; brewed in the mountain top, whose granite peaks glitter like gold, bathed in the morning sun; brewed in the sparkling dewdrop; sweet, beautiful water; brewed in the crested waves of the ocean deep, driven by the storm, breathing its terrible anthem to the god of the seas; brewed in the fleecy foam of the whitened spray, as it hangs like a speck over the distant cataract; brewed in the clouds of heaven. Sweet, beautiful water! As it sings in the rain shower and dances in the hailstorm, as it comes sweeping down in feathery flakes, clothing the earth in a spotless mantle of white, always beautiful. Distilled in the golden tissues that paint the winter sky at the setting of the sun, and the silver tissues that veil the midnight moon. Sweet, health-giving, beautiful water; distilled in the rainbow of promise, whose warp is the raindrop of earth, and whose woof is the sunbeam of heaven; sweet, beautiful water." But the drunkard prefers Budweiser or Anheuser, Old Crow or Moonshine, to this blessed, God-made, health-giving beverage.

And, King John, since the world began history records no instance where an individual was injured by being denied liquor for beverage purposes; and, moreover, your liquors, drunk as beverages, never yet benefited a single human being, either physically, morally, intellectually, or financially, but instead a million bloody deaths lie at your door, and the billion heartaches, headaches, and miseries you have caused would blight and sicken your conscience or your soul if you had either. King John, you are an awfully expensive luxury. Last year you taxed your subjects in this Republic over $2,000,000,000 and gave them in return debauch, disease, death. This vast sum is paid by our 20,000,000 who drink, so that one-fifth of our people drink an average of $70 worth of liquor annually per capita. In 10 years this annual expenditure would buy a comfortable home, and at least one-half of the 20,000,000 who drink are homeless. These drinkers, for the most part, compose the dangerous class. Besides this tribute, exacted by this royal despot, the total abstainers, estimated at four-fifths of our population, are taxed to assist in paying heavy court expenses caused by drink. This is King John's record, and yet he lords it over mankind like a purple-clad Cæsar, and people say that we are too pitiably weak or too cowardly to stab him to death as Cæsar was stabbed. King Alcohol is a tyrant, and when men fight tyrants they serve God. This amendment will pass and we will soon see a dry Nation, and King John's lofty crest will trail in the dust forever.

Among others, I have three good reasons for being against whisky; that is to say, I have three children. I do not fear intoxicants on my own account, because I have been a total abstainer for more than 30 years continuously—practically so, in fact, all my life—but parents live again in their children, and a parent who is normal wants to see his children sober and happy.

I want our boys to keep as far away from liquor as possible. Therefore I do not want the brewery, nor the distillery, nor the saloon. I do not want the blind tiger, nor do I want the jug trade. Make whisky difficult to obtain; outlaw it, and less of it will be used. The farther removed the boys and men are from whisky the safer they are.

An old king lost his charioteer and let it be known that he wanted another. Four men presented themselves as candidates for the place. He said to the first one, "Tell me, sir, how near with safety can you drive my chariot to the edge of that precipice near by the castle?" "Sire," he replied, "I can drive you within 1 foot of the edge of the precipice at full speed and not endanger your life." "What can you do?" said the king to the next applicant. "Why," he said, "I can drive you within a hair's breadth of the edge and carry you safely by with the horses at a gallop." "What can you do?" he said to the third man. "Why, sire," said he, "I can drive your chariot so close to the edge of that dangerous precipice that one-half of the tire will be on solid stone and one-half extending over the precipice, and yet carry you safely by." The king said to the fourth man, "What have you to say for yourself?" "Sire," said the fourth man, "if your majesty directed me to drive you by that precipice, from which if you should happen to fall you would go to certain death, I would drive your chariot just as far away from the edge of that dangerous cliff as the road would permit me to go." "You are the man I want for my charioteer," said the king. And so our young men should keep as far away from liquor as possible, and we should keep the saloon and liquor as far away from the boy as possible.

I do not want a saloon or blind tiger next to my home, and I am not going to have one there. I have as much respect for law as any man, but I think I have the right, under the common law and under statute law, to abate an indisputable nuisance, and if nothing else will suffice it can be abated by the open, notorious, and orderly use of reasonable community, physical force. Let us first protect our own homes, and then our neighbors' homes, and then drive the liquor nuisance from hamlet, city, Commonwealth, and Nation. We have now driven it out of so many States that the time has come when it is meet and proper to make a final drive and banish it from the Nation. This has been no holiday task. Of all the trusts in this trust-ridden land, the most sinister, the most aggressive, the best organized, is the Liquor Trust. We fight the Baking-Powder Trust, while the souls of countless thousands, ruined by rum, are baking in purgatory. We fight the Cracker Trust and forget the millions of alcohol victims now crackling in the fires of eternal torment. We denounce Standard Oil and John D. Rockefeller, and are selfishly indifferent to the pernicious activity of Sir John Barleycorn and Col. Gambrinus as they oil the way of a million victims in their swift, descending flight toward hell.

Liquor enjoys the countenance and friendship of able defenders and advocates. You go forth to fight rum and you will meet a Prince Rupert of the breweries at every crossroads, armed from head to heel and ready to fight you to the death; and he

often fights an unclean fight and an unfair fight. If you are timid or thin skinned, you are in danger of being made uncomfortable, if you fight rum. But get on one side or the other of the question; in other words, "under which flag will you fight Benzonian," under the milk-white flag of prohibition or under the blood-red banner of booze?

You need not leave your party to fight for prohibition. Most men have a sentimental love for the party of their fathers and their own. Third parties have played but a farcical part on the American political stage. There is one notable exception to this rule. The Progressive Party really served a useful purpose while it strutted its uneasy but wholesome hour upon the stage. And it will not be forgotten. This is the greatest question before the American people to-day, but it is not the only question, and while we should labor earnestly and aggressively to properly settle this question, we should desire to take a hand in settling other great issues at the same time. A party can not be builded upon a single idea in a Government as complex as ours. Besides this is no more a party or a political question than "Thou shalt not steal" is a political question. It is a question of economics, a question of business, a question of morals. In the South, the dominant party there has given prohibition to Oklahoma, to Georgia, to Alabama, to Mississippi, to Tennessee, to Arkansas, and other Southern States. We now have a practically dry Dixie. It is distressingly dry to just a few of our nonmilitary colonels. These colonels are golden-hearted old fellows, but occasionally you will find one who is not pleased with prohibition. To cite an instance:

Colonel Dryus Dustin Ashes, fond of rickeys, straights, and smashes,
with a blinking of eyelashes, pushed the door to the buffet.
He was not an early riser, but on rising he felt wiser for a bit of
appetizer just to cheer him on his way.

To the bar he strode not knowing how reform waves had been growing,
never ebbing, always flowing, and declared himself for rye.
Whereat Bill, the big barkeeper, felt his sympathies grow deeper, and
he rubbed his tearful peeper, which is common slang for eye.

Bill was used to thirsts diurnal, thirsts autumnal, and thirsts vernal,
and he knew the fretful colonel of his bitters was in need;
But alas, the new laws drastic were not pliable or plastic, even if for
reasons gastric rye was half the colonel's feed.

So with courtesy and tritely he apologized politely, smiling pleasantly
and brightly, and said he had no grudge,
But as pity must not swerve him, or cupidity unnerve him, quite the
strongest he could serve him would be buttermilk or fudge.

Then the colonel said: "Demnition, demn this deuced prohibition!
Who plunged us in this condition?" And the faithful Bill replied:
"'Tis a law they've been enacting by the States in concert acting, and
the Union is exacting, so the fount of joy is dried."

And the colonel, fierce umbrageous, said "By jove, sir, 'tis outrageous
that such blue laws should engage us and make gallant hearts to
bleed.
"Of the Union I'm a lover, but by all the skies above her, to perdition
they may shove her, for by jove, sir, I'll secede."

The South has had her share of problems. She sustained herself with credit under the blight of slavery, during the ravages of a great war, and during the tragedy of reconstruction. The South is to-day the most intensely American portion of the Republic. The South believes in old-time American religion and is dominated by it. No modernism, no higher criticism. Dixie is for prohibition. As this House knows, we depend largely on negro labor and all the negroes take Saturday for "town day," and the saloons on that day strip him of his week's earnings, leaving him in such a condition that he does not feel like work until Tuesday or Wednesday of the coming week. They spend their money for drink, which should go to buy tools or provisions and for the payment of their debts. The white South is against the saloon, because it is a bad thing for the white South, and also because it decreases the negro's economic efficiency and increases the menace of his presence. Discussing for a moment the cause of this steady progress of the prohibition march through the South, many things have contributed to bring it about, the moral sentiment of the people, economic reasons, the conviction that it is right, and added to this the compelling argument that drink influences the negro and prepares him to commit the crime which the South regards as the blackest of all crimes. This Government, ever sentimental in dealing with the Indian, properly makes it a crime to sell him whisky, but the negro, who is rapidly ruined by rum, can still in some sections purchase it without restraint and drink it without interference. The less liquor the negro drinks the fewer unspeakable crimes he will commit and the fewer lynchings there will be. I think an undefiled womanhood is more worthy of our concern; indeed, I value a million times more the purity and happiness of even one American woman than I do the prosperity of all the breweries, distilleries, saloons, and blind tigers on the wide earth.

A negro preacher once announced the startling doctrine that "there is a great deal of human nature in man" and declaim as we may against the sudden and terrible executions of Judge Lynch, deplore it as we may—and we do deplore and condemn mob law and mob murder—yet many a red-blooded Anglo-Saxon is tolerant of that wild justice which decrees the immediate death of the man who outrages the home. Home! That is the dearest word in the language, save the word "mother," and both must be protected. Our civilization is builded on the home, and the saloon is the home's worst enemy. You assail the home and the babe with his dimpled fist and toothless gums will fight you back. You attack the home and the mother with bare hands will fight you as fiercely as a tigress fights for her young. You assail the homes of the country and the decent manhood of the land will come to the rescue, and the blood of the brave will be freely shed in their defense. I prefer to stand for the home rather than stand for distillery or saloon. I prefer to take my place among the defenders of the home rather than among the apologists of the rum makers and rum sellers.

Oh, but the saloon helps business. Yes; it does help some kinds of business, to be perfectly fair. I rode on a train the other day with a man whose business is helped by liquor. He was in the tombstone business. The saloon is the best friend the undertaker has. It furnishes business for the criminal courts. But it greatly injures other business. A short time ago, in a saloon town, I saw a finished product of the saloon. He was drunk and hungry and had no money with which to buy breakfast. The hotels and restaurants suffered by reason of his poverty. Through his crushed hat a lock of his uncombed hair protruded. The hat business was suffering because of the saloons. His coat was out at the elbows, and the clothing stores were denied a customer by reason of the whisky traffic. His toes peeped through his shoes. Therefore the shoe business was not being helped by the saloons. Oh, the saloons help business.

"You hurt business by prohibition agitation," say the liquor men.

Said the hawk to the farmer, who winged him as he swooped down on a brood of chickens, "Don't you see you are hurting business by shooting around here with that old gun?"

"Don't you see you are hurting business?" said the red fox to the hound when he chased him away from a flock of geese.

"You are simply ruining business," the gray wolf said when a pack of offensive and noisy shepherd dogs camped on his trail so persistently that he could not get within striking distance of a bunch of sheep.

The saloon is everywhere cordially disliked. Women will not visit one. More than 50 fraternal orders exclude liquor sellers from membership. Most of the saloons, a large part of the breweries, and many distilleries are owned by men with foreign names. Read a list of license payers, and you will find such names as Sandefur, Steinberg, Schaunberg, Diffenderfer, and Hirschbaum. So I am not attacking an American institution. I am attacking mainly a foreign enterprise.

Three men were once seated at a table in a café. They were discussing the future of their boys. One said, "I am a lawyer, and I want my boy to practice law. He can have my library and the benefit of my reputation and clientage." The other man said, "I am a physician, and I now have my son in a medical college. When he finishes I shall form a partnership with him and thus start him on his career." The third man said. "Gentlemen, you are right; but I do not want my boy to follow my business or enter into partnership with me. I am the proprietor of a saloon."

It is a business that is hated by the very men who engage in it. The only reason men engage in it is because the profits are large. And I have often thought how unfair and unfortunate it is that the farmer who sweats in the sun to raise a bushel of wheat, something that is absolutely necessary for men to have, can get in normal times only a dollar for the bushel of wheat, a very small profit, but a distiller can take that bushel of wheat and by a simple process and with small outlay of money or energy convert it into 3 gallons of poison which is by no means a necessity, but which will make the cars seem to run both ways at the same time, and this poison which makes the cars perform these stunts sells readily for 15 cents a drink. A bushel of corn ordinarily sells for 75 cents; convert it into liquor that will make a man whip his wife and it will bring a dollar a quart. The law should intervene to right this gross injustice by prohibiting the manufacture and sale of such beverages.

Liquor is responsible for another queer discrimination. A man and a dog will go into a saloon together perfectly sober, and in 20 minutes they will come out. The man will be drunk; he will stagger and fall in the gutter and lie there like a hog, while the dog will walk away like a gentleman. I object to an institution that works such a difference in 20 minutes between a man and a dog.

But they say you can not make a man sober by law. Not entirely, but law works wonders and makes men do many things

they do not want to do. Law is a great civilizer and a great persuader. It is interesting to trace law to its birth. I imagine it began in this way: A giant in the presence of his fellows struck a weakling to the earth. Out of the giant's presence the friends of the weakling conferred together and agreed to combine to protect each other from the assaults of the giant. So they notified the giant that in future they would jointly punish him if he injured without cause any of their number. The many would be more than a match for the giant. One of their number unaided was defenseless. I imagine the first crude larceny law was enacted in like fashion. A strong and vicious character by superior strength took from one of our rude ancestors his horse or his wolf-skin coat and the friends of the loser reasoned like this: Unless we combine and punish this man and let others know that we will punish such offenses none of us are safe in our property. From these crude beginnings a splendid system of law has been evolved, protecting the citizen in his person and his property. Legal suasion is stronger with the vicious than moral suasion. Law and order rule the universe and people should be made to respect the law and usually they do respect it. Lincoln said: "Let reverence for the law be taught in the schools and colleges, be published from pulpits and proclaimed in legislative houses, and enforced in the courts of justice. In short, let it become the political religion of the nation." The law should prohibit wrong and uphold the right. Law, of course, will not enforce itself. You must have officers behind the law. You may go to a hardware store and purchase a wood saw, but that saw, no matter how bright and sharp it may be, will not cut your wood by itself. It is necessary to have a man behind it. If you have no law against whisky, it will certainly be sold, but if you have a law against it you will in time get officers who will enforce it.

The Ten Commandments are often violated, and yet God never did a greater kindness for humanity than when he gave us these commandments and ordered their observance. Who would wipe these blessed laws from the record, although they are broken by thousands every hour in the day? Who wants to go back to savagery? Laws prohibiting murder, arson, burglary, larceny, pistol carrying, breach of the peace, and assault and battery will not enforce themselves and are violated every day, and yet shall we turn back the dial of progress 4,000 years and repeal the laws declaring these things to be offenses simply because these statutes do not altogether prevent the commission of crime?

They say prohibition does not prohibit. It does not annihilate, but it does withhold legal sanction from a crime-producing traffic; it does seek to uphold right and to discourage wrong; it is a bold step forward toward an ideal civilization, and not a cowardly standstill or a still more cowardly retreat. God give us men who go forward, men who do things, men who act, men who are willing to blaze out a pathway to higher and better things! Who says prohibition is a failure? The men who do not want it, the men who contribute large sums of money to defeat it, the men who violate the law under high license or no license, the wine merchant, the distiller, and the beer baron. These disinterested witnesses loudly proclaim the failure of the law. Who says prohibition does prohibit to a successful degree? The people who want it, the people who have tried it, who have lived under it and watched its operation, compared it with high license, and vote for it year after year because it reduces drunkenness and crime. No one need expect a perfect system of law enforcement. Where there is prohibition whisky is shipped in in nail kegs, in coffins, in disguised packages, under false bills of lading, but it is under cover, unlabeled, and out of sight. It is outlawed, and hence less dangerous. The saloon is worse than the tiger or the bootlegger. It is bold, brazen, boastful, stamped with the tainted O. K. of Federal, State, and municipal government. The tiger is apologetic, blind, a self-confessed public nuisance, and hence less harmful. An unlicensed grog shop compared to a licensed saloon is like a tied-up blind puppy compared to an unchained mad bulldog.

The solution of the liquor problem is attempted in three ways—local option, license, and prohibition. Local option is an attractive system to many. It sounds well. It is catchy. It allows a majority to say whether or not liquors shall be sold; but here is the distinction: Local option applied to material questions is all right, but applied to moral questions is all wrong. No county has a right to vote to do wrong, no brutal majority has the right to vote away the health, the peace, or the morals of the people. High license is going into partnership with wrong and crime, and accepting a bribe to allow men to poison their fellow men.

License is a timid surrender to the wrong. Prohibition is a bold challenge to fight the wrong. License is a cowardly yielding to expediency. Prohibition is a brave repudiation of outlawry. If public sentiment indorses a glaring and outrageous evil, then public sentiment should not prevail. If a thousand burglars form a majority in a ward or county and vote to legalize burglary, burglary should still be a felony and punishable as such. A law that sanctions wrong is a legislative crime. Duelling and smuggling and piracy were once popular, but they were not right. The law and enlightened conscience have made them disreputable.

In Maine prohibition has reduced the ratio of drinking. Kansas has had prohibition a long time and shows no disposition to go back to license. Years ago a legislative act made it unlawful to sell liquor in my town. It has not been entirely free of liquor, but no one would think of going back to saloons. Prohibition does prohibit. I can quote you by the hour the unbought opinions of ministers, business men, physicians, Congressmen, governors, Senators in support of this statement. The claims of the liquor men that more whisky is sold under prohibition is discounted by their frantic efforts to have license voted.

Now, let me call some distinguished witnesses in support of prohibition, witnesses whose characters are unimpeachable and whose means and opportunities for knowing the facts to which they testify are exceptionally good. Most of them have passed away, and yet they are like "those dead but sceptered sovereigns who still rule our spirits from their urns."

Senator Frye, of Maine: "Prohibition law a wonderful success."
Senator Hale: "Maine people believe in prohibition because every day they witness its good effect."
Senator Ingalls, of Kansas: "Drinking of intoxicants enormously decreased under prohibition."
Senator Plumb, of Kansas: "Great diminution in consumption of liquor under prohibition."
Gov. Martin: "Nine-tenths less of drunkenness than under license."

In Maine 49 per cent of heads of families own their own homes—nearly twice as many as in any other State or country. She has larger per capita interest-bearing accounts in savings banks than any other country in the world. She has had more than half a century of prohibition.

I quote from reports from counties in Kansas, in answer to the question, "Does prohibition prohibit to a successful degree?"

"Yes; 90 out of 97 counties show decrease in crime."
Barton County: "Yes; jails empty, crime largely reduced."
Bourbon: "Yes."
Chase: "Pauperism and crime reduced 50 per cent."
Cloud: "Yes; expenses of criminal court much less than under license.
Dickinson: "Loss of revenue not more than $3,000, saving to families, $50,000."
Pawnee: "Yes; taxation and crime decreased, business benefited."

Oh, yes; prohibition almost ruined poor Kansas. Just recently a well-edited journal told the country how prohibition killed Kansas:

The grape industry is not the only thing ruined by prohibition in Kansas. In fact, prohibition has killed about every industry in Kansas, excepting the raising of wheat and corn, alfalfa, and fruit, and live stock, and potatoes, and pease, and cabbage, and garden sass, and chickens, and ducks, and geese, and horses, and mules, and blooded cattle. It busted up quite all of our flourishing saloons and beer gardens and paralyzed many of our prominent gamblers. It absolutely killed the bartenders' union. Where once the thriving saloon sent the clamorous odor of its prosperity out upon the sidewalks and clear across the street we find nothing but shoe stores, dry goods stores, meat markets, clothing stores, grocery stores, and other sordid activities of an unhappy people. Where once you saw the long strides of men on Saturday night going joyfully into the rooms where the doors were locked securely, where there was sawdust on the floor and a merry crowd at the mahogany bar treating all around, and a man could get his salary check cashed and spend it all right on his boon companions and go enthusiastically home and break up furniture and give his wife a black eye, instead of all these manifestations of a prosperous and thirsty citizenship, as in our saloon days, we see men go quietly into butcher shops and grocery stores and then go home lugging great bundles of supplies for their wives and children—beefsteak for supper, Sunday dinner, etc. Ah, what a sad result of the banishment of saloons! Prohibition has left little of Kansas except her fields, and factories, and schools, and stores, and pens of fat cattle, and her sober and happy and prosperous people.

IOWA.

A railroad officer in Iowa testified with reference to prohibition there:

One barrel of whisky under prohibition, when there was a carload under license. One keg of beer now, when there was a trainload before.

On November 27, 1887, Henry W. Grady, the most eloquent southerner for a generation, made a statement about prohibition in Atlanta, and his splendid words ring like a trumpet. He said:

When everything else I have said or done is forgotten I want the words I have spoken for prohibition in Atlanta to be remembered. I am firm in the conviction that Atlanta has prospered under her two years of prohibition as she has never prospered before, and the experiment of prohibition in a large city succeeded in Atlanta as no experiment under like obstructions ever succeeded before.

But the revenue. Many people can not be influenced by any argument other than the dollar argument. Our lust for gold should not outweigh our love for our children, but to many men and to some women the clink of gold and the rattle of silver are both music and poetry. Prohibition greatly reduces taxes by lessening court expenses; but admit the loss of revenue, I for one am willing to pay something for the protection of our boys. If you want the saloon for its revenue you should be willing for your boy to patronize it, because the saloon can not run without boys any more than a gristmill can run without corn or wheat. If you want the saloons' revenue are you willing to contribute your boy to keep the saloon running? And how little you get for that boy! The average town will get about 30 cents per capita from saloon licenses. Sell for 30 cents your self-respect, your boy's chances of success, your girl's prospects for happiness! Men who do that feel like 30 cents and look like 30 cents. A month-old Jersey calf will sell for more than a whole room full of fellows who assess themselves at 30 cents a piece. The man who grows a bushel of wheat or a bale of cotton adds that much to the world's wealth. He is a producer. The saloons are not producers. They pay money, it is true, for license, then they collect it back and millions more from those who are least able to pay it. Say a laborer drinks three beers a day. At the end of a year that will buy a long list of groceries, flour, beef, vegetables, coffee, and other necessities. Say the mechanic spends 20 cents a day for whisky, a very modest sum, and yet that is $70 a year, and more than enough in 10 years to buy a modest cottage. Who pays the liquor tax? Do you see that faded, wrinkled, poorly clad woman at the washtub? She is paying the liquor tax. Do you see that barefooted newsboy with his hair peeping out through a hole in his cap? He is paying the liquor tax. Do you see that pale-faced girl with her little tin dinner bucket going to the factory? She is paying the liquor tax. Oh, the cry of the children and the wail of the women condemned to walk the treadmill for King Alcohol! Their cries should smite our hearts when we grow weary and are inclined to rest from liquor fighting. Oh, what a long list of sins many of us will have to answer for for our neglect and ill treatment of the mother of our children. Let us quit it, and by leaving off liquor and by helping to destroy it we will paint on the white cheek of many a suffering child the red roses of health, and the ringing laughter of childhood will take the place of groans of sorrow. We will lift from the backs of prematurely aged women grievous burdens and feed their starved hearts with joy and love and tenderness. Revenue! No matter how badly the Government of Washington, Jefferson, Lincoln, McKinley, and Wilson needs money, it should not permit any individual or corporation to capitalize the sins and appetites of our people. Revenue! Judas took the accursed silver and threw it at the feet of the high priests, and even they would not put it into the treasury because it was tainted with blood and bribery. Revenue! It is a great consolation to a hungry homeless wife to know that her husband died by drinking a high-license whisky. The majority of women are against whisky, and I have great respect for the judgment of good women. Womankind has a long indictment against King Alcohol. He has torn her husband from her side and hurled him into hell. He has snatched her father from her and hurried him to a drunkard's grave. He has stolen her first born from her arms and landed him in the penitentiary for crimes committed while under the influence of drink.

I congratulate the Christian ministry and Christian laymen for the fight they have made on this giant evil. The saloon would destroy the church if it could, and the church can destroy the saloon if it will. I love and respect a church militant. Nothing of lasting good has ever been obtained without a fight. The world's great men and women have been fighters. Peter the Hermit in the eleventh century tramped over Europe preaching the crusades. "Deus vult!" was the rallying cry of the crusaders. This was a religious crusade solely. No spoils were to be gained. Pope Urban II at Clermont, in one of the greatest speeches ever made, told the crusaders that they would march to Jerusalem and take it from the ungodly, but that they must not expect earthly reward. He told them that they must turn their backs on the home they loved; they must cross wide and stormy seas; they must walk with bleeding feet over the burning desert; they must face with dauntless breast the sword of the infidel; they must do all this without hope of reward other than a consciousness of a high duty loyally done. In passing, it is a happy Christmas consolation to know that Jerusalem and the Saviour's tomb has just fallen as a war prize to the Christian soldiers of England. In this crusade we are fighting for home and family, and we shall receive both spiritual and material reward. Martin Luther nailed to the church door at Wittenburg a bold challenge that is still echoing around the world. The men who have done things for God or humanity have fought, sword in hand, for the right as they saw it. Even the Prince of Peace Himself overturned the tables of the money changers and scourged them from His Father's temple. He died a bloody death, and most of His disciples died martyrs in the cause they loved. One hundred thousand twentieth century priests as consecrated as Peter the Hermit and 100,000 Martin Luthers are now waging a crusade in a nobler cause than those waged by the medieval friar and the German monk. But these minister leaders must have followers, and all men and women who love their country should fall in and fight under the snowy banner of national prohibition.

They say we can not stop the sale of whisky. Why, we have the blood of the Vikings in our veins. Must we tremble and whine at the feet of the beer barons and let them whip us like curs? We can not enforce our laws? Why, man, if you will not help do that, go home and put on your wife's dress and wash the dishes and rock the baby and let her take an ax and go out and smash the tigers. Can not drive out blind tigers? Why, a few honest, courageous officers and a half dozen determined men can search the joints every day if necessary and pour the life blood of the tiger into the street. It will do less harm there than anywhere else in the world. Can not enforce our laws? What do you say to that, descendants of the English Puritans? What do you say, children of the French Huguenots? What do you say, men with Cavalier blood in your veins? We are not cowards. Must we, in a slave's whisper, say to King Alcohol: "Sir, your hand is always raised against our laws; you sell on Sunday; you sell to minors; you sell to drunkards; you are the foe of the church, of business, and of the home; you are a menace to the manhood and womanhood, the peace, and virtue of the country, but we are afraid of you. We haven't got the courage to take you by the throat and hurl you from your throne?" In the South and West live the descendants of the pioneers who won this fair land from savage beasts and savage men. No braver, no more determined people ever lived. Here live the best types of American manhood and womanhood, and we can and we will protect and defend the land of our birth from any lawless power that seeks to rule and ruin us.

This amendment will soon pass and liquor will be driven from our shores like pirates were driven from the high seas. Twenty years before slavery was destroyed but few believed it would ever be done. Liquor will go like slavery, and it is a thousand times the greater curse. The people are now in arms against it. But few States have saloons without restrictions. The people will fight liquor fairly, but they will with the ballot and with the law destroy the traffic in the end. A Texas judge, just after the Civil War, was engaged in the trial of a horse thief, and in the opinion of the Texas people then horses were more valuable than horse thieves, and they always hung the thief. The judge before proceeding with the case said to the defendant, "Now, sir, I am going to give you a fair and impartial trial; but I am going to hang you just the same." Such should be the attitude of the people toward King John Barleycorn, and such will be his fate.

Oh, the miseries, the tears, the crimes, the deaths chargeable to this prince of destroyers. King John lays his heavy hand on the smallest and the greatest of earth, and they die his victims. The great son of Phillip conquered every foe save wine and death, and died like a dog. Lord Byron's brilliant mind and handsome face were debauched and destroyed by drink. The great Burns drank heavily, and going home one night from a drunken orgy he sank in a stupor by the roadside and thereby contracted an illness which soon stole the color from his splendid face and the glitter from his fine eyes, and long before his time this gifted son of Scottish song struck his colors to the pitiless foe that always conquers.

Who are for whisky? Those who make fortunes out of it.

Who are against it? The mothers of the land, because it destroys their loved ones. The ministers, because liquor undoes what they do. The officers of the law, because alcohol is the unapproachable chief of all causes of crime. The doctors advise against it because there is no more potent source of disease. The judges are against it because of its appalling record of misery, pauperism, and crime. Statesmen are against it because it is a menace to stable government. Educators are against it because it is a grim threat to every child in the land. Oh, I can call a cloud of witnesses to condemn it.

Mrs. Lititia Youmans says:

We have been selling our boys to pay the revenue. It is a crime.

Dr. James Miller says:

Alcohol is a poison. It kills in large doses and half kills in smaller ones. It produces delirium, insanity. It poisons the blood and wastes the man.

Blind old Homer, 900 years before Christ, said:

Far from me be the gift of Bacchus, pernicious inflaming wine that weakens both body and mind.

Bishop Foss said:

As a Christian minister I oppose drink because it opposes me. The work I do it undoes. It is an obstacle to the spread of the gospel and whose complete success would drive the gospel from the earth.

Judge Allison says:

We can trace four-fifths of the crimes committed to the influence of rum.

Years ago Lord Chesterfield said:

Luxury, my lords, is to be taxed, but vice prohibited. Let the difficulty in the law be what it will, would you levy a tax on a breach of the Ten Commandments? Governments should not for revenue mortgage the morals and health of the people.

On the 10th day of November, 1890, the Supreme Court of the United States in the case of Cowley, chief of police, against Christiansen, said, among other things:

The statistics of every State show a greater amount of crime and misery attributable to the use of ardent spirits obtained at these retail liquor saloons than to any other source. There is no inherent right to sell intoxicating liquor by retail. It is not a privilege of a citizen of the United States or a citizen of a State. As it is a business attended with danger to the community it may be, as already said, entirely prohibited.

This great court has recently upheld prohibition legislation.

They say that when saloons are legislated out blind tigers will follow. Yes; for a time, perhaps for a long time. Maine has had tigers for more than half a century, and decidedly prefers them to the saloon, but gradually she has been ridding herself of the worst of them. Of course blind tigers will follow saloons, but one saloon is worse than many blind tigers. If we wait 10 years and then abolish the saloon, they will then be followed by the tigers, so that the quicker we begin the fight against the licensed evil the quicker we shall get rid of the unlicensed evil. The sooner we get to the tigers the sooner we shall kill them. The longer we defer the coming of the tigers the longer we shall have liquor.

We must not give up the fight. The god of battles is with us. The great spirits of Gough, Neal Dow, Frances Willard, and a thousand other brave men and women who fought wrong and rum before we were born are looking down on us to-day and are bidding us Godspeed. Outlaw this giant outlaw that has ever had his hand raised against our law and against our best interests. Give us a sober America and we shall have a free and prosperous America. Men who drink, have you not served his majesty, King John, long enough? Are you not tired seeing the brewer's wife and daughter sweep by you in silks, furs, and diamonds, paying no more attention to you than if you were a slave, while your own unhappy wife lives in a rented home and your daughter is clerking in a department store when she should be in school? What money bought those silks, furs, and diamonds? The money you spent for beer. Men, have you not been building palaces for the distillers and brewers long enough? Quit drinking and build a cottage for your own family.

Whatever is wrong, per se, can not be made right by bonied excuse, by golden bribes, or by specious promise of improvement. The Model License League, alarmed over the fight now being waged against liquor, is advocating respectable saloons, improved groggeries. When serpents, with their fangs undrawn and their poison sacks undisturbed, get to be harmless and attractive pets, then I will believe that the saloon can be purified and made useful.

We must have nation-wide prohibition. We must pass this amendment. We want the strong arm of the Government on the side of the people in this fight. Then we shall have potent protection.

After all, the only sane course is to oppose with the utmost vigor wrong wherever you find it. It is the only consistent course. This liquor evil should ask no quarter. It degrades all it touches from the time it leaves the still till it lands its victim in jail, in the poorhouse, or in the grave. It makes the tender-hearted man cruel as a murderer. It converts a man of energy into an idler. It smothers the laugh on the lips of the child. It fills the home with hunger and silence. It changes the wife's love into despair and her pride into shame. Do not tell me that we shall in any way compromise with the evil that has wrought such misery in the world. What excuse is there for its existence?

There is an old legend that once upon a time an angel visited this earth, and he came to a sawmill and said, "What are you?" "I am a sawmill," was the answer. "What do you make?" "I make lumber." "What is your raw material?" said the angel. "Logs." "Is your finished product, lumber, worth more than your raw materials, logs?" "Yes," said the sawmill. "For what is lumber used?" "It is used to build houses for the people and for many useful purposes." "Very well," said the angel, "you serve a useful purpose. Turn on the steam and let me hear the music of the saw and the hum of the machinery." He next went to a gristmill, and he said, "What are you?" "I am a gristmill," was the answer. "What do you make?" "I make meal and flour." "What is your raw material?" "Corn and wheat." "Is your finished product worth more than your raw material?" "Yes." "Very well," said the angel, "you are a public necessity. You contribute to the comfort and convenience of mankind. You deserve to live forever. Turn on the steam and let me hear the melody of your busy wheels." He next came to a distillery, and said, "What are you?" "I am a distillery," was the answer. "What do you make? Now," said the angel, "tell me the truth, because from your appearance and from the crowd around you, you do not look very truthful. Tell me what you make." "I make drunkards," said the distillery. "What is your raw material?" said the angel; "now, tell me the truth." The distillery said, "My raw material is the American boy." "Then," said the angel, "I know that your finished product, the drunkard, is worth less than your raw material, the American boy, with his happy face and his heart free from care. You have no excuse for existing. You ought to be banished from the face of the earth."

The old negro mammy who nursed me used to tell me that "white folks and niggers must each eat a peck of dirt," and I think I got my share. I know two young men who were reared 3 miles south of my home town who swallowed 900 acres of the best black river-bottom dirt I ever saw. They got more than their share.

Strong drink is a warrior whom no victory can satisfy, no ruin satiate. It pauses at no Rubicon to consider, pitches no tents at night, goes into no quarters for winter. It conquers amid the burning plains of the South, where the phalanx of Alexander halted in mutiny. It conquers amid the snowdrifts of the North, where the grand army of Napoleon found its winding sheet. Its monuments are in every burial ground. Its badges of triumps are the weeds which mourners wear. Its song of victory is the wail that is heard in Ramah, "Rachel crying for her children and weeping because they are not."

The sword is mighty and its bloody traces reach across time, from Nineveh to Gravelotte, from Marathon to Gettysburg. Yet mightier is its brother, the wine cup. I say "brother" and history says "brother." Castor and Pollux never fought together in more fraternal harmony. David and Jonathan never joined in more generous rivalry. Hand in hand they have come down the centuries, and upon every scene of carnage, like vulture and shadow they have met and feasted.

Yea; a pair of giants, but the greater is the wine cup. The sword has a scabbard, and is sheathed; has a conscience, and becomes glutted with havoc; has pity, and gives quarter to the vanquished. The wine cup has no scabbard and no conscience; its appetite is a cancer which grows as you feed it; to pity it is deaf; to suffering it is blind.

The sword is the lieutenant of Death, but the wine cup is his captain, and if ever they come home to him from the wars bringing their trophies, boasting of their achievements, I can imagine that Death, their master, will meet them with garlands and with song, as the maidens of Judea met Saul and David. But as he numbers the victories of each his pean will be. "The sword is my Saul, who has slain his thousands; but the wine cup is my David, who has slain his tens of thousands."

This is a great contest. In a short time we shall be voting. The bugles will soon sound the charge. Swing into line, Members, and vote for home, sister, and mother. When the Georgia prohibition bill passed one of the younger members telegraphed home these words: "Mother, you won."

My people were Scotch-Irish, and I have always loved the heather-clad hills of Scotland. In childhood I never tired of reading tales of Bruce and Wallace and the kilted highlanders, the McDonalds, the Campbells and the Camerons, the Murrays and the Lindseys. It was the custom there in the wild days of border warfare to summon the clans to battle by sending a fleet-footed messenger through the highlands with a burning cross, and as the cross was carried by each clansman's door he was expected to hurry at once to the meeting place, and no loyal highlander ignored the summons. Scott's heroic verse vividly describes this scene:

> When flits the cross from man to man,
> Vich Alpin's summons to the clan,
> Burst be the ear that fails to heed,
> Palsied the foot that shuns to speed.

Let us pass this amendment and go forth to the States to secure its legislative ratification. Carry then the burning cross of this crusade to every home in our great Republic and invite every man and woman to rally to the support of the ratification of this amendment, and "burst be the ear that fails to heed, palsied the foot that shuns to speed."

The SPEAKER pro tempore. The time of the gentleman from Arkansas has expired. The gentleman from Pennsylvania [Mr. GRAHAM] is recognized.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I yield seven minutes to the gentleman from California [Mr. KAHN].

The SPEAKER pro tempore. The gentleman from California is recognized for seven minutes.

Mr. KAHN. Mr. Speaker, immediately after the Civil War Congress for days wrestled with the adoption of the fourteenth and fifteenth amendments to the Constitution. They were ultimately sent to the States for ratification. They were finally written into the fundamental law of this country. They are to-day a dead letter. Nobody recognizes them as law. No effort is made to enforce them. And you now propose again to write upon the statute books of the Nation a provision that will become a dead letter. You are simply creating a contempt for law. We have prohibition laws in many of the States of the Union. Are those laws enforced? You know they are not enforced. You know that there is drunkenness even in Maine, which was the first of the prohibition States, and it will continue so, because man will get liquor by hook or by crook if he wants it.

There are more people who die every year from overeating than who die from overdrinking. The doctors will tell you that. There are 7,000 people drowned every year in the United States. Do you want to stop people from going in swimming because you have a large number of deaths from drowning every year? By analogy you ought to be willing to pass prohibitory laws against swimming. Oh, those who favor this legislation tell you that liquor is the cause of the downfall of many men. I recognize that fact. The abuse of liquor, not its use, does cause the downfall of many men. But there are thousands of women in this country each of whom will tell you that her downfall was caused by some man. Do you want to kill off all the men on that account? [Laughter.] There are thousands of men in this country each of whom will tell you that his downfall was brought about by some woman. Do you want to kill off all the women on that account? [Cries of "No!" "No!"] By a parity of reasoning you ought to be willing to kill off the human race because, forsooth, some men and some women can not withstand the temptations that beset them. This legislation will result, in my opinion, in placing thousands of private stills in the very homes of the land. Distillation is the easiest of all processes. Men are going to get liquor if they want it.

The Speaker of this House [Mr. CLARK of Missouri] told me of a case of a man in the Missouri Penitentiary—a prisoner who had a fondness for alcohol. He got hold of a gun barrel and made a worm out of it. He took the corn meal that was given him for food and made a mash out of it, and in his cell in the prison he distilled whisky. [Laughter.] You can not prevent men from getting it if they want to get it.

This country will be infinitely better off if you teach men the need and importance of temperance, of sobriety. You can not curb intemperance by prohibition laws. I venture the assertion that such legislation is constantly violated in practically every State in which it has been tried. But you make sneaks and liars and hypocrites of men whenever you attempt to put into force laws of this kind, and that is what I object to. I do not believe that is a good thing for this country. I said at the outset that the fourteenth and fifteenth amendments are held in contempt. This legislation will create additional contempt for law if it is eventually written on the statute books. And that nation is in a bad way indeed when its people hold its laws in contempt. It were infinitely better for this Nation if this question were left to the individual States of the Union.

If the people of the States want prohibition, they can have it. In my State we have local option. Here is an extract from the San Francisco Chronicle of Wednesday, November 4, 1914. We had our first State-wide prohibition election on the day previous, the 3d of November, 1914. This article is headed:

SHOUTED FOR DRYS—SOLD BOOZE TO WETS.

Rogers, a druggist whose show window prominently displayed signs "Vote California dry," was arrested to-day, charged with conducting a blind pig. He was released under $200 bail.

This was in Pasadena, which is one of the largest dry towns in the State.

That shows how it makes hypocrites of men. That shows how it makes liars of men. That shows how it makes sneaks of men. Let us be honest, with ourselves at least, in this matter. Let us leave this question where it rightfully belongs—to the individual States of the Union. [Applause.]

Mr. WEBB. I yield four minutes to the gentleman from Colorado [Mr. KEATING].

Mr. KEATING. Mr. Speaker, I was impressed by the strange logic of the gentleman who has just taken his seat. I do not think he has gone far enough, however. I would call his attention to the fact that we have on our statute books laws against stealing. Those laws are repeatedly violated. Why not be frank with one another and repeal them?

I know of a case where a man was in the penitentiary for murder. He secured a heavy tool with which he worked, and he killed a guard. Why not be frank with one another and repeal the law against murder because it is being violated?

A short time ago several hundred men and women were drowned through the capsizing of a steamer near Chicago, and a clamor went up all over the country for laws to safeguard steamships. Why indulge in such nonsense? As the gentleman has told you, thousands of men and women are drowned every year. Why enact laws calculated to safeguard men and women against being drowned?

My friends, what arrant nonsense is this? Of course prohibition laws are violated. I presume that prohibition laws will always be violated. But that does not affect the principle of the proposition we are considering.

I am in favor of this amendment and will vote for it, because I believe that the liquor traffic should be outlawed in this country, and I know of only one way in which that result may be secured, and that is to place upon the statute books a law which will forbid the sale, the manufacture, and the importation of intoxicating liquors and then give to the State and national authorities full power to enforce that law.

We are about to pass this amendment. The people of this country want their Constitution amended so that the liquor business will be destroyed; and their Representatives in this Chamber, in voting as they will vote to-day to submit this amendment to the State legislatures, are responding to that appeal of their constituents.

My own State has adopted prohibition. It adopted it by a very narrow margin, and those who were opposed to prohibition were loud in their predictions that the people would soon tire of it. And yet two years later, when a proposition was submitted which would permit the manufacture of light beers, the people of Colorado defeated it by more than 50,000 majority.

As a further evidence of the sentiment of the people of Colorado on this issue, every Representative from that State will vote for this amendment. [Applause.]

Mr. WEBB. Mr. Speaker, I yield two minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, the real question before the House to-day is whether or no we believe in representative and constitutional government; whether or no we believe that governments derive their just powers from the consent of the governed, and that the governed therefore have the right to say whether those powers shall be extended. There may be gentlemen who doubt the efficacy of prohibition as a perfect cure for the evils of intemperance. There may be gentlemen who doubt the wisdom of prohibition through Federal enactment. But unless those gentlemen assert and contend that the people are not capable of judging and determining those questions they can not logically vote against the resolution now before the House. I am one of those who believe that under our form of government the right of the people to an opportunity to determine whether or no the powers of the Federal Government shall be extended is beyond controversy or question; therefore as a very considerable number of very respectable people desire to have the question of prohibition through Federal constitutional enactment submitted for decision in the constitutional way I am in favor of giving them that opportunity, because I am a believer in a government of the people with such powers as the people desire it to have and exercise. [Applause.]

The SPEAKER pro tempore (Mr. CRISP). The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield two minutes to the gentleman from North Dakota [Mr. NORTON].

Mr. NORTON. Mr. Speaker, I have listened to-day with a great deal of interest to many of the opponents of this proposed amendment to the Constitution of these United States for prohibiting the manufacture, sale, and transportation of intoxicating liquors. Their subtle and specious arguments have forced me to the conclusion that many of these gentlemen have unquestionably missed their calling. They very evidently have made recent and most careful study of the most modern and up-to-date methods of strategy and deception practiced on the battle fields of Europe in the present world war. These gentlemen are here when they should be using their great talents elsewhere. Their arguments in this debate evidence that they would make marvelously great camouflage artists. They are wasting their time and talents here in Congress when they might well be making our German enemies across the sea believe molehills are mountains and that broomsticks are 20-inch cannon. Some of these gentlemen would have you believe that this amendment is contrary to the whole spirit of our original Constitution and of our established form of Government. Nothing is further from the truth. This resolution proposing an amendment to the Constitution of these United States is in

every way properly before this body, and it is in every way proper for this body to submit this amendment to the several States and to the people thereof for approval and ratification. I shall unhesitatingly support this resolution, first, because it is in every way properly before this House, and because it is in every way right and fitting to at this time submit it for approval to the several States of the Union. I shall support it for the further reason that I firmly believe that if this resolution could be adopted and approved by the necessary number of States at once it would not only not interfere with our winning of the war, but would, on the other hand, greatly help and aid us in winning the war. [Applause.]

I shall support this resolution, gentlemen, because its passage in this House will mark one of the final steps in the great work of driving from this Nation for all time one of the greatest causes of crime, misery, and unhappiness among our people. I shall support this resolution, gentlemen, because I have been witness for many years in the splendid State I have the honor in part to represent here in Congress to the marvelous benefits of prohibition as shown in the homes and among the families of my State.

I shall support this resolution, gentlemen, because I know that when it is finally adopted and when it becomes a part of the law of our land there will then no longer be found in this great Nation of which we are all so proud those poor, pitiful, blear-eyed, woeful wrecks of humanity now found in every city, town, village, and hamlet where a saloon exists and where intoxicating liquors are dispensed. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I yield three minutes to the gentleman from Connecticut [Mr. MERRITT].

Mr. MERRITT. Mr. Speaker, nobody questions that we are living in a government in which the majority rule. Nobody questions that this amendment is properly before this House and that it is constitutional if passed in a constitutional way. But that does not prevent this resolution from being revolutionary, because if passed it will put into the Constitution social legislation that has never been there before. It will take away the great distinction of our Constitution that it is the fundamental law and not an instrument for social legislation.

In Connecticut years ago, before I became active there, we passed a State-wide prohibition law. It went on for five or six years and was so unsatisfactory that it was repealed. Since that time we have gone under local license, which has been very satisfactory. As a matter of fact, none of the large towns or cities has continuously been under no license because that was found unsatisfactory for them. The small towns and country places are under no license, which works satisfactorily, and the large towns under license, which works satisfactorily.

I think that is a fair example of what should go on. There is no possible objection on our part to what the Middle West or the West may have. If they want license or no license they should have it. All we want is to have the say as to our own social legislation.

We have in Connecticut a thickly settled manufacturing district, and I am perfectly sure that if this legislation could be passed and passed promptly you would not help the war at all. As a matter of fact, no crisis of that kind exists at all because under the act of this Congress giving power to the President and the food administration we shall have practical temperance, and that will enable us to see how it works. That will be real national temperance. It seems to me to put through this so-called emergency legislation when there is no emergency, raises a question during the war that is unwise. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Speaker, there is pending in this Congress three proposed amendments to the Federal Constitution:

1. For the purpose of establishing national prohibition.
2. For the purpose of conferring the right to vote upon women.
3. For the purpose of placing the name of God in the Federal Constitution and by this means recognizing the name of the Supreme Being in our organic law.

We are now engaged in the consideration of the first of these proposed amendments, which is designated as Senate joint resolution 17 on House Calendar No. 79 of the Sixty-fifth Congress, second session. This amendment proposes as follows:

> After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Seven years are given to vote upon this amendment. Even if adopted eight years may elapse before it becomes effective.

The Government of the United States is one of delegated powers and the Congress possesses only such powers as are found within the written Constitution. The Constitution of the United States is a compact made by the people of the United States to govern themselves as to general objects in a certain manner. The meaning of the Constitution as to the document itself rests on judicial interpretation and extension of the law. Its meaning is found not only within the Constitution itself but in the judicial interpretation placed upon its clauses by the Supreme Court out of which has grown up the extension of authority known as the "doctrine of implied powers" whereby the Constitution has been made flexible and a living growing compact governing perfectly this Nation of over 100,000,000 people with perfect adaptability as it governed 130 years ago this Nation when it consisted of less than 6,000,000 people with limited commerce and few wants.

For the people of the United States loyalty consists not in devotion to a sovereignty or fatherland but to the law itself, and to an ideal, to a Constitution, and this ideal found its supreme expression in the United States in the Constitution adopted in 1787. What, then, is the Constitution that we are here proposing to ask the people to amend?

In the case of Horne *v.* Dorrance (2 Dall. Rep., 304) it is thus defined by the Supreme Court:

> It is a form of government delineated by the almighty hand of the people, in which certain first principles of fundamental laws are established. The Constitution is certain and fixed; it contains the permanent will of the people and is the supreme law of the land; it is paramount to the power of the legislature and can be revoked or altered by the authority that made it. The life-giving principle and the death-doing stroke must proceed from the same hand. What are the legislatures? Creatures of the Constitution; they owe their existence to the Constitution; they derive their powers from the Constitution. It is their commission, and, therefore, all their acts must be conformable to it or else they will be void. The Constitution is the work or will of the people themselves in their original, sovereign, and unlimited capacity. Law is the work or will of the legislature in their derivative or subordinate capacity. The one is the work of the creator, the other of the creature.
>
> The amended Constitution of the United States: The people's law of the United States now consists of the written plan of government prepared by the convention of 1787 and 17 amendments which have been added under the provisions of the amending clause.
>
> The first 10 amendments, usually called the Bill of Rights, state in separate articles as additions to the Constitution the rights, privileges, and immunities of citizens of the States.
>
> The eleventh and twelfth amendments limit the power of the Federal courts in actions against States and correct the defects in an impossible plan of choosing Presidents and Vice Presidents of the United States.
>
> The three amendments adopted at the close of the Civil War are additions to the Constitution rather than alterations.
>
> The sixteenth amendment permits national taxation of incomes derived from any source, including real estate.
>
> The seventeenth amendment provides for the election of United States Senators by the people instead of by State legislatures.

We are now proposing to add an eighteenth amendment to the Constitution, which amendment I shall briefly describe as prohibiting the manufacture and sale of intoxicating liquors.

The people have purposely made the amendment of the Constitution difficult and incapable of haste. The fundamental law of the land is not to be hastily changed, modified, or extended.

In order to amend the Constitution it is necessary to pass through both the Senate and the House the proposed amendment in identically the same form by a two-thirds majority and then submit the proposed amendment to the people of the various States, which must be adopted in the same form by the legislatures of three-fourths of the States before it becomes operative. In this case it would require the affirmative action of the legislatures of 37 States.

A vote, therefore, in favor of submitting this amendment to the people means that the question will be submitted and made an issue in the election of the next members of the legislatures of all the States and of the governor in most of the States, and the question of prohibition will be fought out on all the hustings and in the legislative contests of each of the States of the Union. In this way all the electors of the country will be given an opportunity to register their opinion on the propriety of adopting this amendment and prohibiting or continuing the manufacture and sale of liquor in the United States, and that is exactly as it should be.

The responsibility for this legislation should be with the voter who resides in the district and knows the local conditions and wants of the people and not with the Members of Congress, who may not be familiar with the local situation.

In the district which I represent, the twenty-second Pennsylvania, composed of the counties of Westmoreland and Butler, there is a population of over 400,000 people and a voting population of about 40,000. To expect me to vote against submitting this proposed amendment to these 40,000 voters for their consideration and decision would be to require me to act arbi-

trarily, unreasonably, and contrary to the duties of a Congressman.

The office of a Congressman is representative. On all questions except moral questions he should represent the sentiment of his district, but on moral questions he should act according to the dictates of his conscience.

I am not now arguing or commenting on the moral features of the liquor traffic. Time forbids a discussion of this. This does not necessarily enter into the consideration of the submission of this amendment at this time. That question must be decided by the voters of the different States when the question is presented to them. The situation that confronts me as a Member of Congress is, Shall I by my vote oppose the submission of this proposition to the voters and thereby say to them that they are not to be trusted, or that they are unable and unwilling to decide this question, or shall I, by my vote in favor of it, refer it to them for their consideration, as I would any other constitutional amendment.

That there is a great demand among the people for the submission of this question to them is admitted. It is stated in the report of the committee in this House on the bill, and not denied in the minority report, that 80 per cent of the population of the United States has declared for prohibition, and that more than 60 per cent of the population live in dry territory, and that approximately 10,000,000 of the people of the United States residing in all sections of the United States have petitioned Congress for the passage of this resolution. Surely, to disregard the voice of the people so emphatically uttered would be folly upon the part of a Representative in Congress and would be turning a deaf ear to the people who are entitled to favorable hearing and consideration. Never before was such a petition presented and such demand made for the enactment of legislation as this.

I am in favor of all the amendments above referred to. I could not vote to withhold any of them from the consideration of the electors and discharge, as I view it, my duty to them as their Representative.

It will be urged here and elsewhere that this is an inopportune time to consider this proposition. That the consideration of it will bring dissension, dissatisfaction, and unrest among our people at a time when they ought to be united, determined, and in complete accord in the prosecuting of this great war to a victorious conclusion. That I do not believe to be true. I am not a member of the committee that reported this resolution. The question is here and must be met and decided. There is no escaping the responsibility. I am also aware in my own case that it requires great courage to vote in favor of the submission of this amendment to the people; it means much for me and probably will affect my political future; it certainly means the estrangement of life-long friends, the breaking up of political ties, and the engendering of more or less personal enmity; but I must not consider my personal situation, my personal feelings, nor my personal future. My duty, in this instance, I believe to be plain and clear. That is to vote to refer this whole question to the arbitrament of the voters of my own congressional district and all the congressional districts in the country for their ultimate consideration and determination. They will determine it rightly. In a Republic the final decision of all questions must ultimately come to the people themselves, and from them all authority must proceed. In this instance we can trust the people implicitly. Our trusts will be met; our anticipations will be fulfilled. They will decide this question rightly, and until it is so decided it will never be finally settled. I trust the people; I believe in their judgment and their honesty. Their love for the Constitution and our republican institutions is an ample guaranty that these will always be safe in their hands and keeping. Their patriotism and devotion will guide them aright. Their voice in this instance, as in every other similar instance, will prove again the truth of that maxim of our political life, that "vox populi vox Dei." [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from California [Mr. OSBORNE].

Mr. OSBORNE. Mr. Speaker, the question before the House is the adoption of a joint resolution proposing to the several States of the Union an amendment to the Constitution of the United States prohibiting the manufacture, sale, transportation, or importation of intoxicating liquors.

It is in the nature of an enabling action, permitting the States to ascertain the sentiments and desires of their citizens upon this very important question of public policy. In other words, it is not a question as to the merits of prohibition, but the question is whether or not the people of the various States shall be permitted to vote on the merits of prohibition.

As greatly as I deplore the evils attending the intemperate use of intoxicating beverages, I have never considered indiscriminate prohibition as the best and only method of coping with the evil.

In a long experience while a young man as a newspaper reporter on police-station details, and later during several years spent in mining camps on the Pacific coast, I reached the conclusion that an enormous percentage of all the evils of intemperance arise from the use of strong spirits—whisky, brandy, gin, rum, and so forth, but, in our country, principally whisky. I have observed that all of my acquaintances of earlier years who were drinkers of spirits have passed away. It is only the temperate who are left, and who still perform useful functions in the world.

In a life of several years in a noted mining town of the Sierras, where, in an isolated locality, one knew the individual characteristics and personal habits of nearly every resident, I knew a number of very bright and capable young men who fell into the habit, not unusual in such frontier towns, of taking an appetizer in the form of a cocktail before breakfast. A cocktail, I am told, is a very insidious and virile concoction, embracing a number of most potent ingredients of high spirits and various appetizing condiments. It is said that one will create an appetite where none existed before. But the appetite is not confined to food, but extends to further stimulants, and the young men I have referred to soon acquired the habit of taking a second cocktail, usually at a second saloon, and after no great interval they had what was locally termed a "cocktail route," which they traversed morning after morning, from one saloon to another, absorbing three or four or even a half dozen cocktails before breakfast. I hardly need say that all of these young men, some of them very capable and promising, have passed away, most of them over 25 years ago. I occasionally meet an old acquaintance whom I knew at the intensely active mining camp of Bodie, which flourished contemporaneously with Leadville and the later days of the Comstock, 35 or 40 years ago, but not one of the followers of the cocktail route do I ever see. They have all passed "beyond the great divide."

I have never been able to observe any permanent or even temporary good in the use of whisky and kindred spirits as beverages, and I have seen great and appalling evils result. As I advance in years, the less of good and the more of evil are apparent to me in their use. I have no difficulty, therefore, in reaching the conclusion that high spirits of every form as beverages ought to be got rid of.

So far as the beverages are concerned of light alcoholic content, such as beer and light wine, they are not subject to the same objections as high spirits, and they should be treated in an entirely different way. Their use may be abused, it is true, but they are not so likely to be, and they are in their nature incapable of so much mischief. If there were no high spirits to be had and nothing with higher alcohol content than beer and light wines, I doubt if there would be much intemperance. Such is usually reported to be the fact in those countries where this condition exists. A very great distinction ought to be made between high spirits and wines and beer in legislation.

Having reached the conclusion that high spirits as beverages are an unqualified detriment to the people and to the country, the problem arises as to how to rid ourselves of them. We certainly ought to do so in a way that would do injustice to no one, or as little injustice as possible, in carrying out so sweeping and radical a measure.

Light wines and beer of small alcoholic content ought not, in my opinion, to be included in the prohibition, unless it be for the purpose of conservation and as a war measure. That power is already in the hands of the President.

For a half century the State of California has been at great pains to build up an extensive viticultural interest. Large sections being specially adapted to the raising of wine grapes, it has encouraged and fostered the industry in many ways. It has been maintaining and is now maintaining a State viticultural commission, which obtains information of interest to wine-grape growers from all European wine-making countries and distributes it to those interested in California. Many people have the accumulated work of half their lives or more represented in their vineyards, at the inducement and encouragement of the State. The value of these vineyard properties runs high in the millions, and it would seem a great wrong if these people were to be deprived of their property, or of the only use to which it could be placed, without consideration of any kind. The same reasoning applies to wine-grape growers in Ohio, New York, Missouri, and other States.

I opened my remarks by a statement that this joint resolution is in the nature of an enabling act. Aside from the merits of the particular measure, I should be inclined to favor permission to the State, when asked by large numbers of citizens (and in this case some 6,000,000 of people have so petitioned), to vote upon any large question of public policy, whether it be prohibition, suffrage, or any other important question. In this

case there is the undoubted fact that a majority of the citizens of my own district would favor the submission of this amendment to the people of the States and an opportunity to vote on it. At an election held throughout the city of Los Angeles on November 20, 1917—only a month ago—by a majority of over 20,000 it was voted to exclude saloons from the city. About 80 per cent of the voting population of the city is within the tenth congressional district, which I represent. I believe that a Representative in Congress should faithfully represent the sentiment of his district, if he knows what that sentiment is, unless he regards the sentiment absolutely wrong or immoral and he can not vote in conformity with it without violence to his conscience. There is, of course, no such difficulty involved in this case. There is nothing wrong or immoral in permitting the people of the United States to vote their convictions on a great public question. A Representative of a district which he feels sure would favor such action would be in an incongruous position to vote to prevent such a Nation-wide expression, even though he might prefer that the proposed action should be less sweeping.

In this view, I shall vote for the joint resolution. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield two minutes to the gentleman from New Hampshire [Mr. BURROUGHS].

Mr. BURROUGHS. Mr. Speaker, I hope this resolution will pass. I was elected to this House on the 29th day of May last largely upon this very issue. The State of New Hampshire, which I have the honor in part to represent, has voted to be a dry State after the 1st day of May next. The district I have the honor to represent has been said to be the wettest district in New England outside of Boston. There are many breweries in that district, but that district on the 29th day of May voted in favor of a dry candidate—voted to send me to this House as its Representative in Congress.

Now, Mr. Speaker and gentlemen, I shall not attempt in two minutes to argue this question; but, to my mind, when approximately 10,000,000 people in this country have petitioned, as they have petitioned Congress, to submit this amendment it is sufficient reason why we should at least submit the amendment to the people. That, I understand, gentlemen, is the exact situation at the present time.

Much has been said in regard to disunity, that we should take no action that will bring on disunity, but let us remember that the question is here. We can not avoid it or get rid of it. Do gentlemen think that by voting down this resolution at the present time you are going to get unity when the people are divided on it all over the country? Do gentlemen think they are going to get rid of the question in that way? [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GARD. Mr. Speaker, I yield three minutes to the gentleman from California [Mr. LEA].

Mr. LEA of California. Mr. Speaker, I shall propose an amendment to the resolution exempting light wines, and beers containing not more than 3 per cent of alcohol, from its application. In the brief time at my disposal I want particularly to refer to some conditions that affect my district. There are in California 160,000 acres of wine grapes. The adoption of the amendment to the Constitution proposed here to-day would mean a loss to the farmers of California, the grape growers, of not less than $30,000,000. The men who have planted those vines, which produce practically a lifetime, have done so because they have been encouraged by this Nation and by the State of California to do so. The United States to-day maintains 12 experimental vineyards in the State of California to encourage those farmers. Those grape growers are worthy men. They are of that type that represents the worthy farmer of this country. I have here a letter that I want to read and which illustrates one phase of the question involved at this time. It is from a grape grower, a man who went out and cleared the land and planted a vineyard of about 40 acres, upon which he is to-day dependent for the support of his family. The body of the letter is as follows:

> I have given my son to the Army to go to France to fight my country's battles. I learn from the papers that there are Congressmen at Washington who want to destroy the value of my vineyard, which has been raised at great labor and expense to myself and upon which my family is depending for support. Do you think this is a square deal?

I replied to that farmer that I did not think it was a square deal. His only son is preparing to leave for France. The writer is himself a member of the home guard and willing to serve his country when called. The parents of that boy, like the parents of other American boys, will daily await with anxiety the news from the battle front. Even in their dreams at night the peril of their son fighting for our country will startle them in dread. That family is typical of hundreds of families in California. It is not right at this time, when we ask of them a sacrifice that is dearer than themselves—their children—that we should also haunt them with the fear of losing property upon which they largely depend for livelihood.

However, I do not speak from the standpoint of the grower alone. The evils of the liquor business are known to all. I am not here to find fault with those who seek to curb those evils. Indeed, I believe it would be a reflection upon the worth of our people if in recent years no effort had been made to restrain the liquor business. But the resolution proposed to-day, in my judgment, goes to an extremity that is not sanctioned by the moderate and best opinion in our country.

My amendment proposes the elimination of the fundamental evil of the liquor business—strong drink. Under normal conditions the country consumes about 100,000,000 gallons of whisky and strong drinks. It consumes over 1,500,000,000 gallons of beer, the percentage of alcohol in which has heretofore ranged from about 3½ per cent to 5½ per cent. It has heretofore consumed something like 30,000,000 gallons of light wine and about 20,000,000 gallons of fortified wine. My amendment, if adopted, would eliminate whisky and the other strong drinks. It would eliminate all but the light wines. It would reduce the percentage of alcohol in beer to a basis practically nonintoxicating. The adoption of this amendment would eliminate the extremists from both sides of this controversy. Those extremists are the radical, aggressive, assertive advocates that do not represent those upon whom we must rely for a sensible solution of this problem.

Those who fail to discriminate between light liquors and strong drink refuse to see facts that are apparent to all open minds. You say alcohol is a poison. It is. So is the caffein in coffee. So is the nicotin in tobacco. But all men discriminate between coffee and cocain and between tobacco and opium. So intelligent minds must discriminate between 3 per cent of alcohol and 50 per cent of alcohol.

Some regard must be had for the appetites of other people. We do not force even a sick man to take medicine unless he wants it. Our right to curb the appetite of another is limited to cases where the gratification of that appetite is in itself immoral or destructive of the rights of others. For that reason we have a right to restrain the use of opium, cocaine, drugs, and strong drinks, and for the same reason we have not the right to restrain the use of coffee, tobacco, and other drinks which are not substantially injurious to the users or others.

I am not willing to give to the other States of this Union the power to deny to California the right to permit or regulate the sale of beer containing only 3 per cent or less of alcohol. I am not willing to give to the other States of this Union the power to destroy the value of the 160,000 acres of wine-grape vineyards in California and at the same time deprive my own State of the power to protect them, or abolish them, as it sees fit. On the same day that I was elected to Congress my district voted against destroying those vineyards by a majority of 10,237. I will not to-day authorize the other States to impose upon California a law which her voters have already rejected.

Mr. VOLSTEAD. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, my theory of the duty of a Representative upon this floor is that he should, in so far as he can, consistent with his oath of office, vote the sentiments of a majority of the people of his district.

I came here knowing a majority of those whom I represent are strongly in favor of submitting the question of national prohibition to the several States for such action as they may desire to take upon it. Knowing this when I submitted my candidacy to the people of my district, and knowing it now, I shall cast my vote for the passage of the resolution.

When this resolution providing for national prohibition has been adopted by Congress and submitted to the States it will require the approval of three-fourths of the States before it becomes effective. It seems to me no one can seriously question that if the people of three-fourths of the States of the Union desire national prohibition the demand for it is so strong among our people as to justify the adoption of prohibition as a national policy.

We are now engaged in a great war to make the world safe for democracy we are told. This being true, we should not by our action here refuse to three-fourths of the people of America the constitutional right to determine the policies that shall prevail in their own country.

Aside from giving voice to the sentiments of the people I represent in voting for the passage of this resolution, I also express my own convictions of this important question. The organized liquor traffic is the greatest curse of the present age. No good has ever come from it or ever will. Its every influence is bad and the American people have made up their minds to banish it from their midst. They have decided that the method of its destruction most certain and speedy is by way of an

amendment to the Federal Constitution. Representing a great district where the people have by their votes in every county, in every town, and every precinct driven out the saloon, and entertaining the sentiments I do, I shall most cheerfully vote for this resolution. [Applause.]

Mr. HEFLIN. Mr. Speaker, my district is as dry as a covered bridge and we had secured prohibition for every county in it before the other counties in the State went dry. So you can very well understand why the people of my district and State do not enthuse over your proposition to take from us the power that we have already used successfully and at the same time place Alabama in the attitude of denying to other States the right to use the very same power that we used to suppress the whisky traffic.

Just a few years ago whisky was legally sold in every State in the Union, but the local crusaders at fireside, in school room, in pulpit, press, and forum have carried on their campaigns of education against the evil until to-day more than half of the States, through the exercise of their own sovereign powers, have driven out the whisky traffic and established prohibition. Mr. Speaker, 27 States have suppressed the whisky traffic, and by so doing they have given to their sister States the benefit of their example, and they have demonstrated beyond peradventure that the State has the right and the power to suppress the whisky traffic, and that the State can and has suppressed it in the most effective way possible. And now the States that have not yet adopted prohibition are begging us who come from the States that have prohibition to let them convince their people as we have convinced our people of the evils of the whisky traffic. The question is: Will we be patient and tolerant enough to accord to other States the right to settle the whisky question just as we ourselves settled it through the rights and powers reserved to the States?

Gentlemen, are we willing to take away from the State that sovereign power without whose exercise we would not now have prohibition in any State in the Union and, in taking that power away, surrender forever the right and power of the State to control its own domestic affairs? No emergency has arisen that would justify me in surrendering to the Federal Government this cherished right of the State. If the State were powerless to carry out its own will and to do with the whisky traffic what the people of the State had declared they desired to do, then—having discovered that it was unable within itself to execute its own will—then, I say, and then only, would we be justified in calling upon the Federal Government to interfere in the domestic affairs of a State.

The cause of prohibition is growing everywhere, and all that has been accomplished for the cause has been accomplished by the States acting through their separate sovereignties. Now, then, if the whisky traffic can be and has been suppressed through the police powers of the States, there is no reason or justification for taking this right away from the State and depriving the people of the States of the right and power to do that which they can do and do more wisely and effectively than can the Federal Government. All candid people must admit that the wisest and best way to handle the whisky question is through the exercise of the police power of the State. When you get prohibition that way you have a strong and sympathetic public sentiment to sustain the State in its action. Thomas Jefferson and the fathers of our Federal Constitution provided that it should be handled in that way. Under this plan, through the police powers of the States, prohibition has been established in more than half of the States of the Union, and under this plan the work goes on. State by State the Commonwealths of this Union are taking their places in the prohibition column.

Mr. Speaker, in the first place, it is not necessary in the interest of prohibition to surrender this right of the State, because the surest and safest way of suppressing the whisky traffic is through the police power of the State. The State of Alabama, through the exercise of her police power, has already suppressed the manufacture and sale of whisky within her own borders, and Congress has made it unlawful to ship whisky into a State where the manufacture and sale of it is prohibited, and now the Supreme Court of the United States has declared that the State, through the exercise of its police powers, can even prohibit the citizen from keeping whisky in his own home for personal use. If the individual State now has the power to suppress the manufacture, sale, and use of whisky within its confines, why should we surrender that power to the Federal Government, and why should we aid in depriving other States of the very same power through whose exercise we suppressed the whisky traffic in Alabama?

Mr. Speaker, it is not here proposed to submit this amendment to the people of the various States and I am not willing to take from my State this sovereign power without giving the people themselves an opportunity to vote upon the question. We were going back to the people when we took away from the State legislatures the right to elect United States Senators and conferred that right upon the people themselves, but here you propose to take away from the people a cherished and a valuable sovereign right by the action of the State legislatures, some of whom have already been elected, elected before this amendment became an issue.

Gentlemen of the House, the framers of the Constitution wisely reserved to the separate States certain powers. They realized that it was best for the State and Federal Government for the State to have and exercise certain fundamental rights and powers. In the old days the man who was willing to strip the State of its sovereign powers and turn them over to the Federal Government was properly called a Federalist. Gladstone said truly that the Constitution of the United States was the greatest civic document that ever emanated from the brain of man, and that great document recognized the wisdom and necessity of forever preserving in their vigor and integrity every sovereign State in the Union. The advocates of home rule and local self-government labored hard in the constitutional convention to secure for the States the rights and powers necessary for their well-being and preservation, and I wonder what they would think if they could come here now and see some Members of the House and Senate surrendering to the Federal Government powers that rightly belong to the State. Instead of rendering unto the Federal Government the things that rightly belong to the Federal Government and safeguarding the State in the full and free use of the things that rightly belong to the State, they are joining in the Federalist movement which takes away from the State the very lifeblood of its sovereignty.

Mr. Speaker, when you deprive the State of her sovereign power you weaken the State. You impair her usefulness. You take away from her the right to manage the affairs of her own household and deprive her of the power of self-preservation. Shall it be said that she has been humiliated and betrayed by those chosen to protect and defend her, and that those selected to safeguard her rights have surrendered them? If you surrender this police power of the State and say that the State shall no longer determine her own domestic policies, you have drawn an awful indictment against your State, for, in effect, you have charged her with being indifferent to her own interests or incompetent to manage her own affairs, or you have branded yourself as one careless and indifferent as to her well-being and standing in the sisterhood of States. If the State has become incompetent and unworthy to longer have and exercise the sacred rights and powers that the fathers said were necessary to her well-being and preservation, then, gentlemen, you are justified in calling upon the Federal Government to come in and take control of the domestic concerns of the State. But, gentlemen, such an indictment against the State can not be sustained. The State is more competent than ever to conduct its own affairs and more responsive to the righteous demands of its people than ever before. The very thing that we boast of here to-day—the rapid growth of temperance and prohibition—had its origin in and made its progress through the States acting in their sovereign capacity and using the very same police power that you now seek to destroy.

Gentlemen of the House, the time was when all of the States authorized the sale of whisky. Suppose at that time, when all of the States legalized the sale of whisky, Congress had submitted and three-fourths of the States, through their legislatures, had ratified an amendment declaring the sale of whisky proper and legal in every State in the Union. Why, if that had been done and the State had been stripped of the police power that you are trying to take from her to-day, we would have no prohibition. If the legislatures of three-fourths of the States can ratify an amendment saying that no whisky can be sold in any State in the Union, the same number of legislatures could, by an amendment, declare the sale of whisky legal in every State in the Union and thus banish prohibition from the States that now have it. The Nation is going dry by and through the exercise of the police power of the States. The antiwhisky campaign is being waged in every locality in the country, and the people are being educated on the evils of the whisky traffic, and the result is that when a State goes dry in this way you have public opinion to sustain the law, and prohibition is not a success anywhere unless it is supported by public opinion. But for the police power of the State, the very power that you are seeking this day to destroy, we would not have prohibition on a single foot of American soil.

Mr. Speaker, instead of making it a national question, let the States go on educating their people and holding elections,

if they wish, but do not foist upon the Nation at this time an issue involving the destruction of the rights of the State. The President, by act of Congress, has the power now to stop the manufacture and sale of whisky, beer, and wine all over the country. He can commandeer every drop of it at any time. Gentlemen, is it not wise and best to leave this question in the hands of the President for the present? If he favored this method of handling the question he would advocate it and give us his reasons for wishing to deprive the States of their right to deal with the matter as they deem wisest and best. We have already conferred upon the Federal Government all the power necessary for the handling and the suppression of the whisky traffic during the war, and we have done this without stirring up strife amongst the people and without emasculating the States and amending the Federal Constitution. Would it not be better to wait for further suggestions on this question from the Commander in Chief of our Army and Navy before we plunge the American people into a bitter campaign in every State in the Union? It is unwise and unnecessary to precipitate this fight at this time, and, in the interest of complete harmony and concerted action on all war questions, a campaign such as this issue would present ought not to be forced upon the country at this time. Any State can now act upon the question of prohibition without regard to action on the part of the Federal Government, but if this amendment is submitted the question becomes a national issue and, right here in the midst of the war, the attention of the people would be distracted and sharp division in feelings would result. And it seems to me that it is the patriotic duty of all Members at this time to prevent the doing of anything that will embarrass and handicap the President in his patriotic efforts to bring about unity of purpose and concerted action on all matters pertaining to the war.

Mr. Speaker, no Member of the House or Senate can dispose of this question by simply saying that he was tired of being bothered with it. The man who will surrender a vital power of his State because he wants to get rid of those who want to deprive his State of that power is unworthy of the commission that he holds. Mr. Speaker, just a little while ago the gentlemen who are here to-day urging the destruction of the police power of the State were saying to me and to others, "If we can suppress the manufacture and sale of whisky in the State and keep whisky advertisements and shipments of whisky out of the State, we will have accomplished the desired end, and we will not call upon the Federal Government for action in the matter." Well, the manufacture and sale of whisky has been suppressed in Alabama. Whisky advertisements and shipments have been prevented, but here they are, with no reason or necessity to warrant it, asking us to surrender to the Federal Government the right of the State to manage its own domestic affairs. The police power of the State is one of the cherished landmarks of the fathers, and the people of my district and State do not want this landmark removed. They are opposed to surrendering this right and power to the Federal Government, and they want me, as one of their Representatives in Congress, to protect the State in the full and free exercise of her sovereign powers.

Mr. Speaker, in 1909 the legislature of my State submitted a prohibition amendment to the constitution of Alabama, and I supported that amendment. Every county in my district was dry at that time, and yet the district gave a majority of over 2,000 votes against that amendment. The State, with nine-tenths of the counties dry, gave a majority of nearly 30,000 votes against it, every congressional district in the State going against the amendment. In view of the fact that my district refused by over 2,000 majority to place a prohibition amendment to the constitution of the State, and in view of the further fact that the people of the State refused by a large majority to ratify a prohibition amendment to the State constitution, I would not be justified, even if I desired personally to do so, in using the power delegated to me as a Representative in Congress from Alabama in doing to the Federal Constitution, through the legislatures of three-fourths of the States, what the people of my district and the people of the State by direct vote refused to do to the State constitution when the State prohibition amendment was submitted to the people of Alabama. Why, Mr. Speaker, in 1776 the 13 Colonies took up arms against the mother country because they were denied the right to shape their own domestic policies and to manage as each Colony thought best its own domestic affairs. But in 1917 a proposition is submitted to the legislatures of the States which places in the hands of 35 State legislatures the right and power to disregard the registered will of the entire population of 13 States in the Union. Never has the Democratic Party in my district or State declared in favor of a Federal prohibition amendment. The Democratic Party in the Nation has never declared in favor of it, and yet we are urged here to surrender a right that has endeared the Democratic Party to millions of American people.

The trouble with some Members of Congress is that they seem to become infatuated with the idea of a strong centralized government and instead of safeguarding the State in all its rights and powers, they are ready to surrender to the Federal Government the very things that support and sustain the life of the State.

Mr. Speaker, it is the solemn duty of every Member of the House and Senate to protect and not to surrender the police power of the State. For the time being we are the guardians of these sacred sovereign powers, and God forbid that we shall prove recreant in our obligations to the States whose rights and powers we have sworn to protect and preserve. History teaches us that in all Republics, centralization of power is the great danger to be dreaded. Fortunate, indeed, is the country whose national lawmakers "take care," as President Jackson said, "not to confound the powers of the Federal Government with the rights and powers reserved to the States." Mr. Speaker, I regret to see that some gentlemen here from the South in their enthusiasm for certain federalistic theories on prohibition do not seem to realize that we are treading on dangerous ground when we deliberately surrender our sovereign powers and invite Federal interference in the domestic affairs of the State. They do not seem to realize that we are setting a precedent for Federal control over other things in the State—things that touch the very heart of our civilization. We are not situated as some of the other States are, and we of the South have problems entirely different from the problems that confront the people in many of the other States. Our people have not forgotten the dark days of reconstruction when the negro, drunk on his new-found freedom and led by scalawags and carpetbaggers, threatened the civilization of the South, and that it was the State, through the exercise of its sovereign powers that saved our civilization; that protected our women from the lust and carnality of the brutes in our midst; that drove out the scalawags and carpetbaggers and gave back home rule and self-government to every Southern State. Surrender these rights? No, gentlemen, the very heart of my State cries out against it. [Applause.]

Mr. WEBB. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Speaker, in determining our attitude upon this great question, we need not journey far into the realms of metaphysics or philosophy. We need only to consider whether the thing we propose to eradicate is an evil and whether our Nation and the world will be better and safer when it no longer exists. Having determined these questions, our duty is made plain and will be fulfilled in proportion as we act upon the conclusions we reach in the exercise of our moral and mental perceptions.

There was a time when men could be found who would defend the saloon and the liquor traffic as an institution. That time has passed. No man in his right mind now attempts to defend the American saloon. Men there are, no doubt, who seek by indirection to defend it by resorting to the subterfuge of "personal liberty" or to the ancient cry against "sumptuary legislation" or to the convenient fetich of "States rights." But no man who is jealous of his reputation for moral or intellectual integrity will any longer attempt to defend or justify the continuance of the saloon or the liquor traffic in this Nation upon any ground of principle, either moral, social, or political. [Applause.]

Is the saloon an evil? Does it contribute to the physical strength and well being of mankind, or does it retard them? Does it lengthen or shorten the lives of men? Does it conserve or dissipate the mental vigor of our race? Does it accentuate and buttress the moral perceptions of those who are its devotees, or does it warp, debauch, and finally destroy them?

Does the liquor traffic bring happiness or misery to those whom it touches? Does it fill our land with riches, or does it bring poverty instead? Does it fill our churches with worshipers and our schools with children, or does it fill our jails with criminals? Does it clothe the naked, or leave them to shiver without raiment? Does it drive hunger from cottage doors and humble homes, or is it the prolific source and cause of unfed mouths and unnurtured bodies? Are happiness and sunshine its finished product, or does gloom settle upon all that comes within its blighting touch? Does it foster the refinements of art and of literature, or does it appeal to the most brutal and coarsest appetites of which men are conceivably capable? Does it lighten the burdens and solve the problems of Government, or does it increase and complicate them? Does it seek to advance and uphold public and private morality, or does it invade

every private and public right that stands in its way and seek to befoul and corrupt or destroy every agency that is not its willing tool?

To answer these questions with honesty, and many more of a similar character that might be propounded, is to lay out the course of our duty as with a chart and compass.

We know that the saloon is an evil. We know that the manufacture and sale of intoxicating liquors have been responsible for more things that degrade and debase humanity than any other cause, and we might with equal truth say than all other causes combined. We know that the use of intoxicating liquors retards and undermines the physical strength and shortens the lives of men; that it dissipates the mental vigor of our race; that it warps, debauches, and finally destroys the moral perceptions of those who are its devotees.

We know that the saloon and the traffic in intoxicants have brought misery to millions of homes; that it has brought poverty instead of riches; that it has filled our jails and almshouses with criminals and paupers; that it has invaded homes without number and left women and children hungry and cold; that it has been the harbinger of gloom and despair wherever it has flourished; that it magnifies the coarser and more brutal instincts and appetites of men, infinitely increases and complicates the problems of Government, national, State, and local, and seeks to perpetuate its existence by corruption, intimidation, misrepresentation, and every form of false pretense that the ingenuity of its apologists can conceive. [Applause.]

It has stalked into the corridors, and sometimes into the halls, of every legislature that ever attempted to rid the people of it. It has haunted the chambers of courts and of executive officers charged with the enforcement of laws restricting or abolishing it, and its agents and hirelings are here now in this Capital seeking by persuasion and impudent threats to deter Members of Congress from following their conscientious judgment and performing their duty to the people.

Thus believing, I would be false to myself and to those who have honored me with membership in this body if I did not use every legitimate means within my power to safeguard the people of this Nation from the destructive effects and influence of this business. Thus believing, I rejoice at the opportunity which we now enjoy of submitting to the States of this Union a constitutional amendment forever banishing the liquor business from this land. This is no longer a local issue, if it ever was. It is a national issue, and ought to be dealt with by the Nation, just as many other conditions, far less harmful in their extent, have been dealt with by the Nation as a whole. [Applause.]

No institution that destroys the efficiency of a nation or robs its citizens of billions of dollars in money and wealth each year has any right to invoke the doctrine of local self-government in order to lengthen its days as a legalized business. And besides, they are not sincere in their pretended respect for local authorities and only resort to it as a subterfuge in the absence of legitimate argument. We might be more easily convinced of their good faith now if in the past they had not sought to block every attempt of local and State governments to abolish or restrict their business. They did not respect State or local governments in the past when their traffic has been endangered, but, on the contrary, threw every obstacle they could contrive in the way of States and local authorities who attempted to enact or enforce laws against it; and having exhausted themselves in their efforts to thwart and override the States they come here now as the champions of the States and local governments whose laws and whose agents they have always sought to cripple and nullify. [Applause.]

This amendment ought to be submitted, and it ought to be done now. The people, through their legislatures, have a right to determine this question, and no Member of this House ought to allow his personal opinions to stand between the people and the exercise of their rights. The framers of the Constitution provided a wise method for its amendment. No amendment can be submitted to the States except by a two-thirds vote in both the House and Senate; and after it is submitted, so careful were they to guard and fortify the rights of minorities and of the States, they provided that no amendment should become effective or be a part of the Constitution unless ratified by three-fourths of all the States. I am for this amendment. Not only do I believe it ought to be submitted to the States, but I believe it should be ratified by them. And millions of patriotic and brave men and women will feel prouder of our Government and of this Congress when they shall have an opportunity to banish forever by constitutional amendment a business which from every moral, economic, or political standpoint has no right to exist. [Applause.]

We are told by those who pretend to defend the existence and continuation of this business that the Government will lose vast revenues if the manufacture and sale of liquor is stopped. Admitting that the Government will lose this method of collecting revenue from the people, it will be necessary only to substitute another and more honorable and righteous method. The liquor business creates no wealth. It merely acts as a collecting agent, paying into the Government Treasury only about one-tenth of what it exacts in money from the people. I am not willing that the Government shall any longer be the moral, political, or business partner of any business which destroys wealth honestly created, shatters bodies that have a right to remain strong, lowers the efficiency of all who come under its blight, and saps the morals and withers the will of those who become its victims.

It is reliably estimated that more than two and a half billions of dollars are expended in the United States every year for intoxicating liquors. If this enormous sum were left in the channels of legitimate and wealth-creating enterprises the people could well afford to pay to the Government more than it will lose in revenues by abolishing the liquor business. We are compelled to levy enormous taxes upon the people now in order to carry on the great war in which we are engaged for the principles of democracy and civilization. But if all the money expended for and the wealth destroyed by the liquor business in the United States during the last 25 years had been set apart as a war fund, it would be more than enough to win this war and guarantee freedom and liberty to all the nations of the earth without collecting an additional dollar in taxes from the people. Shall Congress longer refuse to allow the people to express their will in determining whether this endless sink hole shall continue to receive the stream of wealth and energy which has flowed into it in the past?

We are at war. We are at war with the cruelest, most brutal military nation in the history of the world. We need all our wealth, all our economic and physical power to win that war and make the world safe for democracy. We have asked the housewife to waste nothing that can be utilized in feeding the world. Yet enough foodstuff goes into the manufacture of intoxicating liquors to feed 7,000,000 of people each year. We have said by law that our soldiers and sailors shall not be debauched by the use of liquors, and we have made it a crime for any man to sell liquor to those who wear the uniform of their country. Why was that done? Because we know that the use of liquor makes unsteady the nerve and inaccurate the aim of those who fight for humanity. Because we intend to see to it, in so far as lies within our power, that these boys taken from Christian American homes shall come back to them as clean and as strong as they were when they left. If this rule is wise for the army in the field, it is wise for the army which must remain at home. If liquor lessens the efficiency of a soldier, it lessens the efficiency of a civilian; and in this great world conflict for the principles of human liberty and self-government we can not endanger the life of our Nation to save the brewers and distillers. [Applause.]

Let this amendment be submitted. Then let it be ratified by the States. When this task shall have been accomplished we will have set before the world an example of democracy at home which will be coincident with our supreme effort for democracy throughout the world, and millions of human souls here and elsewhere will lift up their faces and their voices in the proud possession and full acknowledgment of a wider, deeper, and truer freedom than has dawned upon the world in all the centuries. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Speaker, the gentleman from California [Mr. KAHN] claims to have discovered a "blind pig" in Passadena, and he argues, therefore, prohibition should be abolished there. Some 19 years ago, when I was in San Francisco, they arrested and tried three men for burglary. I presume, with the same process of reasoning he will go home and attempt to do away with the laws against burglary. Furthermore, at that time the press stated that several friends of the burglar were guilty of perjury in assisting him in his difficulty. I am satisfied from this that the law against burglary has a tendency to hypocrisy and false testimony, and I want to commend the suggestion to the gentleman from California.

A well-known scientific authority has suggested that if you put liquor in a man's mouth it will steal away his brains. After sixty centuries of tabulated observation the consensus of opinion seems to be that the human race never did have any too much brains, anyway, and wise legislation will save what we have. This amendment is an effort to conserve the

physical and mental resources of the human race, and I do not see how anybody can make an argument against such an attempt, especially when you realize there has been nobody here to contradict that self-evident fact. The Congress of the United States, perhaps realizing our mental deficiencies and inability to resist temptation, has abolished the sale of liquor in this city, in self-defense, I suppose, and this is simply a proposition to extend that rule, established by the Congress, to the rest of the Union and to give the rest of the Union a chance to adopt that policy. When this legislation goes out, followed by the commendation of this act of Congress, which we have just seen go into effect so successfully, it ought, because of improvement in Washington, to be very kindly received by the people of the other States.

It has been suggested that this attempt to reform the world sprang from the Jack Rabbit States, and I want to hasten to accept that charge as a compliment before some other State takes it up. I do sometimes think that possibly the last rays of the sun as it climbs the Rocky Mountains linger a little longer and with more kindly benediction over the States west of the Mississippi than over any other, and perhaps because of that fact we receive each night a loftier inspiration, a mightier impulse for every to-morrow's work to uplift the race. Another gentleman from some semicivilized foreign colony in New York City [laughter] said that the friends of this measure come from "the outlying settlements." I am afraid if they ever get any reforms in New York City they will have to come from "the outlying settlements," and I think the gentleman was probably right about that.

It has been suggested here as against this proposition that it interferes with the President's control of the liquor traffic and will create dissension and make more difficult our war problems. The contrary is the fact. As it is now you pass up to the President the only authority to decide whether the manufacture and sale of beer shall stop. You have placed him in an embarrassing position. Whichever way he decides, he will receive the criticism of one element. Take the responsibility off the shoulders of the President and assume it yourself and meet this proposition. The gentleman from California, to follow out his logic, wants us to kill all the men and women if we kill whisky, as if they are in the same class; but whisky rather belongs with the burglar. You must decide now whether the whisky goes with the burglar and is an outlaw or is a proper companion for good citizens. It is either right and should be left to live with men and women, or it is an outlaw and ought to go out with the burglar. You have reached after 60 centuries this milestone in civilization.

In two or three or four or five years prohibition will come anyway. Why not face this proposition now? Do you want to be recorded in the annals of time with those who call a halt in the march of civilization? [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I yield one minute to the gentleman from New Jersey [Mr. LEHLBACH].

Mr. LEHLBACH. Mr. Speaker, I do not wish to reiterate any of the many and valid arguments against the passage of this resolution, but I do wish to throw some light on a controverted fact on which some of these arguments have been predicated. It has been repeatedly stated here this afternoon that there is no opposition to the passage of this resolution on the part of workingmen as they have expressed themselves through their labor organizations.

New Jersey is one of the great industrial States of the Union. The city of Newark, which I, in part, have the honor to represent, is one of the great industrial centers of the country. On the 20th of August the New Jersey State Federation of Labor, comprising all the labor unions in New Jersey affiliated with the Federation of Labor, met in the city of Paterson, and they unanimously passed a resolution opposing the passage of this resolution, and they there spoke through their delegates for 80,000 workingmen of New Jersey. The Essex Trade Council, Essex County being the county comprising the city of Newark, representing all the building trades—masons, bricklayers, roofers, and all the other trade—unanimously in their county meeting opposed the passage of this resolution. I have in my hand resolutions opposing this resolution by the local unions in Newark—of the bakers, of the confectionary workers, of the councils of the leather workers, of the ivory-button makers, the cigar makers, and others. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. NOLAN].

Mr. NOLAN. Mr. Speaker, in the time allotted to me so generously by the gentleman from New York [Mr. HULBERT] and the gentleman from Missouri [Mr. MEEKER] I am going to read a communication from Samuel Gompers, president of the American Federation of Labor, addressed to me under this date, on the question of the pending amendment. It is as follows:

WASHINGTON, D. C., *December 18, 1917.*

SIR: Because of the very serious situation created by the pending joint resolution now before the House of Representatives, being a proposed amendment to the Constitution of the United States, commonly known as the Nation-wide prohibition amendment; and because of the wholly untoward position taken thereon through the publication in this morning's press by Mr. William Jennings Bryan; and because there is no other opportunity that the truth may in time come to you and to all others whom it may interest before final action upon the proposed amendment in the House of Representatives, I feel constrained to address this letter to you.

At the outset I should say that on behalf of the men vitally and primarily interested in their work I addressed a letter to the Hon. EDWIN Y. WEBB, chairman of the House Judiciary Committee, requesting that hearing be had so that arguments might be presented in opposition to the proposed amendment. Of course I gave into the hands of Mr. Joseph Deban, the secretary of the Labor's Emergency Liberty League a copy of that letter, with authority to make such use of it as might be necessary, by reason of the fact that I had duties to perform between Friday evening and this morning in New York City. When Mr. WEBB informed me that the committee would give no hearings I so advised the secretary of the league, and the executive board thereof directed its publication in the Washington Sunday papers. The faddists and fanatics upon the subject of prohibition could find no better personage than Mr. Bryan to undertake to answer the letter I addressed to Mr. WEBB.

There are but a few thoughts I desire to express here regarding Mr. Bryan's letter, for he gives no good reasons for the need of the proposed constitutional amendment at this time, and he indulges himself with clever witticisms to hide the shallowness of his entire effusion.

With a word Mr. Bryan dimsisses the question of employment or unemployment of large numbers of men and naively states that they can easily find employment in other industries or occupations. I wonder whether Mr. Bryan is aware of the fact that for nearly three months more than 30,000 men in the garment industry of the city of New York alone have been and are now unemployed; that nearly 60 per cent of the bricklayers and masons of the United States are now and have been for months unemployed; that more than 30 per cent of the men in the building trades have been unemployed for the past five months and are still unemployed. Of course this may have no influence upon Mr. Bryan's mind or life. He can continue to talk and write profitably whether we have prohibition or not, but it does cause these men and it causes me grave concern, as it does those who are at all familiar with the situation.

But quite apart from Mr. Bryan I desire to present to you additional considerations, in a hurriedly expressed word, why the prohibition ought not to pass.

Did I for a moment feel that the subject matter were of but passing or momentary interest, or that it did not involve grave injury and danger, I should hesitate long before interposing this letter upon your consideration. But because I am so apprehensive of the consequences to our people, our country, and the titanic enterprise in which we are engaged, I feel it incumbent upon me to trespass upon your time so that you might in your own way use your own good judgment to aid in averting what I am fully convinced would be the gravest cause of dissension and discontent among our people if the pending prohibition constitutional amendment were passed by Congress at this time and submitted for ratification.

As you know, the Congress has passed and the law now obtains prohibiting the manufacture of spirituous liquors (whisky, etc.) during the period of the war. That law also gives the power to the President to modify, limit, and, if necessary, even prohibit the manufacture of beers and light wines. The President has already exercised that power in part and whenever or wherever it shall appear to him that either of these powers conferred upon him shall be necessary to be exercised no one whom I know will find the slightest cause of dissent or disapproval.

The advocates of the proposed prohibition amendment have disingenously declared that the amendment is necessary as a war measure. How fraudulent is this pretense is best understood when it is known that the amendment can not become effective until after the legislatures of three-fourths of the States shall have ratified it, and, as is known, it is hoped that the war will have been successfully fought and won and come to an end long before the proposed constitutional amendment could come into operation.

But in the meantime, that is, between the time of the passage of the amendment by Congress (if it should pass) and until its ratification or defeat, covering a period of from six to seven years, and during the time when it is most essential that there shall be unity of spirit and action among the people of our country, the apple of discord will be thrown among them and the minds of the people will be diverted from the essential subject of winning the war to a proposition which can only become operative after the war has been concluded.

Beer is the general beverage of the masses of the people of our country. Light wines are used among large groups of our people. Many of them have acquired the habit by heritage of centuries and generations. The workers—the masses—no more than others in their indulgence in beers or light wines, have found them a healthful part of their daily diet, particularly with their meals. With the cosmopolitan character of a large mass of our people, their divers habits and customs, I submit that it is neither wise, practical, nor beneficial to divide them into opposite camps upon a nonessential to the winning of the war, when its effectiveness—even if it is advantageous—could only become operative after the war is closed.

In the countries of our allies liquor—spirits, beer, and light wines—are under control and regulation. Not one of our allies has attempted either during the war or proposed thereafter to prohibit their manufacture or sale. Indeed, the regulations provide as part of the rations to the fighting men some portion of beers or light wines, and in some instances a limited quantity of spirituous liquors.

Upon the proposed constitutional amendment neither the Senate committee nor the committee of the House of Representatives having this proposed constitutional amendment under consideration has given one moment of time for the purpose of hearing those who are vitally

interested in this question. Requests for hearings of those vitally and primarily interested have been disregarded, ignored, and denied. Hundreds of thousands—aye, perhaps more than two millions of wage earners—would be effected and thrown out of employment were nation-wide prohibition forced upon our people. * * *

SAMUEL GOMPERS.

The SPEAKER. The time of the gentleman has expired.

Mr. NOLAN. Mr. Speaker, I ask unanimous consent to extend the rest of the letter in the RECORD.

The SPEAKER. Is there objection?

Mr. REAVIS. I object.

Mr. GARD. Mr. Speaker, I yield two minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Speaker, there is all too much to justify the cynicism of the gentleman who intimated that Members of Congress are no longer controlled by considerations of political principle, but that they are influenced wholly by expediency, and that State's rights doctrines and other political principles are merely used as subterfuges to justify them in positions they wish to take. I do not fully agree with the gentleman. I believe that there are Members of this body who will not take a near cut, but who will stand by their principles even though they sacrifice themselves in so doing.

I am a prohibitionist. I have been a prohibitionist from boyhood. I have always voted for prohibition when I felt it was the legitimate thing to do. I voted for prohibition when it was a matter of local option in my county. I voted to put prohibition in the constitution of Alabama. I voted for prohibition for the District of Columbia, for Porto Rico, and for Alaska.

I am a prohibitionist, but I am also a Democrat. I hold that the right of self-government is more important than prohibition—more important than anything else in the world.

During recent months we have heard much said about democracy and about making the world safe for it. We are sending young American men by the thousands to the blood-stained fields of France to battle for democracy's cause. It is time, then, that we should analyze what is meant by the term and what ideal is expressed in it. Democracy worth fighting for is more than a mere word—a political formula—it is a real vital thing, having a moral aspect, a principle founded in justice and righteousness.

DEMOCRACY IS SELF-GOVERNMENT.

Democracy has its application to individuals as well as to communities, States, and nations. The individual has a natural right to order his own life. It is an unalienable right, coequal with the right to breathe the air, to live. It is recognized by the Declaration of Independence as among the rights of "life, liberty, and the pursuit of happiness." Anyone who presumes to interfere with that right commits a moral wrong greater than if he had interfered with the right of property. "Whoso steals a man's liberty is more a thief than he who steals his property."

The individual's right to freedom of action is limited to such of his acts as may affect himself alone. To the extent that his acts may affect the right of another the other may interfere. Where the individual's acts affect himself and another equally both have an equal natural right to decide upon that action. This necessarily follows from the equal right of each in matters affecting himself.

Of course, it is obvious that an individual may perform few acts which do not affect others. Men's interests are so interwoven that few, indeed, are the actions which may affect single individuals alone. Men's lives are so interlocked that they must stand together or fall together and a wide stretch of imagination is required to conceive a thing which a man may do and touch no one but himself. This interrelationship, however, does not destroy the abstract principle or its application to acts if such there may be which affect alone the individual who performs them.

But to warrant another to interfere with the actions of the individual they must be such as directly and of reasonable necessity affect him. He may not indulge in remote speculations nor figure upon extreme contingencies. The democracy of individuals will not even permit that the individual's freedom of action may be restrained for his own good. Where the individual has the discretion belonging to sanity he may not be restrained merely for defective judgment, for if such might be done there is no limit to which autocrats might not go. Autocracy is necessarily indefensible, whether benevolent or otherwise, for it usurps power over men reserved to Deity itself.

The democracy of the community rests upon the same principles as the democracy of the individual, upon natural right and justice. To the extent that the community alone is affected, the individuals composing it have the natural right of unrestrained decision and action. That another community whether of greater or less enlightenment should interfere is intolerable to justice and democracy. The right of the community to govern itself is not a mere privilege. It does not exist by virtue of political agreement. Its foundation is not in custom or precedent, but it has a moral aspect springing from the very roots of man's existence.

The principles of individual and community democracy are fundamental; they are wholly applicable to aggregations of communities, and to States and nations as well. Liberty for the individual is but another phase of liberty for community and for nation. It secures the nation's right to rule itself in those things which concern itself alone.

To the same extent that the individual may rule himself, he must not impose his will upon another; and this, again, is true of communities, States, and nations. It is as violative of fundamental democracy that a nation should rule another as that the nation should not be permitted to rule itself. Democracy, then, may be said to have two aspects—the right of self-government of individuals, communities, and nations, and the denial of interference with other individuals, communities, and nations. The truly democratic nation rules itself and does not usurp dominion over its neighbors.

FUNDAMENTAL AMERICANISM.

Upon the fundamental principles of democracy Americanism itself is based and the institutions of our country have their foundation. Fundamental Americanism is the right of the people to life, liberty, and the pursuit of happiness, which includes other principles into which it has been amplified and which are designed to secure it, such as the right of free religion, free press, and free speech, the right of the people to bear arms, to peaceably assemble themselves together, to security against unreasonable seizures and searches, and to trial by jury. All of these relate back to the fundamental right of self-government, the essence of democracy.

When we apply the principles of democracy to our form of government and to the Union of American States few difficulties are presented. We are a Union of States, of self-governing communities. These communities have organized themselves along certain lines acceptable to a majority of their members, each having the right separately to deal with certain local matters and to exercise police powers for the preservation of order, security, and the protection of home and property interests. Each of the States in consideration of admission to the Union ceded to the Federal Government certain governmental functions which otherwise the State might have exercised, but by universal practice and common consent the police powers were reserved.

For one State to dictate to another how it shall exercise the police powers reserved to itself is a gross usurpation—yea, more, it is a denial of democracy and a moral wrong more serious in its nature than the taking of property without the consent of the owner. Dictation by a number of States to a sister State is not different in its moral aspect from dictation by a single State. The compelling force is greater; that is all. By the Union of States there is a pledge of faith that each State may continue to exercise powers not granted to the Federal Government. A change in this principle constitutes a breech of faith, even though such change be wrought under forms of legality.

SELF-GOVERNMENT IS WISE AND EXPEDIENT.

In view of the different origins of the people of various sections and their consequent difference in religion, ideals, customs, and modes of thought, each community is better fitted to deal with questions concerning itself alone than is the Nation as a whole. Each community is a better judge of its own habits, manners, and moral standards. Community matters left to settlement by the majority of community opinion will be dealt with more wisely and with a better understanding. So that reasons of expediency, were it not also a matter of justice, call for local self-government in all matters of purely local concern.

These considerations apply to many questions in addition to prohibition; especially are they applicable to the exercise of the voting franchise. In some communities the harmony of the people is such that a vote may be given to every individual. In other sections such a course would disrupt its civilization. In certain localities in the Southern States the population is as much as seven-eighths colored. To give a vote to every individual in such localities would mean the reduction of its civilization to negro standards and would be harmful alike to both white and black races. In other regions of the country the population is overwhelmingly of alien ideals and birth. If each individual in such sections were given an equal voice, alien sentiments, ideals, and institutions will prevail, and what we cherish as a distinctive American civilization be extinguished.

The arguments in behalf of local self-government as most wise and expedient apply to many subjects, such as marriage and divorce, schools of mixed races, housing conditions, Sunday

observance, the teaching of religion in public schools, the sale of intoxicating liquors, and many other subjects. In all this class of matters the community is best qualified to deal, and a gross mistake will be made if the National Government assumes control. The ideal for which America should strive is the solidarity of our people—not in petty things touching each community at a different angle, but solidarity in the big thing of loyalty to fundamental Americanism.

For generations the Democratic Party has steadfastly adhered to the principles and advocacy of States' rights. Declarations in favor of the protection of the rights reserved to the States and of respect for the sovereignty of the State in the exercise of powers reserved to it are to be found in every platform of the Democratic Party for 50 years and more. That the abandonment of the doctrine of States' rights should be advocated by any true Democrat at this time is grossly inconsistent. However, the right of self-government is fundamental and may not be changed or abandoned as a principle of mere political expediency. It is of the essence of democracy and may not be abandoned without turning one's back upon natural right and basic Americanism.

PROHIBITION AND DEMOCRACY.

The principle of prohibition of the sale of liquors is not violative of the democracy of the individual. The liquor traffic concerns not alone the buyer and the seller but the entire community—the entire State. Local option should be equivalent to State option, for the interests of the entire State are involved. The sale of inoxicating liquors means disorder, insecurity of the home, lawlessness, and violence. It means frightened and abused women and children, poverty, degradation, and disease. It lays its burdens upon the county poor house and orphan asylum. It is reflected in public charities and wayside beggars. It shows itself in hospitals for sick and insane. It fills jails and penitentiaries and furnishes grist for the courts. These matters touch the interests of the State as a whole, and it would be absurd to leave to the decision of the saloonkeeper and his hapless victim whether the traffic should go on; absurd to leave it to the community in which the sale is made. It is the State, which must deal with all the evils that flow out of the liquor traffic, must rescue its widows and orphans, patch up its wrecked lives, defend the innocent, and make good the ravages of this awful business. The State is the local unit which should make final decision.

The decision whether liquors should be sold belongs to the exercise of police powers. Upon the fundamental principles of the Union it is a decision belonging to each separate State. It is clearly within the powers reserved to the States under their contract with each other by which they formed the Union. It is a matter which relates to the right of the State to govern itself. If it is taken away, a denial of self-government occurs; a natural right is invaded; a moral wrong is done.

No assumption of superior wisdom or virtue upon the part of other States can justify such usurpation and denial of self-government, for in any event the smaller wrong is corrected only by committing a greater wrong, for after all human liberty is the most important thing in the world.

In some sections of the country it has been sought to leave the decision upon the sale of liquors to the option of the immediate locality. It has been argued that the citizens of the circumscribed locality where the actual sales are made should be allowed to decide upon the matter; that the few who might be in the immediate vicinity where the sales take place should alone be consulted to the exclusion of those among whom the liquors are consumed after sale, and whose peace and security are jeopardized by those who consume the liquors. A decision of such a question by only a fraction of those directly affected necessarily is undemocratic and can not be defended on grounds either of justice or expediency. Such questions are not to be decided by the village, township, or county in which sales are made. If it were possible to confine the consumption and evil effect of liquors to a restricted area, it alone should decide the issue, but such is manifestly impossible. Therefore it would seem that the larger local governmental unit, to wit, the State, is the political unit to which should be left the decision. Necessarily some middle ground should be found between the extremes of selecting the individuals who are most immediately affected by the sale of liquors for an electorate and leaving the decision to the people of the whole Nation, the vast and overwhelming majority of whom have no interest, direct or indirect, in the matter. Therefore logically it is by the people of the separate States that the decision should be made. In the nature of things a juster and wiser decision may be made by each separate State for itself than by a majority of the States for the remainder. We are not yet a homogeneous people. Our country is peopled by immigrants from various European countries and their descendants, having widely divergent social ideals, customs, and habits, each people having its own peculiar strength and virtue. Customs and laws suited to one section of the country do not find favor in others, and there is no place nor propriety in iron-bound uniformity. Therefore it would seem desirable that it should be left to each State to decide for itself matters which do not affect our whole people.

The sale of liquors in a given State can not reasonably be said to directly affect the people of a distant State; the latter have not such knowledge of local sentiment nor skill in local affairs as would qualify them to intervene. Such intervention can but result in confusion, disorder, and dissatisfaction. Prior to the adoption of the "bone-dry law," States in which the sale of liquors was legalized were enabled to endanger the safety of adjoining States for their citizens by sending liquors into adjoining States, could provoke disorder and lawlessness. The adoption of the bone-dry law, however, has ended all that. It is now as unlawful to carry liquors into a prohibition State as to manufacture them therein. The strong arm of the Federal Government is thus called into action in defense of a State's prohibition laws. It is only through the failure to enforce the Federal statute that the security of a State may be impaired.

PROHIBITION IN ALABAMA.

The results of prohibition in Alabama have been all that its advocates hoped for. It has caused great moral, spiritual, and economic advances. A few years ago, during the time of the open saloon, the jails in my home city, Birmingham, became habitually so crowded as to become dangerous to health. A new and handsome city jail was constructed and was soon filled with prisoners. Then prohibition came in and soon the number was cut in half. Since the passage of the bone-dry law the new jail has been emptied. It has now been unused for several months and recently the city authorities have tendered it to the Government for hospital purposes. The offenders in this city of 175,000 are now confined in the small prison adjoining the police court. A few days ago the coroner of my county told me that in May last we had 31 deaths from industrial accidents, suicides, and manslaughter, and that in September last the number was reduced to 4. This resulted, as he believed, from the bone-dry law.

I have been an advocate of prohibition even from my boyhood. As a citizen I have voted for it whenever I consistently could. I voted for prohibition when it was a matter of local option in my home county. I voted for it when it was proposed to put prohibition in the Alabama constitution. As a Member of Congress I voted for prohibition for the District of Columbia, for Porto Rico, and for Alaska. I have voted for it on every occasion when I felt that it was a legitimate subject for Federal legislation. I would gladly vote to put prohibition in the Federal Constitution if my conscience and my principles did not forbid. I am a prohibitionist, but I am also a democrat. I do not mean that I am a democrat merely in the party sense, but that I am a democrat in that I am a believer in the right of self-government—in the right of every community and State to decide questions which concern themselves alone.

It is exceedingly painful to me to find myself out of harmony with so many of my friends upon the prohibition question, men with whom I have been associated in church and social life and in movements for the public welfare, and for whose views I have profound respect. Only to-day I received a telegram from my Sunday-school class urging me to vote for national prohibition. It is most embarrassing to find myself in opposition to some of the great Christian influences of the Nation—influences disinterestedly devoted to progress and to the public welfare. However, painful as it is to oppose the wishes of my friends, my conscience demands that I should remain faithful to the principles of democracy as I understand them. The future of my country depends upon the preservation of democratic principles. I can not now ignore them, even though I might approve the object sought to be achieved. I can not take this near cut and thereby establish a precedent which will greatly vex us in future.

I believe in prohibition. I look on it as a good thing, but I can not vote to force it on communities remote from my own, of which I have no specific knowledge and in which I have no particular interest. In my own State we already have prohibition. The Federal amendment will be of no benefit to us. It will merely serve to inject the prohibition issue more fully into State politics. This will be harmful to Alabama. It will delay much needed reforms and divert attention from grave public matters of more pressing concern to my State. Alabama through her legislature chose prohibition voluntarily. It was not forced upon us by other States. We accepted it deliberately, not as the result of outside dictation. I am willing to accord to the people

of other States the same privilege that Alabama has asserted for herself; that is, to decide for themselves whether they will stop the sale of liquors. I should resent with all my soul any attempt upon the part of a combination of other States by amendment to the Federal Constitution or otherwise to force the liquor traffic upon the people of Alabama. Likewise I shall not take part in an effort to prohibit such traffic in other States, the people of which desire that it should continue.

Mr. GARD. Mr. Speaker, I yield seven minutes to the gentleman from New York [Mr. FITZGERALD]. [Applause.]

Mr. FITZGERALD. Mr. Speaker, that the abuse of the use of intoxicating liquors has resulted disastrously to many persons is unquestioned. Everyone interested in the happiness of our people and in their proper physical and moral development is anxious to do everything possible to eliminate the evils that result from the abuse of intoxicating liquors. I am one of those who do not believe that by sumptuary legislation success is attained along such lines. The experience of our own country, as well as the experience of other nations, demonstrates that the attempt to control by legislation the habits of the people, in so far as they affect matters not inherently immoral, results in failure. I have as a demonstration of that fact a report of the Commissioner of Internal Revenue for the fiscal year ending June 30, 1917. I have only time for brief reference to it, but it emphasizes the fact that laws prohibiting absolutely the use of intoxicating liquors have not been effective in the United States.

There were in Alabama in the year ending June 30, 1917, 374 illicit distilleries; in Georgia, 472; in Kentucky, 90; in North Carolina, whence hails the champion who leads this cause, 680; in South Carolina, 308; in Tennessee, 192; in Virginia, 209.

I do not criticize nor have I fault to find with the people of any State for adopting prohibition legislation. In my opinion it is a matter to be determined by the people of the respective States; and when the people of the States have determined that there should be no intoxicating liquors manufactured or sold within their borders, in my opinion the Federal Government has acted properly in attempting to assist those States in excluding liquors from their territory.

It is proposed, however, by a combination of persons residing in various States wherein they have not been successful in their effort to prevent the manufacture of intoxicating liquors, the abuse of which only is harmful, to impose upon the people of the entire country prohibitory regulations, to which great numbers of our people are violently opposed. In my opinion it is not a proper subject for regulation by the Constitution. If it were not that there are so many fanatical persons interested in this movement this amendment would not be in the form of prohibiting the manufacture of intoxicating liquors, but it would be in the form of conferring upon the Federal Government the right to exercise the power by legislation to prohibit the manufacture of intoxicating liquors if that were deemed necessary.

It is an unwise time to press this question. It is ill advised. The experience of Great Britain in this war already demonstrates that it would be unwise absolutely to prohibit here the manufacture of intoxicating liquors. The British Government was compelled to increase by 6,000,000 barrels the amount of beer that could be brewed for the use of those engaged in essential industries during the war.

Every Government participating to a great extent in it finds it necessary in certain industries to provide that those engaged therein shall have certain sustenance from the use of beverages containing some alcohol. Under the regulations adopted by the President it is well to recall that beer, as it can be now manufactured, containing only 2¾ per cent of alcohol, about 30 per cent of the alcohol contents of the favorite tipple of the most stringent advocate of temperance.

Mr. Speaker, I shall not be much longer a Member of this body, and yet before I go I wish to speak a word to my colleagues in the Democratic Party upon the unwisdom of such legislation as this. Our party has always been opposed to sumptuary legislation. Our party has been the one political party in all the history of the Union——

Mr. JOHNSON of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. No; I decline to yield. It has been the one party in all of the history of the Union that has stood for the freest action on the part of the individual, consistent with law and order. Legislation designed to eliminate——

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. FITZGERALD. I used only 7 minutes, according to my watch, Mr. Speaker.

Mr. HULBERT. That is all you had.

Mr. FITZGERALD. Then I have finished. [Laughter and applause.]

Mr. GRAHAM of Pennsylvania. Mr. Speaker and gentlemen of the Congress, I have some profound convictions with reference to this amendment, and yet I can scarcely hope by an expression of them to change a single vote, for perhaps every one has already determined his own action in respect to this question. But as we are met here for the purpose of conference as well as voting, I am going to trespass upon your time for a few minutes to express those convictions.

I voted to send this article out of the committee, while not concurring in the recommendation that it be passed, because I felt that it ought not to be allowed to slumber in the committee, but ought to come forth and be discussed and acted upon by the entire House.

I do not regard the question that is presented to-day as one which involves a struggle between the wets and the drys. That has not been reached. So far as I personally am concerned, I am not classed with the wets. If this question came before my State in proper form, I might possibly do again what I have already done when a candidate coming up for election as district attorney of my city. Then I voted an open ticket in favor of prohibition. So that when I state certain views which impressed themselves upon my mind I am following the line of conscientious duty, and I wish to make an appeal to my brethren here and try to influence them to see this subject as it presents itself to me.

First, let me say there is no difficulty about the third section of this bill. I conferred a moment ago with the gentleman from Wisconsin [Mr. LENROOT], and I think that perhaps I am at liberty to say that he concurred in the view which we expressed together. The limitation here is in the article that is to be submitted and is not a separate proposition. Hence, when it is voted upon by the States and adopted it is as much a valid article and amendment to the Constitution as was the fifth article of that instrument, which itself contained a limitation as to any amendments being made with reference to slavery, or affecting the question of slavery. Congress has the power to propose amendments. That means to state them in their entirety, and it has proposed this amendment with a limitation of seven years as the period within which the legislatures may act upon it.

So much for the question of constitutionality. In my judgment it is absolutely constitutional, and I say this so that it may not be a bugaboo to any Member who wants to vote for its adoption. It is idle and unwise for us to send proposals for amendment loose upon the fabric of this Nation without some limitation. As the chairman of the committee himself said, one of them got astray and has never been heard of up to this date. But the time and the occasion when the proposal is made is when the States ought to be called upon to make their ratification or their rejection; and every time hereafter that a constitutional amendment goes forth from this House, so far as my vote is concerned, it shall have a time limit in it.

Now, gentlemen, is it not true that to-day in this country you can have prohibition in one or two ways?

As a war measure we have clothed the President of the United States with power at once not only to prevent the manufacture and distribution of distilled spirits but also to regulate and prohibit the manufacture and sale of other beverages containing alcohol. We have clothed the President also with power to guard the various cantonments where our soldiers are gathered. Within proper limitations, he can forbid all use of liquor at or near any of these places.

You have another method by which prohibition can be reached. It can be reached by every State in the Union acting upon the subject, and that is the right and the privilege of every State—to act upon this question for itself. Its neighbor has no right to say to it, "You shall prohibit within your dominion." Each State is yet a sovereignty in this Union of States, and no one sovereign State has the right to impose its will upon the other sovereign power and to say, "You shall prohibit, willy-nilly. Whether you wish it or not, it shall be done." My colleague from New York [Mr. CHANDLER] very convincingly pointed out to you how in four combinations 36 States can be obtained representing a minority of the people of this country, and by adopting this amendment they will impose their will upon the rest of the States against their wishes. When once adopted one-fourth of the States can forever prevent its repeal.

You gentlemen know that when the Constitution of the United States was adopted it was adopted by unanimity. It could not be adopted in any other way, and it could not become a document binding upon any State unless that State in particular gave its assent and approval to the instrument. That was the unanimity required, which was foreshadowed in the Articles of Confederation, which could not be altered except by the unanimous consent of the States. When these States unanimously gave to the United States certain powers they retained

all the rest; and to show that that was their purpose and thought the tenth amendment to the Constitution embodies that thought specifically in words. There never was an intendment on the part of the framers of the Constitution that the States should surrender their police power over the regulation of their internal affairs, and this proposed amendment is an exact and direct evasion of that reserved power in the States and means the destruction of local self-government and the creation of illimitable officers and agencies on the part of the Government to carry out the provisions of such an amendment as this. Think of the spy system that will be inaugurated. Think of the employees that will be gathered in the effort to put this amendment into effect.

And in that connection I call your attention to section 2 of the article, which says that the United States and the States shall have concurrent jurisdiction—two sovereign powers to be exercised in company. The State may pass its legislation, may attempt to enforce the law in its way, and the United States in another way. This will not raise the question that came into being, for instance, under the bankruptcy law; for while the State may legislate on questions of bankruptcy, for instance, up to the time that Congress acts, but when Congress acts the supremacy of the United States' enactment has to be acknowledged throughout all the States; but here you have two entities, struggling one with the other, and it leads to illimitable and immeasurable confusion. It can do nothing else.

Now, my friends, it has been said that this is the only way in which to reach the people, and a whole mass of claptrap has been poured out here in the way of sentiment and suggestion about appealing to the dear people whom we are to consult. Is it consulting the people when you send this amendment to the Constitution down to the States to be voted upon by the legislators in those States? This is no direct referendum to the people. Let each State act on an amendment to its own constitution, and then you have the direct and absolute action of the people of every State. It can not be said any longer that a State has no power to enforce bone-dry prohibition within its limits because the recent legislation of Congress has given it that power, and the decision of our United States Supreme Court has declared that it can within its own borders protect itself even to the extent of excluding from interstate commerce every package of rum or other liquor that may be sent from one State into another. I raise my voice in protest against subjecting the majority of the people possibly to the will of a minority.

You may say this is a moral question, and I will grant you for the sake of argument, and for the sake of the fact I will admit that it is; but you have no right to legislate in behalf of the accomplishment of a moral reform by adopting illegal measures to accomplish your purpose. When men become fanatical in any movement they become unreasonable. Men have been known to try to make others religious by violence, by the sword and the flame. Men will not hesitate to prostitute the great Constitution of your country and trample it under foot by imposing upon it legislation of this sort which does not belong in it. There is no semblance of grant in that instrument to control this subject. This is an effort to put a policy in the fundamental law, which should only be a declaration of principles.

I verily believe that so far as the power to amend the Constitution is concerned it relates only to and ought only to be exercised upon the delegated powers unless the unanimous consent of the States is obtained in the matter of the new delegation of power. Amendment means what the word implies and should be made only to affect the delegated powers that were given to the National Government. The National Government is not a sovereignty of itself. It is the creation by the States delegating some of their powers and rights in order that it might exercise the functions of a government. [Applause.] I speak thus in obedience to my oath upon entering this body, that I would support the Constitution of my country.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. GARD. Mr. Speaker, I yield to the gentleman from Maryland [Mr. COADY].

Mr. COADY. It is a pity, Mr. Speaker, that a great public question like that involved in the pending resolution, affecting as it does not only the property rights of individuals but their personal liberties as well, can not be considered in the light of reason and the experience of mankind and decided upon its merits; but it seems it can not be done.

Most measures that come before this body are debated fully and considered with the greatest deliberation; but, as a rule, when a prohibition bill is before us deliberation is thrown to the winds and we cease to be even fair. We had an illustration of this when the District of Columbia prohibition bill was before the House. The Rules Committee brought in a rule absolutely preventing the opponents of the bill from voicing their opposition to it—completely gagging them, although they knew their action meant the confiscation of property running into the hundred thousands and the denial to the owners of such property of the right to have a voice in their own affairs. Those of us who served in the Sixty-fourth Congress remember that this report was concurred in by some members of the Rules Committee who before that time had ably and consistently fought the adoption of rules limiting debate, but who on this particular occasion tamely and meekly submitted without a word of protest. It was the most arbitrary action I have witnessed here or elsewhere. It was an absolute denial of the right of a majority of the people to be heard through their elected Representative and the absolute surrender upon the part of some Members of their honest conviction that every question should receive fair consideration and its proponents and opponents given a reasonable amount of time to discuss it. It was a denial of the right of free speech. We talk about democracy and the rule of the people, but every man here knows that if this resolution passes and is ratified by the legislatures of three-fourths of the States it will mean the rule of the minority. The wishes of the few will prevail over the protests of the many. The great States of the Union wherein live a majority of our people, from which the Government receives an overwhelming portion of taxes, will vote against it. Gentlemen in favor of this resolution, and who come from States that have statutory, and not actual, prohibition, tell us that their States have advanced in prosperity. They have told us this so often that we began to accept it as the truth until the publication of the report by the Treasury Department of the collection of income and excess-profits taxes. This report shows than an overwhelming portion of such taxes came from those States that do not have prohibition, while those States that do have it showed surprisingly small returns. I am told that in my own city of Baltimore four or five men there paid more income and excess-profits taxes than were collected from five of these legally but not actually dry States. This proves to me that there is more real sobriety, industry, and prosperity in those parts of our country where the sale of liquor is licensed and regulated by law than in the sections where it is prohibited.

Some time ago, I received in my mail, as no doubt all other Members of this body did, a copy of a speech on prohibition delivered by a member of another legislative body before a society of New Yorkers, all of whom were former residents of a Middle West State. The speaker told of the wonderful benefits that had accrued to his State by reason of prohibition, of the great prosperity of his people, and how they were all making money. And let me say here, by way of parenthesis, that his is one of the dry States that brought so little into our National Treasury; and yet the gentleman was talking to a body of men who had left a dry State where they could not find success, and had located in a wet State where they all had achieved splendid reputations and had secured abundant prosperity.

An overwhelming majority of people of the district I represent are opposed to this resolution. They are industrious, successful, sober, law-abiding citizens—men of substance and character, broad minded, liberal, and free from cant and hypocrisy. They know that you can not make men lead clean lives and be sober by the passage of a law. They are too sensible to believe that.

The laboring people, through their accredited representatives, are protesting against the passage of this resolution, so we should be slow to antagonize the wishes of those who toil and spin to please those who neither toil nor spin because they are too busy lobbying.

Do not let us make the toilers dissatisfied, and thereby injuriously affect the industry of the country.

It will be impossible to secure a substantial enforcement of a law of this kind in those cities and States where an enlightened public sentiment prevails against it. An attempt to do this would involve the employment of thousands of Federal officers and the expenditure of large sums of the public money, without any corresponding moral benefit accruing to the people.

It is far better to license, regulate, and supervise public drinking places and get the enormous revenue that comes from such licensing than by prohibition close them and cause to spring up in their places untaxed and unregulated speak-easies, such as exists, I am told, in many of the States that have prohibition laws. [Applause.]

Mr. GARD. Mr. Speaker, I yield one minute to the gentleman from Illinois [Mr. CANNON.]

Mr. GRAHAM of Pennsylvania. I also yield him one minute.
Mr. WEBB. I also yield the gentleman one minute.
Mr. VOLSTEAD. I yield the gentleman one minute.
Mr. CANNON. Mr. Speaker, on the Princess Alexandra's arrival from Denmark, Tennyson, the poet laureate, wrote:

Saxon or Dane or Norman we,
Teuton or Celt, or whatever we be,
We are each all Dane in our welcome of thee.

I am charged, as the agent of the House of Representatives, to state that within the last hour the Members have expressed a unanimous desire upon their part to extend a memorial to our departing friend in public life, the Hon. JOHN J. FITZGERALD, a memento for him to take with him of our love and respect, to the amount, when selected, of a thousand dollars. [Applause.] I can suggest to him that—

Democrats, Republicans, Progressives are we,
But we all unite in our love for thee.

We love him as a man and as a legislator. [Applause.]
One thing further. The leader of the minority, who has the respect of every man in this House, is sick at Johns Hopkins Hospital, and we have also concluded to send to him on Christmas morning a floral tribute of our love and respect for him. [Applause.]
Mr. WEBB. Mr. Speaker, I yield to the gentleman from New York [Mr. FITZGERALD].
Mr. FITZGERALD. Mr. Speaker, I do not desire the RECORD to indicate that I had not expressed my overwhelming gratitude for this addition to the innumerable favors I have received from my colleagues in the House. I wish to express to them my sincere thanks for this added manifestation of their kindness. [Applause.]
Mr. WEBB. Mr. Speaker, in closing this debate I shall only be able to touch on three or four points: First, gentlemen, this is not a prohibition vote. It is a question of referendum. We had not long ago the question of a referendum, and a great many of the "wet" men in this House voted for a referendum in the District of Columbia to an unorganized electorate. Will you balk on submitting to States of the Nation this great question whether or not liquor as a beverage shall be banished from the country? Are you afraid to trust the States? The States made the Constitution, reserving to themselves the right to amend it, and that is when two-thirds of both Houses of Congress deem it necessary that an amendment should be submitted. I submit to you gentlemen, "wets" and "drys" alike, that you should be willing to stand by your States in giving them the opportunity to amend the greatest instrument ever struck off by the pen of man, and submit to the 48 sovereign States the question whether liquor as a beverage should be banished from the land. [Applause.]
Mr. DUPRÉ. Will the gentleman yield?
Mr. WEBB. For a question.
Mr. DUPRÉ. How is the gentleman going to vote on the amendment for woman suffrage?
Mr. WEBB. I am going to vote against it for the same reason that I have expressed. I do not think it "necessary" to submit that amendment to the States of the Union, because there are not enough people in the various States demanding it, whereas 61,000,000 out of 95,000,000 live under the Stars and Stripes in dry territory, and 85 per cent of all that territory under the Stars and Stripes is dry. I do not believe, of course, in submitting any and all proposed amendments.
And you tell me that this Congress has the right to disregard the appeal of that number of people and that much dry territory? I have in my possession petitions signed by eight and a half million American people, 500,000 of whom are among the best women in the world, sent to me by Mrs. Anna Gordon, the head of the Woman's Christian Temperance Union. Why not give them a chance? If the States do not want to adopt it, you wet men are not hurt; if they want to adopt it, it certainly is your duty to submit it to them, because that is the only way in which they can change their Constitution; and, as Senator Blair said long years ago, if you do not allow the people of this Republic to amend their Constitution when they want to, it breeds revolution. It is the orderly way to amend that sacred document. I submit that when over 61 per cent of the population and 85 per cent of the area of a great country desire to amend this instrument, that opportunity should be given to them. There is no question of State rights in this proposition. It is the right of the States to have the opportunity to determine whether or not they shall vote to amend the Constitution. That is a sovereign right of which they should not be deprived, and which they provided for in that great instrument. If three-fourths of the States say that the manufacture and sale of liquor for beverage purposes shall be stopped, then it is the highest sovereign prerogative left to the States to say that, and there is absolutely no violation of State rights when that question is submitted to them in that way.
It is argued that we will lose some revenue if we pass this amendment and the States adopt it. I would rather adopt the opinions of the great judges in the license cases when they said it may be there will be a loss of revenue, but if there is a loss of revenue to this country under the banishment, the country will be a thousand times the gainer in the wealth, health, and happiness of the people. Everyone in the House knows that that is so. There is not a man, I do not care whether he takes a drink or is a prohibitionist, but knows and admits that the liquor traffic, the beer traffic, and the wine traffic are the most audacious lawbreakers in the land, the despoilers of men, and the terror of women. Think of that poor boy the other day in France, sent there with an American uniform on to defend this great country, to represent us on a foreign shore. Some low-down scoundrel sold him some liquor, some beer or wine, and made him drunk, and he went off and committed an infamous crime. When he was hauled up before the court-martial he admitted that he committed the crime, but said that he was drunk and did not know anything about it. He was told that that would not excuse him, and he was ordered to be taken out to the edge of the camp grounds and hanged in disgrace. That penalty has been ratified by the War Department, and yet that filthy scoundrel who made money on the sale of that liquor is still roaming about the shores of France ready to make criminals out of American boys whom we have sent there to defend this country.
I hope when this proposed amendment is offered to except wine and beer that you will vote it out. A man can become a drunkard on beer and wine just as he can on liquor. It was not liquor that destroyed Rome, it was wine and beer. It was not ardent spirits that threatened to destroy China, but wine, and that was what caused the emperor to order the natives to dig up the vineyards. We did not except wine and beer when we passed the law prohibiting the importation of liquors into the Indian Territory. We did not except wine and beer when we forbade the sending of intoxicants through the mail. We condemned them all. We did not except wine and beer when we prohibited the sale of intoxicants in canteens and on military reservations. All of it must stand or fall together. As the Siamese twins lived, so must the Siamese twins die. Congress did not expect wine and beer when by practically a two-thirds vote it drove liquor out of the Capital of the United States. Congress said all must go. Congress has never made any distinction between wine and beer and liquor, and I hope this Congress to-day will vote down the proposed amendment overwhelmingly. No State in the Union that has voted itself dry has ever given a place of privilege to wine and beer. They have treated intoxicants all alike. Twenty-seven States and the District of Columbia, Alaska, and Porto Rico, have all gone dry, and not a single one of them has ever excepted wine and beer and said it was all right to drink those but that they would put ardent spirits alone out of business.
Something has been said here about the war. You say we want to win this war. We are determined to do that. Here is an article from the Manufacturer's Record, one of the greatest manufacturer's and trade papers in the world, and here is what Mr. Richard H. Edmonds says about liquor, wine, and beer at this moment:

TO PRESIDENT WILSON AND THE NATION—ONE GREAT AID TO WINNING THE WAR.

If we could find labor enough to operate to advantage all the farms of the country we could produce an abundant supply of foodstuffs for ourselves and our allies.
If we could find labor enough to operate to their fullest capacity all of the coal mines of the country, there would be an ample supply of coal to meet every need of railroads, industries, and domestic use.
If we had labor sufficient to man every shipyard in the country and crowd to the utmost limit our facilities for building ships we would soon settle the world's destiny by supplying the shipping which is so essential to our own salvation and that of our allies.
If men could be found in sufficient number to operate to their utmost capacity all of the munition factories in the country we could provide materials for explosives and guns and shells, without which the war can not be won but with which we could win it.
If there were enough men available, working regularly and earnestly, to crowd to their capacity our iron and steel plants we could produce all the iron and steel needed for ourselves and for our allies and make certain that there would be no shortage in steel shipbuilding material and in the iron and steel needed for guns, for railroads, and for other purposes.
If labor in sufficient quantity could be had every wooden shipbuilding yard in the country would be abundantly supplied with the lumber needed for building wooden ships—and these wooden ships may yet prove a deciding factor in the war.
If labor in sufficient quantity could be had for all the other varied activities of the Nation's life, every interest—agricultural, manufacturing, and other lines of work essential to the winning of the war—

could be run to its utmost capacity and be made to produce an abundant supply of the materials needed for feeding and clothing the Nation, for feeding the live stock of the country, for increasing the food supplies and for doing the other things without which the world must inevitably drag through years of weary and at times despondent conditions.

How shall this labor supply be secured and thus the end of the war be hastened and our success made certain? The answer is simple.

This labor supply can be had almost to the full extent needed. In potentiality it is here, but it is not being utilized, except to a limited extent. On the farm and in the factory there is a vast amount of inefficiency and lack of ability for regular, systematic work. And this condition, which directly militates against the Nation's ability to fight and to feed itself and the allies, is due to the inefficiency produced by the liquor traffic.

Banish the entire liquor industry from the United States for the duration of the war; close every saloon, every brewery; rigorously and vigorously enforce the laws; suppress drinking by severe punishment to the drinker; and, if necessary, death to the seller or maker, or both, as traitors, and the Nation would suddenly find itself amazed at its efficiency and startled at the vast increase in its labor supply. Shipyards would teem with work. Iron and steel and munition industries and coal mines would vastly increase their output. The production of food would almost instantaneously leap forward, and the Nation would suddenly find itself buoyantly optimistic and dominant.

Against such a Nation Germany would struggle in vain. The end of the war would be hastened by many months; perhaps by some years. Our triumphant success would be made certain. Hundreds of thousands of lives and billions of money would be saved.

No intelligent man looking over the situation will question the truth of these statements, for every intelligent man, be he in public life or a day laborer, a mechanic or an employer, will at once admit that the curse of the liquor traffic is the greatest power that holds us back. It is a weight tied around our neck. It is like the chain of the convict which drags the heavy ball as slowly he moves, with his efficiency lessened and his power to do things decreased.

Let us cut loose from the ball and chain of the convict! Let us throw off the weight that hangs around the neck of the Nation! Let us banish, as a war measure, the entire liquor traffic and make the punishment against the drinker and the seller and the maker of alcoholic drinks so severe as to make certain that the punishment will prevent the crime. Then this Nation will go forward in its work with a song of victory on its lips. Millions of mothers and fathers will feel that the Nation has met the challenge, and they will give their sons to the battle feeling that, at least, the Nation is not doing the utmost in its power to damn their bodies and their souls by its upholding of the liquor traffic.

If there were no higher motives than that of efficiency, if there were no higher motive than that of hastening the end of the war, surely President Wilson and his advisers must be ready to meet this issue and force it to a final conclusion. No halfway measure will accomplish the results. Banish from the land every saloon, every brewery and every open or hidden producer of alcoholic drinks; stand before the firing squad every maker or seller of alcoholic drinks during the war, and then victory will be certain and hastened.

Is the Nation ready to meet the issue?

Every interest of the Nation and of the world demands the closing of every saloon and the total prohibition of the manufacture of alcoholic drinks during the war. The liquor interests have protested in times past that prohibition would throw out of employment many thousands of hands. To-day the country needs millions of hands, and every man who is now operating in breweries or distilleries or standing behind the saloon bar could be turned into employment of benefit rather than be kept in an employment which is a curse.

The liquor interests have protested that the farmers of the country would be injured by the elimination of their use of grains. To-day the world is facing a serious shortage of foodstuffs, and every bushel of grain that can be saved for food for man and beast is an essential factor in the world's salvation. Every bushel wasted in producing alcoholic drinks is a moral and economic loss.

Even the breweries and the distilleries and the saloons could be turned into profitable operation for other things. Increased cold storage is needed and larger production of ice is necessary. Munition making must go on in many places not now available. There will be a great increase in the demand for house room for the laborers drawn into shipbuilding, munition making, and other industries. To-day the Government is calling in vain for houses for the munition men that must be put to work in the great cities of the country in these war activities. Every building now used for a saloon could be utilized for a dwelling or for some business purpose.

If we should entirely disregard the moral issue involved and figure on this matter purely from the economic standpoint in regard to the winning of the war, every argument is in favor of wiping out the entire liquor traffic and banishing every saloon from the land.

We are wasting annually $2,000,000,000 or more in drink, but that is only a small portion of the actual waste. This accursed drinking habit is largely responsible for the number of men in jails and penitentiaries and almshouses. It curtails the working power of men needed to build ships, to make munitions, to operate the iron and steel works and the coal mines of the country, and to make possible an increased food production. The $2,000,000,000 or more actually expended for liquor is a very small item compared with the fearful cost of lessened efficiency of labor on the farm, in the factory, in the office, in the countingroom, and wherever men are engaged in work.

Banish from the Nation every grog shop, every brewery, every distillery; prevent the sale of the whisky that now is in store, at least until the end of the war, and there would come a tremendous increase in the Nation's power to prepare for the war and to carry the war to a successful issue.

We talk about shortage of railroad transportation, and this is vital, and should receive the Nation's attention. We talk about the lack of foodstuffs; this, too, is vital, and every effort should be made to increase the production of food. We talk about the lack of ships, upon which the life of this Nation and the life of other nations hang. But none of these things can be adequately developed so long as the liquor traffic holds sway and so large a proportion of the people who ought to be steadily at work are wasting their time, their bodies, and their souls in the saloon.

Will President Wilson lead the Nation in this, the great, supreme issue before the country for the winning of the war by the development of our economic strength, even if we should be so recreant to our responsibility as to forget the great moral issue involved?

SHALL THE GOVERNMENT CUT OUT LIQUOR AND RACE-HORSE TRAFFIC AND PRIVATE CARS TO SAVE TRANSPORTATION FOR NECESSARY THINGS?

The following letters to Judge Lovett, chairman of the War Industrial Board, will, we believe, meet the approval of all right-thinking people:

NOVEMBER 21, 1917.

Hon. R. S. LOVETT,
Chairman War Industries Board, Washington, D. C.

MY DEAR JUDGE LOVETT: I inclose an editorial from last week, suggesting that in view of the importance of curtailing shipments of nonessential things, the Government should forbid the handling by rail of whisky and beer, or of the materials which enter into their manufacture or distribution.

Shortly after writing the editorial I walked out of my office door and saw a big two-horse wagon loaded to the limit with packages of whisky bound for the express office.

You are curtailing, and properly so, the handling of nonessential things by rail in this time of stress, and you are, of necessity, practically cutting out the handling of materials for road and street building, as vital as these are to the best interest of the country, because of the importance of handling coal ahead of them.

Our railroad facilities are heavily overtaxed, and it is not possible to catch up for years to come with inadequate transportation facilities. In an emergency such as this, every carload of materials which enter into the production of alcoholic drinks, and every carload of alcoholic drinks which is shipped, is taking up the facilities of transportation so sadly needed for other things, and is carrying wherever such shipments go a curse rather than a blessing. Is it not, therefore, absolutely incumbent upon your board to forbid the handling of alcoholic drinks or the materials used for the manufacture of them during this war period?

It is also understood that you will shortly have to issue a list of things which can not be shipped by rail because of the lack of facilities. Surely the first on the list of prohibited things should be alcoholic drinks and the material used for their manufacture.

I can not feel that the Government could, under any possible conditions, forbid the handling of things which enter into ordinary trade and commerce of the country, and yet permit the shipment of alcoholic drinks.

In this connection I am taking the liberty of inclosing herewith an editorial from the Manufacturers Record of November 15, headed "Will the Government officials who have the power in the scarcity of transportation refuse all transportation of the liquor interests in order to conserve transportation and increase the Nation's efficiency?" I trust you will do me the favor to read this presentation of the matter.

Very truly, yours,

RICHARD H. EDMONDS, *Editor.*

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NOVEMBER 22, 1917.

Hon. ROBERT S. LOVETT,
Chairman War Industries Board, Washington, D. C.

MY DEAR JUDGE LOVETT: Referring to my letter of yesterday, calling attention to the desirability of shutting off the transportation of alcoholic drinks and the materials of which they are made, on account of the inadequate transportation facilities of the country, I beg to inclose an editorial from this week's issue, in which I have published the letter which you kindly sent me in regard to highways.

May I add to yesterday's suggestion the desirability of shutting off the transportation of race horses? Many cars are being used in carrying race horses and race-track gamblers from place to place, a business which, with the liquor traffic, is a curse to the Nation.

Permit me also to raise the question as to whether the handling of private cars, merely because men are able to own private cars, is not against the best interests of the country at present. A few days ago, on a train crowded almost to suffocation with travelers, the private car of a race-horse owner was connected to the train, and this car was occupied by the owner and his wife, and yet the power of the engine was used to pull this heavy car simply for the accommodation of two people, while others were crowded in inadequate accommodations furnished by the railroad. I recognize the fact that these private cars are owned by the men who travel in them, and that they are paying adequate transportation to the railroad, but they are taking up transportation facilities which the public needs.

A few days ago, while many people were standing in line at the depot of the electric line between Baltimore and Camp Meade, trying to send small packages to the soldiers at the camp, and the cars were overcrowded with passengers and freight, there were other cars standing on the track loaded with race horses being shipped from one race-track gambling place to another race-track gambling place. I believe that it is hardly necessary to suggest that at this time the use of private cars or of cars for handling race horses or the liquor traffic is an imposition upon the country.

While I know that railroad officials have been compelled, to a large extent, to use their private cars for business purposes, making these private cars moving offices, I am inclined to think that a considerable amount of this could be cut out, and that many officials who now travel in their private cars could have secretaries with them in the drawing-rooms of the regular Pullmans, and thus economize in fuel and transportation power. Moreover, it is an unfortunate fact that many of these officials use their private cars for pleasure trips, and the visitor to Florida in the winter time will find a string of private cars at nearly every resort place; some owned by railroad officials, some by men and women abundantly able to own such cars. In peace times there can not be any question as to the propriety of the use of private cars by those who are able to have them and to pay the heavy tolls which they now have to pay to railroads for handling these cars, but is there not a serious question as to the wisdom of permitting any of these private cars to be used in this period of tremendous emergency, when every ton of coal that can be saved must be saved, and when every ounce of strength of the railroads to do business must be conserved?

I can imagine that when consideration has once been given to the question of using transportation facilities for the handling of race horses and race-horse equipment and for the handling of the liquor traffic, there can not be any doubt whatever as to the decision of your board in cutting out these things and also in cutting out the use of private cars, except where absolutely essential for public business.

Very truly, yours,

RICHARD H. EDMONDS, *Editor.*

Following up the editorial in last week's issue, urging that in order to win the war by increasing the efficiency of labor for the farm and the factory and the battle field, the Nation should as a war measure adopt prohibition of the manufacture and the sale of all alcoholic drinks, the

editor of the Manufacturers Record sent to Judge Lovett, chairman of the War Industries Board, the foregoing letters, calling upon the board representing the Government to forbid the transportation of any materials which enter into the production of alcoholic drinks or the handling of the finished product.

The adoption by the Government of these suggestions would immediately cut out the vast amount of coal which is now used by breweries, at a time when millions are finding it difficult and many of them finding it impossible to secure coal for domestic use, and even Government industries absolutely necessary to produce munitions of war are unable to secure the full supply of coal needed.

Every ton of coal that goes into the manufacture of alcoholic drinks is thus doubly a curse to the Nation, and we do not believe that President Wilson or his advisers can possibly in the light of this situation fail to have the courage to shut off from every brewery the use of coal.

This would save transportation and it would save coal. The handling of the raw material which goes into the manufacture of alcoholic drinks would be saved, and this vast amount of foodstuffs and feedstuff could be used for other purposes. The men at the plants now used for manufacturing kegs and barrels and bottles and all of the other things which enter into the production of alcoholic drinks would be saved, and every one of these plants is needed for other purposes, and every man engaged in them is needed elsewhere in work for the Nation's safety, while now every man thus engaged is working directly against the Nation's safety.

Moreover, the use of transportation for such purposes in this time of terrific crisis is a crime, when many things that are needed for life of the individual and of the Nation must be delayed or completely shut off because of the lack of cars and locomotives.

We are also using railroads for the shipping of race horses from one race track to another, and shipping the materials needed for the maintenance of these race horses, and wasting the transportation of the gamblers who run from one place to another. Cut it all out if the Government wants to be honest with the people of the country. Let us not talk about cutting down transportation by reducing the number of passenger trains and shutting out the handling of nonessential things until we have shut out the handling of race horses and all the paraphernalia connected with race-track operations, and until we have shut out the handling of whisky and beer and everything that enter into their manufacture, sale, and distribution. These are not essential industries. They are indeed handicaps to the winning of the war. The complete closing down of these interests would tremendously increase the efficiency of the Army and of the men engaged on farms and in factories in producing the things without which we can not possibly win the war. Moreover, they would take out of this destructive business at least half a million men who could immediately find work in constructive operations.

From all parts of the country the Manufacturers Record has received enthusiastic commendation of the position which it took last week on this question.

The issue has been squarely put before the Government. It is now up to the people of the whole country to actively and aggressively urge the matter upon the President and the war board.

HOW DOES THE GOVERNMENT STAND ON THE USE OF COAL AND TRANSPORTATION FOR BREWERIES AND RACE-TRACK HORSES IN VIEW OF THE ACUTE SITUATION OF COAL AND RAILROAD FACILITIES?

A dispatch from New Orleans published in the daily papers on November 30 said:

"Five thousand persons were on hand for the opening of the winter racing season at New Orleans. Winners at the new Shrewsbury track were: Lady Eileen, Pilsen, Phochion, Runes, Cliff Field, and Libyan Sands."

Here were 5,000 people and all the paraphernalia connected with their transportation attending a winter racing meet at New Orleans. Every ton of coal that was used in carrying these people, every pound of material used that lessened the supply of things needed for the war was an absolute waste. More than that, it was a curse to the country. Had this racing season at New Orleans been the only one in the country it would have been bad enough, but at other places where race-track gambling is permitted similiar conditions exist, and the coal and other materials so sadly needed by the country were being consumed in order to permit the horse-race gambling to be carried on.

The Manufacturers Record called attention last week to the fearful waste of coal for the running of breweries and lessening transportation now so badly needed and also lessening the supply of food and foodstuffs.

Bearing on the same question is an interesting letter from F. A. Churchill, of the Dunn Wire-Cut Lug Brick Co., Conneaut, Ohio, a copy of which Mr. Churchill sends us. It was addressed to Judge Lovett, chairman, Priority Shipments, War Industries Board, Washington, and is as follows:

CONNEAUT, OHIO, *November 26, 1917.*

Hon. ROBERT S. LOVETT,
Chairman Board of Priority, Council of National Defense,
Washington, D. C.

DEAR SIR: In your letter to the Manufacturers Record, Baltimore, explaining Order No. 2, relating to road materials, you say:

"We are forced to a choice between highway material and coal essential for war industries and domestic and other essential uses.

"I trust that you will not misconstrue as disrespectful the query: Does Order No. 2 apply as well to material used in paving the road to hell? In other words, are fuel and grains for the use of breweries and distilleries classified as essential? Does Order No. 2 design to curtail the use of cars for shipping the products of breweries and distilleries as a means of expediting the transportation of fuel and material needed by war industries?

"Breweries are using enormous quantities of coal and grain, yet the patriotic people of this country are stinting themselves in food, and in many sections they are suffering actual discomfort from lack of coal.

"I learn from the newspapers that the public schools at Dayton, Ohio, may be forced to close on account of coal shortage, although brewery side tracks are filled with cars loaded with coal.

"As I have seen no report touching the brewery phase of the transportation problem I take the liberty of asking a few questions for the information of an important industry:

"(1) Are manufacturers of road materials placed on exactly the same plane as breweries and distilleries with respect to coal supply and cars for shipping products?

"(2) While the people everywhere are cheerfully denying themselves food in order to conserve the national supply, is any restriction put upon breweries and distilleries as regards the consumption of grain?

"(3) Is the freight congestion on railroads aggravated to any extent by shipment of fuel or grain to breweries and distilleries or by shipment of beer or fermented liquors from such institutions?

"In the most respectful spirit I submit the foregoing questions, and not only I individually, but thousands of men affiliated with a great industry would appreciate answers from you.

"I am not a temperance fanatic. I write as a man engaged in a business which is sorely hit by Order No. 2.

"I can not conceive it possible that the Federal Government would discriminate against road material and put in the preferential class the coal and grain and beer and liquor of breweries and distilleries; nor can I believe that the Government would withhold coal from schools, churches, hospitals, homes, and legitimate industries, or lay an embargo upon cars for shipping road materials, and at the same time allow wide latitude to breweries and distilleries.

"I have heard of no breweries shutting down because of lack of coal or transportation facilities, but I know of plants engaged in making road materials having to shut down because of fuel shortage and car shortage for shipment of products. I know of other plants preparing to shut down for the same reason.

"No true American hesitates to make any necessary sacrifice, even the supreme sacrifice, if need be; but sacrifices forced by discrimination are a different thing.

"I beg to assure you that I write for information rather than for the purpose of criticism, and I know that if your answer is what confidence in the wisdom and fairness of my Government assures me it ought to be, it will strengthen the patriotic resolution of an industrial army of men to bear with fortitude the ills of the emergency measures of war."

Yours, very truly,

F. A. CHURCHILL.

The statements made by Mr. Churchill demand consideration of the country. He points out the fact, as we have recently done, in regard to the scarcity of coal and shortage of transportation, and he says that while brewery sidetracks at Dayton, Ohio, are filled with cars loaded with coal the public schools of that city may be forced to close on account of lack of coal.

We do not believe that the Government can get away from a question which has been put squarely up to it in regard to cutting out the entire brewery business and the handling of transportation of alcoholic liquors of all kinds as a war measure. Unless the Government cuts this business entirely out of all transportation and out of the use of coal it can have no moral right to cut out transportation of anything else on earth or to require the closing of any plant for lack of fuel.

The production of coal, of foodstuffs, of iron and steel and other things needed for the war and the building of ships is greatly hampered by the fact that many of the men working in these industries have their efficiency lessened by much drinking. There can be no possible argument in favor of permitting the continuation of the whisky and brewery business when transportation and coal and foodstuffs are all so short. The use of these materials or of transportation for the production or the handling of beer or alcoholic drinks of any kind is now a criminal waste which President Wilson and his advisers can not overlook. If the Government will cut this business entirely out, purely as a war measure, leaving, if need be, to the future the question of the moral issue, it will be rendering humanity a service of inestimable value.

Bearing on the use of coal and transportation, when both are acutely short, for the production of beer, Mr. E. D. Leach, the assistant State fuel administrator of Ohio, is quoted as saying:

"If the *Lusitania* were now floating the seas, the coal used annually in the manufacture of beer in this country would furnish fuel for 726 round trips for the giant ship and transport 23,595,000 tons of supplies to the allies.

"Coal used for the manufacture of beer in Ohio alone would furnish more than 60 round trips and carry nearly 2,000,000 tons of supplies a year.

"It requires 180,000 cars of coal, or 3,000 trains, to move the raw material to the breweries.

"We have heard a great deal about the grain in the beer and about the sugar in the beer, but we have heard little about the coal in beer.

"Coal is one of the principal ingredients. It takes almost exactly a pound of coal to produce a pint of beer.

What is to be the Government's stand in the light of the facts presented as to the criminal waste of fuel or food material and of transportation? Dr. Garfield is urging that in private homes, on street cars, and in many other ways fuel should be saved to the utmost extent, but we have not yet seen any direct statement from Dr. Garfield insisting that the supply of fuel to the breweries shall be cut out. Judge Lovett issued an order cutting out practically all transportation of materials for building highways and streets, things which are absolutely essential to the welfare of the country, and more essential in war times than in peace. But we have not seen that Judge Lovett has refused the use of cars for handling coal to breweries, the use of cars for race-track horses, or the use of cars for the materials which enter into the manufacture of beer, or the use of cars for the distribution of beer and whisky.

President Wilson has rightly appealed to the Nation for increased production of everything which enters into the maintenance of the war, from foodstuffs to ships, and also the cutting down to the greatest extent possible of the consumption of foodstuffs. But we have not yet noticed that President Wilson has taken a definite stand on the cutting out of the manufacture and the handling and the distribution of all brewery and other alcoholic products.

Where does the Government propose to stand on these great economic measures, even if we disregard for the time the moral issue involved?

HOW LABOR SUPPLY CAN BE INCREASED, VICTORY IN WAR HASTENED, AND HUNDREDS OF THOUSANDS OF SOLDIERS KEPT FROM DEATH AND BILLIONS OF MONEY SAVED.

We face a great shortage of pig iron, indeed a famine, with consumers eagerly scrambling for iron without finding an adequate supply.

We have a coal famine upon us, with schools, churches, domestic consumers, industrial plants, and iron furnaces unable to secure supplies equal to their immediate pressing needs.

We have a wood famine, and with vast forests of timbers available it is difficult at times to secure even a supply of kindling wood regardless of price.

Our food production is wholly inadequate to our own needs, and farm labor is inadequate to increase the output sufficient to meet the urgent call for grain and meat.

Transportation facilities by rail and water and highway have practically collapsed as measured by the needs of the time, and billions must be expended to increase transportation, or else all other things that we do will be in vain.

The world's shipping has been submarined to a fearful extent, and the ships that have escaped this hell-devised weapon of murder are being overstrained and overworked.

We must build ships to the utmost stretch of our power regardless of cost.

We must push iron and coal production to the last limit of our capacity, and to do this new coal and ore mines must be opened, new furnaces built, new coke ovens constructed, and existing plants must be crowded even to the danger point of overwork that the present situation may be relieved.

Shipbuilders are calling for timber and steel and laborers; the world is begging for more food and must keep on pleading for meat and bread long after the war has ended. Coal mines are short of labor, furnaces and steel works and lumber yards are hampered for lack of labor. Civilization and our existence as a free Nation hang in the balance for lack of labor.

An ample supply of labor working regularly and efficiently would solve every problem of increased coal output, of more rapid shipbuilding, and of larger food production, and would greatly help to settle the labor question as it affects the expansion of transportation facilities.

There is a way in which this labor problem can to a very large extent be solved to the enormous benefit of the laborers, to the increased efficiency of everything that makes for the welfare of the Nation, to the protection and safeguarding of our soldiers, and to our ability to win the war.

To fail to use such means would be an unspeakable crime against our soldiers; it would mean the unnecessary death of hundreds of thousands who otherwise would be saved, the expenditure of many billions more than would be needed if we should adopt this measure; it would mean the lengthening of the war and privations in the way of lessened food and fuel for a hundred million people.

Has the Nation the courage to meet the issue?

Dare the President and his advisers and Congress refuse to do that which would mean so much for humanity, while the failure to do it would be a crime against Heaven and earth?

The solution of the problem is to be found in national prohibition of the manufacture, sale, and distribution of alcoholic drinks of every kind as a necessary war measure.

This would save $2,000,000,000 to $3,000,000,000 now wasted in drink.

It would vastly increase the efficiency and regularity of work.

It would destroy the power for evil of the German-owned saloon, the hotbed of anti-American and antiwork activities, and it would turn hundreds of thousands of drink-cursed hells into blessed homes of sobriety and honesty.

It would cut out the enormous amount of fuel and other materials used in the manufacture of beer.

It would save the transportation of beer and beer-making materials and whisky for the needs of industry, now sadly hampered by lack of transportation.

It would provide half a million or more able-bodied workers for essential things instead of permitting them to curse the Nation as at present with employment which makes for the death of soldiers, decreased output of food, ships' iron and steel, and coal, and everything that is essential.

On one side stands national efficiency to the highest degree, on the other drunkenness, inefficiency, delays in war, and the utmost power of pro-German activities to bring death and defeat to our armies.

Federal reports show that there are nearly 200,000 concerns in the United States, including drug stores, that are licensed to sell liquors. There are about 46,000 drug stores. This would leave, in round numbers, about 150,000 concerns licensed by the National Government in the country. It is safe to estimate that there are 300,000 men engaged in saloons and hotel barrooms. In 1914 there were more than 70,000 wage earners, not counting employers and salaried men, engaged in the production of liquors. If to this number we should add the men employed in the manufacture of barrels and kegs and bottles and other materials that enter into the production and the handling of liquors it is easily seen that the number of men thus engaged must exceed 500,000.

Every man thus employed could find work in some other line which would be useful to the country.

Here is a drain of 500,000 men, and of all the influences connected with their work, which is a direct and deadly power against national efficiency and national production to meet war needs.

Every saloon in existence is a use of property which could be better employed for some other purpose in the interest of the country.

Every man and woman connected with the trade in all its wide ramifications could become a producer of things needed for the winning of the war rather than a producer or a handler of things which minimize our power to carry on war.

Will the Nation face this issue squarely, and while drafting men for the Army and calling upon men for shipyards and for all other activities for the war, permit more than half a million men to continue to operate industries which specifically and to a tremendous extent lessen the efficiency of all the other working forces of the country? If looked at purely as a war measure, from the economic standpoint, and entirely without regard to the moral issue, the Nation will be guilty of criminal shortcoming if it fails to cut out the entire liquor traffic—brewery and saloon interests.

Where do you stand, business man, laboring man, politician, statesman, Congressman, Mr. President?

—

WHAT GEN. PERSHING SAYS.

There was a time when it was a natural part of a soldier's existence to drink and carouse. That day is past, with the soldier sworn to defend his country's flag and representing the power and dignity of the Nation. Strong muscles, clear brains, high ideals in the soldier increase the fighting efficiency of the army, and these qualities of the citizen insure the permanency of our institutions.

Gentlemen, I want you to listen to this:

Banish the entire liquor industry from the United States for the duration of the war; close every saloon, every brewery; rigorously and vigorously enforce the law; suppress drinking by severe punishment to the drinker, and, if necessary, death to the seller or maker, or both, as traitors, and the Nation would suddenly find itself amazed at its efficiency and startled at the vast increase in its labor supply.

Mr. Speaker, we are now fighting a number of great enemies. We are fighting Germany and Austria; but my opinion is that the most stealthy and dangerous enemy to our country during the war is the liquor traffic. For God's sake, gentlemen of the House, let us not go through what England has had to go through on this question. This is what Lloyd George said, and I believe he is an authority of the British Empire. Here is what he said:

We are fighting Germany, Austria, and drink, and, as far as I can see, the greatest of these three deadly foes is drink.

[Applause.]

It is true there, and it is true in this country.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. WEBB. I am sorry, but I can not yield. I would yield if I had the time. Mr. Speaker, the American people, the Prohibitionists, the Christian people of all sections of this country were never more united and determined in their effort to drive the liquor traffic from the face of our fair land. Never was the Roman war cry "Delenda est Carthago!" more ceaseless and remorseless than that of the American Christian and temperance people that the saloons must be destroyed, and I hope to-day's epochal vote will be the beginning of its destruction. [Applause.]

Drunken orgies undermined the character and stability of the Roman people and made them easy prey for the Goths and Vandals. We are determined by the help of God that intoxicating liquors shall not undermine and destroy our people so that they will become a prey to German domination.

For more than half a century Bacchus has held wide sway in the United States, but during recent years the temperance people, including the brave and godly women, have awakened to the horror of his infernal reign.

We have learned that alcohol causes the death of more than 66,000 human beings in our country every year.

We have learned that alcohol is a poison which paralyzes the white blood corpuscles, giving pneumonia and tuberculosis almost a free hand in their remorseless attack upon a drinking man.

We have learned that the burden of drink is not borne by the drunkard, but by the drunkard's children, and that there are in the United States 7,000,000 deficient school children, and less than 67,000 of these are free from hereditary alcoholic taint.

With these facts before him a great thinker has cried out, "We must settle the alcohol question within the next 10 years, or some more virile nation will write the epitaph of this Republic."

We have learned that liquor and the liquor traffic are the greatest crime breeders known since the dawn of civilization and that 80 per cent of the inmates of our penitentiaries were imprisoned entirely or partly on account of intoxicating liquors.

We have learned that the principal agency by which tens of thousands of girls are led astray in this country every year is liquor and the liquor traffic.

We have learned that the greatest "cause of commercialized vice is the use of intoxicating liquors."

Will not these astounding revelations affect mankind? Will not hearts of adamant turn to flesh once more when they think of the thousands of girls lured to their ruin; thousands of homes disgraced and in mourning for the lost child, gone out from the parental roof never to return, garnered in the arms of Bacchus and buried in living, though forgotten, graves?

The thinking people of this country have come to agree with the great Gladstone's statement that the drink traffic has caused more suffering, misery, and death than all the famines, pestilences, and wars during the nineteenth century.

We have learned the truth of Judge Harlan's written opinion, that the idleness, disorder, pauperism, and crime existing in the country are largely traceable to the general use of intoxicating liquors.

We have learned the truth of a great editor's assertion when he said, "Whisky finds a man full of hope and courage and confidence in himself. It finds him with friends, receiving and giving affection, and one by one it takes these things from him. Have you seen a buzzard picking the skeleton of a horse? Whisky does its work as vilely and as thoroughly as does the meanest buzzard. Bit by bit it picks from the man all that is worth while."

Little wonder is it, therefore, that Bob Ingersoll in one of his reflective moments should have cried out, "I do not believe anybody can contemplate the object without being prejudiced against the liquor crime."

Who defends this traffic? The man who makes money out of it and the man who wants to raise revenue from it. But I submit that no person has the moral right to engage in this man-killing business, much less has he any right to profit by it. And, as to the revenue, when the whole business is swept away our country, in the language of the great opinion of the Supreme Court in the license cases, will be the gainer a thousandfold in the health, wealth, and happiness of her people.

With all the unanswered indictments against the liquor traffic before us tell me why one cancerous root of it should be left anywhere within our national confines.

I am filled with unspeakable happiness when I realize that we now have the traffic driven back to its last trench, surrounded in only 12 per cent of our national area, and I am praying that one more drive will result in ending the business on our shores forever.

The prohibitionists, and that includes practically all the great church and allied organizations, are fully alive to the evils of alcoholism and were never more aggressive, active, and determined in their united efforts to destroy the liquor traffic.

During one of the great battles fought by Mahomet, the flag was shot from the ramparts. A daring and devoted soldier immediately seized it with his right hand and held it back on the rampart. Immediately his right arm was shot off, but, never faltering, he seized the flag with his left hand, and that, too, was instantly shot away, whereupon with his bleeding stubs he held the emblem in its place until victory came.

With a zeal and a determination akin to that which animated this devotee of the great Mahomet, let us wage a ceaseless battle and never sheathe our swords until our constitutional amendment is firmly adopted and the white banner of real effective prohibition proudly floats over every courthouse and city hall throughout this the greatest Nation on earth.

America is the pioneer in the modern war on the liquor traffic, so let us continue this great crusade until the last vestige of the evil-born business shall have been swept away forever, and then we shall have "blazed out the path and made clear the way up which all the nations of the earth must come in God's own appointed time." [Applause.]

The SPEAKER. The Clerk will report the resolution for amendment.

The Clerk read as follows:

SECTION 1. The manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

The committee amendment was read, as follows:

On page 1 after section 1, strike out the word "The" and insert the words "after one year from the ratification of this article the," so that the section as amended will read:

"SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors, etc."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Page 2, strike out sections 2 and 3 and insert in lieu thereof the following:

"SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

Mr. REAVIS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. REAVIS. May we have a division of the vote on sections 2 and 3?

The SPEAKER. If anybody demands it.

Mr. REAVIS. Well, I demand it, Mr. Speaker.

The SPEAKER. The question is on the first section of the amendment just read, which is:

SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the second proposition in the amendment, which is:

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment by Mr. STEELE: Insert after line 17 the following:

"SEC. 4. Any State may recall its rejection or ratification of this amendment at any time before three-fourths of the States have actually ratified the same."

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. LEA of California: Amend by adding at the end of section 1 the following:

"*Provided*, This section shall not apply to wines containing not more than 14 per cent of alcohol or to beer containing not more than 3 per cent of alcohol, the power to permit, regulate, and prohibit the manufacture, use, and sale of which is reserved to the separate States."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. CALDWELL. Division, Mr. Speaker.

The House divided; and there were—ayes 107, noes 232.

Mr. JOHNSON of Kentucky. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So the amendment was rejected.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. SABATH, Mr. STAFFORD, Mr. NORTON, and Mr. WEBB demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—ayes 282, nays 128, not voting 23, as follows:

YEAS—282.

Adamson	Emerson	King	Russell
Alexander	Esch	Kinkaid	Sanders, Ind.
Almon	Evans	Kitchin	Sanders, La.
Anderson	Fairfield	Knutson	Sanders, N. Y.
Anthony	Farr	Kraus	Saunders, Va.
Ashbrook	Ferris	Kreider	Schall
Aswell	Fess	La Follette	Scott, Iowa
Austin	Fields	Langley	Scott, Mich.
Ayres	Fisher	Larsen	Sears
Baer	Flood	Lee, Ga.	Sells
Bankhead	Focht	Lenroot	Shackleford
Barkley	Fordney	Lever	Shallenberger
Barnhart	Foss	Little	Shouse
Beakes	Foster	Littlepage	Sims
Bell	Frear	Lobeck	Sinnott
Beshlin	French	Lundeen	Sisson
Black	Fuller, Ill.	Lunn	Slemp
Bland	Fuller, Mass.	McClintic	Sloan
Booher	Gandy	McCormick	Smith, Idaho
Borland	Garrett, Tenn.	McCulloch	Smith, Mich.
Bowers	Garrett, Tex.	McFadden	Snell
Brand	Glass	McKenzie	Snook
Brodbeck	Godwin, N. C.	McKeown	Steagall
Browne	Good	McKinley	Stedman
Browning	Goodall	McLaughlin, Mich.	Steenerson
Brumbaugh	Gould	Mapes	Stephens, Miss.
Burnett	Graham, Ill.	Mays	Sterling, Ill.
Burroughs	Green, Iowa	Miller, Minn.	Sterling, Pa.
Butler	Gregg	Mondell	Stevenson
Byrnes, S. C.	Griest	Montague	Stiness
Byrns, Tenn.	Hadley	Moon	Strong
Campbell, Kans.	Hamilton, Mich.	Moores, Ind.	Summers
Candler, Miss.	Hamilton, N. Y.	Morgan	Sweet
Cannon	Hamlin	Mott	Switzer
Caraway	Harrison, Miss.	Nelson	Taylor, Ark.
Carlin	Harrison, Va.	Nicholls, S. C.	Temple
Carter, Mass.	Hastings	Norton	Thomas
Carter, Okla.	Haugen	Oldfield	Thompson
Clark, Fla.	Hawley	Oliver, Ala.	Tillman
Claypool	Hayden	Olney	Timberlake
Collier	Helm	Osborne	Towner
Connally, Tex.	Helvering	Overstreet	Treadway
Connelly, Kans.	Hensley	Padgett	Venable
Cooper, Ohio	Hersey	Paige	Vestal
Cooper, W. Va.	Hicks	Park	Vinson
Cooper, Wis.	Hilliard	Parker, N. Y.	Volstead
Copley	Holland	Peters	Walker
Costello	Hollingsworth	Platt	Walton
Cox	Hood	Polk	Wason
Cramton	Houston	Powers	Watkins
Crisp	Howard	Pratt	Watson, Va.
Currie, Mich.	Hull, Tenn.	Price	Weaver
Dale, Vt.	Humphreys	Purnell	Webb
Dallinger	Hutchinson	Quin	Welling
Darrow	Ireland	Ragsdale	Whaley
Decker	Jacoway	Rainey	Wheeler
Dempsey	James	Raker	White, Me.
Denison	Johnson, Ky.	Ramseyer	White, Ohio
Denton	Johnson, S. Dak.	Randall	Williams
Dickinson	Johnson, Wash.	Rankin	Wilson, Ill.
Dill	Jones, Tex.	Rayburn	Wilson, La.
Dillon	Jones, Va.	Reavis	Wingo
Dixon	Kearns	Reed	Wise
Doolittle	Keating	Robbins	Wood, Ind.
Doughton	Kehoe	Robinson	Woods, Iowa.
Dowell	Kelley, Mich.	Romjue	Woodyard
Drane	Kelly, Pa.	Rose	Young, N. Dak.
Dunn	Kennedy, Iowa.	Rowe	Young, Tex.
Elliott	Kettner	Rowland	Zihlman
Ellsworth	Kiess, Pa.	Rubey	
Elston	Kincheloe	Rucker	

NAYS—128.

Bacharach	Buchanan	Carew	Clark, Pa.
Blackmon	Caldwell	Cary	Classon
Britten	Campbell, Pa.	Chandler, N. Y.	Coady
Bruckner	Cantrill	Church	Crago

Crosser	Graham, Pa.	McAndrews	Sabath
Dale, N. Y.	Gray, Ala.	McArthur	Sanford
Davidson	Gray, N. J.	McLaughlin, Pa.	Scott, Pa.
Davis	Greene, Mass.	McLemore	Sherley
Dent	Greene, Vt.	Madden	Sherwood
Dewalt	Griffin	Magee	Siegel
Dies	Hamill	Maher	Slayden
Dominick	Hardy	Mansfield	Small
Dooling	Haskell	Martin	Smith, C. B.
Doremus	Heaton	Meeker	Smith, T. F.
Drukker	Heflin	Merritt	Snyder
Dupré	Huddleston	Moore, Pa.	Stafford
Dyer	Hulbert	Morin	Steele
Eagan	Hull, Iowa	Mudd	Sullivan
Edmonds	Igoe	Nichols, Mich.	Swift
Estopinal	Juul	Nolan	Talbott
Fairchild, B. L.	Kahn	Oliver, N. Y.	Templeton
Fitzgerald	Kennedy, R. I.	O'Shaunessy	Tilson
Flynn	Key, Ohio	Overmyer	Van Dyke
Francis	Lazaro	Parker, N. J.	Vare
Freeman	Lea, Cal.	Phelan	Voigt
Gallagher	Lehlbach	Porter	Waldow
Gard	Lesher	Pou	Walsh
Garland	Linthicum	Ramsey	Ward
Garner	London	Riordan	Watson, Pa.
Gillett	Lonergan	Roberts	Welty
Glynn	Longworth	Rodenberg	Wilson, Tex
Gordon	Lufkin	Rouse	Winslow

NOT VOTING—23.

Bathrick	Fairchild, G. W.	LaGuardia	Scully
Blanton	Gallivan	Mann	Stephens, Nebr.
Capstick	Goodwin, Ark.	Mason	Tague
Chandler, Okla.	Hayes	Miller, Wash.	Taylor, Colo.
Curry, Cal.	Heintz	Neely	Tinkham
Eagle	Husted	Rogers	

So (two-thirds having voted in the affirmative) the resolution was agreed to.

The Clerk announced the following pairs:

Mr. GOODWIN of Arkansas and Mr. MILLER of Washington (for) with Mr. TAGUE (against).

Mr. NEELY and Mr. STEPHENS of Nebraska (for) with Mr. GALLIVAN (against).

Mr. TAYLOR of Colorado and Mr. GEORGE W. FAIRCHILD (for) with Mr. CURRY of California (against).

The result of the vote was announced as above recorded.

Mr. MORGAN rose.

The SPEAKER. For what purpose does the gentleman from Oklahoma rise?

Mr. MORGAN. I desire to make a statement relative to my colleague, Mr. CHANDLER. I understand that he left the city, believing that he had a pair, but that through some misunderstanding the pair has been declared off. If he were present, he would have voted for the resolution.

Mr. NORTON rose.

The SPEAKER. For what purpose does the gentleman from North Dakota rise?

Mr. NORTON. I move that the vote by which the resolution was carried be reconsidered and that that motion be laid on the table.

Mr. WEBB rose.

The SPEAKER. For what purpose does the gentleman from North Carolina rise?

Mr. WEBB. If under the rules it is necessary or permissible, I would like to make a motion to reconsider the vote and to lay that motion on the table.

The SPEAKER. If there be no objection, the motion will be agreed to.

There was no objection.

Mr. NORTON. I made the same motion.

Mr. EAGAN. Mr. Speaker, I would like to make a statement in regard to my colleague, Mr. SCULLY. He was unavoidably detained. If present, he would have voted against the resolution.

Mr. BROWNING. Mr. Speaker, my colleague, Mr. CAPSTICK, telegraphed me this morning to pair him against this resolution. We were unable to get a pair.

Mr. COOPER of West Virginia. Mr. Speaker, my colleague, Mr. NEELY, was unavoidably detained. If he had been present, he would have voted "yea."

Mr. SIEGEL. Mr. Speaker, I desire to announce that if my colleague, Mr. LAGUARDIA, had been present he would have voted "no" on the resolution.

Mr. HARRISON of Mississippi. Mr. Speaker, I had a telephone message from the gentleman from Massachusetts, Mr. GALLIVAN, asking me to state to the House that if he were present he would have voted "nay" on the resolution.

PRESIDENT'S MESSAGE—EMPLOYEES IN THE STATE DEPARTMENT.

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, was ordered to be printed and referred to the Committee on Appropriations:

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES:

I transmit herewith a detailed report by the Secretary of State showing the number of persons employed in the Department of State, the grades or character of positions, the original rates of compensation, and the increased rates of compensation provided in the legislative, executive, and judicial appropriation act of March 3, 1917.

WOODROW WILSON.

THE WHITE HOUSE, *17 December, 1917.*

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing, from the President of the United States, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed, on December 15, 1917, bill of the following title:

An act (H. R. 7572) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment the following resolutions:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Tuesday, the 18th of December, 1917, they stand adjourned until 12 o'clock meridian of Thursday, the 3d day of January, 1918.

Also, joint resolution (H. J. Res. 193) authorizing the payment of salaries of officers and employees of Congress for December, 1917:

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives are authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1917, on the day of adjournment of the present session for the holiday recess; and the Clerk of the House is authorized to pay on the same day to Members, Delegates, and Resident Commissioners their allowance for clerk hire for the said month of December.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 193. Joint resolution authorizing the payment of salaries of officers and employees of Congress for December, 1917.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 114. Joint resolution extending the commission provided for in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, with the same authorities, powers, and provisions until on or before March 1, 1918.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 193. Joint resolution authorizing the payment of salaries of officers and employees of Congress for December, 1917.

LEAVE OF ABSENCE.

By unanimous consent, leave of absense was granted as follows:

To Mr. NEELY, for one week, on account of important business;

To Mr. GOODWIN of Arkansas, one week, on account of important business;

To Mr. BLANTON, for 10 days, on account of important business; and

To Mr. GEORGE W. FAIRCHILD, indefinitely, on account of illness in his family.

LEAVE TO EXTEND REMARKS.

Mr. MEEKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, this morning, when the first request for extension of remarks was made, I made an objection, stating that I wanted to have the RECORD show the actual proceedings of the day. I have

no objection to general leave being granted to all Members of the House, if they wish, now that the record has been made on this vote.

The SPEAKER. Is there objection?

Mr. WALSH. I object.

The SPEAKER. The gentleman from Massachusetts objects.

WAR EXCESS-PROFITS TAX—SALARIES OF MEMBERS, ETC.

Mr. KITCHIN. Mr. Speaker, I move to suspend the rules and pass House joint resolution 195, which specifically subjects the compensation of officers and employees of the United States, including Members of Congress, to the excess-profits tax.

Mr. GILLETT. Mr. Speaker, I do not think the House expected to transact any more business to-night, and I do not think it is in a frame of mind to do so. I suggest to the gentleman that he ask unanimous consent to take this up to-morrow.

Mr. KITCHIN. I appreciate what the gentleman says, and I ask unanimous consent then, for the present, that this joint resolution be in order for consideration immediately after the reading of the Journal to-morrow.

Mr. MEEKER. Reserving the right to object——

The SPEAKER. Let the Chair state the proposition. The gentleman from North Carolina asks unanimous consent that House joint resolution 195 may be taken up to-morrow immediately after the reading of the Journal and the disposition of business on the Speaker's table. Is there objection?

Mr. MEEKER. Reserving the right to object, there are a number of men who are leaving to-night, who had understood that the legislative program before the holidays was practically finished, but who would like to be informed of the consideration of this resolution. Why can we not dispose of it right now?

Mr. KITCHIN. For the reason stated by the gentleman from Massachusetts [Mr. GILLETT], that a great many Members thought that immediately after the vote on the constitutional amendment the House would adjourn. There will be no objection to this, and no fight against it.

Mr. MEEKER. I want to say that I am in favor of it.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. The House does not clearly understand this proposition. The resolution has not been printed and is not before the House. Even some members of the committee have not seen the resolution.

The SPEAKER. It is before the House.

Mr. MOORE of Pennsylvania. It was impossible to hear the gentleman from North Carolina in the confusion. Was his request for unanimous consent to go on with it now?

SEVERAL MEMBERS. No.

Mr. MOORE of Pennsylvania. Reserving thhe right to object, what was the request?

The SPEAKER. The gentleman from North Carolina called up this resolution and moved to suspend the rules and pass it, and that has never been withdrawn; but pending that, at the suggestion of the gentleman from Massachusetts [Mr. GILLETT], the gentleman from North Carolina asked unanimous consent that immediately after the reading of the Journal and the disposition of business on the Speaker's table to-morrow this resolution be taken up.

Mr. MOORE of Pennsylvania. I have no objection to that request.

The SPEAKER. The Chair wishes to find out if any one objects to it.

Mr. RAKER. A parliamentary inquiry. If the request is granted, will that take precedence of a motion for change of reference?

The SPEAKER. It will not, if I live until that time comes. Is there objection?

Mr. WINGO. Mr. Speaker, reserving the right to object, I should like to inquire of the gentleman from North Carolina what arrangement, if any, has been made by the chairman of the Banking and Currency Committee with reference to the bill that he wants to offer to-morrow?

Mr. KITCHIN. I understand that the Rules Committee will report a rule to-morrow for its consideration after this joint resolution.

Mr. WEBB. I will say to the gentleman that that is the intention of the Committee on Rules to-morrow.

Mr. WINGO. After we get through with this resolution on the revenue matter, what else is to come up to-morrow?

Mr. KITCHIN. I do not know of anything else to come up to-morrow, except this matter to which the gentleman refers. The gentleman from Tennessee [Mr. PADGETT] has a midshipman bill for which he will ask unanimous consent.

Mr. WINGO. Does the gentleman think there would be any objection to taking up the bill from the Committee on Banking and Currency immediately after the disposition of the resolution which the gentleman refers to?

Mr. KITCHIN. The Committee on Rules will report a rule.

Mr. WINGO. But they might withhold the rule.

Mr. HARRISON of Mississippi. The idea is to report the rule to the House to-morrow and take it up as soon as possible.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina that this resolution be taken up to-morrow after the reading of the Journal?

There was no objection.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the debate on the resolution to-morrow close in 1 hour—30 minutes on a side.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that debate on the resolution be limited to one hour. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Speaker, I ask further unanimous consent that the gentleman from Michigan [Mr. FORDNEY] control one half of the time and I control the other half.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the time be equally divided; that he control one half and the gentleman from Michigan [Mr. FORDNEY] the other half.

Mr. GREEN of Iowa. Reserving the right to object, I would like to inquire if this is on the Union Calendar?

The SPEAKER. It would be on the Union Calendar.

Mr. GREEN of Iowa. Then there will be opportunity for debate under the five-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

Mr. GILLETT. Reserving the right to object, has the gentleman any definite purpose as to the time that we will adjourn to-morrow?

Mr. KITCHIN. No; but I want to get through as early as possible.

The SPEAKER. The Chair will remind Members that the gentleman from Illinois [Mr. MCCORMICK] has an hour to-morrow. Is there objection to the request of the gentleman from North Carolina?

Mr. GILLETT. I object.

INCREASING THE NUMBER OF MIDSHIPMEN.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill increasing the number of midshipmen at the Naval Academy. It is one that all Members are interested in, and I do not think it ought to take over 10 minutes.

The SPEAKER. The trouble is that it is not on the Unanimous Consent Calendar. During the extra session, when everything was out of order, the Chair did recognize a number of Members in violation of the Unanimous Consent Calendar rule to call up matters, but that is a good rule and the Chair is in favor of enforcing it.

Mr. PADGETT. Then, Mr. Speaker, I move to suspend the rules and pass the bill.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 6967) to increase the number of midshipmen at the United States Naval Academy.

Be it enacted, etc., That hereafter there shall be allowed at the United States Naval Academy 5 midshipmen for each Senator, Representative, and Delegate in Congress, 1 for Porto Rico, 2 for the District of Columbia, 15 appointed each year at large, and 100 appointed annually from enlisted men of the Navy, as now authorized by law.

SEC. 2. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

The SPEAKER. Is a second demanded?

Mr. LENROOT. I demand a second.

Mr. PADGETT. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. PADGETT. Mr. Speaker, I ask that a vote be taken on the bill.

Mr. CANNON. That increases the number by one for each Member of Congress.

Mr. PADGETT. Yes.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and two-thirds having voted in favor thereof, the bill was passed.

ANNOUNCEMENT.

Mr. PLATT. Mr. Speaker, I wish to announce that if my colleague, Mr. HUSTED, had been here to-day, he would have voted in favor of submitting the prohibition amendment.

Mr. WINGO. Mr. Speaker, my colleague, Mr. GOODWIN, is necessarily absent. He was paired on the prohibition amendment; but if present, he would have voted "aye."

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I renew my request that when the House adjourns it adjourn to meet at 11 o'clock to-morrow.

Mr. GILLETT. I withdraw my objection.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. I object.

VOCATIONAL EDUCATION.

Mr. SEARS. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 110 to amend an act entitled "An act for the promotion of vocational education," approved February 23, 1917.

The SPEAKER. The gentleman can not do that.

Mr. SEARS. Then I move to suspend the rules and pass Senate joint resolution 110.

The Clerk read as follows:

Resolved, etc., That section 7 of the act entitled "An act to provide for the promotion of vocational education," etc., approved February 23, 1917, be, and the same is hereby, amended by adding at the end thereof the words "including the rental of quarters in the District of Columbia from the date of the organization of said board until June 30, 1918."

The SPEAKER. Is a second demanded?

Mr. SHERLEY. Mr. Speaker, I demand a second. I do not think that a resolution of this character, which involves a question of considerable expense, ought to pass to-night. If it is insisted upon I shall insist upon a quorum of the House being present. I owe that in justice to the character of the resolution and what it involves.

Mr. SEARS. Mr. Speaker, I withdraw the motion.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p. m.) the House adjourned until to-morrow, Tuesday, December 18, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Navy, transmitting tentative draft of a bill to regulate the pay of retired chief warrant officers on active duty (H. Doc. No. 625), was taken from the Speaker's table, referred to the Committee on Naval Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. KITCHIN, from the Committee on Ways and Means, to which was referred the joint resolution (H. J. Res. 195) amending an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war excess-profits tax the compensation of officers and employees under the United States, including Members of Congress, reported the same without amendment, accompanied by a report (No. 230), which said bill and report were referred to the Committee on the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 3676) granting an increase of pension to Charles N. Bryant; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6229) granting a pension to Ward Houchin; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MOORE of Pennsylvania: A bill (H. R. 7794) providing for the refund of duties collected on flax-preparatory machines, parts, and accessories imported subsequently to August 5, 1909, and prior to January 1, 1911; to the Committee on Ways and Means.

By Mr. BAER: A bill (H. R. 7795) to appropriate $50,000,000 for the purchase of seed grain and feed for live stock, to be supplied to farmers and stockmen, and to create boards in the respective States to assist in carrying out the provisions of this act; to the Committee on Agriculture.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 7796) to increase the salary of the United States marshal for the western district of Michigan; to the Committee on the Judiciary.

By Mr. BRODBECK: A bill (H. R. 7797) providing for increase for soldiers and sailors of the late Civil War who served 90 days or more, attained the age of 75 years, or who are suffering from mental or physical disabilities, not the result of their own misconduct, which incapacitates them from performing manual labor; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 7798) to provide for the enlargement of the public building at Cumberland, Md.; to the Committee on Public Buildings and Grounds.

By Mr. MONDELL: A bill (H. R. 7799) to repeal sections of the war-revenue act, approved October 3, 1917, relating to and providing for a zone system for second-class mail matter; to the Committee on Ways and Means.

By Mr. WATKINS: A bill (H. R. 7800) providing compensation for fourth-class postmasters and repealing conflicting laws; to the Committee on the Post Office and Post Roads.

By M. GANDY: A bill (H. R. 7801) authorizing the Secretary of the Interior to extend deferred payments by settlers and homestead entrymen upon public and ceded Indian lands; to the Committee on the Public Lands.

By Mr. WEBB: Resolution (H. Res. 198) for the consideration of House joint resolution 1; to the Committee on Rules.

By Mr. POU: Resolution (H. Res. 199) for consideration of House bill 7731; to the Committee on Rules.

By Mr. PARK: Resolution (H. Res. 200) authorizing the Postmaster of the House to employ an additional clerk; to the Committee on Accounts.

By Mr. RAKER: Resolution (H. Res. 201) transferring jurisdiction of House joint resolution 1; to the Committee on Rules.

By Mr. WOOD of Indiana: Joint resolution (H. J. Res. 194) to prevent depreciation of and speculation in certain securities of the United States and providing penalty for violation thereof; to the Committee on the Judiciary.

By Mr. KITCHIN: Joint resolution (H. J. Res. 195) amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war excess-profits tax the compensation of officers and employees under the United States, including Members of Congress; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 7802) granting a pension to Charles Gordon; to the Committee on Pensions.

Also, a bill (H. R. 7803) granting a pension to Alma McLaughlin; to the Committee on Invalid pensions.

Also, a bill (H. R. 7804) granting a pension to George W. Cordray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7805) granting a pension to Thomas A. Jamison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7806) granting an increase of pension to Benjamin F. Lantz; to the Committee on Invalid Pensions.

By Mr. BRODBECK: A bill (H. R. 7807) granting a pension to Charles C. Cooper; to the Committee on Pensions.

By Mr. BRUCKNER: A bill (H. R. 7808) to carry out the findings of the Court of Claims in the case of Arthur E. Colgate, administrator of the estate of Clinton G. Colgate, deceased; to the Committee on Claims.

By Mr. BURROUGHS: A bill (H. R. 7809) granting an increase of pension to Ezra H. Keniston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7810) granting an increase of pension to Daniel G. Blaisdell; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 7811) granting a pension to Alpheus R. Bascom; to the Committee on Pensions.

Also, a bill (H. R. 7812) granting a pension to Henry N. Wilks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7813) granting an increase of pension to William E. Hanigan; to the Committee on Invalid Pensions.

By Mr. CARTER of Massachusetts: A bill (H. R. 7814) for the relief of Charles E. Currier; to the Committee on Claims.

By Mr. CLARK of Missouri: A bill (H. R. 7815) granting an increase of pension to John Tumilty; to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 7816) granting a pension to Sarah B. Stevens; to the Committee on Pensions.

Also, a bill (H. R. 7817) granting a pension to Clara A. Crosby; to the Committee on Pensions.

Also, a bill (H. R. 7818) granting a pension to Theresa Irish; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 7819) granting an increase of pension to William M. Henderson; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 7820) granting a pension to Josephine Ranglett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7821) granting a pension to Emma C. Horner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7822) granting a pension to Ellwood I. Beatty; to the Committee on Pensions.

By Mr. DENISON: A bill (H. R. 7823) granting an increase of pension to William J. Rosborough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7824) granting an increase of pension to Arthur M. Hayes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7825) granting an increase of pension to Claude M. Dixon; to the Committee on Invalid Pensions.

By Mr. DENTON: A bill (H. R. 7826) granting an increase of pension to Thomas J. Lamar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7827) granting an increase of pension to Samuel P. Wolven; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7828) granting an increase of pension to Herman F. W. Fisher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7829) granting an increase of pension to John W. Ellis; to the Committee on Invalid Pensions.

By Mr. FARR: A bill (H. R. 7830) granting a pension to Carrie M. Williams; to the Committee on Pensions.

Also, a bill (H. R. 7831) granting a pension to James McHale; to the Committee on Pensions.

Also, a bill (H. R. 7832) granting a pension to James H. Powell; to the Committee on Pensions.

Also, a bill (H. R. 7833) granting a pension to Frances Horan; to the Committee on Pensions.

Also, a bill (H. R. 7834) granting a pension to Henry Graf; to the Committee on Pensions.

Also, a bill (H. R. 7835) granting an increase of pension to Jabez G. Cole; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 7836) granting a pension to Mary C. Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7837) granting an increase of pension to William Himes; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 7838) granting an increase of pension to Herman Brumley; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 7839) granting an increase of pension to Samuel A. Parish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7840) granting an increase of pension to Henry T. Brayman; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 7841) granting an increase of pension to George W. Lehman; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 7842) granting a pension to John George; to the Committee on Pensions.

Also, a bill (H. R. 7843) granting a pension to Harry L. Kepler; to the Committee on Pensions.

Also, a bill (H. R. 7844) granting a pension to Harry C. Donald; to the Committee on Pensions.

Also, a bill (H. R. 7845) granting a pension to Mary C. Kaiser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7846) granting a pension to William Hummer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7847) granting a pension to Rose Phillips Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7848) granting a pension to Anna Hardy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7849) granting an increase of pension to Lewis C. Edmonds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7850) granting an increase of pension to Daniel J. Slanker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7851) granting an increase of pension to Ransom Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7852) granting an increase of pension to Daniel Ashbaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7853) granting an increase of pension to Israel Dunn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7854) granting an increase of pension to Peter Huffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7855) granting an increase of pension to John Wiley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7856) granting an increase of pension to George W. Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7857) for the relief of John W. Seaver; to the Committee on War Claims.

Also, a bill (H. R. 7858) to remove the charge of desertion from the military record of John S. Ellis; to the Committee on Military Affairs.

Also, a bill (H. R. 7859) to remove the charge of desertion from the military record of Joseph P. Brady; to the Committee on Military Affairs.

By Mr. POWERS: A bill (H. R. 7860) granting a pension to Robert L. Rawlings; to the Committee on Pensions.

By Mr. RANDALL: A bill (H. R. 7861) granting a pension to Ellen Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7862) granting a pension to Jane Melville; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7863) granting a pension to David Erskine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7864) granting a pension to Eliza S. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7865) granting a pension to Harriet J. Houghtaling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7866) granting a pension to Anna Loud; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7867) granting a pension to Minerva J. Warfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7868) granting a pension to Mary E. Selby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7869) granting a pension to Grace E. Syar; to the Committee on Pensions.

Also, a bill (H. R. 7870) granting a pension to Catherine E. Smith; to the Committee on Pensions.

Also, a bill (H. R. 7871) granting a pension to Florence D. Quincey; to the Committee on Pensions.

Also, a bill (H. R. 7872) granting a pension to Emma W. Mitchell; to the Committee on Pensions.

Also, a bill (H. R. 7873) granting an increase of pension to Lottie Tanner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7874) granting an increase of pension to Channing C. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7875) granting an increase of pension to Brooks E. Rogers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7876) granting an increase of pension to Warrington O. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7877) granting an increase of pension to Sylvia Call; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7878) granting an increase of pension to John D. Bridgman; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 7879) granting an increase of pension to Elijah Jenkins; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 7880) granting a pension to Martha Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7881) granting an increase of pension to William H. Hampton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7882) granting a pension to Elizabeth Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7883) granting an increase of pension to Gaston P. Lingenfelter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7884) granting an increase of pension to Walter L. Todd; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 7885) granting a pension to L. J. Collins; to the Committee on Pensions.

Also, a bill (H. R. 7886) granting a pension to W. A. Nicely; to the Committee on Pensions.

Also, a bill (H. R. 7887) granting a pension to Daniel J. Bresnahan; to the Committee on Pensions.

By Mr. SLEMP: A bill (H. R. 7888) granting a pension to Howard M. Blankenship; to the Committee on Pensions.

Also, a bill (H. R. 7889) granting a pension to Hiram Dillon; to the Committee on Pensions.

Also, a bill (H. R. 7890) granting a pension to H. H. Broce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7891) granting a pension to Thomas Spurrier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7892) granting a pension to Pleasant D. Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7893) granting an increase of pension to Clarence A. Yancey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7894) granting an increase of pension to Samuel H. McCartney; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 7895) granting a pension to Francis McCloe; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 7896) granting an increase of pension to Angel Housker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7897) granting an increase of pension to Cleophas Guerin; to the Committee on Invalid Pensions.

By Mr. STERLING of Illinois: A bill (H. R. 7898) granting a a pension to Nettie L. Jewell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7899) granting an increase of pension to Erskine M. Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7900) granting an increase of pension to David B. Waeaser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7901) granting an increase of pension to Isaiah W. Wilmeth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7902) granting an increase of pension to Elijah Houghton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7903) granting an increase of pension to William T. Gibbs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7904) granting an increase of pension to George W. Gregory; to the Committee on Pensions.

Also, a bill (H. R. 7905) granting an increase of pension to William C. Rusmisell; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Arkansas: A bill (H. R. 7906) granting an increase of pension to Ernest J. Patton; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 7907) granting an increase of pension to Henry M. Gray; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 7908) granting an increase of pension to Henry Randall; to the Committee on Invalid Pensions.

By Mr. VOIGT: A bill (H. R. 7909) granting an increase of pension to James Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7910) granting an increase of pension to Roswell O. Spear; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 7911) granting a pension to Charlotte C. Edwards; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the National Council of American Cotton Manufacturers, urging liberal appropriations for the support and development of the Bureau of Foreign and Domestic Commerce, and further urging the creation and maintenance of an effective bureau for the development and extension of American foreign trade; to the Committee on Interstate and Foreign Commerce.

Also (by request), resolutions of the annual convention of the American Federation of Labor at Buffalo, N. Y., November 12 to 24, 1917, favoring the retirement of teachers in the District of Columbia; to the Committee on the District of Columbia.

Also (by request), petition of Metropolitan Presbyterian Church, Washington, D. C., urging the passage of the prohibition amendment; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of Arkansas, Massachusetts, New York, Pennsylvania, Tennessee, Texas, Virginia, Washington, and Wisconsin, favoring the Moore purple-cross bill (H. R. 5410) or the Wolcott purple-cross bill (S. 2692); to the Committee on Military Affairs.

By Mr. BLAND: Evidence in the case of Herschel Spainhour, special pension bill; to the Committee on Invalid Pensions.

By Mr. CARY: Memorial of National Council of American Cotton Manufacturers relative to appropriation for Bureau of Foreign and Domestic Commerce; to the Committee on Appropriations.

Also, memorial of board of directors of Chamber of Commerce of the United States of America relative to buildings to house Government workers; to the Committee on Appropriations.

Also, petition of Mrs. Leno Wettlenan, Clara Harrison, Helen Wenlig, Mary A. Matthai, Amanda M. Jaeger, Clara Miller, Anna A. Henrichs, and Louisa Paarfusser, all employed as charwomen in the United States post office, courthouse, and customhouse at Milwaukee, Wis., urging passage of Keating bill; to the Committee on Labor.

Also, telegram from J. Y. Feldman, chairman legislative committee, Local No. 3, Federation of Federal Employees, urging passage of Keating bill; to the Committee on Labor.

Also, telegram from H. W. Ludish, president Milwaukee Chamber of Commerce; Henry Rang & Co.; H. Scarborough, president Twentieth Century Machinery Co.; Green Bros. & Hausen Realty Co., of Manitowoc; Kneipp Malt Food Co.; the William Rahr Sons Co.; the Manitowoc Malting Co.; Milwaukee Western Fuel Co.; Albert H. Klotz, president Western Specialty Co.; Gustav Woolaeger, jr.; A. Bergenthal; and Herman F. Wolf, all of Milwaukee, Wis., protesting against passage of national prohibition amendment; to the Committee on the Judiciary.

Also, telegram from Walter Schroeder, of Milwaukee, and Vinegar Co. of Milwaukee, Wis., protesting against passage of national prohibition amendment; to the Committee on the Judiciary.

Also, letter from general counsel Malsters Bureau of Statistics, of Chicago, and R. A. Wittemann, president the Wittemann Co., of Buffalo, N. Y., protesting against passage of national prohibition amendment; to the Committee on the Judiciary.

Also, petition of Thomas W. Lawson, urging a congressional court to expose contracts committee; to the Committee on Military Affairs.

By Mr. COADY: Petition of citizens of Baltimore, Md., against national prohibition; to the Committee on the Judiciary.

By Mr. COOPER of Ohio: Petition of business men and citizens of Youngstown, Ohio, urging enactment of legislation by Congress granting increased pay to postal employees; to the Committee on the Post Office and Post Roads.

By Mr. CRAMTON: Petition of Dr. T. D. McCoy and 39 other citizens of Cass City, Mich., in favor of legislation placing Army medical officers on the same basis as to commissions as Navy medical officers; to the Committee on Military Affairs.

Also, memorial of Mount Clemens Woman's Christian Temperance Union and others in favor of all legislation safeguarding Army camps from vice; to the Committee on Military Affairs.

Also, petition of Louis Priens and 681 other citizens of Macomb County, Mich., opposing legislation proposing the creation of nation-wide prohibition; to the Committee on the Judiciary.

By Mr. DALE of New York: Memorial of Chamber of Commerce of the United States of America relative to housing of labor needed for the Government; to the Committee on Public Buildings and Grounds.

Also, memorial of Merchant Tailors' Society of New York, relative to shortage of wool; to the Committee on Agriculture.

Also, petition of the American Numismatic Society of New York, relative to House bill 6447, to provide valor medals for our soldiers; to the Committee on Military Affairs.

Also, petition of the Wittemann Co., of Buffalo, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. DARROW: Petition of Philanthropic Committee of Philadelphia Yearly Meeting of Friends, in favor of the national prohibition amendment; also a petition of 14 residents of West Philadelphia, Pa., favoring the prohibition amendment; to the Committee on the Judiciary.

By Mr. ELSTON: Resolutions of the California White and Sugar Pine Manufacturers' Association, asking Congress to appropriate $10,000 to be placed at the disposal of the United States Weather Bureau for the purpose of employing a man with necessary equipment to study specifically the problem of weather conditions as related to forest fires and to cooperate with fire-protective agencies in putting the results into effect; to the Committee on Appropriations.

By Mr. FARR: Telegram of Mr. Steve McDonald, president of Central Labor Union (representing 60,000 workers), opposing the prohibition amendment; to the Committee on the Judiciary.

By Mr. FLYNN: Petitions of numerous citizens of Brooklyn, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. FITZGERALD: Petition of citizens of the Borough of Brooklyn, city of New York, State of New York, disapproving the resolutions now before the House of Representatives for national prohibition; to the Committee on the Judiciary.

By Mr. HAMLIN: Papers to accompany House bill 5436; to the Committee on Invalid Pensions.

By Mr. HILLIARD: Memorial of Ajax Camp, No. 647 Woodmen of the World, urging the passage of House bill 1654, granting an increase of pay to post-office clerks and letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petitions of Emma B. Evans, Rev. E. R. Evans, and Woman's Christian Temperance Union of Central Falls, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Rhode Island State Federation of Labor, protesting against passage of national prohibition amendment; to the Committee on the Judiciary.

Also, petitions of C. L. Michelson, E. H. Thomas, W. R. Esten, I. M. Glassey, E. Ramsbottom, M. Glassey, E. Rosenberry, S. Ramsbottom, C. Lovering, A. H. Howard, John Ramsbottom, E. Kearsley, H. Rothwell, J. S. Esten, George Macauley, J. Manley, W. Birthwell, James Bower, J. Testor, Albert Rothwell, William Little, Manford Cole, J. E. Birthwell, W. E. Quinham, J. W. Quinham, Thomas Readett, Charles Howard, A. Perrigeaux, E. R. Wilbur, A. Jackson, Vincent Bernasconi, L. Mowry, C. E. Curtis, Frank W. Curtis, M. R. Easton, John Michelson, and C. Magoon, all of Lonsdale, in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of Roy Pierce, William Burnett, E. Peterson, Henry Getchell, Franklin Lewis, Albert White, Charles Homster, John Simpson, A. Burland, Edward Cole, Edward Turner, Arthur Dobson, William Goddell, Henry Pierce, Henry Hunt, Edward Bass, Edward Gammage, and William Whip, all of Providence, in the State of Rhode Island, favoring prohibition; to the Committee on the Judiciary.

Also, petitions of W. J. Kozlowski and 16 others, of Central Falls, R. I.; directors of New England Hotel Association; Providence (R. I.) Bartenders' Local Union No. 285; Rhode Island Retail Liquor Dealers' Association; and Brewery Workers' Union No. 114, of Providence, R. I. against prohibition legislation; to the Committee on the Judiciary.

Also, petitions of Alfred K. Potter, Thomas J. Steuart, Jonathan Hartley, Providence Methodist Deaconesses, William H. Craig, and Arthur P. Mowry, all of Providence; Arthur R. Bacon, F. E. Kettlety, G. W. Lothrop, H. D. Bryan, William Naismith, Earl French, James Cookson, Paul Gilpin, R. H. Gilbert, H. A. Tarbell, O. G. Terry, F. B. Hicks, Robert Mungall, A. H. Thurston, Fred Kibry, Charles Burgess, John Kerwin, and L. G. Horton, all of Woonsocket; Frederick D. Allen, of Rumford; and Stephen C. Irons, Fred M. Greenhalgh, Ernest E. Hopkins, Thomas W. Steere, George W. Steere, Fred W. Householder, William Hopkins, James L. Brown, Jesse B. Mowry, Robert H. Wade, George W. Burlingame, J. C. Hopkins, E. M. Steere, and Wilson Peckham, all of Glocester, in the State of Rhode Island, in favor of national prohibition; to the Committee on the Judiciary.

Also, petitions of George H. Peabody, Alden R. Vaughan & Co., William R. Cummings, W. A. Brackett, Robert Dow, T. Stewart Little, Carlos F. Hunt, Dr. E. A. Seal, and Primitive Methodist Church, of Lansdale, all of Pawtucket, in the State of Rhode Island, favoring national prohibition legislation; to the Committee on the Judiciary.

Also, petitions of Rev. Charles B. Osborne, of Pascoag; Dr. B. U. Richards, secretary of Rhode Island State Board of Health, Providence; James Morgan, William Randall, Charles F. Potter, James Carpenter, William J. Smith, William Doel, Sabin L. Sayles, and C. F. Potter, all of Pascoag; Junior Christian Endeavor Society of Darlington Congregational Church, of Pawtucket, all in State of Rhode Island, favoring national prohibition legislation; to the Committee on the Judiciary.

By Mr. LINTHICUM: Telegram of E. C. Wilson, chairman of the Baltimore Yearly Meeting of Friends, expressing the approval of that body of the Federal prohibition amendment; also a letter from D. Meredith Reese, Baltimore Md., opposing the prohibition amendment; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Baltimore, Md., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of Henry Pryser, Baltimore, Md., favoring House bill 7356, for increasing pay of Government employees; to the Committee on Appropriations.

Also, petition of Louis Kaufmann & Sons, of Baltimore, Md., favoring 1-cent postage on postal cards; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Baltimore, Md., favoring national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of citizens of Hartford, Conn., favoring increase of salaries of postal employees; to the Committee on the Post Office and Post Roads.

By Mr. LUNDEEN: Telegram of the Minneapolis Trades and Labor Assembly, C. L. Mayo, president, and Leslie Sinton, secretary, in opposition to national prohibition legislation; to the Committee on the Judiciary.

Also, telegram of Local Union No. 269, George L. Pidcock, secretary, Minneapolis, Minn., opposing national prohibition legislation; to the Committee on the Judiciary.

Also, telegram of executive board of Brewery Workmen, Ed Rueh, secretary, A. M. McDonald, president, Minneapolis, Minn., opposing national prohibition legislation; to the Committee on the Judiciary.

By Mr. MEEKER: Petitions of Coopers' International Union, Brewery Workers' Union, H. J. Luecke, Ernest A. Hildebrand, and Western Refrigerator & Manufacturing Co., all of St. Louis, Mo., opposing national prohibition; to the Committee on the Judiciary.

By Mr. MERRITT: Petition of sundry citizens of the city of Stamford, Conn., in favor of national prohibition; to the Committee on the Judiciary.

By Mr. OSBORNE: Resolutions passed at a meeting of the directors and stockholders of the California White and Sugar Pine Manufacturers' Association, held November 16, 1917, at San Francisco, Cal., petitioning Congress to appropriate $10,000 to be placed at the disposal of the United States Weather Bureau for the purpose of employing a man with necessary equipment to study specifically the problem of weather conditions as related to forest fires and to cooperate with fire protective agencies in putting the results into effect; to the Committee on Appropriations.

By Mr. O'SHAUNESSY: Petitions of citizens of Rhode Island, against the passage of the woman-suffrage amendment; to the Committee on Woman Suffrage.

Also, petitions of citizens and organizations of Rhode Island, in favor of the passage of the prohibition bill; to the Committee on the Judiciary.

By Mr. RANDALL: Petition of 70 citizens of Orosi, Cal., requesting immediate and complete war-time prohibition to save food and sugar consumed by brewers; to the Committee on the Judiciary.

By Mr. ROWE: Petition of sundry citizens of the State of New York, protesting against the passage of the Sheppard resolution providing for national prohibition; to the Committee on the Judiciary.

By Mr. SIEGEL: Resolution of the Merchant Tailors Society of the City of New York, urging Congress to encourage wool production by giving a bounty on all ewes, expressing approval of the conservation policy of the Government, and offering to cooperate with it in all measures for the conservation of wool; to the Committee on Agriculture.

Also, petition of sundry citizens of New York City, N. Y., opposing the national prohibition amendment; to the Committee on the Judiciary.

By Mr. SHALLENBERGER: Petition of L. A. Dasher and sundry other citizens of Minden, Nebr., in favor of granting suffrage to women; to the Committee on Woman Suffrage.

By Mr. SMITH of Michigan: Papers to accompany House bill 3961, for increase in pension of Jonathan D. Butler; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 7315, for increase in pension of Francis McCloe; to the Committee on Invalid Pensions.

By Mr. SNELL: Petition of city and rural carriers and clerks of post office at Ogdensburg, N. Y., requesting increase of salary as provided in the Madden bill, H. R. 1654; to the Committee on the Post Office and Post Roads.

Also, petition of women of the Red Cross of Plattsburg, N. Y., favoring national prohibition amendment; to the Committee on the Judiciary.

Also, petition of citizens of Brier Hill, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of members of the Church of Christ, of Crookston, Minn., in favor of the resolution to submit the proposed national prohibition amendment; to the Committee on the Judiciary.

By Mr. STINESS: Telegrams from R. P. Winsor, Charles Johnson, William Thelsey, Henry Enegerton, Abraham Mickell, John Finner, Walter Stringer, L. Green, David Stone, Daniel Matthewson, Clarence Thomas Worth, Harold Mattison, David Beeseley, William Potter, Frank Hager, Arthur Anthony, Edward Tingley, Mrs. Daniel Matthewson, Mrs. Elizabeth Doige, Mrs. Daniel Wright, Mrs. William Steel, Mrs. Walter Small, Mrs. Robert Crowell, and Mrs. Walter Stringer, of Auburn; Edgar Wood, James Green, Frank Fowler, Percy Leathers, Lawrence Shaw, Henry Sherman, William Durfee, Charles Northup, and Herbert Mowry, of Oaklawn; and Robert McGhe, Arthur P. Mowry, William Irving, Elmer H. Gay, and Thomas J. Steuart, of Providence, all in the State of Rhode Island, favoring prohibition; to the Committee on the Judiciary.

Also telegrams, letters, and petitions from Jonathan Hartley, E. L. Lewis, E. A. Lewis, William H. Craig, Walter P. Jones, and Providence Methodist Deaconesses, of Providence; Mr. and Mrs. E. A. Gould and Mr. and Mrs. G. H. Sargent, of East Greenwich; William T. Green, of Natick; Alfred K. Potter, president and treasurer E. A. Potter Co., of Providence; Edgar A. Wood and 19 others, of Oak Lawn; E. Howard Clark and 16 others, William Clark and 26 others, F. C. A. Jones and 43 others, and Robert B. Meikle and 34 others, of Westerly; and Eugena Lawton, Edwin Tetlow, Edric Abel, Raymond Blanch-

ard, Charles Hancock, John Sherry, Clark Hood, Herbert Poole, Ernest Poole, George Butterworth, John Kay, Alfred Spencer, Richard Calvert, Thomas Turner, Howard Perry, Elwin Thayer, Ernest Weller, and George Thomas, of Providence, all in the State of Rhode Island, favoring prohibition; to the Committee on the Judiciary.

Also, petitions of 518 citizens of Rhode Island, assembled in Mathewson Street Methodist Church, R. H. Hollington, chairman, H. A. Fifield, secretary; Neighborhood of Auxiliaries to the Woman's Home Missionary Association of Massachusetts and Rhode Island, Mrs. Herman S. Rich, secretary; St. Luke's Church, East Greenwich, R. I., I. P. Conover, pastor; Fourth Baptist Church Sunday School, Henry C. Finley, superintendent, Providence, R. I.; Clarks Mills Woman's Christian Temperance Union, of Shannock, R. I., Laura E. Waterman, secretary; Woman's Christian Temperance Union, Providence, R. I.; Raymond I. Blanchard and 64 other citizens of Rhode Island; and Litchfield Manufacturing Co., H. L. Litchfield, president, Waterloo, Iowa; also resolutions adopted by the board of directors of the Anti-Saloon League of America in regular session December 13, 1917; and national legislative committee Anti-Saloon League of America, James Cannon, jr., chairman, favoring prohibition; to the Committee on the Judiciary.

Also, telegrams from directors of the New England Hotel Association, meeting held at Northampton, Mass., December 15, William M. Kimball, secretary, and Providence (R. I.) Bartenders' Local Union 285, William J. Guest, business agent; letters from Paul Castiglioni, Providence, R. I., and Joseph DeAugety and three other citizens of Rhode Island; and resolutions of the Grand Lodge Rhode Island Retail Liquor Dealers' Association, John H. Holland, chairman, opposing prohibition; to the Committee on the Judiciary.

Also, telegrams from the bottlers' union, P. J. McQuillian, and brewery workers' unions, numbering 114, Fred H. Bartels, secretary, both of Providence; also letters from Labor's Emergency Liberty League, Joseph Dehan, secretary, the Brewery Workers' Union in convention, representing 60,000; Malsters' Bureau of Statistics, representing the malting industry of the United States, Phil O. Gran, general counsel, Chicago, Ill.; and the Manufacturers and Dealers' League of the City and State of New York, W. H. Brady, chairman legislative committee, representing 1,200 firms, corporations, and individuals owning properties valued in the millions and employing hundreds of thousands of people, opposing prohibition; to the Committee on the Judiciary.

By Mr. TILSON: Petitions of Thomas H. Sullivan and 300 others of New Haven, Conn., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of Olof Lungren and 10 other ministers of the churches of Meriden, Conn., favoring submitting prohibition amendment to the various States; to the Committtee on the Judiciary.

By Mr. TIMBERLAKE: Resolutions of the State officers of Colorado, protesting against the provisions of the revenue law exempting State and Federal officers from the law; to the Committee on Ways and Means.

By Mr. WARD: Petition signed by I. N. Steelman and other citizens of Breakabeen, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition signed by Mrs. Dora M. Avery, M. H. Atwater, and other residents of Greenville, N. Y., in favor of national prohibition amendment; to the Committee on the Judiciary.

Also, petition signed by C. B. Hubbell and other residents of Jefferson, Schoharie County, N. Y., in favor of passage of prohibition amendment; to the Committee on the Judiciary.

Also, petition by Frances E. Hoornbeek and other members of Woman's Missionary Society of Reformed Church, of Ellenville, N. Y., favoring passage of prohibition amendment; to the Committee on the Judiciary.

Also, petition of members of Woman's Foreign Missionary Society of Methodist Episcopal Church of Ellenville, N. Y., in favor of passage of prohibition amendment; to the Committee on the Judiciary.

Also, petition of Joseph E. Appley and other citizens of Ellenville, N. Y., urging enactment of prohibition legislation; to the Committee on the Judiciary.

Also, petition of Rev. F. M. Sawyer and other residents of Chatham Center, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition signed by Rev. Peter De Meester and citizens of Ghent, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition of Rev. P. C. Weyant and other citizens of Kingston, N. Y., favoring prohibition measures; to the Committee on the Judiciary.

Also, petition signed by Julia Lasher and other citizens of Germantown, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition of Rev. Charles G. Ellis and other members of Rondout Presbyterian Church of Kingston, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition signed by citizens of Howes Cave, Schoharie County, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition signed by G. Righterzelff and other citizens of Kingston, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition of Mr. Egbert V. Bogardus and other citizens of Leeds, N. Y., favoring prohibition legislation; to the Committee on the Judiciary.

Also, petition of Rev. Sidney Aldrich and other citizens of Grapeville, N. Y., favoring prohibition; to the Committee on the Judiciary.

Also, petition signed by citizens of Stone Ridge, N. Y., favoring enactment of prohibition measures; to the Committee on the Judiciary.

Also, petition signed by citizens of Livingston Manor and Roscoe, N. Y., favoring enactment of prohibition measures; to the Committee on the Judiciary.

Also, petition of J. A. Hurn and other citizens of Livingston Manor, N. Y., favoring enactment of prohibition measures; to the Committee on the Judiciary.

Also, petition signed by citizens of Catskill and Leeds, N. Y., opposing prohibition measures; to the Committee on the Judiciary.

Also, petition signed by 215 citizens of Marlboro, N. Y., favoring enactment of prohibition measures; to the Committee on the Judiciary.

Also, petition signed by citizens of North Chatham, N. Y., favoring enactment of prohibition legislation; to the Committee on the Judiciary.

By Mr. WOOD of Indiana: Petition of 403 citizens of Porter County, Ind., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

TUESDAY, *December 18, 1917.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in Thy providence Thou hast brought us to the season of the year when we look back once more to the Babe of Bethlehem, the Boy of Nazareth, the Man of Galilee, the great outstanding figure of all history, the touchstone of all truth. His word has the inherent power of absolute and final truth and His character is the inspiration of all good men. We pray that as we approach the season when Christian civilization will celebrate His coming into the world that our hearts may turn toward Him, that His Word may break the heart of the world, that His hand may be laid upon the feverish brow of the world, and that His example may even now lift the world to a higher and diviner plane of life. We pray Thee to sanctify the season which is just ahead of us to the establishment of the freedom of all men and the peace of the world. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ENLISTED MEN AND COMMISSIONED OFFICERS (S. DOC. NO. 154).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War in response to a resolution of the Senate, which will be printed and also ordered printed in the RECORD.

The communication is as follows:

WAR DEPARTMENT,
Washington, December 18, 1917.

To the PRESIDENT UNITED STATES SENATE:

SIR: I have the honor to acknowledge receipt of a resolution in the Senate of the United States, under date of December 11, 1917, directing me to inform the United States Senate "what, if any, rules or regulations there are of the War Department which prevent officers from having intercourse with privates and mingling with them in social intercourse, or which tend to caste distinction between enlisted men and commissioned officers when they are off duty." In response thereto I submit for the information of the Senate of the United States the following paragraph of Army Regulations in regard to the relationship between officers and enlisted men as the only rule or regulation now existing relative to this matter:

"Superiors are forbidden to injure those under their authority by tyrannical or capricious conduct or by abusive language. While maintaining discipline and the thorough and prompt performance of military

duty, all officers, in dealing with enlisted men, will bear in mind the absolute necessity of so treating them as to preserve their self-respect. Officers will keep in as close touch as possible with the men under their command, will strive to build up such relations of confidence and sympathy as will insure the free approach of their men to them for counsel and assistance. This relationship may be gained and maintained without relaxation on the bonds of discipline and with great benefit to the service as a whole."

In this paragraph will be seen an endeavor to arrive at a true balance in the proper relationship between officers and enlisted men; on the one hand, to encourage an exchange of confidence and cooperation between the officer and the soldier, and, on the other, to avoid personal intimacies between an officer and any particular soldier or soldiers, which might have a tendency to lead to favoritism or the suspicion of favoritism in assignments for duties, or cause discontent on the part of those not selected for special intimacy by the officer in question. All officers are expected to so exercise their judgment under this regulation as at all times to enjoy the sympathy, confidence, and respect of the soldiers, and it has always been a part of the instructions given young officers by their superiors to exert themselves to promote this relationship.

Distinctions of rank in the Army are solely in the interest of military discipline. They imply no social distinction; indeed, in a country like ours the advantage of education and culture will very frequently be found in favor of the soldier; and yet it is necessary that the soldier should acquire by continuous and unvarying practice the habit of instant obedience to his superior. This is as true of officers as it is of men. In the emergency of battle, when every condition tends to distract men's attention and peril is on every side, safety for a command frequently lies only in its organized and coordinated activity, and this can proceed from one inspiration alone—the instant, unquestioning compliance by all with the voice of authority. There is no time to debate, no opportunity to consider; the men must have acquired their rule of action—attention and obedience to command. This habit can not be created in emergencies and forgotten under other circumstances, but must result from practice which tolerates no exceptions either of persons or occasions. The relationship between officers and men, therefore, must be so arranged as to lead to this indispensable result; but this is entirely consistent with respect, sympathy, and mutual consideration, and the best officers are those who have most completely won the affection of their men. Military annals are filled with splendid stories of men imperiling their lives outside of the necessities of military action in order to save the life of a beloved captain.

The War Department, therefore, has endeavored and is endeavoring by every means within its power to impress upon officers the military value of this cordial relationship—to have them understand that as is the officer so is the command; that their spirit and their actions constitute the example upon which the spirited actions of the men are modeled. While here and there instances undoubtedly occur of thoughtless and inconsiderate conduct on the part of officers and of unreasoning complaint on the part of the men who have failed to understand the just obligations of this disciplinary relationship, I am still persuaded that in the great Army we now have in the field and in training there is a growing realization that it is both possible and useful to be faithful to military discipline and at the same time to the democratic ideals of our country.

Very respectfully, yours,

NEWTON D. BAKER,
Secretary of War.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 6967) to increase the number of midshipmen at the United States Naval Academy, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (S. J. Res. 114) extending the commission provided for in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, with the same authorities, powers, and provisions until on or before March 1, 1918, and it was thereupon signed by the Vice President.

NATIONAL PROHIBITION.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States, which were, on page 1, line 9, to strike out "the" and insert "after one year from the ratification of this article the"; on page 1, to strike out lines 14 and 15 and lines 1, 2, and 3 on page 2, and insert:

SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

And, on page 2, to strike out lines 4 and 5 and insert:

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Mr. SHEPPARD rose.

Mr. GALLINGER. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Chamberlain	Dillingham	Gallinger
Beckham	Colt	Fernald	Gerry
Borah	Culberson	Fletcher	Gronna
Brandegee	Cummins	France	Hale
Calder	Curtis	Frelinghuysen	Harding
Hardwick	McCumber	Pomerene	Sterling
Hitchcock	McKellar	Robinson	Stone
Hollis	McLean	Saulsbury	Sutherland
James	McNary	Shafroth	Swanson
Johnson, Cal.	Martin	Sheppard	Thompson
Johnson, S. Dak.	Myers	Sherman	Townsend
Jones, Wash.	Nelson	Shields	Vardaman
Kellogg	New	Simmons	Wadsworth
Kendrick	Newlands	Smith, Ariz.	Weeks
King	Norris	Smith, Ga.	Williams
Knox	Overman	Smith, Md.	
La Follette	Penrose	Smith, Mich.	
Lewis	Pittman	Smoot	

Mr. FRELINGHUYSEN. I wish to announce the absence of my colleague [Mr. HUGHES] on account of illness.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF] is absent owing to illness.

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of illness.

Mr. VARDAMAN. I wish to announce the absence of the junior Senator from Missouri [Mr. REED], the Senator from New Mexico [Mr. JONES], the Senator from Iowa [Mr. KENYON], and the Senator from Massachusetts [Mr. LODGE] on official business upon the Committee on Manufactures.

Mr. MYERS. My colleague [Mr. WALSH] is detained from the Senate on account of illness.

Mr. SAULSBURY. I wish to announce that my colleague [Mr. WOLCOTT] is absent on account of illness.

The VICE PRESIDENT. Sixty-nine Senators have answered to the roll call. There is a quorum present.

Mr. SHEPPARD. I move that the Senate concur in the amendments of the House of Representatives to Senate joint resolution No. 17.

The VICE PRESIDENT. The question is on the motion of the Senator from Texas.

Mr. BORAH. Mr. President, a parliamentary inquiry. Do these amendments require a two-thirds vote?

The VICE PRESIDENT. That is the opinion of the Chair. It is the view of the Chair that an amendment to a resolution proposing an amendment to the Constitution of the United States needs only a majority in order to be adopted; but the resolution having once been adopted by the Senate and gone to the House and returned here for the final action of the Senate, it is necessary to have a two-thirds vote on the amendments of the House, for this constitutes the final passage of the resolution.

Mr. BORAH. Mr. President, I want to say a word before the matter is disposed of.

I regret exceedingly, Mr. President, that this amendment has taken the form which it has. There are two clauses in the amendment which, to my mind, are irreconcilable with any idea of constitutional action or action in harmony with the Constitution. In the first place, the amendment as it is proposed to the Constitution as an amendment has in it the words "after one year from the ratification of this article," so that it will read:

That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution after one year from the ratification of this article—

And so forth.

It is just as plain as the path to the country schoolhouse that that is either wholly and absolutely surplusage and has no business here or else it will prevent any real submission of the question to the States. It can do no good and may do much harm.

The Constitution of the United States provides in unmistakable language when a provision of the Constitution shall go into effect, and it is not within the power of the Congress, by incorporating a different provision in a proposed amendment to change the law of the land. I can not understand, Mr. President, why such a clause should be inserted in an amendment so vital and important as this. It is manifestly out of harmony with the Constitution. I do not assume to say what its effect will be, but it might endanger the whole proceedings.

Secondly, it provides that "this article shall be inoperative"—and I want to call the attention of the Senate to the word "inoperative"—"unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within six years." That has been changed to seven years.

We have no power by this method to limit the time within which this amendment shall be ratified. That matter was discussed before. I shall not discuss it again. After a fuller investigation and a more thorough study of the matter I am more thoroughly convinced that we have no such power. The act which we shall here perform will either result in a submission

to the States or it will be held to be no submission at all. If it ever goes to the States and they actually acquire jurisdiction of it, they can ratify it at any time they see fit, and when a sufficient number shall have ratified it, it becomes a part of the Constitution. If it is a submission at all, then a ratification will be constitutional, though the requisite number of States should not vote for it for 10 years, or later.

We can not limit the time. For instance, to give an illustration we will assume that this is submitted, that the States acquire jurisdiction of the subject and proceed to ratify, and at the end of seven years 35 States have ratified it. At the beginning of the eighth year the thirty-sixth State ratifies it. Will anyone contend for a moment that it is not a part of the Constitution of the United States if it is a submission at all? The Constitution itself, which is unchanged, says that an amendment may be ratified by the States and places no limit upon the time within which to ratify it.

The thing which I most fear, Mr President, however, is that it would be held not to have been a submission to the States at all. What I most fear is that it being a submission in a manner not provided for in the Constitution it is no submission at all.

The Committee on the Judiciary has reported upon this matter since we acted upon the pending joint resolution. The able Senator from Connecticut [Mr. BRANDEGEE] has proposed an amendment to the Constitution providing a limit of time within which constitutional amendments shall be ratified. If the Congress can by each amendment fix the limit of time, there is no occasion for the Senator from Connecticut to offer such an amendment to the Constitution of the United States. In other words, when the woman-suffrage amendment comes along we can put in a limit of 4 years or we can put in a limit of 10 years; when some other amendment comes along we can put in a limit of 1 year or 3 years, and it will be a matter wholly within the control of Congress by the act of submission, whereas the Constitution itself places no limit upon it at all, and that is a vital, substantial, elemental provision of the Constitution.

Mr. President, if I have an opportunity, I shall vote against these amendments, because I think they are dangerous in their import. While I am in favor of the amendment, I am opposed to these changes. I think they should by no means be here. I do not think the friends of the measure should thus endanger the whole proceedings.

Mr. LEWIS. Before the Senator sits down may I ask the Senator, to test his position, suppose Congress should reverse the matter and put in a provision that this adoption shall not take effect for 20 years instead of saying within the time it should do so, that it actually said it shall not take effect for 20 years, does the Senator assume that that would be legal?

Mr. BORAH. I do not.

Mr. LEWIS. Then if it could provide in what time it should go into effect, could it not also provide what time it should not go into effect?

Mr. BORAH. If I caught the question, I say yes.

Mr. LEWIS. I was very much interested in the Senator's position. If Congress has the right to put a time limit as to when this amendment shall go into effect it would equally have the right to put a limit when it should not go into effect.

Mr. BORAH. I think so.

Mr. LEWIS. Then if the Senator's argument is well taken, would not the final effect be that if Congress could put a limit as to when it should go into effect it could equally put one in when it should not go into effect?

Mr. BORAH. I think so.

Mr. LEWIS. Therefore, if we could say it should not go into effect for 20 years, could we not also say when it could not go into effect? Not for 20 years, and would not that practically work an absolute obviation of the effect of the amendment by putting a limit of time at such a distance as to make it impossible to reach the object we might have in view?

Mr. BORAH. If I understand the Senator, I am in harmony with the view he expresses.

Mr. LEWIS. Would that be the operation according to the Senator's contention?

Mr. BORAH. That is my opinion.

Mr. BRANDEGEE. Will the Senator, before he takes his seat, let me ask him a question?

Referring to the amendment which the Senator from Idaho [Mr. BORAH] has been discussing, I did not hear the first part of his remarks, and therefore he may have answered the question I am about to ask, but I will ask it again. The amendment reads as follows:

> This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Does the Senator think that that amendment attached to the proposed constitutional amendment makes the entire submission void, or does he think that it would only be regarded as surplusage if Congress had no authority to put it on?

Mr. BORAH. Mr. President, I am not prepared to say I have not reached a conclusion as to what would be the effect of that amendment. Of course, one of two things must necessarily follow; either it will be held surplusage, and, therefore, not effective at all, or the court would hold that Congress, not having submitted it in accordance with the provisions of the Constitution, it would be no submission at all. If I felt perfectly clear that it would be held surplusage, I should not be uneasy about the situation; but when the Constitution of the United States provides the manner in which an amendment shall be submitted, prescribes how it shall go to the States, and under what terms and conditions, I do not see how it can be submitted at all except in accordance with those terms and conditions. That is what I have great fear of—that it will be held not to have been a submission at all.

Mr. BRANDEGEE. Let me ask the Senator a further question. The amendatory section provides that the proposed amendment in its entirety shall, unless it is all accepted within seven years, become inoperative. If Congress has no authority to put that on, the further question might arise as to whether or not the whole submission process is still in operation. Then, even if three-fourths of the States did ratify it, we would still have a lawsuit carried to the Supreme Court to find whether it has been adopted or not. In other words, the minute it becomes inoperative, if this is a valid amendment at all, so as to work, then it is withdrawn from further submission to the States or from further action by the States.

Mr. BORAH. Of course, Mr. President, these changes were not inserted without a purpose and I fear the purpose was not one friendly to the cause.

To recapitulate the Constitution of the United States as it now stands provides that a proposed amendment to the Constitution shall become a part of the Constitution "when ratified by the legislature of three-fourths of the several States." "When;" that is, as soon after submission as three-fourths of the States ratify, it shall become a part of the Constitution. Now, this provision of ours which we are submitting says that it shall not become a part of the Constitution when ratified by three-fourths of the States, but not until one year thereafter. That is in direct conflict with the express language of article V of the Constitution. Then, again, the Constitution of the United States as it now stands provides "when ratified by the legislature of three-fourths of the several States," placing no limit upon the time. Is there any doubt but what if this proposed amendment were submitted to the States they would have a right to ratify it within 10 years or at any other time? Can it be contended for a moment that we can amend the Constitution by putting into a proposed amendment a different rule of ratification as to time than that which is now in the Constitution, and which will be in the Constitution and a part of the Constitution after this amendment is voted upon by three-fourths of the States? This is not a proposition to amend the Constitution providing a different time within which to ratify. This is simply a proposition to provide a different time in this particular submission than that which obtains in the general provision of the Constitution. We ignore the clear, unmistakable terms of the Constitution in this submission, both as to the time when the constitutional provision will begin to have effect and as to the time within which the States must ratify. Now, other friends of this amendment seem willing to take the chance. I am not. I shall therefore vote against these proposed changes. I want this amendment to go to the States in a way that when a sufficient number shall have ratified it there will be no doubt of its being a part of the Constitution.

Mr. SHEPPARD. Mr. President, as the Senator from Idaho [Mr. BORAH] stated, this phase of the amendment was discussed and passed on when the amendment was before the Senate on a former occasion. It was the judgment of the Senate that there was no question as to the power of Congress to submit the amendment in this form, and I ask for a vote.

The VICE PRESIDENT. Those in favor of concurring in the amendments will rise. That is the only way the Chair can determine the question. [A pause.] Those opposed will rise. [A pause.] The vote is 47 ayes and 8 noes. The amendments are concurred in and the joint resolution is adopted.

Mr. ROBINSON. I desire to announce that the junior Senator from Arkansas [Mr. KIRBY] is absent on account of illness in his family. If he had been present on the vote in relation to the adoption of the amendments proposed by the House of Representatives to the joint resolution relating to national prohibition, he would have voted "yea."

HOLIDAY RECESS.

Mr. BORAH. Mr. President, before I make the motion which I desire to submit I wish to ask the senior Senator from Nevada [Mr. NEWLANDS], who is chairman of the Committee on Interstate Commerce, if he can make a suggestion as to the situation in reference to railroad legislation, as to whether or not there will be any occasion for Congress to be in session the next few days in order to deal with that situation?

Mr. NEWLANDS. Mr. President, I will state that I have deferred calling the Committee on Interstate Commerce of the Senate together regarding the recommendation of the Interstate Commerce Commission that the railroads of the country should be unified in the expectation that the President would shortly send to Congress a message on the subject, and that thus our eyes would be focussed upon a specific proposition. I know that the President has this matter under serious consideration and that he is giving a great deal of time to it. I had expected that a recommendation would come in before the recess for the holidays. I have thus far delayed calling the committee together for the reasons which I have stated; but I feel that this is a matter of so much importance and that it is so important that the committee should inform itself regarding the situation, with a view to considering the President's recommendations when they come in, that it is my intention at an early day to call the committee together, even if the presidential message does not come in.

Mr. BORAH. Well, Mr. President, if we take a recess it will be impossible for the President's message to come in.

Mr. NEWLANDS. Yes.

Mr. BORAH. We would, therefore, take the responsibility upon ourselves of delaying this matter for two weeks.

Mr. NEWLANDS. I will state that the Senator from Iowa to-day consulted me with reference to a resolution which he proposed to introduce calling upon the Interstate Commerce Committee to investigate the matters called to the attention of Congress by the Interstate Commerce Commission, and I told him that I would have no objection to the immediate consideration of such a resolution. I do not know whether I can call the committee together during the holidays, but if the resolution is adopted, I shall make an effort to do so.

Mr. BORAH. Mr. President, I desire to move the recall of the concurrent resolution which was passed by the Senate on yesterday and sent to the other House providing for a recess beginning to-day. I understand the resolution having gone to the other House, a motion to recall it is necessary before we can reconsider it.

The VICE PRESIDENT. According to the rule a motion to reconsider must be accompanied by a request to the House of Representatives to return the resolution.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. GALLINGER. I thought the Senator from Idaho had concluded.

Mr. BORAH. I yield to the Senator.

Mr. GALLINGER. Mr. President, the chances are ten to one that there is not a quorum of the House of Representatives in the city at this moment, and it seems to me that it is absolutely useless for us to undertake to reconsider the concurrent resolution which was passed by both Houses on yesterday. I will ask the Senator from Nevada [Mr. NEWLANDS] if he has any expectation or any reason to believe that if we should remain in session the President would send a message to Congress during the next two weeks? In other words, is it not almost certain that he will not do so; that he is going to take this matter under consideration and take that length of time to consider it?

Mr. NEWLANDS. Mr. President, I will state that when I last saw the President, some days ago, it was his expectation to send a message to Congress upon the subject at an early day; but I have reason to know that he is very laboriously at work on the investigation of this subject; he is not prepared to make his recommendations now, and I do not know when he will be ready. I assume, however, it will take some days for him to frame his recommendations.

Mr. GALLINGER. The papers all say that he is not intending to do so during the recess, and I will ask the Senator if it is not more than probable that if the President were adverse to Congress taking a recess, he would have conveyed that information to the Senator from Nevada?

Mr. NEWLANDS. I think so.

Mr. GALLINGER. I think so, too.

Mr. BORAH. That is very interesting.

Mr. ROBINSON. I want to suggest to the Senator from Idaho, with his permission——

Mr. NEWLANDS. I think the President would have communicated to me his views if he thought it was important that there should be an immediate consideration of this subject by Congress during the holidays.

Mr. BORAH. Then, as I understand, we are leaving by permission?

Mr. ROBINSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Arkansas?

Mr. BORAH. I yield.

Mr. ROBINSON. I desire to suggest to the Senator from Idaho, in connection with his remark, that he desires to have the resolution returned from the House of Representatives, that in all probability a difficulty would arise in that respect, for my information is that there is probably not a quorum of that body in the city. I have just had some information to that effect.

Mr. BORAH. There was a full quorum here last evening at 5 o'clock, and I suspect it is still here. I move a reconsideration of the concurrent resolution providing for the holiday recess and its recall from the House; and upon that I ask for the yeas and nays.

The VICE PRESIDENT. The Senator from Idaho moves that the vote whereby the concurrent resolution providing for a recess for the Christmas holidays was agreed to shall be reconsidered; and he moves, in connection therewith, that the House be requested to return the resolution to the Senate. Upon the latter question the yeas and nays have been requested and seconded. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the junior Senator from Louisiana [Mr. BROUSSARD] and vote "nay."

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH], and therefore withhold my vote. If permitted to vote, I should vote "yea."

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY]. I transfer that pair to the senior Senator from New Jersey [Mr. HUGHES] and vote "yea."

The roll call was concluded.

Mr. HARDING. I transfer my general pair with the junior Senator from Alabama [Mr. UNDERWOOD] to the Senator from Washington [Mr. POINDEXTER] and vote "yea."

Mr. SUTHERLAND. I desire to announce the absence of my colleague [Mr. GOFF] on account of illness. He has a general pair with the senior Senator from South Carolina [Mr. TILLMAN].

Mr. MYERS. My colleague [Mr. WALSH] is necessarily absent on account of illness. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. This announcement may stand for the day.

Mr. WATSON. I withhold my vote because of the absence of my general pair, the junior Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 32, nays 43, as follows:

YEAS—32.

Bankhead	Frelinghuysen	Jones, Wash.	Sherman
Borah	Gronna	Kellogg	Smith, Mich.
Brandegee	Hale	Kendrick	Sutherland
Chamberlain	Harding	Kenyon	Townsend
Culberson	Hardwick	La Follette	Vardaman
Cummins	Hollis	McLean	Wadsworth
Curtis	Johnson, Cal.	McNary	Weeks
France	Jones, N. Mex.	Norris	Williams

NAYS—43.

Ashurst	Johnson, S. Dak.	Newlands	Shields
Beckham	King	Overman	Simmons
Calder	Knox	Penrose	Smith, Ariz.
Colt	Lewis	Pittman	Smith, Ga.
Dillingham	Lodge	Pomerene	Smith, Md.
Fernald	McCumber	Ransdell	Smoot
Fletcher	McKellar	Reed	Stone
Gallinger	Martin	Robinson	Swanson
Gerry	Myers	Saulsbury	Thompson
Hitchcock	Nelson	Shafroth	Trammell
James	New	Sheppard	

NOT VOTING—20.

Brady	Hughes	Poindexter	Underwood
Broussard	Kirby	Smith, S. C.	Walsh
Fall	Owen	Sterling	Warren
Goff	Page	Thomas	Watson
Gore	Phelan	Tillman	Wolcott

The VICE PRESIDENT. The motion to request the House to return the concurrent resolution is lost. This is a final disposition of the motion to reconsider.

INVESTIGATION OF THE SHIPPING BOARD.

Mr. HARDING. Mr. President, I do not know whether it is in order or not; but I have a suggestion in my mind which I can not forbear making to the Senate, and I wish particularly to address the chairman of the Committee on Commerce [Mr. FLETCHER].

If I were not a member of the minority, and thereby subject to the possible suspicion that some partisan motive might be involved, I would put my suggestion in the form of a resolution. I do not believe that this Congress ought to take its holiday recess without making provision for an investigation of the affairs of the Federal Shipping Board. I am not yielding to the current tendency to enter into investigations of all sorts, but I am deeply impressed by the failure of the Shipping Board in this great emergency of the Nation.

We have liberally appropriated not only millions but billions for the furthering of the construction of merchant ships. Since early last year we have witnessed the passing from the service of the board of Gen. Goethals, that great constructor, who builded the Panama Canal. We have witnessed the passing of Mr. Denman, who for a long time was the dominant figure on the Shipping Board; and the press this morning records the retirement of Rear Admiral Harris, who was supposed to bring to the shipping corporation not only his talent for construction but his eminence as a leader in pressing things to a conclusion; and if the newspaper reports be well founded, our shipping program for the merchant marine is in a very discouraging way.

Mr. GALLINGER. Mr. President, the Senator will recall that Admiral Capps has likewise come and gone.

Mr. HARDING. There have been so many changes, Mr. President, that it is not within my ordinary memory to recall them all. But in all seriousness, Senators, the shipping situation is a most discouraging one, if the press correctly reports it. It is of but little use for the Nation to provide an Army that it can not transport and at the same time sustain. I talked very recently to a great captain of industry, who has under way a line of construction for the Navy, and he made the startling statement that his plant was constructing for the United States Navy more destroyers than there are in the world to-day. If that be true, under the leadership of a department and an individual constructing concern which has capacity to build more destroyers than there are in the world to-day, certainly a capable and efficient shipping board could bring to the service of the Nation in this crisis a merchant marine somewhere comparable to our present needs.

I do not care to introduce this resolution of investigation and be subjected to the intimation that it is a partisan interference or suggestion; but I tell you, Senators, the winning of the war depends upon our strength on the seas. We must have this merchant marine if we are to hope to succeed; and I think it is a crime that the money placed in the hands of the Shipping Board should have been so illy handled that there should have been an entanglement of red tape and inefficiency of a character to delay the great American shipbuilding program.

I can believe it will add materially to the confidence and the morale and the hopes of the American people to have some assurance that efficiency and determination are back of this organization. I do not pretend to know what the difficulty is. Judging from the press, it is a conflict of authority and an interminable tangle of red tape. I have a notion that perhaps it is something more than that. I believe, Mr. President, and particularly Mr. Chairman of the Commerce Committee, that the Senate can render the country no greater service just now than to make a determined investigation into the failure of this great branch of the Government in this time of war emergency.

I should like such an investigation to be ordered before the Senate takes its holiday recess.

Mr. FLETCHER. Mr. President, I realize fully the importance of the matter to which the Senator from Ohio has referred. I feel most keenly the need of an American merchant marine. The Senator undoubtedly will recall that this is no new attitude, so far as I am concerned; that away back in 1913 I exhausted every possible effort to take steps that would lead to the upbuilding of our merchant shipping. At one time the Senate was in session continuously for 56 hours considering a bill along the lines of the present shipping bill. It was defeated in 1915, and then subsequently we passed the present law; and I can not understand that there is any need of conflict of authority under that law. It seems to me that, under the law, the Shipping Board is supreme and has the power to go on with this work. I do not understand that the Emergency Fleet Corporation is independent of the Shipping Board or that there need be the slightest conflict there, because the supreme power is the Shipping Board, and it ought to control the Emergency Fleet Corporation and its officers, its executives, and its operating forces. I can not think there is any need of any urgent new legislation upon the subject. It seems to me that under the present law all the necessary power is granted; and we certainly have been generous in appropriating all the money that was asked, as the Senator has suggested.

Whether or not there are difficulties with which we are not acquainted, I can not say. I presume undoubtedly there are difficulties; but we can not overcome difficulties without putting in some extraordinary efforts.

We can not do the difficult thing without overcoming difficulties, and it seems to me there is no reason why better progress should not have been made in the administration of that act. At the same time I am not prepared to say that everything has not been done that could have been done because of the complications and because we did not pass this legislation before we did pass it. We ought to have passed it before. When we did pass it and before the board was organized these war conditions arose, and since then there have been various complications. There are national and international questions involved. There are, for instance, something over 100 Dutch ships lying idle in the harbors of the United States. I do not know why we can not make some arrangement to utilize those ships, but it is not being done. I take it that there are, as I say, international questions which we can not very well go into here and with which we are not fully acquainted.

I do not believe, however, if the Senator will allow me further, that the fact that this official drops out and is succeeded by another, and another drops out and is succeeded by still another will prevent the completion of the ships under contract. My information is that over 6,000,000 tons are under contract, and I do not see why that work can not go on irrespective of who is president of the Emergency Fleet Corporation, or superintendent of this, or superintendent of that. That work, I undertake to say, is going on. I think ships are being launched on the Pacific coast that have been contracted for by this board; ships are being launched on the Atlantic coast, and the work is proceeding. Whether it could be done faster or not will depend upon the detail of circumstances, which, of course, I am not qualified to pass upon.

Mr. CHAMBERLAIN. Mr. President, will the Senator permit me to interrupt him a moment?

Mr. FLETCHER. Certainly.

Mr. CHAMBERLAIN. The Senator from Florida speaks about the shipyards on the Pacific coast. Our people have been begging to build wooden ships out there. Men are idle; labor can be procured to construct wooden ships; but for some reason they are not permitting contracts to be made, and where they are made there are usually handicaps placed upon the contracts that forbid men from going into it.

For instance, I will state what I mean by that. Here is a wooden-ship yard that wants to build for private account for some individual who is going to risk his money and to ply the ship between the Atlantic seaboard and the allies. They do not ask the Government to build the ship; the individual is willing to do it himself; but they say, "If we give you a permit to build for private account, we will put in it a clause that reserves to the Government the right to commandeer the machinery." In other words, when the ship is floated and is ready to be paid for and to go on the water, the right is reserved to commandeer the machinery, so that the ship is absolutely useless. Now, private capital does not want to build under those circumstances.

Mr. WILLIAMS. Without promising to commandeer the whole ship.

Mr. CHAMBERLAIN. Without promising to commandeer the whole ship. So that, Mr. President, I have had this matter up with the Shipping Board. I sent them a long telegram from Oregon when I was out there—and the Senators from Washington know that the same conditions exist up there—begging those men, if it was a question of tonnage that they wanted to settle to build the ships, to let private individuals utilize the tonnage and carry the freight. Every ship that is put afloat for private account that is carrying supplies to the allies, releases just that much more space for the transport of troops.

Mr. President, I do not mean to charge any irregularity in the Shipping Board and the Emergency Fleet Corporation, but it seems to me it has resolved itself into a sort of debating society, without being able ever to consummate construction. I am glad to have the Senate take it up, because something ought to

be done, and they never can do anything as long as these changes are being made in the personnel of the Emergency Fleet Corporation and the Shipping Board.

Mr. FLETCHER. Mr. President, I believe that the regulations with regard to interfering with private contracts and commercial business limit the right to build to 3,000 tons. Anything less than 3,000 tons, private yards may construct ad libitum, as I understand, without any danger of interference, but when it goes beyond that the Shipping Board feel that the labor question, the material question, and all those questions ought to be considered before they will permit construction for private use.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator a question. This limitation was made in order to protect the Government, as I understand, in its effort to get steel for steel ships. Now, why should there be any limitation upon the amount of tonnage for wooden ships built upon private account, except this—that of course the Shipping Board will take due account of the fact that a ship that makes less than 13 knots is not fit to go into the war zone?

Mr. HARDING. Mr. President, I should like to hear the debate on this subject.

The VICE PRESIDENT. Nobody knows what is going on.

Mr. WILLIAMS. I was saying that I understand this 3,000-ton limitation for building upon private account was fixed because of the desire to conserve the steel necessary for the construction of the Government ships, but that that did not apply to the wooden-ship situation either upon the Pacific coast or upon the Gulf coast, because the same condition of things exists upon the Gulf coast as was described to exist upon the Pacific coast with reference to wooden ships by the Senator from Oregon [Mr. CHAMBERLAIN]. Now, a wooden ship which can go 13 knots an hour or more is just as well fitted to pass through the war zone as a steel ship going 13 knots an hour; and the Government is not obliged, as it is in the case of a steel ship, to fix a limitation upon the amount of material to be put into a wooden ship, because the Government is not building for Government account any wooden ships at all; and even if it were building for Government account any wooden ships at all, there is plenty of wood. Nobody is disputing about that. Now, I wanted to ask the Senator whether the limitation to which he refers applies to wooden ships, and to suggest that if it does it is an awfully stupid limitation in that far.

Mr. FLETCHER. I am not certain as to whether it applies to wooden ships exclusively or not. The question of tonnage seemed to be the question upon which the permit hinged. If the boat was too small to go into use so as to be of any advantage, then the Shipping Board, of course, would not likely interfere with its construction. In other words, a ship below 3,000 tons would not be considered a ship large enough for the use that we immediately need them for, and therefore they were willing to have contracts made without any restriction below 3,000 tons.

Mr. WILLIAMS. May I ask the Senator a question?

Mr. FLETCHER. Certainly.

Mr. WILLIAMS. Does the Senator know any reason why a wooden ship can not be used just as well as a steel ship for carrying merchandise or anything else through the war zone, provided the wooden ship has sufficient machinery to propel it just as fast as the steel ship can be propelled?

Mr. FLETCHER. I do not. I know of no reason.

Mr. WILLIAMS. Then if that is the case, and if the Gulf coast and the Pacific coast want to furnish all the wood that they can and build all the wooden ships possible upon private account without costing the Government a cent, why should the Government obstruct the whole thing and handicap it by a provision that it is to have the right to commandeer the machinery without commandeering the ship whenever it gets ready? Why do they not do one of two things—either withdraw the threat of commandeering the machinery just as soon as the man has his ship ready for profitable enterprise, or else agree to commandeer the ship as a whole and pay him what it is worth?

Mr. FLETCHER. I quite agree with the Senator in his position. We ought to do one thing or the other, it seems to me. We ought to go on with the building of these ships, and we ought to do away with the restrictions that interfere with the building of ships, and if necessary, it has been suggested here, with the persons who interfere with it.

Mr. HARDING. Mr. President, in the early part of his reply the Senator from Florida scarcely did me justice. I was trying to put this question above the plane of partisan advantage, and that was my object in suggesting that the resolution come from the committee. I have no desire to go into the failure of Congress in the past in building a merchant marine. I am concerned about the immediate emergencies in the United States. I know how perfectly futile it is to attempt an investigation here in the Senate. While it is interesting to learn what this or that Senator knows about the situation, it is not practically helpful, because perhaps none knows any more than I do. But this we can put down as an established fact: We have provided for ships and we are not getting them, and it is the business of Congress to find out why we are not getting them.

Mr. VARDAMAN. I hope the Senator will introduce a resolution and let the investigation proceed.

Mr. HARDING. Let the Senator just be patient. Now, Mr. President, in order to make myself a little better understood, I may say that I have talked to three men who have been conspicuous in the service of the Government relating to shipping, and in each case I have learned after their retirement that they somehow found their hands tied and could not proceed with the work that they were seeking to do.

If I may trespass upon the time of the Senate for a moment, I venture to read one paragraph from the signed article by Mr. George Rothwell Brown in this morning's Post. Speaking of the retirement of Admiral Harris, he says:

> Used to doing things by Navy methods when told to go ahead, it has been evident for some time past that Admiral Harris was baffled not by the size of the job but by lack of vision and decision on the part of those surrounding him.
>
> Taking up one of the biggest jobs in the United States with assurances that he had the authority needed to make that job a success, that his hands were free, Admiral Harris undertook to go ahead under full steam, only to discover that he was held down by the anchor of officialdom and hawsers of red tape. A statement to the effect that Admiral Harris was in full charge of the construction of ships was made.
>
> He was not long in finding that the authority he was supposed to have was not real.

I will not follow the article any further. The statements made by Senators on this floor make manifest the need of the Senate Committee on Commerce finding out what is the matter, and then it shall be the duty of Congress to correct that situation. Since the resolution is not forthcoming from the other side, I venture to offer the following.

The VICE PRESIDENT. Is there objection to the presentation of the resolution?

Mr. FLETCHER. Let it be read.

Mr. HARDING. I ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 170), as follows:

> *Resolved*, That the Committee on Commerce, or any subcommittee thereof, be, and hereby is, authorized and directed to proceed at once with an investigation of the program, progress, and all matters connected with the building of merchant vessels under the direction of the United States Shipping Board Emergency Fleet Corporation and to report its findings to the Senate at the earliest practicable day, together with such recommendations as it may see fit to make as to remedies for exising difficulties, if any.

Mr. WILLIAMS. Mr. President, there is at the head of the Shipping Board now—I suppose he is yet at the head of it if it has any head—a man of magnificent business ability, a man of constructive genius, a man in whom I have the utmost confidence in every way, Mr. Hurley, of Chicago.

I have noticed all my life that whenever military or naval men get mixed up with business men in cooperating with one another they generally do not cooperate. One has one system and method and the other has another system and method.

Nobody can close his eyes to the fact that we, as a Nation, have not thus far done our full duty in this war; and, upon the other hand, nobody can close his eyes to the fact that the amount of work we have done, considering the point at which we started, has been almost miraculous in quantity and very respectable in quality.

Mr. President, of course nobody, I take it, has any objection to the resolution, nor would I for one regard it in the slightest degree as partisan because it happened to come from a Republican Senator, especially coming from a Republican Senator who has held up the hands of this Government in this war and has shown no suspicion of lukewarmness, of disloyalty, as is the case with the Senator from Ohio. I think that almost everything that sheds light upon transactions in a free country is a very good thing. You may think that you are going to give some hint to the enemy, but you may rely upon it that the enemy knows all about it already. The best thing you can do, as a rule, is to let your own people know all about it.

I imagine one of the best things that can be done now is to let these men—able men, honest men, loyal men—upon the Shipping Board explain to the country why and how they have been baffled in their efforts to accomplish a national purpose.

Mr. President, David Lloyd-George said the other day that this was a question of "ships, and more ships, and still more ships," paraphrasing what Danton said long ago about "audacity, and more audacity, and still more audacity." But back of all that is a still more important thing, and that is

to destroy the agencies which are destroying the shipping. The shipping right now is sufficient if you can insure it against future destruction. It seems to me that what we have mainly fallen down on is in not destroying the submarines and in not decreasing the weekly destruction which the German submarines are making upon not only American but neutral shipping as well as the shipping of our allies.

I have no fear of the full glare of publicity being thrown upon any of the operations of this Government, because I know that publicity can do no harm and can possibly do a great deal of good. Nor has any man connected with this administration directly or indirectly the slightest objection to it or antagonism to it.

Of course the Senate in carrying on any investigation will not go into matters that men of common sense know ought to be "taboo" in connection with an investigation, and those matters will suggest themselves to any man of ordinary intelligence or ordinary loyalty. If there be those in the Senate who would exploit their lukewarmness in connection with the war or their objection to it through "investigatory" methods the balance of the Senate I imagine can hold them down.

It seems to me that this resolution ought to pass and that this committee ought to go to work, not because I think there is anything wrong. The very worst that can be imagined is that there has been a lack of cooperation because of bringing together men of military training on one hand and men of business training on the other. Whatever the fault is we can find it out, and I am satisfied that nobody will be more glad to find out what it is than the men who are in charge of this particular business, or will be more glad rather to find out how to remedy it than the men in charge of this particular business, and especially the man who is at the head of it.

Mr. LEWIS. Mr. President, let the Senate indulge me but for a minute.

I stood on this floor presenting the qualifications of the present chairman of the Shipping Board as being worthy of acceptance when the matter of confirmation was considered by this body. I should like to give my indorsement to the flattering but just encomium of the Senator from Mississippi [Mr. WILLIAMS] touching Chairman Hurley. There is no better business man, there is no more patriotic man, and none, in my judgment, who brings to bear more devoted service. I am satisfied that anything that may be disclosed by an investigation or by act of Congress that could indicate how we could improve the service would be promptly accepted by him.

But, Mr. President, I wish to be a little more explicit than the Senator from Mississippi. I take upon myself a little further responsibility.

Mr. President, the Senator from Mississippi indicated, and he could have gone further and very freely stated, what is the real trouble. When there was an effort made through the proceedings of some executive branch of the Government to try to coalesce and merge the services of the Navy together with that of the merchant marine there arose what has been heretofore termed upon a more memorable occasion an irrepressible conflict. The pride of officials of the Navy and the opinion of men in the civil administration ran at once counter, and, to use the words I used upon the same subject matter once before upon this floor, there arose a contest of epaulets. This seems ever to arise, as the Senator from Mississippi aptly intimates, whenever there is an effort to bring these two branches of the service together.

Mr. President, without saying which of them may be right, which opinion should prevail, may I add this, that I happen to know that the officials of the present Shipping Board will welcome the resolution of the eminent Senator from Ohio and the undertaking by this committee in order, sir, that there may be ascertained at the earliest moment two things: First, where is the responsibility for the constant divergencies and the constant conflicts which are being aired in the public press, as they should be, which is giving a very bad view of the United States to the outside. Second, to definitely establish who shall have the authority to proceed in certain directions, that there may be no longer a further conflict.

I join, sir, in the suggestion of the Senator from Mississippi in the support of the resolution of the Senator from Ohio, and hope that the resolution will receive at once a unanimous vote.

Mr. SWANSON. Mr. President, I desire to make only a few remarks in connection with the action of the Navy and the Shipping Board. The Navy has always been invited when they want to determine what kind of ships to build as to the method of construction. If these ships had been turned over to the Navy I believe they would have been under contract and in process of construction. We are building ships, largely cruisers and destroyers, and every type of ship for transports and supplies is under construction and in rapid process of construction.

The trouble has been the naval officers have not been given the authority to construct these ships when they have been selected as managers. Consequently, naval men can not spend their entire time when needed for the construction of ships by the Navy in making suggestions to boards.

It seems to me that the matter should be investigated, and it should be determined why the board can not construct ships as rapidly as the Navy can construct them. I am glad everybody thinks the time has come to ascertain whether the method is good and to put the responsibility where it ought to be, to see why ships are not being constructed which are absolutely necessary for us to conduct the war to a successful conclusion.

Mr. FLETCHER. Mr. President, to the resolution offered by the Senator from Ohio I have no objection at all, and I presume it is broad enough to cover the object in view. I would suggest as an amendment to it, in order to make it more effective, these words:

> And that the committee be, and is, authorized during the Sixty-fifth Congress to send for persons, books, and papers; to administer oaths and employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with the subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee or any subcommittee thereof may sit during the sessions or recess of the Senate.

That is the usual form.

Mr. WILLIAMS. I suggest to the Senator from Florida that if he adds that language the resolution will be compelled to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and it can not be adopted now because there is a law which requires that reference.

Mr. FLETCHER. Could not the committee report immediately within an hour or so?

Mr. WILLIAMS. I do not know; I am not a member of the committee now, but there is a law which requires that every payment out of the contingent fund must go to the Committee on Contingent Expenses, and you can not even by unanimous consent, in either House, vary from that law. So I suggest to the Senator from Florida to leave out that part of it and merely put in the general language that the committee shall have authority to sit in the recess of Congress and conduct this investigation. Then when we come back after the Christmas holidays the resolution may be introduced to pay the expenses, and it may then be sent to the Committee on Contingent Expenses.

Mr. SMOOT. Mr. President, I will say to the Senator I do not think there is any need of that, because there are now in the Chamber most of the members of the committee. They can meet within 15 minutes on the resolution and report it back. I believe that that ought to be put in the resolution because of the fact that no expenditures could be made without it. I think if we are going into the examination, the committee ought to have that authority and make a thorough examination.

Mr. WILLIAMS. I do not know that any expense will be incurred necessarily, but if the Senator is sure that a quorum of the committee are upon the floor and the resolution can be reported back right away, then I shall have no objection, of course.

Mr. SMOOT. I can assure the Senator that a majority of the committee are on the floor of the Senate at this moment.

The VICE PRESIDENT. Does the Senator from Ohio accept the amendment of the Senator from Florida?

Mr. HARDING. I would be very glad to accept the amendment with the understanding that the resolution is to be referred to the committee.

The VICE PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

MIDSHIPMEN AT THE NAVAL ACADEMY.

The VICE PRESIDENT. The Chair lays before the Senate House bill 6967, to increase the number of midshipmen at the United States Naval Academy, which will be considered as having been read twice by its title.

Mr. SWANSON. I ask for the immediate consideration of the bill.

Mr. GALLINGER. Mr. President——

Mr. SWANSON. I should like to say, before the Senator from New Hampshire proceeds, that I have polled the members of the Naval Committee who are in the city, and it is their desire that this bill shall pass before the recess for the holidays is taken.

Mr. GALLINGER. Then, let the bill be referred to the Committee on Naval Affairs and be immediately reported back. Let us have the usual procedure.

The VICE PRESIDENT. The bill will be referred to the Committee on Naval Affairs.

Mr. SWANSON. Mr. President, as a member of the Committee on Naval Affairs I am authorized to report back favor-

ably, without amendment, the bill (H. R. 6967) to increase the number of midshipmen at the United States Naval Academy, and I ask for its immediate consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, as follows:

Be it enacted, etc., That hereafter there shall be allowed at the United States Naval Academy 5 midshipmen for each Senator, Representative, and Delegate in Congress, 1 for Porto Rico, 2 for the District of Columbia, 15 appointed each year at large, and 100 appointed annually from enlisted men of the Navy, as now authorized by law.

SEC. 2. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

The bill was reported to the Senate without amendment, ordered to a third reading, and read the third time.

Mr. OVERMAN. As the bill has not been read, I should like to know what increase is proposed to be made in the number of midshipmen?

Mr. SWANSON. I will say that at present there are three permanent midshipmen allowed each Senator and Representative. One additional temporary midshipman was allowed until the 1st of September, 1918, making four in all. Authorization for the additional midshipman will expire on the 1st of September, 1918. The only increase of midshipmen at the Naval Academy proposed in the bill is from four to five for each Senator and each Member of the House of Representatives.

Mr. MYERS. I will ask is this a House bill or a Senate bill?

Mr. SWANSON. It is a House bill and has been passed by the House of Representatives.

The VICE PRESIDENT. The question is, Shall the bill pass?

The bill was passed.

PETITIONS AND MEMORIALS.

Mr. CALDER. I present a petition of the Legislative League of New York, which I ask to have printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

NEW YORK, *December 6, 1917.*

To the SENATE OF THE UNITED STATES.

GENTLEMEN: The officers and members of the National Legislative League do respectfully request you to enact such legislation as shall relieve all native-born American women from loss of citizenship in this Republic, even when married to a citizen or a subject of another nation.

We ask this because such loss of citizenship entails on women such injury by the forfeiture of property which can not in some States be held by an alien, and deprives them, even in case of widowhood, of that protection which the United States should always extend to her daughters as well as to her sons.

We ask it because the women of this country have done their best in all times of war or public distress to serve the Nation by many noble acts of philanthrophy and devotion, and, finally, because it is a cruel and unjustifiable wrong to deprive any loyal and honorable daughter of the land of her birthright of citizenship in this Republic.

IDA L. SLACK,
President of Legislative League.

Mr. TOWNSEND presented petitions of sundry citizens of Muskegon and Saginaw Counties, in the State of Michigan, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. PHELAN presented a petition of the Humboldt Chamber of Commerce, of Eureka, Cal., praying that an appropriation be made for a survey of the Pacific coast military highway, which was referred to the Committee on Military Affairs.

He also presented a petition of the city council of Alameda, Cal., praying for the enactment of legislation providing punishment for any spy found in this country, which was referred to the Committee on Foreign Relations.

Mr. THOMPSON presented a petition of Local Branch No. 110, Ladies' Auxiliary, National Association of Letter Carriers, of Pittsburg, Kans., praying for an increase in the salaries of letter carriers, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Haskell Institute, Federal Employees Union, of Lawrence, Kans., praying for the enactment of legislation to increase the salaries of Government employees, which was referred to the Committee on Appropriations.

Mr. McLEAN presented petitions signed by 3,000 citizens of Hartford, Conn., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. KENYON presented petitions of the Monday Club of Decorah, of the Current Events Club of Decorah, of A. E. Anderson and sundry other citizens of Arlington, and of the Woman's Christian Temperance Union of Des Moines, all in the State of Iowa, praying for national prohibition and for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. HALE presented a petition of sundry citizens of Maine, praying for the enactment of legislation to curb the activity of pro-German sympathizers, which was referred to the Committee on Foreign Relations.

Mr. SUTHERLAND presented petitions of the congregation of the Methodist Episcopal Church South, of Lewisburg, W. Va., praying for national prohibition, which were ordered to lie on the table.

He also presented a petition of the congregations of the Presbyterian Church and the Methodist Church of Lewisburg, W. Va., praying for censorship of motion-picture films, which was referred to the Committee on Education and Labor.

PUBLIC BUILDINGS COMMISSION.

Mr. MARTIN. In the last sundry civil appropriation act a provision was incorporated creating a joint commission known as the public buildings commission to investigate and report relative to providing permanent quarters for all the Government activities in the District of Columbia. The commission was required to report by the first day of January, 1918. I am authorized by that commission to make the report, which I now submit.

I will say that the report gives a large fund of exceedingly valuable information. We do not finally dispose of the matter, but the information will be useful in the further investigation and disposition of the subject. I ask that the report be printed and that 100 additional copies be printed for the use of the Senate, 25 copies to go to the Committees on Appropriations and the Committees on Public Buildings and Grounds of the Senate and the House of Representatives, and the remainder to be distributed to Senators and Representatives according to the usual rule under which Senate documents are distributed.

Mr. SMOOT. Mr. President, I understand the Senator from Virginia has asked that additional copies be printed?

Mr. MARTIN. I have put it in that form.

Mr. SMOOT. That is necessary because of the fact that the law requires that the regular print shall be distributed in a certain way.

Mr. MARTIN. I ask that 100 additional copies be printed so as to provide the distribution which I have suggested.

The VICE PRESIDENT. Is there objection to the request of the Senator from Virginia? The Chair hears none and it is so ordered.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WEEKS:

A bill (S. 3291) to amend section 9 (a) of Title I of an act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916; to the Committee on Finance.

By Mr. CALDER:

A bill (S. 3292) granting a pension to Jennie Magee; to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 3293) for the relief of Vinson Slasor (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 3294) granting a pension to Rebecca Fullerton (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 3295) for the relief of Charles Taffee; to the Committee on Military Affairs;

A bill (S. 3296) granting a pension to Jennie B. Spiker; and

A bill (S. 3297) granting a pension to Selma M. E. Kattner; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 3298) incorporating the Supreme Lodge of the World, Loyal Order of Moose; to the Committee on the Judiciary.

By Mr. OVERMAN:

A bill (S. 3299) authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army; to the Committee on Military Affairs.

By Mr. THOMPSON:

A bill (S. 3300) for the relief of Sylvester P. Hill; to the Committee on Military Affairs.

A bill (S. 3301) granting an increase of pension to Oxley Johnson (with accompanying papers); and

A bill (S. 3302) granting a pension to Orval W. Hiatt (with accompanying papers); to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 3303) to remove the charge of desertion from the military record of John H. Galloway; to the Committee on Military Affairs.

A bill (S. 3304) granting a pension to Arzanna Nesbitt; to the Committee on Pensions.

By Mr. HALE:

A bill (S. 3305) granting an increase of pension to Leonard H. Bunker;

A bill (S. 3306) granting a pension to Clara E. Stuart (with accompanying papers); and

A bill (S. 3307) granting an increase of pension to Horace G. Maloon (with accompanying papers); to the Committee on Pensions.

RAILROAD TRAFFIC DIRECTOR.

Mr. STERLING. I introduce a joint resolution providing for the appointment of a general railroad traffic director, which I ask may be referred to the Committee on Interstate Commerce. In view of the fact that Congress is about to adjourn for the holidays, I should like unanimous consent to have the joint resolution printed in the RECORD.

The joint resolution (S. J. Res. 118) providing for the appointment of a general railroad traffic director was read twice by its title and referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Resolved, etc., That for a period during the present war and in order to meet the present emergency in regard to the transportation of food, fuel, and other products or commodities essential to the public welfare the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a general railroad traffic director who shall have the power, and whose duty it shall be, to have and exercise general supervision and direction over the handling and movement of all railroad freight trains engaged in the transportation of any such products or commodities in order that the railroad facilities of the United States may be fully coordinated and utilized in the transportation and delivery without waste or unnecessary delay of such products or commodities. That in order to meet the public exigencies or the needs of any particular section or community for any of said products or commodities, as well as to serve the military or other governmental needs, the said traffic director shall have the power and it shall be his duty to determine when necessary all questions of priority between different shipments of such products or commodities, including shipments made on Government account, and in all cases of conflict between railroads relative to priority in making any shipment or shipments, or in all cases of conflict between any of the various departments of Government and said railroads or between governmental agencies themselves as to precedence or priority in any given shipment or shipments, it shall be the duty of said director to determine such priority according to the national needs and the public or community exigencies of the case. And the said director is hereby authorized to make and give notice of any proper order directing or staying such shipment or shipments as said several needs and exigencies may require.

Any officer, director, or manager of any railroad company failing, neglecting, or refusing to obey the order of said general traffic director so made shall be punished by a fine of not exceeding $5,000 or imprisoned not exceeding five years, or by both such fine and imprisonment: *Provided*, That nothing herein contained shall be construed to in any manner deprive such railroads of the right to just compensation for shipments made either under contracts for such shipments or under the supervision and direction of said traffic director.

WITHDRAWAL OF PAPERS—HENRY M. BRYANT.

On motion of Mr. JONES of Washington, it was ordered that the papers accompanying the bill (S. 4393, 64th Cong., 2d sess.) granting an increase of pension to Henry M. Bryant be withdrawn from the files of the Senate, no adverse report having been made thereon.

INTERSTATE TRANSPORTATION.

Mr. CUMMINS. Mr. President, I submit the resolution which I send to the desk, and ask that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate. But I make this suggestion: If I can secure a favorable report immediately, I intend to ask for the consideration of the resolution at this time, as I regard its passage as very important. I may say, Mr. President, in order that those who are here may know what is the object of the resolution——

Mr. JONES of Washington. I suggest to the Senator that the resolution should first be read.

Mr. CUMMINS. Very well.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 171), as follows:

Resolved, That the Committee on Interstate Commerce of the Senate is hereby authorized and directed, by subcommittee or otherwise, to inquire into and report to the Senate at the earliest practical date upon the recommendations made by the Interstate Commerce Commission regarding conditions affecting interstate transportation; that said committee may conduct such inquiry by subcommittee or otherwise, and shall be empowered to hold sessions during the recess of the Senate, and for this purpose the committee, or any subcommittee thereof, is empowered to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, to conduct hearings and have reports of same printed for use, and any expense in connection with such inquiry shall be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

Mr. NEWLANDS. Mr. President, the Senator from Iowa consulted me with reference to the presentation of this resolution, and I told him that I would make no objection to it. It will be necessary, however, to have the approval of the Committee on Contingent Expenses, I think, before the resolution can be adopted.

Mr. JONES of Washington. I want to ask the Senator from Iowa a question. As I understood the reading of the resolution, it is limited to an investigation of the recommendations which have been made by the Interstate Commerce Commission. Would that prohibit the Committee on Interstate Commerce from making an independent investigation on any line which it may deem wise?

Mr. CUMMINS. Mr. President, I suppose it would not; but in any event the recommendations of the Interstate Commerce Commission are so broad and comprehensive, at least the report is so comprehensive, that it would permit an inquiry into any subject that is now pertinent to the immediate question before us.

Mr. JONES of Washington. Very well.

Mr. CUMMINS. Mr. President, the purpose of the resolution, I think, is apparent. That our facilities for transportation are now inadequate I think must be taken for granted. The Interstate Commerce Commission has considered that subject and has made a report on the general conditions which now prevail. I must not be understood as imputing any blame to the railroad companies; I think they are doing all they can; I do not impute any blame to the Government, for I think its direction has been as wise as under the circumstances could have been expected; but the truth is that our railroads were neither located nor built to meet the extraordinary conditions which now confront us. If we intend to make these lines of transportation sufficient to meet the extraordinary emergency, we must do something to unite their energies so that the various railroad managers would not feel under obligations to the stockholders and bondholders, so far as the management and operation of particular railways are concerned.

I think it is understood, Mr. President, that this is intended to be helpful and not critical. I think it is understood that presently there will be a recommendation from the President upon this very grave subject. We ought to be prepared as well as we can be when the recommendation reaches Congress to act speedily upon it, because the people of the country are suffering now—seriously suffering—and the conduct of the war is suffering because the transportation facilities are not able to bear the burden that has been put upon them.

I ask the Senator from Kansas whether he can now make a report on the resolution from the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. THOMPSON. The resolution has not yet been referred to the committee.

Mr. CUMMINS. Under the rule the resolution must be so referred.

The VICE PRESIDENT. The Chair was waiting for the Senator from Iowa [Mr. CUMMINS] to conclude before referring the resolution to a committee. If the Senator from Iowa has concluded, the Chair will now refer the resolution to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SMOOT. Mr. President, just one word on the resolution. I fully indorse the resolution; I think it should pass; but I really believe that the committee already has power to make the investigation proposed. In order, however, to make it absolutely sure, I will say to the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate that, so far as I am concerned, I am perfectly willing that the resolution should be reported from the committee at once.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably without amendment Senate resolution 171.

Mr. CUMMINS. I ask unanimous consent for the present consideration of the resolution just reported from the committee by the Senator from Kansas.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Is there objection to the request of the Senator from Iowa?

Mr. GALLINGER. Let the resolution be read.

The Secretary read the resolution (S. Res. 171), as follows:

Resolved, That the Committee on Interstate Commerce of the Senate is hereby authorized and directed, by subcommittee or otherwise, to inquire into and report to the Senate at the earliest practical date upon the recommendations made by the Interstate Commerce Commission regarding conditions affecting interstate transportation; that said committee may conduct such inquiry by subcommittee or otherwise and shall be empowered to hold sessions during the recess of the Senate, and for this purpose the committee, or any subcommitee thereof, is empowered to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, to conduct hearings and have reports of same printed for use, and any expense in connection with such inquiry shall be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

Mr. NEWLANDS. Mr. President, I join in the request of the Senator from Iowa that immediate consideration be given to the resolution which he has offered.

The resolution was considered by unanimous consent and agreed to.

INVESTIGATION OF THE SHIPPING BOARD.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate resolution 170, and I ask for its immediate consideration.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 170), as follows:

Resolved, That the Committee on Commerce, or any subcommittee thereof, be, and hereby is, authorized and directed to proceed at once with an investigation of the program and progress of the building of merchant vessels under the direction of the United States Shipping Board and the Emergency Fleet Corporation, and that the committee be, and hereby is, authorized, during the Sixty-fifth Congress, to send for persons, books, and papers; to administer oaths, to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

Mr. HARDING. I ask unanimous consent for the immediate consideration of the resolution.

The PRESIDING OFFICER. Is there any objection?

Mr. GALLINGER. Mr. President, I simply desire to make one observation. I trust that the committee in its investigation will take into consideration the propriety of getting rid of this dual organization and put some business man at the head of one organization that can build these ships. If that could be accomplished I think we would have some ships.

Mr. WILLIAMS. I think so, too.

Mr. LODGE. Mr. President, inasmuch as the ship matter is again up, I want to say one word in regard to the Navy, which has been reflected upon. The Navy has not sought, as I understand, to build the merchant ships, but if the building of those ships is given to the Navy they will be built. The ships of the Navy are being built and they are being turned out with the greatest possible rapidity in the classes which are most needed. I do not in the least desire to thrust upon the Navy the building of our merchant ships, but it is entirely unfair to say that the Navy has anything to do with the delay.

I regard Mr. Hurley as a most excellent man. I spoke of him in the Senate at the time of his appointment, but all that we can say after these months is that we have had the Shipping Board now for nearly a year——

Mr. SMOOT. A year and three months.

Mr. LODGE. And we have not any ships, and apparently there is not much prospect of getting ships. My own belief is that if we would abolish the Shipping Board and put in one thoroughly competent man with responsibility as the head of the shipping corporation, or whatever you choose to call it, and tell him to go ahead and build ships, we would get the work done; but we shall not do so under the present system. I blame no individual, either civilian or naval officer; the system is all wrong.

Mr. BRANDEGEE. Mr. President, in examining the resolution hastily I notice that the work of the committee is confined to the investigation "of the program and progress." I should think it would be desirable, if we wish to know exactly what the trouble is, if there is trouble, to include all matters connected with the building of the ships.

Mr. WILLIAMS. Does not the word "progress" cover that?

Mr. BRANDEGEE. Technically "progress" means to find out to what extent they have progressed, whether the ships are 20 per cent completed or 40 per cent completed. I assume that the Senate would perhaps like to know concerning the contracts in relation to the ships, the prices to be charged, and things of that kind. If we say "all matters in connection therewith," the committee can go as far as they like.

Mr. WILLIAMS. I think "progress" covers it. That includes the activities of the board as well as the rapidity of progress.

Mr. FLETCHER. Mr. President, I have no objection to the amendment suggested by the Senator from Connecticut; I think he has made a very good suggestion.

Mr. HARDING. Mr. President, the author of the resolution has no objection to broadening its scope in any way.

Mr. FLETCHER. Will the Senator from Connecticut suggest where the amendment should come in?

Mr. BRANDEGEE. I suggest that it come in so as to read something like this: "Inquire into the program, progress, and all matters concerning or connected with the building of merchant ships." What I mean is, if in the course of the inquiry a certain state of facts develops which the inquirers do not now know about, they may do what their judgment dictates and not be estopped by the wording of the resolution.

Mr. FLETCHER. I think the Senator's suggestion is a very good one, although I thought perhaps the words "program and progress" would probably be sufficient.

Mr. BRANDEGEE. I have offered the amendment and the Secretary is now trying to insert it in the proper place, as I understand.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed to amend the resolution so as to read:

Proceed at once with an investigation of the program, progress, and all matters connected with the building of merchant vessels under the direction of the Federal Shipping Board.

Mr. BRANDEGEE. The Senator from Mississippi [Mr. WILLIAMS] suggests that I should include also the words "and the recommendations."

Mr. WILLIAMS. "Recommendations to remedy the existing difficulty."

Mr. BRANDEGEE. Very well.

The PRESIDING OFFICER. The resolution will be so modified.

The resolution as modified was agreed to, as follows:

Resolved, That the Committee on Commerce, or any subcommittee thereof, be, and hereby is, authorized and directed to proceed at once with an investigation of the program, progress, and all matters connected with the building of merchant vessels under the direction of the United States Shipping Board Emergency Fleet Corporation, and to report its findings to the Senate at the earliest practical day, together with such recommendations as it may see fit to make as to remedies for existing difficulties, if any; and for this purpose the committee is authorized, during the Sixty-fifth Congress, to send for persons, books, and papers; to administer oaths; to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee or any subcommittee thereof may sit during the sessions or recess of the Senate.

CIVIL-SERVICE EXAMINATIONS.

Mr. POMERENE. Mr. President, I send to the desk a joint resolution and ask that it be read for the information of the Senate.

The PRESIDING OFFICER. The Secretary will read the joint resolution introduced by the Senator from Ohio.

The joint resolution (S. J. Res. 117) amending the act of July 2, 1909, governing the holding of civil-service examinations, was read the first time by its title, and the second time at length as follows:

Resolved, etc., That the act of July 2, 1909 (36th Stats. L., 1), is hereby amended so as to permit the United States Civil Service Commission, during the period of the war, to hold examinations of applicants for positions in the Government service in the District of Columbia and to permit applicants from the several States and Territories of the United States to take said examinations in the said District of Columbia. Said examinations shall be permitted in addition to those required to be held by said act of July 2, 1909. (36 Stats. L., 1.)

The PRESIDING OFFICER. The joint resolution will be referred to the Committee on Civil Service and Retrenchment.

Mr. POMERENE. Mr. President, before that is done allow me to say a word concerning the purpose of the joint resolution. The Civil Service Commission are required to hold examinations for those who seek to get on the eligible list throughout the several States and Territories of the country and under the statutes referred to in the resolution all applicants shall apply for examination in the State or Territory where they reside. Very recently there has been an effort made on the part of the Civil Service Commission and other departments of the Government to get young men and women to enter the service in a clerical capacity, and a good many young men and young women have come to Washington, assuming that they could get positions, not knowing of the statute which required them to stand examination in the States and Territories in which they reside.

The result is that under the law as it now is they would be required to go to the expense of returning to their homes to pass these examinations; and the commission seek to have this statute modified during the period of the war so that it will be permissible for them to hold these examinations and for applicants to enter these examinations here in the District in addition to the examinations which are required to be held in the States and Territories.

Mr. SMOOT subsequently said: From the Committee on Civil Service and Retrenchment I report back favorably, without amendment, the joint resolution (S. J. Res. 117) amending the act of July 2, 1909, governing the holding of civil-service examinations, and I ask its immediate consideration.

The PRESIDING OFFICER. The joint resolution will be read.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the act of July 2, 1909 (36 Stats. L., No. 1), is hereby amended so as to permit the United States Civil Service Commission, during the period of the war, to hold examinations of applicants for positions in the Government service in the District of Columbia, and to permit applicants from the several States and Territories of the United States to take said examinations in the said District of Columbia. Said examinations shall be permitted in addition to those required to be held by said act of July 2, 1909 (36 Stat. L., No. 1).

Mr. GALLINGER. Mr. President, from what I have learned about the Civil Service Commission, I think it might as well go out of business now as at any other time. They are taking on to my knowledge hundreds and thousands of people without civil-service examination. I ask that the matter go over, Mr. President. I want to look into it.

Mr. POMERENE. May I make a suggestion to the Senator before that order is made? This matter just came to my attention this morning. I understand that it is true, as a matter of necessity, that these rules have been suspended temporarily, and, as I have been told, these young people have been advised that they must take their examinations within 90 days, if I am correctly informed. If this joint resolution becomes a law, it will avoid the necessity of suspending this rule in the way that I have indicated, so that these examinations may be held.

Mr. GALLINGER. Mr. President, while I am not enamored with the civil-service law, I have never made any particular attack upon it. The civil-service law provides that the employees of the Government shall be apportioned to the States and Territories. These young people have come here without any reference to that, I take it. They will be examined, and that salutary provision of the law, as I think, will be ignored. I do not think they ought to have been invited here as they were. They ought to have been told before they came here that there was a civil-service law on the statute books. They ought to have come here with that knowledge in their minds. But they came here pell-mell. They have been put into positions that they are not qualified to fill, and they are doing the best they can; and they will be coached now and will probably pass some sort of a civil-service examination.

I have a feeling of a good deal of disgust with the way things are going. The President has the power, and he exercises it, under some old statute that somebody revived, to exempt almost anybody from civil-service examination. He is doing it, and these people are put in places without any regard to the civil-service law.

I think this is a matter of sufficient importance to be looked into, and I object to its present consideration.

The PRESIDING OFFICER. In view of the objection, the joint resolution will have to go over.

Mr. POMERENE. Mr. President, may I say in answer, to the Senator that this joint resolution does not suspend that part of the statute which regulates the distribution of these clerks among the several States. If that statute has been suspended, or if it has been ignored, this amendment does not recognize or authorize such a change as would seem to be indicated by the statement made by the Senator from New Hampshire.

Mr. GALLINGER. Well, Mr. President, I think they have been given 90 days at least, have they not?

Mr. POMERENE. I have heard that statement made. I can not state that authoritatively, but that is my general information.

Mr. GALLINGER. I think so; so that time will not expire before we meet again. I should like to look into the matter; that is all.

Mr. POMERENE. But, Mr. President, if I may make the suggestion, this prevents the young people who are here now from taking these examinations. It seems to me it would aid the purpose the Senator has in mind if this joint resolution were to be passed.

Mr. GALLINGER. No; I prefer that it go over. The other body would not act on it to-day, anyway, if we were to pass it.

The PRESIDING OFFICER. The joint resolution will go over.

Mr. GALLINGER subsequently said: Mr. President, in reference to the joint resolution introduced by the Senator from Ohio, I was laboring under a misapprehension, if the matter has been properly presented to me. I supposed that all these young people were given employment for 90 days. Senators tell me that there are a good many of them here who have not any employment, but who want to take an examination. That being the case, I want to withdraw my objection and allow the joint resolution to be considered.

Mr. POMERENE. I ask unanimous consent for the immediate consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. The morning business is closed.

MINING OF COAL, ETC., ON THE PUBLIC DOMAIN.

Mr. PITTMAN. I ask unanimous consent that the Senate proceed to the consideration of the unfinished business, being Senate bill 2812.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2812) to encourage and promote mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.

Mr. SWANSON. Mr. President, I desire to offer an amendment, on page 12, line 15, to strike out "or within naval petroleum reserve numbered two."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 12, line 15, it is proposed to strike out the words "or within naval petroleum reserve numbered 2."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SWANSON. On page 13, lines 15 to 19, I move to strike out the proviso.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 13, lines 15 to 19, it is proposed to strike out the proviso, as follows:

Provided further, That all royalties received under the provisions of this section from said naval petroleum reserve numbered 2, whether in oil or money, shall be delivered or credited to the United States Navy.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SWANSON. On page 13, lines 22 to 24, I move to strike out "numbered 1, in the State of California, or naval petroleum reserve numbered 3, in the State of Wyoming."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 13, lines 22, 23, and 24, it is proposed to strike out the words "numbered 1, in the State of California, or naval petroleum reserve numbered 3, in the State of Wyoming."

Mr. SMOOT. Mr. President, the amendment just offered by the Senator from Virginia would leave the three lines above it meaning nothing at all. His amendment, if it is going to be adopted, ought to begin with the word "That," on line 19, page 13. The whole proviso ought to go out, and not simply the lines the Senator has just mentioned. In other words, what the Senator desires is, after the word "Navy," to strike out the words:

And provided further, That none of the provisions of this section or of this act shall be applicable to or affect lands or minerals included within the limits of naval petroleum reserves numbered 1, in the State of California, or naval petroleum reserve numbered 3, in the State of Wyoming.

Mr. SWANSON. No; I desire to have that language changed a little. I want that part stricken out and on page 13, line 21, insert "any" between "of" and "naval," so that the proviso will read:

And provided further, That none of the provisions of this section or of this act shall be applicable to or affect lands or minerals included within the limits of any naval petroleum reserve.

Mr. SHAFROTH. It seems to me there can be no objection to that.

Mr. SMOOT. Mr. President, I have no objection to that amendment, but I want to ask the Senator from Wyoming if he is satisfied with having naval reserve No. 3, located in Wyoming, eliminated from the bill.

Mr. KENDRICK. Mr. President, so far as I am informed, there has been no controversy about that naval reserve, so that I assume the elimination of it at this time will be satisfactory to the people of my State. Personally, I do not believe that it will ever be used for naval purposes, but I am perfectly willing to trust to future legislation for its proper disposition and the correction of any error to which our attention may not have been called.

Mr. SMOOT. If it is satisfactory to the people of Wyoming, I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Virginia.

The amendment was agreed to.

Mr. BORAH. Mr. President, I should like to ask the Senator from Virginia, so that I may know, not having had time to examine all these matters, the effect of his amendment. As I understand, it is simply to eliminate. It does not put anything else in the bill.

Mr. SWANSON. These amendments simply eliminate from the bill every allusion to the naval petroleum reserves. They do not put anything at all in the bill. They simply eliminate those entirely, so that they are not affected by this legislation.

Mr. SHAFROTH. Mr. President, I desire to offer another amendment. After the word "Alaska," in line 16, page 4, I move to insert "not previously entered under the preceding section 2 hereof."

Mr. SMOOT. Mr. President, I will suggest to the Senator that if he follows the same language used in the other parts of the bill, it would read as follows:

Unless previously entered under section 2 of this act.

Mr. SHAFROTH. All right; that is satisfactory.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the words "Territory of Alaska," on page 4, line 16, it is proposed to insert the words "unless previously entered under section 2 of this act."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PITTMAN. Mr. President, I desire to offer a few formal amendments to the bill. I send them to the desk and ask that they be stated.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. On page 1, line 3, it is proposed to strike out the word "potassium" and the comma following it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. On page 1, line 7, commencing with the word "or," the first word in the line, it is proposed to strike out to and including the word "such," on line 8, or the following words: "or to those who have declared their intention to become such."

Mr. SMOOT. Mr. President, I should like to ask the Senator why he desires to strike out those words. They are the words which are used in nearly all of the land laws in which there is a right given to entry.

Mr. PITTMAN. We are treating as alien enemies the subjects of foreign countries who are in that category; and I thought that during this war it would not be advisable to pass an act giving any civil rights to those to whom we are denying rights under our war conditions. That is the reason.

Mr. SMOOT. I asked the question not because I objected to these words going out but simply because I wanted to have a record made of the reason why the change in our general land laws was made at this particular time.

Mr. PITTMAN. That is the reason at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. Also, on page 2, line 4, after the word "any," the second word in the line, before the word "association," it is proposed to insert the words "citizen or any," so that, if amended, it will read:

SEC. 2. That any citizen or any association composed of persons—

And so forth.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. On page 3, line 1, after the word "such" it is proposed to insert the word "person," so as to read: "no such person, association, or corporation."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I should like to have the Secretary read the provision as it is now amended.

The PRESIDING OFFICER. The Secretary will read as requested.

The SECRETARY. As amended, beginning at the top of page 3, it reads:

No such person, association, or corporation shall own coal lands entered after the passage of this act in excess of said area.

The PRESIDING OFFICER. The Secretary will state the next amendment.

The SECRETARY. Also on page 3, line 15, after the word "any," it is proposed to insert the word "person," so that it will read:

That any person, association, or corporation, member of such association—

And so forth.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. On page 4, line 16——

Mr. PITTMAN. That has already been taken care of by the amendment of the Senator from Colorado.

The SECRETARY. On page 15, it is proposed to strike out line 24 and all down to and including line 21 on page 21.

Mr. PITTMAN. That is potassium.

Mr. SMOOT. That is for the reason that it has already been acted upon by the Senate.

Mr. PITTMAN. That is true. It has become a law in a separate act.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the Senator from Nevada will be stated.

The SECRETARY. On page 30, line 5, strike out the word "no" and insert in lieu the word "all."

Mr. PITTMAN. That will be understood as taken in connection with the next amendment that I am offering.

Mr. SMOOT. There will have to be another amendment, for it would never do that way.

Mr. PITTMAN. I ask to have the amendment passed over until the next amendment is stated and that the two be regarded as one amendment.

The PRESIDING OFFICER. The next amendment will be stated.

The SECRETARY. On page 30, line 6, insert, after the word "lands" the words "heretofore withdrawn from entry, except those reserved for the Navy, shall be subject to this act, and none of such lands," so that it will read:

Provided, That all coal, oil, gas, potassium, or sodium lands heretofore withdrawn from entry, except those reserved for the Navy, shall be subject to this act, and none of such lands shall hereafter be withdrawn from the operation of this act for a longer period than one year without the consent of Congress.

Mr. PITTMAN. That makes definite the question that was up between the Senator from Colorado [Mr. SHAFROTH] and the Senator from Idaho [Mr. BORAH].

The amendment was agreed to.

The PRESIDING OFFICER. Has the Senator from Nevada any further amendment to offer?

Mr. PITTMAN. I have no further amendment to offer.

Mr. SMOOT. On page 2, line 11, I move to strike out the words "or reserved," so that the section down to those words following after the word "municipalities" will read as follows:

That any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State, or any municipality of any State, shall upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State of the Union not otherwise appropriated by competent authority.

Mr. PITTMAN. I have no objection to that amendment.

The amendment was agreed to.

Mr. SMOOT. On page 15, line 2, I move to strike out the word "such" and insert "a" so that it will read:

And any person who at the time of any withdrawal order heretofore made was a bona fide occupant or claimant of oil or gas bearing lands within such withdrawn area.

The amendment was agreed to.

Mr. SMOOT. On page 15, line 6, after the word "discovery," I move to strike out the balance of that line and all down to and including the word "claim" in line 11. In other words, I ask that these words be stricken out:

If the claim was initiated within less than three years prior to the withdrawal, and such claimant had performed a reasonable amount of work preparatory and essential to the sinking of a well or wells, and who because of and in obedience to such order desisted from the prosecution of work for the development of such claim.

Mr. SHAFROTH. Mr. President, that matter was a subject of long consideration by the committee and on that account, it seems to me, the text of the bill ought not to be changed. If that is done there ought to be a change in the second line and the words "or claimant" ought to be eliminated. It is contended by some that some of these claimants have never done any work and that they go back not only for 3 years but for 30 years and claim as if they are bona fide occupants all right. To say "or if they were bona fide claimants" would open up a field for any number of persons to claim by saying "Oh, I always claimed that as mine." So if the amendment which is offered by the Senator from Utah prevails, the words "or claimant" ought to be stricken out.

Mr. SMOOT. I wish to say that in some instances the claims were initiated more than three years prior to the withdrawal by prospectors in good faith and acting in good faith, and with the bill as it now stands such locators would be deprived of their equities, the same passing into the hands of those who are unable to secure possession through the courts of law. In the oil fields of Wyoming, if that provision is allowed to remain in the bill and becomes the law, some of the locators who located three years prior to the time mentioned here will be deprived of all the rights that they may have to those locations. In other words, Mr. President, a man who jumped his land and has undertaken through the courts to deprive the locator of it will secure title to the land rather than the original locator. I do not believe we ought to give any such class of citizens any advantages at all in securing the oil lands of Wyoming.

Mr. SHAFROTH. The department seems to desire that that limitation shall be placed in the bill for the purpose of prevent-

ing people from going back for half a century and claiming something that they had done no work upon. There ought to be some limitation and inasmuch as that limitation was placed there and these lands were withdrawn in 1909, and that would make it in 1906, if a person did not comply with the act and find oil within that time it seems to me there should be that limitation.

Mr. SMOOT. They may have been upon the land, they may have been prosecuting the claim as best they could, complying with all the requirements of the law as to the expenditure of money and as to the drilling of a well, and yet it would have been impossible to find oil within the three years' limit. There are many men, I am informed, who find themselves exactly in that condition, and if this provision becomes a law they would have no recourse whatever.

Mr. BORAH. Is this the limitation clause of section 17?

Mr. PITTMAN. Yes.

Mr. BORAH. If the bill is not to be disposed of until after the holidays, as I hope it will not, I should like to have an opportunity to examine this section. I have not had time to look into it, but I have had messages in regard to it which lead me to believe that we ought to investigate it. I ask the Senator from Nevada if it is the intention to have the bill come to a vote to-day. Due to the fact that we have only seven or eight Members in the Senate Chamber, I ask the Senator if he would not be willing to fix a certain time to vote after the holidays.

Mr. PITTMAN. I will state it was my intention to ask for a unanimous-consent agreement in a few minutes so that this matter may go over until after the holidays.

Mr. SMOOT. Then, if this matter is going over and the bill itself is going over until after the holidays, I ask the Senator now to allow me to withdraw the amendment I have offered, and I will get more definite information than I have at the present time. My only object in offering it is to secure the right of certain citizens to what seems to me to be a just claim on their part. Of course, if it is not, I would not ask to have the amendment made, nor would I press it in any way. I will promise the Senator from Nevada that between now and the 4th day of January I will have more information in detail than I have at the present time.

Mr. PENROSE. Mr. President, I happen to know something about this question, on account of the large number of Pennsylvanians who are engaged in Wyoming in developing these lands. It is my understanding that if the period of three years could be made five years it would cover the situation.

Mr. SMOOT. Let it go over.

Mr. PENROSE. Why not make the amendment providing for five years now, and it can be further amended, if necessary, after the recess.

Mr. KENDRICK. Will the Senator yield?

Mr. PENROSE. I shall make that motion or have the Senator make it, if agreeable to him. I move to strike out "three" and insert "five," and then the paragraph can be still further amended when the bill comes up for final passage.

The PRESIDING OFFICER. The Senator from Utah has a pending amendment, which will preclude this amendment.

Mr. PENROSE. I modify his amendment.

Mr. SMOOT. As I stated, I will withdraw my amendment, and I will say now if an amendment is offered by the Senator from Pennsylvania, and if it is adopted, I reserve the right to offer my amendment when the bill reaches the Senate. I reserve that right now.

Mr. PENROSE. It was shown to me that there were a number of claims beyond dispute that would be kept out by this three years' limitation, but that all legitimate claims would be covered by a limitation of five years.

Mr. BORAH. In view of the fact that we can not in all probability dispose of the bill to-day, why not permit us to have all the details? I do not know whether a provision for five years is necessary or whether it will cover the situation. It is manifest that some people are very much dissatisfied with the limitation in the bill and claim that it is practically an adjudication on the part of Congress of their claims. I wish the Senator from Nevada would permit this matter to go over until after the holidays.

Mr. PITTMAN. I will say to the Senator from Idaho this is a matter which seems to be of peculiar interest to the people of Wyoming. In fact, I know of no other section of the country that would be interfered with by this particular section. When the committee were considering the matter they were given to understand that three years would protect any bona fide claimants of land, and the committee were desirous of protecting against any fraudulent claims.

The Senator from Idaho must realize that it was shown in the committee that if there was not any limit placed to the time these claims may have been initiated a man may say that 20 years ago I posted a location notice on a claim.

Mr. PENROSE. No one contends, I understand, for more than five years.

Mr. PITTMAN. It is a matter largely with the citizens of those States, and the committee thought that a limitation of three years would take care of all bona fide claims. They may be mistaken about that, and if mistaken about it the limitation can be changed to five years.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I yield.

Mr. BORAH. It may be that the Senator from Nevada is entirely correct, because I confess I am dealing with this matter somewhat in the dark. I should not have called attention to this particular clause at all had it not been for some telegrams which I have had the privilege of reading; but I am unable to protect the parties who sent the telegrams, because I do not know just exactly what they want. However, if the bill is going over anyway, I do not see why it should not carry with it this amendment. I should like even before I urge any change in the bill at all to know more about the facts in regard to it. I may not be in favor of any change. I do not want to protect any fraudulent claim. Nobody in the Chamber does, of course.

Mr. PITTMAN. The Senator in charge of the bill suggests that we pass it over, so that we can look into the matter further.

Mr. KENDRICK. I should like to see the amendment offered by the Senator from Pennsylvania prevail and the change made to five years instead of three. It is a step in the right direction anyway. I am sure that it would bring the necessary relief to the majority of my people, and if we got nothing better later on we would have that much gained anyway.

Mr. BORAH. In view of what the Senator from Wyoming says, I am perfectly willing to take his judgment, with the understanding that if a state of facts is developed to warrant it we shall have the privilege of going into this section again with a view of amending it if we want to do so.

The PRESIDING OFFICER. The Chair understands that the Senator from Utah withdraws his amendment?

Mr. SMOOT. I do.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Pennsylvania to strike out "three" and insert "five" before the word "years," in line 7, on page 15.

The amendment was agreed to.

Mr. PITTMAN. I send the following request for unanimous-consent agreement to the desk and ask that it be read.

The PRESIDING OFFICER. The Secretary will read the proposed agreement.

The Secretary read as follows:

It is agreed by unanimous consent that at not later than from 5 o'clock p. m. on the calendar day of January 4, 1918, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill S. 2812, a bill to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain through the regular parliamentary stages to its final disposition, and that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once nor longer than 10 minutes upon the bill, or more than once nor longer than 10 minutes upon any amendment offered thereto.

Mr. GALLINGER. Mr. President, I will venture to suggest to my friend the Senator from Nevada, that he put the date a little further along. Our recess will not expire until the 3d, and during the meantime some of us want to look into this measure a little more carefully than we have done. Would not the Senator be willing to make it a couple of days later than the 4th?

Mr. PITTMAN. I will say to the Senator from New Hampshire that I took that matter up with a number of Senators beforehand, and the Senators having charge of legislation on this side are very urgent to get this bill out of the way. Out of respect to their wishes and to those who are conducting legislation on this side I have fixed the date on the 4th. I think that will give us ample time to look into the bill.

Mr. SMITH of Arizona. I hope the Senator from New Hampshire will not delay this action.

Mr. GALLINGER. I do not propose to delay it unduly.

Mr. SMITH of Arizona. I know the Senator would not delay it intentionally longer than it is necessary for a proper consideration.

Mr. GALLINGER. We come here on the 3d and, of course, will do nothing on that day; and the day fixed in the agreement is the very first day that we will be in session, of course.

Mr. PITTMAN. As far as I know, everyone favoring this bill has spoken. I know of no one else who cares to speak.

Mr. GALLINGER. I suggest to the Senator to make it the 5th. There can be no objection to that, surely, on the part of the friends of the bill.

Mr. PITTMAN. The Senator from Arizona [Mr. SMITH] is very anxious to get important legislation passed, and several other Senators have been urging that this measure be gotten out of the way speedily.

Mr. GALLINGER. But we are going to be here six more or eight months, anyway, in all human probability.

Mr. SMITH of Arizona. But the Senator will appreciate that as soon as we get into the regular business of the session after the recess everybody will oppose any legislation that does not affect the war, and we have to pass these bills before the committees bring in legislation pertaining to the war. There are quite a number of very important bills that the Senate ought to attend to before that time.

Mr. GALLINGER. Mr. President, I do not like the habit we are getting into of what is sometimes denominated railroading bills through the Senate. Yesterday we were lectured by a distinguished Senator on the other side upon the ground that we were delaying the consideration of a certain measure that had been before the Senate only a day and a half. I never knew anything of the kind to occur before in the Senate. The Senator from Utah [Mr. KING] was taken to task because he wanted to express his views on the pending bill. He had only talked a short time, but he was told he ought to stop.

Now, I do not like that method of doing business. I am good-natured always, and I have no disposition to postpone unduly any measure. While I shall vote against this bill, I do hope the Senator from Nevada will agree to give us one day at least after we reassemble, to get our second breath on it and give it some consideration.

Mr. PITTMAN. The Senator from Arizona [Mr. SMITH] has relieved me from the pressure I was under. Therefore it affords me pleasure to agree to the suggestion of the Senator from New Hampshire and I will ask that the 5th be substituted for the 4th.

Mr. GALLINGER. That is better. Let the roll be called.

Mr. JONES of Washington. I wish to suggest to the Senator that the hour be changed from 4 o'clock to 5, and that we begin at 2 o'clock under the 10-minute rule. The chances are that most amendments will be left until that time and there may be quite a number of amendments offered after 2 o'clock. I do not like to see any time set after 2 o'clock for a final vote. I should like to see the limitation placed upon speeches to 5 or 10 minutes after 2 o'clock. Then let every amendment that is proposed be discussed. If we put it at 5 o'clock I am quite sure every amendment that is offered will have such discussion as it requires after 2 o'clock. So I suggest to the Senator to make it 5 o'clock instead of 4.

Mr. PITTMAN. That will be agreeable to me.

The PRESIDING OFFICER. The Secretary will make the modification as requested.

Mr. GALLINGER. Let the roll be called under the rule.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	Lewis	Ransdell
Bankhead	Harding	McCumber	Shafroth
Beckham	Hardwick	McKellar	Sheppard
Borah	Hitchcock	McNary	Shields
Brandegee	Hollis	Martin	Smith, Ariz.
Calder	James	Myers	Smith, Md.
Chamberlain	Johnson, Cal.	Nelson	Smith, Mich.
Cummins	Johnson, S. Dak.	New	Smoot
Curtis	Jones, Wash.	Newlands	Sterling
Dillingham	Kellogg	Norris	Stone
Fernald	Kendrick	Penrose	Sutherland
Fletcher	Kenyon	Phelan	Townsend
France	King	Pittman	Vardaman
Frelinghuysen	Knox	Poindexter	Wadsworth
Gallinger	La Follette	Pomerene	Weeks

Mr. LEWIS. I wish to announce the absence of the senior Senator from South Carolina [Mr. TILLMAN] because of illness. I ask that this announcement may remain.

I wish also to announce the absence of the Senator from Delaware [Mr. SAULSBURY], called from the Chamber on official business.

Mr. VARDAMAN. I desire to announce the absence of the Senator from Missouri [Mr. REED] and the Senator from Massachusetts [Mr. LODGE] on business of the Senate.

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum of the Senate is present.

Mr. GALLINGER. Let the request be stated once more.

The PRESIDING OFFICER. The Secretary will read the proposed agreement as modified.

The Secretary read as follows:

UNANIMOUS-CONSENT AGREEMENT.

It is agreed by unanimous consent that at not later than 5 o'clock p. m. on the calendar day of January 5, 1918, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill S. 2812, a bill to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain through the regular parliamentary stages to its final disposition; and that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once nor longer than 10 minutes upon the bill, or more than once nor longer than 10 minutes upon any amendment offered thereto.

Mr. PENROSE. I suggest that it is very doubtful in my mind whether we will have a quorum on Friday and whether it would not be better to make the agreement for Monday. If there is a quorum here the Senate can take up other business if the bill is not under debate. I am not going to urge the point, but I am only submitting it.

Mr. BORAH. We will certainly have a quorum here after two weeks of adjournment.

Mr. PENROSE. The fact remains, however, that we meet the latter part of the week, and the disposition of a great many Members will be to stay away the rest of the week.

Mr. BORAH. I do not care to debate the matter if the Senator wants to urge it. I know the Senator from Nevada was very anxious to fix it on the 4th, and although I am opposed to the bill I did not myself care to urge any later date. I ask the Senator from Nevada if the agreement is adopted whether he proposes to go ahead with the debate any further to-day?

Mr. PITTMAN. It is the intention of the Senator having charge of the bill to ask that it be temporarily laid aside.

The PRESIDING OFFICER. Is there objection to the request?

Mr. SHAFROTH. I suggest to the Senator that Friday is the 4th of January, and undoubtedly it would be better to take the vote at that time than on Saturday, because so many leave at the end of the week.

Mr. PENROSE. I am almost certain there will not be a quorum of the Senate on Friday and Saturday. There is no use in disguising the fact that Senators will not come down here for a session of one day.

Mr. PITTMAN. I would not want to have this matter come up if there was not a quorum. I think it would be very unfortunate for the matter to come up without a quorum.

Mr. PENROSE. That is what I feel. I am interested in the passage of this bill on account of a large number of Pennsylvania constituents, and I do not see any use in fixing a day when every Senator must realize, I believe, that a quorum will not be here.

Mr. GALLINGER. I do not know how the Senator figures it out that there will not be a quorum here. We will have a recess of 12 days, and the Senate convenes on Thursday. It is inconceivable to me that Senators will not return at that time to attend to their duties. There may be a few who will not, but most of us will be here.

Mr. PENROSE. The Senator from New Hampshire, who is my leader in nearly every step I take in this body, is going to stay here, but I am not basing my statement on any theory. I have talked with a large number of Senators, and those who are going away and going to a distance, as nearly all Senators who leave Washington will be going to a distance, I feel very confident are not coming down here to attend a session on Thursday or Friday, with a probable adjournment over until the following Monday. If, however, the Senator in charge of the bill chooses to take the chance, I do not intend to pursue the matter any further. If I had charge of the bill, I should make the date for a vote Monday, the 7th of January.

The PRESIDING OFFICER. Is there objection?

Mr. SMITH of Michigan. Mr. President, I agree with the Senator from Pennsylvania [Mr. PENROSE]. I think the date fixed for a vote should be Monday, and unless a later date than the 5th is named I shall object.

Mr. PITTMAN. Mr. President, I have already receded in this matter two or three times for the convenience of Senators; I know that it will inconvenience the Senator from Pennsylvania and the Senator from Michigan, from what they say, and possibly other Senators, to fix the time for a vote on the date named, and, as we are putting the vote off now for two weeks or more, I would not urge against the wish of any Senator having the vote taken two days earlier. I therefore ask that the date for the vote be changed to Monday, the 7th of January.

The PRESIDING OFFICER. The Secretary will make the proper correction, providing that the vote be taken on Monday, the 7th of January. Is there objection?

Mr. SMITH of Arizona. Mr. President, if that be agreed to, I should like to make a parliamentary inquiry. I ask whether this bill will remain, up to the date fixed for a vote, as the unfinished business of the Senate?

The PRESIDING OFFICER. The Chair is advised by the parliamentarian at the desk that it would remain the unfinished business.

Mr. SMITH of Arizona. Then a motion in the meantime to take up another bill would simply mean the displacing of the regular order?

The PRESIDING OFFICER. The unfinished business could be suspended by unanimous consent at any time.

Mr. PITTMAN. Mr. President, having charge of the bill, I will state to the Senator from Arizona that at any time no Senator is desirous of speaking on this bill I shall ask unanimous consent that it be temporarily laid aside, so that the Senator from Arizona or any other Senator may proceed with any matters of emergency.

Mr. SMITH of Arizona. I am interested in the measure the Senator has in charge, particularly as it affects Arizona, but I should like to repeat the notice I heretofore gave—as I stated then, for what it was worth, and it is worth no more now—that I desire to move at every possible opportunity to take up a measure on the calendar relating to the question of print paper.

Mr. SHAFROTH. I suggest to the Senator from Arizona to make the motion now.

Mr. PHELAN. Mr. President, pressure was brought yesterday to yield consideration of section 16 of the pending bill in order that the measure might pass before the holidays. I desire to call the attention of the Senator from Virginia to the fact, now that consideraion of the whole measure has been deferred until after the holidays, that I trust he will be ready to present his substitute measure for section 16 at that time. It seems to me that by reason of this postponement some of us have been mildly imposed upon.

Mr. SWANSON. I will state to the Senator from California that I am framing a bill which I shall introduce as a separate measure for this——

Mr. PHELAN. For section 16?

Mr. SWANSON. A separate measure for section 16. I did not consent that the bill be taken up for consideration except with the understanding with certain Senators that that provision would be eliminated. I am not obstructing the passage of the bill; I am ready to vote now. Senators from the West are objecting to the consideration and passage of the bill and not other Senators. My purpose is to introduce a separate bill to condemn these lands.

Mr. PHELAN. The Senator will be ready, then, to have the bill taken up on January 7?

Mr. SWANSON. Not as an amendment to this bill.

Mr. PHELAN. But as a substitute for section 16?

Mr. SWANSON. I will introduce the bill and have it referred to the Naval Committee. It will be then within the power of the Naval Committee to report the bill, and, if it is the disposition of this body to consider it, that will be done. I will say, however, that the Senator from California is not precluded from introducing any bill or any other measure at any time which he thinks will make a proper disposition of this matter.

Mr. PHELAN. I therefore give notice that at that time I shall seek to take up the question of the reconsideration of the action by which section 16 was eliminated from the bill.

Mr. SMOOT and Mr. SHAFROTH addressed the Chair.

Mr. GALLINGER. Regular order, Mr. President!

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. SMOOT. Mr. President, before I give unanimous consent to an agreement to vote upon the pending bill, I want an understanding with the Senator from Virginia that he is not going to offer the bill referred to by him as a part of the pending bill.

Mr. SWANSON. I have agreed with Senators that I would not do so.

Mr. SMOOT. That is what I have understood.

Mr. SWANSON. I have an agreement with certain Senators that this matter would not be considered on the pending bill.

Mr. PITTMAN. Mr. President, this matter has been placed in my charge by the Committee on Public Lands. It is a bill involving a great many subjects; in fact, it involves three or four subjects outside of section 16 of the bill. It involves something besides 7,000 acres of land in California; it involves 44,000,000 acres outside of 7,000 acres in California; it involves a million acres of oil lands outside of the 7,000 acres in California. I have felt, as does the Senator from California, with regard to the method by which that land in California should be treated; but we came to the conclusion that this bill could not become a law, that it never would become a law, if we attempted to keep the provision in relation to naval reserves in the bill. The Senator from California agrees with that and has agreed with it on this floor.

I do not care what he thinks about it; he may be willing to defeat all this legislation, as he knows it will do if he should succeed in putting that provision back in the bill; but I shall never consent to have it put back in the bill, and I tell him that it never will be put back in the bill, no matter how many times we reconsider it.

So far as the delay in this matter is concerned, it is no more unusual than the delay we have had on many bills. The Senator from Idaho [Mr. BORAH] insisted that he should have more time on this measure. He had it within his power to delay this bill until after the holiday recess if he saw fit to do so. Under the position he took, he would have been justified in doing so if I had declined to grant a reasonable postponement. I therefore have agreed to a reasonable postponement. I not only think that it is a courtesy due to the Senator from Idaho and to the other Senators, but I think also that it is probably the best way to facilitate action on the bill; and so long as I have charge of the bill I am going to pursue this course. Whenever that is not approved by the Public Lands Committee of the Senate, they can give charge of the bill to some other Senator. I now ask that the question on the unanimous-consent agreement be submitted.

The PRESIDING OFFICER. Is there objection to entering into the unanimous-consent agreement? There being none, it is entered into.

Mr. HOLLIS. Mr. President, I ask the Senator from Nevada if he is willing to ask that the pending bill be temporarily laid aside in order that another matter may be brought up?

Mr. PITTMAN. At the request of the Senator from New Hampshire, and if there are no other Senators who desire to speak on the bill at this time—and I assume that there are none—I ask unanimous consent that the bill be temporarily laid aside.

The PRESIDING OFFICER. The Senator from Nevada asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? There being none, it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the Speaker of the House had signed the enrolled joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States, and it was thereupon signed by the Vice President.

PURCHASE OF FARM-LOAN BONDS.

Mr. HOLLIS. I move that the Senate proceed to the consideration of Senate bill 3235, being a bill providing for an amendment to the farm loan act.

The PRESIDING OFFICER. The Senator from New Hampshire moves that the Senate proceed to the consideration of Senate bill 3235.

Mr. GALLINGER. Mr. President, let the title of the bill be stated.

The PRESIDING OFFICER. The Secretary will state the bill by title.

The SECRETARY. A bill (S. 3235) amending section 32, Federal farm loan act, approved July 17, 1916.

Mr. GALLINGER. Mr. President, before the motion is put for the consideration of the bill, I ask that the bill be read for the information of the Senate.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill, as follows:

A bill (S. 3235) amending section 32, Federal farm loan act, approved July 17, 1916.

Be it enacted, etc., That the Federal farm loan act, approved July 17, 1916, is hereby amended by adding at the end of section 32 the following:

"The Secretary of the Treasury is further authorized, in his discretion, upon the request of the Federal Farm Loan Board, from time to time during the fiscal years ending June 30, 1918, and June 30, 1919, respectively, to purchase, at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm loan bonds issued by such bank.

"Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years. Any Federal land bank may at any time repurchase, at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

"The bonds of any Federal land bank so purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this amendment one year after the expiration of the pending war, shall, upon 30 days' notice from the Secretary of the Treasury, be redeemed or repurchased by such bank at par and accrued interest.

"The temporary organization of any Federal land bank as provided in section 4 of said Federal farm loan act shall be continued so long as any farm loan bonds purchased from it under the provisions of this amendment shall be held by the Treasury, and until the subscriptions to stock in such bank by national farm loan associations shall equal the amount of stock held in such bank by the Government of the United States."

SEC. 2. That all acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. The right to amend, alter, or repeal this act is hereby expressly reserved.

Mr. CALDER. Mr. President, I want to occupy the attention of the Senate to make some observations on a matter that is not pending here to-day.

Mr. HOLLIS. Will not the Senator from New York wait long enough to have the bill taken up? Then he can, of course, speak upon anything he pleases. The motion for the present consideration of the bill is pending, and I ask that it may now be put.

Mr. CALDER. I agree to that.

The PRESIDING OFFICER. The question is on the motion of the Senator from New Hampshire to proceed to the consideration of the bill which has just been read.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CALDER. Mr. President, I wish to discuss for a moment the operation of the selective-draft act. I find that on December 15 the different draft boards throughout the country forwarded to men registered a questionnaire. Upon the answers to this will determine in just what class the different men eligible for draft are placed. It seems to me, Mr. President, that before we get too far into the next draft the law should be amended, for in its operation great hardship is visited on certain sections of the country.

Yesterday I received from the adjutant general of my State a list of the draft boards, the quota taken from each draft district, and the number of men examined to make up that quota. I find that in some districts about 20 per cent of the registrants have been called to make up the complement required, while in other districts practically every unmarried man physically competent has been taken. The operation of the law in the next draft will work a great hardship in some communities. Not only will every unmarried man be taken who is eligible for service but practically all married men who are citizens and of draft age. This is caused by the fact that in many sections there is a large alien population. I have made a very careful study of the conditions in New York City, where I reside, which indicate that in some draft districts substantially 5 per cent of the registrants are aliens, while in others as high as 80 per cent are aliens. The law rests upon the theory that the number taken shall be based on the total population, but in its operation none but the citizen is selected.

Early in June of last year I introduced a bill which would have made the draft apply only to those eligible for service. That bill was not reported from the Committee on Military Affairs, but a resolution introduced by the senior Senator from North Dakota [Mr. McCUMBER] and a resolution introduced by the Senator from Oregon [Mr. CHAMBERLAIN] were reported and acted upon. These two resolutions now lie in some committee of the House of Representatives, and I am told are not to be favorably considered there. My bill is a clear exposition of just what the draft act, in my judgment, should be.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from North Dakota?

Mr. CALDER. I do.

Mr. McCUMBER. I think the Senator is in error with reference to the resolution introduced by myself. If I remember rightly, I think that was converted into a Senate resolution, because it related only to the matter of the President entering into agreements with other nations for the purpose of securing treaties that would allow us to put citizens of countries that were in arms with us against the common enemy and who were residing in the United States into our armies. I understand—and I want to ask the Senator to give me information if I am in error—that the President has acted upon that resolution, that he has taken the matter up with foreign countries, and will soon be able to report to the Committee on Foreign Relations.

Mr. CALDER. Mr. President, the Senator is correct. I was mistaken in my statement that his resolution went to the other House. It was a Senate resolution; it was acted upon unanimously, was referred, as I understand, to the State Department, and that department undoubtedly has taken the matter up. However, our Government has not yet effected treaties with other governments permitting us to draft their citizens residing within our country into our military service. The new draft is coming on very fast; in another six weeks it will be here; and then we will have a condition of things applying to certain sections of the country where every single man who is a citizen will be taken, every man who is physically fit to go, every married man, while in adjoining districts the married men, who ought to be excused, will not be taken.

So, Mr. President, I want to say to the Senate that this hardship upon these certain so-called alien communities of our country is causing a great deal of dissatisfaction on the part of the people. Practically all of the men who live in the sections which I have in mind are either of alien birth or parentage, and they see married men with families and dependent children taken, while in other places they are excused. There can be no excuse, Mr. President, for the Congress to permit a condition of this kind to exist, and I rise now simply for the purpose of calling the attention of the Senate to it and to say that on the first day of the convening of the Congress after the recess I shall move to have the Committee on Military Affairs discharged from the further consideration of my bill, which simply fixes the quota of the draft to be obtained on the basis of citizen registration rather than on the basis of population.

If we do not make this change, Mr. President, I believe we are going to have serious difficulty among those of our citizens who are of foreign birth. Senators have observed, undoubtedly, the very great Socialist vote cast in the city of New York in the recent election. That vote came largely from the so-called foreign sections of the city in which the injustice of the feature of the draft has worked the greatest hardship. I sincerely trust that Senators will realize how very serious this matter is and that unless it is remedied a feeling will be created throughout the land that we are compelling certain sections of our country to give up all of their men who are citizens, relieving others of that very condition. I hope that this matter will not be overlooked. I shall ask the chairman of the Committee on Military Affairs before I depart for my home for the recess to consider this question; but if he does not I shall ask the Senate to act upon it.

Mr. HOLLIS. Mr. President, the Federal farm-loan bill was passed in July, 1916. Under its terms 12 Federal land banks were established covering the entire United States. They were given under that bill a capital of $750,000 each. The Farm Loan Board proceeded to establish the banks and was ready to make loans and to sell farm-loan bonds a year later; that is, last July.

Under the plan of the farm-loan system the loan is made to the farmer at a certain per cent. The banks are allowed to add to that per cent not to exceed 1 per cent of the loan for what is called in the mortgage business the "spread"; that is, the expense of the system. The Farm Loan Board believed that they could sell the farm-loan bonds at 4½ per cent. Therefore they made the rate to the farmers 5 per cent. At the time the Farm Loan Board was ready to authorize the first issue of farm-loan bonds the first liberty loan was in progress, and the board did not wish to interfere in any way with the sale of the liberty bonds, which were at a lower per cent than the farm-loan bonds. It therefore made no campaign, did nothing to cry up its bonds or cry down the liberty bonds or come in competition with them. In spite of the extreme modesty with which the Farm Loan Board proceeded its bonds met with a very great demand; they could not be prepared fast enough for the investors beginning in July last up to November. When the second liberty-loan campaign was started the demand for the farm-loan bonds was chilled and the Farm Loan Board finds itself now with some $70,000,000 of farm loans contracted for; that is, approved, passed upon, and accepted, and is not able to sell its bonds on the 4½ per cent basis. I feel myself that the Farm Loan Board should not be in competition with the Government in the sale of its bonds; I feel that the Government should pool the investment money that is available in one reservoir and the Secretary of the Treasury should say where that money should be applied.

Under the law the Farm Loan Board can raise the rates of the farm-loan bonds above 4½ per cent and make them attractive to investors, but when they do that the tendency will be to raise the rate at which we will have to sell liberty bonds, and that ought not to be done. The Secretary of the Treasury is reluctant to take on any burden of this sort, but he considers it advisable, and he has asked to have this bill passed.

I will explain briefly what the bill is. The bill provides that the Secretary of the Treasury may, in his discretion, purchase farm-loan bonds at par and interest, not to exceed $100,000,000 in the present fiscal year and in the next fiscal year; that any land bank may repurchase these bonds at par and interest at any time, and that one year after the termination of the pending war the Secretary of the Treasury shall demand payment from the land banks.

There is a further provision that was added by the committee in regard to the temporary organization of the land banks. Under the temporary organization it was provided that the five directors of each land bank should be appointed by the Farm Loan Board. Under the law whenever the contributions from farm-loan associations equal $100,000, the land banks are to be permanently organized with six directors elected by the farm-loan associations and three appointed by the Farm Loan Board. It is felt that as long as the Treasury has in its vaults any of

the farm-loan bonds the temporary organization should be continued so that the Government will have control of the conduct of the banks; and the fourth paragraph of the bill provides for that emergency. I myself am very sorry that the necessity to borrow enormous sums by the General Government has made it necessary to call on the Treasury for this relief at this time.

Mr. TOWNSEND. Mr. President——

Mr. HOLLIS. I yield to the Senator.

Mr. TOWNSEND. I want to interrupt the Senator for just a moment, to state that I believe this a subject in which most of the Senators are very greatly interested, and I was wondering if the Senators who were not here knew that this question was to come up to-day. I speak of this because I am sure that they, like myself, would desire to hear this question discussed, and if they did not know it was coming up and the Senator has no objection I should like to suggest the absence of a quorum.

Mr. HOLLIS. I have interviewed many Senators, in fact most of those on this side, and I think most of those on the other side have been spoken to. Those who are in favor of the bill and those who feel obliged to oppose it knew that it was to be pressed before the recess, because the emergency is rather acute. Of course, I do not object to having a quorum called for, if the Senator desires. I doubt, however, if any Senator would remain who is not already here. I have sent for those who I understand are particularly interested in it.

Mr. TOWNSEND. Very well.

Mr. FLETCHER. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Florida?

Mr. HOLLIS. I yield.

Mr. FLETCHER. On the subject of the temporary organization of the land banks, which it is provided in section 4 shall be continued, I will ask the Senator if that means that the existing organization must be continued—that is to say, a man who is president of a bank to-day must be continued as president—or whether that means that the organization rests with the Farm Loan Board? Does it necessarily retain in office the president, vice president, and secretary of the banks as they exist to-day, the individuals who are now holding those offices, or can they be changed by the Farm Loan Board?

Mr. HOLLIS. The bill stipulates that the temporary organization as provided in section 4 shall be continued. That does not mean the temporary organization of any bank, but the temporary method or plan of organization shall be continued. I think there can not be any doubt of that. I was about to state that I regret very much that the condition of the money market incident to the war and the very heavy demand made upon the investing funds of the country have made it necessary to ask for this temporary relief. There are now pending in the Federal loan banks loans that have been approved and accepted to the amount of $70,000,000. They were not——

Mr. POINDEXTER. Mr. President——

Mr. HOLLIS. I yield to the Senator.

Mr. POINDEXTER. Will the Senator give us some idea as to the experience of the Federal land banks, as to the nature of the security they have obtained for their loans, whether or not any of the loans have matured, or any of them are delinquent, and what impression the Senator has of the administration of the law by those who are in charge of the 12 land banks? I ask the question because I have heard a good many remarks and some criticism as to the nature of the loans which have been made.

Another phase of it in which I am very much interested, and I think the country is interested, is, What is the general character of these loans as to the term of them? Are they short-term loans, or are the banks carrying out the general purpose of the act and making long-time loans with amortization features?

Mr. HOLLIS. I will say to the Senator that nearly all the loans are made on very long terms, as was intended. They are all made on the amortization plan, so that with every payment part of the principal is paid in. They have been made on a very safe basis all through the country. The bill provides that no more than 50 per cent of the reasonable valuation may be loaned. That has been kept down almost altogether to 40 per cent.

Mr. McCUMBER. Mr. President——

Mr. HOLLIS. I yield to the Senator from North Dakota.

Mr. McCUMBER. Can the Senator say of his own knowledge that it has been kept down to 50 per cent?

Mr. HOLLIS. Oh, I do not know of a single loan that has been made. I am merely acting on information that was given by the Farm Loan Board.

Mr. McCUMBER. I have information from a great many sources that in certain sections of the country loans are being made for more than the full value of the land upon which the loans are being taken. My information comes from those who know the situation, know the values of the land, and know the loans that are being made.

Mr. HOLLIS. I shall be very much astonished if that is so. Of course, that is absolutely unlawful and contrary to the letter and spirit of the farm-loan act. If the Senator knows of such a situation as that, it certainly should be exposed, and the responsibility laid where it belongs. If the Senator has any idea that that is so, the matter should be investigated, and I should encourage investigation if there is any such charge.

Mr. STONE. Mr. President, is not this a very good time to expose it, right now?

Mr. HOLLIS. I should think so. I should think it ought not to continue a moment.

Mr. STONE. The Senator from North Dakota has stated that he knows of specific instances—I think he said numerous instances—where farm loan banks had loaned money on land in an amount exceeding the value of the land. Of course, any act of that kind, if done, was unlawful, and, except for the assurance of the distinguished Senator from North Dakota, I would think it inconceivable, considering all the machinery provided for and in the hands of the land banks to ascertain the value of land.

Now, although it is no particular affair of mine, I do not like to have a statement from such a high source as that just made by the Senator from North Dakota stand here in the RECORD as an indictment of the administration of the land-bank system, the establishment of which I advocated, and the proper administration of which I believed and still believe will be of great benefit to our country. I do not know whether my distinguished friend from North Dakota cares to have that general statement of his stand as he made it, or whether he cares to tell the Senate just exactly what he knows. In such matters actual details are of special value.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire further yield to the Senator from North Dakota?

Mr. HOLLIS. I yield.

Mr. McCUMBER. When the Senator from Missouri formulates his indictment on a charge of any character, I hope he will include in it the words that were used, and not what possibly he might have thought were used. I stated then, and I repeat it so that the Senator may know what my statement was, that I know of instances in which it has been reported to me, and reported to me by those who understand the value of the land and are acquainted with the section where the loans are made, that loans have been made in such sections upon lands to the full value and even more than the value of the lands. That is my statement; so it is not my statement upon my own information at all, but on the information of those in whom I have great confidence.

Mr. STONE. If anything I said was to the effect that the Senator from North Dakota made his statement on personal information, then my statement should be modified, for I did not mean to say that. I heard what the Senator said. Nevertheless the fact stands in the RECORD now, under the authority of the statement made by the Senator from North Dakota, that he is informed—I must assume, in his judgment, reliably informed—that such things as those he has detailed here have occurred. Now, whether it is upon his individual knowledge of the fact or upon information which satisfies his judgment, I submit that it is a matter for the Senator to consider, not me, whether the Senate ought now to be specifically informed of such instances.

Mr. McCUMBER. Mr. President, if the Senator will yield further——

Mr. HOLLIS. I yield.

Mr. McCUMBER. I am speaking in the Senator's time. I wish when the Senator is through to make some remarks upon the present situation of the farm-loan associations or banks, but I wish the Senator first to complete the statement that he desires to make to the Senate.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from North Dakota a question.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield?

Mr. HOLLIS. I yield.

Mr. SHAFROTH. I am aware, of course, that there are some people, particularly lenders of money, who are opposed to this farm-loan system, because of the fact that it competes with them in the market for their money. Consequently they are opposed to its being lent at a low rate. I should like to ask the Senator whether or not the persons who have made these complaints are either money lenders or bankers?

Mr. McCUMBER. Neither.
Mr. SHAFROTH. Neither one?
Mr. McCUMBER. Neither.
Mr. SHAFROTH. It seemed to me we ought to have that information, because if, as a matter of fact, they are lending money in excess of the value, it ought to be examined into, and it ought to be condemned most strongly.
Mr. McCUMBER. I do not want the Senator for one moment to think that I have not been strongly in favor of support to the rural communities in the loans. I opposed the particular bill that was ultimately passed, and I think I shall be able to show in a very few minutes that my prophecy of what would happen has happened in reference to it.
Mr. GALLINGER and Mr. FLETCHER addressed the Chair.
The PRESIDING OFFICER. Does the Senator from New Hampshire yield; and if so, to whom?
Mr. HOLLIS. I yield to my colleague.
Mr. GALLINGER. Mr. President, disclaiming any purpose of interfering with the Senator's interesting statement, I will ask him if he can tell approximately the amount of money that has been loaned by the banks?
Mr. HOLLIS. Yes. The amount that has actually been loaned by the banks is, in round numbers, $29,000,000.
Mr. GALLINGER. Twenty-nine million dollars; and they have now $70,000,000 that they have no market for at the present time?
Mr. HOLLIS. Twenty-nine million dollars have been loaned; $28,000,000 of farm-loan bonds have been sold. There are now pending loans that have been approved to the amount of $70,000,000.
Mr. GALLINGER. I will venture to ask my colleague further whether or not those loans are distributed throughout the country to a large extent?
Mr. HOLLIS. They are. They are distributed throughout every State in the Union.
Mr. GALLINGER. I will ask my colleague further whether the farmers in New England have taken many of these bonds?
Mr. HOLLIS. Does the Senator mean many of the loans?
Mr. GALLINGER. Yes.
Mr. HOLLIS. Yes; they have; a good many—not as many as in other parts of the country, in the West and South; but I can give the Senator the figures. The applications for loans in the Springfield, Mass., bank amount to $6,080,000, and those that have been approved amount to $3,012,000.
Mr. GALLINGER. If the Senator will permit me one minute more, I listened with a great deal of interest to his elucidation of this subject when it was under debate, and the Senator then was very optimistic as to how admirably well this law would operate. As a matter of fact, whether or not the issuance of the liberty bonds has interfered with its operation, it is not operating as well as my colleague expected it would, I assume. Am I correct?
Mr. HOLLIS. The Senator is partly correct. I will explain when he has finished.
Mr. GALLINGER. That is all I wish to ask.
Mr. HOLLIS. I did not hope that any system would go into effect that would work without some Government aid, and for two years I advocated and tried to get adopted this exact provision; but the administration was opposed to it, and I got the bill through in its present form. Up to the 1st of November, when the enormous second liberty loan campaign was under way, everything did work perfectly. The bonds met with a ready demand. They could not be produced as fast as investors wanted them, and that was in spite of the fact of the first liberty loan.
When November came, those who had been investing said: "Every other bond, including the Government bonds, has been marked down. There has been a lower price. Now, are you going to make a lower price on these?" The Farm Loan Board said: "No; we shall not. We think they can be floated at this rate," and they have refused to mark them down. They have not marked them down now. They do not think it is necessary. They think that when the investors find that they can not get them at a lower rate the investors will continue to take them as they did last summer. That is their opinion. I do not know whether they are correct or not.
Mr. McCUMBER. Mr. President, I should like to ask the Senator, if he will allow me, whether these bonds are not exempt from all character of taxation?
Mr. HOLLIS. Everything but the inheritance tax.
Mr. McCUMBER. And they bear 4½ per cent interest?
Mr. HOLLIS. Yes.
Mr. McCUMBER. Does the Senator think that in this period, when the per capita money in circulation is enormously beyond what it ever has been before, when the rate of taxation upon incomes is very excessive, bonds bearing 4½ per cent that are untaxable and are absolutely good will go begging in the markets of this country?
Mr. HOLLIS. I do not think they will.
Mr. McCUMBER. Unless there is something back of the matter.
Mr. HOLLIS. If I thought they would, I should not favor this legislation; but these banks are tremendously undercapitalized for the amount of business that has come to them. One of the chief objections to the farm-loan act was that the farmers would not come into it; that the farmers would not agree to subscribe 5 per cent of the loans to the stock of the bank; that they would not form farm-loan associations, and that was one thing that I was afraid of; but they have done it so freely and in such enormous quantities, and have asked to borrow so much money, that the Farm Loan Board has not been able, on this amount of capital, to turn quickly enough, and it is for that reason that we ask the Treasury to take some of these bonds, to give them an opportunity to turn around. If I believed that these bonds would not go, I should not believe in the Treasury stepping in. I freely say that.
I should like to give the figures as to how this stands. Roughly speaking, the total amount of loans that have been applied for and approved is $100,000,000. Thirty million dollars of loans have been actually made and the money has gone to the farmers. That leaves $70,000,000 applied for and approved; and it is that $70,000,000, or such part as is finally taken, that we wish to take care of under this bill.
Mr. KELLOGG. Mr. President——
Mr. HOLLIS. I yield to the Senator from Minnesota.
Mr. KELLOGG. Can the Senator give us the page of the RECORD where the table may be found showing the applications from each district and State and the amounts?
Mr. HOLLIS. I can not. I have the table here. It was in last Friday's RECORD, in the proceedings of the House.
Mr. KELLOGG. I thank the Senator.
Mr. SHAFROTH. Mr. President, I should like to ask the Senator a question.
Mr. HOLLIS. I yield.
Mr. SHAFROTH. The Senator has stated that the small amount of capitalization has been the hindrance in getting these loans floated, but to my recollection he has not stated the amount. As I understand, the amount of capitalization of each one of these banks is only $750,000.
Mr. HOLLIS. I so stated when I began.
Mr. SHAFROTH. Then the reason why these loans can not be floated is because that is too small a capital to handle thirty or forty or fifty or seventy million dollars?
Mr. HOLLIS. That is not entirely so, I think. If the capital had been larger, the bonds could have been taken through the summer in very much larger quantities; the capital could have been turned over very much quicker; but at the present time that is no reason why the bonds are not meeting with a ready sale. It is because the investment pool has been sucked dry by the second liberty loan.
I wish to say that the Senate Banking and Currency Committee had this matter before them Saturday afternoon. There was only one member of the committee present who opposed the bill—the distinguished Senator from Massachusetts [Mr. WEEKS]. Since the bill was reported the Senator from Massachusetts has asked the friends of the measure if they are not willing to have an amendment that will provide that as long as any of these funds from the Treasury have not been repaid the loans made shall not be made for the purpose of refunding other loans; that they shall be made merely for the purpose of increasing farm products.
I think that is an entirely reasonable proviso. If I were a member of the Farm Loan Board, I should pursue that policy. I have conferred with the Farm Loan Board and they say they will pursue that policy; but I can see that they will be subjected to enormous demands from men who do want to refund their loans at a lower rate, and I believe it will be a protection to the Farm Loan Board if this proviso is placed in the amendment that as long as any of the funds from the Treasury have not been repaid no loans shall be made except for the purpose of increasing farm products. If the Senator from Massachusetts offers that amendment, as I presume he will, so far as I am concerned, it will be accepted.
I shall be very glad to answer any questions that I can. If there are no more questions, I shall yield the floor.
Mr. GALLINGER. Mr. President——
Mr. HOLLIS. I yield to my colleague.

Mr. GALLINGER. Inasmuch as for some reason the sale of these bonds has been suspended, and the people have taken a 4 per cent bond which is taxable under certain conditions in preference to a 4½ per cent bond that is not taxable, suppose that the next liberty loan, if it shall be called that, carries a rate of interest of 4½ per cent—which is more than probable—what will be the chance of these bonds, then, in the market?

Mr. HOLLIS. Then I should think that these bonds would sell in preference to the others, because they carry 4½ per cent interest and they are tax exempt; but I should be sorry to see them placed in active competition with Government bonds.

Mr. GALLINGER. Everything is going to be in competition with Government bonds, unless we discover some way of meeting the obligations of the Government without the issuance of bonds; and I have found no one wise enough to suggest any such method up to date.

Mr. HOLLIS. I have already suggested that I believe it is better to have the Treasury borrow the money, pool whatever borrowings are to be made by the Government for any purpose, and for the Treasury to allot as much as should be allotted for each purpose, and for the Treasury to say that the Farm Loan Board can not lend any more than this amount of money. The Secretary of the Treasury is a member of the board, and I think that ought to be done.

I feel as Mr. Louis W. Hill, of St. Paul, does—the son of James J. Hill. He loaned $500,000 to the land bank of St. Paul at 4 per cent because they were doing such good work in his part of the country. He said:

> Agriculture must be encouraged and helped in this emergency, and the people are exceedingly fortunate to have this machinery by which it can be helped by giving money to those who have proved their worth and who can give security so that it will come back.

That was his view of it. I could not put it any better myself.

Mr. McCUMBER. Mr. President, I should like to ask the Senator a question before he yields the floor.

Mr. HOLLIS. I yield to the Senator.

Mr. McCUMBER. In what quantity have these bonds been sold?

Mr. HOLLIS. Twenty-nine million dollars have been actually sold on a four and a quarter per cent basis. They were sold at 101¼.

Mr. McCUMBER. How much has the Government itself advanced to these banks?

Mr. HOLLIS. Nine million dollars. That is the capital of the banks; that is all; somewhat less; a little less than $9,000,000, because there were some private subscriptions.

Mr. McCUMBER. The Government has taken practically all the stock of the banks, or nearly so, has it not?

Mr. HOLLIS. Yes; that was the intention.

Mr. McCUMBER. While it was put forth as a matter in which individuals would take the stock, as a matter of fact the individual citizen has not taken the stock and it has all finally fallen back on the Government?

Mr. HOLLIS. It was never the intention of those who framed the bill—never the expectation—that private persons would take any substantial amount of it. It was not encouraged; in fact, it was discouraged, because private persons owning that stock can not vote on it. It was purposely discouraged.

Mr. HITCHCOCK. Mr. President, may I ask the Senator whether it was not the idea that the stock would gradually pass into the ownership of the farmers' associations that are formed to borrow the money; and is it not a fact that the formation of farmers' associations has been even more rapid than has been expected, and that at the present time 2,000 of such farmers' associations exist? That feature of the bill has been very successful, and gradually those farmers' associations which are borrowing the money are securing a stock ownership in the banks.

Mr. HOLLIS. It will not be long before all the Government stock will have been paid back and retired, at the present rate.

Mr. SMITH of Georgia. Mr. President, I should like to ask the Senator this question, if he has not already answered it: What quantity of approved loans are now with the Farm Loan Board for which they have not yet provided?

Mr. HOLLIS. Substantially $70,000,000.

Mr. KELLOGG. Mr. President——

Mr. HOLLIS. I yield to the Senator from Minnesota.

Mr. KELLOGG. It is not true that by the passage of this bill it is intended to suspend the sale of these bonds, is it?

Mr. HOLLIS. No; not at all. This is merely temporary relief, so that they can turn around and sell their bonds.

Mr. KELLOGG. They are to be on sale, but the sale of them is not to be pushed as against the Government loans?

Mr. HOLLIS. It is to be pushed as much as the Secretary of the Treasury feels that it should be pushed.

Mr. GALLINGER. Mr. President——

Mr. HOLLIS. I yield.

Mr. GALLINGER. I wish to call the attention of my colleague to line 10, page 2, and ask him if the words "under the provisions of this amendment" should not be stricken out? This is an amendment to the existing statute and, if enacted, will become a part of a particular section of the existing statute.

Mr. HOLLIS. But then, of course, the wording of it will relate to the time that it is passed; and it seemed to me that the word "amendment" was the better word and would lead to less confusion. After it becomes merged in the act there are other provisions in the act with relation to the Treasury, and I should rather have it stay this way. There can be no mistake about this. It is true that after this amendment is passed it will become an act.

Mr. GALLINGER. It will become an act, and we will have in the body of the act itself the words "under the provisions of this amendment," although there will be no amendment.

Mr. HOLLIS. Yes; but this will always be called the amendment of so-and-so, giving the date.

Mr. GALLINGER. It may in language be called that, but as a part of that act there will be no means of determining to what amendment it has reference.

Mr. HOLLIS. It says "the provisions of this amendment," and it seems to me it will lead to less confusion in that way. Of course, if anyone wants to change it, it is entirely immaterial to me.

Mr. SMITH of Georgia. It would be printed just after the act.

Mr. GALLINGER. Why, certainly.

Mr. SMITH of Georgia. As an amendment to the act, in the printed copy.

Mr. GALLINGER. As following section 2.

Mr. SMITH of Georgia. No; it would not be merged into the act, would it? In printing it they would print the original act and print this amendment just after the act, I should suppose. That is the way they usually get up these matters.

Mr. GALLINGER. That is not my experience. However, it is inconsequential, so far as I am concerned, whether it is in or out. I simply think it is not good legislation; that is all.

Mr. WEEKS obtained the floor.

Mr. TOWNSEND. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Michigan?

Mr. WEEKS. I yield.

Mr. TOWNSEND. I want to repeat that I have been very much confused over the reports that I have received concerning this bill. I voted for it in the first place, hoping that it would accomplish splendid results. I have had coming to me, from what I regard as reliable men, such reports as those suggested by the Senator from North Dakota [Mr. McCUMBER], and I feel as though the Senate ought to understand what is going on. While I do not wish to interfere with the Senator from Massachusetts or the Senator from New Hampshire, I feel as though I ought to suggest the absence of a quorum, so that we can have Senators present to hear this discussion.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Martin	Smith, Ga.
Beckham	Hollis	Nelson	Smith, Md.
Calder	James	New	Smoot
Chamberlain	Johnson, S. Dak.	Norris	Sterling
Cummins	Jones, Wash.	Overman	Stone
Curtis	Kellogg	Penrose	Swanson
Dillingham	Kendrick	Phelan	Townsend
Fernald	Kenyon	Pittman	Trammell
Fletcher	Knox	Poindexter	Watson
France	La Follette	Ransdell	Weeks
Frelinghuysen	Lewis	Robinson	Williams
Gallinger	McCumber	Shafroth	
Hale	McKellar	Sheppard	
Hardwick	McNary	Shields	

Mr. LEWIS. I have been requested to announce that the senior Senator from Delaware [Mr. SAULSBURY] is detained on official business.

Mr. KENYON. I wish to announce the necessary absence on official business of the Senator from Missouri [Mr. REED], the Senator from Massachusetts [Mr. LODGE], the Senator from Mississippi [Mr. VARDAMAN], and the Senator from New Mexico [Mr. JONES].

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present.

Mr. WEEKS. Mr. President, I am a member of the Committee on Banking and Currency, which considered this legislation, and I am one of the members of the committee who

voted against reporting it favorably. I assume that as long as the bill comes here with the approval of the administration and the large majority of the Committee on Banking and Currency no other than an affirmative action will be taken, but I think it due Senators when such an unusual step is being taken, one which has never been undertaken before, that they understand just exactly what is being done. It is for that reason I hope to have an opportunity to express to as many Senators as possible my view of this legislation.

The facts are these: This farm-loan system provides for loaning money to farmers to not more than 50 per cent of the value of their property, that is stipulated in the law. Those loans are taken by the banks and bonds are issued against them. The bonds bear and have borne 4½ per cent interest.

A syndicate of bankers was arranged with to sell these bonds on satisfactory terms. The system has been in operation for about a year, the first six months being required to perfect the organization. This syndicate included Lee, Higginson & Co., of Boston; Brown Bros., of Boston and New York; Brown & Co., of Baltimore; and Harris, Forbes & Co., and it was understood that they were to reach out all over the country and take into their organization banks and bankers so that the sales might be as generally distributed as possible.

The 1st of July, after the first liberty bonds had been placed, these bonds were put on the market. There were applications at that time for $14,000,000 of them. Those, of course, were promptly sold and the bankers were paid a commission of ¾ per cent. They were sold on a 4½ per cent basis, assuming that they do not run for more than five years or six years—most of the mortgages are made to run 35 years—and may be paid by the borrower at any time after that period.

During the following months, up to the time when the second liberty loan was placed, there were sold about as many more bonds as had accumulated for sale the 1st of July, all told $28,000,000 or $29,000,000 of bonds. Of these about seven-eighths were sold by the syndicate of bankers, their agreement with the Farm Loan Board terminating the 30th of November, and about one-eighth or something less than one-eighth of the bonds were sold by the various farm-loan banks, it being the purpose of the farm-loan banks to sell their bonds after the first six months and save the commission. It was believed, and I think it was good judgment, that they could be sold for the first six months better by bankers, allowing the farm-loan banks to become thoroughly organized and systematized before they devoted their time to that purpose.

During the months of November and December, after the sale of the second liberty loan, all sales of these bonds stopped. Practically speaking, there have been no sales made since the 1st of November. Notwithstanding that fact, the applications which have been coming in and accumulating during all these months, aggregating something like $220,000,000, have been under investigation, and $105,000,000 of those loans have been accepted. So there is now an acceptance of $75,000,000 of these loans and the sale of bonds has stopped. It will not require $75,000,000 probably to satisfy the borrowers who have been promised their money, because in some cases they are reduced. A revisal of the list by the Farm Loan Board might cut out some loans, but practically speaking, from $60,000,000 to $75,000,000 must be furnished by some one or else the promise which has been made to these borrowers must be broken. In that emergency the Farm Loan Board comes to Congress for this loan, which is in this form, that the Treasury shall furnish before the 30th of next June $100,000,000 to buy these bonds and shall furnish an equal amount during the following year for the same purpose. In other words, the Government is to underwrite this system for $200,000,000.

Of course, it stands to reason that we are in an unusual condition at present and that perhaps these bonds might have continued to be sold if the Government had not made the rate of interest of the second liberty loan 4 per cent. It is true also that the Farm Loan Board is going to increase the rate of interest on future loans from 5 to 5½ per cent.

Fundamentally the reason why these loans are made is because borrowers now paying 6 or 7 or 8 per cent for their money can borrow it under this system at 5 per cent, or have been able to do it; but we ought to consider, after all, that those bonds do not pay any taxes; that it takes that amount of capital out of the taxable value of every community; and when the bonds are sold, practically speaking, one hand washes another in this respect.

Generally speaking these loans have been made in States where interest rates have been very high. There is something like $4,000,000,000 of farm-loan mortgages in the United States. The probabilities are that more than half of those are made at 6 per cent and higher rates. There is an absolute certainty of the fact that as soon as those loans mature the borrowers are going to turn to the Farm Loan Board to borrow that $2,000,000,000. So if we are going to continue this system and let the system run as it has been up to this time, we may rest assured that we will have in the course of the next few years to loan something like two or probably three billion dollars on farm mortgages. That is a sufficient amount of money, even in these times, to cause us to pause and consider how far we should go in this matter.

In the first place, the Government furnishes the capital to these banks. Of the $9,000,000 of the capital of the 12 banks, a little over $100,000 of it was taken by the public. There was a little stock taken by the public in each one of the banks, except the one located at Columbia, S. C. Practically speaking, the Government furnishes the $9,000,000. Now, the Government, after an operation of six months, is asked to agree to furnish $200,000,000 more, and Senators ought to consider whether they are going to permit the system to be continued so that it will involve sooner or later an expenditure, or a loan rather, of perhaps $2,000,000,000. It is that feature of it which I especially want to bring to the attention of those who are listening to me.

How is the purchaser of a liberty bond going to feel when he is importuned to buy a bond, either by the sacrifice of some security which he has or by failing to invest his money in something that will pay him better, if he is told that the money is not to be used to prosecute the war, but it is to be loaned to another one of his fellow citizens simply because that fellow citizen can borrow it at a lower rate of interest than he is now paying on his indebtedness? That is the gist and the essence of this proposition. That is exactly what is going to happen. Senators, if you subscribe to the next liberty loan you must feel that some part of your subscription, instead of being used to prosecute the war, is going to be loaned to some of your fellow citizens at a lower rate of interest than he is now paying and for that reason only. Fundamentally, of course, that is bad morally. It is bad from the standpoint of the Government at such a time as this, and it is bad finance as well.

Personally I have very little faith in any of these schemes which put the Government into business with the assurance that we are going to get better results than heretofore. It is true that there are farm-loan banks all over Europe, but they are all under private auspices, and in no case is the Government involved in any way. I want the Government in this case involved as little as possible. Therefore I am going to offer an amendment to this bill, which I will read:

That until all bonds so purchased by the Secretary of the Treasury have been redeemed or repurchased, no loan in addition to those now approved shall be made by Federal land banks except under special rules prepared by the Federal Farm Loan Board limiting further loans from funds derived from the Treasury to those made for the sole purpose of increasing farm products.

In other words, while this situation is bad, it seems to me it will be simply disgraceful if there should be continued the loaning of money for the sole purpose of enabling a man to get his loan at a lower rate of interest than he is now paying. There may be an excuse if it is going to result in an increase of farm products.

Mr. WILLIAMS. Food products.

Mr. WEEKS. I have used the words "farm products." I suppose that includes food products. However, I will accept the suggestion of the Senator from Mississippi. Personally, I do not care to be put in the position of harming this system until it has been thoroughly tried out; I have no criticism of the loans, for I do not know anything about them, and I have no other criticism of the management than that they failed to take warning of the signs which on every hand should have been sufficient to assure them that they were going to have difficulty in marketing their securities.

It seemed to me to be the height of imprudence for men to go on loaning money during the months of November and December and at the same rate of interest that had been loaned before when the slightest investigation would have shown an advancing tendency in rates of interest and a disposition on the part of all lenders not to loan further. It illustrates the truth of the fact that when we have the National Treasury behind us it is easy to reach into it as if it were a bottomless pit and get money for any purpose, even if it is not businesslike or wise.

These loans have come from those States where interest rates were the highest, as of course they would. In States where crops have been standardized and where the financial conditions are such that comparatively reasonable rates of money have prevailed in the past, there have not been any considerable amount of loans. For example, in the New England States there was loaned on an aggregate only about $700,000. In the great States in the Middle West where the crops are standardized, like Iowa

and Illinois and Indiana and Ohio, where the certainty of a crop is assured, the farmers have borrowed comparatively little money, simply because the rate of interest in those States has been not over 6 per cent at any rate and very often not over 5 per cent. For example, in the State of Pennsylvania, which is a great agricultural State, there was borrowed $190,000 under this system. In Delaware, $9,600; in the State of Illinois, one of the greatest agricultural States in the Union, only $186,000; in the State of Ohio, only $33,000; in the State of Iowa, only $95,000. In other words, the certainty has been realized that where men were paying a higher rate of interest for some reason, either because the crops were not stabilized or because the financial conditions had not become sufficiently settled so that the borrower could command a reasonable rate of interest there has been a turning to this system, and there will be a continuance of that turning until we have loaned, as I have stated, a very large amount of money unless a check is put on these loans in some such manner as I have indicated in this amendment.

Moreover, I want to say now that I am also going to offer an amendment, and I should like the attention of the Senator from New Hampshire [Mr. HOLLIS]. I am going to offer an amendment striking out the $100,000,000 underwriting which it is proposed in the bill which covers the year commencing the 1st day of next July. It does seem to me if it becomes necessary Congress will be in session sufficiently long to make suitable provision for the Farm Loan Board, and they will stand warned in my judgment that Congress is not going to without protest, in times when we are straining every nerve to maintain our financial integrity, provide money for such purposes as this.

Mr. NELSON. Will the Senator yield to me?

Mr. WEEKS. I yield.

Mr. NELSON. Would it not be a good plan, to carry out the suggestion of the Senator, to prohibit the farm-loan banks from approving applications for loans beyond the amount of money they have on hand to loan?

Mr. WEEKS. Mr. President, that might accord with my idea, but I do not personally want to do anything that harms the system which has been established by Congress and which has not been given a sufficiently long test. If after two or three or four years the system does not work, well, of course, the law ought to be repealed. In the meantime farmers have been encouraged to think that they were going to get this money, and if they are going to use it, and they demonstrate they are going to use it, to increase their planting, which would be the only way they could use it under the provisions of this amendment, then it seems to me we might be justified in making the loans which have been applied for by them.

The Senator from Nebraska rose. Did he wish to ask me a question?

Mr. NORRIS. If the Senator will yield to me, I want to get light upon his amendment. I heard it read, of course, but I hardly got its full import. I was going to ask him if the object of it was to curtail the business; in other words, to put up a sort of a signboard to the Farm Loan Board that they ought to confine their operations within the limitation of the loans that they had practically agreed to make. As I take it, the Senator does not want to interfere with the operation of the board, so far as they have practically agreed to make loans. Is that the object of the amendment?

Mr. WEEKS. The object of the amendment is to provide that no loans additional to those which have been promised shall be made as long as the Government advances money on these bonds, except where the money is to be used to increase food products and that must be clearly demonstrated to the Farm Loan Board.

Mr. FLETCHER. May I inquire if that is not taken out of the funds arising from proceeds of these bonds? If the banks sell their own bonds they can use that money in accordance with the act without regard to this amendment.

Mr. WEEKS. They can do it after the Government indebtedness has been liquidated.

Mr. WILLIAMS. Mr. President, there is a condition of things in Southern agriculture just at this moment the consideration of which I think is relevant to what has just been said by the Senator from Massachusetts. Cotton has recently been selling at a very high price, ordinary upland staple at twenty-odd cents, other cotton at a higher price. There is a little danger of the South being menaced with the trouble with which it has been menaced in the past and which it has been unable to withstand. Every time cotton goes to a very high price the Southern farmer raising food enough to feed himself and stock begins to put his land in cotton.

Just before this war began, when cotton had gone down to a normal price, and for six months after the war started it went down to a very abnormally low price, food production—beef, hogs, oats, corn, peas, beans, everything of that sort—was very much encouraged throughout the South. This is an abnormal condition, and I want to take advantage of this situation to warn the Southern farmer and cotton planter against the idea that he can expect permanently to reap from the present prices for cotton.

If the war lasts a year longer he can reap those prices for a year longer, because something like a million or two millions is burned up in high explosives every year in addition to the munitions that are going up into smoke. No matter how much he raises next year, he may be able to dispose of it at a pretty good price.

Mr. President, there are hops, there are various other things that are raised on the farm that are not necessary to feed men with bread or meat. It seems to me just at this time when we are worried to death about munitions and guns and foodstuffs and transportation of men, the Government ought not to do anything even the remotest effect of which might be to deflect industry from either supplying munitions and men to the front or producing food to feed them, when they are at the front, to deflect industry and capital from that sort of thing to something perhaps more profitable to the producer for the time being but less useful to the Nation right now and in the long run dangerous to it.

The South owed, perhaps, as much of its poverty for some years after the war to the high price of cotton and the expectation that it would continue and the deflection of its energies and industry and capital to the production of cotton as it did to the devastations of the war itself, although some of those devastations were most cruel and most uncalled for.

Mr. President, it seems to me for that reason if this amendment is going to be adopted it ought not to be merely farm products. Farm products may be a great many things utterly useless in this emergency, luxuries even in ordinary times, some of them necessaries, but at the same time not to be useful in an emergency right now. This amendment ought to be confined to foodstuffs, as I understand it, and not extend to all farm products.

As I understand it, the amendment is merely to put a limitation upon future loans and not upon any loans already contracted for and loans in process of contraction where the Farm Loan Board feels it necessary to consummate the transaction.

Mr. President, I think one of the greatest things that ever happened to this country is the rural-credit act which we passed. I have no sort of fear that it will not prove successful in operation. In fact, the Senator from Massachusetts hit upon the real trouble a moment ago. If we had gone along in a state of peace, as we expected to go at the time it was passed, and Government bonds had been 3 per cent bonds, these bonds would have floated all right. Now, in proportion as Government bonds go up of course we have to carry these bonds up, too.

It seems to me one of the most appropriate remedies for the situation is to authorize the increase of the rate of interest on farm-loan bonds up to a point where they shall at all events be one-half per cent above Government bonds. At the time when we originated this system they were a cent and a half above. It seems to me it is very proper and right that an amendment of this sort should be adopted. I am a cotton planter and my people have made a great deal of money out of the last year's crop. God knows they needed it, because they had not made much out of it for some 12 years prior to this situation.

In fact, they had been in a very bad condition and to a great extent what they have made since has been merely to make up what they lost before to pay the amount of debt that they had to incur; but to give a man money at the general expense in order that he may borrow money makes something which is a deflection or subtraction from the popular necessity and bears a sort of speculative aspect to my mind. I therefore think that the amendment offered by the Senator from Massachusetts is, upon the whole, right, although it is an amendment evidently in the interest of his own section of the country and eminently not in the interest of my section.

Mr. WEEKS. I hope the Senator from Mississippi will not consider that I am discussing it from the standpoint of New England.

Mr. WILLIAMS. Oh, no; I did not say that. I said nothing that would bear that construction. I said that the amendment is preeminently in the interest of that section of the country and preeminently not in the interest of mine. That does not grow out of any intention of the Senator from Massachusetts, it grows out of a state of fact. That is the truth.

Mr. SHAFROTH. Mr President, I agree that the first amendment offered by the Senator from Massachusetts is wise and just, but I do not think the second amendment is. The Senator from Massachusetts has talked of this matter as reaching into the

Treasury. This is not an appropriation in the sense of an expenditure upon the part of the Government. It is simply a loan for the repayment, and not only the repayment but secured by first mortgages upon the lands of the people. It can not be considered as an appropriation in the sense of that which is spent by the Government in the aid of any enterprise. It is simply a loan, and if we are going to lend money to Russia it seems to me it is not out of the way to say that for the purpose of increasing that which is absolutely necessary to the success of the war, namely, to increase the food products of this country we can not go far out of the way by at least loaning our credit to that extent for this necessary purpose.

Mr. WEEKS. Let me call the Senator's attention to the fact that we are not loaning our credit; we are loaning our money.

Mr. SHAFROTH. Well, that is practically what we are doing in the case of Russia.

Mr. WEEKS. We have notified the people of this country that we were going to loan European countries associated with us in military operations some part of the proceeds of the sales of the liberty bonds, but we have not notified the people, and we shall not, that we are going to use some part of that money to loan to citizens of the United States.

Mr. SHAFROTH. Well, Mr. President, the Treasury of the United States gets a large income from the taxes that are imposed, and it is not exactly fair to say that we are going to take the identical money which comes from the sale of the liberty loan bonds and loan it to the farmers, in spite of the representations which have been made. We have as much right to say that we shall take this amount of money out of the excess-profits tax or out of the income tax or out of any other tax which is imposed, because we have more than $200,000,000 arising from the collection of such taxes.

Mr. WEEKS. Mr. President, will the Senator from Colorado agree that a separate estimate shall be made in the next tax bill to provide money to be used for this purpose?

Mr. SHAFROTH. Oh, Mr. President, we impose many taxes without reference to what they are for. Our general income tax is not imposed with reference to its use in any specific way. Then, again, the assistance which is given for the raising of farm products is as much necessary for the maintenance and successful operation of our military forces as is any loan to any country or any expenditure upon the part of the Government, even for munitions.

Mr. HITCHCOCK. Mr. President——

Mr. SHAFROTH. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. Will the Senator permit me to interrupt him there for a moment?

Mr. SHAFROTH. Yes.

Mr. HITCHCOCK. I think the question suggested by the Senator from Massachusetts presents an erroneous illustration or analogy. This is not a proposition to loan the money of the United States or the credit of the United States to any individual, but this is a proposition to lend money to certain banks that are carrying on an important function, just as in past times we have taken money from the Treasury of the United States to lend the banks in the cities to keep the commerce of the country going. It is doing in the country what we have heretofore done in the city, and doing it not for a private purpose but for a public purpose.

Mr. SHAFROTH. Mr. President, there are any number of illustrations of cases where the Government has done similar things. The advances of money which were made by the Government to the Union Pacific and the Central Pacific Railroad Companies were made without any consultation with the people concerning them; and yet it was done on a very large scale. I think $30,000,000 being advanced in one case and thirty-odd million dollars advanced in the other. It is a question of whether this action is wise under the conditions which exist.

We find that these banks have been a great success; we find that they have had many applications and made many loans. Those loans were made so long as they could sell their bonds; but it was the action of the United States in putting forth a 4 per cent bond which, to a large extent, limited the demand for these bonds.

Mr. President, this is a perfectly safe proposition. The loans that are made are made upon security; they are made upon only a 50 per cent valuation upon the real estate. They are secured not only upon the individual real estate but upon the collective real estate in an entire association; so if one piece of property is overvalued in making a loan, those who are in the enterprise, those who are members of the farm loan association become liable for whatever deficiency exists in that particular case. Therefore I do not see that there is hardly the possibility of a chance of the United States losing on this advance which it is proposed it shall make.

The system has been of great benefit to the farmers. Evidently it encourages them to go into farming on a larger scale, for that has been done. It was stated at the time of the consideration and passage of the farm loan act that men ought to be given a sufficient amount of money to enable them properly to equip their farms, to stock them with live stock, to buy seeds, and in every way to encourage them to prosecute their business. If we are now going to discourage the system, I think it will have a very unfortunate effect with relation to the raising of food products that are so necessary for the successful prosecution of the war.

Mr. McCUMBER. Mr. President, the Senator from Colorado [Mr. SHAFROTH] has just stated that these land banks have been eminently successful; eminently successful, however, he states, in securing a large amount of applications for loans, not eminently successful in placing those loans. The trouble that we are experiencing to-day is due to the inherent defect of the system itself. When this land-bank proposition was before the Senate there were a number of us, who perhaps knew the farming situation of the country reasonably well, who at that time prophesied that a system of political banks, created by politicians and operated by politicians, would not be a success, and that sooner or later the Government would have to support the banks in toto. We further stated that the business men of the country would not buy stock in those banks. Thereupon we were answered, "We will fix that; we will make it incumbent upon the Government to buy the stock of the banks so that they can get started."

Another sop was also held out to the public in the declaration that the Government should get no return, no interest on its deposits; that we would make these banks national depositaries without the necessity of paying one penny for the millions which the Government would put into them. We further provided, in order to make a success of these banks, that the bonds which they issued upon the farmers' paper should not be subject to taxation. The Lord knows we did everything on earth to make those banks a success.

They started in business, but the public had no confidence in such a great semipolitical machine; the public did not have the confidence that those in charge would at all times make their loans upon a safe basis. Therefore it was necessary to bolster up the institution with Government credit.

We offered an amendment at that time—a little simple amendment. We asked, if in the finality the Government must stand back of the transactions of these banking institutions with its credit, what was the necessity of the Government going to the expense of establishing and maintaining those banking institutions? If finally the Government must take the loan, what was the necessity of this great complex top-heavy institution that has been foisted upon the American public? Why not let the Government then make the loans directly instead of indirectly? We drafted an amendment which provided for a bureau in the Treasury Department which would be empowered to accept the loans the same as the land banks do; that the bureau would accept them at 5 per cent and issue Government bonds, bearing 4½ per cent, that would be taken by any person in the United States; and that the other half per cent should pay for the entire expense. That meant practically that there would be little if any investment at all on the part of the Government. We should require a few more clerks in the deparment, but the Government when it had a hundred million of these obligations could turn over the bonds and could cash them immediately and the money would be back in circulation and ready for another loan.

It was stated, however, by the advocates of the bill that that was paternalism; that we did not want to put the Government itself into the business of making loans; and yet in less than a single year after this complex top-heavy proposition has been put into effect they are coming right back and asking the Government practically to buy all of the bonds which the public would not buy, and to buy them in competition with its own bonds—its liberty-loan bonds and other bonds which it will have to issue to carry on this war.

I repeat that there was no necessity, first, of taxing the Government $9,000,000 to buy the stock of these banks; there was no necessity for compelling the Government to lose the interest on the hundreds of millions of dollars that it will deposit in these banks; there was no necessity for compelling the Government to loan another hundred million dollars and take that out of taxation and receive no interest upon it; and there was no necessity of compelling the Government to pay the major portion of the expense of running and operating these banks. So this system is being made to cost the Government millions and hundreds of millions of dollars without any return whatever, and the farmers as a rule in most of the States do not

receive their loans any cheaper than they previously did. In the other sections of the country, if the Government makes the loans through this circumlocution system of banks and other institutions and pays the expenses, it will save the farmer something, but if it saves the farmers of the United States one-half per cent upon their loans the Government is going to go back to the people of the United States for these expenses and call upon them to go into their pockets to make up that 1½ per cent, because if you will make out a table showing exactly what is saved and then make out the table upon the other side showing how much this system is costing the Government it will be found that we are not saving the farmer anything, for what he is saved he pays out of the other pocket.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. McCUMBER. I yield, Mr. President.

Mr. HITCHCOCK. Mr. President, the Senator from North Dakota has made the statement that these banks are costing the United States Government a great deal of money. I am sure he is mistaken about that. As a matter of fact, the Government can not deposit, as he says, hundreds of millions of dollars in these banks, for it is limited altogether to $6,000,000, and it has not deposited that amount. All of the expense of operating these banks, as I recall, falls upon the banks themselves and in no sense upon the Government.

Mr. McCUMBER. Oh, no, Mr. President; you will find, when you get right down to the actual expense and compare what the banks pay and the Government pays that a goodly portion of the expense is paid by the Government itself, and the Government receives no interest whatever or compensation for its stock in these banks nor for its deposits.

Mr. HITCHCOCK. Let me make a suggestion. The Senator is correct, so far as the stock is concerned, and we went into that with our eyes open; but the Government in this case will receive 4½ per cent for what it advances. The bonds must be redeemed by the banks themselves at par and interest when the banks take them back. It is not a permanent loan; the terms of the bill provide that it is only for a temporary purpose. This legislation has been made necessary by the fact that the Government has gone into the market and sucked up the available capital which the banks otherwise would have had at their disposal.

Mr. McCUMBER. Now, let me make another——

Mr. HITCHCOCK. The Government will collect——

Mr. McCUMBER. Right here let me make another prophecy. I have prophesied heretofore that the Government in the end would be called upon to buy these bonds. I now prophesy that the land banks will not buy back these bonds from the Government; on the contrary, it will be found that there has been foisted upon the country a system of buying those bonds and repurchasing those bonds, and, as has already been stated by the Senator from Massachusetts [Mr. WEEKS], before we get through we will have the Government buying all of the bonds that are to be issued upon the farmers' paper, while it is keeping in existence this vast number of banks and subbanks and associations of different kinds at an enormous and unnecessary expense.

Mr. HITCHCOCK. The Senator is in error when he says this system is an expense to the Government; whatever expense there is is borne by the banks themselves, and the fund from which they pay it represents the difference between the rate at which they borrow their money and the rate of interest they receive from the farmers themselves. It is not the Government that is burdened.

Mr. McCUMBER. Certainly. I understand that if the Government buys these bonds it takes with the bonds the security upon which the bonds are issued; that the Government necessarily collects and receives the interest paid upon that security, and to that extent it is an investment by the Government. What I am complaining of is that, taking the entire cost to the Government of the operation, the running of these banks and the relieving of all of these bonds, which may run up into the billions, from Federal taxation of any character the Government in the end will lose more than the farmer will secure in benefits.

Mr. HITCHCOCK. The Senator recalls, of course, the fact that the Government has deposited millions upon millions of dollars at different times in the commercial banks of the country.

Mr. McCUMBER. Certainly.

Mr. HITCHCOCK. And it either receives no interest at all upon it or it only receives 2 per cent, as I recall.

Mr. McCUMBER. Yes.

Mr. HITCHCOCK. Now, this is a case in which the Government is to receive 4½ per cent for the temporary purchase of these bonds, and I can not see how it can possibly be construed as a raid upon the Treasury or as a burden upon the Government.

Mr. McCUMBER. I do not say that it is a raid upon the Treasury. The Government purchases that which the land banks are unable to float. Those banks were created, with their great amount of machinery, for the very purpose of floating bonds of this character. They are unable to do it; the Government has to do it for them; the Government has to issue the bonds at 4½ per cent, free from taxation, while at the same time the Government is borrowing money now, we will say, at 4 per cent on bonds which are subject to at least two different characters of taxation. Those things can not work together; one destroys the other. If the Government is going to get these bonds, the Government may have to sell them; and if it does sell the bonds, then investors will take them with the Government guaranty, which it must give to them, in preference to taking a bond at 4 per cent that is subject to excess-profits taxation. Therefore it is buying something which it may have to put on the market again that will come in competition with its own bonds.

Mr. HITCHCOCK. It is nominally competition, but it is a drop in the bucket compared with the great financial operations of the United States.

Mr. McCUMBER. A drop in the bucket to-day, yes; but it is $200,000,000 for the next two years and $4,000,000,000 before we get through, if we accept the applications as rapidly as they can come in. There is no check upon these banks in accepting applications and then calling upon the Government to purchase the bonds issued upon them. Of course, the banks want to do business, and we will have them in billions in a very short time.

Mr. HITCHCOCK. Of course the Senator realizes that there will be, after the passage of this bill, a check upon the banks, and not only the check proposed by this bill but a check arising from the circumstances that hereafter they will be compelled probably to raise their rate of interest if they desire to do any considerable amount of business.

Mr. McCUMBER. A simple little provision which would have allowed the Government in the first instance to have issued bonds—Government bonds—upon the farmers' paper would have saved all of this trouble, would have produced the money immediately, and we could have taken up these applications almost as rapidly as they came in. I repeat that if you will take the trouble to find out just exactly what this banking system is costing the Government, including what it loses upon the money that it is depositing and upon the money that it is paying out for the banks and in other respects, it will be found that it is not saving the farmer any more than what it is losing, and therefore it must ask somebody else to meet the bill.

Mr. SMOOT rose.

Mr. FLETCHER. May I suggest to the Senator from North Dakota before the Senator from Utah proceeds, that the law distinctly provides that not exceeding 1 per cent in excess of the interest on the bonds can be charged to borrowers for the purpose of covering the expenses of administration? The Farm Loan Board has estimated that they can cover that expense with one-half of 1 per cent, and they have sold their bonds on the basis and made loans to the farmers on the basis that one-half of 1 per cent would cover the expense of administration. They can charge but 1 per cent more than the amount they pay on their bonds; so that the farmer is obliged to get his money at not exceeding 1 per cent above the interest rate which the bonds bear.

Mr. McCUMBER. Except as the farmer must in addition to that pay the taxes either directly or indirectly; and taxes must make up the amount which the Government loses. Therefore he is not making what he would appear to be saving upon the face of the proposition.

Mr. SMOOT. Mr. President, I should like to ask the Senator having the bill in charge whether he expects to get a vote upon the bill to-night?

Mr. HOLLIS. I think so. I do not know of any disposition to delay it. I think nearly every Senator who wishes to speak has spoken, and I hope for action to-night.

Mr. SMOOT. I do not want to delay a vote upon the bill, I will say to the Senator, but if the bill was going over, I would very much prefer to say what I have to say at some other time. There are few Senators present——

Mr. HOLLIS. I understand action is being taken on a similar measure in the other House, and it is hoped to get the bill passed this afternoon through both Houses. In the other body they have a special rule to vote upon it this afternoon.

Mr. SMOOT. Are we to substitute the House bill for the Senate bill, or is the House to substitute our bill for theirs?

Mr. HOLLIS. Whichever is passed first will be substituted for the other.

Mr. SMOOT. If that is the case, I will have very little to say this afternoon.

At the last session of Congress I made the statement that the appropriations that were made during that session had not been scrutinized by myself nor by other members of the Appropriations Committee as carefully as appropriations are ordinarily scrutinized. They were the initial appropriations for carrying on the war and no one gave especial attention to the amounts asked for by the different departments of the Government. I also stated that at this session of Congress I not only should feel it to be my duty but I believed it to be the duty of every Senator before voting for an appropriation to know for what the money was to be expended.

The Senator from Colorado [Mr. SHAFROTH] has said that this is not an appropriation. Why, Mr. President, the bill itself does not appropriate $200,000,000, but the Senator from Colorado is a member of the Appropriations Committee and he knows that the Secretary of the Treasury will send to the House of Representatives and to the Senate an estimate to cover the amount provided for in this bill, and we have got to appropriate the money for it or authorize its expenditure whenever called for for the purpose of buying bonds.

Mr. SHAFROTH. Of course, Mr. President, we will have security worth the amount to be paid, which is different from an appropriation for cannon or munitions or for ordinary running expenses; in other words, it is not such a thing as a river and harbor appropriation bill, or anything of that kind; we get security, and the security is good for the money we advance.

Mr. SMOOT. No one disputes that; but there are times in the history of men, and even in the history of nations, when they are in no financial condition whatever to lend money, no matter what security they get; and the United States, Mr. President, if the war continues a couple of years, will be in no position, nor is it in a position to-day, to be hunting loans throughout the United States. Do the people of this country know that from the establishment of our Government 128 years ago all the appropriations that have been made by every Congress from that day down to and including the last session of the Sixty-fourth Congress amounted to but a little over $26,000,000,000; and yet at the last special session of Congress we appropriated over $21,000,000,000, or within $5,000,000,000 of the amount of all the appropriations made by this Government since its organization. There is no question that our appropriations at this session of Congress for the next fiscal year are going to be just as large as they were at the last session; and there is no telling how much we have got to advance to our allies. I have been often asked how much that will amount to. All I can say is that it will amount to whatever the cost of the supplies our allies purchase from us, no more and no less, for none of them are in a position to pay us in gold a sufficient amount to cover the balance of trade between us and them.

As far as I am concerned, I want to appropriate every dollar that is necessary to pay the running expenses of this Government in conducting the war upon the highest basis of efficiency; but in doing so, Mr. President, I want to call attention to the fact that we are not securing from any part of the world gold for the goods that we are sending abroad. The currency that we shall issue is resting upon but $3,000,000,000 of gold in this country; and when we stop to think that there is only about twelve billions in all the world, and all of the currency that is being issued is based upon that gold, I think every Senator will realize that the United States Government is in no position to be hunting loans from any sources whatever.

I recognize the good that is being done through the organization of the farm-loan banks. I have no objection to their carrying out all of the provisions of the law, but I know that when we start to purchase the mortgages as provided in this bill and ask for $200,000,000 at this time it will be only the beginning; and we might just as well make up our minds that we are going to continue the same practice unless there is some restriction placed in this bill now in the way of an amendment. By the way, the first amendment that is offered by the Senator from Massachusetts I think ought to be adopted as a part of this bill.

Mr. HOLLIS. Mr. President, I hope the Senator does not misunderstand. I collaborated with the Senator from Massachusetts [Mr. WEEKS] in drawing that amendment, and when he offers it I shall accept it. I think it ought to be accepted. I do not think we ought to be loaning the funds of the Government in order to refund anybody's loans, and I hope the amendment will be adopted. I have no doubt it will be.

Mr. SMOOT. I am very glad to hear the Senator make that statement. There is a safeguard in that, as far as it goes. I want to ask the Senator now, before I say anything more—and perhaps I will not say it at all if the answer I receive is satisfactory—this question:

Does the Senator really believe that it will take $200,000,000 to cover the loans that have already been promised by the land banks of the country?

Mr. HOLLIS. I do not. In the first place, it is not the intention of the Farm Loan Board to spend anywhere near $200,000,000. They feel obliged to take care of the loans that have been approved. After that they will not permit any more refunding operations out of any money that comes from the Treasury. They feel, moreover, that with this $200,000,000 underwritten by the Treasury they will be able to sell the bonds perfectly well, and that the men who have been holding off, wanting to buy the bonds, but expecting they would be marked down as all other bonds have been, will then come into the market and buy them. It is their idea that they will spend a comparatively small amount of this appropriation, but they want it large enough so that investors will see that the Government is there to do it if private investors do not.

Mr. SMOOT. Mr. President, I am fearful that as long as we make a direct appropriation, which, of course, we will have to do under the provisions of this law, private investors from now on will have a chance of investing their money at a higher rate of interest with just as good security as that which is offered them by these farm mortgages. I am fearful that they are not going to invest in these bonds if the Government of the United States will take them; and I am fearful that if we make the appropriations of $200,000,000 now, every dollar will be required in purchasing these mortgages from the banks that now hold them. Will the Senator, upon his statement, be content to reduce this amount, say, one-half?

Mr. HOLLIS. This recommendation came from the Treasury Department. The Secretary of the Treasury is a member of the Farm Loan Board, and he has asked for this amount. Now, he realized that it is a burden. He does not consider that it is too large, because he thinks it will come back. He is very reluctant to assume it, but he thinks in the present emergency, with the need for food and encouragement to farmers, that it ought to be done, and he has asked for this amount, and I see no reason to reduce it. I hope the appropriation will be made in this amount. I have the assurance of the Secretary of the Treasury and of the Farm Loan Board that they do not intend to purchase anywhere near this amount, but they do want it there. If it had been $50,000,000, they would have said, "Well, that will soon be used up; we will wait." That is what they told the committee. Beyond that, I can not tell the Senator.

Mr. SMOOT. Of course, I hope the Senator does not think that I believe for a moment that these advances by the Government are going to be lost. I have never expressed such an opinion, nor do I believe it. What I am trying to get at, Mr. President, is this:

I hope the American people will not be distrustful over Congress; but when the American people see Congress appropriating money by the hundreds of millions of dollars with hardly any discussion whatever I feel that they are going to begin to have a lack of confidence in our judgment and will begin to say, "Well, where on earth is it going to end? If this thing is going to continue, I think the best thing for me to do is to get what little I have into money and even withdraw it from circulation."

We have got to be careful and we have got to maintain the confidence of the people of this country in order to carry on the activities of the Government during this war. I do believe that it would be much better to accept an amendment of $50,000,000 for each year, or a total of $100,000,000, than to have this large amount admittedly not to be expended go out to the country.

You can not fool the bankers. They will know exactly what is going to happen. They have every advantage in the world to receive that information. If this were $500,000,000, I do not believe it would make one particle of difference as to the investment in the mortgages by the banks, but I believe it would have a bad effect upon the American people who are called upon not only to do their bit but to sacrifice some of the best securities they have ever owned in order to buy the liberty bonds that have got to be sold in order to pay the expenses of the Government.

Mr. TOWNSEND. Mr. President, may I interrupt the Senator to ask him a question?

Mr. SMOOT. Certainly.

Mr. TOWNSEND. I know the Senator has given a good deal of attention to this matter; and aside from the arguments that have been presented, there are two things that have given me no little disturbance. The Senator seems to admit that every-

thing is all right. I should like to know if he has information on those two subjects:

First, is this money that is being borrowed as a whole being used to increase the food supply of the country? And, second, is the Senator convinced, has he information which warrants him in the conviction that this money is loaned on the basis of not to exceed 50 per cent of the value of the property?

Mr. SMOOT. Mr. President, I want to say, in the first place, that what information I can gather leads me to believe that the greater part of these loans will be for the purpose of taking up loans already in existence, made by farmers at a higher rate of interest; so all that it could possibly do would be to save the farmer the difference between what he is paying in interest to-day and what he will pay under the provisions of the law. I will say to the Senator, however, that there are some cases, and a number of them, where applications have been made for loans, and more will be made, for the improvement of farms; but the most of the money is for the taking up of loans that are already made and are carrying a higher rate of interest than that which is provided for in the existing law.

Mr. GALLINGER. Mr. President, if the Senator will permit me, does he think there will be any very great addition to the products of the farms unless they can get more labor than they can get now?

Mr. SMOOT. Of course that is the greatest question the American people have to meet. In that connection I want to say that I believe we shall have to follow the practice of England and of France and use the Army to assist in harvesting the crops of this country when the harvest time is on the coming year. I know that in the West even this year it has been almost impossible to secure help at any price to dig beets, to pick the fruit, or to harvest the crops, and I know, Mr. President, that there are many hundreds of thousands, if not millions, of dollars of crops in the West that have failed of being harvested and gathered because they could not pay the wage that was demanded in some instances, and in others it was absolutely impossible to secure help sufficient.

Mr. McCUMBER. Mr. President, may I ask the Senator a question by way of making a suggestion along that line?

Mr. SMOOT. Yes.

Mr. McCUMBER. I received the other day a letter from Idaho, from a gentleman I know very well, a business man, in which he stated that hundreds of thousands of bushels of potatoes rotted in the ground, and fruit rotted on the ground, not because there was not sufficient labor but because the men were being paid from seventeen to twenty dollars a day to pick up and sack potatoes, and they struck for twenty and twenty-four dollars a day, and the result was an enormous loss; and that the same laborers, evidently of the I. W. W. type, were lying around four days a week doing nothing.

Mr. NELSON. Mr. President, I should like to inquire of the two Senators if the condition that they have described can be charged to the farm loan banks? And if it can not, I should like to ask what bearing the farm loan banks have on the scarcity of labor in this country?

Mr. SMOOT. Mr. President, I was asked a question by the Senator from New Hampshire. I answered that question, which I think I had a perfect right to do. I do not want the Senator from Minnesota to think that I was casting any reflections upon the principles involved in the Federal farm loan bank.

Mr. NELSON. Will the Senator permit me a question?

Mr. SMOOT. Certainly.

Mr. NELSON. The Senator is talking about expenses. Suppose we got some of those German prisoners of war over here to work on our farms. That would cost us some money, but would the Senator be opposed to it on that ground?

Mr. SMOOT. I think, Mr. President, if we had some of those German prisoners over here they would not have a say as to what they should receive per day, and I do not think the American people would pay them more than they actually earned. I will say the German interns are receiving the best of care and in many cases living better than American citizens. The German prisoners we now have are not compelled to work.

Mr. McCUMBER. Will we not have to catch him first?

Mr. SMOOT. We have a lot of them at the present time.

Mr. McCUMBER. I do not know how we are going to bring them over here when we have not the ships and have no possibility of getting them. Of course that is not pertinent to the question, but the Senator from Minnesota brought it up.

Mr. SMOOT. I am speaking now of the interned Germans that we already have in this country.

Mr. President, I do not want to take the time of the Senate further. There were a number of questions that I wanted to discuss in relation to this bill; but it is getting late, and I know that many of the Senators are going to leave the city to-night. I have no inclination whatever to prevent this bill from passing and becoming a law before adjournment this evening, if possible. I shall vote for the proposed amendments and then for the bill.

Mr. NELSON. Mr. President, I am somewhat surprised at the peculiar tack taken by the Senator from North Dakota [Mr. McCUMBER] and the Senator from Utah [Mr. SMOOT] in this matter. To my mind, the farmers of this country, the food-producing element of the country, are as much our allies in this war as our allies over in Europe; and in order to be successful I can not see why we should make any distinction between helping our allies here and helping our allies over in Europe.

I have before me here a sheet of the loans applied for and allowed by these 12 farm loan banks; and what do I find? I find that the greatest number of applications come from the grain-raising, the agricultural States. The State of North Dakota, from which the Senator comes, is one of the greatest applicants. It has applied for over $12,000,000 in loans. It has been allowed $7,000,000, and only $1,825,000 have been closed up and finished. Take the State of California—$15,000,000 have been applied for, and in the great State of Montana $11,000,000. These are our great food-producing States, and it shows the great need of the farmers for assistance. We have been preaching food conservation for more than a year and urging our farmers in every possible way to increase their production; but mere academic help is of little consequence.

What are the conditions? The conditions among our farmers are, in many localities, that they have been bled by exorbitant interest; they have paid unusually high interest; they have come to the Government to get interest at a more reasonable rate, and we have started in in a systematic way to help them. If we want to encourage our farmers in producing more food products in this country during the pendency of the war, here is the opportunity.

A large share of our farm loans heretofore have come from the East, from the insurance companies and from the savings banks. Owing to the fact that these banks have been inclined to help the Government in taking up the liberty loan, they are calling in their mortgages. I have here a letter from the vice president of a company in Indianapolis, the Wells-Dickey Co., which has been engaged on an extensive scale for years in making farm loans in the Northwest. They have been in the habit of taking farm mortgages and then selling them to the savings banks and the insurance companies of the East; but what are the conditions now?

Here is what this gentleman says:

> Practically all of the mortgage dealers find that they are having an increasingly large number of investors in farm mortgages diverting at maturity these funds to other securities; also a heavy demand from investors to repurchase loans sold. I think it has been the almost universal custom of mortgage houses to repurchase loans sold by them at a nominal discount, sufficient to cover the cost of reselling. In these times when all securities are difficult to sell except those tax-exempt, it is likely to become a serious burden to mortgage houses if they continue their former policy.

Now, listen to this sentence:

> The New England savings banks, which have always been heavy investors in farm mortgages, I am reliably informed, are not buying any, and nearly all are calling in maturing loans. This removes a vast amount of money for the financing of the farmers.

As a matter of fact—and it came to my knowledge before I received this letter—these eastern money loaners, by which I mean the savings banks and the life and fire insurance companies that have been investing their money in farm mortgages in the West, are, for reasons of their own, calling in these loans. They refuse to renew them and have refused to grant new loans. There our farmers are stranded, so to speak, in many cases.

Mr. NORRIS. Mr. President, I should like to call the Senator's attention also to the fact that there are a good many loan companies in foreign countries buying the farm loans and have been in the past in England, for instance, and, of course, they will not make any new loans and will not extend the old loans. They must have their money.

Mr. NELSON. I will read from this letter, in support of the statement of the Senator, another paragraph:

> About a year and a half ago the English Government ordered the English and Scottish loan companies operating in the United States to withdraw the principal invested in farm loans as it matured.

That tallies with what the Senator from Nebraska has stated.

Such is the condition of our farmers. Their mortgages are due. They have got to borrow money from some source. The old source is being cut off, the savings-bank and insurance money from the East, and it leaves them to rely on what little local money they can get in their own neighborhood.

Then, more than that, in some of these Western States the farmers have been charged an exorbitant rate of interest. I

think in the State of North Dakota the farmers have been charged from 7 to 8 per cent, and in some cases even 10 per cent, on their real-estate loans. I know the interest has been so high in North Dakota that the banks in the neighborhood where I live, instead of investing their money in mill paper and in wheat paper, as they were accustomed to do, have found the best investment to be to go out and buy Dakota mortgages; and the same condition exists in Montana and in California.

I was very much surprised at the criticism which the Senator from North Dakota [Mr. McCUMBER] made of the system. Of course it is not a perfect system, and I was a little doubtful of it myself. It was with some reluctance in the first instance that I agreed to some of its provisions; but it is not open to the criticism and to the gloomy forebodings indicated by the Senator from North Dakota. It provides for the organization of farm-loan associations. Every farmer who gets a loan must advance 5 per cent in cash on each $100 of his loan, and the association is jointly liable for all the loans and mortgages of the association; and then the expenses that the Senator speaks about, all the expenses of the system, so far as I know outside of the Federal Board here in Washington, all the expenses of the several local banks, are paid by the banks themselves out of their revenues. Am I not correct? I appeal to the Senator from New Hampshire.

Mr. HOLLIS. All local expenses are paid in that way except the compensation of the land-bank appraisers. It was thought best to have them Government officials, so that they would not be subject to local influences. Their salaries are paid by the Government.

Mr. NELSON. I know something about the operation. I did not think this law would work much in the State of Minnesota. It is a large State from north to south. In the southern part of our State farmers were borrowing money at the rate of from 5 to 5½ per cent. In the middle part of the State, where I live, they were borrowing money for 6 per cent. In the northern part of the State—and it is a good part of our State—they were paying from 7 to 8 per cent and even in some cases 10 per cent; and I notice that the great amount of the applications for loans have come from that portion of the State that we call the Red River Valley and the country contiguous to it.

Mr. SHAFROTH. Mr. President, may I ask the Senator whether it is not a fact that the establishment of this low rate by the farm-loan banks has modified and decreased the rates of persons who are lending money on private account to the farmers?

Mr. NELSON. Why, it is the greatest blessing. The reduction that has been effected to these few men who have secured loans from the Government is a mere bagatelle compared with the good that the system has wrought throughout the country. The effect of the system has been, in the State of Minnesota, that private parties loaning money have had to approximate the Government level, and our farmers get money now at a much lower rate than they ever did before. It has had the same effect that we find sometimes in the case of river and harbor improvements. You oftentimes hear it said that the improvement of this river or this artery of navigation does not produce much result; that there is not much navigation; but if you will scan the thing closely, the great benefit is that it operates as a regulator of the rates of the railroads. So, Senators, the greatest blessing that this system has conferred upon the farmers of this country has been in the fact that it is to a large extent a regulator of the rates that the farmers have to pay for their real-estate loans.

Mr. FLETCHER. Mr. President, may I ask the Senator if he does not believe that if it had not been for the war conditions there would not have been the slightest difficulty in the banks selling the bonds at 4½ per cent?

Mr. NELSON. Certainly.

Mr. FLETCHER. And furnished all of the money that was needed for the full operation of the system through the sale of their own bonds?

Mr. NELSON. Certainly. I have no doubt at all that but for the coming on of the war and the necessity of selling such a volume of Government bonds the farm-loan bonds would have been taken and the Government would not have to advance any more money. What we have advanced is $9,000,000 in all. The Senator from North Dakota speaks of the hundreds of millions we have advanced. We have advanced from five to nine million dollars so far to these banks, in addition to the expense of inaugurating the system. I do not know just how much that amounts to, but it can not be over a million dollars, in my opinion.

Mr. President, I could say more on this subject. My heart is in it. I believe that this is a great relief to the farmers of this country, and our Government should at least treat them as well as we treat our allies in Europe. We furnished them money on their bonds. We loaned them money to carry on the war. Why should we not loan our farmers here, who are raising the food products of this country, money to make the war successful?

Mr. President, I trust that this legislation will become a law. I know it will do much good, and I have faith that in time the Government will not lose a penny, but it will come back to us in a tenfold measure in one way or another.

Mr. McCUMBER obtained the floor.

Mr. HOLLIS. I ask unanimous consent that the amendment offered by the Senator from Massachusetts may be adopted.

Mr. McCUMBER. I have the floor at present. I have been recognized.

Mr. HOLLIS. I beg the Senator's pardon.

Mr. McCUMBER. If the Senator wishes to have me yield to him, I shall be glad to do so. If not, I will make my statement very briefly.

I am not in the habit myself of creating straw men for the purpose of knocking them down. I wish that the Senator from Minnesota when he makes his criticisms would be governed somewhat by the same principle. The Senator has attempted to assume that I would be opposed to lowering this interest and reducing it as far as possible. All the Senator needs to do is to go back to about a year and a half or two years ago and he will find that the act provides for a 5 per cent charge to the farmers. That is followed up now by an increase to 5½ per cent, more than the interest paid in many of the Eastern States to-day.

I believe a simple provision could be made providing for only 4½ per cent to the farmer and a 4 per cent Government bond to be issued upon that. Therefore, so far as that is concerned, I will have to my credit a difference of 1½ per cent in favor of my proposition and of my argument.

Mr. President, what I have criticized has been this, and I want the Senator from Minnesota to understand it: I criticize a system that has been made so expensive. If the Government wants to loan and to see that the farmer gets the loan guaranteed at 5½ per cent, I do not want to see the Government lose the 1½ per cent itself. I do not want to see the Government paying to a system of banks that are not doing the work but are calling upon the Government to perform the functions for which they were created and then have the Government pay the expenses. We may differ entirely upon the method by which we are to secure the best benefits.

Mr. President, I am going to vote for this amendment. I am going to vote and I intend to vote at all times to grant to the farmers who have made their applications the sum of money necessary to cover those applications. But while I do it, I am not going to stand here and excuse a system which has not worked well and which has been altogether too expensive to the American people.

The Senator says there have been but $9,000,000 expended by the Government upon this system. Let the Senator go back over the appropriation bills and ascertain whether there have been only $9,000,000 expended. Let him see what has been appropriated each year for these banks and then let him compute the saving in the interest and say whether or not it has been too expensive a measure by the results which it is securing.

But I favor the bill because we have got the system, having had it foisted upon us. Although it is top-heavy, although it is expensive, although it is tied around with red tape and operates as a nuisance in the matter of securing the benefits under it, still we, of course, will get some good from it.

I think when the Senator from Minnesota finally investigates this matter he will find he is in error when he states that we have paid but $9,000,000 to support these banks.

Mr. WEEKS. I offer the amendment.

Mr. HOLLIS. I ask that the amendment be read.

The SECRETARY. On page 2, after line 13, insert the following:

Until all bonds so purchased by the Secretary of the Treasury have been so redeemed or repurchased, no loans in addition to those now approved shall be made by Federal land banks except under special rules prescribed by the Federal Farm Loan Board limiting further loans from funds derived from the Treasury to those made for the sole purpose of increasing food products.

Mr. HOLLIS. I ask unanimous consent that the amendment be adopted.

Mr. GRONNA. I ask the Senator from Massachusetts to explain the effect his amendment would have.

Mr. WEEKS. The effect would be that the Government would buy bonds up to the amount of money that has been promised, and after that loans shall not be made unless it is demonstrated to the Farm Loan Board that the additional loans shall be used to increase the food products.

Mr. GRONNA. I wish to ask the Senator a further question. The Senator uses the word "promised." Does he mean by that

the amount of loans approved by the Federal farm-loan banks or does he mean promised by local associations?

Mr. WEEKS. I mean that loans shall not be made, provided the Federal Government furnishes the money, unless it is demonstrated that the money shall be used to increase food products.

Mr. GRONNA. I am afraid I did not make myself understood. As I heard the amendment read I assume that the Senator's amendment provides that no loans except the applications already approved by the farm loan banks shall be made.

Mr. WEEKS. It means, Mr. President, that the Farm Loan Board of Washington shall prescribe rules which shall cover the requirements of this amendment; that is to say, that the farm loan banks shall not make loans as long as the Government is advancing the money, except where it is demonstrated that it will mean an increase in food products.

Mr. GRONNA. Will it not be left to the Farm Loan Board to interpret the law to see whether or not it is being used for that purpose?

Mr. WEEKS. The Farm Loan Board will make rules to govern the action of the farm loan banks.

Mr. GRONNA. If it is satisfactory to the Senator from New Hampshire, I shall not object.

Mr. HOLLIS. If the Senator had been here, he would have been convinced that it is satisfactory to the friends of the bill.

Mr. McCUMBER. I ask that the amendment be read again.

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). The amendment will be again read.

The SECRETARY. On page 2, after line 13, insert:

> Until all bonds so purchased by the Secretary of the Treasury have been so redeemed or repurchased no loans in addition to those now approved shall be made by Federal land banks except under special rules prescribed by the Federal Farm Loan Board, limiting further loans from funds derived from the Treasury to those made for the sole purpose of increasing food products.

The PRESIDING OFFICER. Is there objection to the amendment?

Mr. STONE. Mr. President, I am following the Senator from New Hampshire, but I am curious about the amendment to know why all these loans are not made at all times and under all circumstances with the ultimate purpose of increasing food production.

Mr. WEEKS. Most of the loans are of a different character. Most of the loans are made because a man is paying 7 per cent for money now, and he can borrow it in this way at 5 per cent. He is simply refunding his indebtedness on a lower basis.

Mr. McCUMBER. May I ask the Senator a question? Suppose a farmer has every acre of the land on which the loan is made that is available under cultivation and there is a mortgage upon it bearing 8 per cent interest. He can not cultivate any more simply because he has no more to cultivate. Would the amendment of the Senator from Massachusetts prevent the man from securing a new loan at a lower rate of interest?

Mr. WEEKS. It would, as long as the Government is advancing the money.

Mr. McCUMBER. Then I think we ought to vote against the amendment.

Mr. WEEKS. The Senator has the privilege, of course.

Mr. McCUMBER. Of course, but it is only one vote.

Mr. GRONNA. As I understand the effect of the Senator's amendment, above the amount approved by the Federal land banks——

Mr. WEEKS. Already.

Mr. GRONNA. Already approved, no further loans can be made unless they are new loans. In other words, if the farmer owes a mortgage debt he can not get the money from the Government to refund it, even though his present loan may be foreclosed upon. Is not that the effect of the amendment?

Mr. WEEKS. If the man demonstrates that it will increase food products by refunding the loan he can get the money. If he can not do that he can not get it.

Mr. GRONNA. Will the Senator answer my question, if I can make myself understood? Is it not true that the effect of the Senator's amendment is that it will prevent a renewal or refunding of loans? In other words, a loan made by a farmer that is past due or may become due can not be refunded, but the farmer who has no loan upon his land may secure a loan. Is not that the effect of the amendment?

Mr. WEEKS. That does not require any new money. That is simply a refunding of a loan. I do not think that the Government ought to be advancing money to refund loans simply because the farmer can borrow it on a lower basis.

Mr. GRONNA. Of course, that may be the Senator's opinion, but I think I am right in assuming that this amendment will prevent the refunding of loans which are now due or which may become due in the near future.

Mr. WEEKS. It will if the Government advances the money.

Mr. FLETCHER. That is exactly what it does do and what it is intended to do. The only qualification is where the money is coming from the Treasury. The banks can sell their bonds and do it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts [Mr. WEEKS].

The amendment was agreed to.

Mr. WEEKS. I offer another amendment. In line 9, page 1, after the words "nineteen hundred and eighteen," I move to strike out the rest of that line and line 10 down to and including the word "respectively"; and in line 4, page 2, after the figures "$100,000,000," I move to strike out the words "in either of such fiscal year."

The effect of this amendment would be to underwrite to the extent of $100,000,000 loans made during this fiscal year, but not to continue the underwriting after the 30th of next June. I do not see any real benefits to be gained by so doing. If it is decided later in the year that it is desirable to increase the underwriting, Congress can consider that proposition as a separate measure; but to underwrite into another year this method of loans seems to me to be unwise and improvident, and a financial policy that is going to deter a great many people from investing in liberty bonds.

Mr. NELSON. It is to continue the same practice to the end of the fiscal year.

Mr. WEEKS. Yes. The bill also proposes it for the fiscal year 1919.

Mr. NELSON. Your amendment limits it to the fiscal year 1918?

Mr. WEEKS. To the fiscal year 1918.

Mr. HOLLIS. The amendment now presented by the Senator from Massachusetts cuts down underwriting, as he states, just one-half. I hope it will be rejected.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts [Mr. WEEKS].

The amendment was agreed to.

The PRESIDING OFFICER. If there are no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

Mr. GRONNA. Mr. President, I shall not oppose the passage of the bill in its present form. I want to say, however, I am quite sure that the law, so far as its benefit to the farmer is concerned, will be practically nullified.

I had hoped, Mr. President, that after it was demonstrated to the country that this law was a real and a substantial benefit not only to the farmers but to the business men of the country we would allow at least a limited time to let it be worked out.

I can readily see, Mr. President, that already some of those who control the financial affairs of this country are becoming alarmed over the success that has been made by those who have administered this law. There is not a Senator, there is not a man in this country, who can justify his position and maintain that this system has broken down. It may be asserted by Senators, it may be said by financial men, but it can not be truthfully said, that it has broken down.

As a banker in a small way, I know that the law has already been beneficial not only to the farmers of my country but to the business men of the country. If we had been permitted to pass the amendment in its original form, it would have stabilized the value of the farm-loan bonds. I realize how anxious the people on the exchanges are to depress the value of those bonds. Farm-loan bonds based upon 30 or 40 per cent of the value of the land, to say nothing of the improvements, are as good as Government bonds. Is there anyone here who will deny that those bonds, backed, as they are, by these associations, are not good? In my judgment, it is the best security offered on the market to-day.

But as every man knows we have been compelled to make drives for liberty bonds, and rightly we have done so. We have the patriotism back of the liberty bonds, and, of course, we realize that they are perfectly good, but no special effort has been made to sell farm loan bonds. But is there not a disposition among the exchanges of this country to depress the value of liberty bonds? Why should a bond underwritten by more than 100,000,000 people, with a property value of more than $250,000,000,000, be thrown upon the market and be said to be worth less than par? Is it not unpatriotic to attempt to lower the value of those bonds, especially during the war?

So I am not surprised, Mr. President, to hear it said that these farm loan bonds are not worth par. I believe they are worth 100 cents on the dollar, and they are worth more with the present rate of interest that is paid.

I shall not vote against the bill, although the amendments offered by the Senator from Massachusetts are detrimental to

the operation and the administration of this proposed law.

I am very sorry to see these amendments, detrimental as they are, come from Members on this side of the Chamber. Mr. President, I regret exceedingly that these amendments have been offered, and I regret more that they have been accepted by those in charge of the bill. I believe that we have votes enough here to pass this bill in its original form as it was asked by the Secretary of the Treasury, and as it was asked by the Federal Farm Loan Board. I am opposed to the amendments; but I shall not delay the Senate in passing the measure. I realize that this bill when passed will allow the Government to buy bonds to the amount of the applications approved by the Federal farm-loan banks; but it will, in my judgment, do a great deal of harm to the Federal farm-loan law, its operation, and to the benefit that it otherwise would have been to the people of the country.

Mr. HOLLIS. Mr. President, I ask to have one correction made. In the eleventh line, on the second page, the word "expiration" is used in the phrase "the expiration of the pending war." I ask to have that changed so as to read "the termination of the pending war."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2, line 11, it is proposed to strike out the word "expiration" and insert the word "termination."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 6967) to increase the number of midshipmen at the United States Naval Academy, and it was thereupon signed by the Vice President.

COMMITTEE ON PUBLIC INFORMATION.

Mr. GALLINGER submitted the following resolution (S. Res. 172), which was referred to the Committee on Appropriations:

Resolved, That, if not incompatible with the public interest, the Committee on Public Information is hereby directed to furnish the following information to the Senate:

What compensation, in salary or allowance for expenses, is paid to the civilian chairman of the committee? At what date did such salary or allowance begin, and what is the sum so paid up to the 1st day of December, 1917? What are the names of the persons composing the staff of the committee, when was each employed, what compensation, in salary or allowance for expenses, is paid to each; and what is the total sum paid to each up to the 1st day of December, 1917? What persons not now attached to the committee's staff have been employed since the organization of the committee and December 1, 1917? What duties did each perform and what sum, in salary or allowance for expenses, was paid therefor? What other expenses have been incurred by the committee in the course of its work up to the 1st of December, 1917?

EXECUTIVE SESSION.

Mr. MARTIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 35 minutes spent in executive session the doors were reopened, and (at 6 o'clock p. m.) the Senate adjourned, the adjournment being, under the concurrent resolution of the two Houses, until Thursday, January 3, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 18, 1917.

APPOINTMENTS IN THE ARMY.

MEDICAL CORPS.

To be first lieutenants.

Maj. Frederick Hessler Sparrenberger, Medical Reserve Corps, to rank from December 14, 1917.

First Lieut. James Francis Faulkner, Medical Reserve Corps, to rank from December 15, 1917.

Maj. George Philip Stallman, Medical Reserve Corps, to rank from December 16, 1917.

Dr. James Asa Simpson, at large, to rank from December 17, 1917.

APPOINTMENT IN THE NAVY.

Civil Engineer Charles W. Parks, United States Navy, to be Chief of the Bureau of Yards and Docks, in the Department of the Navy, with the rank of rear admiral, for a term of four years.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 18, 1917.

EXPLOSIVES INSPECTORS.

Nicholas Hughes, New Jersey.
William A. Compton, Illinois.
Joseph S. Giudice, Wisconsin.

RECEIVERS OF PUBLIC MONEYS.

Abraham Hogeland to be receiver of public moneys at Lewistown, Mont.

Augustus J. Schroer to be receiver of public moneys at Minot, N. Dak.

Leroy E. Cummings to be receiver of public moneys at Pierre, S. Dak.

PUBLIC HEALTH SERVICE.

Passed Asst. Surg. Hugh de Valin to be surgeon.
Passed Asst. Surg. Marshall C. Guthrie to be surgeon.
Asst. Surg. Howard F. Smith to be passed assistant surgeon.
Asst. Surg. Lon O. Weldon to be passed assistant surgeon.

COAST AND GEODETIC SURVEY.

Stanley T. Barker to be junior hydrographic and geodetic engineer.

Raymond A. Wheeler to be junior hydrographic and geodetic engineer.

The following to be aids:
Edgar H. Bernstein,
Elwood M. Wilbur,
Benjamin Friedenberg,
William H. Overshiner,
Lowell O. Stewart,
James D. Crichton, and
Nathan Cherniack.

APPOINTMENTS IN THE ARMY.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Lewis W. Call to be judge advocate with the rank of major.

SIGNAL CORPS.

Col. Alexander L. Dade to be brigadier general.

CHAPLAINS.

Joseph Burt Webster,
Frank J. Barry,
J. Donald Hockman,
Frank Meredith Thompson,
John Roswell Edwards,
Henry Augustine Norman,
Alexander W. Thomas,
Jesse Stuart Pearce,
Frank Connors Rideout,
Alfred Coolswan Oliver, jr.,
James L. Blakeney,
Woodward Howard Morgan,
William P. Sherman,
James L. Robinson,
John Hall,
Washington Cannon Pinson,
George H. Nerison,
Thomas Joseph Lenran,
Elmer Orlando Hoffmeister,
Charles Coburn Merrill,
Claude Skene Harkey, and
Stanley Claudius Harrell.

DENTAL CORPS.

Byram Sandford Purviance, to be dental surgeon.

To be first lieutenants.

John Loftus Richards,
Winfred E. Henshaw,
Joseph Earnest Schaefer,
Frank Phillip Kendrick Barker, and
George Julian Sibley.

MEDICAL CORPS.

Bertram Foster Duckwall, to be captain.

To be first lieutenants.

John Michael Hewitt,
Claude Wiggins Cummings,
John S. C. Fielden,
James Monroe Troutt,
Alan DeForest Smith,
Frank Macbeth Ende,
Samuel Augustus White,
Albert Wright Greenwell,

Francis Moylan Fitts,
Eric Adolphus Fennel,
Paul Edgar McNabb,
Harvey Edmund Webb,
George Franklin Aycock,
Henry Wiley Grady,
Philip Jefferson Lukens, jr.,
Norman McLean Scott,
Marion Rudolph Mobley,
Frederick Karl Herpel,
Horace Sumner Villars,
Donald Gardner Russell,
Allen Deming Lazenby,
Patrick Francis McGuire,
James Valsh McClaran,
Louis Frank Boyd,
Tom Sperring Mebane,
Edmund Benjamin Spaeth,
Philip Louis Coulter,
James Blaine Montgomery,
Percy Elisha Duggins,
Brown Shirk McClintic,
Henry Kurtz Baumgardner Hufford,
Joseph George Fernbach,
Howard Henry Dignan,
Charles Wallace Sale,
Robert Henry Lowry, jr.,
Hertel Philip Makel,
Ward Stanley Wells,
Seymour Crandall Schwartz,
Burgh Smith Burnet,
Karl Frederick Kesmodel,
Ross Golden,
Curtis Dudley Pillsbury,
Nelson Allen Myll,
John Robin DeVelling,
Roy Lorraine Scott,
William White Southard,
George Hamilton Dorsey,
Laurent Lescelles LaRoche,
Henry Cheesman Dooling,
Frank Smeeton Matlack,
Cleon Joseph Gentzkow,
James Porter Crawford,
Robert Alexander Hale,
Allen Richmond Howard,
Benjamin Beresford Rowley,
Henry Colmore Bradford,
Harry Hunt Towler,
Oral Bevoly Bolibaugh,
Joseph Roy Jones,
Harold Edward Clark,
Roland Albert Davison,
Charles Reif Snyder,
Arthur Lee Hinchew,
Haskett Lynch Conner,
Edward Bailey Macon,
Farrar Burr Parker,
Percy James Carroll,
Virginius Mingervini,
James Vincent Falisi,
William Daugherty Petit,
Glenn Holway Reams,
Jay De Pew Mingos,
Allan Wilson Dawson,
John Williams McKeever,
Ottis Lee Graham,
Edwin Howerton Roberts,
Arthur Maynard Bacon,
John Jay Moore,
Anthony Joseph Vadala,
Maurice Stevenson Weaver,
John Marion Stanley,
Arthur Howard Nylen,
Myron Parkhill Rudolph,
Noble DuBois McCormack,
Charles Edward Sima,
Bascom Headen Palmer,
Harold Dana Rogers,
John Randolph Hall,
Arthur Raymond Gaines,
William Love Starnes,
William Archdall Boyle,
Manton Leonard Shelby,
Egbert Hayes Wesson,
Paul Henry Streit,
John Edwin Robinson,
Lewis Edwin Joel Browne,
Ernest Kenneth Stratton,
James Archibald Orbison,
Paul Maxwell Neuman Kyle,
William Cotman Whitmore,
Albert Berchmans Pavy,
Francis Edgerton Evans,
Charles Earle Brenn,
Francis Thomas Duffy,
Leonard Webster Weaver,
Louie Felger,
Leo Stewart Trask,
Raymond Albert Tomassene,
Lowyd Whitcombe Ballantyne,
Otto Richard Brown,
Charles Elmer Yoho,
Cornelius Anthony Denehy,
Joseph Patrick Madigan,
Robert Keith Simpson,
Patrick Sarsfield Madigan,
Frederick Bryton Little,
Chester A. Stayton,
Herbert Wilson Rogers,
John Robert Evers,
Ralph Elmer Curti,
Daniel Clyde Hankey,
Frederick Arthur Blesse,
Charles Crawford Dickey,
George Beard Fletcher,
Walter Henry Mytinger,
John Joseph Carden,
Henry Earl Fraser,
John Ross Whisenant,
Harold Horton Golding,
Harry Philip Shugerman,
William Cramer Pollock,
William Walker McCaw,
Edward Howard Tonolla,
Earle Douglass Quinnell,
Harold Ogden Brown,
Douglas Hamilton Mebane,
Paul Barrus Johnson,
Irving Kennedy Lovett,
Montreville Alfred St. Peter,
Frank McAlpin Moose,
Percy Kenward Telford,
William Boyd Brigman,
Benjamin Franklin Pence,
Wayne Roscoe Beardsley,
Warren Stirling,
Don Guernsey Hilldrup,
Richard Samuel Magee,
William Alexander Smith,
Frank William Pinger,
Ivy Albert Pelzman,
Edward Spencer Murphy,
Leo Pecci Bell,
Richard Eugene Werlich,
Paul Kurt Sauer,
Herbert Rowell Stolz,
Louis deKeyser Belden,
Andrew William Smith,
Willard Samuel Howard,
Philip Palmer Green,
William Hulbert Barrow,
Gordon Fay Willey,
Frank Arents Plum,
Charles Robert Irving,
William Wiley Jones,
Charles Clifford Hawke,
Noland Mackenzie Canter,
Pierre Numa Charbonnet,
James Claude Kimbrough,
Meredith Rutherford Johnston,
Merril Kirk Lindsay,
William Drummond Middleton,
Leon Hastings Cornwall,
Read Benedict Harding,
James Wesley Duckworth,
Bradford Massey,
Edgar Henry Howell,
George William Snyder,
Paul Stanislaus Wagner,

John Alfred Parsons Millet,
Joseph Daniel Foley,
Lewis Alfred Newfield,
Thomas Maurice Leahy,
Louis Anatole LaGarde, jr.,
Edward Lane Moore,
Charles Augustus Pfeffer,
Louis Martin Field,
Clarence Edward Burt,
John Andrews Rogers,
Gilbert Octavius Crank,
Harmon Paul Buffum Jordan,
William Patrick Joseph Ruddy,
Harmon Hadley Ashley,
Walter Leland Richards,
Newton Washington Sentell,
Stanley Gibson Odom,
Rees Stephen Lloyd,
Richard Samuel Moynan,
William Davies McLelland,
James Roy Hudnall,
Charles Rice Lanahan,
Donald Paul McCord,
Henry Reuben Weston,
Carlton Lakey Vanderboget,
Matthew Aloysius McGarty,
John Edwin Boland,
Joseph Jacobson Hilton,
Clay Ray Murray,
Lee Franklin Turlington,
Edgar Warden Phillips,
Walter Bramblette Martin,
Francis Carr'llo Tyng,
Ezra Ralph Bridge,
Jerome Pierce Webster,
Magnus Jacob Myres,
Reginald Ducat,
James McAllister,
Ralph Ward Walker,
Rudolph Duenweg,
Oliver Sheley Gilliland,
Frederic Hamilton Thorne,
Alfred Robert Thomas, jr.,
Neuton Samuel Stern,
Albert Bowen,
Morse Wilder,
William Milton Caffee,
Edward Raymond Easton,
Francis Xav'er McGovern,
John DuBose Barnwell,
Solomon Fisher Hoge,
Thomas Grant Tousey,
George Benjamin Kent,
Eugen Gottfried Reinartz,
John Joseph Lancer,
Sam Hardeman,
Harvey Montreville Andrew,
Robert James Platt,
Horace Tyner Doust,
Niels Peter Paulsen,
Verner Trenary Scott,
Hall Glesnor Van Vlack,
Frederick Hessler Sparrenberger,
James Francis Faulkner,
George Philip Stallman, and
James Asa Simpson.

APPOINTMENTS IN THE NATIONAL ARMY.

To be major generals.

Brig. Gen. George H. Cameron,
Brig. Gen. George W. Read,
Brig. Gen. André W. Brewster,
Brig. Gen. Charles H. Muir,
Brig. Gen. Charles C. Ballou, and
Brig. Gen. Charles T. Menoher.

To be brigadier generals.

Col. Malvern-Hill Barnum,
Col. William H. Hay, and
Col. Jesse McI. Carter.

PROVISIONAL APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

To be second lieutenants.

Samuel Louis Kuhn,
Louis Graham,
Roy Marsh McCutchen,
William Lohmeyer, jr.,
William Allen Clark,
Aubrey Hoolenpyl Bond,
Hubert Walter Collins,
Harold Joseph McDonald,
Maurice Pelham van Buren,
Frederick Slocum Howland Smith,
Frank Bowman Hastie,
Harold Van Vechten Fay,
Oscar Rudolph Peterson,
Thomas Kronenberg Meloy,
Robert Adams Love,
Bennet Hart Bowley, jr.,
Robert Dorrance Ingalls,
William Lloyd Garrison Mackenzie,
Walter Lyman Medding,
Warren Adams Lyon,
Roger Williams Parkhurst,
Albert Carl Lieber, jr.,
Robert King Munroe,
James August Bjerregaard,
Eugene Franklin Gaebler,
William Clair Atwater,
Henry Elmer Strout, jr.,
John Arthur Strang,
George Earl Robinson,
Frank Claxton Rogers,
Philip Nahm Cristal,
Clifford Harry Springer,
Edward Perry Morton,
Langley Stoddard Homer, and
George Jacob Nold.

COAST ARTILLERY CORPS.

To be second lieutenants.

Edward Franklin Chase,
Robert Andrew Wheeler,
Catesby ap Lucian Jones,
William Warren Savage,
Charles James Schaefer,
Le Roy Allen Whittaker,
Harold Waldo Kramer,
Harold P. Detwiler,
Clarence Francis Hofsetter,
John J. Vandenburgh,
Paul Sheeley Roper,
John Scott Beck,
Clarence Gordon De Swarte,
Brandley Bolknap Brown,
Mahlon Apgar Combs,
Leslie Arthur Kibbe,
Lawrence Locke Clayton,
Sanford Dole Ashford,
William Mayer,
James Laird Craig,
Glenn Howenstein Stough,
Charles Ernest Loucks,
Edmund Bradford Tazewell,
Hugh McCauley Cochran, 3d,
Bruce Wilcox Thayer,
Arthur Cavanagh Cox,
Paul Jamison Hunt,
Chauncey Kenneth Smullen,
Moses William Pettigrew,
Harold H. Hilton,
Walter Francis Kraus,
Duval Marshall Taylor,
Samson Heller Rosenblatt,
Hugh Nelson Mayor,
George Abe Woody,
Maurice Rice Gowing,
Geoffrey Maurice O'Connell,
Lloyd William Goeppert,
Frank Richard Rawson,
Francis Bell, jr.,
Harrison George Overend,
Arthur William Gower,
Guy Cephus Smith,
Otis Corcoran Moore,
George Calvin Tinsley,
Arthur Foster Gilmore,
Thomas Blair Hobson,
John T Lewis,
Walter A. Upham,
Julian Darst Conover,

Ralph Anderson Grant,
Alvah Putnam R Conklin,
William Quintullus Jeffords, jr.,
Ernest Carroll Porter,
Frederick Wells Gilchrist,
Samuel Lusker McCroskey,
Arthur Leo Lavery,
George Anthony Patrick,
Horace H. Powers,
Walter Christian Thee,
Gwynne Gravelle McCaustland,
Wayne Edson Davis,
Oliver Boone Bucher,
Edgar William King,
John Wilson Dillard,
Jesse Kuykendall Mattox,
Wallace Edgar Armstrong,
Riley Edward McGarraugh,
Fletcher Hanson Etheridge,
David Beale,
Charles Thomas Trickey,
Allan Preston Bruner,
Edwin Mahlon McGinnis,
Francis Stuart Swett, and
Arch Charles Huston.

CAVALRY ARM.

To be second lieutenants.

De Lancey Bentley,
William Paton Rauch,
John Aethuruld Garvin,
Daniel Denison Streeter,
Randolph Russell,
Brock Putnam,
Leland Long Miller,
Edwin Miles Summer,
William J. McChesney, jr.,
Joseph Sheehan,
James Madison Currin,
Thomas Henry Green,
William H. C. Grimes,
Russell Crayden Winchester,
James Stevenson Rodwell,
Charles Francis Choate, 3d,
Charles Diller Ryan,
Nathaniel Holmes,
Kirk Broaddus,
Paul Blackmer,
Herbert Aladdin Suman,
Harold de Beaumont Bruck,
Donald Anderson Young,
Hans Charles Minuth,
Edwin Clarence Gere,
John Martin Sweeney, jr.,
George Gill Ball,
Samuel C. Skemp,
Jacob Monroe Carter, jr.,
Thomas Pierrepont Hazard,
Francis Charles Dossert,
George Washington Ewing, jr.,
Crawford Clark Madeira,
Charles Poultney Davis,
Harry Robert Kilbourne,
Elmer Edward Finck,
Harry Hodges Semmes,
Clifford Arthur Eastwood,
Guy Allegre Russell,
Fenton Stratton Jacobs,
Catesby ap Catesby Jones,
Charles Wharton,
W. Dirk Van Ingen,
Herbert Vaughn Scanlan,
Sigurd von Christierson,
Kenneth Osborne Spinning,
Curt Eric Hansen,
Vincent Paul Ryan,
Raymond Charles Blatt,
Clinton de Witt,
Harold J. Adams,
William Booth Van Auken,
Harold Kitson,
John Boies,
Charles Raymund Gross,
Irvine L. McAlister,
Robert Gale Breene,
James Irving Gibbon,
Walter Carter Butler,
Don Briley,
Howard Forrest Long,
Benjamin Lufkin,
Burton Curtis Andrus,
Harold E. Lewis,
Newell Phipps Weed,
Arthur Henry Besse,
Charles W. White,
John Royer Lindsey,
George L. Snelling,
Duane Lenton Tice,
Jason Budd Hart,
Roland Harman Rogers,
Fred New Raymond,
Glenn William Keith,
Roscoe Cuffe Brabazon Ellard,
Robert Chandler Knowlton,
Richard Hervey Pinney,
Garland Cuzorte Black,
George Albert Delaney,
Joseph Andral Nichols,
Albert George Hunt,
Egbert Frank Bullene,
Arthur Wood Stanley,
Harold Edwin Brailey,
Carleton Burgess,
Frederick Hukill Vandegrift,
Harry Eugene Dodge,
Charles Forrest Palmer,
Jay Dolph Donald Marcellus,
Lewis Downey Cooper, jr.,
Charles Jester Davis,
George William Outland,
John Menifee Moose, jr.,
Nelson Revitt Perry,
Innes Randolph,
Carl Beecher Byrd,
Thomas Brady, jr.,
Gilbert Xavier Cheves,
Wingate Battle,
Harold Binkley,
Wade Carpenter Gatchell,
Henry George White,
Norman Dean Twichell,
Andrew Jackson Wynne,
Howard Charles Wiener,
Walter Frank Goodman,
Thomas Mardenbro Benson,
Edward Forrest Porter,
Lucian King Truscott, jr.,
Ralph Erland Alstead,
Arthur Sewell Kelley,
James Hugh Akerman,
Raymond Thomas Connell,
James Nicholas Winn McClure,
Gabriel Requa Mead,
Millard George Harnden,
David McKay Wilson,
Leonard Mortimer Mertz,
Ernest Arthur Williams,
Daniel Herman McCarthy,
Slocum Kingsbury,
George Harrison Millholland,
Gardiner Scudder Platt,
Minor George Fitzer,
Roy Irwin Phares,
Donald Ross Dunkle,
Chester Earl Davis,
Holmes Gill Paullin,
Francis Royal Kenney,
Monroe Payne Smith,
John Hamilton Irving,
Evan Dhu Cameron, jr.,
William Francis McLaughlin,
Glenn Smith Finley,
Manly Foster Meador,
Ernest Francis Sexton,
Stephen Webb Davis,
Lynn Boyd Conde,
Clarence Beryl Werts,
Henry Roberts Miller, jr.,
John Henderson Gay Reilly,
Charles Herman Unger,

William Donald Tabor,
Horace S. King,
Edward Maynard Fickett,
James Couzens Van Ingen,
Callie Hammond Palmer,
Charles Rawlings Chase,
Thomas Francis Mishon, jr.,
Robert Bruce Jackson,
Christopher Columbus Strawn,
Allyn Raymond Brownson,
John Russell Breitinger,
Robert David Beer,
Alfred Joseph de Lorimier,
Malcolm Gray Lowry,
William Osee Coleman,
Herbert Reading Sargent,
John Elgin Ketchum,
Arwed Charles Baltzer,
James Walter Ewing,
Wallace Van Cleave,
Karl Warren Curtis,
Carl Emet Rankin,
Richard Earl Tallant,
Nelson Monroe Utley,
John Alexander MacDonald,
Henry Hale Cheshire,
Nathan Bartholomew Reynolds,
John Andrew Wood,
Venable Moore,
Guy Littleton Furr,
Joseph Augustus Blake, jr.,
Walter McLaren Robinson,
John Sylvester Peters,
Herbert Ludwell Earnest,
Verne Austin,
Willis Holcombe Ryder,
Alden Hamilton Torrey,
Morris Towar Whitmore,
Samuel Leask, jr.,
Guy Edward Dillard,
Ray Tyson Maddocks,
Thomas Alexander Frazier,
Victor Robert Sladek,
James William Husted, jr.,
Richard Nelson Atwell,
William Elliott, jr.,
Thomas Bayne Locke,
Morris Simpson Daniels, jr.,
Frank Starr Pope,
Harold Glenn Davis,
Robert Morris Cherry,
Alfred Theodore Wyman,
Roger William Sawyer,
John Hanna Welsh,
Edward Perry Morton,
Edwin John Kratzenberg,
Robert Dudley Coye,
Almet Francis Jenks, jr.,
James Parsons Gifford,
Vern Hinkley,
Charles Claflin Allen, jr.,
A. Herman Stump,
John Orland Lawrence,
Charles Williamson Glover,
William Ralph Evans,
John Knox Gailey, jr.,
Warren Lambert Shumaker,
Charles Read Simmons,
James Van Valkenburgh Shufelt,
William Harold Davidson,
Herbert Anson Welch,
Hobart Raymond Gay,
Rutherford Leon Hammond,
Paul Humiston Alling,
Ervin William Harrison, jr.,
Raymond Gordon Clark,
Elisha Carpenter Wattles,
Brooks Shumaker,
Parker Gillespie Tenney,
George Pat Pattison,
Mordaunt Verne Turner,
Norman E. Waldron,
Herbert Johnson Burke,
Leo Lawrence Gocker,
Carleton Swasey,
John Hickman Ransdell,
Edwin Wilds Godbold,
Louis Gerisch Forney,
Hugh Brooks,
John Gilbert White,
Edwin William Meise,
Raymond Carmichael Gibbs,
Leo Francis Crane,
Harry Clark Boden,
Alfred Grace Ford,
Rohland Andrew Isker,
James Madison Graham, jr.,
Wallace Graham Corwin,
Robert Reginald Maxwell,
Peter Ditmar Larson,
Charles Arthur Horger,
Robert Oney Wright,
Arthur Dickinson Soper,
Conrad Grey Wall,
Andrew Wilson, jr.,
Roger Lee Branham,
Harold Albert Davis,
Lloyd Arthur Houchin,
Charlie Edward Hart,
Richard Thomas Lyons,
Hugh Arthur Barnhart,
James Wade Jenkins,
George Henry Howard, jr.,
Frank Wideman,
Arthur Chittenden Crunden,
James Parker,
James Thomson Donald,
Edward Gillett Knowles,
Guy Tilghman Orme Hollyday,
Francis Vincent Terry,
Tolman Douglas Wheeler,
Charles Edward Dissinger,
Martin George Charles,
Earl Maxwell Abbott,
Harvey Morris Breaks,
Williamson Wells Simons,
Robert Bage Kerr,
Samuel Vallance Hyatt Danzig,
George Frederic Neilson,
Dean Ambrose Jones,
Hugh Franklin Conrey,
Callistus James Ennis,
Venance LeMay,
Edward Longworth Morss,
Paul Carson Febiger,
David Nelson Sutton,
Alexander Dyer Mason,
William Eskridge Duke,
James Jerome Roach,
Paul Juneau King,
Harry Edmund Pendleton,
Thomas McPheeters Glasgow,
John McLean,
Fred Thomas Cunningham,
Benton Frank Munday,
Gyles Merrill,
William Copers Bowie,
Wilfred Ernest Willis,
John Blaine Seaton,
Thomas Paul Sweeney,
Richard Sutphen Miesse,
James Montagu Adamson, jr.,
Charles Everhardt Sheldrake,
Kenneth Melville Harris,
Max Harry Nippell,
Charles Morton Stewart, 3d,
Philip Sheridan Wendock,
Stewart F. Miller,
Joe Carroll Rogers,
Frank Albert Allen, jr.,
Matthew Griswold, 3d,
Guy Orth Kurtz,
Louis Joseph Compton,
Frederick Sanborn,
Clarence Augustus Lefferts,
Nables Fred Ryan,
George W. Barber,
Francis Minot Weld,
Read Wipprecht,
Claire Morton Daugherty,

Ceylon Otto Griffin,
Edward L. Hamilton,
Erle Fletcher Cress,
Dimetrio Peter Harkins,
Harold Grant Hathaway,
Bruce Magaw McDill,
Loren Frances Parmley,
Edward Herendeen,
Floyd Manley Friar,
John Anthony Anheier,
Grayson Hunter Bowers,
Thomas W. Herron,
Alfred Roy Teter,
Harry Glenister Clarke,
Alden Humphrey Seabury,
Joseph Sarsfield Sweeney,
Fred William Koester,
Marvin Banks Perry,
Clarence Arthur Shannon,
Alexander Bull MacNabb,
Robert Hicks Van Deusen,
Charles Campbell McCall,
William Neely Todd, jr.,
Walton Whittingham Cox,
Dudley Miller,
John Kelly Egan,
Thomas Reed Taber,
Earl Wilton Henderson,
Ross Ernest Larsen,
Charles William Burton,
Harry Duncan Bishop,
Walter Alfred Stover,
Samuel Greenwood Mitchell,
Calvert Lewis Estill,
Nathan Cockrell,
Channing Clarence Beeth,
Cecil Junior North,
Robert Milton Eichelsdoerfer,
Edmund Hope Driggs, jr.,
James Tobnie Watsen, jr.,
Roswell Emory Round,
William Donald Thompson,
Graham Train Winslow,
Edward Brooke Harry,
Herbert Delmar Bowman,
Albert Gordon Klapp,
Fred Paul Clark,
James Perry Thurber,
Edward Abbott Titcomb,
Henry Chace Tatnall,
Harry Leroy Jones,
John William Middendorf, jr.,
Calvin Ray MacGillivray,
George Stanley Clarke,
Harold Paul Stewart,
Harold La Roy King Albro,
Ward H. Porter,
Elias Lyman, jr.,
Charles Lemon Baker,
Darrow Menoher,
Mark Andrew Devine, jr.,
John Linton Pettibone,
Edwards Hall Berry,
Harold Ernest Taft,
Max George Werner,
Gerald Fitzgerald,
Paul Schulze, jr.,
Henry C. Banks,
Chauncey Ryder McPherson,
Daniel Crossley Robinson,
Thomas Nast St. Hill,
William H. Killian,
Carl Julian Deckler,
Alfred Porter Tenison,
Olin Coke Newell,
Laurence Mather Selleck,
Lawrence W. Fox, jr.,
Lawrence Tracy Brown,
Harry Augustus McColn,
Carroll Edward Patterson,
George Maurice Robertson,
Frank Rucker McKay,
Clark Wesley Johnson,
Winston Reece Withers,
Ashley Hearn Conrad,
Frank Earle Noyes,
Ferdinand Blekre,
Charles Earl Flack,
John Steele Tyler,
Aubrey Russell Bowles, jr.,
Frederick A. Gray,
Ralph Charles Thomas,
James Robert Lowry, jr.,
Talbot Taylor Speer,
John Minor Lile,
Charles Morton Denny, jr.,
Sidney Reed Smith,
Russell Frank Locke,
Charles Underwood Fisher,
Harold Stephen Thurber,
Arthur Tillinghast Huston,
William Kerlin Ennis,
Raymond Shener Jett,
Warren Crenshaw Brown, jr.,
Clarke Oler Kimberly,
Paul Clarence Boylan,
Guy Russell Chamberlin,
Lewis Berry Angel,
Jack Raymond Burke,
William Hobart Little,
Harold Philip Heckenberger,
Emerson Wiley Jarman,
Roger Eugene Williams,
George James Waggner,
Claude Newbury,
Frank Reid Baker, and
Deane Childs Howard, jr.

FIELD ARTILLERY ARM.

To be second lieutenants.

Joseph W. Del Alamo,
Richard Weaver Hocker,
William McKee Dunn,
Willard Sears Simpkins,
Rene Joseph Le Gardeur, jr.,
Corydon Hubert Sutton, jr.,
Henry Manchester Ladd, jr.,
Gustav Edwin Moe,
Philip Ramer,
Ozro Freeman Rideout,
Floyd Courtland Marshall,
Harris Markham Findlay,
Thomas Foster Furness,
Joseph Lovell Corcoran,
Dana Mortimer Hubbard,
Clyde W. White,
Preston Southworth Hoyt,
Clifford Adin Laflin,
Willis Wilkinson Hubbard,
Fairfax Stuart Landstreet,
Floyd W. Stewart,
Fairfax Davis Downey,
Bernard Carter Law,
George Faber Downey, jr.,
Andrew Carrigan, jr.,
Harley Latson,
John Vincent Thompson,
Carl Z. Draves,
Archibald Donald Fisken,
Samuel Cromwell Holliday,
Emory McKinley Hoover,
William McBlair Garrison,
Leon Jenkins Paddock,
Brian Cutler Curtis,
Henry Lewis Nicholls,
Arthur N. Selby,
Thomas Hall McKee, jr.,
Walter A. Phillips,
Stuart M. Canby,
Harry Y. Stebbins,
Edmund D. Margrave,
Harry Darby, jr.,
Samuel Powel Griffitts,
Joseph William Loef,
Charles Benjamin Bonner,
Arthur Lafayette Warren,
Thomas Kenneth Vincent,
Merritt Halstead Greene,
William Beattie Weakley,
William Bennett Tucker,

Philip Dorn Tryon,
Ary Clay Berry,
George Davidson, jr.,
David Lewis Ruffner,
Mark Milton Serum,
Louis H. Penney,
Ross Breckon Warren,
William Murray Whittie,
Addison Henry Douglass,
Arthur Eugene Fox,
Lewis Alexander Bond,
Robert Alexander Barnard Goodman,
Devereux Colt Josephs,
Henry Maynard Rees,
John Gray Paul,
James Embury Brinckerhoff,
William Gerald Cummings,
Harold Taylor Brotherton,
Larkin W. Glazebrook, jr.,
Samuel Dalia Smolev,
Charles Ferriday Neave,
Robert Wilbar Wilson,
Donald Howlett Brown,
Ralph de Poix Terrell,
Stephen Bradshaw Ives,
Robert Fulton Webb,
William George Lasch,
Miller Hall Pontius,
Fritz Andrew Nagel,
Adrian James McDonald,
John Eaton Hartigan,
John Littlefield Handy,
Edgar Allen O'Hair,
Stephen Mahon,
Addison Bennett Green,
John Rutledge Shepley,
Roger Allen Sanford,
Kenneth Leeds Holmes-Brown,
Oliver Baty Cunningham,
Harvey Ernest Ragland,
Charles Henry Burchenal,
Robert Emmett Crotty,
Wilton Lloyd-Smith,
Frank Combs Delaney,
Pell William Foster, jr.,
Kennedy Hassenzahl,
Arthur Pruden Patterson,
Robert Parker Reynolds,
Philip Gibson Hodge,
Dennis Percy McCarthy,
Albert Tate,
LeCount Haynes Slocum,
John Howard Shelton,
Louis Heyward Lathrop,
John Van Hoesen Challiss,
Junius Sturges Roberts,
Frederic W. W. Graham, jr.,
Joseph Reed Estabrook,
Harold Daniel Finley,
Leo Joseph Vogel,
James Patrick Kelly,
Richard Baldwin von Maur,
Harold Trumpler Deeds,
Millard Lindsey Hamaker,
John Brainard Fidlar,
Wilbur Burnette Sumner,
Cabell Breckinridge Ten Eyck,
Douglas Henry,
John Arnold Graves,
Hastings Seth Morse,
George Munro Schurman,
William Edward Corkill,
Charles Donald Brown,
Lester Martin Kilgarif,
Henry Wiley Krotzer,
James Bland Catlett,
Robert Luther Randol,
Douglas Lee Crane,
Melville Halstead Rood,
Thomas Lewis Chalmers,
Harry Newton Blue,
Fredric Harris Timmerman,
James Howard McHenry,
Alford John Bradford,
Gurney Lapham Smith,
John Merryman Franklin,
George Sidney Goodspeed,
Amos Eugene Carmichael,
Raymond Hoff Seagle,
John Victor Anderson,
Henry Wood Wiley,
Walter Rompel,
Winfred Charles Green,
Marion Irwin Voorhes,
Algernon Sydney Coleman,
Leslie Warnick Devereux,
Robert Francis La Barron,
Edgar Gibson Crossman,
James Hollam Boyd,
Ralph King Learnard,
Pitt Fessenden Carl, jr.,
David Wentworth Potter,
John Henry Gardner, jr.,
Earl Cranston Ewert,
Donald Degray Demarest,
David John Fitzgerald,
William Chamberlain Chanler,
Ralph Waldo Hahn,
Orrin Paul Kilbourn,
Robert Ellsworth Jacobson,
John Terence Clancy,
Richard Almerin Miller,
Winthrop Worcester Leach,
John William O'Harrow, jr.,
James Blanding Dick,
Carol Spencer Snowden Kennedy,
Dan Cummins Kenan,
Joseph Adelbert Martz,
Andrew Stewart Messick,
Lee Burwel Goff, jr.,
Kenneth Smith Wallace,
Ralph Heatherington,
Eugene Bradford Ripley, jr.,
Thornton Davis,
Frederick Major Williams,
Harry Benjamin Routh,
William Eugene Farthing,
Jackson Herr Boyd,
Noel Noyes,
John Calvin Butner, jr.,
William Boardman Bowles, jr.,
Edward Cummings,
Eugene Weston, jr.,
Edward Stanley Ott,
Richard Dupree Roquemore,
Ralph Bridges Bagby,
Kenneth Hodges,
Theodore B. Moore,
Melvin Leslie McCreary,
John Stacy Brown, jr.,
Eugene Miner ReQua,
Herman Hollie Felix Gossett,
Murray Matthews Montgomery,
Roderick James McIntosh,
Lester Johnson Whittock,
Harry Lee Campbell,
Hinton Fort Longino,
Frederick Harry Black,
William Ballinger Cobb,
Angelus Geague Burch,
Chisholm Garland,
Harvey Edward,
Everett Banfield Jackson,
George Price Hays,
George Washington Cassell,
Hugh Applegate Reid,
Edward Wadsworth Tanner,
Ralph Julian Canine,
William Lloyd Baily, jr.,
Donald Alfonso Carson,
Herbert Sydney Duncombe, jr.,
Donald Julius Cranston,
Josef Robert Sheetz,
Hugh St. Clair Clarke,
George Glenn Witter,
Elmer Jamison Gray,
George Meade Parker,
Alfred Proden Kelley,

Oliver Ferguson Marston,
Clarence Clemons Park,
Eugene Dodd,
John Swift Anderegg,
Austin Vincent Clifford,
Maurice R. Harrison,
Fred Bidwell Lyle,
Zim E. Lawhon,
Robert Irving Laggren,
Fletcher Settle Riley,
Willoughby Talbot Cooke, jr.,
William Bogardus Merselis, jr.,
Norman Underhill White,
Thomas Joseph Ross, jr.,
Jerome Bowes, jr.,
Harding Chambers Woodall,
John White McCaslin,
Jefferson Cleveland Campbell,
John Harold Keatinge,
Hoyne Howe,
Julian Bobbs,
James Warren Andrews,
Carlton Benton Rettig,
Kirk Wesley Howry,
Maurice Meyer Minton, jr.,
Frederic Arthur Metcalf,
Thomas Wilson Wilmer,
Hudson Burr,
Harrison Marshall Robertson,
William Russell Philp,
Edward Taylor Kirkendall,
Herbert William Nauts,
Walter Harold Soderholm,
Terre Nichols Hendricks,
Charles E. Finney, jr.,
John Milton DeBell,
Edward Carrington Thayer,
Clyde Bassett Sturtz,
Vennard Wilson,
John Blair Barnwell,
Oswald Burnett Higgins,
Albert Webster Long,
Robert Marrs Barnett,
Charles Alexander Staebler,
Percy Custer Fleming,
Sievers Whitehead Susmann,
Paul Bomberger Shearer,
Samuel Cabot Almy,
John Francis Roehm,
John Thomas Shea,
Robert Driscoll,
Chilton Richardson Cabot,
Nathan David Gordon,
Alexander Louis Schlesinger,
Clyde Crenshan Caswell,
Murray Lloyd Goldsborough,
Robert Taft Staples,
Howell Redd Hanson,
George Robert Hayman,
Howard Everett Camp,
Samuel Chester Gale,
Allan Boyd Smith,
Allie Waldron Miller,
Lloyd Smith Partridge,
Frederick Howes Ruppel,
Richard Jackson Howard Farrar,
Harold White Blakeley,
George Etter,
Willie Charlton White,
Edward Bradley Anschutz,
Charles Burgess Arthur, jr.,
Davis Jones Cloward,
Leon Dessez,
Vernon King Hurd,
Henry Porterfield Taylor,
Armin Adams Uebelacker,
Mark Allan Van Liew,
Yssel Yvette Young,
Carl Arnold Grasse,
James Gaulding Watkins,
Paul Mitchell Arnold,
Charles Miner Miller, jr.,
Curtis Thomas Everett,
William Samuel Jacobs,
John Patrick Crehan,
Charles Mortimer Sheldon, jr.,
Samuel Owen Taylor,
Bernard Marshal Barcalow,
Donald Sutter McConnaughy,
James Bruce,
James Taylor, and
Samuel White, jr.

COAST ARTILLERY CORPS.

To be second lieutenants.

Milton Mortimore Levy,
Ulric Johnson Mengert,
Hugo Dalsheimer,
Richard Whitman Coward,
Edward Tankard Browne,
John Ogden Merrill,
Horace Clifford Levinson,
Percival Spurr Howe, jr.,
Miles Whitney Kresge,
Edwin Scott Roscoe,
George Worcester Ricker,
Edward Smith Fraser,
Milton Wayne Pollock,
Sumner Tucker Pike,
Sealand Whitney Landon, jr.,
Harold Connett,
Leslie Clyde,
John Mead Silkman,
John Summerfield Jenkins, jr.,
Stanley Raymond Mickelsen,
William Le Roy Hart,
Lawrence Beatty Morse,
George Parkhurst Lee,
Ralph Earl Glasheen,
Earnest Jackson Oglesby,
Eugene Morgan Vigneron,
Henry Clarkson Meredith,
Dana Little Barbour,
Ralph Beatley,
Carroll Gowen Riggs,
Max Weston Thornburg,
George Wright Farnham,
Richard Montague Kimball,
Edwin Fry Barry,
Eugene Sinclair Taliaferro,
Robert Alexander Clyde,
Andrew Fleming Patterson,
Forrest Glenn Tucker,
Howard Tasker Evans,
Spessard Lindsey Holland,
William Penn Esterbrook Ainsworth,
Herbert Fritz Ernst Bultman,
Donald Fisher McClure,
Wilton Burton Persons,
Homer Case,
Edward Parry Sykes,
John Vickers Ray,
Burleigh Adelbert Lunn,
Wilbur Southwood Vaughan,
Reginald Scott Fleet,
Roland Dyer Hawkins,
Melzar Merrick Whittlesley,
Roscoe Plimpton De Witt,
John George Murphy,
Walter Joseph Collet,
Joe Jene Miller,
John Van Auken Mackenzie,
Frank Johnson McSherry,
George Francis Arthur Mulcahy,
Charles Sydney Hammond,
William Bertram Jones,
Cornelius Sheldon Whittelsey, jr.,
Carleton Engler Saecker,
Robert Benjamin Adams,
Clarence Cory Harshman,
Lewis Jerome Taylor,
Pennock Hart Orr,
John Kay Christmas,
James Milton Harris,
Walter Berry Littlefield,
Philip Hastings Middleditch,
Wilfrid Warren Montagne,
Donald Blake Webster,
George Bassett Roberts,
Arthur Howard Warner,

Frank Elliha O'Neill,
Banks George Moreland,
Monroe Warren,
James Muir Ralston,
Ransom Davis Spann,
Donald Gibbs Crowell,
Arthur Castle Hawkins,
Otto de Lorenzi,
Richard Marston Kew,
Alexander Goold Campbell,
Ernest Ray Campbell,
Joseph Graham Pringle,
John Wesley Card,
Jack Phinizy,
Manly Broadus Gibson,
Charles Henry Hagelstein,
Huntington Reed Hardwick,
Robert Clyde Jordon, jr.,
Malcolm Samuel Cone,
Alvah Edgar Moody,
Robert Kent Gooch,
Oliver Nelson Hollis,
Cranston Bourquin Rader,
Cedric Ezra Scheerer,
Geoffrey Marshall,
Lloyd William Taylor,
Guy Head Hearon,
Francis Eugene Harrison, jr.,
James Wallace Hopkins,
Ralph Ernest Billsborrow,
Alfred Wilson Chapman,
William Austin Emerson,
Lawrence James Meyns,
James Cutler Vickery,
Clarence Elmer Muehlberg,
Edwin Converse Higbee,
William Tillory Andrews,
Stoddard Pintard Johnston,
Lewis Allison Hudgins,
Levi Monroe Bricker,
Thomas Paul Ahern,
Lawrence Iverson,
Herbert Macmillan,
John Pehrson MacNeill,
Archibald Luther Parmelee,
Robert Emmett Ryerson,
Sam Henry Colle,
Junius Bew Peake,
Sam Williams Anderson,
Richard Blodgett Cross,
Geoffrey Airlie Ogilvie,
John Scott Cansler,
George Meade Holstein, jr.,
Joseph Gerald Cole,
Ward Rubendall,
Clyde LeGage Walker,
Richard Brownley Gayle,
Stillman Brainard Hyde,
Winston Woodard Little,
Ralph Patterson Wagner,
John Andrew Spanogle,
Henry Morrell Atkinson, jr.,
Charles Spurgeon Harris,
Paul Wolcott Rutledge,
Alvin Clark Smith,
James Christopher Corliss,
Robert Tappan Chaplin,
Chester Bailey McCoid,
Hugh Gray Lieber,
Earle Williams Marvin,
Robert Goodwyn Rhett, jr.,
James Kenneth Morris,
Charles Emmet Bates,
Marshall Lawrence Gosserand,
Winthrop Myers Allen,
Maxwell Renvell McMillan,
St. John Waddell, jr.,
Cary Breckinridge Easley,
Nicholas Brown O'Connell,
Junius T. Moore,
Oscar Dubois McNeely,
Abraham Robert Ginsberg,
Vincent Kinsman Smith,
Charles Lee Ordeman,
Ramon Conroy,
Thomas Jeffries Betts,
David Oliphant Haynes, jr.,
Edwin John Patton,
Morris Clinton Handwerk,
Herbert Benjamin Knox, jr.,
Charles Cobb, 3d,
Benjamin Franklin Harmon,
Ralph Albert Densmore,
Charles C. Bell, jr.,
Charles William Lawrance,
Edgar Carlyle Outten,
David Warner Burgoon,
Raymond Blanton Bottom,
Farrant Lewis Turner,
Henry Terry Morrison,
Lee Duren Pettingill,
Malcolm Harrison Ross,
Leonard Roscoe Crews,
Harold Marshall Jobes,
Thomas Joseph Delaney,
William Fraser Cassedy, jr.,
John Winthrop Loveland, jr.,
Scott Hayes,
Webster Hamlin Warren,
Callan E. England,
Evan Heber Benoy,
John Brown Bethea, jr.,
Charles William Higgins,
Hugh Nathan Herrick,
George Wesley Norrick,
Milton Livermore Dodge,
Robert Mochrie,
Albert Blakeslee Ede,
Donald William Tyrrell,
Everett Maxwell Barton,
Warren Slaughter Robinson,
William Warren Wertz,
Vincent Joseph Flanagan,
Evans Read Crowell,
Simon Lee Bear,
Laurence Willis Hutchinson,
Gilbert Herman Gays,
James Chester Bates,
Thomas Edison Troland,
William Alice West, jr.,
Louis Howard Thompson,
Albert Bonds,
Thomas William Conrad,
Frederick Wilhelm Hoorn,
Charles Cooper Stalter,
Joseph Carson Stephens,
Eugene Reedy Guild,
Thomas Ryder Lannon,
Leslie W. Jefferson,
Luther Orland Leach,
James Denison Jones,
Guy Wesley Thomas,
James Leo McMullen,
Charles Rumford Walker, jr.,
Harold Long Williamson,
Isaac Wynne, jr.,
Temple Hoyne Buell,
Julien Robert Hume,
John Reigel Embich,
Ernest William Soucy,
Donald Brooks Hilton,
Ralph Edwin Hill,
Francis Lancaster Christian,
Maitland Bottoms,
William Robinson Epes,
Irvin Henry Zeliff,
Charles Harrington Stewart,
John Fiaesan,
Edward Norton Horr,
Joseph Edward Simmons,
Lucius Tuttle Hill,
Hal Francis Corry,
Martin Allen Hayes,
Edward Ramsey Holland, jr.,
John Wesley Russey,
James Dennett McIntyre,
Harry William Lins,
Bryan Lee Milburn,
Alexander Berkeley Carrington, jr.,
Frederick Henry Bachman,

Bradley Johnson Saunders, jr.,
Herbert Charles Bartlett,
Nyal L. Adams,
William Brewer Cooley,
Lloyd Gerald Sparks,
Arthur Fernando Aston,
Charles Milby Dale,
Stanford Rayne,
Harry Montgomery Carder, jr.,
William Anthony Clark, jr.,
William Wallace Dinsmore,
Arthur Duffy,
Ellsworth Young,
John William Fuchs,
Thomas Reed Bartlett,
Dudley Franklin Taylor,
James Leslie Dewitt Corey,
Andrew Jackson Bentley,
Frank Hitch Pritchard,
Clyde Mortimer Watson,
Stanley Hamilton Franklin,
Raymond Wilson Symonds,
Thomas Scott McConnell,
Detlow Mainch Marthison,
James Daniel Harvey,
Jerry Vrchlicky Matejka,
Arthur de Vries Burke,
Roy Lee Peck, jr.,
Edwin Eugene Aldrin,
Thomas Lamar Cleaton,
Charles Lennon Miller,
Joseph Earl Seiter,
William John Hiller,
Adkins Foote Bowden,
Frank Harold Haupert,
Leroy Kerr Thompson,
Milton Heilfron,
Leonard Ober,
George Flory Begoon,
Maurice Francis Dunne,
Adam Jackson Bennett,
William Hesketh,
George Curtis McFarland,
David Maxwell Waddey,
Harry James Rice,
Frazier Groff,
John Ambrose O'Leary,
Joseph Jennings Clarkson,
Joseph William Vann,
Guy Early Cate,
Walter John Wolfe,
Lloyd M. Hanna,
Severn Parker Costin Duvall,
James de Graffenriede Graves,
Hiram Hitchcock Maynard,
George Warren Dunn, jr.,
James Willard Walters,
Richard Cox Coupland,
William Joseph Burke,
George Hammond Tilghman,
George William Brent,
John Cornelius Roberts,
Daniel Webster Hickey, jr.,
Thomas Atkinson Jones, jr.,
Edwin Meade Newton,
Samuel James Ogilvie,
James Webb Benton,
Bruce W. Mason,
Stapleton Conway Deitrick,
Arthur Wilson Winship,
Elvin Leon Barr,
Thomas D'Arcey Brophy,
James Emerson Troupe,
John D. Hindle,
Douglas Eaton Morrison,
Ray Omer Edwards,
Samuel Davenport Bridge, jr.,
Carl Wood,
Thomas Eugene Jeffords,
Richard Dale,
Leslie Oakes Carr, jr.,
John McClelland Abrams,
Ward Edwin Becker,
George Herbert Glover Campbell,
Amory Oliver,
Seth Gerson Hess,
John Webster Becker,
James Boyden Crelvo Siske,
Ralph Scallon Herman,
Clarence Webb Dresser,
Kenneth George Brown,
Robert James Malone,
Louis Andre Lamoreux,
William Wayne Murphey,
Earl Hendry,
Chester Edward Ames,
Harry Bertram Aaron,
William Boyd Sommerville, jr.,
James Lawrence Whalen,
John Locke Dogget, jr.,
Frank Hendricks Hastings,
Stephen Wilkins Thompson,
Joseph Hiram Gilbreth,
Adolph Frederick Youngberg,
Harold Artemas Packard,
Walter Allan Moore, jr.,
Paul Americus Harris,
John Aloysius Malone,
Harry William Emil Bukowsky,
Howard Wright Reilly,
Walter Edward Hugins,
John Adolph Lindner,
Raymond Miller Richardson,
Marion Nimmo Fisher,
Charles Oliver Pengra,
Lionel David Smiley,
Harold Gilbert Archibald,
Edward Garrett Cowen,
Kenyon Putnam Flagg,
Charles Miller Black,
Murray Hoffman,
Waldo Huntting Rice,
Joseph Burske Hafer,
Leavitt Randall Barker,
Eben Sumner Draper,
Carl Frederick Westerberg,
John B. Roller,
Albert Converse Rountree,
James Kelsey Cogswell,
George Arthur Wilson,
Walter Burroughs Strong,
Walter H. Rice,
Thomas Henry Healy,
Roy Arthur Horning,
Henry Augustine Harkins,
George Bernhard Anderson,
David Longfellow Patten,
George Edward Moore,
John Atkinson Moore,
Russell Meade Neff,
Daniel Howe Hoge,
Reamer Walker Argo,
Edward Lucien Supple,
Francis Whittlesey Swain,
William Kirk Fowler, jr.,
Alexander Maxwell Hamburg,
Fred Beebe Hanchett, jr.,
Paul Hatch,
Willard Paine Woodman,
Walter Hannum Wheatley,
Armistead Landon Wellford, jr.,
Samuel McCullough,
Owen Miner Rose,
Frank Patterson Christian, jr.,
Wilber Russell Ellis,
John V. Fenton,
Cyrus Bashford Austin, jr.,
Mahlon Milton Read,
Roland Virgil Vaughn,
Allen Ferdinand Grum,
Donald Whitaker Campbell,
Frank Brodsky,
Bernard Clark Dailey,
Francis Paul McKenney,
William Cross Ferguson,
George Montgomery Lovejoy, jr.,
Eugene Thomas Conway,
Edward Carleton Moran, jr.,
John Woodbury Leavitt,
Richard Forrest Evans,

Clarence Stephen Babbitt,
Robert Sherman Lewis,
Walter Scott Stewart,
Linwood Irving Noyes,
Allyn Denison Stoddard,
Arthur Knowles Stewart,
Adolf Blunk,
McClellan Ratchford,
Standish Edmund Berry,
Hugh Williamson Rowan,
Edward Prescott Wright,
Edward Columbus Jerome,
Herbert Kuno Schulz,
Robert Elwyn DeMerritt,
Jay Thompson Bell,
James Franklin Powell,
William Dalton Hohenthal,
William Shelter Baxter,
Joseph Hall Van Schoick,
Harry Browne Beale,
Rufus Laurence Nelson,
Henry Lafayette Miller,
James Ralph Lowder,
Frederick Mason Fischer,
Robert Joseph Miskovsky,
Bayard B. Buchanan,
John Thomas Schneider,
Willard Warren Scott,
Curt Paul Richter,
Harold Deas,
Irving LaFetra Arbeely,
Edwin Philip Hart,
Lee Bodenhamer,
Leonard Louis Davis,
Frederick William White, jr.,
Franklin Temple Ingraham,
George Roy Genung,
William Langley Granbery, jr.,
Harold Leo Stiebel,
Gilbert Agnew Hunt,
Webster Fletcher Putnam, jr.,
Merle Halsey Davis,
Frank Simmons Hubbard,
George Berry Dobyns, and
Henry Devries Cassard.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

FIELD ARTILLERY ARM.

First Lieut. Francis Fielding-Reid, Infantry, to be first lieutenant of Field Artillery.

First Lieut. Frederick R. Baker, Infantry, to be first lieutenant of Field Artillery.

INFANTRY ARM.

First Lieut. Charles W. Chalker, Field Artillery, to be first lieutenant of Infantry.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Sherman L. Kiser,
First Lieut. Elmer Yeager,
First Lieut. Marvin C. Heyser,
First Lieut. Idus R. McLendon,
First Lieut. Michael J. Fibich,
First Lieut. Sidney G. Brady,
First Lieut. George A. Pollin,
First Lieut. David E. Finkbiner, and
First Lieut. Chauncey F. Ruoff.

CORPS OF ENGINEERS.

To be captains.

First Lieut. Herman H. Pohl,
First Lieut. Gerald A. Counts,
First Lieut. Hiram B. Ely,
First Lieut. Kenneth M Moore,
First Lieut. Charles D. Harris,
First Lieut. Edmond H. Levy, and
First Lieut. Thomas D. Stamps.

To be first lieutenants.

Second Lieut. Herman H. Pohl,
Second Lieut. Gerald A. Counts,
Second Lieut. Hiram B. Ely,
Second Lieut. Kenneth M. Moore,
Second Lieut. Charles D. Harris,
Second Lieut. Edmond H. Levy,
Second Lieut. Thomas D. Stamps,
Second Lieut. Bartley M. Harloe,
Second Lieut. Starr C. Wardrop,
Second Lieut. Girard B. Troland, and
Second Lieut. Llewellyn M. Griffith.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

Maj. John B. Huggins to be lieutenant colonel.

COAST ARTILLERY CORPS.

First Lieut. Austin Mc. McDonnell to be captain.
Second Lieut. Austin Mc. McDonnell to be first lieutenant.

VETERINARY CORPS.

To be veterinarians.

Asst. Veterinarian Robert Vans Agnew,
Asst. Veterinarian Richard H. Power,
Asst. Veterinarian Henry W. Peter,
Asst. Veterinarian William P. Hill,
Asst. Veterinarian Jules H. Uri, and
Asst. Veterinarian John A. McKinnon.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 18, 1917.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father of light and life, justice and mercy, love and liberty, peace and good will, our hearts turn to Thee with inexpressible joy and gratitude at this season of the year; which reminds us of Thine own best gift to the world, through whom Thou didst reveal Thine own heart, and through whom Thou didst impart life more abundantly unto Thy children.

Help us to forgive our transgressors as we hope at last to be forgiven of Thee. Hasten the day, we beseech Thee, when all the nations of the earth shall dwell together in the peace, heralded by the angelic host: "Glory to God in the highest, and on earth, peace, good will toward men."

Let Thy blessing attend the officers, Members, and employees of this House and their respective families as we separate for the holiday season, and bring us together at the appointed time in health, strength, and vigor, that we may do the work Thou hast given us to do, in the spirit of the Lord Jesus Christ, our Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. LANGLEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. LANGLEY. Mr. Speaker, I rise to ask unanimous consent to extend my remarks in the RECORD by printing a letter addressed to me by J. H. Wheelwright, president of the Consolidation Coal Co., of Baltimore Md., discussing the coal situation. This is one of the large producing companies of the country, and this letter is one of the best statements of the present situation that it has been my pleasure to hear or read.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The letter is as follows:

THE CONSOLIDATION COAL CO.,
Baltimore, Md., December 14, 1917.

Hon. JOHN W. LANGLEY,
House of Representatives, Washington, D. C.

MY DEAR MR. LANGLEY: Coal being the essential of essentials must be produced in sufficient quantity to supply the fuel necessities of the home, the farm, the factories that are engaged in the production of such things as are absolutely necessary for the successful continuation and culmination of this war, the steel mills, the powder mills, the public utilities, the munition plants, the railroads, the steamships, shipyards, by-product, and other plants that can not be shut down or discontinued.

This is an undisputable fact.

The question which is important to impress upon your mind is that this amount of coal is not at present being produced and with this statement accepted as a fact, what is the remedy that should be applied immediately?

First, Soft coal almost without an exception when mined has to be dumped from the miner's car as it comes out of the pit or mine mouth over a tipple direct into a railroad car, and unless there is a railroad car under the tipple the miner's car, which holds about 2 tons, can not be dumped and the mine then and there is compelled to shut down. The 100 or more miners working at that particular mine will then come out, go to their homes, and produce no more coal for that day; so therefore the amount of coal that their labor could and would have produced for that particular day is absolutely lost.

It is perhaps also true that the railroad systems are so crowded with freight that under the present arrangement it is absolutely impossible for them to supply coal cars at mines with sufficient regularity, and in sufficient numbers to produce the coal necessary.

While the United States fuel administrator can and does direct unto whom the coal that is mined should be sent, unless coal is mined in sufficient quantity how will this bring relief when there is not sufficient coal on top of the earth to divide to prevent your people from suffering from cold and your necessary institutions, mills, and factories from shutting down for want of fuel?

This situation has been presented and re-presented and there have been months of pleading but no days of action. Now as it would seem that the Government of the United States is about to take charge of the direction of the transportation companies is it not timely to bring to your attention the fact that these transportation companies must be ordered, and these orders must be universally carried out, to furnish to the coal mines of the United States sufficient railroad cars to take care of the fuel needed for the purposes above specified?

Second. My personal belief is that if this is done we have sufficient man power at the mines to produce the necessary coal. If, however, the coal operators and the coal miners fail in their manifest duty to produce the necessary fuel then give the President of the United States the power to conscript the operators, the coal miners, and take over the coal mines and compel the operators and the coal miners to perform their duty with the same fidelity as is required of the soldier in the trenches who is facing the most powerful and cruel foe that the world has ever known.

We have a large number of coal mines in your State that have not been for months producing the coal they are equipped to produce or had the man power to produce, on account of the failure of the transportation companies to furnish cars, and, of course, unless some real steps are taken the production of these mines and all other mines in your State must necessarily be less on account of the increasing difficulties in the operation of the railroads for the next three or four winter months.

I have, my dear Mr. LANGLEY, given you in the above statement my frank and honest opinion of the situation as I believe it exists to-day.

Very truly, yours,

J. H. WHEELWRIGHT.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolution and bill of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 115. Joint resolution providing additional telephone operators for the Senate and House of Representatives; and

S. 1848. An act for the relief of contributors of the Ellen M. Stone ransom fund.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Senate, two-thirds of the Senators present agreeing thereto, agrees to the amendments of the House of Representatives to the joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 6967. An act to increase the number of midshipmen at the United States Naval Academy.

REFERENCE OF BILLS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that H. R. 242, by Mr. RAKER, and H. R. 3371, by Mr. FRENCH, bills to protect the rights of women citizens of the United States to register and vote for Senators of the United States and Members of the House of Representatives, referred to the Committee on Election of President, Vice President, and Representatives in Congress, be referred to the Committee on Woman Suffrage.

Mr. WALSH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WALSH. Reserving the right to object, I desire to ask the gentleman from California, the chairman of the new committee recently created, if the resolutions conferring the right of suffrage on women should receive favorable consideration by the House would it be necessary for any action to be taken by the House on either of these measures?

Mr. RAKER. Presumably not; and I imagine that would be the attitude of the committee, but they claim jurisdiction, and some parties want to be heard, and the only thing is to give them an opportunity irrespective of what the committee might do; but I would say to the gentleman that when the House passes the constitutional amendment, which it undoubtedly will, I imagine there will be no reason, in fact, it would be hardly probable the committee would report this matter to the House. This, of course, can not be determined now.

Mr. WALSH. There is no intention on the part of the new committee to report in these measures before the constitutional amendment is acted upon?

Mr. RAKER. So far as I am concerned, if I can be of any assistance to the committee, it would be the purpose not to report them into the House until after the woman suffrage matter is disposed of.

Mr. WALSH. Despite that fact, does not the gentleman think it would be better to defer this matter of rereference and arranging for hearings upon these measures until action is had upon the national woman suffrage amendment?

Mr. RAKER. That may be all well so far as hearings are concerned.

Mr. CAMPBELL of Kansas. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CAMPBELL of Kansas. To inquire of the bill under consideration, whether it is the suffrage——

Mr. WALSH. Mr. Speaker, if I can not have my question answered in my own time, I shall be obliged to object.

Mr. CAMPBELL of Kansas. I simply asked for information.

The SPEAKER. The Chair supposed the gentleman from Massachusetts was through.

Mr. WALSH. The gentleman from California, Mr. Speaker, was attempting to answer the question I had put.

Mr. RAKER. In answer to the gentleman I will say that I think the jurisdiction ought to be transferred, but, to be perfectly frank with the gentlemen in the House, until that is disposed of—and I believe it will one way or the other on the 10th of January—I do not believe these hearings ought to be had upon those two bills or either of them until the matter is disposed of by the House, but now notwithstanding, in justice to the Committee on Woman Suffrage and the House, jurisdiction ought to be transferred.

The SPEAKER. Does the gentleman from Kansas have anything further to remark?

Mr. CAMPBELL of Kansas. What bill does the gentleman refer to?

Mr. RAKER. The bills I refer to now are H. R. 242 and H. R. 3371, which are practically the same, the latter introduced by Mr. French, of Idaho.

Mr. CAMPBELL of Kansas. For what do these bills provide?

Mr. RAKER. These bills are intended, as parties contend, to give to women the right to vote under the Constitution of the United States for Members of the House and Senate.

Mr. CAMPBELL of Kansas. Without regard to a constitutional amendment?

Mr. RAKER. Yes.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent, being authorized by his committee, to rerefer H. R. 242 and H. R. 3371 from the Committee on the Election of the President, Vice President, and Representatives in Congress to the Committee on Woman Suffrage.

Mr. GARD. Will the gentleman yield?

Mr. RAKER. I will.

Mr. GARD. To what committee are these now referred? Will the gentleman state the substance of the bills?

Mr. RAKER. I will. The bill 242 reads as follows. It is short.

Mr. SANFORD. Mr. Speaker, I object.

The SPEAKER. The gentleman from New York objects.

Mr. RAKER. Mr. Speaker, I desire to present the following privileged motion. I am authorized by the Committee on Woman Suffrage to move that H. R. 242 and H. R. 3371, bills to protect the rights of women citizens of the United States to register and vote for Senators of the United States and Members of the House of Representatives, referred to the Committee on Election of President, Vice President, and Representatives in Congress, be rereferred to the Committee on Woman Suffrage.

Mr. RUCKER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. RUCKER. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUCKER. Is this motion debatable?

The SPEAKER. No.

Mr. RUCKER. I hope it will be lost.

Mr. KITCHIN. Will the gentleman mind withholding that until we get through with these two very important matters that ought to be considered this morning? It could be deferred until these matters are disposed of.

Mr. RAKER. Mr. Speaker, I have another motion, a preferential one. If I will not lose my right, I will yield.

The SPEAKER. If anybody undertakes to enforce the rule strictly, if the gentleman waives his right, he will not get them back until another day. The gentleman from Tennessee [Mr. GARRETT] raised that identical point the other day.

Mr. KINCHELOE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KINCHELOE. Is this a preferential motion?

The SPEAKER. The motion is in order. The question is on rereferring these two bills, taking them from the Committee on the Election of President, Vice President, and Representatives

in Congress and sending them to the Woman's Suffrage Committee.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. GARRETT of Tennessee. Mr. Speaker, I demand a division.

Mr. KINCHELOE. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Kentucky makes the point of order there is no quorum present, and the Chair will count. [After counting.] One hundred and forty-one Members are present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those who are in favor of rereferring this bill to the Committee on Woman Suffrage will, when their names are called, answer "yea," and those opposed will answer "nay."

The question was taken; and there were—yeas 234, nays 107, answered "present" 1, not voting 91, as follows:

YEAS—234.

Anderson	Foster	Lehlbach	Rose
Austin	Francis	Lenroot	Rowe
Ayres	Frear	Linthicum	Sabath
Bacharach	Freeman	Little	Sanders, Ind.
Baer	French	Littlepage	Schall
Bailey	Fuller, Ill.	Lobeck	Sears
Barnhart	Fuller, Mass.	London	Sells
Beakes	Gallagher	Lonergan	Shallenberger
Beshlin	Gandy	Longworth	Shouse
Bland	Garland	Lufkin	Siegel
Bowers	Garrett, Tex.	Lundeen	Sims
Britten	Gillett	Lunn	Sinnott
Burroughs	Glass	McAndrews	Sloan
Byrns, Tenn.	Glynn	McArthur	Smith, Idaho
Caldwell	Goodall	McClintic	Smith, Mich.
Campbell, Kans.	Graham, Ill.	McCormick	Smith, C. B.
Campbell, Pa.	Green, Iowa	McCulloch	Smith, T. F.
Cannon	Greene, Vt.	McFadden	Snell
Cantrill	Griest	McKenzie	Snyder
Caraway	Hadley	McKeown	Stedman
Carter, Mass.	Hamill	McKinley	Steenerson
Carter, Okla.	Hamilton, Mich.	McLaughlin, Mich.	Sterling, Ill.
Chandler, N. Y.	Hamilton, N. Y.	McLemore	Stiness
Church	Harrison, Va.	Madden	Strong
Clark, Fla.	Haskell	Magee	Sweet
Claypool	Hastings	Maher	Swift
Connelly, Kans.	Hawley	Mays	Switzer
Cooper, Ohio	Hayden	Merritt	Taylor, Ark.
Cooper, Wis.	Heflin	Miller, Minn.	Temple
Copley	Helvering	Mondell	Templeton
Cramton	Hersey	Montague	Thompson
Crosser	Hicks	Moore, Pa.	Tillman
Dale, N. Y.	Hilliard	Morgan	Timberlake
Dale, Vt.	Hollingsworth	Morin	Towner
Dallinger	Huddleston	Mott	Treadway
Darrow	Hulbert	Mudd	Van Dyke
Davidson	Hull, Iowa	Norton	Vare
Denison	Hutchinson	Oldfield	Vestal
Dillon	Igoe	Oliver, N. Y.	Volstead
Dixon	Ireland	Olney	Waldow
Doolittle	Jacoway	Osborne	Walsh
Dowell	Johnson, S. Dak.	O'Shaunessy	Walton
Drane	Johnson, Wash.	Overmyer	Ward
Dyer	Juul	Padgett	Watson, Pa.
Edmonds	Keating	Parker, N. Y.	Weaver
Elliott	Kehoe	Phelan	Welling
Ellsworth	Kelley, Mich.	Porter	Wheeler
Elston	Kelly, Pa.	Pou	White, Me.
Emerson	Kennedy, R. I.	Powers	White, Ohio
Esch	Kettner	Pratt	Williams
Evans	Kiess, Pa.	Purnell	Wilson, Ill.
Fairchild, B. L.	King	Rainey	Wingo
Fairfield	Kinkaid	Raker	Winslow
Farr	Kreutson	Ramseyer	Wood, Ind.
Ferris	Kraus	Randall	Woods, Iowa
Fields	Kreider	Rankin	Young, N. Dak.
Fisher	La Follette	Reavis	Zihlman
Flynn	Langley	Riordan	
Foss	Lea, Cal.	Rodenberg	

NAYS—107.

Alexander	Dickinson	Jones, Va.	Rouse
Almon	Dies	Kearns	Rubey
Ashbrook	Dominick	Key, Ohio	Rucker
Aswell	Doremus	Kincheloe	Russell
Bankhead	Drukker	Kitchin	Sanford
Bell	Dunn	Lazaro	Scott, Mich.
Black	Dupré	Lee, Ga.	Sherley
Blackmon	Estopinal	Lesher	Sherwood
Booher	Flood	Lever	Sisson
Borland	Fordney	Mansfield	Slayden
Brand	Gard	Mapes	Small
Brodbeck	Garrett, Tenn.	Martin	Steagall
Browning	Gordon	Moon	Stephens, Miss.
Buchanan	Gould	Moores, Ind.	Stevenson
Burnett	Gregg	Nicholls, S. C.	Sumners
Byrnes, S. C.	Hamlin	Oliver, Ala.	Talbott
Candler, Miss.	Hardy	Overstreet	Thomas
Carlin	Harrison, Miss.	Paige	Vinson
Classon	Heaton	Park	Walker
Coady	Helm	Parker, N. J.	Watkins
Collier	Hensley	Platt	Watson, Va.
Connally, Tex.	Holland	Polk	Webb
Cooper, W. Va.	Hood	Price	Whaley
Crisp	Hull, Tenn.	Quin	Wilson, La.
Decker	Humphreys	Ramsey	Wilson, Tex.
Dent	James	Rayburn	Young, Tex.
Denton	Johnson, Ky.	Romue	

ANSWERED "PRESENT"—1.

Butler

NOT VOTING—91.

Adamson	Eagan	Kahn	Saunders, Va.
Anthony	Eagle	Kennedy, Iowa	Scott, Iowa
Bathrick	Fairchild, G. W.	LaGuardia	Scott, Pa.
Blanton	Fess	Larsen	Scully
Browne	Fitzgerald	McLaughlin, Pa.	Shackleford
Bruckner	Focht	Mann	Slemp
Brumbaugh	Gallivan	Mason	Snook
Capstick	Garner	Meeker	Stafford
Carew	Godwin, N. C.	Miller, Wash.	Steele
Cary	Good	Neely	Stephens, Nebr.
Chandler, Okla.	Goodwin, Ark.	Nelson	Sterling, Pa.
Clark, Pa.	Graham, Pa.	Nichols, Mich.	Sullivan
Costello	Gray, Ala.	Nolan	Tague
Cox	Gray, N. J.	Peters	Taylor, Colo.
Crago	Greene, Mass.	Ragsdale	Tilson
Currie, Mich.	Griffin	Reed	Tinkham
Curry, Cal.	Haugen	Robbins	Venable
Davis	Hayes	Roberts	Voigt
Dempsey	Heintz	Robinson	Watson
Dewalt	Houston	Rogers	Welty
Dill	Howard	Rowland	Wise
Dooling	Husted	Sanders, La.	Woodyard
Doughton	Jones, Tex	Sanders, N. Y.	

So the motion was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. DILL (for) with Mr. MASON (against).

Mr. TAYLOR of Colorado (for) with Mr. SANDERS of Louisiana (against):

For the session:

Mr. STEELE with Mr. BUTLER.

Until further notice:

Mr. ADAMSON with Mr. ANTHONY.

Mr. BATHRICK with Mr. BROWNE.

Mr. BLANTON with Mr. CAPSTICK.

Mr. BRUCKNER with Mr. CARY.

Mr. BRUMBAUGH with Mr. CHANDLER of Oklahoma.

Mr. CAREW with Mr. CLARK of Pennsylvania.

Mr. COX with Mr. COSTELLO.

Mr. DEWALT with Mr. CRAGO.

Mr. DALE with Mr. TILSON.

Mr. DOOLING with Mr. CURRY of California.

Mr. DOUGHTON with Mr. DAVIS.

Mr. EAGAN with Mr. DEMPSEY.

Mr. EAGLE with Mr. GEORGE W. FAIRCHILD.

Mr. FITZGERALD with Mr. FESS.

Mr. GALLIVAN with Mr. FOCHT.

Mr. GARNER with Mr. TINKHAM.

Mr. GODWIN of North Carolina with Mr. GRAHAM of Pennsylvania.

Mr. GOODWIN of Arkansas with Mr. GRAY of New Jersey.

Mr. GRAY of Alabama with Mr. GREENE of Massachusetts.

Mr. GRIFFIN with Mr. VOIGT.

Mr. HOUSTON with Mr. HAYES.

Mr. HOWARD with Mr. WASON.

Mr. JONES of Texas with Mr. HUSTED.

Mr. LARSEN with Mr. KAHN.

Mr NEELY with Mr. KENNEDY of Iowa.

Mr. RAGSDALE with Mr. LAGUARDIA.

Mr. ROBINSON with Mr. MCLAUGHLIN.

Mr. WELTY with Mr. WOODYARD.

Mr. SAUNDERS of Virginia with Mr. MEEKER.

Mr. SCULLY with Mr. MILLER of Washington.

Mr. SHACKLEFORD with Mr. NICHOLS of Michigan.

Mr. SNOOK with Mr. NOLAN.

Mr. STEPHENS of Nebraska with Mr. PETERS.

Mr. STERLING of Pennsylvania with Mr. SLEMP.

Mr. SULLIVAN with Mr. ROBERTS.

Mr. TAGUE with Mr. ROGERS.

Mr. WISE with Mr. ROWLAND.

Mr. VENABLE with Mr. SANDERS of New York.

Mr. BUTLER. Mr. Speaker, did my colleague from Pennsylvania, Mr. STEELE, vote?

The SPEAKER. He did not vote.

Mr. BUTLER. Thank you, sir. I have been paired with him. I voted in the affirmative. I want to withdraw that vote and vote present.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. BUTLER, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

Mr. RAKER. Mr. Speaker, I offer a privileged motion.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Motion by Mr. RAKER: I move that the following House resolutions proposing an amendment to the Constitution of the United States extending the right of suffrage to women be referred from the Committee

on the Judiciary to the Committee on Woman Suffrage, with jurisdiction, namely, House joint resolution No. 3, by Miss RANKIN; House joint resolution No. 4, by Mr. MONDELL; House joint resolution No. 11, by Mr. KEATING; House joint resolution No. 19, by Mr. HAYDEN; House joint resolution No. 54, by Mr. TAYLOR of Colorado.

Mr. RAKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. The resolutions referred to have gone to the Committee on the Judiciary. That committee has not acted upon them. It has not laid them upon the table. No action on them has been taken. Under the rule the fact that the bills are not reported would not prevent the House——

The SPEAKER. That is not a privileged matter.

Mr. GARRETT of Tennessee. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT of Tennessee. A resolution embodying the substance contained in each of these resolutions having been reported, would that make any difference in the parliamentary situation?

The SPEAKER. The Chair thinks not.

Mr. GILLETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Massachusetts [Mr. GILLETT] will state his parliamentary inquiry.

Mr. GILLETT. I would like to make a parliamentary inquiry similar in nature to that made by the gentleman from California [Mr. RAKER], and that is that inasmuch as amendments exactly like this are already before the House for action, is it not a waste of time for the House to do anything about these?

The SPEAKER. If that were a parliamentary inquiry—which it is not—the Chair would say "Yes; it is a waste of time." [Laughter.]

Mr. GARRETT of Tennessee. Mr. Speaker, if the Chair will hear me for a moment, I make the point of order that the motion proposed by the gentleman from California [Mr. RAKER] is not privileged.

The SPEAKER. Why does the gentleman make that?

Mr. GARRETT of Tennessee. The Committee on the Judiciary——

The SPEAKER. I know; but I call the gentleman's attention to the fact that there are four of these things besides that one.

Mr. GARRETT of Tennessee. I was about to reach that point. The Committee on the Judiciary has reported to the House and there is now on the calendar a resolution in the express words, if I am correctly informed——

Mr. RAKER. No; they are not——

Mr. GARRETT of Tennessee. Of the several resolutions that are pending.

Mr. RAKER. Will the gentleman yield right there?

Mr. GARRETT of Tennessee. Yes.

Mr. RAKER. The resolutions are not the same. The resolution of Mr. TAYLOR of Colorado contains entirely different provisions. I will read it to the gentleman. It includes——

Mr. GARRETT of Tennessee. Oh, I do not yield to the gentleman. I would rather have the point of order overruled than yield to the gentleman to read. [Laughter.]

The SPEAKER. Each measure or bill introduced into the House is referred on its own merits.

Mr. GARRETT of Tennessee. Mr. Speaker, those matters were properly referred at the time they were referred, of course.

The SPEAKER. There is no question about that.

Mr. GARRETT of Tennessee. The rule provides that correction in case of an error of reference may be made by the House without debate, in accordance with Rule IX, on any day immediately after the reading of the Journal. I make the point of order that the reference was not made by error. The reference was correctly made.

The SPEAKER. On that point the Chair rules with the gentleman, that it was correctly made.

Mr. GARRETT of Tennessee. Then a correction can only be made in case of error.

The SPEAKER. The rule has to be construed——

Mr. SHERLEY. Mr. Speaker, I make the further point that the motion is to refer a number of resolutions, some of which are identical with the action of the resolution reported by the Committee on the Judiciary. To that extent the motion is not in order.

The SPEAKER. There is no question about that.

Mr. SHERLEY. And, not being divisible, the whole motion fails.

Mr. DYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DYER. The fact that the resolution that has been reported by the Committee on the Judiciary has an amendment to it, does that make a difference in regard to the point of order made by the gentleman from Kentucky [Mr. SHERLEY]? I will state for the information of the House——

The SPEAKER. The point made by the gentleman from Kentucky undoubtedly is correct; that is, joining several together. We can take more time and dispose of them one at a time.

Mr. RAKER rose.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. RAKER. I ask unanimous consent to modify the motion—to strike out all after "House joint resolution No. 3, by Miss RANKIN." Strike out all the balance of it.

The SPEAKER. What does the gentleman say to the point of order made by the gentleman from Tennessee [Mr. GARRETT], that these things were not erroneously referred, to begin with?

Mr. RAKER. Mr. Speaker, in answer to that I have given the matter some little consideration, such as my ability will permit. The rule says "erroneous." Unquestionably there was no Committee on Woman Suffrage at the time that reference was made. The House since that time has created a committee, with jurisdiction, and clearly there could be no application of that word "erroneous" now, that the House should not transfer jurisdiction upon a proper application.

Mr. WALSH. Mr. Speaker, will the gentleman from California yield?

Mr. RAKER. I yield to the gentleman.

Mr. WALSH. May I ask the gentleman in all seriousness if the purpose of having these measures referred to his committee is in anticipation of a request by him to have an assistant clerk appointed to that committee?

Mr. RAKER. That is a small question, and there is nothing in it. I will not ask anything from the House except what I think is right.

Mr. HAMLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAMLIN. It seems that the whole trouble comes not because these bills were erroneously referred, but because a new committee has been created. Could not this whole matter be obviated by reintroducing these bills and having them referred to the proper committee?

The SPEAKER. It could.

Mr. GILLETT. Mr. Speaker, I should like to be heard for a moment, unless the Speaker is going to sustain the point of order. If he is, I do not care to be heard.

The SPEAKER. The Chair will hear the gentleman.

Mr. GILLETT. It seems to me the point of order unquestionably is technically correct, since nobody can deny that technically the rule simply provides for the correction of a mistake, and here there was no mistake in the reference. Now, in case there was an injustice done, the Chair might say, "I will not give a strained and technical interpretation of the rule. I will bend it to the side of justice." But in this case there can be no injustice done. The motion which the gentleman made is obviously of no practical effect. It is for a purely sentimental or personal purpose. The gentleman can accomplish the same result in a moment by introducing himself the same resolutions and having them referred to his committee, and it makes no difference to him or to the House whether these particular resolutions lie idle in the Judiciary Committee or not. So there is no practical effect produced by his motion. Therefore it seems to me the Chair ought to sustain the obvious strict technical meaning of the words and say that this is not to correct an error.

The SPEAKER. The Chair does sustain the point of order, although it is exceedingly narrow, because the gentleman from California has his remedy. He can reintroduce these resolutions in two minutes and a half and get them referred to his committee.

Mr. DYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DYER. Suppose these bills are reintroduced and referred to the Woman Suffrage Committee, would a point of order then lie against their consideration on the ground that the Judiciary Committee already has jurisdiction of those resolutions?

The SPEAKER. Why, no; it would not. The ordinary practice of the House is that bills come up in the order in which they are on the calendar, and that rule goes unless the Committee on Rules brings in a rule to take a bill out of its regular order or unless somebody gets unanimous consent.

Mr. RAKER. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. After a bill has been referred to one committee and still remains in that committee, is it proper under the rules of the House to introduce a similar resolution and transfer it to another committee, if the resolution is identical? I want to be fair with the House.

The SPEAKER. The Chair has already ruled.

SEVERAL MEMBERS. Regular order!

Mr. GILLETT. Mr. Speaker, I ask unanimous consent that I may address the House for five minutes in correction of a mistake which I made a few days ago.

The SPEAKER. As soon as we dispose of a little business on the Speaker's table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HOLLINGSWORTH, indefinitely, on account of the illness of his wife; and

To Mr. JOHNSON of Washington, from January 3 to January 9.

RESIGNATIONS FROM THE HOUSE.

The SPEAKER laid before the House the following communications:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., December 18, 1917.

The SPEAKER,
House of Representatives, Washington, D. C.

SIR: I have to-day transmitted to the governor of the State of New York my resignation as a Representative in the Congress of the United States from the eighth district of New York, to take effect December 31, 1917.

Faithfully, yours, DANIEL J. GRIFFIN,
Eighth District New York.

—

HOUSE OF REPRESENTATIVES,
Washington, D. C., December 18, 1917.

To the SPEAKER,
House of Representatives of the United States,
Washington, D. C.

SIR: I have to-day transmitted to the governor of the State of New York my resignation as a Representative in the Congress of the United States from the twenty-second district of New York, to take effect December 31, 1917.

Respectfully, yours, HENRY BRUCKNER.

—

HOUSE OF REPRESENTATIVES,
Washington, D. C., December 15, 1917.

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

SIR: I beg leave to inform you that I have this day transmitted to the governor of the State of Georgia my resignation as a Representative in the Congress of the United States from the fourth district of said State, to take effect on December 18, 1917, at 5 o'clock p. m.

In thus terminating my long and pleasant service in the House of Representatives I can not refrain from expressing to you, and through you to my colleagues, my profound and abiding sense of gratitude for the uniform courtesy, kindness, and cooperation so generously accorded me by all.

Respectfully, W. C. ADAMSON.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 117. Joint resolution amending the act of July 2, 1909, governing the holding of civil-service examinations.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 6967. An act to increase the number of midshipmen at the United States Naval Academy.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 1848. An act for the relief of contributors of the Ellen M. Stone ransom fund; to the Committee on Claims; and

S. J. Res. 115. Joint resolution providing additional telephone operators for the Senate and House of Representatives; to the Committee on Appropriations.

RESIGNATION FROM A COMMITTEE.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, December 18, 1917.

Hon. CHAMP CLARK,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Alcoholic Liquor Traffic, to take effect when the same is accepted.

Yours, respectfully, FRANK CLARK.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

LEAVE TO ADDRESS THE HOUSE.

Mr. KITCHIN. Mr. Speaker, some time ago the gentleman from Illinois [Mr. MCCORMICK] was given an hour to address the House this morning. With his permission I ask unanimous consent that instead of this morning the gentleman be granted an hour to address the House immediately after the reading of the Journal on January 7.

The SPEAKER. The gentleman from North Carolina asks unanimous consent, with the permission of the gentleman from Illinois [Mr. MCCORMICK] that the date of his address be changed from to-day until the 7th day of January just after the reading of the Journal and the cleaning up of business on the Speaker's table, not to interfere in any way with privileged matters. Is there objection?

There was no objection.

ELECTION TO A COMMITTEE.

Mr. KITCHIN. Just one other matter, Mr. Speaker, I move the election of WILLIAM B. WALTON as chairman of the Committee on Expenditures in the Department of Justice.

The SPEAKER. Are there any other nominations? If not the Chair will put the question.

The motion was agreed to.

EXPENSES OF FIRST LIBERTY LOAN.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. GILLETT. Mr. Speaker, on last Friday, in discussing the inability of this House to keep track of expenditures, I stated as one of the evidences of secretiveness on behalf of the administration the fact that Secretary McAdoo had not given to the House, as he had assured the Committee on Ways and Means that he would, the expenditures that he had made in selling the first liberty loan bonds.

I received this morning a letter from the Secretary of the Treasury expressing surprise at my statement and calling my attention to the fact that he had made such a report and inclosing it. I find that on December 11, three days before I spoke, it was made and referred to the Committee on Expenditures in the Treasury Department and ordered to be printed. So that it was undoubtedly in print at the time I made my remarks, and I wish to make that as public as my criticism.

In that connection it seems to me only fair that I should add that the statement which he submitted to the House is simply contained on one sheet of paper. It has only 30 or 40 items to account for the expenditure of over $2,000,000, and to my view does not at all meet the needs which this House is under if it is to know what the expenses of the administration are.

Mr. LONGWORTH. To what committee did the gentleman say the report was referred?

Mr. GILLETT. To the Committte on Expenditures in the Treasury Department.

Mr. LONGWORTH. Will the gentleman put the report in the RECORD?

Mr. GILLETT. It is printed and is a public document. I will put the report in the RECORD, but it will not give much light to anybody.

Mr. JOHNSON of Washington. Does it include the expenses of special trains?

Mr. GILLETT. The whole expense of traveling is something over $8,000 and is put in one item.

Mr. JOHNSON of Washington. And it does not show any special trains?

Mr. GILLETT. No; it discloses nothing but the total expense. The salaries run up to over $85,000 and they are in one item. The printing and binding is something over $50,000, and that is in one item. That is not the kind of report which I think this House is entitled to. That does not tell us whether the money was wisely and properly expended. I would not intimate that it was not, but this is exactly the kind of report that would be made if it was wished to conceal something. In view of the liberality of the House in its appropriations that is not the return we should expect.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. HAMILTON of Michigan. Does the gentleman know where the printing and binding was done?

Mr. GILLETT. No; nothing is said about it, and I do not know. Here is simply one sheet, and while I did make a technical mistake when I said the report had not been made, this is not in my opinion an accurate, detailed report such as this

House is entitled to. Now, Mr. Speaker, I ask unanimous consent to print the report or statement in the RECORD.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to print the report in the RECORD. Is there objection?

There was no objection.

Mr. NORTON. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. NORTON. Does the gentleman know whether the Secretary made an itemized report to the Committee on Expenditures in the Treasury Department?

Mr. GILLETT. This is undoubtedly the only report made. If there was another report made to the committee the committee would have printed it. I assume that this is the only report made.

The letter of the Secretary of the Treasury with the statement is as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, December 3, 1917.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: In accordance with the provisions of section 8 of the act of Congress approved April 24, 1917 (Public No. 3, 65th Cong.), I have the honor to transmit herewith a statement of expenditures under said act as far as such expenditures have been submitted to the department up to December 1, 1917.

This statement does not cover complete accounts, for the reason that all bills from the Federal reserve banks have not yet been transmitted to the department, other outstanding bills have not yet been received for payment, and the work in the Bureau of Engraving and Printing and other branches of the Treasury Department in connection with the bonds issued under said act has not yet been completed. As soon as the work is finished and the accounts are rendered and paid a complete classified and detailed statement will be submitted to the Congress.

Respectfully,

W. G. MCADOO, *Secretary.*

Statement of expenditures to Dec. 1, 1917, under the act of Apr. 24, 1917 (Public No. 3, 65th Cong.).

Certificates of indebtedness:		
Distinctive paper	$2,443.05	
Engraving and printing	12,723.90	
		$15,166.95
Bonds and interim certificates:		
Distinctive paper	164,826.72	
Engraving and printing	393,601.84	
		558,428.56
Publicity:		
Posters and stickers	70,029.46	
Buttons	21,777.64	
		91,807.10
Equipment:		
Furniture	7,200.57	
Typewriters	4,119.13	
Labor-saving machines	10,993.12	
		22,312.82
Insurance on transportation of bonds and certificates		25,846.59
Supplies, stationery, etc		27,112.07
Woman's Liberty Loan Committee		1,419.43
Expert assistance		1,681.21
Traveling expenses		8,644.90
Expressage and postage		8,251.32
Stenographic reporting		414.00
Telegrams		85,495.53
Telephones		469.50
Salaries		85,346.04
Newspapers, directories, etc		258.21
Repairs and moving		360.80
Vault work		1,082.20
Printing and binding		58,256.78
Miscellaneous		727.41
Federal reserve banks:		
Atlanta	$25,009.67	
Boston	98,752.56	
Chicago	170,850.01	
Cleveland	99,086.93	
Dallas	20,683.35	
Kansas City	30,253.85	
Minneapolis	40,576.54	
New York	278,043.73	
Philadelphia	79,439.11	
Richmond	23,710.46	
St. Louis	53,408.88	
San Francisco	128,659.76	
		1,048,465.85
Total of accounts so far submitted		2,041,547.27

PROHIBITION AMENDMENT.

Mr. WALSH. Mr. Speaker, I rise to ask unanimous consent that Members be allowed within five legislative days to extend their own remarks without the inclusion of telegrams, letters, or editorials, upon the national prohibition amendment to the Constitution.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that all Members shall have the right to print their own remarks on the constitutional amendment agreed to yesterday by the House, excluding telegrams, letters, and editorials, and so forth. Is there objection?

Mr. MORGAN. Mr. Speaker, I object.

Mr. POWERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on prohibition and woman suffrage.

Mr. WALSH. I object.

COMMITTEE ON EXPENDITURES IN NAVY DEPARTMENT.

Mr. HARDY. Mr. Speaker, I ask unanimous consent to call up the resolution authorizing the Committee on Expenditures in the Navy Department to send for persons and papers.

The SPEAKER. The Chair announced yesterday that during the extra session, on account of the great confusion and pressure and the agreement not to pass anything except for war emergency, he violated the rule for six months and recognized Members for unanimous consent, but that he was not going to do it any longer.

Mr. HARDY. But this is a resolution——

The SPEAKER. The Chair understands perfectly what it is.

Mr. GARRETT of Tennessee. I should object anyway, Mr. Speaker.

The SPEAKER. All Members are under obligation to observe the rules of the House, and the Speaker most of all.

WOMAN SUFFRAGE COMMITTEE.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the membership of the Woman Suffrage Committee be increased to 14. That is an increase of 1 as the membership is now 13, and that the gentleman from New York [Mr. LONDON] be made a member of that committee.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to increase the number of the Committee on Woman Suffrage to 14, and that the gentleman from New York [Mr. LONDON] be the additional member.

Mr. GARRETT of Tennessee. Reserving the right to object, Mr. Speaker, the Committee on Rules has given very careful attention to the organization of this committee. I, of course, was opposed to it, but a great majority of the committee was for it. That committee very carefully considered the number of which it should be composed and acted upon it after due consideration. I do not think that this should be done by unanimous consent, and I object.

WAR EXCESS-PROFITS TAX.

Mr. KITCHIN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of House joint resolution 195, amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war excess-profits tax the compensation of officers and employees under the United States, including Members of Congress.

The SPEAKER. The gentleman from North Carolina moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of House joint resolution 195.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. WATSON of Virginia in the chair.

The CHAIRMAN. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That subdivision (a) of section 201 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, is hereby amended to read as follows:

"(a) In the case of officers and employees under any State, or local subdivision thereof, the compensation or fees received by them as such officers or employees;"

SEC. 2. That section 209 of such act of October 3, 1917, is hereby amended by adding a paragraph to read as follows:

"The income of officers and employees under the United States, including Members of Congress (but not including the present President of the United States during the term for which he has been elected, nor the judges of the Supreme and inferior courts of the United States in office at the time of the passage of this amendment), received as compensation or fees by them as such officers, employees, or Members, shall be taxable under this section for the calendar year 1917 and each year thereafter; but a nonresident alien officer or employee of the United States shall be entitled to the same deduction as a resident of the United States."

Mr. KITCHIN. Mr. Chairman, under the present revenue law, passed at the last session, the provisions of the excess-profits tax do not apply to governmental officers and employees; that is, Federal, State, county, and city officers and employees. There is considerable doubt in the minds of lawyers in the House, in the Treasury Department, and elsewhere whether Members of Congress are included in the provisions excepting such officers from the operation of the excess-profits tax title. This resolution proposes to specifically include within the provisions of such tax—that is, to make subject to the excess-profits tax—all Federal officers and employees, including Members of Congress. This would make it clear and remove all doubt.

No sections or provisions of any act have ever been more misrepresented than has this exception provision and section 209 of the revenue act.

A lot of demagogues who want to come to Congress, who want to succeed some Member of the House upon either side, and the

press almost generally, have deliberately, willfully, and maliciously misrepresented these provisions, the authors of the act, and the conferees that reported it to the House and to the Senate. They have declared repeatedly, the press a thousand times over, that Members of Congress taxed the income of everyone else in the country but exempted their own incomes from taxes. There is not one word of truth in that. This new revenue act taxes the incomes of Members of the House and Senate three times more than they were taxed before.

The press has declared a thousand times over that Members of Congress exempted their own salaries from the excess-profits tax, but subjected the salaries of all others to the tax. It would have the public believe that Members of Congress specifically exempted their salaries from the tax. There is not one word of truth in that. The act does not specifically exempt the salaries of Members of Congress, and in the opinion of some of the best lawyers in this House, including the gentleman from Iowa, Mr. TOWNER, and the gentleman from Iowa, Mr. GREEN, both of whom have given diligent study and thought to the subject, in the opinion of some of the best lawyers in the Treasury Department, salaries of Members of Congress are not exempted from the excess-profits tax, and they will have to pay both the income and the excess-profits taxes, with respect to their salaries. The provision relative to the exemption of salaries of governmental officers from the excess-profits tax applies generally to all governmental officers, including Federal officers, State, county, and city officers—that is, the governors of the States, the judges of the States, the mayors of cities, the sheriffs, clerks, all officers of the State and county and city, and all officers under the United States Government, the District of Columbia or Territories of the United States. In the opinion of many eminent lawyers, a Congressman, a Member of the Senate or of the House, is not, under the Constitution, such an "officer of the United States" as would include his salary in the exemption. When the conferees decided on section 209 they left in the exception of governmental officers. That was already in the Senate exception or exemption amendments, as was also an exception or exemption of salaries of lawyers, doctors, and other professional men. As far as the House bill was concerned, individuals were not included in the excess-profits tax provisions at all, and therefore no salaries or profits in business or other income of individuals, whether officers or not, whether business or professional men, were subject to the tax. The Senate insisted on retaining its amendments including individuals in the excess-profits tax provision. The House opposed it, but finally yielded, as was pointed out by me in presenting the conference report to the House. As the individual merchant, farmer, banker, lumberman, mechanic, and so forth, were thus made subject to the tax, the conferees thought it but just that the lawyer, doctor, and other professional man and salaried business man should be made subject to the tax, and so section 209 was put in the bill and adopted by Congress. This left the exception of salaries of governmental, Federal, and State officers and employees standing as it was in the Senate amendments. The question of excepting or exempting salaries of Members of Congress was never suggested or discussed in the conference.

I may say here that other governments that have excess-profits taxes—and there are 12 or 14 in addition to the United States—except from the operation of the excess-profits tax salaries of governmental officers and employees, upon the ground that a governmental office is not a business or a trade or a profession or a calling pursued for private profit, as is the profession of a lawyer or a doctor or the business or occupation of an officer of a corporation or other person getting a salary in business. The salaries of officers of corporations, as, say, the president of a bank or of a steel corporation, are for gain, for private profit. The work done is for the benefit of the institution, which is carried on for private gain. The more efficient the officer of a corporation or the business-salaried man the more time he gives, the more thought he bestows upon the business, the more he makes for the corporation or business, the more his salary is increased. Every minute of his time is given for private gain for himself and for the institution for which he is working, while a governmental office is for governmental purposes, in performance of governmental functions, and the time and service given by the officer is not for himself, not for his private gain, but for the use and benefit of the Government and the public. It makes no difference how efficient the officer may be, how much he may save the Government, how much he makes for the Government, he gets no more than a fixed salary, no more than a man who causes loss to the Government. Take, for instance, the gentleman from Illinois, Mr. CANNON, when he was chairman of the Committee on Appropriations, or take the gentleman from New York, Mr. FITZGERALD, lately chairman of the Committee on Appropriations. By their labor and time and study and thought they may have saved the Government—as they have—millions and millions of dollars, while others of us, instead of saving the Treasury millions of dollars may have caused loss to it of millions of dollars. Nevertheless, they get no more salary than those that caused loss.

The salaries are paid not for the benefit of the officer, but for the benefit of the Government. That is the reason why other Governments do not subject salaries of Government officials to excess-profit taxes.

By the resolution we make it clear and specific that we do include Members of Congress and Federal officers and employees. Hereafter, by the passage of this resolution, no paper, no magazine, no demagogue, can have a pretext to misrepresent the provision of the act or the authors of this bill or Congress, or the present Member of Congress whose seat some demagogue may desire. I hope this will pass unanimously. [Applause.]

Under leave to extend my remarks I print below a letter to the New York Sun, in which I discuss section 209:

SCOTLAND NECK, N. C., *October 30, 1917.*

NEW YORK SUN,
New York, N. Y.

DEAR SIR: Section 209 of the new revenue act, to which your letter received this morning refers, reads as follows:

"That in the case of a trade or business having no invested capital or not more than a nominal capital there shall be levied, assessed, collected, and paid, in addition to the taxes under existing law and under this act in lieu of the tax imposed by section 201, a tax equivalent to 8 per cent of the net income of such trade or business in excess of the following deductions: In the case of a domestic corporation, $3,000, and in the case of a domestic partnership or a citizen or a resident of the United States, $6,000; in the case of all other trades or business, no deduction."

Some lawyers, doctors, high-salaried business men, and editors have strenuously objected to this section and bitterly assailed and denounced its authors, because it includes in the application of the excess-profits tax provisions the income or profits of their professions and employments, contending—

1. That it discriminates against the lawyers, doctors, and other professional men in favor of other classes of citizens.

In the remarks of Senator SIMMONS, presenting the conference report to the Senate, in the CONGRESSIONAL RECORD of October 16, 1917, appears the following, relative to section 209:

"When we decided to include occupations and professions the question of how to determine the deduction to be allowed greatly perplexed us. There was no invested capital, and therefore no basis upon which to make such a calculation as in the case of individuals, partnerships, or corporations engaged in trade or business requiring the investment of capital. So we decided that in the case of the business or the occupation without invested capital, or merely nominal capital, as it was impractical to apply the exemption based on capital, we would impose a flat tax of 8 per cent upon their earnings during the taxable year, less the flat exemption allowed in other cases.

"It is said that this imposes a double income tax upon occupations or professions doing business with only a nominal capital, and that it works a discrimination in favor of corporations, partnerships, and individuals doing business with capital. This suggestion is based upon a misapprehension and is unwarranted. * * *

"The rate of taxation applied in the case of invested capital is graduated, the minimum rate being 20 per cent and the maximum being 60 per cent.

"The tax imposed upon individuals, partnerships, and corporations engaged in business without invested capital is, in essence, just as in the other case, an additional income tax, with the flat exemption of from $3,000 to $6,000 allowed as in the other case, but from necessity without the exemption based upon invested capital, because there is no capital invested as in the other case. It may be that his arrangement does not accurately adjust the differences between the two cases, but it is confidently believed if there is any discrimination it is not a discrimination against business without capital. Not a discrimination against the professional man or the occupation without invested capital.

"The confusion about this matter seems to grow out of the impression that the tax now levied is a war tax, a tax based upon the actual difference between the net earnings during the prewar period and the taxable year. That was true of the bill as it was originally reported back to the Senate by the Finance Committee, but that is not true of the bill as amended, limiting the exemption to not less than 7 per cent or more than 9 per cent of the invested capital.

* * * * * * *

"As I stated this morning, in our efforts to bring the professional man under the provisions of this bill and subject his earnings to a tax, just as we had the farmer and the mechanic and the merchant and everybody else, we found ourselves hedged in by a great many limitations and difficulties. After we had discussed one or two schemes and practically fixed upon one, we finally abandoned it and adopted one to which the Senator refers and criticizes as the best means of reaching that class of earnings. * * *

"The purpose of the conferees was to subject occupations and professions having no invested capital to this war tax, just as those with invested capital were subject to it. If there had been the same basis of exemption in the one case as in the other we would have allowed a like exemption and imposed like rates of taxation, but because of the necessity of the case this could not be done, and because there was no such basis of exemption we imposed a tax very much lighter on business conducted without invested capital—a flat rate of only 8 per cent, as against a graduated rate upon profits over a maximum of 9 per cent of from 20 to 60 per cent on ordinary business. I do not think the professional man has any right to complain."

In my remarks, presenting the conference report to the House, in the same issue of the CONGRESSIONAL RECORD, appears the following, relative to such section:

"In the House bill the excess-profits tax applied only to corporations and partnerships and not to individuals. The Senate included individuals in its amendments. It made the individual merchant, farmer, banker, lumberman, miner, manufacturer, and every other class

of individuals in trade or business subject to the excess-profits tax. But it exempted from the tax the incomes of lawyers and doctors and other professional men derived from the profession; also salaries of officers and employments, including the salaries of business occupations, as well as those of governmental officers. The House conferees opposed the inclusion of individuals in the excess-profits-tax provision, for the reasons I have before given. The Senate conferees insisted upon including them, but agreed to grant them a specific deduction of $6,000 plus the deduction of the per centum of profits made on invested capital, if any, the same as is given to corporations and partnerships.

"After much consideration, the conferees unanimously agreed that there should be no exemption from the tax of lawyers, doctors, civil engineers, or other professional men, or the high-salaried business men. So the conferees, after mature deliberation and after a special conference committee meeting called for the purpose of considering the matter, unanimously agreed on section 209.

* * * * * * *

"A prior section defines trade or business to include professions and occupations. There is not a more proper or just provision in the entire bill than this one. If the individual farmer, merchant, banker, miner, lumberman, manufacturer, and every other class of individuals in trade or business are made to pay the tax, why should not the lawyer, the doctor, and other professional men who make a profit or income in their profession of over $6,000 be also made to pay? Why should not the high-salaried business man be made to pay?

"What good reason can be given why the farmer and merchant and manufacturer should be made subject to the tax and the lawyer, doctor, and other professional man be exempt from the tax?

"The only fair and reasonable objection that can be made to the provision is that the tax is not high enough to equalize the tax which the farmer, merchant, and manufacturer have to pay. They must pay from 20 to 60 per cent of their income or profits in excess of their deductions, while the professional man and high-salaried business man will pay only 8 per cent on their income in excess of their deductions. Of course, the farmer, merchant, or manufacturer has a large deduction on account of having substantial capital invested, but this deduction will not reduce his tax to as low as that of the lawyer, doctor, or other professional man.

"It is suggested that the lawyer, doctor, or other professional man should not be taxed, because his income is derived from his brain and time and personal qualification. Does not the farmer, merchant, or manufacturer carry to his business his personal qualification? Does he not devote to his business his brain and time, and, in addition, put capital in money and property into it? Is not his income or profit derived from the combination of his brain and time and capital? It is said that the professional man is taxed under the income-tax law on his income and that it is unjust to levy another tax in the nature of an excess-profits tax on his income or profits, that it is double taxation. Is not the farmer, merchant, or manufacturer, or other individual in trade or business, taxed on his income under the income-tax law exactly as the lawyer, doctor, or salaried business man is, and is not an excess-profits tax levied, in addition to the regular income tax, on his profits or income? If such a tax is just in case of the farmer, merchant, and manufacturer, why is it not just in case of the lawyer, doctor, or other professional man?"

As suggested by Senator SIMMONS in his remarks in the Senate, and by me in my remarks in the House, if there be an injustice, an inequality, a discrimination in section 209, it is in favor of the lawyer and other professional man and salaried business man. For instance: A, an individual farmer, merchant, or manufacturer, puts into his business, in addition to his personal services, his brains and labor, $100,000 capital. He makes a net profit or income of $25,000. The excess-profits tax to be paid by him is $3,400. B, an individual lawyer or doctor or other professional man, puts into his business or profession no capital, but only his personal services, his brains, and labor. He makes the same profit or income of $25,000. The tax, under section 209 (the excess-profits tax provision applicable to him), to be paid by him is only $1,520.

If the net income of A, from his business in the case given is $50,000, his excess-profits tax will be $17,200. If the net income of B, the lawyer, from his profession is $50,000, his tax under section 209 will be only $3,520.

The merchant, farmer, manufacturer, or other individual business man puts into his business exactly what the lawyer, doctor, or other professional man (taxable under section 209) does, his personal services, his brain, and labor, and in addition puts in money and property, takes financial risks, makes financial sacrifices, builds up industry, gives employment to labor, produces for public use.

The lawyer, doctor, or other professional man (taxable under section 209) puts into his profession or occupation no money, no property, but only his personal services, his brains, and labor, and by such services takes no financial risks, makes no financial sacrifices, builds up no industry, gives no employment to labor, produces nothing.

It is inconceivable how any fair-minded lawyer or editor or other person can reason to himself the justice of levying an excess-profits tax on the income from the business of the one and of exempting from the tax the income from the profession or business of the other.

It should be remembered that this excess-profits tax applicable to the farmer, merchant, manufacturer, and other individual in business against which no protest was made by the lawyers, doctors, and editors, is in addition to the regular income tax just as is the tax under section 209, and such farmer, merchant, manufacturer, or other individual business man pays on his net income tax, at the same rate, as does the lawyer, doctor, or other professional man on his net income.

2. That it discriminates against the salaried man; that it is unfair and unjust to levy a tax in the nature of an excess profits on a business or occupation salary earned by personal service—by brains and labor.

By including individuals in the excess-profits tax provision of the revenue act, to which the House conferees were opposed, for the reasons set out in my remarks presenting the report to the House, the value of the personal services, of the brains and labor, given to his business by the individual merchant, farmer, manufacturer, and other individual engaged in business, with invested capital, was necessarily taxed thereby. Though the total income of his business is derived from a combination of his invested capital and his personal services, he is not allowed by law to separate from such income that portion earned by his personal services, his brains and labor, and to pay himself a salary for the value thereof, charging it up as part of the operating expenses of the business, as he could do if his business was incorporated. His personal services, in the management of the business, earns a part of the income and has a value just as much so as if he was employed by some corporation to perform the same services and paid therefor by fixed salary. Not being allowed to deduct the value of or earnings from such services as part of the expenses of his business, in levying the tax on the total net income or profits, his earnings from such services are thereby taxed under section 201 at the rates ranging from 20 to 60 per cent, according to the amount of the per cent of profits made on his invested capital.

The business man with a salary in excess of $6,000—the amount of the specific exemption allowed—is generally, in at least 19 cases out of 20, both an officer or employee and a shareholder in, or part owner of, the business concern paying the salary, and very frequently he is substantially the sole owner or controller of it. The concern, being a corporation, can value his personal services, fix and pay a salary therefor, and deduct same from the operating expenses of the business, and thus escape to the amount of the salary the payment of the excess-profits tax of section 201. For instance, A carries on business as an individual, has $100,000 invested, manages it, devoting his personal services to it. He makes a profit of $25,000. B incorporates, with a few other stockholders—perhaps his wife and daughter—to comply with the State law, incorporated, he conducts same kind of business, devotes to it his personal services, has same amount of capital and makes same profit of $25,000. The services rendered by each to the respective businesses are of same nature and value, those of each worth $10,000.

B, as an employee and manager of his incorporated business, is allowed to deduct the value of his services in a salary of $10,000 from the $25,000 profits and to charge it up to operating expenses. His business pays an excess-profits tax only on $15,000, or a tax of only $1,000; while individual A, manager of his business, not being allowed to charge up to expenses the $10,000 value of his services, pays on the whole $25,000, or a tax of $3,400—computation in both cases made on the 7 per cent exemption basis plus the specific exemption. B's salary would escape altogether the payment of any excess-profits tax but for section 209, and even under this he pays on his $10,000 salary only $320; while A, on his earnings from his personal services in the business, though in nature and value the same as B, pays under section 201 over three times as much as B.

The case would not be altered if B had no interest in the business or owned no stock in the corporation, but was employed by it, and paid for his personal services a salary of $10,000. He would pay only $320 tax on the earnings from his personal services, while A would pay more than $1,000 on like earnings from his personal services, they being in law inseparable from the total profits or income of his business.

It seems incredible that an intelligent, fair-minded man should approve the levying of the larger tax on A and denounce as unjust and discriminatory the levying of the smaller tax on B.

How can any one justify subjecting A to the tax and exempting B from the tax?

3. That it discriminates against earned income in favor of unearned income, requiring the earned to pay a larger tax than the unearned income.

Earned income means, according to the assailants of section 209, income derived from personal services or activities of the recipient of the income. Unearned income means income derived from investments, with respect to which no personal service or activity is contributed by the recipient.

A distinguished Senator first suggested this "discrimination" during the discussion of the conference report in the Senate, saying:

"I think an injustice is inflicted upon the man who earns his income by his own efforts as compared with the man who does not earn his income at all, but sits at a desk and clips coupons or cashes dividend checks."

To illustrate the injustice he, as many others have done, recited by comparison the case of the hard-working lawyer earning an income by his own efforts and the man who received an equal income by doing nothing except cashing his dividend checks, and then asserted that the lawyer was required by section 209 to pay a larger tax.

The facts is, the lawyer pays less tax than the "dividend-check casher."

The so-called unearned income is derived from two sources: (1) From interest on money loaned on bonds, notes, or other securities; and (2) from dividends on stock or shares in a corporation or association.

If one has $100,000, generally accumulated earnings of preceding years, and instead of going actively into business he is content to loan it out on bonds or notes at the small profit, which the low interest rates laws of the States only permit, there is and can be no excess profits to be taxed. He has capital to the amount of $100,000 invested in the bonds, notes, or other securities, and the interest does not amount to as much as the per cent (from 7 to 9 per cent) exemption allowed.

If he invests that amount in an active business, corporate or otherwise, and its profits or income do not exceed the exemptions allowed, there would be no excess to be taxed.

Can it be reasonably contended that money invested in loans, whose small per cent of income is limited by interest laws, should have a smaller exemption and a higher rate of excess-profits tax than money invested in business with prospects of large or excessive profits, with no law limit to its income? If so, there would and could be no lending of money—no investment in bonds, notes, or other securities by individuals. Interest from money loaned, of course, pays the regular income tax, like all other forms of income.

So much for the "coupon-clipper" argument.

Now, as to the dividend-check casher.

If one invests $100,000 in the capital stock of a corporation, the corporation, under the act, pays the excess-profits tax (from 20 to 60 per cent) on the earnings or income of that $100,000 for him before he gets a dollar of dividends. Should he be made to pay the second time the heavy excess-profits tax on the earnings of his $100,000, when the dividends, already lessened by the payment of the tax by the corporation, are turned over to him? The law does not and should not require him to again pay the tax.

Instead of the "dividend-check casher" paying less tax under the excess-profits tax provisions on his so-called "unearned income" than does the lawyer or other professional or business salaried man on his "earned income" from his own efforts, he pays much more.

For instance, A invests $100,000 in a $200,000 capital-stock corporation. The corporation makes 25 per cent net profit, or $50,000. A's $100,000 earns half of it, or $25,000. The corporation under the act pays for the stockholders, before they are entitled to dividends, an excess-profits tax of $8,000. A's $100,000 investment pays half of it; that is, A pays through the corporation on his income of $25,000 an excess-profits tax of $4,000. Should he be made to pay it again when the dividends, diminished to the extent of the tax, are turned over to him?

B, a lawyer, makes from his profession, from his personal services, $25,000, the same amount A makes by his investment. B under section 209 pays a tax of only $1,520 on his $25,000 "earned income," about one-third as much as A pays on his so-called "unearned income."

It should be recalled in this connection that, with respect to the income tax, A through the corporation pays under the act on the earnings of his investment—that is, on his $25,000 income—a normal tax of 6 per cent, without exemptions, while B, on his income of $25,000, pays a normal income tax of only 4 per cent, with exemptions.

And so much for the "dividend-checks-casher" argument.

It should not be overlooked that section 209 applies not only to professional and business and occupation salaried persons, without capital invested in their professions or occupations, but to other individuals, partnerships, and corporations that carry on any business or are engaged in any trade or occupation with no or only a nominal capital invested.

Answering your direct question relative to the repeal of section 209 at the next session of Congress, I beg to say: If the application of the excess-profits tax provision to individuals (which I opposed) is retained, section 209 should not be repealed but amended, providing for the increase of the tax rate therein so as to more nearly equalize the tax paid by the class of individuals subject to such section with the tax paid by the class of individuals subject to section 201 of the act.

Permit me, in conclusion, though your letter made no reference to it, to allude to the false charge persistently made by some demagogues, a few lawyers and doctors, and many editors, that in the new revenue act "Congress exempted from taxes the salaries of Congressmen."

Under the new act Congressmen will pay three times more income tax on their salaries than before. They will pay both the rates under the act of September 8, 1916, which doubled the previous rates, and the rates under the new act, which more than doubled the rates of the act of September 8, 1916.

With respect to the "excess-profits tax" of the new act, these demogogues and the press would have the public believe that the conferees and Congress specifically exempted the salaries of Congressmen from the tax, but taxed all other salaries.

Here is the provision of exception of salaries (sec. 201, subdivision a):

"This title shall apply to all trades or businesses of whatever description, whether continuously carried on or not, except—

"In the case of officers and employees under the United States, or any State, Territory, or the District of Columbia, or any local subdivision thereof, the compensation or fees received by them as such officers or employees."

This exception applies to the salaries of all officials of the United States or States, counties, cities, etc., and properly so in the unanimous opinion of the entire conference. No member of the conference—and, perhaps, no Member of Congress when he voted for the bill—discussed or had in his mind the salaries of Members of Congress. The conference, and so had the Senate before, considered the broad question whether it was proper as a policy to exempt from the excess-profits tax the salary of Federal, State, county, and city officials.

There is a difference between the income tax and the excess-profits tax.

The income tax is imposed upon individuals and corporations with respect to their entire income, including salaries of Congressmen and all other Federal officials.

The excess-profits tax is a tax upon the business, trade, profession, or occupation of the individual, partnership, or corporation with respect to the profits or income of such business, trade, profession, or occupation in excess of certain exemption or deductions.

What kind of "business" or "trade" or "profession" or "occupation" is the office of governor, judge, clerk of court, mayor of city, secretary of state, Representative or Senator? It is neither a business, trade, profession, nor occupation. What is the excess profits of a governor's salary? Of that of a judge, clerk of court, member of the Cabinet, of a Congressman?

An official (especially one whose salary is as much as $6,000—and this is the exemption under sec. 209) gives his time, industry, and brains, not to his profession, business, or trade, for the promotion of such trade, business, or profession, and for private profits as does the lawyer, doctor, and high-salaried business man, but to the service of the Government, Federal, State, county, or city. However efficient, however much time given, however valuable the service rendered, they are for the Government, for the public, and he gets no more compensation than the fixed salary of the office. Not so with the professional man or high-salaried business man (the latter generally a high-salaried officer in his own business—his own corporation). His time, his labor, his brains are devoted solely for himself—his private profits. The more time, labor, brains bestowed the more efficient, the more service rendered, the more he serves himself, his profession or business, and the more are his private profits.

The duties of an official, whether Federal, State, or municipal, whose salary exceeds $6,000 (the exemption in sec. 209) practically debars him from engaging in a business or a profession for private profits, and this privilege he sacrifices when he takes office. However, if a Member of Congress or other official receives income from a business or profession, he is not exempted from the excess-profits tax with respect to such income, as that comes from a business or trade or profession devoted to making private profits.

There is a difference in principle in levying an excess-profits tax on the business, trade, profession, or occupation organized and carried on for private profits than levying such a tax on the salary of an office established and conducted for governmental purposes, the service going to the benefit of the Government, of the public, and the official by his duties practically debarred from engaging in such business or profession for private profits.

Having given some of the reasons which justify the exception of governmental salaries in the application of the excess-profits tax, and being perfectly willing to assume full share of responsibility for it, I will say that I was not the author or suggester of such exception or exemption, as the press so frequently charges, nor do I oppose, nor have I opposed, the inclusion of the salaries of Congressmen or other Federal officials in the excess-profits tax provision.

Yours, truly,

CLAUDE KITCHIN.

Mr. FORDNEY. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, when I make a mistake as a Member of this House and am conscious of it I am willing to admit it, but I am not willing to make a confession of error when I am not conscious of it merely to satisfy a false public opinion. In voting for this war-tax bill I voted to hold Members of Congress to its terms. Neither in conference nor in the House did I vote to exempt Members of Congress from any responsibility placed upon other salaried men or profit earners of a like class.

The act of September 18, 1916, which is law in force, imposed upon Members of Congress a 2 per cent tax upon the normal income of married men earning over $4,000. If they earn in excess of $20,000 it imposes upon them a supertax. The act of October 3, 1917, imposed upon Members of Congress an additional normal tax of 2 per cent upon all they earn (married men) over $2,000 and in addition a supertax of 1 per cent upon everything they earn over $5,000. In addition the act grouped Congressmen with another class of citizens to be taxed for excess profits and fixing their capital of $6,000, which is the amount of exemption granted to everybody, taxed them 8 per cent on all earnings above that amount. Now, that is what you Members of Congress have to pay. If you want to confess you exempted yourself, that, at least, is what you have to pay. I make no such confession. I am liable to 2 per cent normal tax under the act of September, 1916, to an additional 2 per cent tax under the act of October 3, 1917, and I am liable, as is every other salaried, occupational, or professional man, for 8 per cent tax on everything I earn over $6,000. The so-called salaried or professional man receives no better treatment than I receive, nor do I receive any more or less than he receives.

Now, as to this fanfare that has given Members of Congress so much unjust criticism:

The whole war-tax bill is sufficiently intricate to puzzle even the lawyers who helped to frame it. As a layman I am willing to amend it or to wipe it out entirely, if assured that the United States can pay its obligations without taxing anybody. I am not willing to concede, however, that we can beat an efficient nation like Germany by making patriotic speeches or publishing cartoons ridiculing the Kaiser. The people of this country must pay for the war, which some of us think should be prosecuted more vigorously than it is in view of the tremendous appropriations that have been made. We have already appropriated approximately $21,000,000,000, but judging from the importance which many people attach to the question of taxing Congressmen's salaries it would seem that we had been endeavoring to camouflage the country. This is the most arrant bit of nonsense that has come along since the war began, but occasionally, under stress, Members of Congress, like many other patriots, sometimes get cold feet when the pen that is mightier than the sword is directed toward their districts. This war-tax bill, intricate and burdensome as it is, never exempted Congressmen from taxation. It taxed them along with certain professional and business men, and on the same terms. If there was any loophole whatever through which Members of Congress could escape taxation it was as to the difference between the $6,000 exemption allowed to everybody on excess-war profits and the salary of $7,500, a matter of about $40,000 in all, but since Congressmen are not Federal officials under the Constitution and are not State officials, they were not entitled to even this exemption. But lawyers who make fees above $6,000 were touched by this law, and such editorial writers as make over $6,000 were also touched, and therefore "the brains" of the country "were unduly taxed." Those who vote for the amendment now before the House will not relieve these "brains" of war excess-profits taxes; they will simply defer to that enthusiastic group of patriotic pikers in the United States, who, being in funds in excess of $6,000, conjured up the destruction of all Members of Congress who were so "unpatriotic" as to include for taxation money made by "brains" along with money made by industry and brawn. My humble judgment is that when Congress learns to stand its ground against such indecent and unpatriotic assaults, it will be far more highly respected than it is. [Applause.]

Mr. FORDNEY. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, I am in favor of taxing the salaries of the Members of Congress in the same manner the salaries of any other person or persons are taxed, but I am not in favor of this proposition, because I consider this bill entirely unnecessary, and because, in my judgment, it will place Congress in a false light. When I voted for the last revenue bill I voted to put the excess-profits tax on the salaries of Members of Congress the same as on the salaries of any other party who was taxed. When this matter first came up and it was charged that Members of Congress were exempted, I stated that there was nothing in the charge, that the tax was placed upon Members of Congress as well as upon others. I said then that I should pay the tax without claiming exemption. I claim no credit for this, as, like all other Congressmen, the law required

me to pay it. I so intended when I voted for the bill, and if there is any Member of this House who says that he intended to the contrary I would like for him to stand up and say so. Gentlemen of the House, I am unwilling to plead guilty to the commission of an act which I have never done.

I do not want to admit, either by inference or by implication, that a charge is true when in fact it is absolutely baseless and unfounded.

I have no time in five minutes to make a legal argument on this matter. I wish I had in order that I could show there is nothing in the statement that Congressmen's salaries were exempt as a legal proposition. I did, however, address a letter to the Commissioner of Internal Revenue sometime ago, which was printed in the RECORD, in which I stated my reasons for holding that Members of Congress were subject to this excess-profits tax and asked that his department so rule. I am willing now to stake my professional reputation on the opinion of the Commissioner of Internal Revenue, feeling absolutely satisfied and confident that if he ruled on this point he would hold that as the law now stands Members of Congress are subject to this tax.

Mr. GARD. Will the gentleman yield? Will the gentleman kindly give the date of the RECORD in which that is published?

Mr. GREEN of Iowa. The RECORD of December 10.

Mr. GARD. I thank the gentleman.

Mr. GREEN of Iowa. The Constitution of the United States provides that the President, with the advice and consent of the Senate, shall appoint all officers of the United States except that Congress may by statute provide for their appointment by certain heads of departments. Over and over again—as I showed in this statement I sent to the Commissioner of Internal Revenue, and might have shown other authorities—has the Supreme Court of the United States held that "officers of the United States," speaking strictly and in the terms of the Constitution, are only those who are appointed; and consequently Congressmen are not embraced in these words when used in the Constitution. That has been held in cases where it became necessary to determine whether a man was an officer of the United States or not. Gentlemen, you will find these cases referred to in my letter and find other cases, if desired, in support of this proposition.

Now, there is another point in the way in which this law was drawn. The terms of the exceptions under this statute, the last revenue bill, are that "officers under the United States" are exempt. But Congress and its Members are under no one. They are in fact the Government of the United States and each House is responsible to no one except Members of its own body. No one is over Congress. It would seem as if in framing this law that especial pains was taken that no mistake might be created as to who would be embraced within its terms, but gentleman say there has been an impression created abroad that Congress was exempt, and therefore we want to correct this impression. Let me say if gentlemen think they are going to escape the Congress mucker in this matter that they are mistaken.

Those who were so careless or reckless or so malicious as to state that Members of Congress had exempted themselves from the income tax will be as malicious as they were before and invoke some other charge against them. Every Member knows that there was not a pin point on which to hang the claim that Congress had exempted its Members from the income tax. The only question that could possibly arise was whether the salaries of Members were exempt from the excess-profits tax, and I have never seen a lawyer who had read the bill and considered the authorities that thought they were. What we ought to do is to await the ruling of the Commissioner of Internal Revenue instead of passing this wholly unnecessary bill. [Applause.]

Mr. KITCHIN. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. HULL].

Mr. HULL of Tennessee. Mr. Chairman, immediately after the passage of the war-revenue act on October 3, some question arose as to whether the compensation paid to Senators and Representatives in Congress was subject to the excess-profits tax. That controversy, however, was at once shifted to a general charge, made in the press of the country, that they had been exempt, as the gentleman from North Carolina has stated, not from the excess-profits tax but from the income tax. In other words, the real question was at once completely beclouded by the injection of entirely erroneous statements and sweeping charges with respect to the status of the salaries paid to Senators and Representatives in Congress as they might be affected, not by the excess-profits act, but by the income tax.

There was ground for enough difference of opinion as to the application of the excess-profits law to the compensation of Senators and Congressmen as to afford room for controversy. And while I thought then, and think now, that the Treasury Department would probably rule that the compensation paid by the Federal Government to Senators and Representatives is subject to section 209 of the excess-profits tax law, yet, in view of the widespread charges sent all over this country as to just what Congress intended in that connection, and in view of the perversion of what I know was the intention of this House in that respect, I have thought as one Member here that, notwithstanding the fact that the Treasury would probably rule that we are subject to the excess-profits tax as stated, we owed it to ourselves to say in the clearest terms what our intention was, in order to leave no doubt in the minds of any citizen of this country, and in order to give no person or newspaper the pretext to say falsely that Congress attempted to exempt itself.

Now, this resolution simply does what I know was in the minds of the House on October 3, when this war-revenue act was passed.

Mr. GLASS. Will the gentleman yield?

Mr. HULL of Tennessee. I will.

Mr. GLASS. Does not this resolution do vastly more than that? If it be true that we find it necessary or desirable to fence and foil demagogic criticism as applied to ourselves, why should we break all precedent and be weak enough to apply this tax to Federal officials, when the chairman of the Ways and Means Committee says that the tax does not apply in other nations to Government officials?

Mr. HULL of Tennessee. Well, Mr. Chairman, there is so much opportunity for discussion and so little time, like the gentleman from Iowa [Mr. GREEN], I have had no disposition to enter into a legal argument as to any of the phases of this tax law. I simply wanted to emphasize the purpose for which this resolution is being considered; that it comes up here to express, or, rather, to reiterate in unmistakable language, the original intention of the membership here. And I think it does that. I think no one can be criticized for reiterating what was on his mind when the act was passed.

Mr. GLASS. But it does more than reiterate that. It goes further and makes this excess-profits tax apply to Federal officials when it never was intended it should apply to Federal officials, and when the chairman of the Ways and Means Committee explicitly states that similar taxes do not apply in any other government. Now, in order to relieve ourselves from criticism, why should we be weak enough to go forward and tax Federal officials?

Mr. HULL of Tennessee. Mr. Chairman, the idea was in the minds of most of us, I think, that the Treasury would and should rule that the salaries of Congressmen would be taxed on the theory that they were not Federal officials under the Constitution and that they did not come under the law of exemption contained in paragraph 9 of section 201. That being true, it was only contemplated that all salaries, whether official or whether those derived from other than official sources, should be treated alike. The sole purpose of this resolution is to make clear and certain the liability of the salary of Members of Congress in excess of $6,000 to excess-profits tax of 8 per cent. No question as to whether salaries generally should have been subjected to this tax in the first place, as they were, does not now arise. This question can later be considered on its merits now that the status of all salaries has with certainty been made the same. I have heretofore indicated my attitude as to the taxation of salaries under excess-profits act.

Mr. FORDNEY. Mr. Chairman, I yield one-half minute to the gentleman from Kentucky [Mr. POWERS].

Mr. POWERS. Mr. Chairman, I shall support this joint resolution, and I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

Mr. FOSTER. I would like to ask if the gentleman intends to extend his remarks on this subject or on the subject that he asked to extend them on some time ago?

Mr. POWERS. On this subject; and I would like also to extend them on prohibition.

Mr. FOSTER. I object to that. I object to anything on that resolution.

Mr. POWERS. I will confine it, then, to this resolution.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD on the resolution under consideration. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Chairman, I yield two minutes to the gentleman from Georgia [Mr. BRAND].

Mr. BRAND. Mr. Chairman, I have only two minutes of time at my disposal, and therefore can only make a mere statement of my position upon this question. I would not occupy this time were I not apprehensive that my vote in favor of the

pending proposition may be construed into an admission that the report sent out all over the United States after the close of the last session of Congress that Members of Congress had voted to exempt themselves from payment of the income tax was true.

According to the view I hold upon this question, the passage of this resolution is useless legislation, and if I had time I believe I could demonstrate it to the satisfaction of any critic. I make this statement in no sense as a criticism of the Ways and Means Committee, because it has likely adopted the correct course to terminate the life of a misrepresentation which has been circulated, and to some extent credited, in every congressional district of the United States. When I first heard of the report that Congress had voted to exempt themselves from the payment of the income tax and the excess-profits tax, though the report was confined to the former, I denied it, and I deny it now.

It is not true for two reasons, as I contend:

First. The portion of the revenue act upon which this report was based does not bear the construction, currently prevailing, and, in my judgment, no court of any respectable reputation would so hold. My contention is that a Congressman is not an officer and an employee of the United States, or an officer and an employee under the United States within the meaning of the law, and therefore the provisions of the revenue act referred to do not exempt him.

Second. As all know, a tax levied upon the people or a class of people operates on all alike. No man and no one class of people can be held exempt from its operation by implication. All are subject to the provisions of a bill designed to raise revenue unless expressly exempted. No class is exempt in a tax or revenue act unless express words are used clearly showing that the legislative body had that particular class in mind at the time the legislation was voted for. No such words can be found in the section under consideration.

I know, and every Member of this House, Republican and Democrat alike, knows as well as we know that our Redeemer liveth, that no vote was cast on the revenue bill by any Congressman with the intention or purpose in his mind to exempt himself from these taxes.

I know and you know that we did not intentionally or purposely vote to put burdens upon other people which we ourselves were not willing to help carry, and as there is not a line in the bill expressly exempting Congressmen from the payment of the income tax or the excess-profits tax, I insist under the law as it stands now that we are subject to the payment of these taxes. And according to the calculations of the tax gatherer, the act imposes an income tax of $245 on each unmarried Congressman and $205 on each married Congressman, and in addition to this an excess-profits tax of $120 on all Congressmen. Those interested should not be unmindful of the further fact that in addition to the payment of these taxes Congressmen will have to pay an income tax on the property respectively owned by them. These taxes will be paid by us ungrudgingly and as cheerfully, in my opinion, as by any other class of taxpayers in this Republic. [Applause.]

Mr. FORDNEY. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Chairman, my friend from North Carolina [Mr. KITCHIN] has just made a rather remarkable speech in support of this resolution. In arguing in favor of its passage he gave strong, logical, and, to my mind, unanswerable reasons why, as a matter of principle, public officials should not be included in an excess-profits tax. Now, let us be perfectly frank about this proposition. Let us not delude ourselves as to just what we are doing. The sum and substance of this resolution is the declaration by legislative enactment that $1,500, the amount by which our salaries exceed $6,000, is excess profit. No such glaring absurdity has ever been enacted in the statutes of this or any other country. How is it possible logically to say what portion of our salaries is an excess profit? Imagine this situation, and I suggest it because the gentleman is not present, for I do not desire to embarrass him. If the salary of the gentleman from New York [Mr FITZGERALD], who is about to leave us, was $100,000 a year, I think every man here will agree that, measured by his service to the country, not one cent of it could be properly regarded as an excess profit. [Applause.]

There are many Members of Congress whose value to the country is not to be measured in dollars. To call any portion of their salary an "excess profit" is, I think, a rank absurdity.

While under ordinary circumstances I would oppose this resolution on its merits to the last ditch, I realize that the Yuletide season is approaching. We are about to adjourn for the Christmas holidays, and I see many of my most cherished friends here with haggard faces, due to loss of sleep from brooding, I suppose, over the abuse they have received for having voted to impose an excess-profits tax on the incomes of doctors and lawyers and clergymen and other income earners and exempted themselves from its operation. Under the circumstances, then, I am prepared, as a finality, to accept this resolution with as good grace as I can.

Now, gentlemen, all this trouble—and I am still speaking frankly—was brought upon us by what I regard as the temporary aberration of the gentleman from North Carolina [Mr. KITCHIN] and a few of his colleagues on the conference committee. I want to say this about my friend from North Carolina, that up to the time he reached the conference committee he behaved remarkably well; he comported himself with dignity, discretion, and wisdom. I will not say that this was due to the benignant influence of association with myself during the formative period of this bill [laughter], but the fact is that when deprived of that association during the conference he so far lost his former admirable poise as to lend his approval to this amorphous invention known as section 209.

I use the word "invention" advisedly. Section 209 is an invention. It is without parallel in the statutes of this country or of any other country under the sun. It is the product of the intelligence of a few gentlemen who succeeded in reconciling their consciences to advocacy of the proposition that human brains are to be regarded as invested capital, and that the product thereof is an excess profit. I assert that no such absurdity has ever before been written into the statutes of this or any other country. Every man here knows that this proposition to impose an excess-profits tax on incomes received where there is no invested capital at all was never even hinted at, much less discussed, on the floor of this House. In the Senate, by common consent, salaries and professional incomes were specifically eliminated from the bill. I think the question whether the conferees, there being no difference between the two Houses on this question, did not exceed their power to bring in this proposition might be distinctly open to debate. The gentleman from North Carolina, in his able argument against the imposition of an excess-profits tax on the salaries of public officials, in which I entirely agree with him, added that no other country had ever imposed such a tax. That is true; but furthermore it is true that no other country under the guise of an excess-profits tax has ever imposed a tax upon earned incomes where there is no invested capital.

Mr. GLASS. Mr. Chairman, may I ask the gentleman a question?

Mr. LONGWORTH. I yield to the gentleman for a brief question.

Mr. GLASS. If we want to relieve ourselves from criticism, why not stop there? Why break all precedents and tax other Federal officials as well as ourselves?

Mr. LONGWORTH. Well, I will answer that simply on the theory that we are giving a Christmas present to our colleagues, about to go home for the holidays, I am willing to do it.

Mr. GLASS. Give them a Christmas present, but not burden Federal officials with it.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. MOORE of Pennsylvania. The gentleman has included all trades and business covered in "professions"?

Mr. LONGWORTH. Yes.

Mr. MOORE of Pennsylvania. The gentleman wants to relieve his entire earnings from taxation?

Mr. LONGWORTH. I want to relieve the man who earns his income, whether large or small, by his personal effort and from his brain alone from an additional penalty tax over the man who without any effort on his own part derives his income from invested capital.

Now, just what does section 209 do? It puts a tax of 8 per cent on trade and business where there is no invested capital. Let me call attention to this fact particularly. Section 209 of itself would not include professional incomes and salaries were it not for the fact that in section 200 of the revenue law the terms "trade and business" are specifically defined to include professions and occupations. It is on account of that definition that professions and occupations come in under section 209.

Now, what is its practical effect? Let me give you an illustration, amplifying my answer to the gentleman from Pennsylvania (Mr. MOORE) a moment ago. A inherits an estate of $200,000, invested at 5 per cent. He draws an income of $10,000 from that inheritance without any effort on his part at all. B is a man who has inherited nothing, but who, by his energy, his ability, and his brains, has built up a capacity to earn an income of $10,000. Which one ought to be taxed the higher, A or B? Is there any man in this House who will say that B, who actually earns all of his income, ought to be taxed more than A, who does not? And yet that is what section 209 does.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?
Mr. LONGWORTH. I yield.
Mr. LENROOT. I want to ask this question: The man who earns his income would pay $320 a year more than the man who does not?

Mr. LONGWORTH. A and B pay the same income tax. At that point A's liability to pay taxes ceases, but B, as the gentleman from Wisconsin says, would be compelled, under section 209 to pay an additional tax of 8 per cent on $4,000, the excess of his income, over $6,000.

Gentlemen, this doubly violates a principle that should be fundamental in every income-tax law. It is a fundamental principle of every income-tax law in every other country but this—that earned income pays a less rate of taxation than unearned income.

In Australia there is a difference made of 50 per cent in favor of earned as compared to unearned incomes. In Great Britain, I think, it is 25 per cent. Every country except this discriminates in favor of the man who earns his income by his personal exertion and by his brains, as compared with the man who sits down and cuts coupons or collects rents. Under our law not only does such a man not pay less taxes, but section 209 has imposed upon him an additional tax in the form of an excess-profit tax from which the coupon cutter or the rent collector is exempt.

There is a fundamental reason why a discrimination should be made in favor of the man who earns his income. The man who derives his income from invested capital does not thereby destroy or impair his capital. It remains the same, and his capacity to receive the income therefrom remains the same during his life; but the man who has to earn his income thereby diminishes his capital from day to day, to some extent, and the time eventually comes when his earning power vanishes. Our present law, then, is a double violation of that principle which I am sure most men in this House believes should be made one of the permanent fundamentals in our income-tax legislation. It is a pity that Congress has not so far recognized this principle, but it is an infinitely greater pity that we should have adopted a provision which not only makes no discrimination in favor of the man who earns his income, but places a penalty upon him.

Mr. KELLEY of Michigan. Will the gentleman yield?
Mr. LONGWORTH. Yes.
Mr. KELLEY of Michigan. I did not hear the first part of the gentleman's remarks. Is the gentleman's opinion in harmony with that of the chairman, that Members of Congress are liable for this 8 per cent tax on anything in excess of $6,000?

Mr. LONGWORTH. I am inclined to think that under the law as it is now we are liable for this tax, though the question is open to doubt.

Mr. ROSE. Under what pretext can the examples that the gentleman gives be called excess-war profits?

Mr. LONGWORTH. They can not under any circumstances. They can not in any case, I imagine, be a war profit, because in all probability the incomes of clergymen, doctors, attorneys, and presidents of universities, and others with no invested capital are, with few exceptions, less since the war started than they were before. That is an additional reason why these incomes should not be subjected to an excess-profits tax.

After all, gentlemen, it is the passage of section 209, as extended by the definition in section 200 of trade and business, that has brought all this criticism upon us. We are seeking to disarm criticism by committing two wrongs on the mistaken theory that two wrongs make a right. It is not the way to accomplish the result. The way to disarm any just or fair criticism against the revenue law is to eliminate the root of the evil—the penalty tax on earned incomes. I have myself a proposition to suggest by way of remedy in the form of a bill I have introduced, which I sincerely trust will meet with favorable consideration before we adjourn. It is a bill which simply amends the definition in section 200 of the terms "trade" and "business," providing that they shall not include professions and occupations where there is no invested capital. The result of the passage of such a bill would be simply this, that section 209 would still apply to corporations and business partnerships having no invested capital, but would not apply to professional men and to men who earn an income by their personal efforts and by their brains alone.

Mr. MOORE of Pennsylvania. Does the gentleman propose to offer that as an amendment at the proper time?

Mr. LONGWORTH. I have some little doubt as to whether this precise amendment would be ruled to be in order. I shall attempt to accomplish the same thing in another way.

Mr. MOORE of Pennsylvania. If the gentleman does propose to offer an amendment, I want to be heard on that question; that is all.

Mr. KITCHIN. I yield three minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Chairman, I am very heartily in favor of this resolution. Congress has been maligned, first by some gentlemen of the demagogue type who desire to defeat some worthy Members of this body, and then again by the metropolitan press of this country, whose toes are trampled on a little by the war-revenue bill passed in the last session of Congress. Every sensible man who has investigated the question knows that without this excess-profits tax Members of the House and Senate were taxed $205 per annum on their salaries. The United States Senate put on that bill after it left the House an excess-profits tax on the salaries and incomes of professional men and all others above $6,000. No Senator nor Congressman intended to exempt themselves from the excess-profits tax on their salaries, nor did they believe that Congressmen or Senators were exempted. All of us know that we are to pay $325 taxes on our salaries yearly under the war-revenue bill passed at the last session of Congress. We are not exempted from any kind of tax under that bill. We are in war, and all people should be willing to pay taxes. Congressmen are not officers of the Government. Yet some of the metropolitan papers and weekly periodicals of the northeastern portion of this Republic have severely criticized Congress and impugned the motives of Members, as though a man elected from a great State as a Senator or from a congressional district of 200,000 souls as a Representative would make a scoundrel of himself for the paltry sum of $120 on his salary. The excess-profits tax on the $1,500 above $6,000 amounts to only $120; and yet some of these periodicals would impugn the motives of a man who has principle and honor enough to be elected by an honorable constituency. [Applause.] The trouble of it is these publications have been for all these years getting a subsidy in the shape of having their papers transported through the mails at 1 cent a pound when it cost 8 cents a pound to transport them. In other words, they have been getting out of the taxpayers of the United States 7 cents on every pound of the papers carried; and the Ways and Means Committee, out of $90,000,000 that these papers and periodicals have been grabbing annually out of the people through this mail subsidy, has compelled them to pay $26,000,000 a year; and the time is near at hand when they shall be made to pay all that it costs to transport their papers through the mails, the same as a man pays for the expense of transporting a first-class letter. There is no reason why the taxpayers of the United States should pay to transport these papers free, but such publications as these weeklies and magazines that I have mentioned have impugned the motives of Members of Congress because the American Congress saw proper to keep those papers, journals, and magazines and others like them from sending through the mails at a cent a pound the tons of pages of advertisements from which they get such enormous revenues. [Applause.] Some of the country papers have accepted as true what the selfish metropolitan press and magazines have published. They should investigate before wrongfully criticizing Congress. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MOORE of Pennsylvania. I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, when I came back to Washington, having seen the notices in the papers that we exempted ourselves from the income tax, I at once took up the matter with the Commissioner of Internal Revenue and attempted to show that there was no intention on the part of Members of Congress to make such exemption, and that it was impossible under the terms of the act. I would have been pleased indeed if the commissioner had seen fit to order, as he might have done, that there should be no exemption of Congressmen from section 209. That would have settled the entire matter.

Of course I shall support this joint resolution, but I regret exceedingly that it was introduced, because I think it was entirely unnecessary, for we were liable without the passage of this act. It gives the newspapers and those who delight to malign Congressmen an opportunity of saying that we are passing this resolution because of the severe criticism.

Title 2 was devoted exclusively to the ascertainment of whether or not there was more profit being made during the war period than there was during the years called the prewar period and placing a tax on such excess profits. It was exclusively devoted to that object and purpose, and the amount was ascertained by a comparison of the profits made in trade and business of the prewar period with the taxable year. The prewar period was fixed as the years 1911, 1912, and 1913. Profits were to be determined by the relationship of the in-

come received with the capital invested. So, of course, it was utterly impossible that there should have been any intention or expectation of including in this any salary or proposition of that kind, because it would be absurd to say that a man receiving a fixed salary was receiving an excess profit. That was the condition of affairs when the exemption provision was inserted, and of course it was perfectly proper under those circumstances. The exemption was in the original act, and it was proper under the original act. Section 209 was inserted by the conferees, and it could not be said that it was the intention to apply the exemption provision which existed in the old title when this was entirely a new matter and had no relation to the old condition. So the facts absolve Congressmen from attempting to exempt themselves from the provision of section 209.

The exemption provision would not apply to Members of Congress unless the language of the statute was expressly or by clear implication intended to so apply. An officer of the United States is defined by the Constitution to be one appointed by the President or by a court of law or by the head of a department. The Supreme Court has said in numerous cases that none others are officers. Language has been used sometimes in statutes in a popular sense, but it never has been so interpreted, except under circumstances where it is shown that that was the intent of the legislators. Certainly no intent could be shown in this case. So we have a clear proposition of law upon which I do not think any lawyer studying the decisions in this case could for a moment believe that the Supreme Court of the United States or any other court would say that Members could claim exemption, because they were officers of the United States, from the operation of section 209. So that in fact we were not exempt, and so in fact this resolution is entirely unnecessary. [Applause.]

Mr. KITCHIN. Mr. Chairman, I yield four minutes to the gentleman from Missouri [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, it has been charged that in the passage of the war-revenue bill Members of Congress exempted their own salaries from the payment of all income taxes. The contrary is true. It has taxed them along and on the same terms with professional and business men.

Everybody familiar with the Federal income-tax laws knows that all persons, including Congressmen, are subject to the payment of income taxes of 2 per cent upon their net incomes above $2,000 exemption for heads of families and above $1,000 for single persons, and an additional 2 per cent upon their net incomes above $4,000 for heads of families and $3,000 for single persons, and a further 1 per cent on net incomes above $5,000 up to $7,500, and an increasing surtax for larger incomes. The war-revenue tax law very largely increases the income tax on the salaries of Congressmen and others with like incomes.

But the general public were not so familiar with the income-tax laws and were easily misled by unjust criticism. The occasion of the criticism was a provision in the war-tax revenue law, finally enacted on October 3 last under the title of war excess-profits tax, which provision was inserted in this revenue bill after it had passed the House and had gone to conference where the differences between the Senate and House were adjusted, and the conference report was adopted during the final days of the special session.

War excess profits are known as the profits during the war in excess of prewar profits. Naturally there could be no excess profits in salaries that are the same both before and during the war. But the conference committee concluded to levy in lieu of an excess-profits tax, as provided in section 201 of the war-revenue law, a tax equivalent to 8 per cent of the net income of the trade or business of every domestic partnership or citizen or resident of the United States in excess of $6,000 where such trade or business had no invested capital, except—

In the case of officers and employees under the United States or any State, Territory, or the District of Columbia, or any local subdivision thereof, the compensation or fees received by them as such officers or employees.

This exception to the conference committee amendment did not at the time attract the attention of Members of Congress generally, for it simply enlarged or extended the exemption heretofore existing in prior income-tax laws as to State officers, and so forth, so as to make officers and employees of the United States as to this law also exempt, and it did not seem unreasonable or of much moment, as few Federal or State officers have salaries above $6,000. But when it was afterwards suggested that Congressmen might be construed to be within this exception there was a general demand from Members of Congress that the language be so amended as to make it plain that Members of Congress were not exempt from this 8 per cent additional tax written in the law under the title of excess war-profits tax. It was well argued that Members of the House and Senate were not officers and employees of the United States in contemplation of the Constitution and could not be held to be within the exception, as they were not officers and employees of the United States, and that Members of Congress were liable to this additional tax, not being expressly named in the exception.

Nowhere in the revenue act are Members of Congress mentioned as being exempt from the payment of any income tax or excess war-profits tax. However, to put the matter beyond any controversy, and responding to the unanimous desire of all Members to make it clear that Senators and Congressmen are liable to this additional tax, and thereby end all controversy, a joint resolution was reported by the Ways and Means Committee, which, when adopted in the House, read as follows:

Joint resolution amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war-excess-profits tax the compensation of officers and employees under the United States, including Members of Congress.

Resolved, etc., That subdivision (a) of section 201 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, is hereby amended to read as follows:

"(a) In the case of officers and employees under any State, or local subdivision thereof, the compensation or fees received by them as such officers or employees."

SEC. 2. That section 209 of such act of October 3, 1917, is hereby amended by adding a paragraph to read as follows:

"The income of officers and employees under the United States, including Members of Congress, received as compensation or fees by them as such officers, employees, or Members, shall be taxable under this section for the calendar year 1917 and each year thereafter; but a nonresident alien officer or employee of the United States shall be entitled to the same deduction as a resident of the United States."

This joint resolution, unanimously supported in the House, specifically mentions the incomes of Members of Congress as subject to this additional 8 per cent tax, together with the incomes of officers and employees of the United States, received as compensation or fees by them as such officers, employees, or Members, thereby ending all further controversy as to the meaning of the law and the intention of Congress with reference thereto.

Under existing Federal laws Congressmen, as well as others, if married men or heads of families, will pay 2 per cent normal tax on their net incomes exceeding $2,000 up to $4,000, and 4 per cent on their net incomes above $4,000, and a further 1 per cent or surtax above $5,000, and in addition thereto 8 per cent above $6,000.

The incomes of State officers are exempt from payment of all Federal income taxes by reason of a decision of the Supreme Court of the United States.

The unanimous support given this amendment should end all further criticism from any source. Many Members of Congress have sons in the Army—some have already gone and others shortly will go to the battle fields of France, to do service for their country. All Members have far more care for the welfare of these soldier boys than for the income tax cheerfully levied upon their own salaries.

I insert herein a table showing how the income tax figures out for both married and single men. Here is what a married man will have to pay under the income-tax section of the new revenue act. The only alteration necessary in applying the figures to the income of a single man is to make the exemption $1,000 instead of $2,000, as in case of a married man.

Married man having income of—	Amount of normal tax.	Amount of war normal tax.	Surtax.	Total individual income tax.
$1,000	None.	None.	None.	None.
$2,000	None.	None.	None.	None.
$3,000	None.	$20	None.	$21
$4,000	None.	40	None.	40
$5,000	$20	60	None.	80
$7,500	70	110	$25	205
$10,000	120	160	75	355
$12,500	170	210	150	530
$15,000	220	260	250	730
$20,000	320	360	500	1,180
$40,000	720	760	2,100	3,580
$60,000	1,120	1,160	4,500	6,780
$80,000	1,520	1,560	7,900	10,980
$100,000	1,920	1,960	12,300	16,180
$150,000	2,920	2,960	25,800	31,680
$200,000	3,920	3,960	41,300	49,180
$250,000	4,920	4,960	59,800	69,680
$300,000	5,920	5,960	80,800	92,680
$500,000	9,920	9,960	172,800	192,680
$750,000	14,920	14,960	297,800	327,680
$1,000,000	19,920	19,960	435,300	475,180
$1,500,000	29,920	29,960	740,300	800,180
$2,000,000	39,920	79,960	1,050,300	1,130,180
$4,000,000	79,920	79,960	2,310,300	2,470,180

Heads of families are allowed an additional deduction from income of $200 for each dependent child.

In the foregoing on all earned incomes above $6,000 an additional tax of 8 per cent should be added.

You will note from this table that the normal income tax heretofore levied on the salaries of Congressmen was $70; that the new revenue act imposed an additional war normal tax of $110 and a surtax of $25, making a total of $205, to which the additional tax of 8 per cent, or $120, will be added, making in all $325 to be paid by Congressmen and others having similar net incomes.

I believe in the income-tax law and the levy of a reasonable per cent on all incomes, above a fair exemption, for the support of the Federal Government—a larger per cent in war times than in times of peace—and an increasing per cent upon the larger incomes.

If our boys enter the service of their country, risking life and health, then those who earn while others fight should pay without complaint and cheerfully pay the reasonable and fair tax contribution necessary to provide our soldiers with food, clothing, munitions of war, and all the necessities required by this dangerous and patriotic service.

Mr. KITCHIN. Mr. Chairman, I yield one minute to the gentleman from Missouri [Mr. RUSSELL].

Mr. RUSSELL. Mr. Chairman, this is a bill to amend the revenue law passed at the last session of this Congress, but it is not for the purpose of correcting that law but is simply for the purpose of making absolutely certain that which everyone in this House thought was certain when the act was passed. I have not yet found a man who was present when the revenue bill was passed who believes that there was any intention to or that it did, in fact, exempt Members of Congress from the payment of their taxes under the excess-profits provision the same as salaries of all other citizens of the United States. But there is no doubt that among the people the belief does exist that we did exempt our salaries and I with many other Members of Congress have received letters from friends saying that Congress had taxed everything in sight except themselves and their own salaries, which were exempted.

We did not do anything of the kind, and every man here at the time understood that we did not. The good lawyers in this House and outside of it say that our salaries are subject to the tax, but I am glad to-day to be able to vote for a resolution not to correct but to make absolutely certain that which we thought was certain at the time we voted for and passed the revenue bill.

Mr. KITCHIN. Mr. Speaker, my distinguished friend from Ohio, Mr. LONGWORTH, says that section 209 is the root of all this trouble. That section taxes lawyers, doctors, professional men, and others, including corporations, without invested capital who make profits in excess of the specified deduction.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. SNYDER. Did the gentleman state the matter correctly?

Mr. KITCHIN. No; he did not state it correctly, and I am going to show you that he did not.

Mr. SNYDER. I mean the gentleman from North Carolina now speaking. Does the gentleman not mean that these men were penalized and not taxed?

Mr. KITCHIN. No; they are justly taxed and not penalized as long as other individuals are taxed. The gentleman from Ohio [Mr. LONGWORTH] said that nobody knew that this proposition was in the bill until after it was passed.

Mr. LONGWORTH. I never said that I did not know it. I said that not 10 Members of the House knew it.

Mr. KITCHIN. The gentleman knew it when it was passed.

Mr. LONGWORTH. Oh, yes; I did.

Mr. KITCHIN. That is the point that I am making. The gentleman knew it was in there when he voted for it. I discussed that very section, 209, upon the floor of the House when I presented the conference report. I discussed it at length, and the gentleman was sitting in front of me as I discussed it. I showed why it was put in there and why it ought to be put in there, and when the time comes and any man wants to strike it out, I shall try my best to show why it ought to remain there. The gentleman knew it was in there, and yet he never raised his voice against it. The time to have denounced section 209 was when it was before the House for approval or rejection. If he wanted to protest against it, that was the time to protest. If it is wrong now, it was wrong then, and yet he never made any protest, knowing it was in there and knowing that we and he were to vote on it. He never made any protest until after he went home and no doubt talked to some of the big Cincinnati lawyers, and he then comes back here and is convinced that it is a big outrage; that it penalizes the lawyers and the doctors.

Mr. LONGWORTH. And the clergymen.

Mr. KITCHIN. Yes; and the preachers.

Mr. LONGWORTH. Will the gentleman yield?

Mr. KITCHIN. I have not the time now.

Mr. LONGWORTH. The gentleman is aware that there is a rule that a conference report must be voted either up or down.

Mr. KITCHIN. Oh, we could have stayed here and voted it down if it was such an outrage as the gentleman makes out this morning. If I were in the gentleman's place I would have voted against it and told the conferees to go back and correct the outrage, because if we had committed an outrage the conferees would have been glad to correct it. Or I certainly would have protested against it and warned the House of its injustice in the speech which the gentleman made on the report; but not a word of protest or warning did he make.

Mr. LONGWORTH. The gentleman at the time was impressed with the necessity for raising revenue.

Mr. KITCHIN. There is no fairer or more equitable or righteous provision in all the revenue act than section 209. When the Senate included individuals in the excess-profits tax we protested against it. The House conferees and the gentleman from Ohio and myself agreed on that, and the Ways and Means Committee agreed on it, and the House was of the opinion that individuals ought not to be put in the excess-profits tax provision, but when the Senate insisted upon it and refused to yield, then we said that it was not right to put in the individual farmer, and the merchant, and the lumberman, and banker, and butcher, and blacksmith, and every other individual and leave exempted from the tax lawyers and the doctors and other professional men.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. LENROOT. Does the gentleman think, then, that a man having an income from invested capital should be taxed less than a man who earns his income?

Mr. KITCHIN. The gentleman has got that error from the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. If it is an error.

Mr. KITCHIN. I want to tell you that the man who has his money, say, $100,000, invested in stocks pays on the average three times more than the lawyer that you are trying to protect. He pays the tax before his income gets to him. The corporation takes it out and pays it for him.

Mr. LENROOT. Suppose he has a hundred thousand dollars invested in real-estate mortgages?

Mr. KITCHIN. And gets his income on that?

Mr. LENROOT. Yes.

Mr. KITCHIN. Let us see; let us appeal to the gentleman's sense of fairness. If I have $100,000 of my money loaned out on mortgages at 6 per cent interest—and in my State it is 6 per cent—should I not be allowed the same deduction on the amount, $100,000, so invested as the gentleman or other person who puts that amount in an active business? We both have the same amount invested. But the amount of my small profits—my income—from my investment is limited by interest law, while the amount of profits from the gentleman's investment is unlimited; it may reach 20, 25, or 50 per cent or more. Should he call his income earned and therefore demand a larger deduction or exemption and call my income unearned and therefore demand a smaller deduction or exemption for me? Under the law capital invested, it matters not how, has the same deduction or exemption.

Mr. LENROOT. But the gentleman is not discussing the question——

Mr. KITCHIN. I am discussing exactly the question the gentleman asked about investment in mortgages. Of course, when I lend $100,000 at 6 per cent there can not be any excess profits, because I would be entitled to a deduction of 8 per cent upon my capital of $100,000 invested even if you make the excess-profits tax apply to such a case.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Resolved, etc., That subdivision (a) of section 201 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, is hereby amended to read as follows:

Mr. LANGLEY. Mr. Chairman, I move to strike out the last word for the purpose of occupying the floor for a moment or two only.

Mr. MOORE of Pennsylvania. Mr. Chairman, is that motion in order at the present time? The paragraph has not been read.

Mr. LANGLEY. The first paragraph has been read, and I think I am in order.

The CHAIRMAN. The first paragraph has been read.

Mr. MOORE of Pennsylvania. I make the point of order that the Clerk has not completed the reading of the paragraph, Mr. Chairman. I was waiting to be recognized.

Mr. LANGLEY. Mr. Chairman, am I recognized? I only made this pro forma motion to get a chance to say a few words. The time for general debate was so limited that I did not feel that I ought to ask for any part of it. I only wish to say this: I am glad this question has been so fully and clearly explained as to leave no doubt that all this criticism of Congress was unjust and wholly unwarranted. I do not deny that it caused me no little embarrassment, as I——

Mr. MOORE of Pennsylvania. Has the Chairman ruled on the point?

The CHAIRMAN. The gentleman from Pennsylvania has raised a point of order which the Chair thinks is well taken.

Mr. LANGLEY. I ask unanimous consent, then, for one minute more in order that I may finish now what I had said in part when the gentleman from Pennsylvania interrupted me.

The CHAIRMAN. The Chairman will recognize the gentleman from Kentucky when the first paragraph is really read.

Mr. LANGLEY. All right, then.

The Clerk read as follows:

(a) In the case of officers and employees under any State, or local subdivision thereof, the compensation or fees received by them as such officers or employees;

Mr. LANGLEY. Mr. Chairman, I now move to strike out the last word.

Mr. MOORE of Pennsylvania. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. Being a member of the committee, I ask for recognition at this point. The recognition of the gentleman from Kentucky was made by a fluke. I could have arisen at the same time, but it was the wrong time to rise.

Mr. LANGLEY. Oh, no, Mr. Chairman, it was not a fluke, or anything of that kind. I thought the first paragraph had been completed, and so did the Chair at first, evidently. But I am perfectly willing to yield to a member of the committee. I do not desire to seek to take the floor from him. I understand the rule. I did not know the gentleman from Pennsylvania wanted the floor when I addressed the Chair and made the motion I did.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I concede the gentleman from Kentucky ought to be heard, and I hope he will be. The gentleman from Ohio [Mr. LONGWORTH] has made a 15-minute speech, which seems to be at variance with those made by other members of the Committee on Ways and Means, and I desire to point out one or two points of his speech that I think are wholly misleading. In the first place there is an impression upon the part of Members on this floor that this amendment proposes to tax poor lawyers, poor doctors, poor preachers, the preachers having been brought in as a sort of last resort to fortify the argument. This paragraph will not apply to any poor doctor, poor lawyer, or poor preacher, who earns less than $6,000 a year. I am not responsible for this bill or for any provision in it; but, as a Republican, desiring to help the President prosecute this war and raise the money to pay for it, I voted for what I supposed to be as equitable a system of taxation as the other side had to present. I was not for exempting certain classes of individuals and holding certain other classes of individuals liable to tax. Three kinds of taxes are under discussion—the income tax, which we all pay; the supertax, which we all pay if we have income enough; and the new system or scheme of taxation, which seems to have come from England or some other country, where we get many of our ideas, which is called the war excess-profits tax. If a man makes enough after paying the income tax, after paying the supertax, then for war excess-profits tax we tax him to the extent of 8 per cent in the case of an individual without invested capital and in certain other per cents, much higher, in the case of an organization or concern that has invested capital. The law simply endeavored to reach that skillful, clever sort of brains which generally knows how to make tax returns, and which is not the poor preacher, or the poor lawyer, or the poor doctor. It does include that devilish smart fellow who comes down here and suggests amendments to a conference committee or to the Ways and Means Committee, and who goes home and charges his corporation $100,000 for that service. His is the kind of brains that might be affected.

Mr. LENROOT. Will the gentleman yield?

Mr. MOORE of Pennsylvania. No; not in five minutes, thank you. I do not care whether it is Elihu Root, who can afford to charge a big fee, or some lawyer who can only charge $5,000, I do not think that because he has brains we should put the entire war tax bill of the country upon the industries and corporations and individuals and allow the professional man to go scot free. I do not mince words about this at all. If you are going to play fair, play fair.

My friend from Ohio has an amendment to this bill, which he proposes to introduce if he can have it held in order, which provides "the term trade and business shall not include professions and occupations having no invested capital or not more than a nominal capital." I would change that and say the term "trade and business" shall include professions and occupations having no invested capital or not more than a nominal capital. It would not touch the poor man or anybody else who makes less than $6,000. Some lawyers are capable of absorbing the business of 20 lawyers, some doctors absorb the business of 20 other doctors, some engineers absorb the business of 20 other engineers. If others have to pay they should not escape taxation because they have brains enough to come under the proposed Longworth amendment.

Contrast such an individual earner with a corporation or a poor business concern. The business pays an income tax, a corporation tax, a surplus tax, a munitions tax in certain cases, and an excess-profits tax—five different kinds, in some instances—and when it is all paid the stockholders, the poor widows and orphans, if you please, who have stock in the concern, get nothing. But the clever fellow who gets a salary of $20,000 before the taxes are paid, who may leave nothing for the stockholders, would escape under this amendment. I am not for letting that fellow do it in these war times, and that is the reason I do not propose to let the Longworth amendment go into this bill if it can be prevented. [Applause.]

Mr. LANGLEY. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Pennsylvania [Mr. MOORE]. I do not think the word "employees" should be stricken out. It is a very important word, and I do not think we ought to mutilate the paragraph in that manner. I am in favor of this joint resolution. If it can be improved in any way by amendment I am for that, but the general purpose of it meets my hearty approval.

Mr. Chairman, I had already said, before the Chair decided that I was not in order, nearly all that I intended to say. I think the gentleman from Pennsylvania feels too much personal responsibility in this matter and takes the situation too seriously. He referred a while ago to the "pusillanimous, patriotic pikers" who had caused all this trouble and opposed any concessions to them. I do not desire to make any concession to them; but one reason why I am for this resolution is that I wish to satisfy the many people in this country who are honestly mistaken about it and who have been misled by these so-called "pikers" into believing that we intended to do something that we did not intend to do. I wish them to know that this great body did not then intend to exempt themselves from any tax, and I want to help pass this resolution to show them that such is not now our purpose, and that we are willing and anxious to bear our full share of the burden. [Applause.]

Mr. LENROOT. Mr. Chairman, I want to say of the gentleman from Pennsylvania [Mr. MOORE], whom we all admire, that I think this is the first time since I have been a Member of the House that he has made a real demagogic speech. And that was exactly what his speech was.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LENROOT. I can not yield. The gentleman did not yield. So far as the gentleman from North Carolina [Mr. KITCHIN] is concerned, the Democratic leader, from a partisan standpoint, I am glad he takes the position he does, but I have been very much surprised that that side of the aisle defends a proposition that taxes men who earn their income at a higher rate than men who sit down and get an income from unearned capital. I asked the gentleman a question, but he begged it. I asked him whether he would defend taxing a man at the higher rate who earned an income as against a man who had his capital invested in mortgages? He did not answer. He referred to the man who had $100,000 invested in a cotton factory. Let me take his own illustration. A man earns an income of $7,000 through his own efforts. He will pay an excess-profits tax of $80. A man has $100,000 invested in a cotton factory, out of which he receives an income of 13 per cent, or $13,000. How much of excess-profit taxes will he pay? He will not pay one penny. Is that the position that the Democratic side of this House will take, namely, that a man who has invested money shall not pay a tax as high as a man who earns his income?

Another illustration: Take $100,000 invested in 7 per cent farm mortgages. Another man has an earned income of $7,000. What about the excess-profits tax of these two men? The man

who is president of a university, as my colleague suggests, earning a salary of $7,000 a year, will pay an excess-profits tax of $80. The man who has $100,000 invested in real estate mortgages will not pay one penny of excess-profits tax. If you gentlemen on the other side of the aisle want to defend that kind of a proposition, well and good. We will take it to the people of the country in the next election. [Applause.]

Mr. LEHLBACH. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. LEHLBACH. This title of the revenue law purports to tax the excess profits due to the existence of the war, not excess profits that are levied by reason of the revenue necessitated by the war, but excess profits which come by reason of the existence of war. That is perfectly plain, because the title determines what a prewar period is and directs that, within limitations, profits earned in the prewar period should be deducted from profits now earned, and the difference—excess profit due to the existence of the war—be subject to the tax provided in the title.

Now, I would like to know what profession or occupation, having no invested capital now by reason of the existence of the war, earns an excess income. It has been said that an individual who comes under this title and pays tax by reason of the conduct of a business ought not to be taxed, and the professional man exempt from a similar tax. If an individual runs a steel business, and by reason of the war enjoys excess profits, he is to a certain extent a profiteer and he ought to pay the tax, and it is no injustice to him that a man who earns a normal income that he has always earned in the prewar period is not saddled with an extra income tax. Now, this act, this particular section, as it has been pointed out, taxes earned incomes in excess of $6,000 and exempts unearned incomes. This may be an example of taxing until it hurts, and it does hurt, not because of the money that is to be paid out, but because of the inherent injustice contained in the provision.

Another anomalous provision is that where several professional men associate themselves in a partnership they shall be taxed largely in excess of a man who is conducting a professional business in his own name. If one man associates himself with two other lawyers and does a business of $12,000 a year and pays to each of his associates $4,000 a year in salaries, retaining $4,000 as his profit in the business, not one of the three pays any of this excess-profits tax. But if there is a partnership of these same three, or lawyers similarly situated, and they earn in partnership $12,000 a year, then each pays a tax on $2,000 of his share of $4,000, or $160. These three men pay each $160 because they are honestly in partnership, and the other three do not pay a cent, because two purport to be employees of the other one.

It is an anomalous provision. The section itself is an injustice, and the inclusion of partnerships in professions makes it ridiculous.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr PLATT. I was going to suggest to the gentleman that if three men associate themselves together and get $12,000, their individual incomes on the division of this $12,000 would be very much less. Of course, they all pay that.

Mr. LEHLBACH. Yes; but the two employees get $4,000 each, and the other man gets $4,000, and the incomes would be the same. Of course, the partnership would have to pay.

Mr. PLATT. Their individual taxes would be less.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. KITCHIN. Mr. Chairman, I ask unanimous consent that all debate on this resolution and all amendments thereto close in 15 minutes.

Here is the situation: We have the rural-credit bond proposition to come up after this. In the Senate there is a motion lodged to rescind the resolution to recess, and they do not know how long it is going to take to discuss that. They do not know whether they are going to rescind it or not if it comes to a vote. We ought to go on and get through with this bill. Every man knows exactly how he is going to vote on it. I would like more time myself to answer the ingenious argument of the gentleman from Wisconsin [Mr. LENROOT] and to show the strained and exceptional nature of the case he gave, and the reason why he gave it. But we have not the time, and I am not going to take the time now. We ought to finish this, so that we can adjourn.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield for a question?

Mr. KITCHIN. I will.

Mr. LONGWORTH. I suggest that the gentleman answer the argument so far as the paragraph read goes. I have an amendment.

Mr. KITCHIN. You can offer your amendment in the 15 minutes.

Mr. WOOD of Indiana. Mr. Chairman, I would like to have five minutes to offer an amendment.

Mr. DILLON. I want to offer an amendment.

Mr. GILLETT. I did not quite understand the gentleman's purpose. Does the gentleman mean that he wants to adjourn before the Senate resolution gets over here?

Mr. KITCHIN. If they decide to rescind it, yes.

Mr. GILLETT. Why don't you adjourn now? There would be no objection to that.

Mr. KITCHIN. According to the suggestion of the gentleman from Ohio [Mr. LONGWORTH], I think "the boys" ought to be be given their "Christmas present," and we should vote on this proposition before we go home.

Mr. GILLETT. The gentleman says there is another proposition after this. It seems to me we should be allowed to discuss important amendments. The gentleman from Ohio [Mr. LONGWORTH] has an important amendment that he wishes to discuss.

Mr. AUSTIN. Yesterday, when the gentleman asked unanimous consent to have an hour's debate, I withdrew my objection on the assurance that I would have five minutes of that hour. I found in the general debate that I did not receive my five minutes. I want to be included now in any arrangement that is made here providing for 15 minutes.

Mr. KITCHIN. Yesterday I asked unanimous consent to consider this resolution this morning, in order to accommodate gentlemen on that side. I was going to be recognized by the Speaker to suspend the rules and pass this resolution last evening, and then we would have had only 20 minutes to a side, without the opportunity for amendment. We have now had an hour and forty minutes' debate.

Mr. AUSTIN. It has all been practically taken up by members of the Committee on Ways and Means.

Mr. KITCHIN. Does not the gentleman think we could finish the debate and discuss the amendments in 20 minutes? Let us see. The gentleman from Tennessee [Mr. AUSTIN] wants three minutes.

Mr. AUSTIN. I was promised five minutes yesterday when I withdrew my objection to unanimous consent for limited discussion.

Mr. LONGWORTH. I shall object to unanimous consent to limit debate until the consideration of the resolution is completed.

Mr. DILLON. I want four or five minutes.

Mr. WOOD of Indiana. I want five minutes.

Mr. KINKAID. I would like to have five minutes.

Mr. KITCHIN. Mr. Chairman, I see an hour's debate right here. Gentlemen, I think we ought to close this debate.

Mr. Chairman, I move that all debate on this resolution and all amendments thereto be closed in 15 minutes, with the privilege of gentlemen offering amendments during that time and sending them to the desk.

Mr. LONGWORTH. I make the point of order, Mr. Chairman, that the motion is not in order until the reading of the resolution has been completed. I do not want any time, but I desire to offer an amendment at the proper place, at the conclusion of the resolution. I shall therefore object to the limiting of time until the resolution has been read.

Mr. KITCHIN. The resolution has been read.

Mr. LONGWORTH. No; only the first paragraph. I shall not object after that is done.

Mr. AUSTIN. I make the point of order, Mr. Chairman, that you can not limit the debate in committee.

Mr. KITCHIN. I did not catch the suggestion of the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. This resolution has not yet been read. We are reading it now for amendment.

Mr. KITCHIN. I will make the motion after it is read, then.

Mr. LONGWORTH. Then I will offer the amendment.

Mr. KITCHIN. Let the Clerk read the next paragraph. I ask unanimous consent that all debate be considered closed on section 1 and all amendments thereto.

The CHAIRMAN. At this time?

Mr. KITCHIN. Yes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on section 1 of this resolution be considered closed at this time. Is there objection?

There was no objection.

The CHAIRMAN. The clerk will read the next section.

The Clerk read as follows:

SEC. 2. That section 209 of such act of October 3, 1917, is hereby amended by adding a paragraph to read as follows:

"The income of officers and employees under the United States, including Members of Congress (but not including the present President of the United States during the term for which he has been elected, nor the judges of the Supreme and inferior courts of the United States in office at the time of the passage of this amendment), received as compensation or fees by them as such officers, employees, or Members, shall be taxable under this section for the calendar year 1917 and each year thereafter; but a nonresident alien officer or employee of the United States shall be entitled to the same deduction as a resident of the United States."

Mr. KITCHIN. Mr. Chairman, I want to give the Speaker a chance to lay before the House an enrolled bill which he wishes to sign, and therefore I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WATSON of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House joint resolution 195, amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war excess-profits tax the compensation of officers and employees under the United States, including Members of Congress, and had come to no resolution thereon.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 17. Joint resolution proposing an amendment to the Constitution of the United States.

RESIGNATION FROM A COMMISSION.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, D. C., December 18, 1917.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: I hereby resign as a member of the Commission on Reconstruction of the Hall of the House of Representatives.

Respectfully, yours, JOHN J. FITZGERALD.

WAR EXCESS-PROFITS TAX.

On motion of Mr. KITCHIN, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of H. J. Res. 195, with Mr. WATSON of Virginia in the chair.

Mr. LONGWORTH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 15, after the word "States," insert:

"*Provided, however,* That incomes derived from professions or occupations having no invested capital or only a nominal capital shall not be taxable under this section."

Mr. KITCHIN. I ask unanimous consent that all debate on this section and all amendments thereto be closed in 20 minutes, with the privilege to gentlemen to send up amendments at any time.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate upon this section and all amendments thereto shall close in 20 minutes. Is there objection?

Mr. WOOD of Indiana. Can I have three minutes?

Mr. DILLON. I should like four minutes.

Mr. LONGWORTH. I want five minutes.

Mr. AUSTIN. It was agreed yesterday that I should have some time on this.

Mr. GILLETT. There are five gentlemen on this side who want time.

Mr. KITCHIN. I will make it 25 minutes.

The CHAIRMAN. The request is that debate on this section and all amendments thereto close in 25 minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. Mr. Chairman, let me first call the attention of Members to this fact, that the primary object for which this joint resolution is introduced will be carried out if this amendment is adopted, because the salaries of Members of Congress will be included under the provisions of section 209, and will be taxed. Thus, the only persons who will be relieved from the provisions of section 209 will be men who derive their incomes from professions or occupations in which there is no invested capital or only a nominal capital. As I pointed out a few moments ago, such incomes as these are not taxed as excess profits in any country in the world. Furthermore, such incomes as these in every other country in the world are taxed less than incomes derived from invested capital. By adopting this amendment you will have removed what I regard as a gross injustice, in spite of what has been said in praise of it by two gentlemen who were on the conference committee—the gentleman from North Carolina [Mr. KITCHIN] and the gentleman from Pennsylvania [Mr. MOORE]—who are the only ones so far to attempt to defend the principle of this proposition. They are entitled to all the pride they can take in their handiwork; no one else does. For myself, I regard section 209 as the one absolutely indefensible proposition in the revenue law.

It is no answer for the gentleman from North Carolina [Mr. KITCHIN] to say that I had the opportunity to attack this section when the conference report was before the House. He knows, and we all know, that a conference report is unamendable. He knows, and we all know, that the revenue to be raised by that bill was essential to carrying on the war, and even though there were some provisions in the bill of which I entirely disapproved, this particularly, for one I was not willing to have the bill sent back to conference and the whole subject opened wide again. It is no answer to my statement that this proposition is absurd and inexcusable to criticize me for not voting against the conference report.

If you adopt this amendment, gentlemen, you will eliminate from the bill the proposition which has caused all this criticism of which you complain, the proposition that you have taxed salaried men without invested capital and exempted yourselves from the operation of that tax. That is what the criticism was about. Nobody, least of all the gentleman from North Carolina, has ever advocated, on its merits, the proposition that the salaries of public officials should be taxed as excess profits. But a condition, not a theory, seems to confront us, and by adopting this amendment you will salve your consciences, so far as being included and paying this $120 tax is concerned. At the same time you will have removed the most vicious principle in the revenue law, a principle not recognized in any other country under the sun, and never recognized in this country before, which puts an extra tax on the man who earns his income by his ability and his brains, as compared with the man of wealth, inherited or acquired, who draws his income from invested capital, with no effort on his own part. [Applause.]

Mr. KINCHELOE. Will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUSTIN. Mr. Chairman, is there a real necessity for this joint resolution? The gentleman from North Carolina [Mr. KITCHIN], the chairman of the Committee on Ways and Means, has stated that the original proposition included Members of Congress. The chairman of the Finance Committee of the Senate, Mr. SIMMONS, stated yesterday in the Senate that it included Members of Congress, and that that was also the opinion of the General Commissioner of Internal Revenue, Mr. Roper.

Every member of the Ways and Means Committee who knew all about the matter when it was before the conference committee has stated that it did not mean to exempt Members of Congress. With all these accumulated statements as to the meaning and intention of the provision, why should we pass a resolution to answer a misstatement, a campaign falsehood, started somewhere in the United States to injure the Members of the Senate or House? As we are innocent of the charge and the testimony and record vindicates us, why is it necessary to take up our valuable time to pass this resolution?

What did the Congressman pay in income taxes prior to the enactment of the new revenue law? Seventy dollars a year for a married Member drawing $7,500. Under the new revenue law he is made to pay $325 a year, or $27 a month. If the so-called excess-profits tax is not included it would be $255 a year, or $21.25 a month. The pending resolution does exempt the President of the United States, with a salary of $75,000; it exempts the Chief Justice of the United States Supreme Court, with a salary of $15,000. It exempts the Associate Justices, with salaries of $14,500 each, and every circuit court judge with a salary of $7,000. Why should we exempt one class of Federal officials and not another? If one should pay all should pay whose salaries fall within the provisions of the income tax and excess-profits tax. The Supreme Court has never in any decision said that Congress could not tax the President of the United States or the members of the judiciary.

The Constitution of the United States says you can not lower the salary of the President during his term of office or increase it. But this is not a reduction of his salary, it is to put him on an equal footing with every other officeholder in the country. It is a reflection, it is an injustice which, I imagine, would be resented by the President of the United States and the members of the Supreme Court and the judges of the circuit courts, to pass any law or resolution which would not permit them to do their share and duty in financially aiding the Government to win this great war. Pass such a resolution in time of war, the most

expensive war in the history of the world—tax everybody and every officeholder except these. Exempt the highest paid officer in the United States, and along with him the next highest, holding life positions. You can not justify such action before the American people.

I want the gentleman from North Carolina [Mr. KITCHIN] to answer the speeches of the gentleman from Wisconsin [Mr. LENROOT] and the gentleman from Ohio [Mr. LONGWORTH]. Men who have fortunes which they inherited, who are not earning by effort, labor, or ability the income from money invested and left them by their rich ancestors, are not taxed like you propose to tax the professional man, the lawyer, the physician, the minister, the doctor, or the officer of a corporation. Why should we as impartial lawmakers discriminate in this manner? It is unfair; it is unjust, and not to the credit of the American Congress to retain such a law. [Applause.]

Now, one thing more. The most unpopular section in the revenue law to-day is section 209. We will be held to a strict accountability when we face the electors on this section. It is unfair; it distinctly discriminates against earned incomes and penalizes industry in favor of inherited coupon-clipping incomes. In other words, earned incomes are doubly taxed.

This law or section says if you earn your money yourself you are going to be penalized in favor of the nonearning parasitical inheritor of accumulated and inherited wealth. No political party can afford to favor it, and the Members of this House can not stand for it before a thinking, intelligent people. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

Mr. KITCHIN. Mr. Chairman, I hope that amendment will be voted down.

The question was taken; and on a division (demanded by Mr. LONGWORTH) there were 56 ayes and 98 noes.

So the amendment was rejected.

Mr. WOOD of Indiana. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 2, after the word "hereby," strike out all of the remainder of the section and insert in lieu thereof the word "repealed."

Mr. WOOD of Indiana. Mr. Chairman, if the amendment proposed by the gentleman from Ohio [Mr. LONGWORTH] had been adopted it would have cured a great deal of the evil that is going to be wrought by this section. That amendment having been voted down, it occurs to me that this section should be repealed. It is absolutely unworkable except to do very great injury to those to whom it applies. No one wants to avoid their just proportion of taxation, but everyone objects to unjust discrimination in taxation.

I call the attention of the committee to one concrete example that shows how absolutely unfair and unjust this section is. It applies to any partnership that has only a nominal capital invested. I think you will admit that it would apply to attorneys. Suppose, for example, you have four attorneys engaged in the practice of law. Their net income is $15,000 at the end of the year. From that they are entitled to a deduction of $6,000, leaving a balance of $9,000, upon which this tax will apply. The tax is $720, and that divided by 4, the amount that each individual of the partnership would pay, is $180.

Now, take another partnership engaged in the practice of law, with two in the firm, earning $7,500—just half of what the four earned. You take $6,000 from it and it leaves a balance of $1,500. Eight per cent of that is $120. Divided by 2, what each individual would pay, and it is $60. The share is $60, as compared with $180 where the partnership consists of four. This is but one example of a very great number of examples that might be cited showing the absolute unfairness of this section of the bill.

This section can be repealed, and if there should be anything omitted by its repeal there is ample time in which to remedy it. But if you will stop for a few minutes and consider how many, many concerns like the one I have cited to you throughout the United States there are where such great injustice will apply I believe that fair-minded men desiring to do justice to your fellows whom you are representing here, you will repeal this section of the law in order that that injustice may not be done them.

We can not go home now and say that we have not had time for reflection and that these inequities have not been pointed out to us. Every one of us, in some way or other, has had brought to our individual attention the absolute unfairness and the impractical working of this section 209, and it affects every section of this country, from one end to the other. It does not apply only to the lawyers, but to other professions and businesses where the investment is only nominal. Therefore I say to you that it is the bounden duty of this Congress to remedy this evil while it has a chance, before it becomes effective in the enforcement of the law by revenue collectors all over the country. I hope this matter will be given the consideration to which it is entitled, and I believe the greatest service that we can render before adjourning here and going back to our people is to be able to say to them that, having discovered an evil, we have remedied it at the first available opportunity.

Mr. KITCHIN. Mr. Chairman, I desire to occupy the four minutes that I have remaining right now. I would like for every man to pay just a little attention to the facts. Section 209, levying an 8 per cent tax, does apply to lawyers, doctors, and professional men, making them subject to the tax, as other provisions of the act make the farmers, the merchants, the blacksmiths, the butchers, the bankers, the miners, the lumbermen, and all other individuals in business subject to a tax, they paying from 20 to 60 per cent upon their profits or income in excess of their deduction, while, under section 209, lawyers and doctors and professional men and others without invested capital pay only 8 per cent in excess of their deductions. If the gentleman's amendment to repeal section 209 prevails, then every farmer, merchant, banker, miner, lumberman, blacksmith, butcher, and every other individual in business in the United States would have to pay on his profits or income in excess of his deduction the war-profits tax of from 20 per cent to 60 per cent—and it will average 25 per cent—while the lawyer, doctor, or other professional man or salaried business man would pay no excess-profits tax on his profits or income. I dare any man in this House to go back to his people, whether to the city or the country, and tell them that in voting to repeal section 209 while other provisions of the bill remain unrepealed he voted to make the man who must work from sunrise to sunset, and sometimes his wife and children working with him, whether a merchant, a butcher, a blacksmith, a banker, a miner, or a farmer, pay taxes as high as from 20 per cent to 60 per cent of his income or profits over his deduction to help carry on the war, and at the same time voted to make the lawyer or the doctor or high-salaried business man, who works mostly to suit himself, who makes his money by the devotion only of his time and brains, with no capital invested, pay not a cent of excess-profits tax on his profits or income to help our country in its war struggle. If you vote to repeal section 209, that is exactly what you are doing; and if you tell your people the truth, you will have to tell them that.

They say that a man ought not to pay an excess-profits tax who makes a profit or income in excess of $6,000 from his brains and labor; that the lawyer makes it only by his brain and labor, and therefore he ought not to pay an excess-profits tax. Does not the farmer or merchant or blacksmith or any other business individual make his income not only by devoting his brains, his time, and his labor, but by risking his capital in his business? The farmer, the merchant, the banker, the lumberman, mechanic, or like individual not only puts into his business to make his income exactly what the lawyer and the doctor does—his brain and his labor—but his money, his capital. He takes financial risk; he makes financial sacrifices. He builds up industry. He gives employment to labor. He produces for public use. The lawyer takes no financial risks, makes no financial sacrifices. He builds up no industry. He employs no labor. He produces by his profession nothing for public use. And yet the advocates of the repeal of section 209 insist that the lawyer, doctor, and other professional and salaried men go scot free of the tax, while piling this heavy excess-profits tax burden on the backs of every other class of individuals. Gentlemen, you can not face your people, you can not face an honest man, you can not face your conscience around your hearthstone with such a vote.

What else does section 209 do? It not only applies to lawyers, doctors, professional men—which you gentlemen seem to be so anxious to protect and favor—but it was written into the act to meet another situation. Repeal section 209 and every corporation hereafter organized will escape the payment of the excess-profits tax. And why? This section applies to partnerships and corporations "without invested capital," according to the definition of the act. What will the corporations organized hereafter do if section 209 is repealed and nothing substituted for it?

The members will organize them without invested capital within the meaning of the act. They will issue no or only a nominal amount of stock and will do business on borrowed capital—borrowed from the members of the corporation. They will then escape the excess-profits tax. With section 209 repealed, if I wanted to organize, say, a $4,000,000 corporation to escape this tax, and the three gentlemen in front here were associated

with me, we would issue no stock, or only a nominal amount, and that each of us would lend our $1,000,000 to the corporation and it would do business on the borrowed capital without capital invested." The corporation would escape all excess-profits taxes, though it might make a million a year. But section 209, which some of you wish to repeal, would catch that corporation and does catch hundreds of corporations already organized without "invested capital" under the definition of the act. But for this section many corporations now so organized would escape the payment yearly of millions of dollars of excess-profits taxes.

One thing more. The Secretary of the Treasury appointed nine, I believe, of the wisest men from all walks of business life as an advisory committee to study this new revenue act and to make such suggestions as they saw proper. They had hearings. Business men, including lawyers, from all over the country appeared before them. The gentleman from Tennessee [Mr. HULL], the only Member of Congress from either the Senate or the House on that committee, was made its chairman. They had meetings and worked day and night for three, four, or five weeks, and still are at work. That advisory committee unanimously agreed that section 209 was right and proper, and they have no suggestions to make, except that the tax rate of 8 per cent was not high enough to equalize the tax paid by those subject to it with the tax paid by those subject to the tax of section 201. I hope the amendment of the gentleman will not carry. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. WOOD].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman from South Dakota [Mr. DILLON] is recognized for three minutes.

Mr. DILLON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. DILLON offers the following amendment: Strike out all the words after the word "Congress," in line 5, page 2, down to the word "received," in line 9, page 2.

Mr. DILLON. Mr. Chairman, the purpose of this amendment is to bring the President and the Federal judges within the terms of this resolution. Under section 1, Article II, of the Constitution, "the President's salary can not be increased nor diminished during the period for which he shall have been elected." Under section 1, Article III, the judges' salaries can not be reduced during their tenure in office. Amendment No. 16 of the Constitution, which reads as follows:

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived—

gives the Congress the absolute power to tax the salaries of these officials. Will any lawyer on this floor take the position that Federal judges and the President should be exempt from this tax? The sixteenth amendment grants full power to tax those officials. The taxing provision is without limitation, is without exception, so far as incomes are concerned. Articles II and III relate to compensation or salary. There is no confusion in these three articles of the Constitution. The first two provisions relate to salaries, but this last one relates to incomes from any source whatever. Why should the Federal judges be exempt from this income tax? Under what theory is the Congress going to say that these judges who have perpetual salaries during their whole life should be exempt? They know what they will receive, and I know they will willingly bear their part of the burden of this war. Why should we tax everybody on their incomes and exempt them? Upon what theory can you justify this injustice and go to the American people after they have expressed themselves upon the sixteenth amendment to the Constitution? There is absolutely no excuse for this exemption and this classification. If there is any lawyer upon this floor who can justify the exemption, I would like to have him tell us why the sixteenth amendment, which stands here without limitation and without exception, does not allow the Congress to levy taxes upon all incomes. Some must fight, but all who are able must pay in order that we may win the war. [Applause.]

Mr. Chairman, I ask for a vote on my amendment.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from South Dakota [Mr. DILLON].

The question was taken; and the Chairman announced the ayes seemed to have it.

Upon a division (demanded by Mr. GARRETT of Tennessee) there were—ayes 93, noes 44.

Mr. KITCHIN. Mr. Chairman, I demand tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. RAINEY and Mr. DILLON) reported that there were—ayes 95, noes 54.

So the amendment was agreed to.

The CHAIRMAN. The gentleman from Nebraska [Mr. KINKAID] is recognized for three minutes.

Mr. KINKAID. Mr. Chairman, I grant that it is anomalous that the Congress is making haste now, at the beginning of this session, to relegislate what was enacted at the close of the last session, according to the best authorities on the subject. We are going about it speedily to make it clear, beyond a peradventure, that the congressional salaries are subject to the war excess-profits tax provision the same as incomes derivable from other sources—to make it plain that the Congress would not belittle and degrade itself by discriminating in favor of its own membership while imposing this burden of taxation upon its constituencies.

The Congress is not legislating to reassure itself that membership salaries must pay an additional tax, because it is satisfied such is the law already; but its purpose is to set at rest completely in the public mind that such is the law. I agree with the Member from Missouri, the able and distinguished lawyer, Mr. RUSSELL, that "this is a bill to amend the revenue law passed at the last session of this Congress, but it is not for the purpose of correcting that law, but is simply for the purpose of making absolutely certain that which everyone in this House thought was certain when the act was passed. I have not yet found a man who was present when the revenue bill was passed who believes that there was any intention to, or that it did, in fact, exempt Members of Congress from the payment of their taxes under the excess-profits provision the same as salaries of all other citizens of the United States. But there is no doubt that among the people the belief does exist that we did exempt our salaries and I with many other Members of Congress have received letters from friends saying that Congress had taxed everything in sight except themselves and their own salaries, which were exempted."

Mr. Chairman, the Members know that in construing legislation the intent of the legislative body is to be given effect, when the language employed shall reasonably permit of it, and it is conclusive that the intention of both Houses was that congressional salaries should not escape the excess-profits tax provision.

The present step is impelled, also, by the purpose to satisfy constituencies, beyond cavil, that their chosen Senators and Representatives have acted conscientiously and fairly in the passing of the revenue law of October 3, 1917.

Mr. Chairman, I am heartily in favor of this Kitchin House joint resolution 195. On the first day of the session I, myself, was prompt to introduce House joint resolution 167, which, if enacted, would have the same legal effect as the Kitchin resolution; but, sir, I very cheerfully grant that it is most appropriate that the resolution of the gentleman from North Carolina [Mr. KITCHIN], who is chairman of the Ways and Means Committee, which formulated and reported to the House the revenue bill now under discussion, be given the right of way in preference to my resolution or that of anyone not a member of the Ways and Means Committee. In fact, I did not ask for the consideration of my resolution by the Ways and Means Committee, when I learned that similar resolutions had been introduced by members of that committee. Certainly, I should have sought consideration of my resolution by the committee had none been introduced by members of the committee.

Mr. Chairman, it is plain that the question—I may say, sensation, which will be short-lived, arising out of the legislation involved—has come about because of the difference between the popular and the legal or judicial construction of the words "officers of the United States." The popular, and perhaps the press construction would have this language include Members of Congress, while the legal or judicial construction excludes Senators and Representatives in Congress. If "officers of the United States," judicially interpreted, means Members of Congress, as well as the executive and administrative officers who are appointed to their offices and not elected, then the act of October 3, 1917, did not require that the portion of congressional salaries in excess of $6,000 should pay a tax of 8 per cent. If it did not exclude them—in other words if they were left out of the exemption—then the excess-profits tax was imposed upon their salaries.

Since I have made a careful study of the act and of the decisions of the Supreme Court I am convinced that the language, "officers of the United States," as employed in the act of October 3, 1917, does not include Senators and Representatives in Congress; therefore, that their salaries were by the act made liable to the excess-profits tax of 8 per cent. And this seems to be the unanimous opinion of the membership of the House, which

includes many lawyers who before they came to Congress had attained distinction at the bar and on the bench.

It has also been reliably stated in this discussion that several lawyers in the Treasury Department, where the act is to be administered, are of the opinion that the salaries of Congressmen are not left exempt from the excess-profits tax. It is stated, also, that the collector of internal revenue, whose province it is to administer the provisions of the law by collecting the tax, is of the opinion that congressional salaries are covered by the excess-profits tax provision.

Several decisions in the Supreme Court are to the effect that only appointive officers are included in the language "officers of the United States." Hence, these decisions are to the effect that salaries of Congressmen were not exempted by the revenue act of October 3, 1917, but that their salaries are liable thereunder for payment of the excess-profits tax.

The opinions involve the construction of Article II, section 2, of the Constitution. These opinions construe the article to mean that only such persons as are appointed either by the President or by the courts or other proper authorities are "officers of the United States." They mean, therefore, that Senators and Representatives of the Congress, who must be elected, are not in the meaning of the Constitution "officers of the United States." To this effect are the opinions contained in United States *v.* Smith (124 U. S., 525–531); United States *v.* Germaine (99 U. S., 508); United States *v.* Mouat (124 U. S., 303), and in Wharton's St. Trials, 200, where it was expressly held that a United States Senator was not an "officer of the United States" in the meaning of the Constitution; of course, it is the same with a Representative in Congress. So, according to the highest judicial authority, salaries of Congressmen are required to pay excess-profits tax by the act of October 3, 1917.

The conferees who drafted section 209, now in controversy, most of them lawyers, must be presumed to have been aware of the construction placed upon the words "officers of the United States," and therefore intended that congressional salaries be made to pay the excess-profits tax.

The question may arise, in the light of these authorities, Why reenact what is already law? I can only repeat that it is prompted by the duty and deference that Members of Congress owe their constituencies to assure them that the Congress has been fair. The Members further owe it mutually to themselves and their constituents, on account of the misunderstanding over the construction of section 209, to make a full exposé of the circumstances attending its adoption. It is very pertinent that the public be informed of the fact that section 209 was not contained in the bill when passed in the House, neither when it was passed by the Senate, nor when it came back to the House for the ratification of the amendments made in the Senate. This is a fact that no one controverts.

After the House had refused to concur in the Senate amendments and had asked for a joint conference and the conferees having been named by the House and the Senate had conferred, section 209, which has caused the questioning and discussion that have arisen, was first formulated and agreed upon by the conferees and by them reported to the Senate and the House. The report was unanimous with the result that no direct attention was called to section 209 by a printed minority report, usually accessible to every Member for his advice. The attention of Members of the House generally was not in any manner called to section 209, and few of the membership had knowledge that the section was contained in the conference report. On the other hand, the few who had such knowledge did not construe its language to exempt congressional salaries from the excess-profits tax. All the Members believed and assumed that their salaries were being made to pay excess-profits tax. No Member would have prostituted his power by thus shielding himself from participating with his constituents in carrying the burdens of the war.

It is only just to mention the remarkable unanimity with which the Members, regardless of party, have responded to every recommendation and demand made by the President for the enactment of war measures. No political partisanship predilection has betrayed itself in war legislation. The passing of the war resolution fixed the limit for any indecision or halfheartedness in the war cause. He who has not since been affirmatively and zealously for our cause is, even without any overt act to the contrary, in moral effect, against it. No difference what the predilection may have been hitherto, it became henceforward the patriotic obligation of every citizen to be absolutely devoted to the cause. Self-preservation, the first law of nature, without any other reason whatever—but the reasons are many—should impel every one to sustain the war heroically until the honorable peace shall be secured, which American genius and valor, reenforcing the unfaltering and determined offensives of the allies, shall make certain.

My own votes and remarks on war measures have been in full accord with these expressions.

In the just recognition of the nonpartisan unanimity of the support of the war during the recent extra session Speaker CLARK, when officially closing the session, said:

> Gentlemen of the House of Representatives, I congratulate you on the ending of the most important session of Congress in the history of the Republic. The amount of business that we have transacted is absolutely amazing and stupendous. I think every Member of this House has contributed all that was in him to the support of the Government of the United States in this great emergency. [Applause.] So far as I have been able to observe—and I have observed very closely—partisan politics has been temporarily banished from this House. [Applause.]
>
> I think every man has given the utmost of patriotism to his service here.

Likewise the statement of the President concerning the work of the Congress during the extra session expressed appreciation of the high value of the service rendered. The President wrote:

OCTOBER 6, 1917.

> The Sixty-fifth Congress, now adjourning, deserves the gratitude and appreciation of a people whose will and purpose I believe it has faithfully expressed. One can not examine the record of its action without being impressed by its completeness, its courage, and its full comprehension of a great task. The needs of the Army and the Navy have been met in a way that assures the effectiveness of American arms, and the war-making branch of the Government has been abundantly equipped with the powers that were necessary to make the action of the Nation effective.
>
> I believe that it has also in equal degree, and as far as possible in the face of war, safeguarded the rights of the people and kept in mind the considerations of social justice so often obscured in the hasty readjustments of such a crisis.
>
> It seems to me that the work of this remarkable session has not only been done thoroughly but that it has also been done with the utmost dispatch possible in the circumstances or consistent with a full consideration of the exceedingly critical matters dealt with. Best of all, it has left no doubt as to the spirit and determination of the country, but has affirmed them as loyally and as emphatically as our fine soldiers will affirm them on the firing line.

These high testimonials are very complimentary to the entire membership of the Congress, and especially to the minority, as a tribute to their patriotic nonpartisanship.

In view of all the facts and the grave situation it is unthinkable that the membership could have intended to discriminate in favor of themselves.

But, Mr. Chairman, the only constituent who spoke to me upon the question of exemption of salaries in the excess-profits tax disclosed in the language he used that he and his neighbors were under the impression that Congressmen had been exempted not only from the excess-profits tax but from any income tax whatever. For this reason I take time to mention here that under the law as it existed before the passage of the act of October 3, 1917, and now, a married Congressman who has no other income than his salary must pay an income tax of $205. An unmarried Congressman having no other income must pay $245. Both married and unmarried Congressmen under the act of October 3, 1917, as it now is, in the opinion of the best authorities and in the light of the decisions of the Supreme Court, are required to pay $120 as war excess-profits tax in addition to their salary income tax, making the aggregate salary tax for married Congressmen $325 and for unmarried Congressmen $365. These amounts, I am sure, every Congressman will pay ungrudgingly and would be glad to double and treble in aiding our fight for civilization. [Applause.]

Mr. GILLETT. Mr. Chairman, it seems to me the Committee on Ways and Means has brought this House into a very unfortunate and very unnecessary predicament. If we vote against this resolution we appear before the country as if we were voting against the proposition to make us pay the same tax as others, while on the other hand, if we vote for this resolution, we admit thereby that in the original bill we did try to exempt ourselves. Either way we are subject to the public criticism that at one time or the other we were trying to exempt our salaries from taxation.

Mr. BUTLER. Will the gentleman yield?

Mr. GILLETT. I can not yield.

I do not believe there were half a dozen Members in this House when the original bill came out of the Ways and Means Committee that had any suspicion there was anything in the bill that would exempt them. And I do not believe that, if the bill remained as it was before, we were exempt. I believe on the arguments presented by the gentlemen from Iowa that the Members of Congress are not officers, and therefore the Members of Congress are subject to taxation just the same as anybody else. But at the same time we can not afford to vote against this bill, superfluous as I believe it is, because if we do we at once meet the criticism that we were trying to oppose a bill which would make us pay the same taxes as the rest of the country.

Mr. KITCHIN. But this clarifying item makes it beyond any doubt.

Mr. GILLETT. But you ought never to have put us in the position where there was need for clarifying. The rumor is

that the Commissioner of Internal Revenue is going to decide that a Congressman under the present law would have to pay this excess-profits tax. And I think it would have been much better not to have put this in at all and thereby put us in the attitude of trying to repeal an exemption which we originally made in deference to public clamor.

Mr. KITCHIN. Does the gentleman believe the Ways and Means Committee or the conferees put the House in that position, or that the misrepresentation of the press throughout the country put the House in that position?

Mr. GILLETT. You put us in a position where the press were able to represent it so that the country believed it.

Mr. KITCHIN. Misrepresent it.

Mr. GILLETT. If you had waited the ruling of the Commissioner of Internal Revenue, then you would have put us in a position where the press could not have done it. And I heartily approve the amendment of the gentleman from Ohio [Mr. LONGWORTH], for I supposed it was axiomatic in any taxing system that the man who earns his income by his brains or by his brawn should not be taxed more on it than the man who earned his income simply by cutting inherited coupons.

Mr. ROSE. Mr. Chairman, it is doubtless true that under the act of October 3, 1917, the Members of Congress are required to pay all of the taxes set forth in the act. The words, however, are capable of two constructions, and an effort has been made to convince the people of the country that the Congressmen undertook to exempt their salaries from the payment of the tax.

I am fully satisfied that no Member of Congress had in mind the exemption of his salary from taxation, and I can not subscribe to the language of the gentleman from Iowa [Mr. GREENE] that we will be stultifying ourselves by making known the fact that we are not willing to escape payment of the taxes provided in the bill.

The Members of Congress are not Federal employees and hence would not be affected by the exception in the original bill, and this present resolution will set at rest completely all unjust criticism heaped upon the Members of this body.

I yield the balance of my time to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Chairman, while I do not consider there is any question but that the original revenue law makes the salaries of Congressmen liable to the excess-profit tax, still, in order to remove all doubt on the question, I am in favor of the resolution as amended and will vote for it. I voted for the amendment of the gentleman from South Dakota [Mr. DILLON].

Mr. KITCHIN. Mr. Chairman, I move that the committee do now rise and report the resolution as amended.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WATSON of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House joint resolution 195, amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war excess-profits tax the compensation of officers and employees under the United States, including Members of Congress, and had directed him to report the same to the House with an amendment, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

Mr. KITCHIN. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

Mr. MOORE of Pennsylvania. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. To make a request for the yeas and nays.

The SPEAKER. The gentleman does not want the yeas and nays on the engrossment of the third reading, does he?

The gentleman from North Carolina [Mr. KITCHIN] moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MOORE of Pennsylvania. Mr. Speaker——

Mr. GILLETT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Masachusetts rise?

Mr. GILLETT. Mr. Speaker, I move to recommit the resolution to the Committee on Ways and Means with instructions not to report it to the House until the Commissioner of Internal Revenue shall have ruled whether under the present bill the Members of Congress are subject to the excess-profit tax.

Mr. MOORE of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from Massachusetts [Mr. GILLETT] moves to recommit the bill with instructions, which the Clerk will report.

Mr. KITCHIN. Mr. Speaker, I make a point of order against that. It is putting off the resolution until somebody else not within control of the House rules on it. It is like the motion of the gentleman from Illinois [Mr. MANN] to recommit the Underwood tariff bill of 1913, to postpone passage of the tariff bill until the Tariff Board reported. The Speaker properly held such a motion to recommit out of order.

The SPEAKER. The Chair will hear the gentleman on the point of order.

Mr. KITCHIN. The gentleman from Massachusetts moves to recommit this resolution to the committee until the Commissioner of Internal Revenue reports or rules on the exemption or exception provisions of the revenue act. That is not pertinent to this resolution at all. It has nothing to do with it. It is simply to delay it. It is indefinte. The commissioner may never rule on it at all. He never has to rule on it until he begins to collect this tax and some Federal official protests against it.

The Mann motion to recommit the Underwood tariff bill cited by me is exactly in point and on all fours with the motion of the gentleman from Massachusetts. At the proper time Mr. MANN moved to recommit with instructions not to report the bill until the Tariff Commission or the Tariff Board had reported. After nearly an all day's discussion the Speaker held that it was not in order to recommit, because such a proposition, if offered as an amendment to the tariff bill, would not have been in order, and unless it had been in order while considering the tariff bill in the Committee of the Whole House on the state of the Union it could not be in order on a motion to recommit. We never could vote on a proposition if we had to wait until somebody not within the control of the House reports on it.

Now, suppose, Mr. Speaker, that the gentleman from Massachusetts [Mr. GILLETT] had made this motion or offered this amendment to this bill when in Committee of the Whole House on the state of the Union. Would that have been in order? Would it have been germane to the bill? It would have been absolutely out of order, and a point of order would have been sustained unhesitatingly.

Now, unless it is in order on a motion to amend it would not be in order as a motion to recommit. That is a clear and fixed rule.

Mr. GILLETT. Mr. Speaker, of course I could not move to recommit the resolution in committee. But that does not prove anything. I could now have moved to recommit absolutely, without limit. Suppose I had simply asked to recommit. That would postpone the bill still more indefinitely than the motion that I did make, so that the mere fact that it postpones the bill indefinitely does not argue against the right to make such motion. There is no question but that I would have the right to move simply to recommit. That would recommit indefinitely. I am more liberal than that. I do not move to recommit it entirely, but I just move to recommit it until an event happens. If I could move to recommit it absolutely I do not see why I have not the right to recommit it to a time which is more restricted than that. If I have the right to do the whole, I certainly have the right to do a part.

Mr. GARRETT of Tennessee. Mr. Speaker, there are numerous precedents for holding that a motion to recommit is not in order unless the legislative matter it contains would have been in order if offered as an amendment while the bill was under consideration in Committee of the Whole.

Mr. GILLETT. Mr. Speaker, may I ask the gentleman a question?

Mr. GARRETT of Tennessee. Yes.

Mr. GILLETT. It would not have been in order in Committee of the Whole to make a simple motion to recommit?

Mr. GARRETT of Tennessee. It would not have been.

Mr. GILLETT. It is in order here.

Mr. GARRETT of Tennessee. The gentleman from Massachusetts evidently misunderstood my statement and the statement of the gentleman from North Carolina. Of course a motion to recommit would not be in order in Committee of the Whole. But there are numerous precedents holding that a motion to recommit is not in order unless its legislative substance would have been in order if offered as an amendment in Committee of the Whole. That is the substance of it—offered

as an amendment while the bill was under consideration in the Committee of the Whole.

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Mr. Speaker, if the gentleman from Tennessee will yield——

Mr. GARRETT of Tennessee. Yes; I yield to the gentleman from Kentucky.

Mr. SHERLEY. The rule is this, that a motion to recommit with instructions would not be in order unless the instructions of the motion to recommit would have been in order as an amendment to the bill.

Mr. GARRETT of Tennessee. The gentleman from Kentucky has stated more clearly than I that which is the correct rule.

Mr. LENROOT. Mr. Speaker, will the gentleman yield to me?

Mr. GARRETT of Tennessee. I will.

Mr. LENROOT. The statement of the gentleman from Kentucky is absolutely correct if the instructions carried with it an amendment. But I do not think it is true if the instruction does not involve any amendment at all. The question is, Would that have been in order at any time when a motion to recommit or refer was in order if an instruction had been coupled with it?

Mr. GARRETT of Tennessee. In reply to that I will repeat the precedent which has been referred to by the gentleman from North Carolina. I mean when a motion to recommit the Underwood tariff bill was made by Mr. MANN, with instructions to await the report of the Tariff Commission before reporting any bill at all. The matter is clearly subject to a point of order.

The SPEAKER. The point of order is sustained. The question is on the passage of the joint resolution. Those in favor will say "aye."

Mr. EMERSON. Mr. Speaker, I raise the point of order that there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and one gentlemen are present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of passing this joint resolution will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 312, answered "present" 2, not voting 119, as follows:

YEAS—312.

Adamson	Dallinger	Green, Iowa	Langley
Alexander	Davidson	Greene, Mass.	Larsen
Almon	Decker	Greene, Vt.	Lazaro
Anderson	Denison	Gregg	Lea, Cal.
Ashbrook	Dent	Hadley	Lehlbach
Aswell	Denton	Hamilton, Mich.	Lenroot
Austin	Dickinson	Hamilton, N. Y.	Lever
Ayres	Dillon	Hamlin	Linthicum
Bacharach	Dixon	Hardy	Little
Baer	Dominick	Harrison, Miss.	Littlepage
Bankhead	Doolittle	Harrison, Va.	Lobeck
Barkley	Doremus	Haskell	London
Barnhart	Dowell	Hastings	Lonergan
Beakes	Drane	Hawley	Longworth
Bell	Dunn	Hayden	Lufkin
Beshlin	Dupré	Heaton	Lundeen
Black	Dyer	Heflin	Lunn
Blackmon	Eagan	Helm	McAndrews
Booher	Eagle	Helvering	McArthur
Borland	Elliott	Hersey	McClintic
Bowers	Elsworth	Hicks	McCormick
Brand	Elston	Hilliard	McCulloch
Browning	Emerson	Holland	McFadden
Brumbaugh	Esch	Hollingsworth	McKeown
Buchanan	Evans	Hood	McKinley
Burnett	Fairchild, B. L.	Howard	McLaughlin, Mich.
Burroughs	Fairfield	Huddleston	McLemore
Butler	Farr	Hull, Iowa	Madden
Byrnes, S. C.	Ferris	Hull, Tenn.	Magee
Byrns, Tenn.	Fields	Humphreys	Mansfield
Campbell, Kans.	Fisher	Igoe	Mapes
Campbell, Pa.	Flood	Ireland	Mays
Candler, Miss.	Focht	Jacoway	Merritt
Cantrill	Fordney	James	Miller, Minn.
Caraway	Foss	Johnson, Ky.	Montague
Carlin	Foster	Johnson, S. Dak.	Moon
Carter, Okla.	Francis	Jones, Tex.	Moores, Ind.
Chandler, N. Y.	Frear	Keating	Morgan
Church	French	Kehoe	Mott
Classon	Fuller, Ill.	Kelley, Mich.	Mudd
Claypool	Fuller, Mass.	Kelly, Pa.	Nicholls, S. C.
Coady	Gallagher	Kennedy, Iowa	Nolan
Collier	Gandy	Kennedy, R. I.	Norton
Connally, Tex.	Gard	Kettner	Oldfield
Connelly, Kans.	Garland	Key, Ohio	Oliver, Ala.
Cooper, Ohio	Garrett, Tenn.	Kiess, Pa.	Oliver, N. Y.
Cooper, W. Va.	Garrett, Tex.	Kincheloe	Olney
Cooper, Wis.	Gillett	King	Osborne
Copley	Glass	Kinkaid	O'Shaunessy
Cramton	Glynn	Kitchin	Overmyer
Crisp	Gordon	Knutson	Overstreet
Crosser	Gould	Kraus	Park
Dale, N. Y.	Graham, Ill.	Kreider	Parker, N. J.
Dale, Vt.	Gray, Ala.	La Follette	Parker, N. Y.
Phelan	Russell	Steenerson	Waldow
Platt	Sabath	Stephens, Miss.	Walsh
Pou	Sanders, Ind.	Sterling, Ill.	Walton
Powers	Schall	Sterling, Pa.	Watkins
Pratt	Scott, Mich.	Stevenson	Watson, Pa.
Purnell	Sears	Stiness	Watson, Va.
Quin	Sells	Strong	Weaver
Rainey	Shallenberger	Sumners	Welling
Raker	Sherley	Sweet	Welty
Ramsey	Sherwood	Swift	Whaley
Ramseyer	Shouse	Switzer	Wheeler
Randall	Siegel	Taylor, Ark.	White, Me.
Rankin	Sims	Temple	White, Ohio
Rayburn	Sinnott	Thomas	Williams
Reed	Sisson	Thompson	Wilson, Ill.
Riordan	Slayden	Tillman	Wilson, La.
Robbins	Sloan	Timberlake	Wingo
Roberts	Smith, Idaho	Towner	Winslow
Rodenberg	Smith, Mich.	Treadway	Wise
Romjue	Smith, T. F.	Venable	Wood, Ind.
Rose	Snell	Vestal	Woods, Iowa
Rouse	Snook	Vinson	Young, N. Dak.
Rubey	Stengall	Voigt	Young, Tex.
Rucker	Stedman	Volstead	Zihlman

ANSWERED "PRESENT"—2.

Cannon	Fitzgerald

NOT VOTING—119.

Anthony	Edmonds	LaGuardia	Sanders, N. Y.
Bathrick	Estopinal	Lee, Ga.	Sanford
Bland	Fairchild, G. W.	Lesher	Saunders, Va.
Blanton	Fess	McKenzie	Scott, Iowa
Britten	Flynn	McLaughlin, Pa.	Scott, Pa.
Brodbeck	Freeman	Maher	Scully
Browne	Gallivan	Mann	Shackleford
Bruckner	Garner	Martin	Slemp
Caldwell	Godwin, N. C.	Mason	Small
Capstick	Good	Meeker	Smith, C. B.
Carew	Goodall	Miller, Wash.	Snyder
Carter, Mass.	Goodwin, Ark.	Mondell	Stafford
Cary	Graham, Pa.	Moore, Pa.	Steele
Chandler, Okla.	Gray, N. J.	Morin	Stephens, Nebr.
Clark, Fla.	Griest	Neely	Sullivan
Clark, Pa.	Griffin	Nelson	Tague
Costello	Hamill	Nichols, Mich.	Talbott
Cox	Haugen	Padgett	Taylor, Colo.
Crago	Hayes	Paige	Templeton
Currie, Mich.	Heintz	Peters	Tilson
Curry, Cal.	Hensley	Polk	Tinkham
Darrow	Houston	Porter	Van Dyke
Davis	Hulbert	Price	Vare
Dempsey	Husted	Ragsdale	Walker
Dewalt	Hutchinson	Reavis	Ward
Dies	Johnson, Wash.	Robinson	Wason
Dill	Jones, Va.	Rogers	Webb
Dooling	Juul	Rowe	Wilson, Tex.
Doughton	Kahn	Rowland	Woodyard
Drukker	Kearns	Sanders, La.	

So the joint resolution was passed.

The Clerk announced the following additional pairs:

For the session:

Mr. TALBOTT with Mr. BROWNING.

Until further notice:

Mr. BRODBECK with Mr. BLAND.

Mr. CALDWELL with Mr. CHANDLER of Oklahoma.

Mr. CLARK of Florida with Mr. CARTER of Massachusetts.

Mr. DIES with Mr. DEMPSEY.

Mr. ESTOPINAL with Mr. FREEMAN.

Mr. FLYNN with Mr. GOOD.

Mr. GALLIVAN with Mr. GRIEST.

Mr. GRIFFIN with Mr. HAYDEN.

Mr. HAMILL with Mr. HUTCHINSON.

Mr. HULBERT with Mr. KAHN.

Mr. JONES of Virginia with Mr. GEORGE W. FAIRCHILD.

Mr. NEELY with Mr. MCKENZIE.

Mr. LEE of Georgia with Mr. DARROW.

Mr. LESHER with Mr. TILSON.

Mr. MAHER with Mr. EDMONDS.

Mr. MARTIN with Mr. MASON.

Mr. SULLIVAN with Mr. MONDELL.

Mr. PADGETT with Mr. MORIN.

Mr. POLK with Mr. SLEMP.

Mr. PRICE with Mr. ROWLAND.

Mr. TAYLOR of Colorado with Mr. SANDERS of New York.

Mr. SANDERS of Louisiana with Mr. PAIGE.

Mr. SMALL with Mr. PORTER.

Mr. CHARLES B. SMITH with Mr. REAVIS.

Mr. STEELE with Mr. ROWE.

Mr. VAN DYKE with Mr. SNYDER.

Mr. WALKER with Mr. TEMPLETON.

Mr. WEBB with Mr. WARD.

Mr. DILL with Mr. HUSTED.

Mr. HENSLEY with Mr. JOHNSON of Washington.

Mr. BROWNING. Mr. Speaker, I voted "yea." I have a pair with the gentleman from Maryland, Mr. TALBOTT, but if he were present he would vote "yea" also, and therefore I let my vote stand.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

On motion of Mr. KITCHIN, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SEARS until January 12, on account of important personal business.

FARM LOANS.

Mr. HARRISON of Mississippi. Mr. Speaker, I have a resolution from the Committee on Rules.

The SPEAKER. The gentleman will send it up.

The Clerk read as follows:

House resolution 197.

Resolved, That immediately upon the adoption of this resolution the House shall proceed to consider H. R. 7731, amending section 32 of the Federal farm-loan act; that said bill shall be considered in the House as in Committee of the Whole House and shall be a continuing order of the House until disposed of; that there shall be not exceeding one hour of general debate on said bill, at the conclusion of which time the previous question shall be considered as ordered on the bill and all amendments thereto to the final passage.

Mr. HARRISON of Mississippi. Mr. Speaker, I will ask the gentleman from Kansas [Mr. CAMPBELL] how much time is desired on that side on the rule.

Mr. CAMPBELL of Kansas. I have requests for 40 minutes.

Mr. HARRISON of Mississippi. Does the gentleman think 20 minutes on a side will be sufficient?

Mr. CAMPBELL of Kansas. Make it 30 minutes.

Mr. HARRISON of Mississippi. Mr. Speaker, I ask unanimous consent that the debate on this rule proceed for 40 minutes, 20 minutes to be controlled by the gentleman from Kansas [Mr. CAMPBELL] and 20 minutes by myself.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that debate on this rule be limited to 40 minutes, half the time to be controlled by himself and half by the gentleman from Kansas.

Mr. HARRISON of Mississippi. And that at the expiration of that time the previous question be considered as ordered.

The SPEAKER. And that at the expiration of that time the previous question be considered as ordered. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, will the gentleman permit a question?

Mr. HARRISON of Mississippi. I yield to the gentleman.

Mr. DYER. Will the gentleman state what is the intention with reference to adjournment to-day, and how long he thinks this matter will take?

Mr. HARRISON of Mississippi. We ought to get through with this proposition in an hour and a half, if it is not interfered with too much.

Mr. DYER. Does the gentleman think that will be a reasonable time to adjourn to-day?

Mr. HARRISON of Mississippi. We ought to finish this very quickly. I do not think there is any opposition to the matter at all.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I should like to know if the gentleman from Mississippi [Mr. HARRISON] and the gentleman from Kansas [Mr. CAMPBELL] are both in favor of this rule?

Mr. CAMPBELL of Kansas. If the gentleman from Pennsylvania will direct his inquiry to me, I will tell him that I am opposed to it.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER. The gentleman from Mississippi is recognized for 20 minutes.

Mr. HARRISON of Mississippi. Mr. Speaker, I know of no vote that I have cast since I became a Member of this House that has given me greater pleasure than the one I cast for the rural-credits bill. [Applause.]

High and exorbitant interest rates had long been exacted on loans to the farmers of the country and the passage of the farm-loan act was a very just and necessary measure. When we created that system we led the farmers of this country to believe that by its provisions they would be enabled to borrow money on long terms at low rates of interest. We believed and led them to believe that the system would be a great success. At first there was an apparent delay in inaugurating the system, due to first one thing and then another, but finally the system became organized, and when it was placed in operation it rendered benefit to the farmers to the amount of $30,000,000. That amount has already been lent and to-day we are confronted with this situation: There are now on file applications amounting to about $70,000,000, which have been approved by the Federal Farm Loan Board, and the farmers are waiting to get that money. Their plans have been made on the idea that they would be able to obtain the money.

This Government is under a moral, if not a legal, obligation to lend the farmers that money. In addition to that, there are about $65,000,000 of applications for loans that have not been acted upon by the Federal Farm Loan Board. The board have been unable since about the 1st of November to sell a sufficient amount of bonds to make loans on the approved applications. Since the great campaign for the second liberty loan there has been a most decided falling off in the purchase of farm-loan bonds. There is either a scarcity of money that influences the sale of these bonds or the bond investors are waiting, hoping and believing that the farm-loan bonds will either depreciate in value or the interest rate increase. In either such event the farmer would have to pay the bill. If the bonds sell at a discount, then the Farm Loan Board will necessarily increase the interest rate to the farmer. If the interest rate on the bonds is increased, then the Farm Loan Board will increase the interest rate to the farmer. In either event the productive energies of this Nation will be hampered, and hampered at a time when we can least afford it.

In this great crisis every force of the Government must be utilized that will aid in the slightest degree the success of our cause. If the Farm Loan Board is unable to sell these bonds and make loans to the farmers on legitimate applications that are filed with the various farm-land banks, and that failure is due to the war emergency, then this Government can perform no wiser or more just thing than to purchase the bonds and sell them when normal conditions prevail again. [Applause.]

No class of our people has responded more loyally and promptly to the demands of the Government than have the farmers. In certain sections last year, notably in my section, floods came, storms swept over the country, and unfavorable climatic conditions prevailed, adding greater burdens to the already stooped shoulders of the farming classes. But the farmer did not waver; he set heroically to his task, and from early morn till dewy eve, in the sweat of his brow, labored that the world might be fed. This year when the President sounded the call to the farmers of the country to plant greater acreage that the armies and civilian population might be supplied in this great crisis, they responded by insuring us the greatest food crops in the history of our country. [Applause.] This year we have a wheat crop fifteen million and a corn crop five hundred and ninety-three million bushels more than last year.

Springtime and planting season are approaching. These thousands of farmers who have made application for loans are depending on the success of this system in furthering their plans for next year. If they fail to obtain these loans in this crisis, it will challenge the success of the rural-credit system.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. GREENE of Vermont. The gentleman says that it is owing to the subscription to the liberty-loan bonds on the part of the farmers that they are not able to meet their obligations.

Mr. HARRISON of Mississippi. Oh, the gentleman misunderstood me. It may be attributed to two or three reasons. The farmers have subscribed for the liberty-loan bonds as much as they could, as much as the people of the towns. They have been patriotic, but it may be that the capitalists, the bond purchasers, having an idea that because of the large amount of liberty bonds placed on the market that in the course of time these Federal farm-loan bonds would either depreciate or the interest rate would be increased so that they could get a better investment. In other words, for some reason known to themselves they are not purchasing the bonds. It is not because the farmers have bought liberty-loan bonds. These people who need this money are farmers not able to buy liberty bonds, or, if they do buy, they necessarily borrow the money through the banks to make their purchases; but other farmers who were able bought them in as large quantities as the people in towns.

Mr. GREENE of Vermont. Then it comes down to this, that the original prospect or project that $9,000,000 should be taken to finance this thing to make up for the expected difference has failed.

Mr. HARRISON of Mississippi. No; I understand that the first bonds on the market sold at a premium of 1½ per cent.

Mr. GREENE of Vermont. I am talking about the amount of money that was to be taken from the Treasury to finance this proposition.

Mr. HARRISON of Mississippi. Oh, well, the gentleman is just against the bill; and the gentleman knows that the fact is the Farm Loan Board can not sell these bonds, and the Government ought to take them over to the extent of a hundred million this year and a hundred million next year. [Applause.] Those

in the House who are friendly to the farmer and want to do something for the situation that has arisen will support the bill. [Applause.]

Mr. GREENE of Vermont. Yes; but I want to know how I am helping the farmer before I get carried away by rhetoric.

Mr. HARRISON of Mississippi. The gentleman will help him by providing for a sale of these bonds. [Applause.] The Government is under a moral, if not legal, obligation to make these loans.

Mr. GREENE of Vermont. The original expectation that $9,000,000 would do this has failed.

Mr. GLASS. We did not think that $9,000,000 would be a drop in the bucket. The main source of revenue was to be derived from the sale of the bonds.

Mr. GREENE of Vermont. The Government was to come in to the extent of $9,000,000.

Mr. GLASS. Not at all. The capital stock of the Federal Loan Bank was fixed at $9,000,000. That was not expected to afford as much as a drop in the bucket toward accommodating the farm loans in the country, but the main source of revenue was to be derived from a sale of the farm-loan bonds.

Mr. GREENE of Vermont. So the scheme has not turned out as was expected.

Mr. HARRISON of Mississippi. Mr. Speaker, I refuse to yield further. The scheme has been a magnificent success.

Mr. PLATT. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. PLATT. Can the gentleman tell why the farmers' loan board can not sell bonds at 4½ per cent interest that are not taxable while the Government sells 4 per cent bonds?

Mr. HARRISON of Mississippi. I can not tell, unless some of the gentleman's constituents want to extort a higher interest rate from my constituents who desire to borrow money. [Applause.]

Mr. PLATT. I can tell the gentleman why——

Mr. HARRISON of Mississippi. Mr. Chairman, I refuse to yield further.

Mr. SABATH. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. SABATH. In view of the great yield in crops that the gentleman has stated, for which the farmers get a greater price than ever before in the history of the Nation, can the gentleman tell us why the farmers need the money?

Mr. HARRISON of Mississippi. The gentleman ought to know that the farmers of this country are situated like men in the cities—some of them are very poor and some very rich. This will provide for the farmers who need the money and need it badly, and not those who do not need it, and the gentleman can render a great service to them by helping them in the present situation.

Mr. SABATH. I am willing to help the farmer that needs help, but I am not willing to help a farmer who hoards his products for an exorbitant price, and who for that reason makes a loan and asks us to help enhance the price of his products.

Mr. HARRISON of Mississippi. I may say that it is the opinion of the Farm Loan Board that the Government may not be compelled to take over the bonds. They may not need a dollar of money, but it will be a stimulant and an encouragement to those who might want to invest.

I know the impression has prevailed in some quarters that the farmers are against the war. In my own State I have heard the cry go up that the farmers are against the war, meaning that they are less patriotic than the people in the towns. I deny such a slanderous statement. [Applause.] In this crisis the farmers have responded as patriotically to the demands of the Government as have the men in the cities. They have given their boys and their labor to win the war. They have bought, as they were able to, liberty loan bonds, and in many instances they have borrowed money with which to purchase the bonds. They have contributed to the Red Cross and the Young Men's Christian Association. They are just as patriotic as the farmers have always been. Throughout the history of this country the farmers have played as great a part, in times of peace as well as times of war, as the people in the towns and cities. [Applause.]

Cincinnatus retired from the leadership of the greatest empire the world has ever seen to go to his farm and plow before the season was too far advanced. George Washington refused to accept a third term as President of the United States because he desired to return to Mount Vernon and cultivate his farm. Thomas Jefferson, James Madison, James Monroe, and thousands of others whose names are illustrious in history, were men who loved the pursuits of the farm. I love to look at that page in history and see the picture of Israel Putnam, that brave and sturdy New England farmer, who, hearing the clarion notes of the bugle call, left his plow in the fields and went forth in his working clothes to join the other patriots and help win the Revolutionary War. It was the embattled farmers of Lexington that gave their services, and in many instances their lives, that our independence might be won. At Kings Mountain it was farmers from Virginia and North Carolina that gave us victory. From '61 to '65 as brave men as enlisted in the Federal or the Confederate Armies came from the farms of the North and the South. [Applause.]

To-day the Rural Credit System is in the balance. Its continued success depends, in a large measure, on the fate of this resolution, and in behalf of the farmers of this country I plead with those gentlemen who oppose the passage of the resolution to withdraw their opposition that we may send to the farmers a Christmas message of good cheer and good faith, letting them know that their loans will be made and that the Rural Credit System is a success. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Speaker, I enjoyed very much the eloquent remarks of the gentleman from Mississippi [Mr. HARRISON], but they did not give me much reason why this rule should be adopted. It strikes me as very extraordinary that on December 15—last Saturday—the gentleman from Virginia [Mr. GLASS] should for the first time introduce this bill providing for the expenditure by the Government of $200,000,000, and that on the same day there should be introduced a rule to take up the vast proposition, and providing further that we should consider it with only one hour of general debate, and that then the previous question should be considered as ordered, so that there would be no five-minute debate or opportunity to amend. I agree that we are getting accustomed to voting out hundreds of millions and even billions of dollars without a great deal of consideration or knowledge, but to come forward Saturday last for the first time and give us notice then that he was going to ask $200,000,000, and then to-day to come forward with a rule granting only one hour of debate seems to me to be the very climax of arbitrary legislation. As I understand it, there have been no hearings except two or three before a subcommittee at the very end of last week. The need for this money can not be anything new. If the farmers of this country are in such terrible condition that they need $200,000,000 right offhand, they must have known it before last Saturday, and if they did not know it before last Saturday it can not be so pressing that they can not give us time to inquire into it and investigate it. It seems to me that it is an outrageous proposition to bring before us without time to give us the facts, without time to investigate whether the action of these farm boards has been such as to merit our approval. I have heard something about the operation of the farm loan board in my district, and I regret that it is not such as to give me great confidence. There are scandals already rumored about these institutions, and before we are asked to come forward and vote $200,000,000 more, before we are asked to indorse a proposition which I think the gentleman from Virginia [Mr. GLASS] himself opposed when it was originally brought forward at the time of establishing the system, we ought to have time in which to make a thorough investigation and learn something about the real facts.

If I mistake not, when this original farm-loan proposition was brought forward it was urged that the Government should back these bonds, and that proposition was voted down by Congress. We decided that it was a business proposition, and that these farm-loan bonds ought to stand on their merits. I recognize, of course, that the war has made a difference, and I recognize that it is much more difficult to float any bonds since the war than it was before; but the grievance that I have against this rule is not the merit of the bill but that it is brought in here on the last evening of the session, without our having any knowledge of it, without any hearings except just by the head of the Farm Loan Board, when the House, except the very few members of the Banking and Currency Committee, has had absolutely no opportunity to acquire any information and when the House impatient to adjourn is in no disposition to consider it impartially. I am not surprised that the gentleman from Mississippi [Mr. HARRISON] moved the adoption of this rule. I notice that Mississippi has $4,000,000 of these farm-loan bonds already approved. Mississippi can not get the money readily, I presume, and they want the United States to come in and advance it.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. GILLETT. Mr. Speaker, this is a very important matter and there are not enough present to properly consider it. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present. The Chair

will count. [After counting.] One hundred and twenty-two Members present—not a quorum.

Mr. HARRISON of Mississippi. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adamson	Dunn	Kiess, Pa.	Rowe
Almon	Edmonds	LaGuardia	Rowland
Anthony	Estopinal	Lee, Ga.	Rucker
Bacharach	Fairchild, G. W.	Longworth	Sanders, La.
Bathrick	Fess	McCormick	Sanders, N. Y.
Bell	Fitzgerald	McKenzie	Saunders, Va.
Black	Flynn	McKinley	Scott, Iowa
Bland	Focht	McLaughlin, Pa.	Scott, Mich.
Blanton	Fordney	Madden	Scott, Pa.
Booher	Foss	Magee	Scully
Borland	Frear	Maher	Sears
Brodbeck	Gallagher	Mann	Shackleford
Browne	Gallivan	Mason	Sisson
Bruckner	Garner	Meeker	Slemp
Brumbaugh	Garrett, Tex.	Miller, Wash.	Small
Caldwell	Godwin, N. C.	Mondell	Smith, Charles B.
Capstick	Good	Morin	Snyder
Carew	Goodall	Mott	Stafford
Carter, Mass.	Goodwin, Ark.	Mudd	Stedman
Cary	Graham, Pa.	Neely	Steele
Chandler, Okla.	Gray, N. J.	Nelson	Stephens, Nebr.
Church	Griest	Nicholls, S. C.	Sterling, Pa.
Clark, Fla.	Griffin	Nichols, Mich.	Sullivan
Clark, Pa.	Hamlin	Padgett	Sumners
Connally, Tex.	Hayes	Paige	Tague
Copley	Heintz	Parker, N. J.	Talbott
Costello	Hensley	Parker, N. Y.	Taylor, Colo.
Crago	Holland	Peters	Templeton
Crosser	Houston	Polk	Tilson
Currie, Mich.	Howard	Porter	Tinkham
Curry, Cal.	Hulbert	Powers	Vare
Darrow	Husted	Price	Walker
Davis	Hutchinson	Purnell	Ward
Dempsey	Johnson, S. Dak.	Ragsdale	Wason
Dewalt	Johnson, Wash.	Rayburn	Webb
Dies	Jones, Va.	Reavis	Welling
Dill	Juul	Reed	Wilson, Ill.
Dominick	Kahn	Roberts	Winslow
Dooling	Kearns	Robinson	Woodyard
Doughton	Kennedy, R. I.	Rodenberg	Zihlman
Drukker	Key, Ohio	Rogers	

The SPEAKER. On this roll call 270 Members answered to their names, a quorum. The Doorkeeper will unlock the doors.

Mr. HARRISON of Mississippi. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. They are dispensed with automatically.

EXTENSION OF REMARKS.

Mr. SLAYDEN. Mr. Speaker, I ask unanimous consent to extend remarks I made yesterday for five or six minutes so as to present them connectedly.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

FARM LOANS.

Mr. LENROOT. Mr. Speaker, I have just discovered that the rule as read from the desk is not the rule which the Committee on Rules has agreed upon, and I wish to raise the point of order on it now.

Mr. GILLETT. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Massachusetts moves that the House do now adjourn.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. WINGO. Mr. Speaker, I ask for a division.

The SPEAKER. The gentleman demands a division.

The House divided; and there were—ayes 101, noes 160.

Mr. WINGO. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. On this vote the ayes are 101, the noes are 160, and the gentleman from Arkansas demands the yeas and nays.

Mr. WINGO. Mr. Speaker, I withdraw the demand.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 96, nays 185, answered "present" 1, not voting 151, as follows:

YEAS—96.

Anderson	Campbell, Kans.	Davidson	Elston
Black	Cannon	Denison	Emerson
Bowers	Classon	Dunn	Fairchild, B. L.
Britten	Cooper, W. Va.	Eagan	Fairfield
Burroughs	Dale, Vt.	Elliott	Fordney
Butler	Dallinger	Ellsworth	Foss
Francis	Hollingsworth	Moores, Ind.	Smith, Mich.
Freeman	Ireland	Nichols, Mich.	Snell
Fuller, Ill.	Kelley, Mich.	Osborne	Steele
Fuller, Mass.	Kennedy, Iowa	O'Shaunessy	Sterling, Ill.
Garland	King	Parker, N. J.	Stiness
Gillett	Kraus	Parker, N. Y.	Strong
Glynn	Kreider	Platt	Swift
Gordon	Lea, Cal.	Pratt	Switzer
Gould	Lehlbach	Ramsey	Treadway
Graham, Ill.	Lenroot	Ramseyer	Vestal
Green, Iowa	Little	Reed	Waldow
Greene, Mass.	Lufkin	Robbins	Walsh
Greene, Vt.	McCormick	Rose	Watson, Pa.
Haskell	McFadden	Sanders, Ind.	White, Me.
Haugen	Madden	Sanford	Winslow
Heaton	Merritt	Sherwood	Wood, Ind.
Hersey	Miller, Minn.	Siegel	Woods, Iowa
Hicks	Moore, Pa.	Slayden	Zihlman

NAYS—185.

Alexander	Fields	Lesher	Schall
Ashbrook	Fisher	Lever	Scott, Mich.
Aswell	Flood	Linthicum	Sells
Austin	Foster	Littlepage	Shallenberger
Ayres	French	Lobeck	Sherley
Baer	Gallagher	London	Shouse
Bankhead	Gandy	Lonergan	Sims
Barkley	Gard	Lundeen	Sinnott
Barnhart	Garrett, Tenn.	Lunn	Smith, Idaho
Beakes	Glass	McAndrews	Smith, T. F.
Bell	Gray, Ala.	McArthur	Snook
Beshlin	Gregg	McClintic	Steagall
Blackmon	Hadley	McCulloch	Steenerson
Brand	Hamill	McKeown	Stephens, Miss.
Buchanan	Hamilton, Mich.	McLaughlin, Mich.	Stevenson
Burnett	Hamlin	McLemore	Sumners
Byrnes, S. C.	Hardy	Mansfield	Sweet
Byrns, Tenn.	Harrison, Miss.	Mapes	Taylor, Ark.
Campbell, Pa.	Harrison, Va.	Martin	Thomas
Candler, Miss.	Hastings	Mays	Thompson
Cantrill	Hawley	Montague	Tillman
Caraway	Hayden	Moon	Timberlake
Carlin	Hedin	Morgan	Towner
Carter, Okla.	Helm	Nolan	Van Dyke
Claypool	Helvering	Norton	Venable
Coady	Hilliard	Oldfield	Vinson
Collier	Hood	Oliver, Ala.	Voigt
Connelly, Kans.	Huddleston	Oliver, N. Y.	Volstead
Cooper, Wis.	Hull, Iowa	Olney	Walton
Cramton	Hull, Tenn.	Overmyer	Watkins
Crisp	Humphreys	Overstreet	Watson, Va.
Dale, N. Y.	Igoe	Park	Weaver
Decker	Jacoway	Phelan	Welling
Dent	James	Pou	Welty
Denton	Johnson, Ky.	Quin	Whaley
Dickinson	Johnson, S. Dak.	Rainey	Wheeler
Dillon	Jones, Tex.	Raker	White, Ohio
Dixon	Keating	Randall	Williams
Doolittle	Kehoe	Rankin	Wilson, La.
Dowell	Kelly, Pa.	Riordan	Wilson, Tex.
Drane	Key, Ohio	Roberts	Wingo
Dupré	Kincheloe	Romjue	Wise
Eagle	Kinkaid	Rouse	Young, N. Dak.
Esch	Kitchin	Rubey	Young, Tex.
Evans	Knutson	Rucker	
Farr	La Follette	Russell	
Ferris	Larsen	Sabath	

ANSWERED "PRESENT"—1.

Browning

NOT VOTING—151.

Adamson	Dominick	Kahn	Rodenberg
Almon	Dooling	Kearns	Rogers
Anthony	Doremus	Kennedy, R. I.	Rowe
Bacharach	Doughton	Kettner	Rowland
Bathrick	Drukker	Kiess, Pa.	Sanders, La.
Bland	Dyer	LaGuardia	Sanders, N. Y.
Blanton	Edmonds	Langley	Saunders, Va.
Booher	Estopinal	Lazaro	Scott, Iowa
Borland	Fairchild, G. W.	Lee, Ga.	Scott, Pa.
Brodbeck	Fess	Longworth	Scully
Browne	Fitzgerald	McKenzie	Sears
Bruckner	Flynn	McKinley	Shackleford
Brumbaugh	Focht	McLaughlin, Pa.	Sisson
Caldwell	Frear	Magee	Slemp
Capstick	Gallivan	Maher	Sloan
Carew	Garner	Mann	Small
Carter, Mass.	Garrett, Tex.	Mason	Smith, C. B.
Cary	Godwin, N. C.	Meeker	Snyder
Chandler, N. Y.	Good	Miller, Wash.	Stafford
Chandler, Okla.	Goodall	Mondell	Stedman
Church	Goodwin, Ark.	Morin	Stephens, Nebr.
Clark, Fla.	Graham, Pa.	Mott	Sterling, Pa.
Clark, Pa.	Gray, N. J.	Mudd	Sullivan
Connally, Tex.	Griest	Neely	Tague
Cooper, Ohio	Griffin	Nelson	Talbott
Copley	Hamilton, N. Y.	Nicholls, S. C.	Taylor, Colo.
Costello	Hayes	Padgett	Temple
Cox	Heintz	Paige	Templeton
Crago	Hensley	Peters	Tilson
Crosser	Holland	Polk	Tinkham
Currie, Mich.	Houston	Porter	Vare
Curry, Cal.	Howard	Powers	Walker
Darrow	Hulbert	Price	Ward
Davis	Husted	Purnell	Wason
Dempsey	Hutchinson	Ragsdale	Webb
Dewalt	Johnson, Wash.	Rayburn	Wilson, Ill.
Dies	Jones, Va.	Reavis	Woodyard
Dill	Juul	Robinson	

So the motion was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. SHACKLEFORD with Mr. WILSON of Illinois.

Mr. ESTOPINAL with Mr. TEMPLE.
Mr. GRIFFIN with Mr. RODENBERG.
Mr. ALMON with Mr. PURNELL.
Mr. BOOHER with Mr. MUDD.
Mr. BORLAND with Mr. MOTT.
Mr. BRUMBAUGH with Mr. BACHARACH.
Mr. CHURCH with Mr. CHANDLER of New York.
Mr. CONNALLY of Texas with Mr. COOPER of Ohio.
Mr. CROSSER with Mr. COPLEY.
Mr. DOMINICK with Mr. CRAGO.
Mr. DOREMUS with Mr. DRUKKER.
Mr. FITZGERALD with Mr. DYER.
Mr. GARRETT of Texas with Mr. FREAR.
Mr. HOLLAND with Mr. GOODALL.
Mr. KETTNER with Mr. HAMILTON of New York.
Mr. LAZARO with Mr. KENNEDY of Rhode Island.
Mr. NICHOLLS of South Carolina with Mr. KIESS of Pennsylvania.
Mr. RAYBURN with Mr. LANGLEY.
Mr. SEARS with Mr. LONGWORTH.
Mr. STEDMAN with Mr. MCKINLEY.
Mr. STERLING of Pennsylvania with Mr. MAGEE.

The result of the vote was announced as above recorded.

The SPEAKER. The gentleman from Mississippi [Mr. HARRISON] has 10 minutes and the gentleman from Kansas [Mr. CAMPBELL] has 15.

Mr. HARRISON of Mississippi. Mr. Speaker, I ask unanimous consent to submit a substitute resolution for the one at the Clerk's desk and ask unanimous consent for its consideration.

Mr. McFADDEN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Pennsylvania objects.

Mr. McFADDEN. I withdraw the objection.

The SPEAKER. Is there objection?

Mr. ANDERSON. Let us hear it read.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 199 (H. Rept. 231).

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 7731, amending section 32 of the Federal farm-loan act approved July 17, 1916; that there shall be not exceeding one hour of general debate, one-half of such time to be controlled by the gentleman from Virginia [Mr. GLASS] and one-half by the gentleman from Iowa [Mr. WOODS]. At the conclusion of such general debate the bill shall be considered for amendment under the five-minute rule. After the bill shall have been perfected in the Committee of the Whole House the same shall be reported to the House with such recommendation as the committee may make. Whereupon the previous question shall be considered as ordered upon the bill and all amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HARRISON of Mississippi. I ask the gentlemen on that side to use their time. There will be only one more speech on this side.

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] has 15 minutes and the gentleman from Mississippi [Mr. HARRISON] 10.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield one minute to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Speaker, I was debating the old rule when this unfortunate roll call interrupted me.

I recognize that this new rule is a little better. It allows some opportunity to amend in the Committee of the Whole. In so far as that, it is fairer. But my objection to this whole proposition is not to the bill, but it is to bringing it up in these very last hours of the session, when the House is not in a state of mind and has not the time to fully debate it, and trying to rush it through.

I have suggested to the other side that we should by unanimous consent postpone it until the first day we meet again, the 3d of January, and then take it up and give it full and fair consideration. I will be very glad to have that done, and I wish the gentlemen on the other side would accept that proposition and would be willing to take it up at a time when it would receive the consideration and debate and opportunity for amendment to which its importance entitles it. [Applause.]

Mr. HARRISON of Mississippi. Mr. Speaker, I want to say, in answer to the gentleman, that the Senate has just passed this bill. There is plenty of time for discussion.

Mr. GILLETT. It depends upon what you mean by "plenty of time."

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

The SPEAKER. The gentleman from Wisconsin is recognized for five minutes.

Mr. LENROOT. Mr. Speaker, I am opposed to this rule solely because it is very plain that there will be no serious consideration of the merits of this bill if this rule is adopted and this bill is considered this evening. I am not opposed to at least a portion of the bill, so that I do not speak as an enemy of the legislation.

But, Mr. Speaker, here is a bill involving $200,000,000, and if this rule is adopted, while there are serious questions in connection with the bill and as to which amendments will be offered, there will be no serious consideration of those amendments. That is entirely plain.

Is it any wonder that the country, as each session goes by, looks with less and less favor upon the House of Representatives, when day after day this House is not deliberating, is not giving consideration to legislation upon its merits, but is making of itself mere rubber stamps? That is absolutely true, and every one of you know it.

I represent an agricultural community. I represent a constituency that is interested in farm loans. But I am not so much afraid of my constituents as I am afraid some Members will vote for anything and everything, with no consideration, simply because they may say, "I am afraid some farmer in my district will say I am against farm loans simply because I do not at the drop of a hat, without any consideration, vote to favorably consider a $200,000,000 proposition."

Mr. Speaker, this House will never gain the respect of the country—and it ought not to gain the respect of the country—if it is going to legislate in this manner at the hour of 5.30 o'clock in the afternoon, with a very large percentage of the membership gone and with the balance of the membership anxious to go and unwilling to give serious consideration to this measure on its merits. And, mark me, if this rule is adopted, it will be demonstrated to everybody that this House is not giving consideration to the bill on its merits, but is anxious to get rid of it at the earliest moment and in such a way as to give the least offense to their constituents.

Is that the way, is that the method in which legislation should be considered by the House of Representatives? We ought to have an opportunity to consider it. We ought to consider it on the 3d day of January, the first day we meet after the holidays. If it were considered then, it should have consideration whether or not at this time we ought to appropriate $100,000,000 for 1919; whether or not it is an invitation to take on all these hundreds of millions of dollars of farm loans, and there will be no private investment in them at all. And what will then happen? With the liberty bonds, the necessity of carrying on this war, with the other demands upon the Treasury, this country may be up against a stone wall inside of 12 months; and if it is, this House of Representatives will be responsible for that stone wall if it is without consideration going to vote to-night not only for the $100,000,000 that is necessary at this time but for another $100,000,000 that may not be necessary at all, and in conditions that may not exist, with authority that ought not to exist in any officer of this Government to purchase $100,000,000 of these farm-loan bonds. [Applause.]

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] is recognized.

Mr. CAMPBELL of Kansas. Mr. Speaker, how much time did the gentleman from Wisconsin use?

The SPEAKER. Four and a half minutes.

Mr. CAMPBELL of Kansas. I yield four minutes to the gentleman from New York [Mr. SNELL].

The SPEAKER. The gentleman from New York is recognized for four minutes.

Mr. SNELL. Mr. Speaker, I am opposed to adopting a rule which allows the consideration of as important a measure as this at so late an hour, just before adjournment. This bill is important to the people of this country for two distinct reasons. It commits this Government to the expenditure of $200,000,000. It does so at a time when, I think, the people of the whole country do not expect us to pass measures of this kind without giving them any consideration whatever. It is also important from the standpoint that it commits this Government to a new policy. By doing this we are committed to the policy of taking over the bonds of a corporation that can not sell them; and I do not see any more reason why we should take over the bonds of this corporation because it can not sell them than there is to take over the bonds of any public utility or railroad, or any corporation in the country which is having trouble in floating its bonds at this time, and nearly every one is having this same trouble at this time. I feel that this House is entitled to more knowledge in regard to the actual workings of the land bank. From anything I can learn, it seems to me that the land bank is not in a solvent condition, and I am bas-

ing that statement on what Mr. Norris says in his letter to the Banking and Currency Committee. He says:

We feel that even the most remote possibility of a suspension of the operations of the farm-loan system should be avoided, and that the legislation suggested would avoid such possibility.

Now, any institution that demands $100,000,000 Government aid certainly, in my judgment, is tending toward insolvency, and I believe the country at large and the Members of this House are entitled to much more definite knowledge as to the actual working of the land bank and to a longer time to consider such an important proposition as this.

It has been generally understood by the Members of the House that before the holiday recess there would be no more important legislation considered after the prohibition amendment yesterday. A great many Members of this House have gone home, and the others who are here are anxious and eager to get away, and every man in this House knows that it is absolutely impossible to give fair and careful consideration to any proposition at this time. I trust that the judgment of this House will be to put over this matter until such a time as we are able to give a bill of such importance to the House and to the whole country as House bill 7731 is the careful and thoughtful consideration that it is entitled to receive from this body. For that reason I trust you will not adopt this rule at this time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I am a friend of the Federal Land Bank System. The district which I represent is very largely an agricultural district, with something of manufacturing. We must not forget that there have been two drives for the liberty loan bonds, and it is perfectly patent that there will be another in the near future, and another before the close of the fiscal year. We must finance our allies. Now, if the drives for the liberty loan bonds have operated throughout the country as they have operated in the rural districts of Illinois, I want to state to you that, while we subscribed substantially the maximum, yet a great many patriotic country banks, sure of the solvency of the Government, of which I, as well as they, have no doubt, realizing the necessity from the patriotic standpoint of taking these bonds, made subscriptions larger than they are able to carry and care for their depositors and for those who desire to make loans of them, unless they can dispose of these bonds. What is true of Illinois is, I think, true throughout the Middle West, and I presume it is true of the South. Certainly it is true of the North. Of course, they can borrow on short time from the Federal reserve banks. But after all that is only temporary relief. They hope to dispose of these bonds, and no doubt are disposing of them to some extent to the people who have money to invest.

Now, I believe that this Federal Land Bank System is solvent. I believe that if they are willing to pay a reasonable interest on the farm loans they can get their money at less than the rate of interest that prevails, which is now 5, 6, and 7 per cent for commercial loans. It is well enough for us to take notice of this. But I believe that with proper advertising and with proper effort these bonds can be placed. I think it is wise to consider this matter for more than an hour. Many of our people have gone; and I believe this should go over until after the holidays, and that it should then be considered under a rule not providing for an hour's consideration by the House but for fair consideration, and then we can, without harm to anybody, in my judgment, and without injury to the credit of the land bank, determine what it is wise to do. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. CANNON. If I may be granted a half a minute more——

Mr. CAMPBELL of Kansas. I yield to the gentleman half a minute.

Mr. CANNON. As to the land banks, I do not think we can afford to go to the country under all conditions, subject to the tax that may be made and will be made, and say that this thing was rushed through with one hour of debate. It is not just to the Land Bank System, it is not just to the country, and it is not just to the House of Representatives. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point that there is no quorum present.

Mr. GLASS. I make the point of order, Mr. Speaker, that that is dilatory.

The SPEAKER. The point of order is overruled. The gentleman from Pennsylvania makes the point of order that no quorum is present, and the Chair will count. [After counting.] One hundred and sixty-two Members present, not a quorum.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Doorkeeper locked the doors, and the Sergeant at Arms was instructed to notify the absentees. The Clerk called the roll, and the following Members failed to answer to their names:

Adamson	Doughton	Kennedy, R. I.	Rogers
Almon	Dunn	Kettner	Rose
Anthony	Dyer	Kiess, Pa.	Rowland
Bacharach	Edmonds	LaGuardia	Sanders, La.
Bathrick	Estopinal	Langley	Sanders, N. Y.
Blackmon	Fairchild, G. W.	Lee, Ga.	Sanford
Bland	Fess	Linthicum	Saunders, Va.
Blanton	Flood	Longworth	Scott, Iowa
Booher	Flynn	McClintic	Scott, Pa.
Borland	Frear	McCormick	Scully
Britten	Gallivan	McKenzie	Sears
Browne	Gard	McKinley	Shackleford
Browning	Garland	McLaughlin, Pa.	Sinnott
Bruckner	Garner	Magee	Slemp
Caldwell	Garrett, Tex.	Maher	Sloan
Capstick	Godwin, N. C.	Mann	Small
Carew	Good	Mason	Snyder
Carter, Mass.	Goodall	Meeker	Stafford
Cary	Goodwin, Ark.	Miller, Minn.	Stedman
Chandler, N. Y.	Graham, Pa.	Miller, Wash.	Steele
Chandler, Okla.	Gray, N. J.	Mondell	Stephens, Nebr.
Church	Griest	Morin	Sterling, Pa.
Clark, Fla.	Griffin	Mott	Sullivan
Clark, Pa.	Hamilton, N. Y.	Mudd	Tague
Claypool	Hayes	Neely	Talbott
Cooper, Ohio	Heintz	Nelson	Taylor, Colo.
Copley	Helm	Nichols, Mich.	Temple
Costello	Helvering	Padgett	Templeton
Cox	Hensley	Paige	Tilson
Crago	Holland	Parker, N. Y.	Tinkham
Crosser	Houston	Peters	Vare
Currie, Mich.	Howard	Polk	Walker
Curry, Cal.	Hulbert	Porter	Ward
Darrow	Husted	Powers	Wason
Davis	Hutchinson	Pratt	Watson, Va.
Dempsey	Johnson, S. Dak.	Purnell	Webb
Dent	Johnson, Wash.	Ragsdale	Wilson, Ill.
Dewalt	Jones, Va.	Ramsey	Wilson, Tex.
Dies	Juul	Rayburn	Winslow
Dill	Kahn	Reavis	Wise
Dooling	Kearns	Riordan	Wood, Ind.
Doremus	Kelley, Mich.	Robinson	Zihlman

The SPEAKER. On this call 264 Members have answered to their names, a quorum.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. HARRISON of Mississippi. Mr. Speaker, I yield the balance of my time to the gentleman from Virginia [Mr. GLASS].

The SPEAKER. The gentleman from Virginia is recognized for 10 minutes.

Mr. GLASS. Mr. Speaker, I am just apprized of the fact that the Senate has passed this bill, with certain amendments, and has adjourned. That being so, it is impossible for the bill to become a law until after the holiday recess, and in my view it would be futile to keep the House here debating a matter that can not be concluded this evening. In my view, while the criticism of haste—I would call it expedition—is measurably justified, not one whit of the blame attaches to the House Committee on Banking and Currency. That committee considered this matter the instant it was brought to its attention; and, with its customary intuitive wisdom, as well as dispatch, immediately disposed of it by reporting it favorably to the House. Furthermore, the speed employed has not been harmful in the least. The whole subject can be understood in five minutes as easily as it can be understood in five years; and, as I have said to friends on that side, if they please to appropriate to themselves a lack of comprehension that I am unwilling to impute, that is their affair. At all events, we can not conclude the matter this evening, and I have risen simply to ask unanimous consent that the bill shall go over and have privilege and precedence as the first matter to be disposed of by the House when the Congress reconvenes on January 3 next.

Mr. CANNON. As transportation may be a little uncertain, and I doubt if all of the Members who ought to be here will be here, will not the gentleman agree to substitute the 4th for the 3d? I shall not object, of course, but I simply make that suggestion.

Mr. GLASS. I would be willing to do almost anything the gentleman from Illinois could ask, but an informal agreement already has been made for the 3d.

Mr. CANNON. Very well.

The SPEAKER. Does the gentleman from Virginia mean that the House shall on the 3d of January resume the consideration of this bill right where it is now?

Mr. GLASS. No.

The SPEAKER. That it shall start in anew?

Mr. GLASS. No. Consider the bill to its final passage under such agreement as shall be made as to the division of time.

The SPEAKER. The gentleman from Virginia asks unanimous consent that on the 3d day of January next this bill shall be the order of business after the reading of the Journal and the disposition of business on the Speaker's table, not to interfere with privileged matters. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I desire to ask the gentleman if that request contemplates the yielding of some time——

Mr. GLASS. I have already said such time as may enable the gentleman from Pennsylvania to understand this simple problem.

Mr. MOORE of Pennsylvania. That is not satisfactory to the "gentleman from Pennsylvania." The "gentleman from Pennsylvania" has seen enough to know that there will be some objection to this bill, which the gentleman from Virginia says is so clear to himself and the members of his committee.

Mr. GLASS. Undoubtedly there will be some objection.

The SPEAKER. Is there objection?

Mr. McFADDEN. Mr. Speaker, I would like to say to the chairman of the Committee on Banking and Currency that because of the lack of information upon this subject I have introduced to-day a resolution calling on the Secretary of the Treasury to furnish information regarding the Federal farm-loan system. If the gentleman can expedite the matter with the Secretary of the Treasury and see that we have that information by January 3, I think it will help very materially the discussion of this subject.

Mr. GLASS. I do not agree that it will help one bit, but I have no objection to the gentleman getting the information.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to know what understanding has been made in regard to the division of the time.

Mr. LENROOT. It will be under the rules of the House.

Mr. GILLETT. Mr. Speaker, I have had a personal agreement which is entirely satisfactory to me, and which I think will be satisfactory to this side of the House.

Mr. MOORE of Pennsylvania. May I ask if the gentleman from Pennsylvania [Mr. McFADDEN] has been consulted?

Mr. GILLETT. Yes.

The SPEAKER. Is there objection?

Mr. McFADDEN. Mr. Speaker, reserving the right to object, in answer to the question of the gentleman from Pennsylvania as to the division of time, I might say this, that so far as our side is concerned we feel that the control of the time should be in the hands of some one who is opposed to the proposition. If that is arranged satisfactorily, I have no objection.

Mr. GLASS. I have no objection to that. The senior minority Member was mentioned in the resolution from the Committee on Rules, but he very promptly came to the chairman of the committee and suggested that the control of the time upon that side should be by some one who is opposed to the bill, and that will be arranged.

Mr. McFADDEN. As long as that is understood I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

Mr. SHERLEY. Will the gentleman withhold that for a moment?

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the bill of the following title; in which the concurrence of the House of Representatives was requested:

An act (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916.

EXTENSION OF REMARKS.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the prohibition resolution.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

REPORT OF PUBLIC BUILDINGS COMMISSION.

Mr. SHERLEY. Mr. Speaker, I desire to present a report of the Public Buildings Commission. It was instructed to report prior to January 1, 1918, and I ask unanimous consent, it being short, that it may be printed in the RECORD.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to print the report in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The report is as follows:

To the Congress of the United States:

The undersigned Public Buildings Commission, appointed by the provisions of the sundry civil appropriation act approved on the 1st day of July, 1916, respectfully submit the following report:

We give below the provision of the law creating the commission:

"Public Buildings Commission: With a view to ultimately providing permanent quarters for all the governmental activities in the District of Columbia in buildings owned by the Government, a commission is created to be composed of the chairman of the Committee on Appropriations of the Senate and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Public Buildings and Grounds of the Senate and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Appropriations of the House of Representatives and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Public Buildings and Grounds of the House of Representatives and two other members of said committee, to be appointed by said chairman, all of whom shall serve thereon only so long as they are Members of Congress, and the Superintendent of the Capitol Building and Grounds, the officer in charge of public buildings and grounds, and the Supervising Architect or the Acting Supervising Architect of the Treasury during any vacancy in said office.

"The said commission shall elect one of its members as chairman of the commission and is authorized to employ such expert clerical or other services as it may deem necessary, and shall avail itself of the advice of the Commission of Fine Arts.

"The said commission shall investigate and ascertain what public buildings are needed in the District of Columbia to provide suitable and adequate accommodations, with allowances for future expansion, for all of the offices, establishments, and public services of the Government in the District of Columbia, the proper location of such buildings, the probable cost thereof, and the probable cost of such new sites as they may deem it necessary for the Government to acquire.

"Any vacancies in said commission shall be filled in the same manner as the original appointments were made.

"For expenses of said commission, $10,000, to remain available until expended and to be paid out on vouchers signed by the chairman of said commission.

"Said commission shall make final report to Congress not later than January 1, 1918."

The commission organized by electing Senator THOMAS S. MARTIN as chairman. As soon as the commission was organized it appointed the Superintendent of the Capitol Building and Grounds, the officer in charge of Public Buildings and Grounds, and the Acting Supervising Architect of the Treasury, all of whom were members of the commission, a subcommittee to study the question of providing permanent quarters for all Government activities in the District of Columbia. We submit herewith the report, including appendix and maps, of that subcommittee. With the many other duties devolved on the members of this commission we have found it impossible to give any considerable consideration to the report of this subcommittee or to the many difficult problems involved.

The subcommittee under the supervision of the general commission followed a plan of operation and investigation, including the following:

I. PLAN OF OPERATIONS.

A. A survey of buildings now occupied.

1. Owned by the Government, including details of space, numbers of occupants, and cost.

2. Rented by the Government, including details of space, numbers of occupants, and cost.

B. An estimate of future requirements for buildings for such period as the commission may designate.

1. Those now available.
2. New buildings needed.
3. Provision for increase of existing establishments.
4. Provision for new establishments.

C. A survey of building sites.

1. Now owned by the Government, including those now occupied and those available for future use.

2. Required for new buildings, showing locations and cost of acquisition.

D. Monthly reports to the members of the commission.

E. Final report of the commission.

We believe that the report of this subcommittee contains very valuable information and will serve as the foundation for the final disposition of the questions submitted to your commission. The commission regrets exceedingly that they have been unable to digest the problems which are presented and that they can do no more at present than submit the report of the subcommittee for such disposition as may seem proper to the Congress. We respectfully suggest that it be printed so as to be easily accessible to all the Members of the two Houses of Congress. The inflated conditions due to the war emergencies make the present time very inopportune for dealing with many of the questions involved. It seems to the commission that the final disposition of the matter may well be permitted to remain until normal conditions are again reached.

Your commission appends to this report an itemized account of its expenditures, showing that of the $10,000 appropriated approximately $4,603.53 have been expended. A very few items of expense will have to be added.

Respectfully submitted.

THOMAS S. MARTIN, *Chairman.*

Itemized list of expenditures by the Public Buildings Commission.

Amount of appropriation		$10,000.00
Personal services of computers, draftsmen, and clerks	$2,938.59	
Photographs, printing, and blue printing	803.97	
Office supplies, stationery, etc	860.97	
		4,603.53
Balance in hand		5,396.47

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 6967. An act to increase the number of midshipmen at the United States Naval Academy.

EXTENSION OF REMARKS.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the prohibition question.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, I object.

Mr. KITCHIN. I am willing for all to have it; let all have it. Mr. Speaker, I ask unanimous consent that all gentlemen who spoke on the prohibition constitutional amendment be allowed to extend and revise their remarks.

Mr. WALSH. Mr. Speaker, reserving the right to object, this morning I proffered that request, but coupled with it the understanding that such extensions only include the remarks of the gentlemen and not telegrams, letters and editorials and articles?

Mr. KITCHIN. Was it granted?

Mr. WALSH. It was not granted. If the gentleman will proffer that request——

Mr. KITCHIN. I will do that.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that all gentlemen who spoke on the prohibition amendment shall have the right to extend their remarks in the RECORD, barring telegrams, letters, editorials, newspaper articles, and so forth.

Mr. ALEXANDER. Mr. Speaker, reserving the right to object, I do not know any reason why those gentlemen who had time to speak should be given that privilege when those who could not get the time were denied it.

Mr. FIELDS. Mr. Speaker, I object to a monopoly of the CONGRESSIONAL RECORD.

The SPEAKER. Does the gentleman object to this request?

Mr. FIELDS. I do, unless all gentlemen have that right.

Mr. KITCHIN. I will modify the request by asking that all gentlemen be given the right to extend their remarks in the RECORD, barring telegrams, letters, and editorials.

Mr. SHERLEY. Mr. Speaker, I object.

The SPEAKER. The gentleman objects.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that all gentlemen——

The SPEAKER. But the gentleman from Kentucky [Mr. SHERLEY] objected.

Mr. SHERLEY. Mr. Speaker, I have no objection to gentlemen who spoke extending their remarks in the RECORD, but I object to gentlemen extending their remarks who did not speak.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

ADJOURNMENT.

The motion was agreed to; accordingly (at 6 o'clock and 20 minutes p. m.) the House, under the concurrent resolution previously adopted, adjourned to meet on Thursday, January 3, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a paragraph of legislation authorizing the accounting officers of the Treasury Department to allow and credit in the accounts of Maj. (now Col.) Henry L. Newbold, the sum of $2,157.61, being the amount disallowed and charged against him on the books of the Treasury Department (H. Doc. No. 627); to the Committee on Claims and ordered to be printed.

2. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture submitting a supplemental estimate required for general expenses of the Forest Service for the fiscal year 1918 (H. Doc. No. 628); to the Committee on Appropriations and ordered to be printed.

3. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for the fiscal year 1919, for necessary improvements at the Arlington National Cemetery (H. Doc. No. 629); to the Committee on Appropriations and ordered to be printed.

4. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Frank Brott, Edward Brott, George Brott, and Adaline B. Hamilton, heirs of James H. Brott, deceased, *v.* the United States (H. Doc. No. 630); to the Committee on War Claims and ordered to be printed.

5. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Charles J. Olson *v.* the United States (H. Doc. No. 631); to the Committee on War Claims and ordered to be printed.

6. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Eleanor R. Mintie, widow of Fergus L. Mintie, deceased, *v.* The United States (H. Doc. No. 632); to the Committee on War Claims and ordered to be printed.

7. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Lawrence Moore *v.* The United States (H. Doc. No. 633); to the Committee on War Claims and ordered to be printed.

8. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Sarah J. Marsh, widow (remarried) of Martin B. Miller, deceased, *v.* The United States (H. Doc. No. 634); to the Committee on War Claims and ordered to be printed.

9. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of John A. Spielman *v.* The United States (H. Doc. No. 635); to the Committee on War Claims and ordered to be printed.

10. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Birney E. Shaw *v.* The United States (H. Doc. No. 636); to the Committee on War Claims and ordered to be printed.

11. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Elizabeth W. Broadhead, widow (remarried) of Richard McCowick, deceased, *v.* The United States (H. Doc. No. 637); to the Committee on War Claims and ordered to be printed.

12. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Juliette Harrow, widow of William Harrow, deceased, *v.* The United States (H. Doc. No. 638); to the Committee on War Claims and ordered to be printed.

13. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Lucy B. Stahl, daughter of James A. Bell, deceased, *v.* The United States (H. Doc. No. 639); to the Committee on War Claims and ordered to be printed.

14. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Eugene E. Neff, son of Edmund W. S. Neff, deceased, *v.* The United States (H. Doc. No. 640); to the Committee on War Claims and ordered to be printed.

15. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Louisa Boles, daughter of Charles Heintz, deceased, *v.* The United States (H. Doc. No. 641); to the Committee on War Claims and ordered to be printed.

16. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Warner U. Grider, administrator of Benjamin C. Grider, deceased, *v.* The United States (H. Doc. No. 642); to the Committee on War Claims and ordered to be printed.

17. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of John W. Clemans and Cora Foote, children of Sylvester W. Clemans, deceased, *v.* The United States (H. Doc. No. 643); to the Committee on War Claims and ordered to be printed.

18. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Charles M. Bingham *v.* The United States (H. Doc. No. 644); to the Committee on War Claims and ordered to be printed.

19. Letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary E. Conine, daughter of Milton Valentine, deceased, *v.* The United States (H. Doc. No. 645); to the Committee on War Claims and ordered to be printed.

20. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Benjamin F. Kemp *v.* The United States (H. Doc. No. 646); to the Committee on War Claims and ordered to be printed.

21. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Morton T. Jones *v.* The United States (H. Doc. No. 647); to the Committee on War Claims and ordered to be printed.

22. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary A. Goddard, widow of William C. Goddard, deceased, *v.* The United States (H. Doc. No. 648); to the Committee on War Claims and ordered to be printed.

23. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Harri-

son Dwire v. The United States (H. Doc. No. 649); to the Committee on War Claims and ordered to be printed.

24. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Thomas Martin v. The United States (H. Doc. No. 650); to the Committee on War Claims and ordered to be printed.

25. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Abraham Mitcham v. The United States (H. Doc. No. 651); to the Committee on War Claims and ordered to be printed.

26. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of George D. Scott, son and sole heir of Oliver H. P. Scott, deceased, v. The United States (H. Doc. No. 652); to the Committee on War Claims and ordered to be printed.

27. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Chloe Hinchcliff, daughter of Liam N. Mitchell, deceased, v. The United States (H. Doc. No. 653); to the Committee on War Claims and ordered to be printed.

28. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Charles L. Knapp v. The United States (H. Doc. No. 654); to the Committee on War Claims and ordered to be printed.

29. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Eva A. Ingersoll, widow of Robert G. Ingersoll, deceased, v. The United States (H. Doc. No. 655); to the Committee on War Claims and ordered to be printed.

30. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Sarah C. Fisk, widow of Dennison Fisk, deceased, v. The United States (H. Doc. No. 656); to the Committee on War Claims and ordered to be printed.

31. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Walter S. Dunn, guardian of Caroline Dunn, a minor, sole heir of John T. Croxton, deceased, v. The United States (H. Doc. No. 657); to the Committee on War Claims and ordered to be printed.

32. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary A. Clarkson, widow of Isaac L. Clarkson, deceased, v. The United States (H. Doc. No. 658); to the Committee on War Claims and ordered to be printed.

33. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Lizzie J. Clark, widow of Willard Clark, deceased, v. The United States (H. Doc. No. 659); to the Committee on War Claims and ordered to be printed.

34. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Ellen B. Harding, daughter of William Brisbane, deceased, v. The United States (H. Doc. No. 660); to the Committee on War Claims and ordered to be printed.

35. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Carrie Adolph and Bella Adolph Epstine, daughters and sole heirs of Philip Adolph, deceased, v. The United States (H. Doc. No. 661); to the Committee on War Claims and ordered to be printed.

36. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Lydia F. Taylor, daughter of John G. Wilson, deceased, v. The United States (H. Doc. No. 662); to the Committee on War Claims and ordered to be printed.

37. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Maude Taylor, one of the heirs of John C. Taylor, deceased, v. The United States (H. Doc. No. 663); to the Committee on War Claims and ordered to be printed.

38. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Lilly B. Hancock, widow of William A. Hancock, v. The United States (H. Doc. No. 664); to the Committee on War Claims and ordered to be printed.

39. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of the Navy submitting supplemental estimates of appropriations for the Navy Department and Naval Establishment for the fiscal year 1918 (H. Doc. No. 665); to the Committee on Appropriations and ordered to be printed.

40. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for fortifications in insular possessions for the fiscal year 1918 (H. Doc. No. 666); to the Committee on Appropriations and ordered to be printed.

41. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for printing and binding for the War Department for the fiscal year 1918 (H. Doc. No. 667); to the Committee on Appropriations and ordered to be printed.

42. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate for contingent expenses of the War Department for the fiscal year 1918 (H. Doc. No. 668); to the Committee on Appropriations and ordered to be printed.

43. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a proposed clause of legislation authorizing the payment to Henry C. Chappell, of certain money paid by him for advertisements (H. Doc. No. 669); to the Committee on Appropriations and ordered to be printed.

44. A letter from the Secretary of the Treasury, transmitting deficiency estimates of appropriations required by the United States Public Health Service for the fiscal year ending June 30, 1918 (H. Doc. No. 670); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. POU, from the Committee on Rules, to which was referred the resolution (H. Res. 197) providing for the consideration of House bill 7731, reported the same with substitute amendment (H. Res. 199), accompanied by a report (No. 231), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ESCH: A bill (H. R. 7912) to amend the Federal insurance-tax law; to the Committee on Ways and Means.

By Mr. SIMS: A bill (H. R. 7913) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: A bill (H. R. 7914) to provide a commission to secure plans and designs for a monument or memorial to the memory of the negro soldiers and sailors who fought in the wars of our country; to the Committee on the Library.

By Mr. LANGLEY: A bill (H. R. 7915) to increase the rates of pension for certain soldiers, sailors, and marines of the Civil War and the War with Mexico; to the Committee on Invalid Pensions.

By Mr. JOHNSON of South Dakota: A bill (H. R. 7916) prohibiting misleading advertising; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER of Oklahoma (by request): A bill (H. R. 7917) to provide for a determination of heirship in cases of deceased members of the Cherokee, Choctaw, Chickasaw, Creek, and Seminole Tribes of Indians in Oklahoma, and conferring authority on the courts of said State in reference thereto, and for other purposes; to the Committee on Indian Affairs.

By Mr. McCLINTIC: A bill (H. R. 7918) providing that soldiers, sailors, and marines may send letters through the mails free of postage under rules and regulations prescribed by the Postmaster General; to the Committee on the Post Office and Post Roads.

By Mr. HULBERT: A bill (H. R. 7919) making an appropriation for making demonstrative test of a new patented form of railroad construction and equipment; to the Committee on Appropriations.

By Mr. SWIFT: A bill (H. R. 7920) to amend an act entitled "An act to increase the revenue, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. HILLIARD: A bill (H. R. 7921) for the retirement of public-school teachers in the District of Columbia; to the Committee on the District of Columbia.

By Mr. WATKINS: A bill (H. R. 7922) to appropriate $10,000 for the improvement of navigation on Dorcheat Bayou, in Louisiana; to the Committee on River and Harbors.

By Mr. LENROOT: A bill (H. R. 7923) providing for the creation of the United States Equipment Corporation to acquire railroad equipment and lease the same to the railroads of the

United States, and providing capital to carry on its business; to the Committee on Interstate and Foreign Commerce.

By Mr. GARLAND: A bill (H. R. 7924) granting pensions to soldiers confined in so-called Confederate prisons; to the Committee on Invalid Pensions.

By Mr. DENT: A bill (H. R. 7925) to amend section 35 of the Criminal Code, and for other purposes; to the Committee on the Judiciary.

By Mr. LARSEN: A bill (H. R. 7926) providing for the purchase of a site and the erection of a public building thereon at Hawkinsville, Pulaski County, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7927) providing for the purchase of a site and the erection of a public building thereon at Fort Valley, Houston County, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. HARDY: Resolution (H. Res. 202) authorizing the Committee on Expenditures in the Navy Department to send for persons and papers; to the Committee on Rules.

By Mr. EDMONDS: Resolution (H. Res. 204) to inquire into the operations of the Shipping Board; to the Committee on Rules.

By Miss RANKIN: Resolution (H. Res. 205) proposing an inquiry into the health and hospital records of Camp Mills, Hempstead, Long Island; to the Committee on Rules.

By Mr. McFADDEN: Resolution (H. Res. 206) calling on the Secretary of the Treasury for information concerning the organization and operation of agencies authorized by the Federal farm-loan act; to the Committee on Banking and Currency.

By Mr. HAYDEN: Joint resolution (H. J. Res. 196) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. TAYLOR of Colorado: Joint resolution (H. J. Res. 197) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. KEATING: Joint resolution (H. J. Res. 198) extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Miss RANKIN: Joint resolution (H. J. Res. 199) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. RAKER: Joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. MONDELL: Joint resolution (H. J. Res. 201) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. EMERSON: Joint resolution (H. J. Res. 202) to appropriate $10,000,000 to build freight cars to handle foods and fuels; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 7928) granting an increase of pension to Mary Cortin Kinnevan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7929) granting an increase of pension to Rebecca Van Buskirk McHesson; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 7930) granting an increase of pension to William Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7931) granting an increase of pension to Jacob Hamon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7932) granting an increase of pension to Albert Varnell; to the Committee on Invalid Pensions.

By Mr. BROWNING: A bill (H. R. 7933) granting a pension to George W. Craig; to the Committee on Pensions.

Also, a bill (H. R. 7934) to correct the military record of John Banks; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 7935) granting a pension to James H. Swallum; to the Committee on Pensions.

By Mr. CARTER of Massachusetts: A bill (H. R. 7936) for the relief of Ellen Driscoll; to the Committee on Claims.

By Mr. CLARK of Missouri: A bill (H. R. 7937) granting an increase of pension to Levi Lightfoot; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 7938) granting a pension to Phebe A. Shisler; to the Committee on Invalid Pensions.

By Mr. FLYNN: A bill (H. R. 7939) for the relief of Elizabeth Peck, widow of James H. Peck; to the Committee on Claims.

By Mr. FULLER of Illinois: A bill (H. R. 7940) granting an increase of pension to Thompson Martin; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 7941) granting an increase of pension to William D. McCormick; to the Committee on Invalid Pensions.

By Mr. GARRETT of Tennessee: A bill (H. R. 7942) granting an increase of pension to Margaret A. McAdoo; to the Committee on Pensions.

By Mr. GRAY of New Jersey: A bill (H. R. 7943) to correct the military record of Edward A. Shave; to the Committee on Military Affairs.

By Mr. IRELAND: A bill (H. R. 7944) to correct the military record of John Wesley Conkling, deceased; to the Committee on Military Affairs.

Also, a bill (H. R. 7945) to correct the military record of George A. Culver, deceased; to the Committee on Military Affairs.

Also, a bill (H. R. 7946) to correct the military record of John Kircher; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 7947) granting an increase of pension to Theresa H. Paulhamus; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7948) granting an increase of pension to Joseph Smith; to the Committee on Invalid Pensions.

By Mr. JUUL: A bill (H. R. 7949) granting an increase of pension to Eliza Fosha; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7950) granting a pension to Kate Schultz; to the Committee on Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 7951) granting an increase of pension to Jacob Ripley, alias James Rogers; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 7952) granting an increase of pension to William W. Pope; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7953) granting an increase of pension to Willis Akles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7954) granting an increase of pension to Orville H. Mills; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 7955) granting an increase of pension to Fannie M. O'Linn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7956) granting an increase of pension to Robert Leitch; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 7957) granting a pension to Emma Crewitt; to the Committee on Invalid Pensions.

By Mr. LOBECK: A bill (H. R. 7958) granting an increase of pension to William Harrier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7959) granting a pension to Ellen Murphy; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 7960) granting an increase of pension to James Darrah; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7961) granting an increase of pension to Jordan C. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7962) granting an increase of pension to James W. Duty; to the Committee on Pensions.

By Mr. PLATT: A bill (H. R. 7963) granting a pension to Ellen Mulligan; to the Committee on Pensions.

Also, a bill (H. R. 7964) granting a pension to Emma A. Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7965) granting an increase of pension to Abraham Rapelye; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7966) granting an increase of pension to Grace A. Negley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7967) granting an increase of pension to Henry Worden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7968) granting an increase of pension to George W. Fitzgerald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7969) granting an increase of pension to John Cornell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7970) for the relief of John Hill; to the Committee on Military Affairs.

Also, a bill (H. R. 7971) for the relief of Peter Myer; to the Committee on Military Affairs.

By Mr. PRATT: A bill (H. R. 7972) granting an increase of pension to George W. Littleton; to the Committee on Invalid Pensions.

By Mr. ROBBINS: A bill (H. R. 7973) granting an increase of pension to Jacob H. Murdock; to the Committee on Invalid Pensions.

By Mr. ROSE: A bill (H. R. 7974) granting an increase of pension to Daniel Berkebile; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 7975) granting an increase of pension to Charles F. Sparger; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 7976) granting a pension to Kate Frances Getts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7977) granting an increase of pension to James K. Nichols; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7978) for the relief of Jacob Mull; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 7979) granting a pension to Annie Sangamo; to the Committee on Pensions.

By Mr. SWEET: A bill (H. R. 7980) granting a pension to Angeline E. Holt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7981) granting a pension to Emma Cornelia Troy; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 7982) for the relief of Samuel Reigle; to the Committee on War Claims.

By Mr. TOWNER: A bill (H. R. 7983) granting an increase of pension to John Fasnacht; to the Committee on Invalid Pensions.

By Mr. VOIGT: A bill (H. R. 7984) for the relief of H. B. Rogers; to the Committee on the Public Lands.

Also, a bill (H. R. 7985) for the relief of J. Ph. Binzel Co.; to the Committee on Claims.

By Mr. WALSH: A bill (H. R. 7986) granting an increase of pension to Carrie C. Washburn; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 7987) granting a pension to Clarence P. McLoud; to the Committee on Pensions.

Also, a bill (H. R. 7988) granting a pension to Elizabeth Moncravie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7989) granting an increase of pension to Hannah J. Estill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7990) granting an increase of pension to William J. Wyatt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7991) removing the charge of desertion against John Kreiser; to the Committee on Military Affairs.

By Mr. KEATING: A bill (H. R. 7992) granting an increase of pension to Jane Emperor; to the Committee on Pensions.

Also, a bill (H. R. 7993) granting an increase of pension to Jacob Jewell; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolutions of a mass meeting of Bohemian (Czech) and Slovak citizens of Baltimore, Md., held December 16, 1917, avowing their loyalty and thanking the President for his consideration in his recent proclamation; to the Committee on Foreign Affairs.

Also (by request), resolution of the Independence League, Bronx County, New York, urging Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also (by request), resolution of the American Society of Refrigerating Engineers, assuring the President and Congress of their earnest and loyal support of all measures for the welfare of the country and the successful prosecution of the war, and offering the services of its members in any capacity; to the Committee on Military Affairs.

Also (by request), petitions of sundry citizens of Iowa, Ohio, Oregon, Pennsylvania, Texas, and Wyoming, favoring the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

By Mr. DALE of New York: Resolution of the Tenants' Union of New York (Inc.), urging Congress to monetize railroads by the same process by which gold and silver are monetized, enabling the Nation to purchase public utilities with the cash thus provided, thus relieving the monetary famine and obtaining the needed transportation; to the Committee on Ways and Means.

By Mr. ELSTON: Memorial showing inequality in matter of pay for mates in the United States Navy and suggesting legislation to remedy same; to the Committee on Naval Affairs.

By Mr. FULLER of Illinois: Memorial of the National Association of Letter Carriers for readjustments of salaries; to the Committee on the Post Office and Post Roads.

Also, petition of George Barr McCutcheon, opposing the zone system and increased rates for second-class postage; to the Committee on Ways and Means.

Also, memorial of the Chamber of Commerce of the United States of America, relative to the housing problem; to the Committee on Public Buildings and Grounds.

Also, petition of Henry A. Wise Wood opposing the proposed suffrage amendment; to the Committee on Woman Suffrage.

Also, memorial of the National Council of American Cotton Manufacturers relative to the foreign trade; to the Committee on Foreign Affairs.

By Mr. GARRETT of Tennessee: Papers to accompany bill granting an increase in pension to Margaret A. McAdoo; to the Committee on Pensions.

By Mr. JOHNSON of Washington: Resolutions of C. S. Hamilton Post, No. 113, Grand Army of the Republic, Kelso, Wash., favoring increased pensions for Civil War veterans; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: Petitions of Adam Sutcliffe, Henry G. Thresher, and G. Bion Allen, of Pawtucket, and William Boyd, of Valley Falls, all in the State of Rhode Island, favoring national prohibition legislation; to the Committee on the Judiciary.

By Mr. McCLINTIC: Memorial of the Oklahoma Council of Defense, urging the Government frank for mail of State and local councils of defense; to the Committee on the Post Office and Post Roads.

By Mr. McKEOWN: Petition of J. P. Ford and others, favoring law circumscribing acitivities of disloyal people; to the Committee on the Judiciary.

By Mr. PETERS: Memorial of Mary E. McKeen and others, of Brunswick, Me., against passage of woman-suffrage amendment; to the Committee on Woman Suffrage.

By Mr. RAKER: Petition of R. A. Witteman, Buffalo, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

Also, memorial of Nevada City Chamber of Commerce, Nevada City, Cal., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of W. B. Cello and five other citizens of Nevada City, Cal.; Phil A. Grau, Chicago, Ill.; and William H. Brady, New York City, protesting against national prohibition; also petitions of L. E. Parke and W. S. Warfield, of Sioux City, Iowa, indorsing national prohibition; to the Committee on the Judiciary.

Also, petitions of Thomas F. Flattery, secretary National Federation of Postal Employees, Washington, D. C., and Frank Morrison, secretary American Federation of Labor, indorsing an increase of salaries for postal employees; to the Committee on the Post Offices and Post Roads.

Also, petition of E. T. Newell, New York, N. Y., in favor of a bill providing for valor medals; to the Committee on Military Affairs.

Also, resolution adopted by California White and Sugar Pine Manufacturers' Association, San Francisco, Cal., urging appropriation of $10,000 for study by Weather Bureau of weather conditions as related to forest fires; to the Committee on Appropriations.

Also, petition of H. L. Litchfield, of Waterloo, Iowa, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of C. R. Hodgkin, secretary California Corrugated Culvert Co., against any further advance in letter postage; to the Committee on the Post Office and Post Roads.

By Miss RANKIN: Petition of the Commercial Club of Great Falls, Mont., for a readjustment in salaries of city letter carriers sufficient to meet the increase in cost of living commodities since salary legislation of 1907; to the Committee on the Post Office and Post Roads.

Also, memorial of Commercial Club of Great Falls, Mont., expressing gratitude and appreciation of the work of the President, his Cabinet, the Congress, the Council of National Defense, and other organizations for the upholding and defending of the Republic; to the Committee on Military Affairs.

By Mr. SABATH: Resolution of the Chamber of Commerce of the United States of America, urging that Congress and the country should consider the housing of employees as a war emergency and that immediate action be taken to solve this problem; to the Committee on Military Affairs.

Also, resolution of the American Federation of Labor, urging an increase in the salaries of postal employees; to the Committee on the Post Office and Post Roads.

By Mr. SCHALL: Petitions of sundry citizens of Minnesota, in favor of woman suffrage; to the Committee on Woman Suffrage.

SENATE.

THURSDAY, *January 3, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in Thy great goodness Thou hast brought us to the beginning of a new year. Thou hast enabled us to write one of the fairest and greatest pages in the history of the whole world in the year that has gone. We bless Thee that Thou hast led us through the year with unity of spirit and with devotion to the great and high ideals to which this Nation has been consecrated.

We pray Thee that as we begin the new year we may begin it under the inspiration and guidance of God alone. Let Thy blessing rest upon every man whom Thou hast called to a place of influence in this Nation, that they may feel the support and interest and cooperation of all the citizenship, that we may continue the unity of spirit and purpose and effort until success comes to our enterprise.

We miss the genial face to-day of one of our colleagues in this Chamber whom Thou hast called to the great Beyond. We thank Thee for the wide influence, for the friendship, for the inspiration of his life. We pray that Thy blessing may rest upon the inner circle of his loved ones and that his memory may abide as an inspiration to us all in this Chamber.

Now, God our Father, guide us by Thy counsel. Give to us the continual influence of Thy Spirit. Bring us to the end of our great national enterprise for the establishment of peace and brotherhood in the earth. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Tuesday, December 18, 1917, when, on request of Mr. MARTIN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

DEATH OF SENATOR FRANCIS G. NEWLANDS.

Mr. MARTIN. Mr. President, in the absence of the Senator from Nevada [Mr. PITTMAN] and acting in accordance with a request from him sent to me by wire—and I should say that Senator PITTMAN's absence is due to a delayed train on which he is now traveling to Washington—it becomes my duty to make public announcement on the floor of the Senate of the death of the senior Senator from Nevada, Senator NEWLANDS. I ask that the telegram received from Senator PITTMAN may be printed in the RECORD.

The telegram referred to is as follows:

CHARLOTTESVILLE, VA., *January 3, 1918.*

Senator MARTIN,
United States Senate, Washington, D. C.:

My train is five hours late. Should I not arrive in time, may I beg you to move an adjournment in respect for the memory of our late colleague, Senator FRANCIS G. NEWLANDS? In his death our State and our Government has lost one of its foremost statesmen. He won the affection of his friends by his ever gentle, genial, and considerate manner, and commanded the admiration of all by the power of his statesmanship. His loss is bemourned by all in our State. At the proper time I will ask that a day be set apart in which tribute may fittingly be paid to his memory.

KEY PITTMAN.

Mr. MARTIN. I think, Mr. President, I can safely say that Senator NEWLANDS was not only held in high regard but affectionate regard by every Senator on the floor of this body. In addition to our personal loss, Mr. President, I feel that I should also add that the death of Senator NEWLANDS in this crisis of our history is a great public loss. His familiarity with the subject which is now engrossing the attention of the country made his services peculiarly desirable and efficient. But it has pleased the Almighty to call him from our midst, and all we can do is to bow humbly to that decree.

Later on a day, of course, will be fixed when proper tribute may be paid to the memory of this distinguished Member of this body. In the meantime, Mr. President, I send to the desk resolutions, which I ask may have immediate consideration.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 173) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. FRANCIS G. NEWLANDS, late a Senator from the State of Nevada.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. MARTIN. Mr. President, as a further mark of respect to the memory of our deceased colleague, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 4, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 3, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, whose invisible hand guides the stars, which mark the flight of time, Thou hast brought us to the beginning of a new year, with its hopes and ever-widening possibilities.

The past is ours by inheritance and by our personal experience. The future is a closed book. Help us by the wisdom of the past, its mistakes and defeats, that with calmness and serenity we may read the pages of the future, as they are unfolded, with fortitude, courage, and vigor.

As the sun rose upon the new year it looked down upon a world of strife, carnage, brutality, and heart-rending suffering and sorrow. Grant, O most merciful Father, that amid all we may cling to Thee in faith as our refuge and our strength, for faith is truer than doubt, truth is mightier than the sword, right is stronger than might, and love shall live when the stars have all gone out.

May the duty well done to-day strengthen us for the duties of the to-morrow, and may the achievements of the past inspire us to the new achievements which the future hath in store for the faithful.

Since we last met two Members of the congressional family have crossed the river of death; peace be to their souls, and the consolation of faith, hope, and love sustain their colleagues, friends, and bereaved families. In His name. Amen.

The Journal of the proceedings of Tuesday, December 18, 1917, was read and approved.

EXTENSION OF REMARKS.

Mr. BORLAND. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. BORLAND. I rise to ask leave to extend my remarks in the RECORD.

Mr. McARTHUR. Reserving the right to object, on what question?

Mr. BORLAND. On the question of war efficiency.

Mr. WALSH. Mr. Speaker, I do not think that is a very good way to start out the new year, and I shall object.

Mr. BORLAND. I hope the gentleman will not object. This is purely original matter.

ORDER OF BUSINESS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the order of business for to-day, which is the bill H. R. 7731, be made the continuing order for to-morrow, immediately after the reading of the Journal, until finished. I do this because the House in all probability will adjourn as a mark of respect to the late Senator NEWLANDS and the late Representative BATHRICK, who died during the recess holiday.

The SPEAKER. Week before last week the House by unanimous consent made the bill H. R. 7731 the special order for to-day. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that that order be transferred until to-morrow.

Mr. KITCHIN. And be the continuing order.

The SPEAKER. And be the continuing order to-morrow. Is there objection? [After a pause.] The Chair hears none.

RESIGNATION FROM COMMITTEE.

The SPEAKER laid before the House the following communication.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
December 24, 1917.

Hon. CHAMP CLARK,
Speaker of House of Representatives.

MY DEAR MR. SPEAKER: I hereby tender my resignation from the Committee on Coinage, Weights, and Measures, the same to take effect immediately.

Yours, very truly, B. C. HILLIARD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RESIGNATION OF MEMBER FROM HOUSE.

The SPEAKER also laid before the House the following notification of resignation from the House.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., December 31, 1917.

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have to-day transmitted to the governor of the State of New York my resignation as a Representative in Congress of the United States from the twenty-first district of New York, to take effect January 1, 1918.

Respectfully, yours, MURRAY HULBERT.

The SPEAKER. The communication will be filed in the archives of the House.

LEAVES OF ABSENCE.

By unanimous consent, leaves of absence were granted as follows:

To Mr. CRISP, until Monday next, on account of illness in his family.

To Mr. GREENE of Massachusetts, for one week, on account of illness in his family.

To Mr. IRELAND, for 10 days, on account of important business.

To Mr. CLARK of Pennsylvania, for one week, on account of illness in his family.

To Mr. COOPER of Wisconsin (at the request of Mr. BROWNE), for three days, on account of important business.

ARMED FORCES OF THE PHILIPPINE ISLANDS.

Mr. DENT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7697) authorizing the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes.

The SPEAKER. The gentleman from Alabama asks unanimous consent for the present consideration of the bill H. R. 7697. Is there objection?

Mr. LITTLE. Mr. Speaker, reserving the right to object, does that include the Philippine Constabulary?

Mr. DENT. It does.

Mr. LITTLE. How many are there, if the gentleman knows, in the Philippine Constabulary?

Mr. DENT. There are 5,200 in the constabulary and 5,500 in the scouts, and they have about 6,000 in the militia, which is organized under the act passed by the Filipino Legislature substantially in the form of the national-defense act of June 3, 1916. They propose by this bill to recruit these forces up to a full division, so as to tender to the Government of the United States a division of about 27,000 officers and men, one-third of whom, at least, will be officered by American officers.

Mr. AUSTIN. May I ask the gentleman if we are going to retain any standing army in the Philippine Islands in the absence of these Philippine troops?

Mr. DENT. Of course this bill does not cover that. That will be a matter for the executive government to decide. But I will state to the gentleman from Tennessee that all of the evidence before the Committee on Military Affairs showed very clearly that there was absolute peace and contentment in the Philippine Islands, and that the object of this act on the part of the Filipinos is to show their gratitude and loyalty to the Government of the United States. [Applause.]

Mr. AUSTIN. Which Government bears the expense incident to this?

Mr. DENT. Of course the Government of the United States will. It will have to feed them just as it does all other soldiers that we have in the service.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

Mr. DENT. With pleasure.

Mr. TOWNER. It might be added for the information of the House that this militia has been organized since the war. It is in direct contemplation of the Philippine Islanders of being called into the service. It was altogether a voluntary offer on the part of the people of the Philippine Islands.

Mr. DENT. The gentleman is entirely correct about that.

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. DENT. Yes.

Mr. LITTLE. Who are to be the regimental officers, Americans or Filipinos?

Mr. DENT. The higher officers will be Americans.

Mr. LITTLE. But the colonels, the battalion commanders, and regimental commanders?

Mr. DENT. As I understand it, most of them will be Americans. I can not answer the gentleman definitely about that.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

A bill (H. R. 7697) to authorize the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes.

Be it enacted, etc., That the militia and other locally created armed forces in the Philippine Islands may be called into the service of the United States, and all members thereof may be drafted into said service and organized in such manner as is or may be provided by law for calling or drafting the National Guard into said service, and shall in all respects while therein be upon the same footing with members of the National Guard so called or drafted: *Provided*, The pay and allowances of officers and men of the Philippine Militia and other locally created armed forces in the Philippine Islands called into the service of the United States under the provisions of this act when serving in the Philippine Islands shall in no case exceed the pay and allowances for corresponding grades of Philippine Scouts.

With a committee amendment, as follows:

Amend, page 1, line 10, by inserting, after the word "*Provided*," the word "That."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on agreeing to the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DENT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. DENT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a statement of the facts relative to the bill that has just been passed.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. DENT. Mr. Speaker, I submit the following statement of facts, together with letter of Bishop Brent and letter of Gen. Frank McIntyre, printed in the report:

The Filipino troops in the Philippine Islands consist of National Guard, Philippine Constabulary, and Philippine Scouts.

The National Guard and constabulary are locally organized troops.

The Philippine Scouts are part of the Regular Army of the United States.

The constabulary consists of 106 companies, 361 officers, and 5,201 enlisted men.

The Philippine Scouts consist of 52 companies, 170 officers, and 5,570 enlisted men.

The National Guard is organized under the militia act of the Philippine Islands, and complies, as far as possible, with the provisions of the national-defense act of July 3, 1916, all the objectionable features in National Guard organizations in the United States having been eliminated.

Section 7 of the militia act of the Philippine Islands provides that the organized militia, under the designation of the "National Guard," shall constitute a general headquarters and a complete division under the command of a major general.

Section 8 provides that immediately after the passage of the act the Governor General be authorized to organize, equip, and muster a general headquarters and a provisional division. These general headquarters and a provisional division have been organized, and the provisional division is now in active training. The provisional division was organized under Executve Order No. 35, dated April 12, 1917, with the various units located at the main towns throughout the islands.

The school for officers and noncommissioned officers of the National Guard was organized on Saturday, July 21, under Col. Lincoln Andrews, Ninth United States Cavalry, with other officers of the Regular Service as assistants, and for infantry officers continued until October 1 in the camp located on the water front in Manila, the work for the artillery officers being continued in that branch at Camp Stotsenberg under Col. Oliver L. Spaulding, of the Field Artillery, United States Army, until October 15.

Immediately on the expiration of the different schools, the different units of the division were formed at the several towns throughout the islands and active training of the enlisted men began. The entire National Guard is now in training under the supervision of Regular Army officers, scout officers, and constabulary officers of ability and experience.

It is proposed to organize the scouts, the constabulary, and the National Guard into a full division of troops under the new Tables of Organization, which require some 27,000 officers and men. The scouts and constabulary are old organizations of the

very highest experience and efficiency, they having been from their inception under the instruction and command of some of the best officers of the United States Army.

The National Guard is newer, and consists of the very flower of the Filipino youth of the islands. The greatest interest and enthusiasm has been exhibited by the officers and men enrolled therein. The officers of the division will consist of the present officers of the National Guard, officers from the constabulary and Philippine Scouts, and officers of the Reserve Corps located in the Philippine Islands. The officers will consist of Americans and Filipinos. It is proposed that from 25 per cent to 33⅓ per cent—and these the more responsible officers—will be Americans, and the balance Filipinos. This would necessitate some 300 American officers and 600 Filipino officers. In the organizations above enumerated there are some 600 Americans, and the very best of them will be selected for the division. In order that the division may come up to the required number, the governors of the different Provinces will be required to assemble at their provincial capitals five days before the date draft becomes effective twice the number of volunteers that would be required, and from these the extra men necessary to make up the new division will be selected. Recruiting officers and doctors from these headquarters will be sent in time to arrive there five days before the draft to make the selection and physical examination. In this manner the complete personnel of the division can be taken over to the department commander of the United States Army upon date of the draft.

For sites for the final organization of the division either Fort McKinley or Camp Stotsenberg would be ideal, Camp Stotsenberg being the better during the wet season, but Fort McKinley the more desirable on account of the splendid transportation facilities. There are quarters in McKinley for 8,000 enlisted men, and cantonments for the balance could be erected within 30 days; but as there will be six months of dry season from now on the lightest construction would be all that would be at present necessary.

Medical supplies: There is on hand in the medical supply depot, United States Army, in Manila, six months' supply for 20,000 men and families, or a total of 45,000 people. This does not include field equipment, which is in the hands of different departmental surgeons, sufficient for approximately 14,000 men more.

Equipment: There is on hand in the department reserve equipment for a regiment of Cavalry at war strength, equipment for two Mountain Gun Artillery battalions at Camp Stotsenberg and the machine gun, besides the complete equipment of Corregidor.

Engineer equipment: There is about 80 per cent in the engineer equipment necessary for a regiment, less tool wagons, which can be made in the islands; the other 20 per cent can also be made there.

Field equipment: There is enough field equipment on hand, such as field ranges and kitchen utensils, etc., for 15,000 men.

Clothing: There is on hand sufficient clothing for half of the division and some 4,000 woolen blankets. The shoes can be made locally by the Exchange Shoe Co. and the United States Shoe Co. Leggins in any quantity can be furnished if material is supplied. There is sufficient olive drab cotton cloth on hand in Manila to make 24,000 uniforms.

ORIENTAL NEWS AND COMMENT—FILIPINOS MAKE ACTIVE WAR PREPARATIONS—BISHOP BRENT GIVES GLOWING PICTURE OF FILIPINO INTEREST IN WAR—IF NOT IN FRANCE, HE SAYS, THEY COULD SERVE ADVANTAGEOUSLY ON MEXICAN BORDER.

The Rt. Rev. Charles H. Brent, former bishop of the Philippine Islands, who has just accepted the call of the bishopric of western New York, brings us a glowing picture of Filipino interest in Uncle Sam's war, an interest which has been evidenced from the beginning in subscription to liberty bonds, cooperation in Mr. Hoover's food campaign, and intensive farming, and the offer of a submarine and destroyer. Bishop Brent tells us particularly of the training of an army and the eagerness of the Filipinos to see active service.

"There has been an offer made by the Philippine Government," says Bishop Brent, "to provide a division of troops, Filipinos, a total of 19,000 or 20,000 men, for the United States Army. Large numbers of men are in training to form the division. There are already 5,000 Filipinos in service, known as scouts, and they are excellent soldiers.

"This offer is a notable thing for the Filipinos to do, considering their former attitude toward the United States. They offer their services in France, but if they can not be utilized with the Army there owing to the cold climate, to which they are not accustomed, they could be placed on the Mexican border most likely to the great advantage of our Government. The Filipinos are entirely in sympathy with our Government in this war and are anxious to do anything they can to serve the cause of democracy and freedom which has done so much for them; and the Governor General and officials are enthusiastic about giving men and aid to the United States.

"The Filipinos would give our country this great advantage along the Mexican border; they could talk with the Mexicans in their own language; they could tell the Mexicans what the United States has done for them, could explain the true attitude of our Government toward them and their country, and, I believe, could become a great peace-making and peacekeeping force. The scouts are commanded by American officers, principally, with some troops in command of their own men, and they are rated as excellent soldiers by Army commanders who know their work and its value."

Bishop Brent is at present in France, at the request of Gen. Pershing, working with the Y. M. C. A. among the American soldiers. It is not as yet reported when he will take up his work as bishop of western New York.

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
Washington, December 8, 1917.

MY DEAR MR. DENT: At the last session of Congress there was included in bills introduced by you and by the chairman of the Senate Committee on Military Affairs a provision authorizing the President of the United States to call into the service of the United States and make use of certain military forces organized by the Philippine Government under an act of the Philippine Legislature.

These bills included many other sections, many of the important provisions of which were included in the bill to increase the Military Establishment of the United States. It is possible, therefore, that these bills will not again come up for consideration. The section, however, authorizing the utilization of the Philippine troops is most important, and I hope that it will be possible to introduce it as a separate measure and that it may be passed early in this session.

The Philippine government has gone forward as rapidly as possible in organizing its troops, has followed, in so far as practicable, the steps taken in the United States with reference to officers' training camps and other details of instruction, and that Government is naturally desirous that its efforts be recognized as soon as possible and that the men will receive that encouragement which can only come with a knowledge that their efforts are to be made use of.

The provision to carry out the approved recommendation of the War Department should be as follows:

"That the militia and other locally created armed forces in the Philippine Islands may be called into the service of the United States, and all members thereof may be drafted into said service and organized in such manner as is or may be provided by law for calling or drafting the National Guard into said service, and shall in all respects while therein be upon the same footing with members of the National Guard so called or drafted: *Provided*, That the pay and allowances of officers and men of the Philippine Militia and other locally created armed forces in the Philippine Islands called into the service of the United States under the provisions of the section when serving in the Philippine Islands shall in no case exceed the pay and allowances for corresponding grades of Philippine Scouts."

I hope that it may be possible to introduce a bill in this form promptly. Its early passage would have a most beneficial effect in the Philippine Islands, where the people have shown a most earnest desire to be of assistance to the United States in the present emergency.

Very sincerely,

FRANK MCINTYRE, *Chief of Bureau.*

Hon. S. HUBERT DENT, Jr.,
Chairman Committee on Military Affairs,
House of Representatives.

LEAVE TO ADDRESS THE HOUSE.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent that on next Monday, after the address of the gentleman from Illinois [Mr. MCCORMICK], my colleague [Mr. KNUTSON] be given 15 minutes in which to address the House in relation to the military camps which he has recently visited.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that on next Monday, at the conclusion of the remarks of the gentleman from Illinois [Mr. MCCORMICK], his colleague [Mr. KNUTSON] shall have 15 minutes in which to address the House. Is there objection?

There was no objection.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent that after the conclusion of Mr. KNUTSON'S remarks Mr. TREADWAY, of Massachusetts, have the privilege of addressing the House for five minutes. If it is desired to know the subject, the subject is his predecessor in the House.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that at the conclusion of the remarks of Mr. KNUTSON, on next Monday, the gentleman from Massachusetts [Mr. TREADWAY] be permitted to address the House for not to exceed five minutes. Is there objection?

There was no objection.

COMMITTEE ON WOMAN SUFFRAGE.

Mr. RAKER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Speaker's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved, That the Committee on Woman Suffrage be, and is hereby, granted leave to sit during the session of the House.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, Mr. Speaker——

The SPEAKER. Does the gentleman object?

Mr. WALSH. I want to ask the gentleman from California [Mr. RAKER] a question. On what measures and for what purposes will the committee sit?

Mr. RAKER. On the bills and resolutions that are properly before it.

Mr. WALSH. Is it the intention of the committee to hold any sessions before action is had upon the suffrage resolution?

Mr. RAKER. We had a session this morning, commencing at 10 o'clock, and we adjourned until 3 o'clock this afternoon; and if we can get permission——

Mr. AUSTIN. Can the gentleman arrange it so that the gentleman from Massachusetts [Mr. WALSH] can be present at all the sittings? [Laughter.]

Mr. WALSH. I object.

Mr. RAKER. I hope the gentleman will not object.

The SPEAKER. The gentleman from Massachusetts objects, and that is the end of it.

MESSAGE FROM THE SENATE—DEATH OF SENATOR NEWLANDS, OF NEVADA.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. FRANCIS G. NEWLANDS, late a Senator from the State of Nevada.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Mr. ROBERTS. Mr. Speaker, it is my solemn and painful duty to announce the death of the Hon. FRANCIS GRIFFITH NEWLANDS, late a Senator from the State of Nevada, and formerly for many years a Member of this House. I shall ask at some later date that a day be set apart for Members of this House to pay a fitting tribute to his memory as a citizen and as a public servant. I offer the following resolutions.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 207.

Resolved, That the House has heard with profound sorrow of the death of Hon. FRANCIS GRIFFITH NEWLANDS, late a Senator from the State of Nevada.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolutions were unanimously agreed to.

DEATH OF REPRESENTATIVE BATHRICK.

Mr. SHERWOOD. Mr. Speaker, I rise to announce to the House the end of the earthly career of Hon. ELLSWORTH R. BATHRICK, late a Representative from the fourteenth district of Ohio. On some future occasion we hope to pay a fitting tribute to his memory. I offer the following resolutions.

The Clerk read as follows:

House resolution 203.

Resolved, That the House has heard with profound sorrow of the death of Hon. ELLSWORTH R. BATHRICK, late a Representative from the State of Ohio.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the deceased this House do now adjourn.

The resolutions were unanimously agreed to.

ADJOURNMENT.

In accordance with the resolution, the House (at 12 o'clock and 29 minutes p. m.) adjourned until to-morrow, Friday, January 4, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Navy, transmitting tentative draft of a provision of legislation for inclusion in an appropriation bill to be enacted during the present session of Congress (H. Doc. No. 671); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting a deficiency estimate of appropriation required by the Provost Marshal General for administration of the selective-service law for the fiscal year 1918 (H. Doc. No. 672); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriations required for additional clerical force in the office of the Auditor for the State and Other Departments for the fiscal years 1918 and 1919 (H. Doc. No. 673); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriations required for the Medical Department of the Army for the fiscal year 1918 (H. Doc. No. 684); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a letter from the United States Employees' Compensation Commission submitting a supplemental estimate of appropriation required for the salaries and expenses of the commission for the fiscal year 1918 (H. Doc. No. 685); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Librarian of Congress submitting a supplemental estimate of appropriation required for legislative reference work for the fiscal year 1918 (H. Doc. No. 686); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Librarian of Congress submitting a supplemental estimate of appropriation for printing and binding for the fiscal year 1918 (H. Doc. No. 687); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplementary estimate of appropriation required for payment of postage on official matter addressed to postal-union countries for the fiscal year 1918 (H. Doc. No. 688); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Secretary of the Treasury, transmitting certain estimates of appropriations for public buildings, etc., and for certain of the annual appropriations under the control of the Supervising Architect of the Treasury Department (H. Doc. No. 689); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture submitting a supplemental estimate of appropriation required by the Department of Agriculture for the purchase and sale of seeds to farmers (H. Doc. No. 691); to the Committee on Appropriations and ordered to be printed.

11. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of State submitting supplemental estimates of appropriations required by the State Department for the service for the fiscal year 1918 (H. Doc. No. 692); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting a supplemental estimate of appropriation required by the Post Office Department for fuel, repairs, etc., for the fiscal year 1918 (H. Doc. No. 693); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting copy of a communication from the United States Food Administrator submitting a supplemental estimate of appropriation required by the United States Food Administration for salaries and expenses for the fiscal year 1918 (H. Doc. No. 694); to the Committee on Appropriations and ordered to be printed.

14. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Attorney General submitting additional estimates of appropriations required by the Department of Justice and the United States courts for the fiscal year 1918 (H. Doc. No. 695); to the Committee on Appropriations and ordered to be printed.

15. A letter from the Secretary of the Treasury transmitting copy of a communication from the Secretary of War submitting supplemental estimates of appropriation required by the War Department for the fiscal year 1919 (H. Doc. No. 696); to the Committee on Military Affairs and ordered to be printed.

16. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce submitting supplemental estimates of appropriations required by the Department of Commerce for the fiscal year 1918 (H. Doc. No. 697); to the Committee on Appropriations and ordered to be printed.

17. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Board of Commissioners of the District of Columbia submitting additional estimates of appropriations required by the District of Columbia for the fiscal year 1918 (H. Doc. No. 698); to the Committee on Appropriations and ordered to be printed.

18. A letter from the Secretary of the Treasury, transmitting a tentative draft of legislation to be incorporated in the urgent deficiency bill (H. Doc. No. 699); to the Committee on Appropriations and ordered to be printed.

19. A letter from the Secretary of War, transmitting report of Gen. George H. Wood, president of the Board of Managers, National Home for Disabled Volunteer Soldiers (H. Doc. No. 700); to the Committee on Appropriations and ordered to be printed.

20. A letter from the Secretary of War, transmitting information for quartering officers and enlisted men of the Army (H.

Doc. No. 701); to the Committee on Appropriations and ordered to be printed.

21. A letter from the Secretary of the Department of the Interior, transmitting a statement regarding the increase in compensation paid employees of the Alaskan Engineering Commission at Washington, D. C., and Seattle, Wash. (H. Doc. No. 702); to the Committee on Appropriations and ordered to be printed.

22. A letter from the Acting Secretary of Commerce, transmitting a communication from the Director of the Bureau of Standards transmitting a petition for an increase in pay to fireman in the Bureau of Standards (H. Doc. No. 703); to the Committee on Appropriations and ordered to be printed.

23. A letter from the Secretary of Commerce, transmitting items in the estimates of appropriations for the Lighthouse Service for the fiscal year 1919, which have not been authorized by Congress, and to request that the necessary authority therefor be enacted into law (H. Doc. No. 704); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

24. A letter from the Secretary of the Navy, transmitting tentative draft of a bill to authorize the President to temporarily reduce the course of instruction at the United States Naval Academy (H. Doc. No. 705); to the Committee on Naval Affairs and ordered to be printed.

25. A letter from the Secretary of the Navy, transmitting detailed statement of expenditures under the contingent appropriations for the Navy Department for the fiscal year ending June 30, 1917 (H. Doc. No. 706); to the Committee on Expenditures in the Navy Department and ordered to be printed.

26. A letter from the Secretary of War, transmitting statements submitted by the Chief of Ordnance, United States Army, of the expenditures and allotment costs of arms, components of arms and appendages fabricated, altered, and repaired during the fiscal year ended June 30, 1917 (H. Doc. No. 707); to the Committee on Expenditures in the War Department and ordered to be printed.

27. A letter from the Secretary of War, transmitting a statement showing the total appropriations made for the War Department under this act, the total withdrawals from the Treasury during the period from June 15 to November 30, 1917, inclusive, and the balances remaining in the Treasury under these appropriations on November 30, 1917 (H. Doc. No. 708); to the Committee on Expenditures in the War Department and ordered to be printed.

28. A letter from the Secretary of War, transmitting statements submitted by the Chief of Ordnance, United States Army, of the costs of all type and experimental manufacture of guns and other articles, and the average cost of the several classes of guns and other articles manufactured by the Government at the several arsenals (except Springfield Armory) during the fiscal year ended June 30, 1917 (H. Doc. No. 709); to the Committee on Expenditures in the War Department and ordered to be printed.

29. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, with report of the officer in charge of the miscellaneous civil section on encroachments and obstructions in the Chicago River and encroachments on the Chicago lake front (H. Doc. No. 710); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

30. A letter from the Secretary of the Navy, transmitting the number of professors and instructors employed at the Naval Academy paid from the lump sum of appropriation and the amount of compensation prescribed for each (H. Doc. No. 711); to the Committee on Naval Affairs and ordered to be printed.

31. A letter from the Secretary of War, transmitting a statement showing in detail what officers or employees of the War Department have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1917 (H. Doc. No. 712); to the Committee on Expenditures in the War Department and ordered to be printed.

32. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Cincinnati, Pomeroy & Charleston Packet Co. *v.* The United States (H. Doc. No. 713); to the Committee on Claims and ordered to be printed.

33. A letter from the Commissioner of the Federal Farm Loan Bureau, transmitting first annual report of the operations of the Federal Farm Loan Board (H. Doc. No. 714); to the Committee on Banking and Currency and ordered to be printed with illustrations.

34. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a proposed clause of legislation for inclusion in the urgent deficiency bill (H. Doc. No. 715); to the Committee on Appropriations and ordered to be printed.

35. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the Engineer Department of the Army for construction of seacoast batteries, Philippine Islands, for the fiscal year 1918 (H. Doc. No. 716); to the Committee on Appropriations and ordered to be printed.

36. A letter from the Secretary of the Treasury, transmitting deficiency estimate of appropriation required by the United States Public Health Service for the fiscal year ending June 30, 1918 (H. Doc. No. 717); to the Committee on Appropriations and ordered to be printed.

37. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting supplemental estimate of appropriations required by the War Department for the service of the fiscal year 1918 (H. Doc. No. 718); to the Committee on Appropriations and ordered to be printed.

38. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Assistant Secretary of Labor submitting supplemental estimates of appropriations required by the Department of Labor for the United States Employment Service for the fiscal year 1918 (H. Doc. No. 719); to the Committee on Appropriations and ordered to be printed.

39. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriations urgently required for the service of the Treasury Department for the fiscal year 1918 (H. Doc. No. 720); to the Committee on Appropriations and ordered to be printed.

40. A letter from the Secretary of the Treasury, transmitting copies of communications from the Secretary of the Interior submitting supplemental estimates of appropriations for the service of the Interior Department for the fiscal year 1918 (H. Doc. No. 721); to the Committee on Appropriations and ordered to be printed.

41. A letter from the Secretary of the Treasury, transmitting an estimate for an additional clerk of class 1 in the Section of Security Bonds of this department, supplementing the estimates for this section on pages 38 and 39 of the printed Estimates of Appropriations for the fiscal year 1919 (H. Doc No. 723); to the Committee on Appropriations and ordered to be printed.

42. A letter from the Secretary of the Treasury, transmitting a supplemental estimate in the amount of $600, covering the remainder of the fiscal year ending June 30, 1918, for an additional clerk of class 1 in the Section of Surety Bonds of this department, the services of this employee to become effective as of January 1, 1918 (H. Doc. No. 724); to the Committee on Appropriations and ordered to be printed.

43. A letter from the Secretary of War, transmitting information relating to the land, buildings, and other facilities now available or to be required for the accommodation of airships and other aerial machines to be used in connection with the seacoast defenses of the continental United States, the insular possessions, and the Panama Canal (H. Doc. No. 725); to the Committee on Appropriations and ordered to be printed.

44. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Pamlico and Tar Rivers, N. C., with a view to providing a channel depth of 11 or 12 feet, respectively, with adequate widths at and below Washington, and such additional depth and width as may be advisable up to Tarboro (H. Doc. No. 726); to the Committee on Rivers and Harbors and ordered to be printed.

45. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of inland waterway on the Atlantic coast of the State of New Jersey between Cape May and New York Bay, N. Y. and N. J. (H. Doc. No. 727); to the Committee on Rivers and Harbors and ordered to be printed.

46. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Hackensack River, N. J., with a view to obtaining a depth of 16 feet up to the Central Railroad Co. of New Jersey bridge; and reports on preliminary examination of Hackensack River, N. J., from the New York, Susquehanna Water Co. dam at New Milford, and over Overpeck Creek, N. J., from Little Ferry to Leonia (H. Doc. No. 728); to the Committee on Rivers and Harbors and ordered to be printed.

47. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of One Mile Creek and Bayou Marmotte, Ala. (H. Doc. No. 729); to the Committee on Rivers and Harbors and ordered to be printed.

48. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Hoquarten Slough, Oreg., from Tillamook City to

head of navigation on Tillamook Bay, to provide for a straight channel (H. Doc. No. 730); to the Committee on Rivers and Harbors and ordered to be printed.

49. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Kings Creek, Camden County, Ga. (H. Doc. No. 731); to the Committee on Rivers and Harbors and ordered to be printed.

50. A letter from the Secretary of War, transmitting list of claims against the United States for services, losses, damages, etc. (H. Doc. No. 732); to the Committee on Claims and ordered to be printed.

51. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the War Department to provide for the acquisition of land and erection of temporary office buildings for the use of the War Department for the fiscal year 1918 (H. Doc. No. 733); to the Committee on Appropriations and ordered to be printed.

52. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the War Department for the fiscal year 1919 (H. Doc. No. 734); to the Committee on Appropriations and ordered to be printed.

53. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Chief of the Bureau of Efficiency submitting a supplemental estimate of appropriation for the fiscal year 1918 (H. Doc. No. 735); to the Committee on Appropriations and ordered to be printed.

54. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting a supplemental estimate of appropriations for current and miscellaneous expenses of the Naval Academy for the fiscal year 1919 (H. Doc. No. 736); to the Committee on Naval Affairs and ordered to be printed.

55. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Assistant Secretary of Labor submitting a supplemental estimate of appropriation for salaries and expenses of the United States Employment Service for the fiscal year 1919 (H. Doc. No. 737); to the Committee on Appropriations and ordered to be printed.

56. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a supplemental estimate of appropriation required by the Bureau of Mines for the fiscal year 1919 (H. Doc. No. 738); to the Committee on Appropriations and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 7663) for the relief of J. C. McConnell, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 7994) to amend section 5 of an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917; to the Committee on Agriculture.

By Mr. CLARK of Pennsylvania: A bill (H. R. 7995) for the repair, preservation, care, and future maintenance of the restored historical naval brig *Niagara*, Commodore Oliver Hazard Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. TREADWAY: A bill (H. R. 7996) to amend section 1100 of the act approved October 3, 1917, entitled "An act to defray war expenses, and for other purposes," in order to extend free postage to all soldiers, sailors, and marines in the service of the United States; to the Committee on the Post Office and Post Roads.

By Mr. OLDFIELD: A bill (H. R. 7997) authorizing the Secretary of War to grant permission for utilization of water power at locks and dams constructed by the Government on navigable rivers of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. COPLEY: A bill (H. R. 7998) granting the consent of Congress to the village of East Dundee and the village of West Dundee to construct a bridge across the Fox River; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL: A bill (H. R. 7999) to establish rates of pensions; to the Committee on Invalid Pensions.

By Mr. ANDERSON: A bill (H. R. 8000) to amend part B of the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes," approved August 11, 1916, known as the United States grain-standards act; to the Committee on Agriculture.

By Mr. RAMSEYER: A bill (H. R. 8001) providing for the registration of all male persons of the United States between the ages of 16 and 60 years, both inclusive, for industrial and military service during the present war and for one year thereafter; to prevent idleness; for the assignment of all able-bodied male persons between the ages of 18 and 60 years, both inclusive, to labor in some industry, business, trade, or profession essential to the maintenance of the military establishment and necessary to the protection and welfare of the people of the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota (by request): A bill (H. R. 8002) to establish a Government experiment integral of industries; to the Committee on Interstate and Foreign Commerce.

By Mr. PARKER of New Jersey: A bill (H. R. 8003) further to amend an act approved June 29, 1906, known as the naturalization law and to bar from naturalization any person claiming exemption from military service by reason of not being a citizen; to the Committee on Immigration and Naturalization.

By Mr. KINKAID: A bill (H. R. 8004) authorizing the resurvey or retracement of lands heretofore returned as surveyed public lands of the United States under certain conditions; to the Committee on the Public Lands.

By Mr. PARKER of New Jersey: A bill (H. R. 8005) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910; to the Committee on Interstate and Foreign Commerce.

By Mr. HAWLEY: A bill (H. R. 8006) to amend an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes"; to the Committee on Pensions.

By Mr. CLARK of Florida: A bill (H. R. 8007) to regulate salutes in the Army of the United States; to the Committee on Military Affairs.

By Mr. LAZARO: A bill (H. R. 8008) to establish a fish-cultural station at some point in the State of Louisiana; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 8009) to provide a site and erect a public building at De Ridder, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8010) to investigate the condition of Indians living in Louisiana; to the Committee on Indian Affairs.

By Mr. BORLAND: A bill (H. R. 8011) to be known as the Daughters of the American Revolution old trails act, to provide a national ocean-to-ocean highway over the pioneer trails of the Nation; to the Committee on Roads.

By Mr. McKEOWN: A bill (H. R. 8012) making it unlawful to willfully overcharge for goods, wares, and merchandise sold to persons in the military service of the United States and providing punishment for the same; to the Committee on the Judiciary.

By Mr. RAKER: A bill (H. R. 8013) to amend section 9 of the act of Congress of August 13, 1914, entitled "An act extending the period of payment under reclamation projects, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. DENT: A bill (H. R. 8014) to amend section 11 of "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 8015) for furnishing water supply for miscellaneous purposes in connection with reclamation projects; to the Committee on Irrigation of Arid Lands.

By Mr. DENT: A bill (H. R. 8016) to authorize the Secretary of War to provide and issue distinctive buttons or badges to men drafted or volunteering for enlistment in the military forces who are exempted or rejected, and to provide a penalty for unlawfully wearing, procuring, or manufacturing the same; to the Committee on Military Affairs.

By Mr. McKEOWN: A bill (H. R. 8017) providing for the execution of power of attorney for persons in the military service of the United States, making provision for execution of bond by the agent, and for other purposes; to the Committee on the Judiciary.

By Mr. HILLIARD: Concurrent resolution (H. Con. Res. 30) granting authority to the Director General of Transportation and the Fuel Administrator to provide transportation facilities to coal fields of Colorado; to the Committee on Military Affairs.

By Mr. BORLAND: Joint resolution (H. J. Res. 203) for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Perrigo," claiming to make possible the utilization of free energy; to the Committee on Patents.

By Mr. CLARK of Florida: Resolution (H. Res. 208) for appointment of a committee to investigate and report upon the advisability of the Government owning and operating certain public utilities in the District of Columbia; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 8018) granting a pension to Mary E. O'Reilly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8019) granting a pension to Christ Clausen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8020) granting a pension to Horatio N. Carlton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8021) granting an increase of pension to David D. Bryant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8022) granting an increase of pension to Morgan W. Mills; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8023) for the relief of Benjamin F. Dayton; to the Committee on Military Affairs.

Also, a bill (H. R. 8024) for the relief of George W. Bryant; to the Committee on Military Affairs.

By Mr. AYRES: A bill (H. R. 8025) granting an increase of pension to George H. Fuller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8026) granting an increase of pension to James Rutledge; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 8027) granting an increase of pension to Nathaniel Trueblood; to the Committee on Invalid Pensions.

Also, a ball (H. R. 8028) granting an increase of pension to David S. Toland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8029) granting an increase of pension to John William Farrell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8030) granting a pension to Sarah J. Latta; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8031) granting an increase of pension to John T. Cannon; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 8032) relating to the option to purchase and to the sale and conveyance of a tract or parcel of land containing forty-six and fifty-seven one hundredths acres, more or less, situated below and to the east of the mean high water line of the Potomac River in the Battery Cove, at the city of Alexandria, Virginia, made in the course of river and harbor improvements upon the submerged soil of the Potomac River; to the Committee on Military Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 8033) for the relief of John M. Daniel; to the Committee on War Claims.

By Mr. CRAGO: A bill (H. R. 8034) granting a pension to John Avery; to the Committee on Pensions.

Also, a bill (H. R. 8035) granting an increase of pension to James Lynch, late a member of the United States Marine Corps; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8036) for the relief of Aaron Schmulovitz; to the Committee on Military Affairs.

By Mr. DICKINSON: A bill (H. R. 8037) granting an increase of pension to Merit L. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8038) granting an increase of pension to James M. Turley; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 8039) granting a pension to Oliver P. Jackson; to the Committee on Pensions.

By Mr. ELLIOTT: A bill (H. R. 8040) granting an increase of pension to William A. Robson; to the Committee on Pensions.

Also, a bill (H. R. 8041) granting an increase of pension to John J. Noftsinger; to the Committee on Invalid Pensions.

By Mr. ELSTON: A bill (H. R. 8042) granting an increase of pension to Charles M. Kell; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 8043) granting a pension to John F. De Wire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8044) granting a pension to Mary E. Roland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8045) granting a pension to Mary H. Staley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8046) granting a pension to Lucien W. Sieber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8047) granting a pension to Isaac Wise; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8048) granting a pension to Sarah E. Hood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8049) granting a pension to Sadie M. Doan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8050) granting an increase of pension to Abraham Bouder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8051) granting an increase of pension to John H. Condon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8052) granting an increase of pension to Daniel Gossert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8053) granting an increase of pension to William Hockenbroucht; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8054) granting an increase of pension to Samuel Hess; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8055) granting an increase of pension to Henry S. Rider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8056) granting an increase of pension to Martin L. Rex; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8057) granting an increase of pension to George Rhule; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8058) granting an increase of pension to Amos M. Stroh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8059) granting an increase of pension to Henry C. Wolfe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8060) granting an increase of pension to William J. Shirley; to the Committee on Pensions.

By Mr. FREAR: A bill (H. R. 8061) granting a pension to Emily Ballard; to the Committee on Pensions.

Also, a bill (H. R. 8062) for the relief of Joseph Vermilyea; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 8063) for the relief of Andrew West, Charles Stroble, Mollie Hanson, and John Dodson; to the Committee on the Public Lands.

By Mr. HAMLIN: A bill (H. R. 8064) granting an increase of pension to Charles L. McClure; to the Committee on Pensions.

By Mr. HARDY: A bill (H. R. 8065) granting a pension to Esther Penick; to the Committee on Invalid Pensions.

By Mr. HILLIARD: A bill (H. R. 8066) granting a pension to Thomas Daigle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8067) granting a pension to Martin O. Larsen; to the Committee on Pensions.

By Mr. JACOWAY: A bill (H. R. 8068) for the relief of H. L. McFarlin; to the Committee on Claims.

By Mr. KEHOE: A bill (H. R. 8069) for the relief of the Southern States Lumber Co.; to the Committee on Claims.

By Mr. KINKAID: A bill (H. R. 8070) granting an increase of pension to John Hubby; to the Committee on Invalid Pensions.

By Mr. LAZARO: A bill (H. R. 8071) granting a pension to Henry P. Nicholas; to the Committee on Pensions.

Also, a bill (H. R. 8072) granting a pension to Richard Thrash; to the Committee on Pensions.

Also, a bill (H. R. 8073) granting an increase of pension to Richard S. Harrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8074) for the relief of the heirs or legal representatives of Eugene Sennette, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8075) for the relief of Arthur J. Coney, sole heir of J. J. Coney, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8076) for the relief of estate of Joseph Block; to the Committee on War Claims.

Also, a bill (H. R. 8077) to reimburse the postmaster at Bayou Chicot, La., for money taken by burglars; to the Committee on Claims.

By Mr. LONGWORTH: A bill (H. R. 8078) granting a pension to Thomas Pryor; to the Committee on Pensions.

By Mr. McFADDEN: A bill (H. R. 8079) granting an increase of pension to Clark E. Frear; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8080) granting an increase of pension to William Sollars; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 8081) granting a pension to Reuben I. Seibert; to the Committee on Pensions.

Also, a bill (H. R. 8082) granting an increase of pension to John W. Stockwills; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 8083) for the relief of the owners of the British steamship *Clearpool;* to the Committee on Claims.

By Mr. MOTT: A bill (H. R. 8084) to carry out the findings of the Court of Claims in the case of the Commercial Pacific Cable Co.; to the Committee on Claims.

By Mr. OVERMYER: A bill (H. R. 8085) making appropriation for payment of balances due by readjustment of salaries of postmasters under existing law; to the Committee on Claims.

By Mr. PURNELL: A bill (H. R. 8086) granting a pension to Nancy J. Crum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8087) granting a pension to John Hannon; to the Committee on Pensions.

Also, a bill (H. R. 8088) granting a pension to Daisy May Lebo; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8089) granting a pension to Serena E. Redden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8090) granting a pension to Thomas Jones; to the Committee on Pensions.

Also, a bill (H. R. 8091) granting a pension to Sarah E. Mathis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8092) granting a pension to Amanda L. Townsend; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8093) granting an increase of pension to Oren M. Harlan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8094) granting an increase of pension to Leonard Burton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8095) granting an increase of pension to Lauren W. Case; to the Committee on Pensions.

Also, a bill (H. R. 8096) granting an increase of pension to Jacob M. Wilhite; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8097) granting an increase of pension to Mary E. Watson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8098) granting an increase of pension to Francis M. Harrell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8099) granting an increase of pension to George Wilkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8100) granting an increase of pension to Sarah M. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8101) granting an increase of pension to Lemuel J. Orwig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8102) granting an increase of pension to Adam B. Shepherd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8103) granting an increase of pension to Abraham E. Curlee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8104) granting an increase of pension to Milton S. Davenport; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8105) granting an increase of pension to Eliza A. Hesler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8106) granting an increase of pension to Perry Harrell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8107) granting an increase of pension to Jacob Hesler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8108) granting an increase of pension to James H. Perrin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8109) granting an increase of pension to John Maxwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8110) granting an increase of pension to Henry Richardson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8111) granting an increase of pension to James N. Beasley; to the Committee on Pensions.

Also, a bill (H. R. 8112) granting an increase of pension to Oliver Boord; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8113) granting an increase of pension to Joseph T. Earl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8114) granting an increase of pension to Richard L. Rusk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8115) granting an increase of pension to Theodore R. Harbaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8116) granting an increase of pension to Richard Renick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8117) for the relief of Ambrose D. Hunt; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 8118) for the relief of Moses Boire; to the Committee on Claims.

By Mr. RAMSEYER: A bill (H. R. 8119) granting a pension to Edna G. Costlow; to the Committee on Pensions.

By Mr. RANDALL: A bill (H. R. 8120) granting a pension to Hannah Lane; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8121) granting a pension to Nellie M. Beals; to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 8122) granting a pension to J. W. Smith; to the Committee on Pensions.

Also, a bill (H. R. 8123) granting a pension to Allice L. Enloe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8124) granting an increase of pension to George W. Grigg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8125) for the relief of James W. Kingon; to the Committee on Claims.

By Mr. SHERWOOD: A bill (H. R. 8126) granting a pension to Sommers J. Love; to the Committee on Pensions.

Also, a bill (H. R. 8127) granting a pension to Franklin C. Weaver; to the Committee on Pensions.

Also, a bill (H. R. 8128) granting an increase of pension to John Foster; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 8129) granting a pension to John W. Garten; to the Committee on Pensions.

Also, a bill (H. R. 8130) granting a pension to Mary Wilkinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8131) granting an increase of pension to James M. Hummer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8132) granting an increase of pension to Othello A. Sherman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8133) granting an increase of pension to William S. Evans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8134) granting an increase of pension to John M. G. Maver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8135) granting an increase of pension to John Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8136) granting an increase of pension to John Van Schoyck; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 8137) granting an increase of pension to Gustavus Odor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8138) for the relief of the heirs of Oliver P. Phillips; to the Committee on War Claims.

By Mr. STEPHENS of Mississippi: A bill (H. R. 8139) to reimburse Brig. Gen. Littleton W. T. Waller; to the Committee on Claims.

By Mr. TEMPLETON: A bill (H. R. 8140) granting an increase of pension to James W. Moore; to the Committee on Invalid Pensions.

By Mr. TILLMAN: A bill (H. R. 8141) granting a pension to W. G. Mhoon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8142) granting a pension to Lee Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8143) granting an increase of pension to Wilson H. McKinney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8144) granting an increase of pension to John Cavin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8145) granting an increase of pension to Ahi S. Loudermilk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8146) for the relief of Absalom C. Phillips; to the Committee on War Claims.

By Mr. TINKHAM: A bill (H. R. 8147) to establish the citizenship of Matilda Alexandra Fraser; to the Committee on Immigration and Naturalization.

By Mr. VESTAL: A bill (H. R. 8148) granting an increase of pension to Barney Everett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8149) granting an increase of pension to Maria Sibbach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8150) granting an increase of pension to Frank C. McGrath; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8151) granting a pension to Gilbert Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8152) granting an increase of pension to Prear Daniel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8153) granting an increase of pension to Isaac J. Byers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8154) granting an increase of pension to George Garrard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8155) granting an increase of pension to Jacob P. Ellis; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 8156) granting an increase of pension to John H. Catherwood; to the Committee on Pensions.

By Mr. WILLIAMS: A bill (H. R. 8157) granting an increase of pension to Henry C. McMullen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8158) granting an increase of pension to Nicholas Eastin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8159) granting a pension to Robert T. Bland; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 8160) granting a pension to Karoline Ullman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8161) granting a pension to Mary Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8162) granting an increase of pension to Richard Kolb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8163) granting an increase of pension to Solomon Stone; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8164) granting an increase of pension to John Toliver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8165) granting an increase of pension to Andrew C. McCorkle; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 8166) granting an increase of pension to Mrs. Mary Murphy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8167) granting an increase of pension to John Lattimore; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: Resolution (H. Res. 209) to pay to Mary E. Cook, daughter of Leonard B. Cook, late House employee, a sum equal to six months' compensation and $250 to defray funeral expenses of said Leonard B. Cook; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of sundry citizens of Arkansas, Colorado, Illinois, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, Missouri, New York, North Carolina, Pennsylvania, Ohio, Oklahoma, Oregon, Texas, Virginia, West Virginia, and Wisconsin, urging the passage of the Moore Purple Cross bill or the Wolcott Purple Cross bill; to the Committee on Military Affairs.

Also (by request), resolution of the United Improvement Association, of Los Angeles, Cal., urging measures of conservation and other measures for winning the war; to the Committee on Military Affairs.

Also (by request), resolution of the Common Council of Utica, N. Y., urging a law imposing punishment upon all persons or organizations responsible for pro-German activities; to the Committee on Military Affairs.

Also (by request), petition of R. A. Taylor and 78 other Federal employees of the Department of Agriculture, at the St. Joseph, Mo., station, praying for an increase in salaries commensurate with the increase in the cost of living; to the Committee on Appropriations.

Also (by request), resolutions adopted by a meeting held at Washington Restaurant, Newark, N. J., December 12, 1917, urging the submission of the Federal suffrage amendment; to the Committee on Woman Suffrage.

Also (by request), resolution of Washington Secular League, Washington, D. C., favoring the suffrage amendment; to the Committee on Woman Suffrage.

By Mr. DALE of Vermont: Petition of Ralph O. Braman, of West Woodstock, Vt., favoring readjustment of fourth-class postmasters' compensation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Greenboro Bend, Vt., favoring passage of the Randall bill for war prohibition of the liquor traffic; to the Committee on the Judiciary.

By Mr. DALE of New York: Petition of American Federation of Labor, against increase in postage of second-class mail; to the Committee on Ways and Means.

Also, petition of New York State Federation of Labor, favoring woman suffrage; to the Committee on Woman Suffrage.

Also, petitions of Perry Dame & Co., Lehman Bros., and A. E. Borie, of New York, favoring daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Long Island Railroad Co., of New York, favoring bill to limit length of freight trains; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the City of New York and The Bronx Board of Trade, against bill to discontinue pneumatic mail tube; to the Committee on the Post Office and Post Roads.

Also, memorial of Philadelphia Trade Press Club, against changing rates for carrying second-class mail; to the Committee on the Post Office and Post Roads.

By Mr. DOWELL: Memorial of the Federal Employees' Union No. 53, of Des Moines, Iowa, favoring increased salaries to postal employees; to the Committee on the Post Office and Post Roads.

By Mr. FOCHT: Evidence in support of House bill 7431, for the relief of Peter Belchler; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7442, for the relief of Rev. A. L. Burket; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7438, for the relief of Nathaniel S. Agnew; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7446, for the relief of Christian Bechtel; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7436, for the relief of Samuel F. Burns; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7439, for the relief of Richard A. M. Harner; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7434, for the relief of Thomas D. Hummel; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7443, for the relief of Perry Jarrett; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7444, for the relief of John C. Kuhn; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7432, for the relief of John H. Martin; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7443, for the relief of Levi R. Miller; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7441, for the relief of William S. Nail; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7447, for the relief of Daniel Pope; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7450, for the relief of John E. Pierce; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 5505, for the relief of George A. Parks; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7437, for the relief of Calvin M. Skinner; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7451, for the relief of A. V. B. Souders; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7433, for the relief of Henry Schrawder; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7435, for the relief of David H. Walker; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7448, for the relief of Riley R. Zerbe; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 7429, for the relief of Charles H. Birley; to the Committee on Pensions.

Also, evidence in support of House bill 7453, for the relief of John W. Ferguson; to the Committee on Pensions.

Also, evidence in support of House bill 7430, for the relief of William A. Ellis; to the Committee on Pensions.

Also, evidence in support of House bill 5509, for the relief of Ralph A. Finich; to the Committee on Pensions.

Also, evidence in support of House bill 7452, for the relief of George P. Vance; to the Committee on Pensions.

By Mr. FULLER of Illinois: Memorial of Interstate Sportsmen's Protective Association, against migratory-bird treaty bills; to the Committee on Agriculture.

Also, petition of American Numismatic Society, relative to valor medals and favoring House bill 6447; to the Committee on Military Affairs.

Also, memorial of American Constitutional League, opposing woman suffrage; to the Committee on Woman Suffrage.

Also, memorial of Chicago Federation of Labor, favoring woman suffrage; to the Committee on Woman Suffrage.

Also, memorial of Streator (Ill.) Post, No. 68, Grand Army of the Republic, Department of Illinois, favoring $50 per month pensions for Civil War veterans; to the Committee on Invalid Pensions.

Also, petition of directors of the Illinois Manufacturers' Association, relative to operation of the railroads by the Government; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Illinois: Petition of John J. Foley and others, pharmacists of Moline and Rock Island, Ill., in behalf of House bill 5531, for the establishment of a pharmaceutical corps; to the Committee on Military Affairs.

By Mr. HILLIARD: Evidence in support of bill for pension for Thomas Daigle; to the Committee on Invalid Pensions.

Also, memorials of Bakery and Confectionery Workers' Union No. 26, Denver Pattern Makers' Association, and Operative Plasterers' International Union No. 32, all of Denver, Colo., urging the passage of House bill 1654, granting an increase in pay to post-office clerks and letter carriers; to the Committee on the Post Office and Post Roads.

Also, memorial of John S. Stewart Post No. 1, Veterans of Foreign Wars of the United States, urging the immediate suppression of newspapers printed in the languages of our enemies; to the Committee on the Judiciary.

By Mr. MOORE of Pennsylvania: Memorial of the Prison Reform League of Pennsylvania, favoring congressional investigation of the conditions of Occoquan Workhouse and the District of Columbia Jail; to the Committee on Rules.

Also, memorial of Philadelphia Board of Trade, favoring central expenditures committee; to the Committee on Rules.

By Mr. RAKER: Petition of Charles A. Dufour, secretary Branch No. 133, N. A. L. G., Sacramento, Cal., asking higher salaries for letter carriers; to the Committee on the Post Office and Post Roads.

Also, memorial of Woman's Christian Temperance Union of Davis, Cal., indorsing national prohibition; to the Committee on the Judiciary.

Also, memorial of Eben Taplin Grand Army of the Republic Post, No. 184, of Corning, Cal., indorsing increase in allowance of pensioners; to the Committee on Invalid Pensions.

Also, petition of George Barr McCutcheon, of New York, against increase in postage on second-class matter; to the Committee on Ways and Means.

Also, memorial of National Council of American Cotton Manufacturers, urging development of American foreign trade; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL: Memorial of Van Nuys Woman's Club, of Van Nuys, Cal., recommending early passage of the Susan B. Anthony amendment, in order that womanhood may cooperate in carrying on and concluding the great war; to the Committee on Woman Suffrage.

Also, memorial of Central Labor Council of Los Angeles, protesting against present low salaries and unfavorable working conditions of postal employees, and urging investigation by Congress of eight enumerated items of injustice practiced against such employees; to the Committee on the Post Office and Post Roads.

Also, memorial of South Side Ebell Club, of Los Angeles, favoring adoption of Susan B. Anthony suffrage amendment to the Constitution; to the Committee on Woman Suffrage.

Also, memorial of Los Angeles District, California Federation of Women's Clubs, urging the passage of the Susan B. Anthony amendment for woman suffrage; to the Committee on Woman Suffrage.

Also, memorial of Chamber of Commerce, Santa Barbara, Cal., indorsing military highway from Blaine, Wash., to San Diego, Cal.; to the Committee on Military Affairs.

Also, memorial of Long Beach Post, No. 181, Grand Army of the Republic, Long Beach, Cal., asking Congress to increase to $50 per month pensions of its members and all veterans of the Civil War on account of the present high cost of living; to the Committee on Invalid Pensions.

Also, memorial of Pomona Ebell Club, Pomona, Cal., favoring the Susan B. Anthony amendment for woman suffrage as a war-emergency measure, in order that womanhood of America may more fully cooperate in carrying on and concluding the great war; to the Committee on Woman Suffrage.

Also, memorial of Holt Post, No. 403, Grand Army of the Republic, Fredonia, N. Y., asking that all pensions of veterans of the Civil War be increased to $50 per month during the present high cost of living; to the Committee on Invalid Pensions.

Also, petition of sundry citizens of Covina, Cal., asking for complete prohibition of manufacture and sale of intoxicants during the war; to the Committee on the Judiciary.

Also, petition of members of Auxiliary No. 52, National Association of Letter Carriers, Los Angeles, asking for a fair living wage and better working conditions for letter carriers; to the Committee on the Post Office and Post Roads.

Also, memorial of Bartlett-Logan Post, Grand Army of the Republic, of Los Angeles, praying for increased allowance of pensions to continue during the prevalence of the high cost of living; to the Committee on Invalid Pensions.

Also, memorial of California Federation of Women's Clubs, recommending early passage of Susan B. Anthony suffrage amendment; to the Committee on Woman Suffrage.

Also, memorial of Los Angeles Branch, National Association of Letter Carriers; Railway Mail Association; United National Association of Post Office Clerks; and State Association of Rural Letter Carriers, stating that present salaries of postal employees are entirely inadequate to meet the high cost of living, and urging legislation which will bring about improved conditions; to the Committee on the Post Office and Post Roads.

Also, petition of Central Woman's Christian Temperance Union, of Pasadena, Cal., asking for complete prohibition of manufacture and sale of intoxicants, including whisky, beer, and wine, during the war; to the Committee on the Judiciary.

Also, memorial of Friday Morning Club of Los Angeles indorsing the Susan B. Anthony amendment and recommending its early passage by the Sixty-fifth Congress as a war emergency measure in order that the womanhood of America may more fully cooperate in the efficient carrying on and concluding of the great war our Nation is engaged in; to the Committee on Woman Suffrage.

SENATE.

FRIDAY, *January 4, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee seeking Thy blessing for this day's service—a day laden with momentous issues and responsibilities that we dare not face alone. We ask Thy blessing upon us. We pray that Thou wilt bless our allies, who with us are lovers of peace, but who love justice and freedom more. We pray Thee to give success to their arms, and we pray that Thou wilt give unity of counsel to all who are gathered together in a mighty array of strength against an organization of ill will against the rest of the world. Give success, we pray Thee, to all our endeavors to establish again a brotherhood of nations in the earth. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

ARMY QUARTERS (H. DOC. NO. 701).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, stating that, due to our entrance into the European war, it has been impracticable to spare from their duties the necessary officers to make the detailed plans and estimates called for by the act approved June 12, 1917, relative to the most desirable method for quartering officers and enlisted men of the Army, etc., which was referred to the Committee on Military Affairs and ordered to be printed.

ACCOMMODATIONS FOR AIRCRAFT (H. DOC. NO. 725.)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, certain information relating to the land, buildings, and other facilities now available or to be acquired for the accommodation of airships and other aerial machines to be used in connection with the sea-coast defense of the continental United States, the insular possessions, and the Panama Canal, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

TRAVEL OF EMPLOYEES OF WAR DEPARTMENT (H. DOC. NO. 712).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a statement showing the travel in detail of officers and employees of the War Department on official business from Washington to points outside of the District of Columbia, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

ALASKAN ENGINEERING COMMISSION (H. DOC. NO. 702).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement relative to the increase in compensation paid employees of the Alaskan Engineering Commission, at Washington, D. C., and Seattle, Wash., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

SNOW AND ICE IN THE DISTRICT OF COLUMBIA (S. DOC. NO. 158.)

The VICE PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of December 17, 1917, information relative to what measures have been taken for cleaning ice and snow from the sidewalks in the city of Washington, which was referred to the Committee on the District of Columbia and ordered to be printed.

NELSON ERICKSON V. THE UNITED STATES (S. DOC. NO. 157).

The VICE PRESIDENT laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion filed by the court in the cause of Nelson Erickson *v.* The United States, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Civil Service Commission, transmitting, pursuant to law, schedules of useless papers and documents on the files of the commission and requesting action looking to their disposition. The communication and accompanying paper will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Washington [Mr. JONES] and the Senator from New Hampshire [Mr. HOLLIS] the committee on the part of the Senate. The Secretary will notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. G. F. Turner, one of its clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 7697. An act to authorize the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes; and

H. J. Res. 195. Joint resolution amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war-excess-profits tax the compensation of officers and employees under the United States, including Members of Congress.

The message also announced that the House had passed a concurrent resolution providing that the two Houses of Congress

assemble in the Hall of the House of Representatives on Friday, the 4th day of January, 1918, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them, in which it requested the concurrence of the Senate.

The message further communicated to the Senate the intelligence of the death of Hon. ELLSWORTH R. BATHRICK, late a Representative from the State of Ohio, and transmitted resolutions of the House thereon.

The message also announced that the House had passed resolutions relative to the death of Hon. FRANCIS GRIFFITH NEWLANDS, late a Senator from the State of Nevada.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a petition of Local Union No. 921, United Brotherhood of Carpenters and Joiners of America, of Portsmouth, N. H., praying for national woman suffrage, which was ordered to lie on the table.

Mr. SMOOT. I was requested by the American Bar Association, through its president, to present a petition addressed to the Congress of the United States asking that section 209 of the war-revenue act be repealed. The petition is signed by the president of the American Bar Association and all the members of the executive committee of the association. I ask that it may be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the petition was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

The undersigned, being the president and all of the members of the executive committee of the American Bar Association, respectfully call the attention of the Congress to the unfairness of the supertax on professional incomes imposed by section 209 of the war-revenue act approved October 3, 1917.

Much might be said in favor of a lower income tax on incomes from professions than upon incomes from investments, but there has been no disposition on the part of the American bar to object to the payment of the same income tax as is paid by others, or, indeed, to any plan of taxation under which lawyers are called upon to bear their fair share of the burden. It seems, however, very unjust that incomes from the practice of any profession, whether legal, medical, or otherwise, which are the result of personal effort and which provide not only for the current support of the professional man but also the savings for his old age, should be subject to a heavy supertax, so that the professional man who works for his income is in a much worse position than the idle man receiving his income from invested wealth.

Wherefore the undersigned respectfully urge that said section 209 of the war-revenue act be repealed.

Walter George Smith, president, Philadelphia, Pa.; Geo. Whitelock, Baltimore, Md.; Frederick E. Wadham, Albany, N. Y.; Geo. Sutherland, Salt Lake City, Utah; R. E. L. Saner, Dallas, Tex.; Charles N. Potter, Cheyenne, Wyo.; John Lowell, Boston, Mass.; C. W. Hood Smith, Topeka, Kans.; Ashley Cockrill, Little Rock, Ark.; F. A. Hammond, Atlanta, Ga.; Geo. F. Page, Peoria, Ill.; U. S. G. Cherry, Sioux Falls, S. Dak.; Charles Thaddeus Terry, New York, N. Y.

WASHINGTON, *December 3, 1917.*

Mr. CURTIS presented a petition of sundry veterans of the Civil War residing at Bonner Springs, Kans., praying for an increase in the pensions of veterans of the Civil War, which was referred to the Committee on Pensions.

He also presented resolutions adopted by the Kansas State Horticultural Society, favoring a fixed standard of weights and measures, which were referred to the Committee on Standards, Weights, and Measures.

He also presented a petition of sundry citizens of Wichita, Kans., and a petition of sundry citizens of Topeka, Kans., praying for the enactment of legislation to create a pharmaceutical corps in the Army, which were referred to the Committee on Military Affairs.

Mr. HARDING presented a petition of sundry members of the Fire Department of Columbus, Ohio, praying for the enactment of legislation to increase the salaries of mail carriers, which was referred to the Committee on Post Offices and Post Roads.

Mr. THOMPSON presented a petition of sundry citizens of Arkansas City, Hartford, and Erie, all in the State of Kansas, praying for the enactment of legislation to increase the salaries of rural letter carriers, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Wichita, Kans., and a petition of sundry citizens of Topeka, Kans., praying for the enactment of legislation to create a pharmaceutical corps in the Army, which were referred to the Committee on Military Affairs.

He also presented a petition of the Kansas State Horticultural Society, praying for the establishment of a fixed standard of weights and measures, which was referred to the Committee on Standards, Weights, and Measures.

Mr. FLETCHER presented resolutions adopted by the Florida Federation of Women's Clubs, favoring the adoption of an amendment to the Constitution enfranchising women, as a war measure, which were ordered to lie on the table.

Mr. NELSON presented a memorial of the Federated Trades Assembly of Duluth, Minn., remonstrating against the passage of the so-called compulsory military training bill, which was referred to the Committee on Military Affairs.

He also presented a petition of George N. Morgan Post, No. 4, Department of Minnesota, Grand Army of the Republic, of Minneapolis, Minn., praying for an increase in pensions of veterans of the Civil War, which was referred to the Committee on Pensions.

Mr. JONES of Washington presented petitions of sundry citizens of North Yakima and Seattle, in the State of Washington, praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. TOWNSEND presented a petition of sundry grape growers of Van Buren County, Mich., praying that grape juice be taken off the list of nonessentials, which was referred to the Committee on Finance.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Oregon, praying for the enactment of legislation to punish persons and others responsible for pro-German activities, which was referred to the Committee on the Judiciary.

Mr. WEEKS presented petitions of sundry citizens of Suffolk County, Mass., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. KENYON presented the petition of Alice M. Blake and sundry other citizens of Toledo, Iowa, praying for national woman suffrage, which was ordered to lie on the table.

He also presented resolutions adopted by Dunlap Post, No. 147, Grand Army of the Republic, Department of Iowa, of Rock Rapids, Iowa, and a petition of sundry veterans of the Civil War residing in Louisa County, Iowa, favoring an increase of pensions for all veterans of the Civil War, which were referred to the Committee on Pensions.

Mr. PHELAN presented a petition of the board of supervisors of San Bernardino County, Cal., praying for the enactment of legislation for the conservation and control of flood waters of the Santa Ana River and its tributaries, which was referred to the Committee on Commerce.

He also presented a petition of the Trades and Labor Council of Vallejo, Cal., praying for the enactment of legislation providing for the retirement with pay or pension for all employees of the Federal Government, which was referred to the Committee on Pensions.

He also presented a petition of the Federated Trades and Labor Council of San Diego, Cal., praying for the enactment of legislation providing for the retirement of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. LODGE presented petitions of sundry citizens of Boston, Brookline, Cambridge, Chelsea, Greenfield, Harding, Holyoke, Leicester, Leominster, Malden, Manchester, Medford, Milford, Newton, Orange, Palmer, Peabody, Quincy, Roxbury, Southbridge, Somerville, Salem, Waltham, Wellesley, and Webster, all in the State of Massachusetts, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. FRELINGHUYSEN presented resolutions adopted by the city commissioners of Jersey City, N. J., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted at a meeting of sundry citizens of Newark, N. J., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented resolutions adopted by the Board of Agriculture of Mercer County, N. J., relative to the scarcity of labor on farms and suggesting the adoption of an agricultural draft, which were referred to the Committee on Agriculture and Forestry.

Mr. MYERS presented resolutions adopted by the directors of the Commercial Club of Great Falls, Mont., favoring a declaration of war against Bulgaria and Turkey and urging that limits of freedom of speech be defined and guarded and that violators thereof be punished, which were referred to the Committee on Foreign Relations.

Mr. KNOX presented a petition of sundry citizens of Blair County, Pa., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Minersville, Pa., and a petition of McLean Post, No. 16, Grand Army of the Republic, Department of Pennsylvania, of Reading, Pa., praying for an increase in the pensions of veterans of the Civil War, which were referred to the Committee on Pensions.

IMPORTATION OF CHINESE FARMERS.

Mr. GALLINGER. Mr. President, on the 7th day of December last I introduced a resolution calling upon the Committee on Agriculture and Forestry to make a careful investigation into the advisability of recommending legislation that will permit the importation of Chinese farmers into the United States under proper restrictions and regulations during the continuance of the war. Since the introduction of that resolution I have received many letters and newspaper articles in support of the proposed legislation.

The Pasadena (Cal.) Board of Trade passed a strong resolution in favor of the proposition, which was printed in the CONGRESSIONAL RECORD under date of December 10, 1917. I now beg to submit for reference to the committee articles from the New York Evening Post and the New York Evening Sun and an editorial from the Pacific Rural Press entitled "The farmers find themselves"; also an article from the California Fruit News and a reprint from the Christian Work, being an article by Newell Dwight Hillis, D. D. From numerous communications that I have received on the subject I submit strong letters from Col. John P. Irish, of Oakland, Cal.; B. E. Schubert, of Greenwich, Conn.; and Mrs. Louise C. Maud, of Del Monte, Cal. Also three telegrams from California raisin growers of Maysville, Cal. I will ask that the telegram signed Lloyd H. Wilber and the letter of Col. Irish be printed in the RECORD and that they, with the newspaper articles, letters, and telegrams be referred to the Committee on Agriculture and Foresty.

It is stated, Mr. President, from what seems to be reliable authority, that there are now 17,200 Chinese farmers in the United States, distributed among 45 States, and so far as I know no harm has come from their employment. The urgent necessity for more labor on farms must be met in some way, and unless men are to be conscripted for the purpose some such remedy as I have proposed will have to be resorted to. It should be borne in mind that the proposition is not to import coolies, but genuine farmers, and that only during the continuance of the war, under strict regulations and restrictions. The Government is urging the farmers of the country to increase their crop acreage, but it will be utterly futile to do so unless labor can be found to harvest the crops, which at the present time is an absolute impossibility in many cases. I trust that the committee to whom the matter has been referred will give the subject early and unbiased consideration.

I submit the papers for reference to the committee.

The VICE PRESIDENT. They will be so referred, and the telegram and letter will be printed in the RECORD, at the request of the Senator from New Hampshire.

The telegram and letter referred to are as follows:

MAYSVILLE, CAL., *December 19, 1917.*

Senator GALLINGER,
Washington, D. C.:

Am a large California raisin grower, hiring 100 men harvest time. Am in favor of your bill on the importation of Chinese labor. Believe California Representatives and Senators should give this bill their heartiest indorsement. Impossible to harvest crop without foreign labor.

LLOYD H. WILBER, *Sutter County, Cal.*

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OAKLAND, CAL., *December 10, 1917.*

Senator GALLINGER,
Washington, D. C.

DEAR SIR: I inclose a copy of the organ of the fruit industry of this State with report of the recent fruit growers' and farmers' convention held at Sacramento. To this I invite your attention, and also to my article on the farm-labor problem in the same issue. I inclose also editorial page of the Pacific Rural Press, the pioneer and the principal agricultural journal of this West coast.

I am a farmer and foresaw last spring the certainty of loss from the shortage of farm labor, and since then have had many opportunities, at meetings all over the State, to press this matter upon the serious attention of our people.

We salute you gratefully for bringing the matter to the attention of the Government.

The States of Washington and South Dakota have joined us in the demand for Chinese farm labor as a pressing war measure.

I will be glad to supply you with any helpful information and to put you in communication with the committee that was ordered by the Sacramento convention.

Very truly,

JNO. P. IRISH.

HOARDING OF FOODSTUFFS.

Mr. POINDEXTER. Mr. President, there continues to be a number of complaints and very widespread attention called to cases or alleged cases of hoarding of foodstuffs for purposes of speculation. I do not know what the food-control administration is doing under section 26 of the so-called food-control act providing for a Food Administrator that was approved August 10, 1917. I have had a good many inquiries as to the origin and the authorship of that provision. There seems to be considerable confusion in regard to it. I desire to call attention to the language of that provision as applicable to the situation which is complained of, and in this connection to state that it is a provision which I framed and introduced as a bill and reported from the Judiciary Committee. I ask that that bill and the report of the committee be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

A bill (S. 315) to punish the storing of foodstuffs for the purpose of cornering the market, and for other purposes.

Be it enacted, etc., That any person carrying on or employed in interstate or foreign trade in any article suitable for human food who, either in his individual capacity or as an officer, agent, or employee of a corporation, or member of a partnership, carrying on or employed in such trade, shall store any such article for the purpose of cornering the market or unreasonably affecting the market price thereof, or for the purpose of limiting the supply thereof to the public, whether temporarily or otherwise, shall be deemed guilty of a felony, and be punished by imprisonment in the penitentiary for not less than six months nor more than three years.

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[S. Rept. No. 47, 65th Cong., 1st sess.]

Mr. POINDEXTER, from the Committee on the Judiciary, submitted the following report:

The Committee on the Judiciary, to which was referred the bill (S. 315) to punish the storing of foodstuffs for the purpose of cornering the market, and for other purposes, having considered the same, report it back to the Committee on the Judiciary with the recommendation that the bill be favorably reported to the Senate, with amendments as follows:

Amend the title of the bill so as to read as follows:

"A bill to punish the storing of foodstuffs and other necessaries of life so as to affect the market price or limit the supply thereof, and for other purposes."

So that the bill as amended shall read as follows:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person carrying on or employed in commerce among the several States or with foreign nations or with or in the Territories or other possessions of the United States in any article suitable for human food, fuel, or other necessaries of life, who, either in his individual capacity or as an officer, agent, or employee of a corporation, or a member of a partnership, carrying on or employed in such trade, shall store, acquire, or hold, or who shall destroy or make away with any such article for the purpose of limiting the supply thereof to the public or enhancing the market price thereof in such commerce, whether temporarily or otherwise, shall be deemed guilty of a felony and be punished by imprisonment in the penitentiary for not less than six months nor more than three years."

The subcommittee conferred with the assistant to the Attorney General, G. C. Todd, who, at the request of the subcommittee, prepared a statement upon the bill, as follows:

"Speculation in foodstuffs and other necessaries of life is generally thought to be one of the contributing causes of the present abnormally high prices. The object of this bill, shortly stated, is to prevent such speculation.

"The existing law is adequate to reach combinations or agreements the purpose or effect of which is to increase prices or curtail supplies. It also reaches a single person or corporation who monopolizes or attempts to monopolize trade or commerce in an article.

"It is doubtful, however, to say the least, whether the existing law covers the case of a dealer who, on his own initiative and without combination with others, purchases produce and withholds it from the market under circumstances which justify the inference that his purpose is to enhance prices, but whose purchases and holdings, taken alone, are not sufficient in quantity to make out a case of monopolizing or attempting to monopolize. While such a course of dealing on the part of a single trader may not be sufficient to affect the market price, when pursued by a large number of dealers acting on a common impulse the effect is the same as if these dealers had entered into a combination to enhance prices."

The purpose of the present bill is to provide a certain punishment for this class of cases, to which, as stated above, the existing law is at least of doubtful application. The subcommittee is aware, of course, that there may be difficulties in the enforcement of the law and as to proof in particular cases. If, however, the acts against which the bill is aimed are wrongful, difficulties of administration should not be allowed to stand in the way of its enactment.

It may be said to be a matter of common knowledge that speculators and dealers throughout the country are taking advantage of the present economic situation, the difficulties of transportation, and the state of war in which the country now is, to extort unreasonable profits from consumers in food, fuel, and other necessaries of life.

In the Washington (D. C.) Times of April 27, 1917, the following statement was published:

"A national convention of food consumers has been called to meet in Washington by J. W. Roberts, president of the National Food Consumers' Relief League of America.

"It is the announced purpose to make 'unscrupulous' dealers in food disclose their stocks, so the poor will not suffer and that those who are barely able to buy will not be mulcted.

"In his call to consumers to rally to Washington Mr. Roberts says:

"'At the earnest solicitation of those who wish cheaper food I, as president of the National Food Consumers' League of America, hereby issue a call for a nation-wide convention of delegates and consumers of food products to meet in the city of Washington, D. C., at high noon on Sunday, May 13, 1917, for the purpose of devising ways and means whereby the high cost of food may be materially reduced.

"'Every county in every State is entitled to five delegates; at least one should be sent.

"'We are face to face with the most gigantic undertaking of the present century. No other fact is half as momentous as the one of food. Speculators and unscrupulous men have taken advantage of a condition that existed only in the mind and cornered the food, to the

hurt and detriment of the Nation. These men should be brought to terms. Millions of dollars' worth of food is hidden away in warehouses and cold storage, and other millions have been dumped into rivers in order that the high prices may be maintained, thus not only robbing those who can pay, but in this way starving many helpless women and children.'"

In the long period of exceeding prosperity which the country has generally enjoyed there was such abundance on all sides that the idea of actual want or shortage of the necessaries of life to those who were reasonably prudent and industrious received but little attention. It is true that abuses of speculation in staple articles of food or necessary supplies of fuel were flagrant in some cases and caused much dissatisfaction in the public mind. The evil, however, was not of such vital and widespread nature as to call for the revival and strict application of the old common law against such offenses. In the days when the common law was taking its form in England the people were poorer, modes of life were simpler, and any tampering with the necessary articles of life for the purpose of pure speculation, without the rendering of any necessary service in exchange for the profits obtained, was a matter of vital concern. The offenses of "forestalling" and "engrossing" were well-defined crimes, punishable at the common law along with monopoly, cheating, and other offenses against fair trade. Some of the acts which in the ancient common law constituted forestalling and engrossing are more or less obsolete or have lost their significance, but the general tenor and purport of the common law and many of the specific acts constituting forestalling and engrossing were identical with those punishable under the present bill.

In a paper prepared by the Library of Congress the following definitions are given:

Forestalling, commonly speaking, means to market before the public, or to anticipate or prevent the public market; but, legally understood, it has a greater signification, for it comprehends all unlawful endeavors to enhance the price of any commodity, and all practices which have an apparent tendency thereto, such as spreading false rumors; buying commodities in the market before the accustomed hour; buying and selling again the same articles in the same market; and other such criminal devices. It also comprehended the offenses of regrating and ingrossing; but the names regrator or ingrosser were not known before the reign of Henry III. (3 Inst., 195, 196; 1 Hawk. P. Cor., c. 80; Brown Indict., 40; Cromp., p. 20 b.)

No attempt of this kind can be looked upon in any other light than as an offense against the public, as it apparently tends to put a check upon trade, to the general inconvenience of the people, by putting it out of their power to supply themselves with any commodity, unless at an unreasonable expense, which often proves extremely oppressive to the poorer sort, and can not but give just cause of complaint even to the richest. (Hawkins, P. C., 234.)

If a person within the realm buys any merchandise in gross and sells the same again in gross, it is an offense of this nature, for by this means the price will be enhanced, because passing through several hands each will endeavor to make his profit by it (3 Inst., 196), and if such practices were allowable a rich man might ingross into his hands a whole commodity and then sell it again at what price he should think fit, which is of such dangerous consequences that the bare ingrossing of an entire commodity, with an intent to sell it again at an unreasonable price, is an offense indictable at the common law, whether any part thereof be sold by the ingrosser or not. (Cro. Car., 231, 232; Hawk., P. C.)

But any merchant, whether he be a subject or a foreigner, bringing victuals or any other merchandise into the realm, may sell the same in gross, but the purchaser can not sell the same in gross, for then he is an ingrosser, according to the strict sense of the word, and may be indicted thereof at the common law. (3 Inst., 195. Hales, P. C., 152; resolved by all the judges; 39 and 40 Eliz.)

[Source: Illingworth, Wm. An inquiry into the laws, ancient and modern, respecting forestalling, regrating, and ingrossing. London, 1800. p. 14–15.]

Regrator. "Forestaller" is he that buyeth corne, cattell, or other merchandize whatsoever is saleable, by the way as it commeth to markets, faires, or such like places to bee sold, to the intent that he may sell the same againe at a more high and deer price, in prejudice and hurt of the common wealth and people. (Termes de la Ley, *Forestaller.*)

"'Regrator' is he that hath corn, victuals, or other things sufficient for his owne necessary need, occupation, or spending and doth nevertheless, ingrosse and buy up into his hands more corne, victuals, or other such things to the intent to sell the same againe at a higher and deerer price in faires, markets, or other such like places, whereof see the stat. 5 E. 6, c. 14, for he shall be punished as a forestaller. (Termes de la Ley, Regrator)

"[Source: Stroud, F. The Judicial Dictionary, London, 1890, p. 604.]"

These offenses are particularly heinous in time of war and at a time when there is danger of a world-wide shortage of food and the possible famine of millions. Speculation and profiting by the necessities and hunger of the people in such a time can not be too severely punished. During the Revolution Washington gave vent to his indignation against forestallers and foregatherers and expressed the opinion that the penalty of death was not too extreme in such cases and under such conditions.

The present bill makes the offense a felony, punishable by imprisonment, and leaves no alternative penalty of fine or otherwise, but makes imprisonment "for not less than six months nor more than three years" mandatory upon conviction.

FARM CREDITS.

Mr. FLETCHER. Mr. President, I present a proposed plan signed by Mr. David Lubin for a proposal for farm credits on open account. Mr. Lubin is the American delegate to the International Institute of Agriculture, with headquarters in Rome. He has been a pioneer for a long term in agricultural relief and has given this subject a very great deal of thought. He now proposes a plan for short-term personal credit or open-account credit for the benefit of farmers. I move that the matter be referred to the Committee on Printing with a view to having it printed as a Senate document.

The VICE PRESIDENT. That action will be taken.

ENGLISH RAILWAY OPERATION IN WAR TIME.

Mr. HOLLIS. Mr. President, I desire to give notice that if it is agreeable to the Senate at the close of the morning business and if it will not interfere with anyone who wishes to speak on the unfinished business, I should like to address the Senate briefly, for not more than 15 or 20 minutes, on the conduct of English railways in war times.

ADDRESS BY HON. JULIUS A. COLLER.

Mr. NELSON. Mr. President, I desire to have printed as a Senate document a short address by State Senator Julius A. Coller, of Minnesota, delivered at Jordan, in that State, November 10, 1917, presenting a strong argument why German-Americans should support the Government in this war. I ask that the matter be referred to the Committee on Printing for action.

The VICE PRESIDENT. Without objection, that action will be taken.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 3308) granting to American women married to foreigners the right to retain their citizenship; to the Committee on the Judiciary; and

A bill (S. 3309) providing increased pensions for honorably discharged persons in the military or naval service of the United States during the Civil War; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 3310) to authorize the Secretary of State to procure a suitable portrait of Gen. George Washington and present the same to the Military College of the Argentine Republic.

Mr. CHAMBERLAIN. It was suggested that the bill should go to the Committee on Military Affairs, but I believe that is not the committee to which such bills are usually referred.

The VICE PRESIDENT. It should go to the Committee on the Library.

Mr. CHAMBERLAIN. I move that the bill be referred to the Committee on the Library.

The motion was agreed to.

By Mr. CHAMBERLAIN:

A bill (S. 3311) to increase and expedite the supply of munitions of war; to the Committee on Military Affairs.

A bill (S. 3312) for the relief of homestead entrymen or settlers enlisting or engaged in organized Red Cross service of the United States during the existing war; to the Committee on Public Lands.

A bill (S. 3313) for the relief of William J. Ewing; to the Committee on Claims.

A bill (S. 3314) granting a pension to Andrew J. Mills; to the Committee on Pensions.

By Mr. MARTIN:

A bill (S. 3315) relating to the option to purchase and to the sale and conveyance of a tract or parcel of land containing forty-six and fifty-seven one-hundredths acres, more or less, situated below and to the east of the mean high-water line of the Potomac River, in the Battery Cove, at the city of Alexandria, Virginia, made in the course of river and harbor improvements upon the submerged soil of the Potomac River; and

A bill (S. 3316) to provide chaplains for service with base hospitals (with accompanying papers); to the Committee on Military Affairs.

By Mr. DILLINGHAM:

A bill (S. 3317) providing for the removal of snow and ice from the paved sidewalks of the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 3318) granting an increase of pension to Benjamin F. Morse (with accompanying papers);

A bill (S. 3319) granting a pension to Phebe D. Tate (with accompanying papers); and

A bill (S. 3320) granting an increase of pension to George M. Sawyer (with accompanying papers); to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 3321) for the relief of John H. Fesenmeyer, alias John Wills; to the Committee on Military Affairs.

A bill (S. 3322) granting an increase of pension to Henry J. Porter (with accompanying papers); and

A bill (S. 3323) granting a pension to Mary Steele (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 3324) to increase pensions of certain soldiers and sailors of the Civil War;

A bill (S. 3325) granting increased pensions to surviving widows of soldiers of the various Indian wars; and

A bill (S. 3326) granting an increase of pension to Malcolm J. McNeill (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 3327) to create a department of munitions; to the Committee on Military Affairs.

By Mr. STERLING:

A bill (S. 3328) to amend "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved August 8, 1917; to the Committee on Commerce.

A bill (S. 3329) granting an increase of pension to Edith North (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 3330) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912; and

A bill (S. 3331) to amend section 2 of an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 3332) to fix the status and rank of officers on the retired list of the Army who, under the provision of the next to the last proviso of section 24 of the act of Congress approved June 3, 1916, have been employed on active duty at any time during the present war; to the Committee on Military Affairs.

By Mr. SHERMAN:

A bill (S. 3333) granting a pension to Charles Diesron; to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 3334) to provide for the acquisition of a site and the erection thereon of a public building at Sterling, Colo.; to the Committee on Public Buildings and Grounds.

A bill (S. 3335) granting a pension to Frank J. Windolph;

A bill (S. 3336) granting a pension to Betty Ann Perry;

A bill (S. 3337) granting an increase of pension to George O. Miller;

A bill (S. 3338) granting a pension to Lottie Brown;

A bill (S. 3339) granting a pension to Delia Bell Brooks; and

A bill (S. 3340) granting an increase of pension to John R. Bare, alias John R. Barrett; to the Committee on Pensions.

By Mr. HARDWICK:

A bill (S. 3341) for the relief of the heirs of Solomon Cohen; to the Committee on Claims.

A bill (S. 3342) granting a pension to J. A. D. Tharp; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 3343) granting a pension to Wesley H. Dick (with accompanying papers); to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 3344) to prohibit the importation of nursery stock into the United States in order to prevent the introduction of insect pests and plant diseases; to the Committee on Agriculture and Forestry.

A bill (S. 3345) granting a pension to Henrietta Buswell Brown; and

A bill (S. 3346) granting a pension to Odelon Valcour; to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 3347) granting an increase of pension to Charles R. Walters (with accompanying papers); to the Commmittee on Pensions.

By Mr. STONE:

A bill (S. 3348) granting a pension to Peter V. Shell (with accompanying papers);

A bill (S. 3349) granting an increase of pension to James M. Widener (with accompanying paper); and

A bill (S. 3350) granting an increase of pension to William H. Isenberg (with accompanying papers); to the Committee on Pensions.

By Mr. KNOX:

A bill (S. 3351) granting an increase of pension to Thomas K. Hastings (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 3352) granting a pension to Mary M. Sharp; to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 3353) granting an increase of pension to Edward Mills (with accompanying papers);

A bill (S. 3354) granting an increase of pension to James G. Hannard (with accompanying papers);

A bill (S. 3355) granting an increase of pension to Isaac Williams (with accompanying papers);

A bill (S. 3356) granting an increase of pension to Reuben H. Neff (with accompanying papers);

A bill (S. 3357) granting an increase of pension to Elijah Roberts (with accompanying papers);

A bill (S. 3358) granting an increase of pension to Rubin J. Huston (with accompanying papers); and

A bill (S. 3359) granting an increase of pension to John A. Van Loan (with accompanying papers); to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 3360) to amend section 2 of the act approved August 29, 1916, creating a Council of National Defense, and for other purposes; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota:

A bill (S. 3361) granting an increase of pension to William W. Thurston (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 3362) for the relief of the heirs of Thomas N. Stinson (with accompanying paper); to the Committee on Claims.

A bill (S. 3363) granting a pension to Martha E. Hart (with accompanying papers);

A bill (S. 3364) granting an increase of pension to John S. Wells (with accompanying papers);

A bill (S. 3365) granting an increase of pension to David H. Bruce (with accompanying papers);

A bill (S. 3366) granting an increase of pension to George Ketzler (with accompanying papers);

A bill (S. 3367) granting an increase of pension to John Wesley Jones (with accompanying papers);

A bill (S. 3368) granting an increase of pension to George Stamm, sr. (with accompanying papers);

A bill (S. 3369) granting an increase of pension to Lewis Phenicie (with accompanying papers);

A bill (S. 3370) granting an increase of pension to Thomas B. Davis (with accompanying papers);

A bill (S. 3371) granting an increase of pension to Francis M. Wright (with accompanying papers);

A bill (S. 3372) granting a pension to Susan A. Lautzenheiser (with accompanying papers);

A bill (S. 3373) granting an increase of pension to Newton A. Mathis (with accompanying papers);

A bill (S. 3374) granting an increase of pension to George W. Allen (with accompanying papers);

A bill (S. 3375) granting an increase of pension to Abbott A. Mills (with accompanying papers);

A bill (S. 3376) granting a pension to John J. Smith (with accompanying papers);

A bill (S. 3377) granting an increase of pension to Joseph Masden (with accompanying papers); and

A bill (S. 3378) granting a pension to Sarah Cole (with accompanying papers); to the Committee on Pensions.

By Mr. KING:

A bill (S. 3379) to authorize the Secretary of the Interior to exchange public coal lands for private coal lands in certain cases;

A bill (S. 3380) to prevent the withdrawal of mineral lands of the United States from entry and occupancy under the laws of the United States;

A bill (S. 3381) for the relief of Emma Kiener; and

A bill (S. 3382) to authorize the exchange of certain lands within the Wasatch National Forest, Utah; to the Committee on Public Lands.

A bill (S. 3383) for the relief of John Gray; to the Committee on Military Affairs.

A bill (S. 3384) to amend the public-building act, approved March 4, 1913; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of South Carolina:

A bill (S. 3385) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes; to the Committee on Interstate Commerce.

By Mr. JONES of Washington:

A joint resolution (S. J. Res. 119) providing for a commission to report upon legislation to meet the problems that will confront this country upon the conclusion of the war; to the Committee on Finance.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMOOT submitted an amendment proposing to appropriate $20,000 for survey and investigation of an irrigation project near Newcastle, Iron County, Utah, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CALDER submitted an amendment providing that the rate of postage on drop letters of the first class mailed in the city of New York for delivery within the confines of that city shall be 2 cents an ounce or fraction thereof, intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

CLERKS OF DISTRICT COURTS.

Mr. UNDERWOOD submitted an amendment intended to be proposed by him to the bill (S. 3079) fixing the salary of the clerks of the United States district courts; prescribing how and when they shall account for the fees collected; providing for the office expenses of such clerks, including salaries of deputy clerks and clerical assistants; and for the travel and subsistence expense of such clerks and their deputies when necessarily absent from their official residences, which was referred to the Committee on the Judiciary and ordered to be printed.

WITHDRAWAL OF PAPERS—AMANDA B. BIRCH.

On motion of Mr. SHERMAN, it was

Ordered, That the papers accompanying the bill S. 647, Sixty-fifth Congress, first session, granting a pension to Amanda B. Birch, be withdrawn from the files of the Senate, no adverse report having been made thereon.

JOINT MEETING OF THE TWO HOUSES.

The VICE PRESIDENT laid before the Senate the following concurrent resolution from the House of Representatives, which was read:

House concurrent resolution 31.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 4th day of January, 1918, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Mr. MARTIN. I move that the Senate concur in the resolution that has just been read.

The motion was agreed to.

HOUSE BILL AND JOINT RESOLUTION REFERRED.

H. R. 7697. An act to authorize the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

H. J. Res. 195. Joint resolution amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war excess-profits tax the compensation of officers and employees under the United States, including Members of Congress, was read twice by its title and referred to the Committee on Finance.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following act and joint resolution:

On December 20, 1917:

S. 2334. An act to authorize absence by homestead settlers and entrymen, and for other purposes.

On December 26, 1917:

S. J. Res. 114. Joint resolution extending the commission provided for in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, with the same authorities, powers, and provisions until on or before March 1, 1918.

JOINT MEETING OF THE TWO HOUSES.

The VICE PRESIDENT. The hour having arrived at which, in accordance with the concurrent resolution of the two Houses, the Senate is to proceed to the Hall of the House of Representatives, for the purpose of hearing such communication as the President of the United States may desire to make, the order will now be carried out.

Thereupon the Senate, preceded by its Sergeant at Arms and headed by the Vice President and the Secretary, proceeded to the Hall of the House of Representatives.

At 12 o'clock and 47 minutes p. m. the Senate returned to its Chamber, and the Vice President resumed the chair.

ADDRESS BY THE PRESIDENT OF THE UNITED STATE. (H. Doc. 764).

The address of the President of the United States this day delivered at a joint session of the two Houses of Congress is as follows:

GENTLEMEN OF THE CONGRESS: I have asked the privilege of addressing you in order to report to you that on the twenty-eighth of December last, during the recess of the Congress, acting through the Secretary of War and under the authority conferred upon me by the act of Congress approved August 29, 1916, I took possession and assumed control of the railway lines of the country and the systems of water transportation under their control. This step seemed to be imperatively necessary in the interest of the public welfare, in the presence of the great tasks of war with which we are now dealing. As our own experience develops difficulties and makes it clear what they are, I have deemed it my duty to remove those difficulties wherever I have the legal power to do so. To assume control of the vast railway systems of the country is, I realize, a very great responsibility, but to fail to do so in the existing circumstances would have been a much greater. I assumed the less responsibility rather than the weightier.

I am sure that I am speaking the mind of all thoughtful Americans when I say that it is our duty as the representatives of the nation to do everything that it is necessary to do to secure the complete mobilization of the whole resources of America by as rapid and effective means as can be found. Transportation supplies all the arteries of mobilization. Unless it be under a single and unified direction, the whole process of the nation's action is embarrassed.

It was in the true spirit of America, and it was right, that we should first try to effect the necessary unification under the voluntary action of those who were in charge of the great railway properties; and we did try it. The directors of the railways responded to the need promptly and generously. The group of railway executives who were charged with the task of actual coordination and general direction performed their difficult duties with patriotic zeal and marked ability, as was to have been expected, and did, I believe, everything that it was possible for them to do in the circumstances. If I have taken the task out of their hands, it has not been because of any dereliction or failure on their part but only because there were some things which the Government can do and private management cannot. We shall continue to value most highly the advice and assistance of these gentlemen and I am sure we shall not find them withholding it.

It had become unmistakably plain that only under government administration can the entire equipment of the several systems of transportation be fully and unreservedly thrown into a common service without injurious discrimination against particular properties. Only under government administration can an absolutely unrestricted and unembarrassed common use be made of all tracks, terminals, terminal facilities and equipment of every kind. Only under that authority can new terminals be constructed and developed without regard to the requirements or limitations of particular roads. But under government administration all these things will be possible,—not instantly, but as fast as practical difficulties, which cannot be merely conjured away, give way before the new management.

The common administration will be carried out with as little disturbance of the present operating organizations and personnel of the railways as possible. Nothing will be altered or disturbed which it is not necessary to disturb. We are serving the public interest and safeguarding the public safety, but we are also regardful of the interest of those by whom these great properties are owned and glad to avail ourselves of the experience and trained ability of those who have been managing them. It is necessary that the transportation of troops and of war materials, of food and of fuel, and of everything that is necessary for the full mobilization of the energies and resources of the country, should be first considered, but it is clearly in the public interest also that the ordinary activities and the normal industrial and commercial life of the country should be interfered with and dislocated as little as possible, and the public may rest assured that the interest and convenience of the private shipper will be as carefully served and safeguarded as it is possible to serve and safeguard it in the present extraordinary circumstances.

While the present authority of the Executive suffices for all purposes of administration, and while of course all private interests must for the present give way to the public necessity, it is, I am sure you will agree with me, right and necessary that the owners and creditors of the railways, the holders of their stocks and bonds, should receive from the Government an unqualified guarantee that their properties will be maintained

throughout the period of federal control in as good repair and as complete equipment as at present, and that the several roads will receive under federal management such compensation as is equitable and just alike to their owners and to the general public. I would suggest the average net railway operating income of the three years ending June 30, 1917. I earnestly recommend that these guarantees be given by appropriate legislation, and given as promptly as circumstances permit.

I need not point out the essential justice of such guarantees and their great influence and significance as elements in the present financial and industrial situation of the country. Indeed, one of the strong arguments for assuming control of the railroads at this time is the financial argument. It is necessary that the values of railway securities should be justly and fairly protected and that the large financial operations every year necessary in connection with the maintenance, operation and development of the roads should, during the period of the war, be wisely related to the financial operations of the Government. Our first duty is, of course, to conserve the common interest and the common safety and to make certain that nothing stands in the way of the successful prosecution of the great war for liberty and justice, but it is also an obligation of public conscience and of public honor that the private interests we disturb should be kept safe from unjust injury, and it is of the utmost consequence to the Government itself that all great financial operations should be stabilized and coordinated with the financial operations of the Government. No borrowing should run athwart the borrowing of the federal treasury, and no fundamental industrial values should anywhere be unnecessarily impaired. In the hands of many thousands of small investors in the country, as well as in national banks, in insurance companies, in saving banks, in trust companies, in financial agencies of every kind, railway securities, the sum total of which runs up to some ten or eleven thousand millions, constitute a vital part of the structure of credit, and the unquestioned solidity of that structure must be maintained.

The Secretary of War and I easily agreed that, in view of the many complex interests which must be safeguarded and harmonized, as well as because of his exceptional experience and ability in this new field of governmental action, the Honorable William G. McAdoo was the right man to assume direct administrative control of this new executive task. At our request, he consented to assume the authority and duties of organizer and Director General of the new Railway Administration. He has assumed those duties and his work is in active progress.

It is probably too much to expect that even under the unified railway administration which will now be possible sufficient economies can be effected in the operation of the railways to make it possible to add to their equipment and extend their operative facilities as much as the present extraordinary demands upon their use will render desirable without resorting to the national treasury for the funds. If it is not possible, it will, of course, be necessary to resort to the Congress for grants of money for that purpose. The Secretary of the Treasury will advise with your committees with regard to this very practical aspect of the matter. For the present, I suggest only the guarantees I have indicated and such appropriations as are necessary at the outset of this task. I take the liberty of expressing the hope that the Congress may grant these promptly and ungrudgingly. We are dealing with great matters and will, I am sure, deal with them greatly.

ENGLISH RAILWAY OPERATION IN WAR TIME.

Mr. HOLLIS. Mr. President, I venture to address the Senate very briefly this morning on the subject of the operation of the English railways during war time. I do this because it is a matter of very lively interest now, and because I happen to have in my possession a manuscript, not yet printed, that deals with the matter authoritatively.

OUTLINE OF GOVERNMENT CONTROL.

By virtue of laws passed in 1871 and 1888, and under a program worked out long in advance, the railways of Great Britain came under Government control as soon as war was declared.

The machinery was set in motion August 4, 1914, by an order in council, under which Premier Asquith at once empowered the president of the board of trade to take possession of the entire railway system of England, Scotland, and Wales.

Direct control was exercised through a railway executive committee of 10, appointed by the Government from the general managers of certain important roads, one of whom was made acting chairman. The official chairman was the president of the board of trade, forming the connecting link with the English Government.

The staff of each railway remained undisturbed, receiving general directions through its regular officers from the railway executive committee.

INITIAL OPERATIONS.

Under detailed plans long in existence, the mobilization of the English Army and its transport to France were carried out under the president of the board of trade with great speed and efficiency. Traffic then settled down to conditions which were nearly normal for a period of about two years.

CRISIS IN 1916.

Meanwhile, however, the demands on the railways had largely increased, while the facilities for doing business had greatly lessened.

INCREASED DEMANDS.

Increased demand sprang from heavy war business, such as special troop trains; special freight trains and ambulance trains; enlarged use of coal, metals, and manufactured products; priority of shipments for Government and war supplies; and the curtailment of the usual sea transportation.

LESSENED FACILITIES.

Lessened facilities were due to wear and tear of rolling stock, roadbeds, and equipment, without adequate means for repair or replacement, and the enlistment of scores of thousands of the best railway men and officials.

Factories for making and repairing locomotives, cars, and rails had been diverted to the manufacture of munitions of war, while, in spite of efforts to check the enlistment of railway men after the first rush to France, about 10 per cent of the entire railway staffs had joined the colors in October, 1914. This percentage is now well over 25.

ENLISTMENT OF RAILWAY MEN.

The Army needs for more men, particularly for men to do railroad work overseas, have been so insistent that no effective exemption has been applied in the railway service, but recourse has been had instead to the reduction and simplification of work and to the employment of men not capable of bearing arms and of women. The employment of women as clerks, car cleaners, and the like, was natural enough, but it is startling to learn that women are now largely engaged as truckmen, machinists, and porters. There is no record that any women are employed as engineers, firemen, or section hands.

EMPLOYMENT OF WOMEN.

The number of women employed on English railways in July, 1914, was 15,000. It had increased to 100,000 in 1917.

POOLING OF CARS.

The shortage in rolling stock reached an acute stage in 1916. With most factories engaged in producing munitions, new engines and cars could not be supplied, while much equipment was on sidetracks for want of even slight repairs. Steps were taken, accordingly, to get more service out of such cars as were available.

The difficulties of pooling freight cars so that all might be constantly employed were greatly increased by the circumstance that 600,000 freight cars—about one-half the total number—were owned by private concerns. Much opposition arose to effective pooling.

Beginning, however, with cars owned by different railroads, the Government succeeded in preventing the transport of empty cars. Freight cars were kept in constant use, with little regard to their ownership by a particular railway. And, finally, in December, 1916, by order in council, the board of trade was empowered to make rules for taking possession of private freight cars for the general welfare, making necessary orders for conditions as to use and rental.

HANDLING OF FREIGHT.

By the same order the board was further empowered to provide for the prompt handling of freight by making it a criminal offense to fail to load or unload in accordance with the rules provided. Drastic steps had become essential in this regard. Requests and warnings were unheeded; demurrage charges had little effect.

One authority stated that "there was no shortage of railway wagons, but only of empty wagons." To meet this need it was finally provided in March, 1917, that a shipper might have two days for unloading at stations and private sidings and wharves and four days at ports. If the consignee fails to comply with this schedule, the railway may unload and store the goods at the owner's risk and expense, retaining a lien for all charges. The owner may also be fined and imprisoned for his dereliction. He has committed an offense against the defense of the realm act.

REDUCTION OF SERVICE.

Passenger traffic was also brought into line. Many passenger trains were canceled. Express service was slowed down. Reser-

vation of seats and compartments was discontinued. Sleeping and dining car service was curtailed. More stops of express trains were ordered. Excursion and cheap tickets were abolished. Traffic was diverted for reasons of economy. The amount of luggage was cut down, as well as service of porters and baggagemen.

ADVANCE IN PASSENGER RATES.

And finally, January 1, 1917, passenger rates were advanced 50 per cent, excepting traders' tickets, workmen's and zone tickets. This increase was not to raise more revenue, but to discourage travel.

The thoroughness of Government control of English railways is thus apparent. There remains to be considered the matter of wages and strikes.

STRIKES NOT PROHIBITED.

There is not now, nor has there been, in England legislation prohibiting strikes on railways. Matters of wages, hours of service, and conditions of labor have been left to agreements and regulations between the railway companies and the men.

AGREEMENT FOR CONCILIATION.

Before the pending war there was an agreement between the men and their employers that disputes should be settled by conciliation and arbitration. This agreement was secured in November, 1907, through the efforts of the board of trade. It involved about 97 per cent of the railway workers of the United Kingdom.

The conciliation boards embraced representatives of the companies and the men. In case of disagreement the question went to an arbitrator for decision. If the two sides could not agree on an arbitrator, he was to be appointed by the speaker of the House of Commons and the master of the rolls.

The agreement did not work well. There was a strike in August, 1911, involving over 200,000 men. An investigation by a royal commission followed, which culminated in certain changes incorporated in a new agreement which was in existence in August, 1914.

NO RECOGNITION OF UNIONS.

Unions of railway men were not formally recognized under this agreement, largely because the existing unions did not represent a majority of railway employees when the agreement was adopted. This deficiency was overcome, however, in 1914 by the National Union of Railway Men, organized in 1913 and passing the majority mark—300,000—in 1914.

In November, 1913, the unions gave notice that the agreement for conciliation would expire November 6, 1914. When the war broke out in August, 1914, negotiations were pending for a new agreement for conciliation.

GENERAL ATTITUDE OF UNION LABOR.

August 24, 1914, the national committees of organized labor met to discuss labor problems. It is interesting to note that their chief concern related to nonemployment, or unemployment. Resolutions were adopted calling upon the Government to help in matters of short time and benefits. These resolutions were sympathetically received, and in October, 1914, they were favorably acted upon by the cabinet through the board of trade.

CONCILIATION AGREEMENT CONTINUED.

On October 1, 1914, a special agreement was made between the railways and the railway men's unions, providing that the old agreement for conciliation should be continued, subject to termination by the men on six weeks' notice—that is, the trade-unions practically agreed to subordinate the interests of organized labor to the demands of a nation at war. Important demands pending when war was declared, and waived by the agreement of October 1, 1914, were:

1. The eight-hour day.
2. An advance of 5s. per week.
3. A guaranteed day and a guaranteed week, exclusive of Sunday duty.

FIRST AGREEMENT FOR WAR BONUS.

February 13, 1915, an agreement was reached through negotiation by the railway companies and the men's representatives, under which the principal roads agreed to pay a war bonus to men of 18 years or over, as follows: Three shillings a week to men whose standard rate of wages is under 30s. and 2s. to those whose standard rate of wages is 30s. or more. The agreement provided for all men "engaged in the manipulation of traffic," whether members of unions or not.

It was definitely understood that the war bonus was not an ordinary advance in wages, but was to terminate at the end of the war. Twenty-five per cent of the increased expense was to fall on the companies and 75 per cent be charged to operating expenses, and thus fall on the Government. For the Government had undertaken to pay to the stockholders the same sum each year as the prewar earnings in 1913.

In June, 1915, a bonus of 1s. 6d. was provided for employees under 18 years of age.

INCREASED COST OF LIVING.

Because of increased cost of living the war bonus has been increased several times through negotiations between the unions and the railway executive committee, with the approval of the Government.

SECOND GENERAL INCREASE.

On October 16, 1915, the bonus was increased for all men above 18 to 5s. per week, for men under 18 to 2s. 6d. At that time the men agreed not to make any further demand for increases. But this agreement was waived by the railway companies in September, 1916, largely upon the ground that the Government had not kept the cost of living at a reasonable figure, and a new agreement was made, increasing the bonus to 10s. per week for men 18 years and over, and to 5s. for men under 18. The president of the board of trade conceded that the cost of living had increased since July, 1914, 25 per cent in July, 1915; 30 per cent in September, 1915; 35 per cent in December, 1915; 40 per cent in March, 1916; and 45 to 50 per cent in June, 1916.

At the rate of the bonus of September, 1916, the increased cost to the Government is $70,000,000 annually, only 6¼ per cent falling upon the stockholders of the railways.

It was soon after agreed that men in railway shops should receive a bonus of 5s. a week, boys similarly employed, 2s. 6d.; women, 3s.; and girls, 1s. 6d.

THIRD GENERAL INCREASE.

In April, 1917, a third general increase was granted, so that the bonuses totaled as follows:

In traffic departments.		s.	d.
Men, 18 years and over	per week	15	0
Boys, under 18	do	7	6
Women, 18 years and over	do	5	6
Girls, under 18	do	3	0
In shops.			
Men, 19 years and over	per week	10	0
Boys, under 19	do	5	0
Women, 18 years and over	do	2	6
Girls, under 18	do	1	3

TOTAL EXPENSE TO GOVERNMENT.

The total war bonus to railway employees is estimated at present rates to amount to $90,000,000 annually, all but 4½ per cent borne by the Government.

DILUTION OF LABOR.

From the beginning of the war the unions have insisted that women employed to fill the places of men should be paid the minimum rate for men in similar positions. In August, 1915, this demand was met by the railway companies, together with an agreement that the employment of women should not prejudice the reemployment of men at the close of the war nor the general question of the employment of women.

GENERAL ATTITUDE OF EMPLOYEES.

The unions of railway men, through their executive committees, have acted throughout the war in a patriotic and reasonable manner, basing their claims to advances in wages or bonuses on the increased cost of living, and not on their power to prevent the operation of railroads. They have realized that a strike would be a strike against the Nation, not against the companies. They have in this way obtained a very substantial advance in wages, at the same time retaining the good will of the public generally.

MUTUAL CONCILIATION.

There have been no railway strikes in England since the war began. The conduct of the railways and the conduct of the men has been in the public interest, with every indication of conciliation and good feeling on both sides. This desirable condition can be attributed to but one cause—that is, the feeling of the men that their sacrifices are made for the public welfare and not to swell the profits of their employers. That this is a sound deduction is plain when we consider the hundreds of strikes in private plants where profits are not controlled.

AUTHORITY FOR FOREGOING.

This sketch of English railways in war time is given to place the Senate and the country in possession of the main facts in the case. It represents no original research of mine. It is hardly more than a summary of one of the volumes of the British Industrial Experience During the War, presented by me to the Senate June 29, 1917, and ordered printed by the Senate September 11, 1917.

This manuscript was prepared and edited by Robert and Katherine Barrett, distinguished citizens of New Hampshire, who worked in collaboration with John F. Bass, the noted war correspondent, and his brother, Robert P. Bass, formerly governor of New Hampshire. The entire work was done without

expense to the Government. I regret that the volume has not yet been printed, so that it could be available to the Senate in the present emergency.

The volume on Railroad Transportation, which forms the basis of my remarks, was prepared by Mr. Leland Olds under the direction of Mr. W. Jett Lauck and the editors in chief.

Mr. WATSON. I should like to ask the Senator from New Hampshire a question. I was out of the Chamber a part of the time, and unfortunately I did not hear all the Senator's remarks. I should like to ask the Senator whether he incorporated in his statement the number of miles of railroad to which he has alluded and to which this system refers?

Mr. HOLLIS. I did not. I am not able to give it.

Mr. WATSON. And the number of employees.

Mr. HOLLIS. I am not able to give that, but I can state that it is approximately 600,000, of whom 100,000 are now women.

Mr. WATSON. There are 600,000 employees?

Mr. HOLLIS. There were approximately 600,000 when the war started. Twenty-five per cent of those have gone to the colors. That would leave 450,000. One hundred thousand women have been added and the rest have been taken from men who were not capable of bearing arms.

Mr. WATSON. Does the Senator know how many miles of railroad were operated?

Mr. HOLLIS. I can not give that.

Mr. NORRIS. May I ask the Senator a question before he takes his seat?

Mr. HOLLIS. I yield to the Senator from Nebraska.

Mr. NORRIS. Can the Senator state what compensation the Government of England is paying to the railroads, or what it has agreed to pay?

Mr. HOLLIS. Yes; the war bonus to employees runs from 1 shilling for girls to 15 shillings for men.

Mr. NORRIS. I heard that statement; but that is not the question. I want to know what is the compensation paid to the owners of the stock of the railroads.

Mr. HOLLIS. I stated that the owners are receiving the same earnings that they received in the year 1913.

Mr. NORRIS. They took that one year?

Mr. HOLLIS. That one year.

Mr. NORRIS. That was the last full year before the beginning of the war?

Mr. HOLLIS. Yes; that is correct.

COUNCIL OF NATIONAL DEFENSE (S. DOC. NO. 156).

The PRESIDING OFFICER (Mr. BECKHAM in the chair) laid before the Senate the following message from the President of the United States, which was read and, with the accompanying paper, referred to the Committee on Military Affairs and ordered to be printed:

To the Senate and House of Representatives:

In accordance with the provisions of the act of Congress approved August 29, 1916, establishing the Council of National Defense and providing for the appointment of an Advisory Commission to the council, I transmit herewith the first annual report of the council, the Advisory Commission, and the subordinate agencies of both bodies for the fiscal year ended June 30, 1917.

WOODROW WILSON.

THE WHITE HOUSE, *4 January, 1918.*

CUSTOMS-COLLECTION DISTRICTS (H. DOC. NO. 753).

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Commerce and ordered to be printed:

To the Senate and House of Representatives:

The sundry civil act approved August 1, 1914, contained the following provision, viz:

"The President is authorized from time to time, as the exigencies of the service may require, to rearrange, by consolidation or otherwise, the several customs-collection districts and to discontinue ports of entry by abolishing the same or establishing others in their stead: *Provided*, That the whole number of customs-collection districts, ports of entry, or either of them, shall at no time be made to exceed those now established and authorized except as the same may hereafter be provided by law: *Provided further*, That hereafter the collector of customs of each customs-collection district shall be officially designated by the number of the district for which he is appointed and not by the name of the port where the headquarters are situated, and the President is authorized from time to time to change the location of the headquarters in any customs-collection district as the needs of the service may require: *And provided further*, That the President shall, at the beginning of each regular session, submit to Congress a statement of all acts, if any, done hereunder and the reasons therefor."

Pursuant to the requirement of the third proviso to the said provision, I have to state that by Executive order dated January 3, 1917, the port of entry at Ludington, Michigan, in customs-collection district No. 38, of which Detroit is the headquarters port, was abolished for the reason that the volume and character of the business at Ludington did not warrant its continuance as a port.

By Executive order dated January 23, 1917, the port of entry at Corry, Pennsylvania, in customs-collection district No. 41, of which Cleveland, Ohio, is the headquarters port, was abolished for the reason that the volume of business at Corry did not warrant its continuance as a port.

By Executive order dated June 6, 1917, effective on and after July 1, 1917, the port of entry at Lubec, Maine, in customs-collection district No. 1, of which Portland is the headquarters port, was abolished as a separate port and consolidated with Eastport, Maine, for the reason that the business theretofore transacted at Lubec could as well be conducted at Eastport.

By Executive order dated September 7, 1917, effective October 1, 1917, customs-collection district No. 23, of which Laredo was the headquarters port, and district No. 25, of which Eagle Pass, Texas, was the headquarters port, were abolished and a new district No. 23 created with headquarters at San Antonio, Texas.

Districts Nos. 22, of which Galveston is the headquarters port, and No. 24, of which El Paso is the headquarters port, were enlarged. These changes were made in order to insure better administration of the customs laws and to lessen the expenses.

WOODROW WILSON.

THE WHITE HOUSE, *4 January, 1918.*

COMMITTEE ON MILITARY AFFAIRS.

Mr. CHAMBERLAIN. Mr. President, I desire to ask that the Committee on Military Affairs may be allowed to sit during the sessions of the Senate. They are now engaged in holding hearings and it is quite inconvenient to proceed with these hearings without obtaining this permission from the Senate.

The PRESIDING OFFICER. Without objection, the request of the Senator from Oregon will be complied with.

Mr. GALLINGER. Mr. President, in connection with the request made by the Senator from Oregon, I am going to venture to express the hope, inasmuch as there are several committees of investigation conducting inquiries that are of great importance, that the Senate may adjourn over until Monday at the conclusion of to-day's business. Of course, if the unfinished business is to be taken up and discussed to-day, the suggested adjournment ought not to be taken, but I have been informed that the unfinished business will probably go over until Monday.

Mr. MARTIN. I am trying to find the Vice President now to test the accuracy of it, but it has been suggested that the Serbian mission are to be received in the Senate to-morrow. If that is the case, we shall have to adjourn until to-morrow.

Mr. GALLINGER. I had overlooked that fact, and hence the Senate should be in session to-morrow.

Mr. BORAH. Do I understand that a motion is about to be made to adjourn until to-morrow?

Mr. MARTIN. No motion has been made so far as I know. The leasing bill, which the Senator from Nevada [Mr. PITTMAN] has in charge, will have to be taken up by the Senate to see if anyone wants to proceed to discuss it. If the Senate is not occupied with that, I see no reason why we should not adjourn until to-morrow or until Monday if the Serbians are not to be received in the Senate to-morrow. I have just learned that there are other reasons besides receiving the Serbians for a session to-morrow, so that when the Senate adjourns it will have to adjourn until to-morrow.

Mr. BORAH. I understand we have agreed to vote upon the leasing bill on Monday. I am of the opinion that it will take all the time from now until then to get at some of the facts with reference to that bill which are developing interestingly. I certainly do not want the Senate to adjourn until at least we have started in to develop the situation.

Mr. MARTIN. There is no desire to adjourn as long as anyone wants to proceed with the leasing bill. Since I addressed the inquiry to the Chair a few moments ago I have ascertained that it has been arranged that the Serbian mission will be received in the Senate to-morrow at 12.30 o'clock. So we shall have to adjourn until the usual hour, 12 o'clock, to-morrow.

STANDARDIZATION OF WAGES.

Mr. KING. I offer a resolution and ask that it may be read and lie upon the table. I desire to submit a few remarks in support of the resolution before I move its reference to the Committee on Education and Labor.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read the resolution (S. Res. 174), as follows:

Whereas the several departments, boards, agencies, and contractors having in charge the construction of ships, cantonments, munitions, and other work having relation to the war are separately entering the labor market and are competing against each other in the wages offered for the employment of the laborers severally required by them in the prosecution of Government work, as a result of which employees are constantly quitting one branch of work to take up employment for higher wages in another, this breaking the continuity of Government construction and subjecting the same to recurring interruption with each increase of wages offered in such competition; and

Whereas the competition between departments and agencies of the Government for the employment of labor for necessary war construction has caused a condition wherein the cost of Government work is constantly mounting to the detriment of the Government, to the impairment of its revenues, and the increase of its funded debt; and

Whereas it is claimed that efforts are being made and plans contemplated by some who benefit by such condition to maintain and make permanent the same, to prevent proper and legitimate increase in the output of labor to meet the present emergency, and by conspiracy and otherwise to prevent any correction of such conditions by the establishment of normal wage rates or by the procurement of other labor at fair and just wage rates to meet the needs and requirements of the Government; and

Whereas it is claimed and reported that the competition of separate agencies of the Government for the procurement and employment of labor has unsettled conditions of labor and wage rates generally throughout the country; that great inequality exists in the matter of wages in the different parts of the country in the same trade and craft; that the labor situation is demoralized; that strikes are stimulated; and that industry is being dislocated and disturbed by constantly changing wage rates, unsettled condition of employment, mounting costs, enhanced prices of commodoties, and fluctuating conditions in exchange and commerce, operating together in a vicious system of recurring expansion, all of which renders unstable the industrial processes and enterprises of the country: Now therefore be it

Resolved, That the Committee on Education and Labor be, and it is hereby, directed to inquire into the subject of wages having to do directly or indirectly with Government work; to report upon the advisability of establishing standards of wages for laborers employed in such work; and to further report upon the possibility and expediency of legislation looking to the standardization of wages and the stabilization of industry and labor conditions in the country during the pendency of the war.

Mr. KING. I ask that the resolution may lie upon the table for the present.

The PRESIDING OFFICER. The resolution will lie on the table and be printed.

HEADS OF EXECUTIVE DEPARTMENTS.

Mr. HARDWICK. I offer a resolution, which I ask to have read and that it may go over for the present.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read the resolution (S. Res. 175), as follows:

Resolved, That the President of the United States be requested to inform the Senate, if not incompatible with the public interest, by what warrant or authority of law the several heads of the executive departments hold their offices.

Mr. HARDWICK. At a later date I intend to address the Senate on the resolution. In the meantime I ask that it may lie on the table.

The PRESIDING OFFICER. For the present the resolution will lie on the table and be printed.

MINING OF COAL, ETC., ON THE PUBLIC DOMAIN.

Mr. PITTMAN. Mr. President, I ask unanimous consent that Senate bill 2812, the unfinished business, be laid before the Senate and proceeded with.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.

Mr. BORAH. Mr. President, what is the status of the measure? Is there any pending amendment before the Senate? I understood that the Senator from Utah [Mr. SMOOT] offered an amendment.

Mr. GALLINGER. I do not think there is a pending amendment.

Mr. SMOOT. I will say to the Senator from Idaho that I did offer an amendment on page 15 of the bill by striking out from line 6, beginning with the word "if," after the word "discovery," down to and including the word "claim," in line 11. I withdrew that amendment until it was decided as to just what amendment would be made in section 2 of the bill.

Mr. BORAH. Has section 2 been disposed of?

Mr. SMOOT. No; not yet. I will state to the Senator that on page 15 there was one amendment that I offered which was only a minor one, striking out the word "such," in line 2, and inserting the word "a." Of course, that was only a verbal amendment. The other amendment I withdrew until the final disposition of the amendment proposed to section 2.

Mr. BORAH. Mr. President, I should like to ask the Senator in charge of the bill if the committee amendments have all been disposed of?

Mr. PITTMAN. I think they have all been disposed of.

Mr. BORAH. Mr. President, I want to direct attention to sections 16 and 17 of the bill, rather with a view of getting an understanding as to what the committee understands those provisions to mean. Some of the provisions are a little difficult for me to understand by reason of the fact, perhaps, that I am not entirely familiar with the actual physical facts which the provisions are sought to cover. Section 16 reads:

SEC. 16. That upon relinquishment to the United States within 90 days from the date of this act or within 90 days after final denial or withdrawal of application for patent, of any claim or subdivision thereof asserted under the mining laws prior to July 3, 1910, to any unpatented oil or gas lands included in any order of withdrawal, the claimant or his successor in interest shall be entitled to a lease for each asserted mineral location of 160 acres or less or any subdivision thereof upon which such claim is based and upon which said claimant, his predecessors in interest, or those claiming through or under him, have, prior to the date of this act, drilled one or more producing oil or gas wells—

As I understand it, that provision is to the effect that the question of title may turn, and does turn, exclusively upon the fact of having drilled one or more producing oil or gas wells upon the property.

Mr. PITTMAN. And having asserted title; I mean having initiated the claim prior to the withdrawal under the act of Congress.

Mr. BORAH. What does the word "asserted" there mean? Does it mean a mere oral contention upon the part of some one, or does it mean that the party shall have complied with the laws of the land or the statutes with reference to making mineral locations?

Mr. PITTMAN. The committee thought that the words "under the mining laws" qualified the word "asserted," and meant that the claim had been located, as we say in the West, in accordance with the mining laws.

Mr. BORAH. The word "asserted," it seems to me, is a rather uncertain and wide-ranging term.

Mr. PITTMAN. I will suggest to the Senator from Idaho that the reason the word "asserted" was used was because the Department of Justice strenuously objected to the word "initiated," which had been used in other acts prior to this proposed act.

Mr. BORAH. Exactly; but if we use the word "asserted," there is no limitation, there is no definition, there is no guide as to what it really means. It is a word that has never been used in the mining laws; there is no precedent for it. I can understand a man sitting in a well-furnished and properly heated room thousands of miles away and asserting that he has a mining claim or a location in Wyoming; and I think he would be perfectly safe under this law in not going any further than to merely assert that he has a mining claim.

I think the use of that word is unfortunate, because it leaves room for all kinds of latitudinous construction. However, I call attention to the further fact—

the claimant or his successor in interest shall be entitled to a lease for each asserted mineral location of 160 acres or less or any subdivision thereof upon which such claim is based and upon which said claimant, his predecessors in interest, or those claiming through or under him, have, prior to the date of this act, drilled one or more producing oil or gas wells—

There is no limitation upon the amount of land which the party may claim, provided he has asserted title to it and has followed it up by drilling a well.

Mr. SMITH of Arizona. Mr. President, will the Senator from Idaho permit an interruption?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Arizona?

Mr. BORAH. I yield.

Mr. SMITH of Arizona. I desire to ask a question for my own guidance. Like the Senator from Idaho, I do not like that language; I do not know why, but I can not get at the exact meaning of the word; but does it not mean in the ultimate that anybody asserting a claim—and that is done by merely saying "I have a claim"—no matter if he got it, as they originally have in many of these cases from gentlemen who are in the meat business in Chicago—a dummy entry—if on any 160 acres of land, the Standard Oil Co. or any other company, or you or I, have actually drilled a well and found oil, no matter how fraudulent the inception of our claim was, if we assert we have it and have found oil we get title under this bill?

Mr. BORAH. I think that is true.

Mr. SMITH of Arizona. And it ought not to be.

Mr. BORAH. I think that is probably the construction of the language.

Mr. President, suppose we should find this condition of affairs to have existed in the oil regions of Wyoming: Suppose that it should be shown upon the facts that independent locators had gone into that territory, had located oil wells, and had initiated such proceedings as were required by law in order to finally ripen their claim into a title, and that thereafter other people

had come in and had forcibly driven them out, or had through legal processes stayed their proceedings and stopped their work, and had themselves actually taken physical possession and drilled wells upon that territory, then we would adjudicate the title in favor of the jumper, adjudicate the title in favor of the ones who had defied the law as against the man who had in good faith initiated his title. As I understand the situation, that is the state of facts that exists in Wyoming; and I ask the Senator in charge of the bill to consider the proposition that with the broad language of the mere assertion of title, the physical possession, and the sinking of a well, a party may acquire an unlimited amount of acreage by mere physical force or by fraud. I am sure the Senator in charge of the bill does not intend anything of that kind, but I can see no other construction to it.

I want also to say, Mr. President, that I am reliably informed that this particular section was drawn to cover a particular condition of affairs. The physical facts are about as I have stated them.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. BORAH. I yield to the Senator.

Mr. PITTMAN. I do not know whether the Senator means to intimate that this was drawn for the purpose of aiding any particular person in any contest.

Mr. BORAH. No; what I mean to say is that there is a certain state of facts existing, a certain physical condition obtaining, and that it was an effort to cover that physical condition; in other words, that the committee were not drawing a general law but were drawing a law which was proposed to apply to a particular state of facts. That is what I understand.

Mr. PITTMAN. Mr. President, in order that there may be no mistake about the particular state of facts, and that it may be clear that this proposed law has nothing to do with the state of facts to which the Senator has referred in Wyoming, I want to say that the state of facts is this: If we refer to a location of a mining claim as a foundation of this preferential right, then there must be a discovery, for, as the Senator from Idaho knows—and it is not necessary for me to refer to it—a discovery is essential to a valid mining location. There were very few discoveries made prior to the withdrawals; but believing that the first withdrawal was void and contrary to law, and being so advised by their attorneys, a great many people continued to sink oil wells. They had initiated a right by location, as we understand it in the West, and we have been using the term "initiated" all along; but, unfortunately, the Department of Justice in the prosecution of a number of cases has construed the word "initiated" to embrace discovery.

Then they held—and I think some of the lower courts have held with them—that a right is not initiated to a mining claim until discovery is made. Consequently, if we use the word "initiated" in the sense used by the Department of Justice, there will be no remedy to anyone, no matter how just his cause may be. That is the reason we tried to get away from the word "initiated."

What we really mean is this: If one in good faith has located a mining claim prior to the withdrawal under the congressional act of July 3, 1910, has done everything except make a discovery, and then, subsequent to the withdrawal, proceeded, undisturbed by the Government, and found oil, then that person will not have the land, but upon surrendering all claim of title will have a preference right to lease under the terms of the bill. That is what we mean.

Mr. BORAH. Well, Mr. President, I did not mean to be understood as intimating that the Senator or any member of the committee was seeking to draw a bill for the purpose of doing an injustice to anyone. What I meant to say, and what I did say, was that, as I understand, sections 16 and 17 were put into this bill by reason of a certain state of physical facts which exist in the Western States, and in Wyoming particularly, and that it was supposed, of course, that they were covering a situation in justice to all parties. What I am contending is that, instead of covering it in justice to all parties, it is calculated to work a great injustice, and I think that the use of the word "asserted," a term unknown to the mining laws of the country, without limitation or any established definition in the courts, is unfortunate. I suggest, in view of the fact that the Senator from Colorado [Mr. SHAFROTH] has come in, who is very familiar with the mining laws and conditions in the West, that if we leave in the word "asserted" and leave in the provision with reference to drilling, to wit, "drilled one or more producing oil or gas wells," we will leave the law in such condition that anyone who has made a mere naked, general assertion to a claim, whether it be bona fide, whether it has been in compliance with the law, whether it has been according to established precedents in initiating mining claims, or whether it be anything else than a mere naked, general assertion, and has followed it up by the drilling of a well, regardless of how he got upon the land, whether it was through ousting some one else or by force and fraud, will be given a preference right to an unlimited amount of acreage. There is no other construction to be placed upon it.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator to what page and line of the bill he refers?

Mr. BORAH. I was dealing with section 16 and referring particularly to that portion of it which begins in line 17. I will read the entire section again:

SEC. 16. That upon relinquishment to the United States within 90 days from the date of this act or within 90 days after final denial or withdrawal of application for patent, of any claim or subdivision thereof asserted under the mining laws prior to July 3, 1910, to any unpatented oil or gas lands included in any order of withdrawal, the claimant or his successor in interest shall be entitled to a lease for each asserted mineral location—

I venture to say that the Senator never, in all his wide range of experience in the West, has heard that word used in connection with acquiring title to the public domain.

Mr. SHAFROTH. I will state to the Senator that I am not familiar with that provision. It was not part of the amendment which I offered.

Mr. BORAH. I know that.

Mr. SHAFROTH. I offered an amendment with relation to coal lands. We considered this provision, however, and I do not know that the phraseology was criticized at that time.

Mr. BORAH. Then it goes on to say—

for each asserted mineral location of 160 acres or less or any subdivision thereof upon which such claim is based and upon which said claimant, his predecessors in interest, or those claiming through or under him, have, prior to the date of this act, drilled one or more producing oil or gas wells, such lease to be upon a royalty—

And so forth.

There is no limit, I maintain, to the amount of acreage to which he is entitled in the way of preference if he has succeeded in getting upon the ground and sinking a well.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Idaho yield to the Senator from Nevada?

Mr. BORAH. I yield.

Mr. PITTMAN. All of this land is withdrawn land; none of it is subject to location now.

Mr. BORAH. I understand that.

Mr. PITTMAN. All of it, if it is utilized at all, must be utilized under the provisions of this bill. It will be leased to somebody. The committee thought that it was not only in the interest of the Government to lease it to the man who actually had a well on it and was operating it, but that a man who had expended the amount of money necessary to test the ground and see if there was oil there was entitled to a lease in preference to somebody who had spent nothing. That was the theory the committee had.

Mr. BORAH. Ordinarily that would be true; but, as I understand the facts, Mr. President, they are something like these, that a number of independent locators went into the territory prior to the withdrawal orders on the part of ex-President Taft; that they had made locations; that is, they had done what was necessary to be done in compliance with the mineral laws up to that time; that when the withdrawal came along they in a certain sense respected the withdrawal; that, on the other hand, another company, entirely disrespecting and disregarding the withdrawal, entered upon this territory, took possession of it under actions of injunction and otherwise, obtained actual physical possession, ousted the independent oil locators who had done their part in so far as they could, sunk wells, and that the effect of this bill is to give them the preference right to that which they had acquired in defiance of the notice of the Government—because I do not contend that it was actually a valid withdrawal—and under the cover of the right which they secured for a time under temporary injunctions and also in some instances by actual force.

Mr. PITTMAN. Mr. President, the Senator is mistaken about that. If he will continue reading the following section will correct his error.

Mr. BORAH. Am I mistaken as to the facts which I have stated?

Mr. PITTMAN. I think so. Let me see if the Senator is mistaken; I hope he is. Listen to this language:

And any person who at the time of any withdrawal order heretofore made was such bona fide occupant or claimant of oil or gas bearing lands within such withdrawn area, other than lands reserved for the use of the Navy, and who has performed all acts necessary to a valid mining location thereof, except to make a discovery, if the claim was initiated within less than five years prior to the withdrawal, and such claimant had performed a reasonable amount of work preparatory and essential to the sinking of a well or wells, and who because of and in

obedience to such order desisted from the prosecution of work for the development of such claim, shall have a preference right to lease the same under the provisions of this act.

Mr. BORAH. Mr. President, that would be all right if it were not for the fact that this five years just about divides the line between those who got in afterwards and the fellows who got in first.

Mr. PITTMAN. Then, as I understand, the only objection the Senator has is to the five-year period.

Mr. BORAH. No. I think myself that there could be a provision put in there which would remedy the situation; but I will tell the Senator what I object to. I feel certain that the Senator would have the same opinion if he understood the facts as I understand them. I may be in error about the facts, but I object to the Congress legislating out men who went there in good faith and respected the notice of the Governme: ', and who were afterwards ousted in one way or another, and legislating in those who went there in violation of the Government's notice, who have taken possession either by writs of injunction or otherwise, and who have actually ousted those who went there in the first instance in good faith.

Mr. PITTMAN. Mr. President, the committee has exactly the same view as the Senator from Idaho, and it attempted in the section I have just read to give a preference right to those who obeyed the order, whether it was legal or not.

As to the five years, the committee thought there ought to be some time fixed within which there should be a location made. In other words, the Senator from Idaho would not want some one to come in and say: "Fifty years ago I made a location on this tract of land, and I did $100 worth of work every year." Fifty years is carrying it back too far. Thirty years is carrying it back too far. It ought to be within a time when people would know the facts or could ascertain the facts.

We took up this matter with some of the gentlemen from Wyoming, because we wanted to get at that fact. We first agreed that three years would include all bona fide claims that were located in that withdrawn area prior to the withdrawal of 1909. It developed later on that possibly it did not include all. Consequently, on the floor here the other day, we accepted an amendment making it five years instead of three years.

There is not any disposition to foreclose bona fide locators who obeyed the law, whether that law is legal or not. That is what the committee has tried to do, and there is no doubt in my mind that this bill does give a prior right to the very people the Senator from Idaho is discussing, provided their locations were initiated within five years prior to 1910. If that time is not long enough, if Senators have facts to show that there are bona fide locations that were made more than five years before, of course that is another question.

Mr. BORAH. I can only say that I have this state of facts: I have facts given to me by men who live there, who are upon the ground, and who are claiming to be entirely familiar with all the facts with reference to the development of these oil fields in Wyoming.

Mr. PITTMAN. How many years does the Senator think would be sufficient to cover it?

Mr. BORAH. I would not want to say without further consultation with those parties.

Mr. PITTMAN. I have no doubt that if the parties with whom the Senator has talked have an idea that this limitation does not include all of them, the committee would be very glad to accept any amendment of that kind. It certainly thought that the five years would cover every case.

Mr. BORAH. The Senator understands that I am not attacking the committee. I assumed that the committee was trying to get at the same thing that I wish.

Mr. PITTMAN. Exactly; the committee was trying to do that.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. SMOOT. I do not think the length of time is of so much importance in this measure as the effect that section 16 will have upon the oil lands in Wyoming; nor is the time altogether a remedy for the evils that will follow the passage of this bill, if I am correctly informed as to conditions in Wyoming. In other words, if section 16 passes as it is now written, the Standard Oil Co. will control at least four-fifths of all the oil in Wyoming, or at least 20,000 acres of oil land in that State. That does not come from the five-year or the three-year limit. It comes from the fact that the restrictions of section 33 are not applicable to the persons whose titles are validated under this section.

In other words, in section 33 of the bill we undertake to place certain restrictions upon validating title to any person making the entry, but that section does not apply to section 16 of the bill, and therefore all of the asserted mining locations made under this section, providing the parties have drilled wells, go to the parties who assert a claim to the lands, no matter how many acres so located or, in other words, there is no limit of area provided for. That being the case, I am informed by men who live in Wyoming and have been in the oil fields from the very beginning, and own claims there now themselves, that if section 16 passes as it is written the Standard Oil Co. can operate four-fifths of all the oil lands in Wyoming.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator yield?

Mr. SMOOT. The Senator from Idaho yielded to me.

Mr. BORAH. I yield.

Mr. PITTMAN. I have received what is called a brief on this bill, written by some lawyer in Oklahoma, which states the facts that the Senator from Utah has just stated. I do not know who this lawyer is or where he got his facts, and I do not take for granted statements of that kind or character.

Mr. SMOOT. If the Senator wishes, I can put into the RECORD a dozen letters from men who live in Wyoming.

Mr. PITTMAN. I want to state that I realize that there is litigation going on in Wyoming over oil claims. There is similar litigation in California; and this committee for four years has been trying, as the Senator from Utah knows, to get a bill that will satisfy everybody. I do not think it is possible. Nobody in my State is interested in this remedial legislation, and personally I very often feel tempted to fight against any remedial legislation, and strike it all out, and let it go to the courts; but we ought to try to do something fundamentally just, and that is what this committee is trying to do.

Mr. BORAH. The Senator from Nevada has made a suggestion that appeals very much and very strongly to me. I will say to the Senator that I received a brief on this subject, I presume the one to which he refers, since I came into the Senate Chamber; but the gentlemen from whom I received my facts are residents of the State of Wyoming, and I have every reason to believe that they are entirely responsible in what they say. If I were called upon, however, to draw and insert in this bill a provision which would do justice to all parties and not do injustice to any one, I could not do it upon the state of facts that has been given to me. I could only approximate it, perhaps. The only way to settle these controversies is by the institutions and tribunals which are created for that purpose, where the bona fides and the good faith of these parties can be determined.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nevada?

Mr. BORAH. I yield.

Mr. PITTMAN. Unfortunately that can not be done always by the courts. The courts have recognized time and again, in deciding against claimants, that they had a moral equity but no legal equity. They have held that these men, being advised by their attorneys that the Taft withdrawal order was void and that the lower courts had sustained that opinion, might be expected, as sensible men of good judgment, to go ahead and spend all this money in the development of oil lands, but that as a matter of fact, not having made a discovery before the Taft withdrawal, although they had commenced work prior to that time, their claims were void because a discovery was necessary before the withdrawal.

Those men, the courts themselves have stated, have some excuse. Why, I am satisfied that such an able attorney as the Senator from Idaho possibly has advised his clients, or at least his friends, that in his opinion the order was void.

Mr. BORAH. I have so stated on the floor of the Senate.

Mr. PITTMAN. I know it was the consensus of opinion of the ablest mining attorneys throughout the western country. On the faith of that opinion men expended their money. They discovered oil that was not known to exist before. They enriched this whole country at their individual expense, and yet legally they have no rights at all. They are out. Now, the Government is probably going to decide on a leasing policy. If it does decide on a leasing policy the question is, If you are going to lease to A or to B on the same terms, and B has discovered the very thing you are going to lease and has expended hundreds of thousands of dollars in discovering it, is it not justice in some way to compensate that man for that work?

That is the equitable idea involved in the whole matter. I realize that there is a whole lot of trouble involved in this remedial legislation, and I very frequently feel, as does the Senator from Idaho, like giving up trying to do justice in regard to passed acts and simply passing a law for the future.

Mr. SMOOT. Mr. President, I will ask the Senator from Idaho if I may ask the Senator from Nevada a question?

Mr. BORAH. Yes; I am seeking light.

Mr. SMOOT. I will ask the Senator from Nevada if the wording of section 16 is not virtually the wording that was agreed to by the committee when the question of relief for the California oil industry was under consideration—that is, the locations that were made in naval reserve No. 2?

Mr. PITTMAN. I think that matter was the matter under discussion at the time that wording was adopted. I admit that the committee has had very little discussion with regard to the Wyoming situation. In fact, I know nothing about it.

Mr. SMOOT. Mr. President, if the Senator from Idaho will excuse me——

Mr. BORAH. Certainly.

Mr. SMOOT. I understand that section 16 provides the relief the California people desired; it covers their case exactly; every locator stands upon the same basis. But, unfortunately, the oil people of Wyoming feel that the wording of this section will be a death blow to many of the locators of oil claims in that State; not that individual locators in Wyoming will receive a lease under this section, but they will have to depend upon the Standard Oil Co. for the refining of their product. The information that comes to me may be wrong, but, as I state, I have received at least a dozen letters, and I think more, from citizens of Wyoming, men whom I know, men who have located oil claims, who have lived in Wyoming, who have worked the oil fields of Wyoming, who are interested in Wyoming and in the development of the oil in the State, and they tell me that the statement I have made in relation to the effect of section 16 is correct. Personally I do not know whether it is or not; but I do know that if such were the case the Senator from Nevada would want an amendment to section 16 that would prevent it. I know him well enough to know that.

Mr. PITTMAN. With the courtesy of the Senator from Idaho, I will state that there is no question about that, so far as I am concerned, or any other member of the committee.

Mr. SMITH of Arizona. Mr. President, if the Senator will permit a suggestion, I do not know the facts well enough to cast an intelligent vote on this bill. Like the Senator from Idaho, I am seeking light. While I am a member of the Committee on Public Lands, my duties at the time this particular measure was before it held me elsewhere.

If it is true that the condition in those segregated lands known as the naval reserve in California, about which all of us heard so much before the committee, is so different from the condition in Wyoming, I wonder if it would not be possible to let section 16, if that meets the California conditions perfectly, apply to the California conditions, and see if out of the real facts surrounding the Wyoming situation we may not, in the discussion of this bill, develop such facts as to make the law apply satisfactorily to those people?

As the Senator says—I have no hesitation in referring to anything written to me—I have one leter from Cheyenne, Wyo., signed by Mr. Robert G. Porter, secretary of the Rocky Mountain Division of the Roxana Petroleum Co. of Oklahoma, in which he says that this provision hands over absolutely to the Standard Oil Co. the greater proportion of the oil fields of Wyoming. I do not know anything about it. I know that no member of the Committee on Public Lands wants to hand over to the Standard Oil Co. anything except what it deserves. If it does not deserve it, no member of the committee would think for a moment of permitting this bill to have that effect.

I was only suggesting here to those better acquainted with the facts than I am whether we might not meet the California situation with section 16, if it fits it, and if the Wyoming situation is so entirely different, whether we might not apply a proper remedy to the conditions in Wyoming.

Mr. SMOOT. Mr. President, I should like to say to the Senator that Arizona needs as much relief as California does. I will say to the Senator from Nevada that I received this morning a letter from Wyoming, stating that a committee is on the way, and expects to be here to-morrow, to present the Wyoming oil locators' side of this controversy. I judge from the letter that they have suggestions to offer so as to cover the Wyoming situation. As the bill will not pass until Monday, anyhow, I certainly shall take time, if they come to my office, to listen to what they have to say as to suggested amendments to this section.

Mr. PITTMAN. Mr. President, I think this committee for four years has sought light. We have had about 25 or 30 hearings during that time on this subject. The doors have always been open. This is about the fourth bill we have had. We have had remedial legislation in all of them. I am always willing to listen, as the Senator from Utah is, and I will listen again; and while I have received some protests against this, so far as Wyoming is concerned, I have received no suggestions as to amendments from any of the Wyoming people. I do know that there are two sides to the thing in Wyoming, as there are everywhere else. In fact, there were some people who came here and wanted us to put in the bill the decision of one of the lower courts, and say that that should be the law, to avoid the necessity of an appeal. I might say that that did not appeal to any member of the committee. It was not even suggested.

Mr. SMITH of Arizona. But I think the letter I have received might give the Senator some light, for it closes by saying:

In view of these facts—

That is, that the Standard Oil Co. was going to get all the valuable oil lands in Wyoming—

In view of these facts, which this company is ready to substantiate, I urge you to support such amendment of the bill as will give non-Standard Oil companies an even chance, and, failing in having such an amendment passed, to oppose the passage of the bill.

Mr. PITTMAN. Has the Senator from Arizona an amendment with him that will give non-Standard Oil companies an equal chance?

Mr. SMITH of Arizona. That was all the suggestion made to me. They did not suggest what amendment should be made.

Mr. BORAH. Of course these people assumed that we, being here in the business of legislation, know the kind of an amendment that will give them relief.

Mr. PITTMAN. There are very few special pleaders here.

Mr. BORAH. Mr. President, I want to say to the Senator in charge of the bill that if the statement of facts which has been given to me this morning by residents of Wyoming—men who are here now and ready to be heard and anxious to be heard, and will have their amendments ready as soon as they can have time to present them to some one who may see fit to present them here—if the state of facts which they have given to me is correct, we are legislating out a great number of bona fide locators, and it so happens that those men whom we are legislating out are non-Standard Oil men. If, on the other hand, the bill goes through as it is, it will give peculiar and particular protection to the Midwest Refining Co., which, as I am informed, is a subsidiary of the Standard Oil Co., and will protect their property without any further litigation at all.

I need not say that I know that if the committee had those facts the committee would not indorse this measure. I think it is up to us to get those facts and have them here before we pass the bill. The men are here on the ground ready to give the facts, and I would be greatly disappointed if they did not give the facts in such a way as to impress those in charge of the bill that there should be a radical amendment to sections 16 and 17 and also section 39.

Mr. PITTMAN. I should like to ask the Senator from Idaho if he has any suggestion to make with regard to amending the paragraph that I read, giving priority to bona fide locators prior to withdrawal who had desisted from further work during the withdrawal by reason of such withdrawal?

Mr. BORAH. On page 15?

Mr. PITTMAN. On page 15. Have you any suggestion to make as to an amendment to that proviso, which was intended to take care of what the Senator now has in mind?

Mr. BORAH. The only suggestion I have to make at the present time in regard to it, as I carry the facts given to me, is as to the term of years. I would not want to commit myself, because I am proceeding upon a state of facts given to me within the last two hours and I am of the opinion that that could be remedied by a change of the year.

Mr. PITTMAN. That was the object of that provision. It was to protect bona fide locators who made their locations prior to the withdrawal of 1909, but who made no discovery, and who desisted from work leading to a discovery by reason of such order. It was intended to protect the very class of locators the Senator has in mind. As I said, five years was put on here in the Senate the other day. The Senator from Pennsylvania [Mr. PENROSE] offered the amendment for five years after talking with Mr. Mitchell, one of the Wyoming locators, who is complaining that he may lose rights under section 15. I assumed the matter was in a shape satisfactory to him.

Mr. BORAH. Mr. President, I could not suggest the actual number of years at this time, but I will be able to do so before the bill is taken up to-morrow morning. I frankly concede that I am proceeding upon a state of facts which I have not had time to investigate thoroughly or to master thoroughly, but I thought it worth while to call it to the attention of the Senator, and I shall later undertake to give the facts as they were related to me by this committee.

Mr. SMOOT. I wish to ask the Senator from California [Mr. PHELAN] a question. He has entered the Chamber. Do I understand that the Senator from California desires a reconsideration of the amendment in section 16, which struck out,

on line 15, the words "or within naval petroleum reserve No. 2" and on page 13, beginning with line 15, "*Provided further*," and also the next proviso down to and including the word "Wyoming," in line 24? I will say to the Senator those were the amendments offered by the Senator from Virginia [Mr. SWANSON].

Mr. PHELAN. I have no reason for any change of the view that I expressed prior to the recess, that whereas I was opposed to the elimination of those words which would bar the owners in naval reserve No. 2 from the benefit of the act, still it seemed to be conceded by all interested in the passage of a bill for the development of the resources outside of the naval reserve that they could afford to wait, and the Senator from Virginia [Mr. SWANSON], who is not present, promised at the beginning of this session to propose his amendment. I do not believe he has prepared his amendment. I spoke to him yesterday. When he proposes the amendment, I think it is going to take the form of a separate bill, and that would be a wise and proper time for me to express my views on behalf of those who are interested in the State of California. But as the bill stands now amended, with the elimination of those provisions, I am ready to support it. There is no opposition from California. They only want a larger area included, so far as I understand the situation.

Mr. SMOOT. The only reason why I asked the Senator the question was this, that the provisions of section 16 were written to take care of the oil locations in naval reserve No. 2 in California. The wording of it was drawn in such a way that it covered all such cases. The provision affecting naval reserve No. 2 is stricken out, and the only question in my mind now is whether the wording of section 16 will cover the Wyoming locations. Many locators are fearful it will not. That is why I asked the Senator the question as to what attitude he was going to take in relation to this amendment.

Mr. PHELAN. The Senator from Nevada [Mr. PITTMAN] is in charge of the bill and can answer the question.

Mr. PITTMAN. Mr. President, section 16 does not relate wholly to naval reserve No. 2, and never did relate wholly to naval reserve No. 2. It related to all withdrawn land, and there are ten times as many withdrawn lands in California outside of the naval reserve as there are inside of the naval reserve.

Mr. SMOOT. The Senator misunderstood me or else I made a statement I should not have made. What I intended to say was that the wording of section 16 was peculiarly fitted to the oil location in naval reserve No. 2, located in California. In other words, the California people who were interested in procuring relief legislation drew section 16 as it is now worded with a view of taking care of those who had locations within that reserve. Now, the Wyoming fields are somewhat different, so I am informed by the men who made the locations in those fields, and the wording of section 16 does not bring the relief to them that they desire.

Mr. PITTMAN. The wording of the section is not peculiar to naval reserve No. 2 or any other reserve. It was not even peculiar to California. Let me explain. Oil claims have heretofore been acquired under the placer mining act. Locators would mark out the boundaries on the surface of the ground and then sink a well until they discovered oil. It generally took them several months after the claim was located on the ground before they discovered oil. It was not a valid location until they did discover oil. There was a period of several months between the time the claim was marked on the ground and the time they discovered oil.

Now, what happened? Prior to 1909, under the mining act, men who located placer-mining claims in California commenced to sink for oil. President Taft, by the advice of the Department of the Interior, issued an order withdrawing all those lands from prospecting and location under the placer-mining act. Now, what position did that leave those locators in? It left them in a position where they had lawfully commenced work prior to withdrawal and they were lawfully working at the time of the withdrawal, but after the withdrawal, not having yet made a discovery, although they may have expended $50,000 in their work, all their work was for naught, and their right terminated.

Now, what was the result? They questioned the right of the President of the United States to dispose of the public lands without authority of Congress. As I said before, the ablest attorneys of this country gave it as their opinion that the President had no such power. In fact, the lower courts in deciding the question decided that the President had no such power. Then after those decisions and upon the advice of those able attorneys, and upon the advice given publicly on the floor of this body by Senators of the United States, they continued their work. Some of them have expended as high as $3,000,000, the testimony before the Public Lands Committee shows, on that character of land. But that character of land is not embraced in this oil naval reserve alone. Cases of that character existed all over California and all over Wyoming, I have been informed. That is what I mean when I say that the section is not peculiar to the naval reserve; it is only peculiar to that state of facts.

What was the result? The result was that the Pickett Act came on in 1910 to remedy that very condition, and the Pickett Act said what? It said that notwithstanding the withdrawal of Mr. Taft any association of persons who were actually developing oil claims at the time the act was passed should have a right to continue that development, and when they struck oil they might get not a preferential lease but that they would receive a patent to every 160 acres that they got oil upon, no matter how many of such tracts they had so located and developed. That was the mature, deliberate act of Congress in 1910. Congress did that because it felt that these oil prospectors had been done an injustice by Mr. Taft in the withdrawal order.

Then, why has not the Pickett Act satisfied conditions? Here is the reason: Because the Department of Justice in its efforts to take these oil lands away from the men who had discovered the oil has forced on the lower courts a construction of that act which takes out of it all the remedy that Congress intended to give them.

Now, how did they do it? They did it in this way: The act states that the work shall be prosecuted with due diligence to discovery. What did they hold "due diligence" to mean? They held that due diligence was practically continuous work without regard to the conditions that might surround such work. They went so far as to hold that.

Mr. BORAH. What court held that? The lower court? It never went up?

Mr. PITTMAN. No; the lower court held it. I am talking about the lower court. I am glad that the circuit court of appeals has reversed all that the lower court held in construing due diligence to mean continuous work. That is practically what they held. Not only that, but they went further. The court held, under the instruction of the Department of Justice, that the work had to be actual drilling work; that if a man was not actually drilling for oil on the day the act was passed he did not come under the remedy.

They went further than that. They held that he might be laying a water line for many miles to bring in the water that was essential to drilling operations, and yet such act on his part would not constitute due diligence in the prosecution of that work leading to a discovery. In other words, the Department of Justice so construed the Pickett Act as to take out of it any and all remedies, and the lower court sustained it.

Now, then, what was the result? We start in to pass an act that will open up the 8,000,000 acres of oil lands in this country and the 44,000,000 acres of coal lands.

Mr. TOWNSEND. May I ask the Senator a question?

Mr. PITTMAN. Certainly.

Mr. TOWNSEND. Was not the case the Senator refers to appealed? Has not the superior court passed upon that very proposition?

Mr. PITTMAN. It has in another case. In the case I have in mind it has not, but it has passed on the same question in two other cases that went up from naval reserve No. 2. There the circuit court of appeals reversed the lower court and discharged the receiver. It set aside the strict construction that was put on it by the Department of Justice and by the lower court and gave it a reasonable, intelligent construction, such as was intended by Congress.

But we found ourselves in this position: We were ready to legislate with regard to these withdrawn areas. We were going to go in and do it by a leasing bill. We were going to lease some of this very land that somebody else had developed and which subsequent acts of Congress have attempted to grant to them. It was urged before the committee that it would be unfair to lease to an absolute stranger a piece of land that some one else in good faith had demonstrated to be oil land at the expense of many thousands of dollars. The committee took that view of it. The chaotic condition that existed with regard to all this development, the doubt with regard to Mr. Taft's power to make the withdrawals, the second authorization by Congress in 1910, the passage of the Pickett Act in 1910, attempting absolutely to exclude the men who were prospectors there from the operation of the withdrawal, the action of the court in setting aside the pure intent of Congress led our committee to say that in leasing this land we should give a preference right to the man who in good faith had asserted the

right under the mining laws of the United States prior to the withdrawal and who had continued until he got oil.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. PITTMAN. I do.

Mr. KELLOGG. I understand it to be the fact, and I would like to have the Senator correct me if it is not, that the Supreme Court of the United States afterwards held that the President had an implied power to withdraw the land.

Mr. PITTMAN. That is correct.

Mr. KELLOGG. That question is settled?

Mr. PITTMAN. That is settled.

Mr. KELLOGG. But the court has not passed yet upon the right of claimants who in good faith prosecuted their claims and performed work prior to the withdrawal except in the cases under the Pickett Act in California? Is that correct?

Mr. PITTMAN. Yes; that is, under the Pickett Act. That situation, as I said, led the committee to diverge from its main purpose, which was to pass an act to open up coal and oil lands that had been withdrawn. It was hard to resist the appeals of hundreds of men who had put everything on earth they had in the development of these oil lands when by the passage of this act, without remedy, they would be ruined.

Mr. BORAH. The Senator is describing a condition which is sought to be remedied, but, as I said a few moments ago, my opinion is that a state of facts exists which the bill as drawn does not include—that of the men who went there in good faith and expended their means while some others came in who had not expended their means in the development of this territory. In other words, the pioneer in these oil fields is not being protected under this bill sufficiently. Now, the man who is being protected is the man who came after the pioneer had been discouraged and who, with his assistants, got the pioneer out of the district. He is the man who is now being protected under the bill.

Mr. PITTMAN. Mr. President, there are two classes of pioneers. There is one pioneer who did not have the means to sink an oil well, and there is another pioneer who did have the means to sink an oil well. The committee believed that both of them should be protected. One of them should be protected because his condition should not be taken advantage of as long as he was doing all that the law required him to do at the time of the withdrawal, and the other should be protected because he did all he could do under the law and actually discovered oil.

Now, this is the first bill I know of, and there have been three of this character in Congress, that has had a provision in it protecting the man who actually obeyed the withdrawal order of 1909. I believe that that was brought about largely through the junior Senator from Wyoming [Mr KENDRICK]. In fact, I know it was brought about through the junior Senator from Wyoming. He urged before the committee the very thing that the Senator from Idaho [Mr. BORAH] is now urging, the protection of the pioneer. He urged that there was a class of locators out there who had not asked the advice of attorneys with regard to the withdrawal order of Mr. Taft, but who had obeyed that withdrawal order implicitly, and by reason of such obedience should be recognized when the leasing bill was passed as preferential lessees. Therefore we put into this act what I have before read and which I wish to read once more in conclusion. It is brief and I think it covers it:

> And any person who at the time of any withdrawal order heretofore made was such bona fide occupant or claimant of oil or gas bearing lands within such withdrawn areas, other than lands reserved for the use of the Navy, and who has performed all acts necessary to a valid mining location thereof, except to make a discovery, if the claim was initiated within less than five years prior to the withdrawal, and such claimant had performed a reasonable amount of work preparatory and essential to the sinking of a well or wells, and who because of and in obedience to such order desisted from the prosecution of work for the development of such claim, shall have a preference right to lease the same under the provisions of this act.

Mr. STERLING. I note the Senator read "five years prior to the withdrawal" instead of three years.

Mr. PITTMAN. I will state to the Senator from South Dakota that he was not here at the time that amendment was adopted. The Senator from Pennsylvania [Mr. PENROSE] offered that as an amendment and, as I have stated before, the amendment was passed because it was doubted whether three years would include all of the locations that were made in good faith prior to the withdrawal. The Senator from Idaho is informed that five years will not protect all those whom we seek by this provision to protect and he is going to investigate and inform us as to the facts. That is all I desire to say on the subject.

Mr. STERLING. I should like to ask the Senator from Idaho whether there is any objection to any other part of section 17 as it appears on page 15 other than the time limit there fixed? Outside of the time limit does it not cover all imaginable cases that would arise in his State or in the State of Wyoming or in any other State, for that matter?

Mr. BORAH. Mr. President, I could not answer that question, so far as I am individually concerned. Reading the amendment over, without any knowledge of the facts and the ground, I should not have raised any objection to it at present. But as I said a moment ago, a committee came to my office this morning from Wyoming and from the West giving me a state of facts which I obtained only a few moments before I came into the Chamber. I am not able to state just what that state of facts will show or to what extent, if any, there should be an amendment in addition to the change of the years. I do know there will be a desire to change the number of years. I do not know whether there will be a request for any further change in that section or not.

Mr. KENDRICK obtained the floor.

Mr. VARDAMAN. If the Senator from Wyoming will yield to me, I am compelled to leave the Chamber to go to a committee meeting. I should like to ask the Senator in charge of the bill if he expects to dispose of it this afternoon?

Mr. PITTMAN. I will state to the Senator from Mississippi that I do not believe we will reach a vote to-day.

Mr. GALLINGER. There is a unanimous-consent agreement to vote upon it on Monday.

Mr. VARDAMAN. I was requested to ascertain that fact from the Senator in charge of the bill. I should like to know so I can leave the Chamber.

Mr. PITTMAN. There will be no vote on the bill to-day.

The PRESIDING OFFICER. The unanimous-consent agreement states that not later than 5 o'clock on Monday the final vote shall be taken. The Senator from Wyoming will proceed.

Mr. KENDRICK. Mr. President, the Senator from Utah [Mr. SMOOT] asked a question as to whether or not the bill is satisfactory to the people of Wyoming. In answer to that I will say that the people of my State are anxious to have a leasing bill of some kind.

The bill has two features, one of a remedial nature and another providing for the leasing of public lands that have not heretofore been located. We are greatly concerned in the remedial legislation. We are just as much concerned in having some kind of constructive legislation that will bring order out of chaos at this time.

The presence in my State, well known for many, many years, of great bodies of oil, and the absence of any market for the same created there something of a peculiar condition. As far back as 30 years ago there were filings made upon these oil fields, and I have no doubt most of those filings were made in good faith, but the absence of a market, the lack of opportunity to secure results from the drilling of oil wells or the opening up of oil fields, discouraged the people, many of whom abandoned their filings and went away.

In some cases, no doubt, as may be proven, many of these original locators are still on the ground and have been trying to the best of their ability to go on with their development.

When section 17 was incorporated in the bill we asked to have it adopted without limitation as to time, but a protest against this lack of limitation made a change seem desirable. It was pointed out that since some of the original filings dated back, as I have said, for many years, and since some of them had been abandoned, the land involved may have been taken up by other persons, who had gone in upon it in good faith and who had undertaken development. This condition seemed to make it necessary to adopt some sort of a time limitation. But, as the Senator from Idaho has said, I am not sure that five years is sufficient to cover all legitimate and bona fide claims. A little inquiry into that on the part of those who are contending that it is not may, however, clear up that particular situation.

Section 16 originally applied to a naval reserve, but since the naval reserve has been eliminated I see no reason why any protection afforded under that paragraph is not to be found under section 17. But, however that may be, I have no objection particularly to this section. There are people in my State who object to it, and there are people who favor it; but, as I have understood this section, its purpose has been to safeguard only the rights of those who have actually brought in producing oil wells.

Mr. SMOOT. Mr. President, will the Senator from Wyoming yield to me?

Mr. KENDRICK. Yes.

Mr. SMOOT. Does the Senator claim that there is a limitation upon the amount of acreage that an individual may lease under section 16?

Mr. KENDRICK. I have taken no thought of that, Mr. President. I was referring only to limitation of time.

Mr. SMOOT. Limitation of time is not the objection to section 16, but that there is no limitation whatever placed upon the acreage. If the locations have been made as provided for in section 16, or if the restrictions of section 33 apply to section 16, then I would say there would be no special objection to it; but as that section now reads, and as the bill is before the Senate, in my opinion there is no restriction whatever as to the number of acres that an individual may lease under the provisions of this bill if the locations are made according to the bill itself, whereas as to anyone locating lands hereafter the restriction is to 2,580 acres, which is the maximum amount; but under section 16 one individual, if the location were made before the withdrawal order, could lease all of the lands so located and thus, I am informed, have a virtual monopoly of the oil lands of that State. That is the objection to section 16.

Mr. KENDRICK. Well, Mr. President, so far as I can understand the meaning of the bill, no measure that we could pass here would invalidate any legal right that any locator had already established, and it might well be that section 33, to which the Senator refers, might exclude application to rights protected under section 17, because those rights have already been established.

The remedial part of this bill is intended to prevent, as I have stated before on this floor, a situation under which by this measure we might take away from citizens of my State rights that they have secured under existing laws. That we do not want to do.

There are other features of the bill that seem to me to be possible of correction, and all within the limits of the time allowed us. I believe there is a real ambiguity in the paragraph providing for a limitation of holdings. If so, it should be corrected by amendment.

Another feature of the bill which seems now to have a doubtful meaning relates to the resale and disposition of oil, which might create just the condition in my State that it is now intended to avoid—of monopoly. As an illustration, it prevents any interest being held by a producer of oil in any selling or marketing agency whatever. In Wyoming, with an immense production of oil, there is only one refinery, and if that provision remains in the bill it might establish a condition under which no other refinery could be built.

Mr. SMOOT. Mr. President, will the Senator yield to me?

Mr. KENDRICK. I yield.

Mr. SMOOT. I have no amendment drawn to section 15, nor has one been presented to that section, which would be satisfactory to the Wyoming people who are in Washington and those who will arrive in Washington to-morrow, as I am informed; but it does seem to me that we ought, in section 16, at least to put a limitation upon the lands that can be leased. As it is to-day, suppose one individual, or one acting for a corporation, I will say, had 9,000 or 10,000 acres of oil land in the State of Wyoming. That individual, under the provisions of the bill, would have oil lands enough to erect a refinery, whereas if he only had 2,580 acres, which are provided as the maximum under the leasing system, he could not afford to go to the expense of refining the oil produced from that amount of oil land. The result, therefore, will be, if section 16 remains as it is, that the Standard Oil Co. will control the price of all the oil produced in Wyoming, because of the fact that they will be about the only ones who can afford to erect a refinery.

Mr. SMITH of Arizona. And the pipe lines.

Mr. SMOOT. There is, I believe, only one small pipe line in Wyoming, outside of those that are controlled now by that corporation. I know the Senator from Wyoming [Mr. KENDRICK] does not want that to apply to his State, and I know that he would not be in favor of such legislation. I am also quite certain, from the information that I have received, that that will be the case unless we amend section 16 of the bill.

Mr. KENDRICK. Mr. President, I am strongly opposed to monopoly, especially in Wyoming. I know the situation and I know the extreme difficulty of avoiding it. Acting for two years as chairman of our State land board, I was convinced that it is practically an impossibility to avoid having oil holdings gravitate toward big companies; and I believe that this committee has labored diligently to try to avoid that very situation. If there is an error in that particular section that grants any rights that have not been heretofore held and enjoyed, I myself think that the same limitation certainly should be placed on those holdings that apply in other paragraphs of the bill. However, I had the impression as I read the bill that it referred only to those who already held rights and could not be limited.

Mr. GALLINGER. Mr. President, will the Senator from Wyoming permit an interruption?

Mr. KENDRICK. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, when this bill was being considered a few days ago I made a suggestion that I, as then informed, should probably vote against the bill. If I should do that, it would be the first time during my service here that I voted against any bill that western Senators wanted, for I have always been in sympathy with the West, and I have had little sympathy for the wholesale method that has been adopted in creating so-called forest reserves throughout the western country. I want to see that section of our country developed in every proper way. After having made that statement my attention was called to the bill by a Senator, showing me that, in addition to the leasing system, sales were allowed and that it was a different bill from the one that was here a year ago, which I took occasion to oppose. After looking the bill over with that Senator I concluded to do what I seldom do in the Senate, and that is to frankly announce that I had changed my mind and would vote for the bill; but in this morning's mail I received a communication, at which I casually glanced and am not prepared to state definitely what is in it, but one point made was that this legislation would permit the Standard Oil Co. to get a monopoly of the oil in those States that it is supposed will be benefited by this legislation.

I am not in the habit of getting frightened at the words "Standard Oil," but if there is any ground for that charge—and I shall examine the letter or document that came to me more particularly when I go to my committee room—why, of course, I would not vote for the bill, and I do not believe the Senator from Wyoming [Mr. KENDRICK] would vote for it if that is a fact. I think it ought to be cleared up, whether there is any ground for that charge, which is made by some one who claims to know a good deal about the matter. I would be glad, indeed, to have the Senator from Wyoming give his opinion on the point whether we are apparently legislating for the people, but are, as a matter of fact, legislating for a great corporation. My vote, while it may not be of any consequence, would be largely governed by the answer that I may receive to that question.

I thank the Senator for yielding to me.

Mr. KENDRICK. In answering the Senator's question I will say to him that if this measure is intended to provide particular legislation for any company or corporation, I am not advised of it any further than that one operator claims that another is getting an advantage. I have asked for specific information on all these points, but have been unable to obtain anything of a definite nature to show that there is any privilege granted by this bill that should not be granted, or that it is designed to favor any association, organization, or corporation. All of the changes that I have asked for in the bill have been in the way of remedial legislation for the sole and only purpose of protecting rights already established in good faith. I understand from my short experience here the difficulties that have been encountered by the committee in trying to get final action on this measure. I am anxious, because of the importance to my State of having a definite policy adopted, and to see all differences adjusted. Thousands of people in my State are locating oil lands every day, and the complications grow worse instead of better.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. KENDRICK. I yield to the Senator.

Mr. KELLOGG. I should like to ask a question, and preliminary to the question I should like to make a brief statement.

I am not familiar with the hearings which took place prior to April 2, 1917, but I do not remember any testimony of witnesses appearing before the committee which gave the committee any information as to particular holdings of any corporation or individuals in the State of Wyoming. Within the last few days, however, I have received communications which would indicate a state of facts such as suggested by the Senator from Utah, that one corporation did own a vast quantity of locations. So far as I know, that state of facts did not appear to the committee. Is there any objection, so far as the Senator from Wyoming is concerned, to applying to section 16 the same limitation as to acreage which is applied to other locations?

Mr. KENDRICK. Mr. President, in answer to that question I will say to the Senator that I would be glad to have such restrictions incorporated in the section so far as they would not disturb vested and established rights.

Mr. JOHNSON of South Dakota. Mr. President, I wish to ask the Senator from Wyoming before he takes his seat, or of the Senator who has the bill in charge, a question with regard

to section 2 along the same line as the question suggested by the senior Senator from New Hampshire [Mr. GALLINGER]. As I read section 2 it gives to an association or a corporation rights that it does not give to individuals, so far as the purchase of coal land is concerned.

Mr. PITTMAN. That has been amended.

Mr. SHAFROTH. The word "citizen" has been inserted, so as to read "That any citizen or association," and so forth.

Mr. JOHNSON of South Dakota. Very well. I did not know it had been amended. The bill on my desk does not show the amendment, but I am glad to get the information.

Mr. BORAH. Mr. President, I desire to have printed in the RECORD, so that they may be there for the consideration of those who are not able to get the bill, sections 16, 17, and 33.

The PRESIDING OFFICER. Does the Senator mean as they appear in the bill as it came from the committee or as at present amended?

Mr. BORAH. As amended at the present time.

The PRESIDING OFFICER. Without objection, the sections suggested, as amended, will be printed in the RECORD.

The sections referred to are as follows:

SEC. 16. That upon relinquishment to the United States within 90 days from the date of this act or within 90 days after final denial or withdrawal of application for patent, of any claim or subdivision thereof asserted under the mining laws prior to July 3, 1910, to any unpatented oil or gas lands included in any order of withdrawal, the claimant or his successor in interest shall be entitled to a lease for each asserted mineral location of 160 acres or less or any subdivision thereof upon which such claim is based and upon which said claimant, his predecessors in interest, or those claiming through or under him, have, prior to the date of this act, drilled one or more producing oil or gas wells, such lease to be upon a royalty of one-eighth of the production of oil or gas produced and saved therefrom after first deducting from the gross production such oil or gas as may be used in development and operating such land, and otherwise on the same terms and conditions as other oil and gas leases granted under the provisions of this act: *Provided, however*, That no claimant who has been guilty of fraud in the location of any oil claim or gas-bearing lands shall be entitled to any of the benefits of this section, nor shall his assignee be entitled thereto unless he affirmatively shows that prior to the passage of this act he purchased such lands in good faith, for a valuable consideration and without actual knowledge of such fraud: *Provided further*, That upon the issuance of said lease and prior to the delivery thereof the applicant therefor shall pay to the United States for one-eighth of the oil or gas produced and saved from the lands included in said claim at the current field price at the time of production, which shall be in full satisfaction for all oil or gas extracted from said land prior to said lease: *And provided further*, That none of the provisions of this section or of this act shall be applicable to or affect lands or minerals included within the limits of any naval petroleum reserve: *Provided further*, That the provisions of this section shall be applicable in all cases provided for herein, including cases where court actions have been heretofore commenced or may hereafter be commenced by the United States Government affecting the title to such lands or the product thereof: *Provided, further*, That any bona fide occupant or claimant of oil or gas bearing lands in the Territory of Alaska, who prior to withdrawal had complied with the requirements of the mining laws, except as to discovery of oil or gas in wells, and who prior to withdrawal expended not less than $1,000 in permanent improvements on or for each location, shall be entitled to the benefits of this section.

SEC. 17. That the rights of any person who on the 1st day of August, 1917, was, and ever since has been, a bona fide occupant, or claimant of oil or gas bearing lands open to appropriation as such under existing law, and who has performed all acts necessary to a valid mining location thereof except to make a discovery, and who on and prior to said date was preparing to develop such lands, and to discover oil or gas therein, and who shall thereafter continue in the diligent prosecution of work leading to the discovery of oil or gas, shall not be affected or impaired by this act so long as such occupant or claimant shall continue in the diligent prosecution of said work. Such occupant or claimant so continuing shall be entitled to develop and prosecute his claim for patent and to have the same as provided by existing law for such locations not exceeding in the aggregate 2,560 acres.

And any person who at the time of any withdrawal order heretofore made was a bona fide occupant or claimant of oil or gas bearing lands within such withdrawn area, other than lands reserved for the use of the Navy, and who has performed all acts necessary to a valid mining location thereof, except to make a discovery, if the claim was initiated within less than five years prior to the withdrawal, and such claimant had performed a reasonable amount of work preparatory and essential to the sinking of a well or wells, and who because of and in obedience to such order desisted from the prosecution of work for the development of such claim, shall have a preference right to lease the same under the provisions of this act: *Provided*, That such preference shall not extend to any lands included in any locations determined to be valid and entitled to proceed to patent under the mining laws existing at or prior to the passage of this act: *Provided further*, That if any claimant is given a preference right to lease lands upon which wells have been sunk to oil by other parties, the Secretary of the Interior may in his discretion require such lessee to pay to the party or parties who sunk such well or wells, or to the United States, the reasonable cost of such well or wells.

SEC. 33. That no person, association, or corporation, except as herein provided, shall be permitted to take or hold any interest, as a stockholder or otherwise, in leases of any one of the deposits herein named and described, during the life of such leases covering in the aggregate an area greater than 2,560 acres, and any interest held in violation of this provision shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction, except that any such ownership or interest hereby forbidden, which may be acquired by descent, will, judgment, or decree, may be held for two years and not longer after its acquisition.

Mr. BORAH. Mr. President, I desire to make a single observation before I sit down. I find that a good many provisions in this bill are intended to prevent monopoly in production, in the ownership of the soil, and in lease holdings, in the first instance, but I do not find any sufficient safeguards against complete monopoly in refining. While there are provisions in the bill which, if they would operate upon entirely unoccupied territory, would have that tendency, yet, by reason of the peculiar facts which exist in the particular territory, they will not have that tendency or will not have the effect, in my judgment, of limiting monopoly with reference to refining. I think that there ought to be some such amendment as I shall propose later, and which I hope the committee will accept.

Mr. PITTMAN. I think that section 34 was intended by the committee to apply to refiners. This is the language used in that section:

SEC. 34. That no person, association, or corporation holding a lease under the provisions of this act shall, except as herein provided, hold any interest, direct or indirect, in any agency, corporate or otherwise, engaged in the resale of coal, phosphate, oil, gas, potassium, or sodium purchased from such lessee, or enter into any arrangement, agreement, or other device to enhance the price of such minerals or products, and any violation of the provisions of this section shall be ground for the forfeiture of the lease or interest held.

I think the committee had in mind at the time that the word "agency" covered a refinery. However, I will say that the suggestion of the Senator from Idaho has considerable merit, for I doubt whether it does include refineries. At this point let me ask the Senator from Idaho, while he is considering his amendment on that particular subject, to be also considering a provision for permitting independent oil operators to unite for the purpose of putting up their own refineries.

Mr. BORAH. I think that kind of a provision ought to be in the bill, because its absence is one reason why the refining may be merged into a complete monopoly. The holdings upon the part of the independent owners are such that they can not, unless they are permitted to join together, put up refineries, but they would necessarily have to sell out or surrender to those who could put them up.

Mr. PITTMAN. The object of the committee was this: It desired to prevent the control of oil fields through a refinery; in other words, it desired to prevent corporations owning the oil really owning the refineries—to prevent a combination through the refineries. The provisions that are in the bill now are the same provisions that were in previous bills; the committee merely redrafted the bill and put them in; in other words, the provisions attempting to provide against monopoly which are now in the bill were in the bill that passed the Senate at one time, and they were in the bill that twice passed the House of Representatives.

While this question has been once or twice called to the attention of the committee, they seemed to think it was of more importance to prevent a combination of oil operators in a refinery than to permit them to organize a refinery, but I will call the attention of the Senator from Idaho and of other Senators to the fact that in the bill we passed recently, in fact, at the last session, providing for the development of potash, we expressly provided that the lessees under the act might unite in establishing a refinery, provided that no lessee should have to exceed a 10 per cent interest in such refinery. I simply lay that down here as a suggestion for Senators who are particularly looking into the Wyoming situation.

As the Senator from Minnesota [Mr. KELLOGG] has said, the committee had no hearings on the Wyoming situation. I do not think the committee are advised about the details of the situation in Wyoming; they were simply advised over a period of four years with regard to general conditions; and, as I have before said, we attempted to legislate to meet those general conditions.

Mr. SMITH of Arizona. Mr. President, if the Senator will permit me, I see in a brief which has been sent to me, signed by Mr. Benjamin F. Rice, to whom the Senator alluded some time ago in the debate, on page 11, after citing section 34, the following observation:

From a practical standpoint, under the provisions of this section 34, the successful prospecter on the public domain may not install a pipe line or refinery. This provision says that no person holding a lease under the provisions of the act may have any interest in any agency engaged in the resale of oil.

Every pipe line in the United States which is a public carrier buys oil at the field of production and sells it at the refinery.

Practically every refiner in the United States buys oil at the field of production, refines it, and sells it.

The refinery and the pipe line are both, to an extent sufficient to bring them under the terms of this act, agencies engaged in the resale of oil.

Whether that is a proper interpretation of the effect of that section I do not know. If it is, it stands in the way of any

sort of competition against the Standard Oil Co. or any other great corporation or monopoly, if you please, in these fields.

Mr. KING. Mr. President, the other day in discussing this measure I called attention to the position taken by the Senator from California [Mr. PHELAN] with respect to section 16, as I recall. As I understood the Senator from Nevada [Mr. PITTMAN], an amendment has been accepted which eliminates in part, at least, this section or certain provisions of it from the bill. I ask the Senator from Nevada if that is correct, if the committee did accept certain suggestions made by the Senator from Virginia [Mr. SWANSON], the result of which was to eliminate from this section certain provisions in it with respect to the reserves?

Mr. PITTMAN. The Senator from Virginia moved to strike out in line 15 the words "or with naval petroleum reserve No. 2," and the motion was carried. That simply excludes the naval reserve from the operation of the act.

Mr. KING. That is naval reserve No. 2?

Mr. PITTMAN. Naval reserve No. 1 and naval reserve No. 3 had already been excluded, so that means that all naval reserves are excluded from the effects of this bill.

Mr. KELLOGG. Mr. President——

Mr. KING. I do not yield the floor. I yield for a question.

Mr. KELLOGG. I wish the Senator would state that again. We could not hear it.

Mr. PITTMAN. Before the holidays the Senator from Virginia [Mr. SWANSON] moved to strike out, on page 12, the words "within naval petroleum reserve numbered 2." The motion was carried. The effect of it, as I say, is to exclude all naval reserves from the operation of this act.

Mr. KING. Mr. President, I am not quite clear yet what the effect of this legislation is or what is designed by the committee with respect to those locations that have been made upon lands that have been withdrawn and characterized as "naval reserves"; but as I understand the situation in brief it is this: Under the provisions of this bill, persons who have made valid locations upon certain oil lands—if not valid before the passage of the Pickett Act, at least were rendered valid by the provisions of that act—are practically compelled to abandon or renounce their claims and to accept leases from the Government covering a portion only of such claims.

Mr. PITTMAN. I do not see how Congress could, by any act, accomplish that, and certainly it is not the desire of the committee. How can Congress take away any valid and existing right of a locator?

Mr. KING. That is exactly what I should like to know.

Mr. PITTMAN. Nor does the bill attempt to do so. The bill simply gives to a locator the privilege of surrendering his claim of title in lieu of a lease; and the reason for that is this: The committee believes that there are a great many claims that are legal which it is afraid will be held illegal under the rulings of the court and the prejudice against such locations. Therefore we have opened a door to partially save these people who, in the opinion of some of them, have been mistreated and will continue to be mistreated. We simply say to them: "You must surrender your claim of title and accept a lease if you are afraid to fight it out."

Mr. KING. But that extends only to those claims that are outside of the naval reserves?

Mr. PITTMAN. Oh, yes; undoubtedly. As far as the naval reserves are concerned, they are just in the position that they were before the passage of the bill.

Mr. KING. Permit me to inquire of the distinguished Senator from Nevada what is the purpose of the committee in dealing with those who are within the naval reserves? Is it to remit them to the courts or to subject them to the provisions of the bill threatened by the Senator from Virginia, which, he says, has for its object the condemnation of their holdings?

Mr. PITTMAN. I think they will be very largely remitted either to the mercy of the courts or to the Senator from Virginia in the first place, and to Congress in the second place.

Mr. KING. Does not the Senator think that while Congress is dealing with the subject of oil lands in a broad and comprehensive way, as this bill seeks to deal with them, that the rights of individuals upon the reserves, so called, ought to be determined and dealt with, so far as they can be by legislation, at the same time?

Mr. PITTMAN. I think so, and I have thought so for four years; and a great majority of our committee have for four years believed that the palpable injustice that had been done the people in this naval reserve, as well as outside, should be remedied at the same time that any general legislation was passed dealing with the whole subject. We have tried to do it; but, as has been stated here on the floor, we who are interested in opening up the 8,000,000 acres of oil land and the 44,000,000 acres of coal land have been forced to the conclusion, after four years' time, that we can not pass an act that has that in it. That is a humiliating admission, but it is the fact nevertheless; and we had to determine whether we preferred no legislation or legislation dealing with all the lands outside of the reserves.

Mind you, there are ten times as many sufferers outside of the reserves as there are in the naval reserves. We could do nothing for those in the reserves, and the question is whether we should do nothing for those outside of the reserves by attempting to pass a law with this provision in it. That is the position we are in, and it is a matter for each Senator to determine in his own mind what to do.

Mr. KING. Mr. President, I expressed the other day my condemnation of the policy of certain executive branches of the Government that has dealt with the public lands embraced within this bill and the method which has been pursued with respect to these oil lands. It seems to me that Congress can not maintain its self-respect if it permits executive subordinates of the Government to dictate the character of legislation which shall be enacted. The statement of the distinguished Senator from Nevada amounts to a confession that the Navy Department and Interior Department and other agencies of the Government has so dominated the legislative branch of the Government that we can not deal justly with claimants upon the pubic domain and that we can not deal with this subject in a just and fair manner.

Mr. SMITH of Arizona. Because we can not get enough votes.

Mr. PITTMAN and Mr. KELLOGG addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield; and, if so, to whom?

Mr. KING. I yield to the Senator from Nevada.

Mr. PITTMAN. I ought to say that it is not by reason of any influence of the Department of the Interior that it has become necessary to strike this out, but by reason of the influence of other departments of the Government. The Department of the Interior was perfectly satisfied with treating individuals and citizens inside the naval reserves the same as it treated citizens outside of the naval reserves.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Minnesota?

Mr. KING. I yield to the Senator from Minnesota.

Mr. KELLOGG. I was under the impression that the Secretary of the Interior had recommended and was in favor of including the naval reserves in the bill. That was my understanding. Is that correct?

Mr. KING. I am very glad to know, Mr. President, that the Secretary of the Interior has taken the position just suggested by the two Senators. I have followed with a great deal of interest the administrative work of the present Secretary of the Interior. He has given to the great questions committed to his care the most earnest and conscientious consideration, and has treated the problems so important to our Nation and which demand solution at the hands of the Government in a broad and comprehensive manner. I think it may be truthfully stated that no Secretary of the Interior has been better equipped for the discharge of the high duties of that position than Secretary Lane, and none have had a keener appreciation of the importance of the work committed to this department. I have not always agreed with the policies of the present Secretary of the Interior or with the administrative work of many of the subordinates in this branch of the Government service.

There has been too much paternalism to meet my views, and some officials have been too persistent to augment the powers of the Federal Government. I have felt that the States more and more are becoming atrophied and that the executive branches of the Government have too often attempted to superimpose the Federal Government upon the State governments. I have not been in sympathy with some of the policies of the Interior Department which I think have unquestionably retarded the development of the West and precluded the opening of agricultural lands and the mineral wealth of our Nation. I understand that the Secretary of the Interior approves, in the main, of the provisions of this bill. I have heretofore stated that I disapprove of this bill and the policy which it seeks to inaugurate. I can not be reconciled to Federal landlordism and to the obnoxious paternal features found within sections of this measure. I can not assent to a policy that repeals the wise and beneficent system under which our Nation has prospered and sterile regions under the flag have grown into prosperous and splendid Commonwealths.

But I did not rise for the purpose of animadverting upon the change in policy proposed by this bill and the sweeping

away of the entire mineral-land system which has met with the general approval of the people of the West. I only rise for the purpose of calling attention to a few of the provisions in the pending measure and to seek from those having charge of the bill information as to the scope and meaning of the same. But, to recur to what I was stating a few moments ago, it occurs to me that some of the executive branches of the Government are either chloroforming Congress or terrifying the National Legislature so that its Members are unable to enact the legislation which the majority of the Members believe to be fair and just. If we are chloroformed, I express the hope that some wise physician with healing and neutralizing potions will administer to our infirmities and relieve us from the narcotizing effects of the poison, which has been so copiously administered. If we are terrified, then I venture the hope that some brave and valiant leader shall appear in our midst and inspire Congress with that spirit of duty that will enable it to perform its constitutional functions and by the assertion of some little wisdom attain the heights reached as the result of honorable service.

I can not comprehend the attitude of those who assert that the approval of some department is indispensable to the enactment of legislation.

While the recommendations of executive officers are desirable, the responsibility of legislation rests upon the Congress and it would be a base betrayal of the interests of the people if the legislative branch of the Government should shirk its responsibility and content itself with registering the edicts of the executive branch and constitute itself a mere echo of the wishes of the bureaus and departments of the Government.

I feel that we shall be dealing unjustly with those who have valuable locations within the naval reserves if we do not at this time and in this bill deal with the entire question. It would be a cowardly evasion of our responsibilities if, because some officials of the Navy Department or any other branch of the Government demand that we should abstain from legislating upon any question that was committed to our power, we conform our conduct to that view. If a given law is required by expediency and in the interest of justice, and it is within the power of Congress to enact the same, it should be passed regardless of the hostility upon the part of any bureau or any executive branch of the Government.

I have carefully read the splendid report submitted by the Senator from Nevada accompanying this bill. It is a severe and scathing arraignment of certain executive departments of the Government. In this report this language is employed:

> The Navy Department has objected every time that such provision has been included in similar bills, and the controversy that was thus precipitated, as inconsequential as it was to the Government, has always prevented the passage of such bills. Although there are over 30,000 acres in naval reserve No. 2, only 7,680 are affected by such provision. Notwithstanding the insignificance of the dispute over this small tract of land, it is the opinion of the committee that the bill can not be passed without just settlement or compromise of such differences. * * *
>
> AS TO RESERVE NO. 2.
>
> In this oil reserve there are 7,680 acres of unpatented land that is affected by section 16 of this bill. Upon all of this land mining locations were made for oil prior to the first withdrawal by President Taft in 1909. On all of this land producing oil wells have been sunk by such claimants or their successors in interest, and all deraign their title from locations made prior to any withdrawal. On all of the claims in this said 7,680 acres of land producing oil wells had been developed prior to the reservation of said land for naval purposes in 1912.
>
> Of the 7,680 acres, 2,080 acres have been clear listed for patent by the Department of the Interior; that is, the Department of the Interior, after a thorough investigation and trial, has finally held that such claimants have complied with the law entitling them to United States patent from the Government. Notwithstanding this determination by the Department of the Interior, which has sole jurisdiction in the matter, the Department of Justice, at the request of the Navy Department, is still seeking to prevent the Department of the Interior from issuing patent in accordance with its decree. This case is known as the Honolulu Oil Co. case. The Attorney General, in testifying before the Public Lands Committee of the Senate on February 16, 1916, said:
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> "In response to these assertions I have this to say: First, These suits were instituted—all of them, I believe—with the approval of the Interior Department, whose liberal view of the Pickett Act is reflected in its decision of the Honolulu Consolidated Oil Co.'s case.
>
> "Second. The Honolulu case, I understand, is regarded by the Interior Department and by the attorneys of my department as a case supported by a state of facts far more favorable to the claimants than exist in any of the cases in suit."
>
> The Attorney General in the foregoing statement was referring to the cases involving section 28 and section 2 as cases less favorable to the claimants than the Honolulu case. In fact, the testimony of the various witnesses of the Department of Justice, made before the various committees, clearly indicated that the Government not only considered such cases the weakest as far as the claimants were concerned, but held them up as examples of the fraud attempted to be perpetrated upon the Government. And yet these were the cases that the Circuit Court of Appeals has just decided so emphatically in favor of the claimants, a portion of the opinion of which is hereinbefore cited. These are the cases which involved the so-called "dummy entries" or "fraudulent entries" known as the McNamara and McLeod locations. The Government set up in such cases the fraud and attempted to prove it. The Government was not even able to produce sufficient evidence of fraud to justify the circuit court of appeals in retaining a receiver for the property. In other words, the Government could not even make out a prima facie case of fraud. What did the court say with regard to the allegation of fraud? The court in its opinion with regard to this issue says:
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> "Not only has no attack, so far as appears, been made by the Government on the register's final certificate of entry, but there is in these cases not the slightest showing of any fraud or lack of good faith at any time on the part of the appellants or of any of their predecessors in interest. True, the bills of the Government, which were verified by an agent upon information and belief, alleged that the location notices under which the appellants' claim were posted by 'mere dummies' to enable 'Defendant McLeod or some one else' to obtain the land; but that allegation was put in issue by positive denial under oath, and there was no undertaking whatever to sustain the charge."
>
> This was the prize case of the Department of Justice in the naval reserve. It was the alleged facts in this case that gave grounds to the Department of Justice for most violent charges of fraud and corruption in the location of oil claims throughout the United States, charges that have been reiterated and published with the knowledge, and if not with the encouragement, certainly without the opposition of the Department of Justice. It has been the prejudice aroused by the pictures of fraud against the Government, painted in connection with the facts in this case, that have largely tended to prevent calm and intelligent consideration of legislation necessary to the development of the oil resources of this country.
>
> Both the district court and the circuit court of appeals have decided against the Government with regard to the 640 acres included in section 2 in said naval reserve No. 2. First, on June 7, 1917, the United States District Court for the Southern District of California, Judge Bean presiding, upon a trial upon the merits, in a case wherein the Government was plaintiff and the claimants of the land defendants, held that while the claimants had not made discovery prior to the withdrawal order of 1910 at said time, they were in the diligent prosecution of work leading to a discovery, and subsequent to said date did discover oil, and therefore said claimants came within the remedial provisions of the Pickett Act and were entitled to patent for the land.
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> Prior, however, to such decision Judge Bean had appointed a receiver in the case, and from the decision appointing such receiver an appeal had been taken to the Ninth Circuit Court of Appeals. On the 20th day of August, 1917, the said circuit court of appeals in reviewing such appeal found as a fact that the claimants had complied with the law entitling them to the property and the receiver was discharged.
>
> How can the Government hope to win the Honolulu Oil Co. case, which is admittedly the strongest case for the claimants, in the face of the decisions which have just been rendered and which are referred to in this report? The Government has not so far won a single case in oil reserve No. 2. The result of this litigation so far, which has covered a period of three or four years, is that the Government has expended large sums of money, is bankrupting men who have spent millions of dollars in a legitimate belief that they were entitled to develop unknown supplies of oil, and is retarding the production of oil in the known oil fields, that is so critically needed by the Government at the present time.
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> The chances of recovery by the Government are, to say the least, not encouraging. It is a condition in which an individual, being in the place of the Government, would be most apt to seek a favorable compromise. The committee has long sincerely and industriously sought such a compromise. The committee simply proposes that this land, which has already been developed by the claimants and the development of which must continue by reason of the geological and physical conditions, be leased by the Government to the claimants under the general provisions of the bill upon the payment by the lessee to the Government of a royalty of one-eighth of the oil. The language of the compromise provision contained in section 16 was prepared and submitted by the Interior Department at the request of a joint committee composed of members of the Public Lands Committee of the Senate and the Public Lands Committee of the House.
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> A compromise of this nature was authorized and directed by the Congress of the United States by an act approved August 24, 1914. By such act the Secretary of the Interior was expressly authorized to execute leases to applicants for patent for oil lands within withdrawn areas, both inside and outside of naval reserves, pending the determination of the application for such patents. The only distinction with regard to leases in naval reserves is that the royalty shall be placed in a naval fund. The Secretary of the Interior obeyed the instructions of the act with regard to such claims within reserved areas and executed leases, except to naval reserves. He declined to execute such leases within naval reserves, in obedience to the act, solely by reason of the request of the Navy Department that no such leases be executed. In discussing the intent of Congress in the passage of this act, the Attorney General, in testifying before the Public Lands Committee of the Senate on June 27, 1917, said:
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> "The ATTORNEY GENERAL. Under the act of 1914 he was given power to lease. I want to say right in this connection that my theory in regard to these leases was expressed by your chairman in some remarks in committee recently with regard to the act of 1914, to the effect that by that leasing system it was intended to provide a cheaper way of taking the place of receiverships; and the general idea of that provision of the act of 1914 is that pending disposition of applications for patents the Commissioner of the Land Office or the Secretary of the Interior may issue these leases. That he has done very extensively, I understand he has issued a circular inviting them all to come in.
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> "The ACTING CHAIRMAN (Mr. PITTMAN). Not inside of the naval reserve?
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> "The ATTORNEY GENERAL. Outside.
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> "The ACTING CHAIRMAN. They are pursuing the practice of operating wells inside of the reserve by receivership and declining to let them be operated under the act of 1914 by contract.
>
> "The ATTORNEY GENERAL. I know he made no leases inside the reserve. I understand the Secretary of the Navy seriously objected to it. As far as my department is concerned, when he issues leases and fails to pass on application for patents, my hands are tied. There is nothing I can do in any way. It depends upon the Commissioner of the Land Office how many suits I can bring.
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> "The ACTING CHAIRMAN. The testimony in the hearing before the committee shows that the Land Office Department intended to execute these contracts inside of the reserve as well as outside of the reserve and on the withdrawn area on the same terms and conditions, but that the Secretary of the Navy requested him not to do that. It is by reason of that request that he failed to execute the act of 1914, which, as I have stated, was intended to take the place of the receiverships.

stead of following the act and allowing a claimant to work a well that he had sunk, they have taken the wells away from him and put them into the hands of a receiver.

"The ATTORNEY GENERAL. I can not agree with you that the act to which you refer is mandatory and requires him to issue leases. It merely gives him the power. When the Secretary of the Navy professed he merely did not use the power which he had."

The Commissioner of the General Land Office recognized, as must every lawyer, that such discretion was not arbitrary but was a sound judicial discretion, and testified that the only reason that he did not lease within the naval reserves as he did outside of the reserves and within other withdrawn areas was because of the protest of the Secretary of the Navy. The Secretary of the Navy, in making such protest knew that he was violating the expressed intent of Congress, for he appeared before the Public Lands Committee of the House and sought to have naval reserves excluded from the operation of the act, and his request was expressly denied by such committee and by Congress. Instead of obeying the mandates of such act, the Department of Justice, on behalf of the Navy, had these wells on the claims, which had been sunk at the expense of many thousands of dollars, and in some cases millions of dollars, taken out of the hands of the claimants and operated under the supervision of a receiver. The appointment of some of these receivers, in fact, in the very cases that the Government claims to have, have been disapproved by the circuit court of appeals, as is disclosed in the opinion hereinbefore cited.

It will be observed that in this report attention is called to the fact that the Navy Department interfered with the Secretary of the Interior in the performance of duties devolving upon that official by act of Congress. The report, as will be observed, states that the Secretary of the Navy knew that he was violating the expressed intent of Congress, and that instead of obeying the mandates of law the Department of Justice, on behalf of the Navy, instituted suit and took property out of the hands of men who had spent millions in acquiring it.

It is against these acts that I protest. I know but little concerning the oil lands in California, but this report and the bill accompanying the same present a situation which, in my opinion, calls for different and additional legislation to that provided in the measure under consideration. No matter what the motives of the executive branches of the Government may have been, the facts stated in the report and in the decisions of the courts clearly demonstrate that the rights of individuals have been disregarded and the loss of Congress flagrantly put aside by those who have sworn to uphold the law.

My distinguished colleague [Mr. SMOOT] stated the other day that there were certain forces which had been at work for years to prevent the opening up of public lands and to hold in reserves and from public entry millions of acres of public domain. This conservation craze which affected so many people, and which manifested itself in hysterical utterances, often resulted in hysterical legislation and executive orders and pronouncements.

Doubtless it was inspired by the best of motives, but many of those crying for conservation lacked an appreciation of the practical questions involved and a proper understanding of the physical and other conditions prevailing in our country. Conservation is one thing, and foolish and hysterical undertakings are another thing. There is a conservation of the resources of country, and there is a pseudo conservation which paralyzes the development of the country and locks up resources demanded by a growing and expanding country. It is not too much to say that the organization referred to by my colleague has attempted to entangle legislation that sought to deal justly and fairly with those who had oil locations upon public domain. No doubt these forces just referred to have contributed to defeat legislation so earnestly desired by the people of the West, and have compelled the Public Lands Committee to submit this bill as the very essence of righteousness which their merciful natures will permit the Nation to enjoy. Apparently we are denied the right to enact legislation that we believe to be right. The Secretary of the Navy has threatened that there shall be no legislation that will protect the rights of those having valid locations within certain naval reserves. Apparently we are powerless to enact any legislation that has not the approval of certain executive branches of the Government. As I understand, many of the locations within these reserves have been attached by the Government, but the courts have sustained the validity of such locations.

In the report submitted from the Senator from Nevada, reference is made to a decision by the circuit court of appeals (ninth circuit). The case is The Consolidated Mutual Oil Co. against The United States, and was decided October 8, 1917.

Mr. PITTMAN. Mr. President——

Mr. KING. I yield to the Senator from Nevada.

Mr. PITTMAN. The locators referred to in that decision are not the ones that need remedial legislation. The circuit court of appeals has reversed the lower court, discharged the receiver, and turned over large quantities of money to these locators, and the chances are that the circuit court of appeals will be sustained if the matter is taken to the Supreme Court. They need no remedy. They would not take advantage of this remedy if they had an opportunity. They would not be foolish enough to surrender their claim to the land and accept a lease now, after having fought it so far. The remedy is for the benefit of those people who have morally conformed to all the requirements of law, but who technically are held deficient in their titles. Those are the people that we are trying to help—the persons who believed that the Taft order of withdrawal was illegal and who worked under the advice of their attorneys and under the rulings of the lower courts, and the people who believed they were complying with the Pickett Act and have been held by the lower courts not to have complied with it. It is those people that we are attempting to help.

The argument that was made in that report was not for the purpose of showing that those people needed help, but it was for the purpose of showing that the Navy Department is foolish in opposing this provision. It was for the purpose of showing that the Navy Department is not subserving the best interests of the Government in opposing this legislation. The Navy Department will not get any of that land. The courts have held that it belongs to individuals, when if the Navy Department had not opposed this very provision two years ago the Navy Department to-day would have been the owner of the very land which is now declared to be these individuals' land, and would have been drawing a one-eighth royalty in oil all of this time. The Navy Department would have had oil on hand to-day with which to run the vessels of the Navy, instead of seeking everywhere for it at the highest kind of prices. The report was drawn for the purpose of showing that the Navy Department was foolish, knew nothing about the situation, was trying to make a permanent reservoir where there were two hundred and odd wells tapping it, and refusing to accept one-eighth of the oil out of it, when the courts were holding that the department could not get anything out of it. That was the object of that.

Mr. SWANSON. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. SWANSON. The Attorney General has informed me that the statement as to the decision in that report is erroneous. The Senator from Nevada, when he included it, made a mistake as to what the decision of the court was. The Attorney General has had prepared and sent to me a list of the number of suits brought, the number that the Government has gained, the number of suits in which receivers have been appointed, and a full recital of the decisions made in all these cases.

The case to which the Senator alludes is a case, as I understand from the Attorney General, in which an application was made for the appointment of a receiver to take charge of the oil wells and operate them. The lower court granted the appointment of a receiver without taking proof, holding that having sworn to this, though it was denied, proof was not necessary. The circuit court held that the allegations of the bill being denied, the burden of proof was upon the complainants to prove their case, and reversed the decision as to the appointment of a receiver, but did not decide the case on its merits.

As I understand, the case is in the lower courts now on the merits as to whether these dummy entries are legal. I am informed that the district judge, though not deciding on that case, but on another case in which this question was involved, decided it in favor of the Government, holding that they had not prosecuted the work sufficiently under the Pickett Act, but, alluding to these dummy entries, saying it was not necessary to decide that question. From the intimations contained in the opinion, however, they were satisfied that the court would hold that these dummy entries were not legal, and that they would not be sustained.

As I understood from the Attorney General, these cases have been decided upon a technicality, and not upon the merits. Besides that, I am informed that they have additional evidence showing facts in these cases which they are satisfied will nullify the claims made by these parties.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nevada?

Mr. KING. I do.

Mr. PITTMAN. I think it is unfortunate that the Senator from Virginia, who is such an excellent lawyer, should be so ill advised by the Attorney General, and I regret that the Attorney General, who has the reputation of being a good lawyer, is so poorly advised by his clerks. It shows how unfortunate the executive officers of our Government are with regard to legislative matters. I have no doubt that we shall have other advice coming from the same source in regard to proposed amendments to this bill.

If the accuracy of the subsequent suggestions is to be measured by the present suggestion of the Senator from Virginia it will certainly subject them to some doubt. The Senator from Nevada, in preparing the report at the request of the Committee on Public Lands of the Senate, only saw fit to use the language of the court, and I would suggest that hereafter the Senator from Virginia have the Attorney General send up the language of the court.

Mr. SWANSON. I have it. It was brought to me just a few seconds ago.

Mr. PITTMAN. One moment. I will ask the Senator from Utah to read the decision which we were discussing. He has it right there.

Mr. PHELAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from California?

Mr. KING. I yield to the Senator from California.

Mr. PHELAN. I desire to ask the Senator from Virginia a question, as he seems to be so well informed on the subject of the litigation originating in the office of the Attorney General. The question is whether the Department of Justice has won for the Government any case whatever in naval reserve No. 2?

Mr. SWANSON. Here is a summary sent to me regarding the suits. I will read it if the Senator will permit me.

Mr. PHELAN. The Senator is not informed though, at this moment?

Mr. SWANSON. Yes; I have the report right here now.

The general trend of the report under consideration would convey the impression that the Government has lamentably failed in maintaining its prosecutions against the claimants of these withdrawn lands. The facts are as follows:

Suits instituted.	Suits.	Acres.
In California, in naval reserves	32	8,177
In California, outside naval reserves	23	4,598
Total in California	55	12,775
In Wyoming, outside naval reserves	3	560
Total in California and Wyoming	58	13,335

Receiverships.	Cases.
Receiver in charge	21
Receiver denied (no producing well)	1
Receiver discharged (insufficient showing)	3
Application pending (Honolulu case)	1
Bond in lieu of receiver	1
Total number of applications	27
Stipulation to impound net proceeds	1

Decisions on merits.	Cases.
For the Government (Supreme Court)	1
For the Government (district court)	11
Against the Government (circuit court of appeals)	1
Against the Government (district court)	1
Total	14

Mr. SMITH of Arizona. Are those final decisions?

Mr. SWANSON. They are not final; no. They are none of them final, because they go to the Supreme Court.

You will, of course, observe that while the merits are not gone into in applications for receiverships, the Government is required to make out a prima facie case before the receiver is appointed.

As this letter does not cover all objections to which the report is subject, I will ask you not to insert it in the record. I have not the slightest objection, however, to your using the facts herein stated.

Now, here is the opinion in this case of which complaint was made.

Mr. KING. Is the Senator referring now to the decision in the case of Consolidated Mutual Oil Co. against The United States?

Mr. SWANSON. I have no more suits. I will see if I have that case.

The PRESIDING OFFICER. The Senator from Utah is recognized in his own right.

Mr. KING. Mr. President, I have not before me the memorandum from which the Senator from Virginia has just been reading, but as I understand his statement, the Government has "lamentably" failed—to use the expression in the memorandum—in supporting its contention with respect to the invalidity of the oil locations within these reserves.

Mr. SWANSON. If the Senator will permit me, I have the Consolidated case here. I will read what it says:

While the report does not mention the decision of the circuit court of appeals from which the quotation is taken, I will state that it is in two cases under the title "Consolidated Mutual Oil Co. *v.* United States," decided August 20, 1917. (245 Fed., 521.)

In these cases a temporary receiver was appointed by Judge Dooling pending final determination on the merits, the condition of the pleadings being as stated in the excerpt from the opinion above quoted. The application for the appointment of a receiver was submitted on the allegations of the Government's bill and the sworn denial of the defendant. Judge Dooling held that this was sufficient and did not require the Government to produce any evidence as to the actual fraud charged, and no evidence was, in fact, introduced. An appeal was taken to the circuit court of appeals from the action of Judge Dooling in appointing a receiver, and by a divided court (Judge Gilbert dissenting) it was held that the receivership should not have been granted without the Government going into proof of the fraud, and that phase of the case was reversed and remanded.

Meanwhile, the merits of the case had come up before Judge Bean, who dismissed the bills without consideration of the merits, on the ground that they should have been brought in the form of ancillary bills instead of bills to recover the lands. (242 Fed., 746.) On motion for rehearing the dismissal was "without prejudice" to the institution of other suits by the Government in accordance with his view that the bills should be ancillary.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nevada?

Mr. KING. I yield.

Mr. PITTMAN. What is the Senator reading from?

Mr. SWANSON. I am reading from a letter of the Attorney General.

Mr. PITTMAN. Oh! That is some more advice from the Attorney General?

Mr. SWANSON. The Attorney General was authorized by the Secretary of the Navy, under an act of Congress, to defend these lands from being improperly taken from the Government; and the only criticism that can be made of these two officials, if any, is that they have been too zealous. In this day and time it is a meritorious thing to be zealous in defending the interests and rights of the Government.

In regard to the McMurtry and McLeod locations, the Attorney General says:

It will be seen from this that the merits of the question in regard to the fraud charged by the Government as to the McMurtry and McLeod locations were neither considered nor determined in these cases, in either the court of appeals or the district court.

Now comes a most pertinent fact that is not disclosed in the report submitted by Senator PITTMAN, which is, that at the same time Judge Bean disposed of the cases above referred to, he decided the case of United States *v.* Thirty-two Oil Co. (242 Fed., 730), and that this case involved the McMurtry and McLeod locations. In the Thirty-two Oil Co. case there was no question of jurisdiction as in the Consolidated Mutual Oil Co. case, but the decision was on the merits and for the Government, on the ground that defendants had not diligently prosecuted discovery work as required by the Pickett Act, the so-called "group-development theory" of operation being rejected. The court in its opinion, appearing on page 733 of Two Hundred and Forty-second Federal Reporter, said as to the McMurtry and McLeod locations:

"It is claimed by the Government that the paper locations by McMurtry in 1907 and 1909 were not made by him for the benefit of the alleged locators, but for himself and others, and were therefore a fraud on the mining law and void. I am disposed to believe there is merit in this contention. Indeed, there can be no question from the evidence but what the alleged locations made in 1909 were not for the use and benefit of the named locators, but to enable McMurtry to consummate and carry out the previous contract made by him with McLeod and others for the disposition of the property as heretofore stated. But I do not deem it necessary to put the case on that ground. If the defendants have any right to the property as against the plaintiff, it is conferred by the Pickett Act, and the facts do not bring them within the remedial provisions of that law."

From this it will be clearly seen what the court's view was as to the fraud charged by the Government against these locations.

I should like to say in this connection that I have not examined it particularly, so as to speak of my knowledge, but I am informed that these locations were made by petitions obtained, some of them, in the stockyards in Chicago, and then the locations were made in their name, involving millions and millions of dollars of these oil lands. The Government afterwards went to the stockyards and asked these parties if they knew anything about the locations, and I am informed that some of them said that they thought they were signing petitions required by the election law, and they knew nothing about it—that their names were used for these parties to locate lands in the oil reserves.

The Government, as far as its Navy Department is concerned, has never asked to take from or to add one right that these parties have under the Pickett Act. The Navy Department has asked for no legislation to change the law. These people came here and had the Pickett Act passed to give relief, and it gave no more than they are entitled to under the mining law, as I understand it. They accepted that. The Government stands on that. It does not desire to change it. Every right under the Pickett law these people will have. Now an effort is made to change that law to make good these fraudulent entries, as we conceive them to be, to eliminate the necessity of the continuous prosecution of the work. It is the change of the law and the change of title, giving these people what they are not entitled to, that the Navy Department has always opposed and objected to.

They think everything anyone is entitled to under the Pickett law, under the law passed as a compromise, accepted by Congress and these parties, they ought to have, but they can see no reason why the law should be changed to benefit a few people when they have not changed it to benefit thousands and thousands of miners and operators in other cases.

Now, as to the other purpose of the Navy Department, I desire to make this distinction. The Senator from Nevada [Mr.

PITTMAN] has usually antagonized these bills, because he has taken the ground the Navy contended, that these lands were being exhausted, and consequently if the Government withdraws its title it would lose all interest. The mines can not be closed up, it is true. These oil wells can not be closed up. Water will seep in these and destroy them. There are about 250 wells open. We tried to get a compromise at one time to let the people have the wells that were open, but that attempted compromise fell through.

Now, the Government comes in and says it desires to condemn this land, to let this naval reserve be set aside absolutely and entirely for the purposes of the Navy, treating everybody equitably and legally in regard to what they have, not adding to their right or subtracting from their right, under the law, and let the Government continue to run these wells and use the oil for the Navy, the Navy to dispose of it; but it does not desire any more wells opened in this naval reserve, because the ships of the Navy now being built are to be operated by oil, and if anything should occur in ten, twenty, or a hundred years, having great battleships, we should not leave it to conjecture, but give the Navy Department a right to condemn these lands and hold them as a reserve for the Navy.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Minnesota?

Mr. KING. I yield to the Senator for a few questions, but not for a speech in reply to the Senator from Virginia.

Mr. KELLOGG. I do not wish to make any speech in reply. I do not know enough about the subject.

I should like to ask the Senator from Virginia if it is not a fact that the oil now in stock in this country is not decreasing with alarming rapidity, and whether the Navy Department is doing anything to procure from its reserves a supply of oil for the Navy? I think I asked the Secretary of the Navy if any possible emergency in this country greater than the one now facing the American people was liable to happen in 15 or 20 years. I should like to know from the acting chairman of the Naval Committee whether the Government is taking any steps to procure oil from the naval reserves in this country?

Mr. SWANSON. These two hundred and fifty-odd wells that were open are still being used, and all the oil is extracted from them that it is possible to extract. The Navy Department has not authority, and Congress has not given it authority, to operate, sell, refine, or to seize these lands with a view of operation. The purpose now of the Navy Department, as I understand it in my conversation with the Secretary of the Navy, is that he desires, even where people have title, where patents have been issued to some people in this naval reserve and some patents to railroads, that the reserve should be set aside for the Navy. He desires to have the power to condemn this land and let the wells, machinery, and everything belong to the Government precisely as we condemn other property for public use. At the same time he wishes to have authority to open wells, to get oil, to refine oil, and to conserve it for what is conceived to be the best interest of the Navy now and the best interest of the Navy for the future.

Mr. KELLOGG. Mr. President——

Mr. KING. I yield to the Senator from Minnesota.

Mr. KELLOGG. I should like to know if the Secretary of the Navy or the acting chairman of the Naval Committee has asked that legislation of Congress, because it does seem to be of vital importance that we should know whether we are going to get an oil supply during this war.

Mr. SWANSON. I will say to the Senator that the Attorney General and the Secretary of the Navy and myself on the 1st of January had a conference in regard to preparing a bill to carry out these purposes. The bill was prepared. The bill gives authority to the President, like the other measures that have been passed. I did not feel that I ought to be called on to introduce a bill giving authority to the President to fix prices, to settle suits, to isolate this as a naval reserve, until I had consulted the President. I never like to ask the Secretary of the Navy to be given authority until I see whether it is agreeable, or the Attorney General or any other department of our Government. I have not had an opportunity to see the President to ascertain if it would be agreeable to him to have the authority conferred on him in regard to these naval lands such as was given to commandeer steel, iron, and other products necessary for the Navy and to condemn private lands for public use. I hope to be able to see the President in a few days, and to see the Secretary of the Interior and the gentlemen who are interested in this matter and see if we can not perfect legislation.

I have my views, and I should like to get the views of others before I introduce a bill, which I hope to introduce Monday or Tuesday—possibly to-morrow—in which this authority is given.

I will say for myself that I think the law in this case should be the same as it is in all other similar cases. These people should not be deprived of any right that other people are given, and they should not be given any greater right than is given any other people. I believe when the Government condemns this land it ought to treat these people precisely as justly as it treats all the parties who have rights when the Government exercises the right of eminent domain.

Mr. KELLOGG. I will say to the Senator from Virginia——

Mr. KING. I yield to the Senator from Minnesota.

Mr. KELLOGG. I beg the Senator's pardon for taking his time.

Mr. KING. I am very glad to yield to the Senator.

Mr. KELLOGG. I will say to the Senator from Virginia I was not asking the question bearing on any discussion as to the merits of litigation in the reserves, but there was testimony before the Public Lands Committee last spring, which was undisputed, showing the imperative necessity to procure a greater supply of oil in order to make this country safe, and there was testimony as to the danger of losing a supply of oil that the allied nations to-day are depending on. So far as I heard at that time no steps whatever were taken by the Government to procure oil for immediate use. I am very glad the Senator is taking steps to see that the naval reserves belonging to the Government can be utilized.

Mr. SWANSON. If the Senator from Utah will permit me, these wells, I understand from my information, which I suppose is the same as other Senators have received, are still running. There are more than 250 wells open and disposed of, but the Government desires to have an opportunity to open as it sees proper for the benefit of the Navy these reserves set aside for the Navy.

Mr. KING. Mr. President, I do not care to enter upon a discussion of the wisdom or expediency of the legislation proposed by the Senator from Virginia. I know he has been zealous in the advocacy of those measures which have resulted in bringing our Navy to such a high state of efficiency. I congratulate him and the country for the splendid services rendered by him in behalf of this important branch of our national defense. And I wish to say, in passing, that I congratulate the country upon the most excellent work performed by the present Secretary of the Navy. When the history of his administration shall have been written I have no doubt but that it will be said of him that he was a strong and able public servant. Indeed, in my opinion, he is one of the greatest Secretaries of the Navy our country has ever had. However, this commendation, to which he is so justly entitled, does not excuse his department for the usurpations of which I am complaining. I can well understand the solicitude of the Navy Department which prompts those in control of the same to secure an adequate fuel supply for our ships. There may be some difference of opinion as to the best method of securing this supply. There will be many who will take the view that the Government can not successfully engage in the mining business; that it can secure the necessary oil for its use through private instrumentalities. We all know that the efforts of the Government to carry on business enterprises results in greatly increased costs. It has been stated by those having full opportunities to know the facts that the administration of the departments of the Government if in the hands of private persons would result in a saving of $300,000,000 per annum.

When the Government attempts to sink wells to prospect for oil, drill wells, lay pipe lines, construct receptacles for oil, erect refineries, and perform the necessary work incident to oil production, it will be found that the expenses will be staggering. I do not propose at this time to discuss the feasibility or the wisdom of the proposed policy to condemn oil lands owned and claimed by private individuals. I suggest to the distinguished Senator from Virginia that in executing a law of that character he and the Government will encounter many obstacles, difficulties, and complications not now anticipated. It has been stated by the Senator from Virginia, as I recall and by Government officials, that the lands which it is proposed to condemn are worth millions of dollars. In exercising the right of eminent domain the Government will discover difficulties in finding an acceptable basis for the ascertainment of the value of the property sought to be condemned. I suggest to the Navy Department and to the Senator from Virginia that careful consideration be given this proposed legislation before it is introduced and before it becomes a law.

It is not a sufficient answer to the objections which I am urging against this bill for the Senator from Virginia to aver that certain oil claims were fraudulently located. I have no knowledge of the matters to which he refers, other than as stated in the report accompanying this bill and in the decisions of the

courts which I have recently examined. That there have been some entries made that were tainted with fraud and indeed were fraudulently made may be true. No one is seeking to defend any entry that is invalid or the claim of any individual or corporation that is founded in fraud. I know that the committee reporting this bill would as quickly condemn fraudulent entries as would the Senator from Virginia. It is apparent from an examination of the report and the bill under consideration that the committee have attempted to protect certain oil claims that were made in good faith and rest in sound morals.

But the point I am attempting to make is this, that the committee and the courts recognize that there are many valid oil locations; that the Interior Department has recognized their validity and has indicated "by clear listing" applications for patent; that the locators are entitled to muniments of title; but that, notwithstanding these facts, the Navy Department and the Department of Justice have brought numerous suits against these valid entrymen or their successors in interest to deprive them of their property and their rights; and Congress is now declining to assert its authority in the interest of justice and the protection of valid and legitimate claims.

I am protesting against the action of certain departments in their efforts to deprive individuals and corporations of property to which they are justly entitled.

I think the Senator from Virginia is mistaken when he alleges that the committee reporting the bill under consideration have attempted to give greater protection to oil locators than the present law affords them. The bill under consideration does not, as I understand it, attempt to validate invalid mining claims or to give them a different status from that which they now enjoy. I am sure the committee can be acquitted of any purpose to vitalize dead claims or to legitimatize acts which were fraudulent. I have not in anything I have said urged a recognition of fraudulent claims. I am simply protesting against unwarranted usurpation by the departments and the manifest impropriety of the Navy Department in interfering with the legitimate functions of the Interior Department.

Senators will recall that the Interior Department is charged with the administration of the public lands; that it has important functions to perform in the disposition of mineral as well as agricultural lands belonging to the Government.

Mr. SWANSON. Will the Senator permit me?

Mr. KING. Yes; I yield to my friend from Virginia.

Mr. SWANSON. Appropriations were made by Congress directing the Secretary of the Navy and the Attorney-General to defend the rights of the Government in these naval reserves. If they had not done that they would have been recreant in their duty. They have never insisted on any course except the course that the Interior Department should pass on the legal rights as they exist under existing law. We contend that section 16 changes existing law. We claim that it would validate a claim for entry provided the present claimant did not know it was a fraud. We have insisted that as the present law is, a man must buy land to make a proper and legal entry. It would be utterly impossible for the Government to prove in the cases of these dummy entries made by petitions circulated in the Chicago stockyards as to whether a party who signed knew it was a fraud or not. We want the law to stay as it is to-day. Let us administer justice and law as it is to-day, and do not change it. That is all the Navy Department and the Attorney-General have ever insisted upon. These cases that are contested courts are constituted to settle. They have never asked that these claims should be litigated anywhere except in the courts of the United States fixed by law to determine the rights between the Government and other parties.

Mr. KING. I do not think the Senator from Virginia in his last speech has enlightened us any or has added to the very clear statement which he made a few moments ago, and to the very lucid and forceful statement submitted by him when this measure was under consideration before the holiday recess. But certainly he has not justified the course of the Secretary of the Navy or the Attorney General in attempting to interfere with legislation by Congress in dealing with the public domain. It is that of which I complain. It is not the concern of the Attorney General or the Secretary of the Navy as to the character of legislation that shall be enacted by the Congress of the United States. The executive department has its sphere and the legislative branch of the Government has its legitimate sphere, and when the executive attempts to interfere with the legislative branch of the Government it is transcending its constitutional power.

I call the attention of my distinguished friend from Virginia to the fact that we have in the Interior Department a vigilant official. Perhaps no more vigilant official has ever occupied the position of Secretary of the Interior than Mr. Lane. Everyone knows, particularly those of us who live in the West, that the Interior Department very carefully guards the interests of the Federal Government. Indeed, many of us think that it so scrupulously and minutely examines legitimate claims by the people of the West when they assert their rights under the law that grave injustice is often done and the development of the West greatly retarded.

The Secretary of the Interior has at his command a large number of officials. There are various bureaus and departments charged with the responsibility of investigating every claim that is made for patent. If a mining location is made, whether it be upon oil lands or upon metalliferous lands, and patent is sought, it is investigated by the Department of the Interior, by the Geological Survey Bureau, by the Forest Reserve, and by a multitude of employees of the Government. And before patent is issued the application has to pass the scrutiny of a multitude of lynx-eyed employees of the Government.

Now, as I understand the situation, a portion of the lands within this naval reserve have been examined by the Interior Department, the validity of the claims have been attested in unmistakable language and by numerous officials of the Government, and it was determined that the locators were entitled to patent, evidencing their muniment of title from the Federal Government.

The proceedings of the Interior Department were in the nature of judicial acts, for in the performance of this work the function of the Interior Department is quasi judicial at least, and is exclusive. That is, its jurisdiction in the matter is exclusive. Yet in the face of its determination, after numerous claims had been "clear listed" and the Interior Department had adjudged that the locators were entitled to patent, the Secretary of the Navy and the Attorney General instituted suits in the courts of the United States for the purpose of thwarting the work of the Interior Department and of invalidating claims the validity of which had been thus solemnly determined.

Mr. SWANSON. If the Senator will permit me, though I may be mistaken——

Mr. KING. I yield to the Senator.

Mr. SWANSON. I might be mistaken, for I am not so well acquainted with mineral law as the Senator from Utah and other western Senators, but I understand that where an application for a patent is pending suit can not be instituted, but it must be prosecuted before the Secretary of the Interior, but the cases where application is not made for a patent have been the cases where suits can be brought. Is that true?

Mr. PITTMAN rose.

Mr. KING. I yield to the Senator from Nevada, who has risen.

Mr. PITTMAN. The case referred to is the Honolulu Oil Co. case. The Department of the Interior held time and time again that the jurisdiction of the Department of the Interior was exclusive, and that no court had jurisdiction pending application proceedings.

Mr. SWANSON. Pending application for patent.

Mr. PITTMAN. The Attorney General of the United States apparently took a different view of it, because he instituted a suit against the Honolulu Oil Co. while the patent proceedings were pending, even after it had been clear listed for patent, and in an attempt to get jurisdiction of that matter he persuaded the President of the United States to write a letter to the Secretary of the Interior, which is a matter of record, asking the Secretary of the Interior to desist from further proceedings in the matter; and the Secretary of the Interior wrote to the Attorney General, which is in evidence in the hearings before the committee, stating that he would desist. The Attorney General then asked the Secretary of the Interior to authorize him, the Attorney General, to conduct further hearings, and the Secretary of the Interior told the Attorney General he did not desire any further hearings or any further facts; that he was satisfied. Subsequent to that time, in another case where a patent application was pending, the district court of California held that the court had no jurisdiction because the jurisdiction of the Land Office had taken effect upon the application for patent. That is the situation.

Mr. SWANSON. As I understand it, if there was fraud afterwards discovered, even after a patent is granted, a suit can be instituted to vacate the patent.

Mr. PITTMAN. Oh, yes; undoubtedly.

Mr. SWANSON. I understand that in the Honolulu case, the Attorney General told me the other day when we were talking about it, they have additional evidence which they are satisfied will invalidate the matter. They have asked for a rehearing, I understand, before the land commissioner in California, and the proof in that case will be conclusive.

Mr. PITTMAN. What has that to do with it?

Mr. SWANSON. It has this to do with it: If the Honolulu people have gotten a million dollars' worth of land to which they were not entitled and which shows a conspiracy and a combination to deprive the Government of it, we ought to be pleased that we have an Attorney General and a Secretary of the Interior to show it.

If it is a fraudulent patent, obtained by misrepresentation of fact, whether they procure a patent or not they have a right to have it vacated. The Attorney General, I think, has asked that the Honolulu case shall be reopened on a recent disclosure of facts which shows a state of affairs that ought not to be tolerated in Congress or anywhere.

Mr. PITTMAN. Mr. President——

Mr. KING. I yield to the Senator from Nevada.

Mr. PITTMAN. I rose to discuss the question of law, and the Senator from Virginia is constantly getting away from that question. What I want to suggest is this, that although the Attorney General for a long time contended that the courts had concurrent jurisdiction with the Department of the Interior in matters determining applications for patents in disposing of public land, he has changed his mind on that subject since the decision of the district court of California has held that it has no jurisdiction in the suit he instituted. If he had any additional facts that were not submitted to the Department of the Interior, he knows where the Department of the Interior is located.

Mr. SWANSON. I may be mistaken; I am not positive; but I understand he asked to have this case reopened. In reply to the Senator from Utah that it was his impression that the Attorney General and the Secretary of the Navy are bringing suits where applications for patents were clear and repeated, I contend now that they can not file an application for a patent pending in the Interior Department, because, as I understand, as the Senator from Nevada has said, that the action of the Interior Department is conclusive of the fact, and that the only way they can do it is to disclose what was not disclosed before.

Mr. KING. As I said before, the Secretary of the Interior, after applications for patents had been made with respect to some of the lands to which reference has been made, ordered the necessary investigation, and after this investigation was made the Interior Department clear listed these lands; that is, determined that the locators and applicants for patents were entitled to patent from the Government; and after several thousand acres of these lands had been clear listed by the Interior Department, which was an indication that the applicants for patents were entitled to have them issued, the Attorney General, at the request of the Secretary of the Navy, instituted suit for the purpose of ousting the owners from possession and placing the property in the hands of receivers.

Now, it is of that that I complain. I think it is an unwarranted usurpation upon the part of certain executive officers of the Government. I think it is treating with contumely and reproach the Interior Department that is charged with the high responsibility of issuing patents and of making the necessary preliminary investigation to determine whether patents should issue.

Mr. President, the Senator from Virginia called attention a few moments ago to some memoranda which, as I understood, had been placed in his hands by the Attorney General. It is not clear to me from his hasty reading of the same what the result of the litigation was; but, as I gathered from his reading of the memoranda, the Government had not prevailed finally in a single suit which it had brought. At any rate, one of the cases to which the Senator referred, and which it seems to me is a type of much of the litigation, was the case of the Consolidated Mutual Oil Co. against the United States. The Senator from Nevada asks me to read the decision. In view of the limited time for debate upon this bill I will read only a portion of the opinion. But I desire to call the attention of the Senate, and particularly the attention of my distinguished friend from Virginia, to the syllabus of this case. That illustrates the point, and it seems to me clearly establishes the infirmity of his argument and the erroneous position which has been assumed by the Secretary of the Navy and by the Attorney General. The syllabus is as follows:

An oil placer-mining claim, located on surveyed land by an association of eight persons, pursuant to Revised Statutes, paragraphs 2329–2333 (Comp. St., 1916, pars. 4628–4632), and covering a quarter section, constitutes a single claim, and under act February 12, 1903, chapter 548, Thirty-second Statutes, 825 (Comp. St., 1916, par. 4636), development work done on any one of a group of such claims not exceeding five lying contiguous and owned by the same person or association inures to the benefit of all where it tends to their development. The President's proclamation of September 27, 1909, withdrawing certain oil lands from entry provides that "all locations or claims existing and valid on this date may proceed to entry in the usual manner after field investigation and examination," and act June 25, 1910, chapters 421–422, Thirty-sixth Statutes, 847 (Comp. St., 1916, par. 4524), provides that "the rights of any person who, at the date of any order of withdrawal heretofore or hereafter made, is a bona fide occupant or claimant of oil or gas bearing lands, and who at such date is in the diligent prosecution of work leading to the discovery of oil or gas, shall not be affected or impaired by such order so long as such occupant or claimant shall continue in diligent prosecution of said work." At the time of the withdrawal proclamation one of the defendants, who was the owner of four contiguous quarter section claims, was in possession of the same through his lessee, which was then diligently prosecuting the work of development, and had commenced a well on one claim and expended $20,000 in preparations for drilling on each claim. This work was continued, and oil was found in paying quantities. In 1914 defendant entered and paid for the land, and there was issued to him a final receipt.

The court upon this state of facts held:

(1) That the exception in the President's proclamation in favor of existing and valid locations did not apply to claims on which oil had been discovered and to which the claimants therefore had an indefeasible equitable title, but applied to all locations to which the claimants had some valid right; (2) that the work done inured to the benefit of all of defendant's claims, and that under the facts he acquired a valid title which could not be questioned by the United States.

The Senator from Virginia has referred to one of the defendants, McLeod. As I understand, the Senator contends that his information is to the effect that the validity of the McLeod entry was denied, and the court held his entry to be fraudulent. The information of the Senator is incorrect. This decision discusses the Executive proclamation of President Taft, issued September 27, 1909, withdrawing certain oil lands from all forms of location, settlement, entry, or disposal, under the mineral or nonmineral public land laws. The court also construes what is also known as the Pickett Act, passed June 25, 1910, and holds that where locators diligently prosecuted work upon their claims after the proclamation of withdrawal, and discovered oil, that the act of withdrawal did not affect the validity of their location. Indeed, the court expressly decides that in such circumstances the location would be valid. The court refers to the case of United States v. Grass Creek Oil & Gas Co. (236 Fed., 481), wherein this language is employed:

It is claimed that actual drilling operations were not commenced until July 1, 1914, on the northwest quarter, and on July 31, 1914, on the east half of the southwest quarter, and that until the actual drilling was begun there was no prosecution of work within the meaning of the act of Congress. We are of the opinion that this is too narrow a view to take of this statute. The enactment of this proviso by Congress could have had but one object in view, and that was to protect the rights of all persons who, at the date of an order of withdrawal, are occupying or claiming oil-bearing lands in good faith, for the purpose of acquiring them under the laws of the United States, and are diligently prosecuting the work leading to the discovery of oil. Before the enactment of this statute discovery of the mineral was essential to make a location.

As frequently—in fact, in most instances—prospecting was necessary in order to determine whether oil or gas are on the public lands, and large sums of money were necessarily expended to ascertain this fact, Congress by this proviso in the act of 1910 extended its protecting arm to those acting in good faith in an effort to ascertain whether there was oil or gas under them. In our opinion, when a citizen of the United States in good faith enters upon public land for the purpose of discovering oil or gas, takes possession of the land by placing a caretaker thereon while he is taking proper steps to obtain the material necessary for the work of constructing the camps, enters into contracts for drilling, acting as expeditiously as possible in erecting camps and preparing for the drilling, spends money and enters into contracts whereby he becomes liable for sums of money to prosecute the work leading to the discovery of oil or gas, and as soon as it is possible, by the exercise of proper diligence, begins the work of drilling and continues it diligently and expeditiously until oil is discovered in commercial quantities, he is within the protection of this proviso.

The court also considers the question mentioned by the Senator from Virginia concerning the transfer by locators of their claims to other persons, and in this connection uses this language:

Moreover, Congress by its act of March 2, 1911 (36 Stat., 1015, c. 201 [Comp. St., 1916, sec. 4637], gave statutory recognition of the right of transfer or assignment by the locator, under the mining laws, of any land containing oil or gas to any qualified person, persons, or corporation "prior to discovery of oil or gas therein," provided "that such lands were not at the time of inception of development on or under such claim withdrawn from mineral entry."

Further discussing the facts in the case and the law governing the same, the court in the Consolidated case, just referred to, proceeds as follows:

But, over and above what has been said, the records show that upon due application to the Land Office of the United States the appellant McLeod was permitted to enter the lands here in question, for which he paid to the Government $1,600, receiving therefor its register's final certificate of entry, issued October 31, 1914, which certificate it appears remains uncanceled, and concerning which the bills in these suits, filed, as above stated, October 25, 1915, are entirely silent. In speaking of a similar receipt issued to the Brick Co. in the case of El Paso Brick Co. v. McKnight (233 U. S., 257; 34 Sup. Ct., 498; 58 L. Ed., 943; L. R. A. 1915A, 1113) the Supreme Court said:

"The entry by the local land officer issuing the final receipt was in the nature of a judgment in rem (Wight v. Dubois [C. C.], 21 Fed., 693), and determined that the Brick Co.'s original locations were valid and that everything necessary to keep them in force, including the annual assessment work, had been done. It also adjudicated that no adverse claim existed and that the Brick Co. was entitled to a patent. From that date and until the entry was lawfully canceled the Brick Co. was in possession under an equitable title, and to be treated as 'though the patent had been delivered to' it. Dahl v. Raunheim (132 U. S., 260, 262 [10 Sup. Ct., 74; 33 L. Ed., 324]); and when McKnight

instituted possessory proceedings against the Brick Co. the latter was entitled to a judgment in its favor when it produced that final receipt as proof that it was entitled to a patent and to the corresponding right of an owner.'

Not only has no attack, so far as appears, been made by the Government on the register's final certificate of entry, but there is in these cases not the slightest showing of any fraud or lack of good faith at any time on the part of the appellants or of any of their predecessors in interest. True, the bills of the Government, which were verified by an agent upon information and belief, alleged that the location notices under which the appellants claim were posted by "mere dummies" to enable "defendant McLeod or some one else" to obtain the land; but that allegation was put in issue by positive denial under oath and there was no undertaking whatever to sustain the charge. Among the affidavits filed in opposition to the appointment of receivers was one made by the president of the appellant company, stating as facts the following, which were uncontradicted:

"That the said Consolidated Mutual Oil Co. acquired and entered into possession of said properties in the month of February, 1914, and from that time forward this deponent has been the president of said corporation and has had active management of its affairs; * * *.

I commend this information to Senators who may not be familiar with the legislation relating to mineral lands. It is true, as stated by the Senator from Virginia, that Justice Gilbert dissented, but I submit that a careful examination of the majority and minority opinions will clearly demonstrate that the reason is with the majority of the court and that the minority opinion is unsound.

I might say in passing that the Supreme Court of the United States finally passed upon the act of the President in withdrawing these oil lands from entry. The majority opinion of the Supreme Court of the United States upheld the Executive proclamation. The minority opinion, in which three of the justices concurred, construes the question involved in a calm and judicial manner and reaches the conclusion that the President had no authority to withdraw the lands in question. The majority opinion proceeded upon the theory that for a century public lands had been withdrawn by Executive proclamation. The deduction seems to be that, though such acts were usurpations, time sanctified them and transmuted the wrong into a right.

It would seem that the right of disposal of the public lands of the United States belonged to Congress. Indeed, the Constitution of the United States commits to the National Legislature the power to dispose of and make all needful legislation concerning the public lands of the United States.

Mr. President, there can be no difference of opinion between the Senator from Virginia and myself with respect to entries upon these or any other public lands that were fraudulently made, but the question whether some of these entries were fraudulently made is not the paramount question involved in the consideration of this bill. Assuming that we are to overthrow the work of the fathers and destroy our mineral-land system and inaugurate a leasing policy, we are forced by the disclosures in connection with this bill to a consideration of certain methods pursued by the executive departments of the Government and are also called upon to determine the fair, just, and expedient method of dealing with the situation which confronts us. The Interior Department is charged with the responsibility of determining whether the locations are valid or invalid; it is its duty to issue patents if the locations are valid. It is the duty of the Interior Department to refuse consent to the institution of suits where its investigations have resulted in the conviction that the applicants for patents are entitled to the same. Those persons or corporations asserting rights within the lands in question should not be harassed by unjust and improvident litigation. It is apparent from the report made by the Senator from Nevada and from the decision of the court in the Consolidated Mutual Oil case that many of the suits brought by the Government will fail; that the receivers will be discharged; and that the courts will decree that the locations from which the present occupants have deraigned title were valid.

Before resuming my seat I want to call the attention of the acting chairman of the committee to a number of provisions of this bill in order that I may have "light," which so many of the Senators here seem to be seeking. Inviting attention to the second section of the bill, this language is found:

SEC. 2. That any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State, or any municipality of any State, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State of the Union not otherwise appropriated or reserved by competent authority,

Mr. President, as I read this section, I can not find any individual, association, or corporation has a clear and positive right to purchase coal lands. The concluding part of the section, it seems to me, reserves the right to the Secretary of the Interior to determine whether or not a purchase shall be made. As I understood the Senator from Colorado [Mr. SHAFROTH], he was persuaded to vote for this bill, though he had fundamental objections to it, because it gave the right to the public to purchase coal lands and was not solely and exclusively a leasing bill.

Mr. SHAFROTH. Mr. President, I should like to call the attention of the Senator from Utah to section 2 of the bill.

Mr. KING. I have been reading from section 2.

Mr. SHAFROTH. Beginning in line 10 that section reads:

Within any State of the Union not otherwise appropriated—

Describing the character of the entry—

by competent authority, not exceeding 2,560 acres—

The word "reserved" is stricken out on an amendment which was made at the suggestion of the senior Senator from Utah [Mr. SMOOT]—

by competent authority, not exceeding 2,560 acres, upon payment to the receiver of not less than $10 per acre for such lands where the same shall be situate more than 15 miles from any completed railroad, and not less than $20 per acre for such lands as shall be within 15 miles of such railroad.

That is the law as it is to-day, almost word for word. The language continues:

And the Secretary of the Interior shall offer such coal lands and award the same through advertisement and competitive bidding, reserving the right to reject any and all bids which he may deem to be unfair.

It does seem to me that that being the provision and the initiation of the matter being dependent upon the citizen or association making the entry in the office of the land register, there can not be any doubt that if a person makes that entry it is bound to be submitted, and the price of land is to be determined at not less than $10 in one instance nor less than $20 an acre in another, dependent upon the distance from the railroad, and subject to the competitive bidding that will take place just exactly the same as is provided for competitive bidding on leases.

Mr. KING. In the first place, Mr. President, the elimination of the word "reserved" does not relieve the section from ambiguity. After eliminating the word "reserved," taking up the sentence in the middle, and not going to the beginning of it, we find these words:

Not otherwise appropriated by competent authority.

I am not clear what the meaning of that language is, but, as I read it, it means that if coal lands are within a reservation they have been "appropriated by competent authority." I know of no land that would answer to the words "otherwise appropriated by competent authority," except lands that are found within a reserve. If that be true, then this bill makes no provision for either the leasing or the purchase of any lands that are within reserves. If the words "not otherwise appropriated by competent authority" are broader than the word "reserved," then they are still more objectionable than they would be if you limit the meaning of the language to the word "reserved."

So, Mr. President, we start out with a proposition that no person can buy or lease lands that are within a reserve; that no person can buy or lease lands that have been "otherwise lawfully appropriated." It is obvious, under the decisions of the courts, that if the lands are within reserves they have been "lawfully appropriated"—that is, they have been withdrawn from entry, withdrawn from sale, they are not subject to location or subject to private entry.

Mr. SHAFROTH. Mr. President, will the Senator yield to me?

Mr. KING. I yield.

Mr. SHAFROTH. I have always felt that in drafting bills the very best course one could pursue would be to take a statute that has already been enacted and which had received the construction of the court as to its phraseology. Consequently, in drafting section 2 of this bill, I observed that rule, but I want to call attention to just exactly what is the law of 1873 in relation to coal land, which has been on the United States statute books ever since that time. It is the right of any entryman to enter coal lands. Here is the language, and every word of that act is still in force and permits a man to take up 160 acres of land.

Mr. KING. Before the Senator from Colorado reads the law to which he is just calling attention, I should like to ask him if it is not a fact that when that law was enacted there were few if any coal-land withdrawals?

Mr. SHAFROTH. Here is the situation: I will read the provision of the law. I do not know whether or not there had been withdrawals; but I think there had been, for the Supreme Court, in its decision, stated that it had been the custom of all Presidents to reserve land for certain purposes. Now, listen to the language of the act which has been on the statute books for years:

Every person above the age of 21 years, who is a citizen of the United States, or who has declared his intention to become such, or any association of persons severally qualified as above, shall, upon

application to the register of the proper land office, have the right to entry, by legal subdivisions, any quantity of vacant coal lands of the United States not otherwise appropriated or reserved by competent authority.

Those are the exact words of the statute, and I put those precise words into section 2. Under the existing law there has been no trouble about taking up land. The difficulty arose in the policy which was attempted to be pursued about 15 years ago of forcing a leasing system, and while the land was reserved temporarily, as a matter of fact it was held permanently by reclassification, fixing the price on the land so high that nobody would take it up.

The senior Senator from Utah [Mr. SMOOT] said that the word "reserved" would perhaps prevent location on any of the lands that had been reserved, and so we have stricken that out, leaving the language identical with the language under which we have operated now for 44 years. When we have a statute which has stood that long and there has been no attempt, except indirectly, to evade it, under which it has been made clear that the land could be taken up, and which has met the construction of the courts, it seems to me it is safer to adopt the language of the statute than to employ new verbiage.

Mr. KING. Mr. President, the Senator from Colorado, who is an exceedingly able lawyer and is perhaps as familiar, if not more familiar, with Western conditions than any other man in the Senate or in public life, has not answered the criticism which I made. It is not a sufficient answer, when we are legislating now in respect to the coal lands of the United States for the purpose of opening them up either through sale or lease, to reply that there was a statute enacted many years ago which provided that coal lands should be subject to private entry unless they "were otherwise appropriated." The Senator knows that 45,000,000 or 50,000,000 or more acres of coal land in the Western States have been withdrawn from entry under Executive proclamation, and that such lands are not subject to entry.

Mr. SHAFROTH. Mr. President, the Senator is right in saying that they were at one time reserves; but the wording of the act under which they were reserved provided that the President should have the authority temporarily to reserve them. Under that act the Interior Department about 15 years ago, realizing that it would look unseemly for reserves made under such a temporary authority to last for a great period of time, concluded that the only way they could produce the same effect would be by putting a price upon the lands at which nobody would buy them, but under which probably somebody might lease them. For that reason, I have no doubt that lands in the State of the Senator from Utah are valued probably from $50 to $400 an acre, which prevents their development, because nobody will give such a price for the land, and nobody can afford to do so and make money. So I say the lands are not in reserves now, because they have avoided keeping them in reserves, while at the same time producing the effect of keeping them in reserves. An individual can make an entry of any coal land in the United States to-day if he is willing to pay the price which has been fixed over and above the $10 and the $20 an acre, as provided in the act, and it has been done several times.

Mr. KING. I should like to ask the Senator from Colorado, before he resumes his seat, if it is not a fact that there are still millions of acres of coal lands not classified and which are within reservations or withdrawals, resulting from Executive orders?

Mr. SHAFROTH. I do not know definitely; I think most of it is classified, especially most of it that is near railroads. It may be that in the interior of some of the Western States, where it has been difficult for surveyors to go and where the lands are not desirable, even at $10 an acre, because the transportation is not there to carry the coal to market, there is some coal land that has not been classified, but I think there is a sweeping order making all of those lands open to entry at the minimum price fixed in the statute.

Mr. KING. My understanding is somewhat different from that of the Senator from Colorado. I believe that there are still large areas of coal lands covered by Executive orders and which are therefore held not to be subject to private entry.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nevada?

Mr. KING. I yield to the Senator from Nevada.

Mr. PITTMAN. I want to call attention to the amendment on page 30. The copy of the bill the Senator has may not show it, but it is an amendment which has been adopted by the Senate. On line 6, page 30, after the word "lands," the following language has been inserted: "Heretofore withdrawn from entry, except those reserved for the Navy, shall be subject to this act, and none of such lands," so as to read:

Provided, That coal, oil, gas, potassium, or sodium lands heretofore withdrawn from entry, except those reserved for the Navy, shall be subject to this act, and none of such lands shall hereafter be withdrawn from the operation of this act for a longer period than one year without the consent of Congress.

Mr. KING. Mr. President, I think that amendment, if I understand the Senator from Nevada, would meet the particular objection which I am now urging.

Mr. PITTMAN. That amendment has been adopted.

Mr. KING. I was unaware of that fact.

Mr. PITTMAN. It is in the general provisions of the bill.

Mr. KING. With that understanding, I shall not further discuss that feature of the section; but, answering further the position of the Senator from Colorado, I call attention to this language in section 2:

And the Secretary of the Interior shall offer such coal lands and award the same through advertisement and competitive bidding, reserving the right to reject any and all bids which he may deem unfair.

Mr. SMITH of Arizona. Mr. President, is that not an absolute perpetual reservation, if the Secretary of the Interior sees fit to make it so by setting a price at which no one will take the land?

Mr. KING. That is exactly the point that I was about to make. It gives the Secretary of the Interior unlimited authority and power. He is to determine what is fair and what is unfair; no price is stated below which it would be unfair and no standard suggested by which to determine what price would be fair.

Mr. SMITH of Arizona. Or reasonable or unreasonable.

Mr. KING. One Secretary of the Interior might say that $100 per acre was a fair price, while another Secretary might say that a thousand dollars was a fair price. It is left entirely within the discretion of the Secretary of the Interior to award a lease or to award a sale.

Mr. SHAFROTH. Mr. President, I, of course, recognize the fact that it has never been considered wise to make every attempted sale binding and legal, because there may arise questions in connection with the manner in which the advertisements were published, or fraud may have been perpetrated in securing combinations among bidders, and in various other ways. There must be something left to the man who has this trust in charge so as to avoid fraud on the Government. That is the reason that provision was put in. It may be that some officer would violate his oath of office, and that some officer might say, "I will not sell these lands; it would be unfair to do so unless they bring $500 an acre"; but we have to impute good faith to the officers of the Government; we can not say that an officer is going to deprive a person of the right to buy this land when there is a fair competition, when there are a number of persons present, when everybody has an opportunity to bid, and where the advertisement has been sufficient.

Mr. KING. Let me ask the Senator from Colorado if it is not a fact that the Interior Department has now, as the Senator intimated a few moments ago, placed prices upon coal lands so high that their purchase has been made impossible?

Mr. SHAFROTH. I do not know whether it was the Secretary of the Interior or the Secretary of Agriculture, but under one or the other the matter was placed under the influence of the former Chief of the Forestry Bureau, and these high prices resulted, so that we have had, I think, only three or four thousand acres of coal lands taken up in a great number of years.

Mr. KING. If the Senator will permit me, the prices already fixed by the Government officials have been unfair, have they not, because they have prevented entry, purchase, and sale?

Mr. SHAFROTH. Yes; but I understand that prices have been changed and that there have been reductions in a number of instances in the value placed upon coal land. It seems to me, in legislating here, it is necessary to leave some things to the discretion of the Secretary of the Interior in order to prevent frauds on the Government. That is my idea.

Mr. SMITH of Arizona. Will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Arizona?

Mr. KING. I yield to the Senator from Arizona.

Mr. SMITH of Arizona. Might it not be possible under this provision for some Secretary to say, "Any kind of transfer of coal lands to private individuals is absolutely a danger to the Government and to the interests of the common people, and therefore"——

Mr. KING. And that no bid is fair——

Mr. SMITH of Arizona. "And therefore I will set a price at which nobody can afford to take the lands"? It is just as

reasonable to suppose that that condition may happen as it is to suppose that we will always have a reasonable Secretary who will fix a reasonable price.

Mr. SHAFROTH. I would rather, especially after the experience we have had, when no coal development has taken place, risk a decision as to what is fair and what is right to the Secretary of the Interior. He can, of course, relieve himself from any criticism by saying that he put the land up at public auction and it brought a price which persons were willing to pay for it. But it can readily be seen that severe criticism could be made of this bill if we did not have a clause in it of that kind. Men may combine and agree not to bid against each other in order to get the land at $20 or $10 an acre; it may be that some person might stand on the outside and divert the crowd and say, "Do not come in; it is all over; the land is all gone; go home." That would produce an unfair price. So frauds might be perpetrated; and if the Secretary of the Interior were compelled to issue a deed or patent to such lands it would be very unfair to the Government. For that reason this discretion is left to him; but it is not unlimited; it is placed in him to be exercised when he deems the price unfair.

Mr. SMITH of Arizona. Mr. President, does that not bring the Senator back to the old position that he and I have held, as I understand, through the many years of our public life, that all this governmental control, all this leasing system, all this selling system, only militates against the development of the great resources of our western country? And does it not come at last to the point that whenever you hamper it by the suggestion just made, the open bid, and confer on the Secretary the right to say whether it is fair or not—and in the very nature of things he can not know any more about it than I can—you make the devolution of the public lands and the development of our country dependent on the mere whim of anybody, instead of letting things alone, like they used to be, when a man could go out and take possession of the public domain under honest laws and develop our country as for the last 50 years only it has been developed?

Mr. SHAFROTH. Mr. President, I will say to the Senator that I have always been opposed to the leasing system. I think it never will be productive of development in the West. I predicted that no lease would be taken out in Alaska, although we debated that question here for two weeks, and the prediction was freely made by Senators from the Western States that there would not be a lease taken out in Alaska. There has not been, and it is because capital will not invest money on a lease that may be forfeited. That is the reason, and it is conclusive.

Mr. SMITH of Arizona. Yes; that is true.

Mr. SHAFROTH. It seems to me it is for that reason that people are now beginning to realize that we will not have any development without permitting these sales; but you have got to have some safeguard in regard to the sales, and for that reason I think that this one, which gives the Secretary the power to say that a sale that is unfair shall not take place, is a proper expression to prevent frauds against the Government.

Mr. KING. Mr. President, the answer of the Senator from Colorado merely illustrates the difficulty that we encounter in legislating along the lines presented in this bill. When we depart from the system which has been in vogue for many years, and to which the Senator from Arizona has just referred, and which has been productive of good, and has developed not only the West but the entire country, and inaugurate a leasing, paternalistic, bureaucratic system and policy, such as is provided in this measure, we are going to encounter more difficulties and complications than we could anticipate even if we had broader vision than my distinguished friend from Colorado.

Mr. SHAFROTH. Mr. President, I quite agree with the Senator from Utah that there will be great complications if it is attempted to force through this leasing system. I am satisfied of that, and I am satisfied that we will not get development under any such circumstances; but I am putting up the test that I am so confident that there will not be any leasing that I am willing to risk the question in order to get these lands developed. Here we have been in this condition for 15 years, without any development, and the result has been that it has caused a monopoly in the coal companies that already own fee simple title to their coal lands. That being the case, we have got to risk something, and we have got to risk the good faith of the people of the country to administer the act.

Mr. KING. Mr. President, the honesty of the Senator from Colorado and the Senator from Nevada having this bill in charge, their broad and ripe experience, their well-known devotion to the West, and the knowledge we all have that they would do nothing that they did not conceive to be best under all the circumstances, almost persuade me to vote for this bill; yet I find so many objections to it that notwithstanding my profound respect and affection for the Senators just mentioned I can not bring myself to support it.

I have said all that I care to say, Mr. President, about the particular point that engaged our attention a moment ago. I merely repeat that the provisions of this section make it impossible, as a right that can be enforced in the courts, for any man to locate upon and obtain title to coal lands. The Secretary of the Interior has the power and the authority to prevent the sale of any land; and if he conceives a bid which has been offered to be too low he will then refuse to sell, and no man can go into court and compel him to exercise that discretion and sell the land to him.

There is one other objection to this section, Mr. President, and that is this:

Even if it be conceded that there is a right which might be enforced in the courts to compel the giving of a deed upon the tender of the bid, the land is to be advertised for sale and subjected to a competitive bidding system. What is the result? Only the corporation or individual of wealth can purchase. The poor man or the man of limited means can not acquire coal lands. Thus monopoly is fostered. Moreover, the greater price paid for the land the higher the price demanded from the public for the coal sold. The more a person has to pay for the coal lands which he acquires from the Government, the more difficult it is to get capital with which to purchase, the more difficult it is for him to put the mine in operation, and the higher price he has to charge for coal.

I think the policy of the Government, for a number of years at least, has been not to make money out of the sale of the public lands. It is true that many years ago, particularly in the days of Henry Clay, one of the great political parties of our Nation promulgated a platform the particular feature of which was that the public lands should be sold and that the proceeds derived from the sale of the lands should be divided among the States.

It was anticipated that millions would be derived from the sale of the public domain and that the States and the Government would derive great financial returns therefrom. But the American people repudiated that view; the public lands were no longer regarded as a source of revenue, but the public were encouraged to occupy and develop them, practically without charge.

Now we are reversing the modern policy of handling the public domain, and apparently the purpose is to make revenue and profit out of the public domain. I think it is unwise. I think it is unfair. I think the policy will not be approved by the American people.

Mr. President, I can not conclude the criticisms that I desire to offer to this bill within the next few moments. I think the desire of a number of Senators is to go into executive session before adjournment. I shall therefore yield the floor, with the intention of resuming to-morrow.

EXECUTIVE SESSION.

Mr. SMITH of Arizona. I move that the Senate proceed to the consideration of executive business, for the purpose of referring to the committees the nominations that have come in.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

DEATH OF REPRESENTATIVE BATHRICK, OF OHIO.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The Chair lays before the Senate resolutions from the House of Representatives on the death of Hon. ELLSWORTH R. BATHRICK, late a Representative from the State of Ohio, which will be read.

The Secretary read the resolutions, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. ELLSWORTH R. BATHRICK, late a Representative from the State of Ohio.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. POMERENE. Mr. President, I offer the following resolutions and ask that they be read.

The resolutions were read, considered by unanimous consent, and unanimously agreed to, as follows:

Senate resolution 176.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. ELLSWORTH R. BATHRICK, late a Representative from the State of Ohio.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. POMERENE. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 5, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 4, 1918.

COLLECTORS OF CUSTOMS.

Presley Stockton Ray, of Louisville, Ky., to be collector of customs in customs collection district No. 42, with headquarters at Louisville, Ky., in place of Warner S. Kinkead, deceased.

Charles E. Hardy, of Nogales, Ariz., to be collector of customs for customs collection district No. 26, with headquarters at Nogales, Ariz. (Reappointment.)

COLLECTOR OF INTERNAL REVENUE.

Howard Hathaway, of Everett, Wash., to be collector of internal revenue for the district of Hawaii, in place of John F. Hadley, deceased.

Mr. Hathaway is serving under a temporary commission issued during the recess of the Senate.

REGISTERS OF LAND OFFICE.

Mrs. Mary Wolfe Dargin, of Colorado, to be register of the land office at Denver, Colo., her term having expired December 21, 1917. (Reappointment.)

Alvah G. Swindlehurst, of Minnesota, to be register of the land office at Cass Lake, Minn. His present term expired December 21, 1917. (Reappointment.)

William F. Cummins, of Mississippi, to be register of the land office at Jackson, Miss. His present term expired December 22, 1917. (Reappointment.)

Alex Nisbet, of Wyoming, to be register of the land office at Evanston, Wyo., his present term expiring January 24, 1918. (Reappointment.)

RECEIVERS OF PUBLIC MONEYS.

Fred A. King, of Minnesota, to be receiver of public moneys at Cass Lake, Minn. His present term expired December 21, 1917. (Reappointment.)

H. Clay Sharkey, of Mississippi, to be receiver of public moneys at Jackson, Miss. His present term expired December 22, 1917. (Reappointment.)

George I. Smith, of Oregon, to be receiver of public moneys at Portland, Oreg., his present term expiring January 30, 1918. (Reappointment.)

Richard R. Turner, of Oregon, to be receiver of public moneys at Roseburg, Oreg., his present term expiring January 30, 1918. (Reappointment.)

James P. Folger, of Wyoming, to be receiver of public moneys at Evanston, Wyo., his present term expiring January 14, 1918. (Reappointment.)

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

Brig. Gen. Peyton C. March (major general, National Army), to be major general in the Regular Army, from September 23, 1917, vice Maj. Gen. Hugh L. Scott, retired from active service September 22, 1917.

Brig. Gen. Edwin B. Babbitt, Ordnance Department, National Army, to be brigadier general in the Regular Army, vice Brig. Gen. Peyton C. March, nominated for appointment as major general.

PROVISIONAL APPOINTMENT IN THE ARMY.

COAST ARTILLERY CORPS.

To be second lieutenant with rank from October 26, 1917.

Harold Stacey Macomber, of Illinois.

TEMPORARY PROMOTIONS IN THE ARMY.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

To be lieutenant colonels with rank from August 5, 1917.

Maj. Dennis P. Quinlan, judge advocate, vice Lieut. Col. Samuel T. Ansell, appointed brigadier general in the National Army.

Maj. Gouverneur V. Packer, judge advocate, vice Lieut. Col. Walter A. Bethel, appointed brigadier general in the National Army.

QUARTERMASTER CORPS.

To be colonels.

Lieut. Col. Alexander M. Davis, Quartermaster Corps, with rank from October 5, 1917, vice Col. David L. Brainard, appointed brigadier general in the National Army.

Lieut. Col. Richmond McA. Schofield, Quartermaster Corps, with rank from October 5, 1917, vice Col. Chauncey B. Baker, appointed brigadier general in the National Army.

Lieut. Col. Robert S. Smith, Quartermaster Corps, with rank from October 8, 1917, vice Col. Harry L. Rogers, appointed brigadier general in the National Army.

Lieut. Col. Arthur W. Yates, Quartermaster Corps, with rank from October 9, 1917, vice Col. Isaac W. Littell, appointed brigadier general in the National Army.

To be lieutenant colonels.

Maj. Morton J. Henry, Quartermaster Corps, with rank from October 5, 1917, vice Lieut. Col. Alexander M. Davis, promoted.

Maj. William Elliott, Quartermaster Corps, with rank from October 5, 1917, vice Lieut. Col. Richmond McA. Schofield, promoted.

Maj. James A. Logan, jr., Quartermaster Corps, with rank from October 8, 1917, vice Lieut. Col. Robert S. Smith, promoted.

Maj. Salmon F. Dutton, Quartermaster Corps, with rank from October 9, 1917, vice Lieut. Col. Arthur W. Yates, promoted.

MEDICAL CORPS.

To be colonels with rank from August 5, 1917.

Lieut. Col. Louis T. Hess, Medical Corps, vice Col. Alfred E. Bradley, appointed brigadier general in the National Army.

Lieut. Col. Christopher C. Collins, Medical Corps, vice Col. Charles Richard, appointed brigadier general in the National Army.

Lieut. Col. Benjamin J. Edger, jr., Medical Corps, vice Col. William H. Arthur, appointed brigadier general in the National Army.

Lieut. Col. Samuel M. Waterhouse, Medical Corps, vice Col. Henry P. Birmingham, appointed brigadier general in the National Army.

To be lieutenant colonels with rank from August 5, 1917.

Maj. James D. Heysinger, Medical Corps, vice Lieut. Col. Elbert E. Persons, appointed colonel in the Ambulance Corps.

Maj. Lloyd L. Smith, Medical Corps, vice Lieut. Col. Charles C. Billingslea, who died August 16, 1917.

Maj. John B. Huggins, Medical Corps, vice Lieut. Col. Henry S. Greenleaf, promoted.

Maj. William H. Tefft, Medical Corps, vice Lieut. Col. Robert B. Grubbs, retired.

Maj. Llewellyn P. Williamson, Medical Corps, vice Lieut. Col. Louis T. Hess, promoted.

Maj. William R. Davis, Medical Corps, vice Lieut. Col. Llewellyn P. Williamson, retained in the General Staff Corps.

Maj. Leartus J. Owen, Medical Corps, vice Lieut. Col. Christopher C. Collins, promoted.

Maj. Robert M. Culler, Medical Corps, vice Lieut. Col. Benjamin J. Edger, jr., promoted.

Maj. Frank W. Weed, Medical Corps, vice Lieut. Col. Samuel M. Waterhouse, promoted.

ORDNANCE DEPARTMENT.

To be colonels with rank from August 5, 1917.

Lieut. Col. Kenneth Morton, Ordnance Department, vice Col. Edwin B. Babbitt, appointed brigadier general in the National Army.

Lieut. Col. Samuel Hof, Ordnance Department, vice Col. Charles B. Wheeler, appointed brigadier general in the National Army.

SIGNAL CORPS.

To be colonels with rank from August 5, 1917.

Lieut. Col. Daniel J. Carr, Signal Corps, vice Col. Charles McK. Saltzman, appointed brigadier general in the National Army.

Lieut. Col. Leonard D. Wildman, Signal Corps, vice Col. Edgar Russel, appointed brigadier general in the National Army.

To be lieutenant colonel with rank from August 5, 1917.

Maj. Alfred T. Clifton, Signal Corps, vice Lieut. Col. Daniel J. Carr, promoted.

APPOINTMENTS IN THE NATIONAL ARMY.

GENERAL OFFICERS.

To be major generals with rank from December 17, 1917.

Brig. Gen. William C. Langfitt, National Army.
Brig. Gen. John E. McMahon, National Army.
Brig. Gen. William G. Haan, National Army.

To be brigadier generals with rank from December 17, 1917.

Col. John B. McDonald, Cavalry (Inspector General's Department).
Col. Edward A. Millar, Field Artillery.
Col. DeRosey C. Cabell, Cavalry.
Col. Thomas H. Rees, Corps of Engineers.
Col. George W. Gatchell, Coast Artillery Corps.
Col. P. D. Lochridge, Cavalry (General Staff Corps).
Col. Nathaniel F. McClure, Cavalry.

Col. Peter C. Harris, Infantry (Adjutant General's Department).
Col. Munroe McFarland, Infantry (General Staff Corps).
Col. William R. Sample, Infantry.
Col. Eli A. Helmick, Infantry (Inspector General's Department).
Col. John S. Winn, Cavalry (Inspector General's Department).
Col. Robert L. Howze, Cavalry (General Staff Corps).
Col. Clement A. F. Flagler, Corps of Engineers.
Col. Charles D. Rhodes, Cavalry.
Col. William W. Harts, Corps of Engineers.
Col. Charles Crawford, Infantry.
Col. William S. Graves, Infantry (General Staff Corps).
Col. Frank D. Webster, Infantry.
Col. Joseph D. Leitch, Infantry.
Col. Robert Alexander, Infantry.
Col. William C. Davis, Coast Artillery Corps.
Col. Francis C. Marshall, Cavalry.
Col. Edgar Jadwin, Engineers, National Army.
Col. James A. Ryan, Cavalry.
Col. Fred W. Slayden, Infantry (General Staff Corps).
Col. Harry H. Bandholtz, Infantry, National Army.
Col. Peter Murray, Infantry.
Col. Paul A. Wolf, Infantry.
Col. Tiemann N. Horn, Field Artillery.
Col. Palmer E. Pierce, Infantry (General Staff Corps).
Col. William Chamberlaine, Coast Artillery Corps.

PROMOTIONS IN THE COAST GUARD.

Capt. John Cassin Cantwell to be a senior captain in the Coast Guard of the United States, to rank as such from October 3, 1917, in place of Senior Capt. Howard Emery, retired.

First Lieut. William Joseph Wheeler to be a captain in the Coast Guard of the United States, to rank as such from October 3, 1917, in place of Capt. John C. Cantwell, promoted.

Second Lieut. Thomas Andrew Shanley to be a first lieutenant in the Coast Guard of the United States, to rank as such from October 3, 1917, in place of First Lieut. William J. Wheeler, promoted.

Third Lieut. Frank Joseph Gorman to be a second lieutenant in the Coast Guard of the United States, to rank as such from October 3, 1917, in place of Second Lieut. Thomas A. Shanley, promoted.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Rear Admiral Robert S. Griffin to be engineer in chief and Chief of the Bureau of Steam Engineering, in the Department of the Navy, with the rank of rear admiral, for a period of four years.

The following-named captains to be rear admirals in the Navy, for temporary service, from the 15th day of October, 1917:
Thomas W. Kinkaid (additional number),
William S. Smith (additional number),
Spencer S. Wood,
Joseph L. Jayne,
Charles W. Dyson (additional number),
Clarence S. Williams, and
John D. McDonald.

The following-named commanders to be captains in the Navy, for temporary service, from the 15th day of October, 1917:
Clark D. Stearns,
Robert K. Crank,
Henry B. Price,
Stephen V. Graham,
William P. Scott (additional number),
Joseph M. Reeves (additional number),
Roscoe C. Moody,
Frank Lyon (additional number),
John McLuby,
Hutch I. Cone,
Robert W. McNeely,
George E. Gelm,
Frank H. Brumby,
James P. Morton (additional number),
George L. P. Stone,
Harris Laning,
Franklin D. Karns,
David W. Todd,
John V. Klemann,
Henry V. Butler,
Walter R. Gherardi,
James J. Raby,
William H. Standley, and
Kenneth M. Bennett.

The following-named lieutenant commanders to be commanders in the Navy, for temporary service, from the 15th day of October, 1917:
Hilary Williams,
Fletcher L. Sheffield,
Louis Shane,
Henry C. Dinger (additional number),
Walter G. Roper,
Allen Buchanan,
Richard D. White,
Hollis T. Winston (additional number),
Frederick R. Naile,
Emil P. Svarz,
Herbert C. Cocke,
William V. Tomb,
Bayard T. Bulmer,
Lewis Coxe,
Robert T. Menner,
Benjamin G. Barthalow,
Merlyn G. Cook,
Wallace Bertholf,
Frank McCommon,
Theodore A. Kittinger,
Guy Whitlock,
Jesse B. Gay,
Levin J. Wallace,
James O. Richardson,
James P. Murdock,
David A. Weaver,
Neil E. Nichols,
Otto C. Dowling,
Charles W. Early,
Wilson Brown, jr.,
Robert Henderson,
Edward C. S. Parker,
Joseph O. Fisher (additional number),
William T. Conn, jr.,
John H. Blackburn,
Frank B. Freyer,
Carlos Bean (additional number),
Roscoe C. Davis (additional number),
William D. Puleston,
Charles W. Densmore,
David Lyons,
Joseph F. Daniels,
Gaston DeP. Johnstone,
Frank Rorschach,
Stephen C. Rowan,
Walter S. Anderson,
Henry D. Cooke,
Samuel M. Robinson (additional number),
William W. Smyth,
Ralston S. Holmes,
Francis J. Cleary (additional number),
Fred H. Poteet,
William J. Giles,
Ralph A. Koch,
Lamar R. Leahy,
Milton S. Davis,
Charles C. Moses, and
Sam C. Loomis.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 15th day of October, 1917:
Charles C. Ross,
Howard M. Lammers,
Archer M. R. Allen, and
Francis J. Comerford.

The following-named officers to be ensigns in the Navy, for temporary service, from the 10th day of October, 1917:
Eugene L. Richardson,
Bennie C. Phillips,
James D. Rorabaugh,
Loar Mansbach,
William Pollock,
Fred J. Pope, and
Louis M. Palmer.

Carpenter George H. Wheeler to be an ensign in the Navy, for temporary service, from the 11th day of October, 1917.

Ensign Alexander S. Neilson, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 30th day of November, 1917.

Ensign George H. Cooley, National Naval Volunteers, to be an ensign in the Navy, for temporary service, from the 15th day of December, 1917.

Ensign Elias Q. Horton, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 15th day of December, 1917.

Lieut. Commander Ward K. Wortman to be a commander in the Navy from the 1st day of July, 1917.

Lieut. Commander Frank D. Berrien to be a commander in the Navy from the 1st day of July, 1917.

Lieut. Herbert B. Riebe to be a lieutenant commander in the Navy from the 1st day of July, 1917.

Lieut. (Junior Grade) Herman E. Welte to be a lieutenant in the Navy from the 29th day of August, 1916.

The following-named medical directors with rank of captain to be medical directors in the Navy with rank of rear admiral from the 15th day of October, 1917:

Edward R. Stitt and
George H. Barber.

Asst. Surg. William W. Hargrave to be a passed assistant surgeon in the Navy from the 2d day of October, 1917.

Commander Luke McNamee to be a captain in the Navy, for temporary service, from the 1st day of July, 1917.

The following-named lieutenant commanders to be commanders in the Navy, for temporary service, from the 1st day of July, 1917:

William R. Sayles, jr.,
Kenneth G. Castleman (additional number),
Ward K. Wortman,
Frank D. Berrien,
Charles R. Train,
William P. Cronan,
Hugo W. Osterhaus,
Charles P. Huff, and
Byron A. Long.

Lieut. Grafton A. Beall, jr., to be a lieutenant commander in the Navy, for temporary service, from the 23d day of May, 1917.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 1st day of July, 1917:

William A. Hall,
Herbert B. Riebe,
John P. Miller,
Owen Bartlett,
Edward S. Moses,
John F. Connor,
William H. Booth,
Edwin B. Woodworth, and
James P. Olding.

Lieut. Walter W. Lorshbough to be a lieutenant commander in the Navy from the 23d day of May, 1917.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1917:

Douglas L. Howard,
Pierre L. Wilson, and
Stuart W. Cake.

Lieut. Archibald G. Stirling to be a lieutenant commander in the Navy from the 11th day of July, 1917.

Lieut. John T. G. Stapler to be a lieutenant commander in the Navy from the 10th day of August, 1917.

Lieut. Lesley B. Anderson to be a lieutenant commander in the Navy from the 1st day of September, 1917.

Lieut. John S. McCain to be a lieutenant commander in the Navy from the 22d day of September, 1917.

Lieut. Matthias E. Manly to be a lieutenant commander in the Navy from the 7th day of October, 1917.

The following-named lieutenants to be lieutenant commanders in the Navy from the 11th day of October, 1917:

Ronan C. Grady and
Reuben L. Walker.

Lieut. Alexander Sharp, jr., to be a lieutenant commander in the Navy from the 20th day of November, 1917.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 5th day of June, 1917:

Zachary Lansdowne,
Herbert R. A. Borchardt, and
Archibald McGlasson.

The following-named officers to be ensigns in the Navy, for temporary service, from the 10th day of October, 1917:

Howard W. Kitchin,
Walter S. Gallagher,
William W. Cole,
Karl E. F. Sorensen,
Jeremiah K. Cronin,
Allen J. Gahagan,
Bruce M. Parmenter,
Benjamin F. Schmidt,
James W. Lennon,
Frank S. Miller,
Arthur Boileau,
William A. Tattersall,
William J. Russell, and
Benjamin F. Blume.

The following-named officers to be ensigns in the Navy, for temporary service, from the 15th day of December, 1917:

Robert J. Ford,
William J. Poland,
Haden H. Phares,
John P. Conraddi,
Thomas Fertner,
James Moran,
Ellis H. Roach,
Emil H. Petri,
Olaf J. Dahl,
Ralph F. Streitz,
Warren W. Wesley,
Stephen J. Drellishak,
August Skolasky,
Edwin F. Bilson,
Werner E. Follin,
James J. Morgan,
Frederick Bense,
Carl E. Nelson,
Carter E. Parker,
Charles M. May,
Walter H. Thomas,
Frederick G. Lemke,
Lester M. Harvey,
Edmund F. Sale,
Adolf J. Hofman,
Edward L. Moyer,
Edward Eger,
Thomas C. Ryan,
William Johnson,
Otto H. H. Strack,
John Erikson, jr.,
Dellworth Ballard,
Harlie H. Brown,
Garrison Payne,
Emmett M. Wanner,
Walter H. Stuart,
Leo E. Orvis,
Harold Bye,
Harold E. Fosdick,
Nels E. Smith,
Archie O. Mundale,
Mauritz M. Nelson,
John C. Hicks,
Orie H. Small,
Charles W. Heuckler,
William B. Anderson,
Henry Quinion,
William P. Crowley,
Harvey C. Brown,
Louis M. Bliler,
Joe S. Wierzbowski,
Robin Southern,
George W. Allen,
Elmer A. Posey,
Edmond T. Coen,
John F. McConalogue,
George H. Turner,
Joseph K. Konieczny,
Frederick A. Ruf,
Christian V. Pedersen,
Thomas M. Arrowsmith,
Henry Eismann,
William R. Giddens,
Walter E. Sharon,
Ernest C. Marheineke,
Herman G. Mecklenburg,
John D. Cornell,
Earle S. Nason, and
Lawrence Crilley.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 15th day of December, 1917:

Carl I. Ostrom,
Robert DeBellefeuille,
James Williams,
John H. Burke,
William H. Newman,
George E. Comstock,
George Enos,
Ralph M. Jeffries,

Fred P. Brown,
Frank L. McLellan,
Thomas E. Orr,
Frederick L. Rose,
Harry L. Thompson,
William A. Blazo,
Harry E. Adams,
John D. Lennon,
Herbert G. Haynes,
Edward V. Brown,
Harry L. Ritchie,
William M. Price,
William A. Reynolds,
Roy E. Hall,
Leslie K. Orr,
Leon W. Thomas,
Horatio S. Ford,
Frank Mogridge,
George W. Haynes,
Chub J. Smith,
Charles Braun, jr.,
John R. Rayhart,
John J. Dabbs,
Clyde Morrison
Ira A. White
Joseph A. Curzon,
John F. Warris,
Elmer B. Robinson,
Emil Roeller,
Emerson B. Manlay,
Albert L. Bishop,
Edward D. Berry,
Walker P. Rodman,
Stephen W. Burton,
William Kuskey,
James S. Cuff,
John L. Wilson,
George L. H. Dolan,
Paul E. Current,
Luther Foust,
Theodore R. Raderick,
Ernest N. Varnado,
Edgard J. Thonnesen,
Alfred G. Lewis,
John E. Shaw,
George W. Pounder,
Willie L. De Camp,
Thomas O. Kirby,
Carl A. Stevens,
Elijah E. Tompkins,
Walter J. Thomas,
Svend J. Skou,
Abe Toretsky,
Harry B. Lough,
Loring McCormick,
Thomas C. Macklin,
William A. Gordon,
Oswald T. Schubert,
John W. Scanlin,
Carlton C. Tipping,
Cullie C. Manning,
Frank R. Williams,
Jacob Schnell,
Leonard E. Bray,
James D. Rodgers,
James B. O'Reilly,
Emil G. B. Wandt,
Anthony P. Sauerwein,
Ray W. Marsh,
Warren C. Carr,
Harold L. Arnold,
Clarence E. Owens,
John J. Audett,
Harold J. Gordon, and
Stanley Kazmarek.

Surg. Frederick L. Benton to be a medical inspector in the Navy from the 23d day of May, 1917.

The following-named surgeons to be medical inspectors in the Navy from the 15th day of October, 1917:

Royall R. Richardson and
Jacob Stepp.

The following-named passed assistant surgeons to be surgeons in the Navy from the 15th day of October, 1917:

James M. Minter,
Spencer L. Higgins, and
Renier J. Straeten.

Asst. Surg. Henry C. Johnston, of the United States Naval Reserve Force, to be an assistant surgeon in the Navy from the 17th day of November, 1917.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons in the Navy from the 17th day of November, 1917, to correct their date of rank:

Lawrence K. McCafferty,
Stephen R. Mills,
James A. Brown,
Albert N. Champion,
Alvin L. Mills,
Millard F. Hudson, and
Isaac Dellar.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons in the Navy from the 17th day of November, 1917, to correct their status and date of rank:

Carlton L. Andrus and
Floyd G. Tindall.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons in the Navy, for temporary service, from the 17th day of November, 1917, to correct their status and date of rank:

Harold E. Ragle and
Lawrence T. Hopkins.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons in the Navy, for temporary service, from the 17th day of November, 1917, to correct their date of rank:

Esdras J. Lanois and
George A. Alden.

Thomas White, a citizen of the United States, to be a dental surgeon in the Navy, for temporary service, from the 6th day of October, 1917.

Naval Constructor William G. DuBose, with rank of commander, to be a naval constructor in the Navy, with rank of captain, for temporary service, from the 15th day of October, 1917.

The following-named naval constructors, with rank of lieutenant commander, to be naval constructors in the Navy, with rank of commander, for temporary service, from the 15th day of October, 1917:

James Reed, jr., and
Edwin G. Kintner.

Lieut. William H. Booth to be a lieutenant commander in the Navy from the 1st day of July, 1917.

Ensign Boleslaw L. Dombrowski to be a lieutenant (junior grade) in the Navy from the 6th day of June, 1917.

Ensign Alexander S. Neilson, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 30th day of November, 1917.

Ensign Henry K. McHarg, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 30th day of November, 1917.

The following-named officers of the National Naval Volunteers to be ensigns in the Navy, for temporary service, from the 30th day of November, 1917:

Henry C. McIlvaine, jr.,
Henry S. Austin,
J. Walker Eaton,
James F. Cooper,
Milton M. Fisher,
Joseph C. M. Small,
Albert L. King, and
Frank J. McManamon.

The following-named surgeons to be medical inspectors in the Navy from the 15th day of October, 1917:

Charles N. Fiske,
Charles G. Smith,
Robert A. Bachmann, and
Howard F. Strine.

The following-named passed assistant surgeons to be surgeons in the Navy, from the 15th day of October, 1917:

Frank H. Stibbens,
Reynolds Hayden,
Edward V. Valz,
Montgomery A. Stuart, and
Rudolph I. Longabaugh.

Ensign David A. Smith, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 15th day of December, 1917.

CONFIRMATION.

Executive nomination confirmed by the Senate January 4, 1918.

COLLECTOR OF CUSTOMS.

Charles E. Hardy to be collector of customs for customs collection district No. 26, with headquarters at Nogales, Ariz.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 4, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our Heavenly Father, Source of all wisdom, power, and goodness, imbue us plenteously, we beseech Thee, with these inestimable gifts, that with clear conceptions of right and truth and justice and an inflexible will and pure motives we may fulfill the obligations resting upon us, now and always, in the Spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

JOINT SESSION OF THE TWO HOUSES.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

Concurrent resolution 31.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives Friday, the 4th day of January, 1918, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The SPEAKER. Is there objection?

Mr. GILLETT. Reserving the right to object, Mr. Speaker, I should like to ask the gentleman why this resolution was not brought up yesterday, as has always been the practice in the past? It makes this body look a little ridiculous to go through the form of deliberating after the stage has been all set. It looks as if we were 24 hours behind all the rest of the country in knowing what was going to happen right here.

Mr. KITCHIN. I will say to the gentleman that I had not received notice that the President desired to come here at this time until after the House had adjourned yesterday. If I had known it yesterday before the House adjourned, I should have submitted the resolution then.

The SPEAKER. The Chair will state that the day before yesterday he called up the White House to ascertain when the President desired to address the Congress. At that time no one at the White House was able to give that information. Yesterday, after the House had adjourned, my secretary notified me that the White House had called up and said that 12.30 o'clock to-day would be suitable to the President, if it was satisfactory to the Congress. I replied, of course, that it was satisfactory to us. The White House did not know that the House would adjourn so quickly yesterday. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

LEAVE OF ABSENCE.

Mr. BROWNING. Mr. Speaker, I ask unanimous consent for indefinite leave of absence for my colleague, Mr. DRUKKER, on account of illness.

The SPEAKER. The gentleman from New Jersey asks unanimous consent for indefinite leave of absence for his colleague, Mr. DRUKKER, on account of illness. Is there objection?

There was no objection.

EXCESS-PROFITS TAX.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent that I be permitted to extend my remarks in the RECORD by inserting therein a brief, concise, and, I think, very clear statement in regard to the 8 per cent extra tax that the Congress has been criticized about, prepared by my colleague, Judge RUCKER.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD by printing therein a statement by Mr. RUCKER. Is there objection?

There was no objection.

PERSONAL EXPLANATION.

Mr. LENROOT. Mr. Speaker, I ask unanimous consent to proceed for two minutes on a matter pertaining to the RECORD.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. LENROOT. Mr. Speaker, on the day that the Congress adjourned, the House will remember, we were debating the question of the excess-profits taxation on earned income. In that debate the distinguished leader upon the other side, Mr. KITCHIN, used as an illustration, to aid his argument, the investment in certain cotton factories. In reply I took up the gentleman's illustration and attempted to show the fallacy of the argument. I find in the RECORD that the gentleman from North Carolina has cut out all of that illustration, and that leaves me in the position of replying to something that apparently did not occur.

Mr. KITCHIN. Why, there must be some mistake about that.

Mr. LENROOT. But I have the transcript of the gentleman's remarks in my hand, showing that that particular portion was stricken out by some one.

Mr. KITCHIN. Not by me. I do not recall it.

Mr. LENROOT. And rewritten.

Mr. KITCHIN rose.

Mr. LENROOT. Oh, I do not intend to make any request in respect to it, except to say that because of that I have been put in the unfair attitude of putting in the mouth of the gentleman something which, according to the RECORD, he did not say.

This is a transcript of the gentleman's remarks, which I hand to him. I have no request to make in connection with it, except to say that when a Member makes an argument, and that argument is replied to, it is an abuse of the right of revision to cut out from the transcript all reference to the argument that is replied to, and I hope it will not be repeated.

Mr. KITCHIN. Before the gentleman takes his seat I want to say that if what the gentleman refers to is stricken out, it was an oversight upon my part. I certainly did not intend to strike out anything the gentleman said.

Mr. LENROOT. My point is that the gentleman, or somebody in behalf of the gentleman, struck out the illustration that the gentleman used to support his argument, and I replied to that illustration

Mr. KITCHIN. Having just looked over the notes of my remarks, which the gentleman has handed me, I wish to state that the gentleman is correct. I find—and the notes show it—that in hurriedly revising my remarks, seeing that I had practically made a repetition of the same proposition, I struck out one, which happened to be the one containing the cotton-mill illustration.

EXTENSION OF REMARKS.

Mr. KINKAID. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a letter from a constituent.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

RESIGNATION FROM A COMMITTEE.

The SPEAKER laid before the House the following resignation from a committee:

Mr. SPEAKER: Having been appointed upon the recently created Suffrage Committee, I hereby resign from the Committee on Irrigation of Arid Lands.

Very respectfully, THOMAS L. BLANTON.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, Mr. Cox was granted five days' leave of absence on account of death in the family.

FILING OF A PETITION.

Mr. HARDY. Mr. Speaker, I wish to ask leave to file petition from quite a number of citizens of Texas against limiting the number of cars on trains.

The SPEAKER. The gentleman can place that in the basket.

FEDERAL FARM-LOAN ACT.

Mr. GLASS. Mr. Speaker, I move that we proceed with the regular order, which is the consideration of the bill (H. R. 7731) on the House Calendar, and, pending that motion, I would like to reach some agreement with gentlemen on the other side about the time of debate.

The SPEAKER. The Chair will state to the gentleman from Virginia that this bill is on the House Calendar. The Clerk will report the bill.

Mr. GLASS. Mr. Speaker, I observe the bill is on the House Calendar.

The SPEAKER. Yes.

Mr. GLASS. And I ask unanimous consent——

Mr. CAMPBELL of Kansas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CAMPBELL of Kansas. Is the bill properly on the House Calendar?

The SPEAKER. The Chair does not know what is in the bill.

Mr. CAMPBELL of Kansas. The bill authorizes the expenditure of $100,000,000 this year and another $100,000,000 next, and I think properly it ought to be on the Union Calendar.

The SPEAKER. Of course it ought.

Mr. GLASS. Mr. Speaker, I ask unanimous consent that it be transferred to the Union Calendar.

The SPEAKER. The gentleman from Virginia asks unanimous consent that this bill be transferred to the Union Calendar. Is there objection?

Mr. LENROOT. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. The Senate bill upon the same subject is before the House. Why will not the gentleman ask that the Senate bill be considered in lieu of the House bill?

Mr. GLASS. That is what I expect to do later.

Mr. LENROOT. That is all right.

The SPEAKER. Is there objection? [After a pause.] The Chair hear none. The gentleman from Virginia moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration——

Mr. GLASS. Pending that motion, Mr. Speaker, I ask unanimous consent that we may consider the Senate bill on the same subject in lieu of the House bill. The Senate bill is numbered 3235.

The SPEAKER The gentleman from Virginia asks unanimous consent to consider Senate bill 3235, of the same tenor, in lieu of the House bill. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I would like to make an inquiry of the gentleman from Virginia whether he proposes, after he gets unanimous consent to consider the Senate bill, to offer the House bill as an amendment to the Senate bill?

Mr. GLASS. That is my purpose, Mr. Speaker—later to move to strike out all after the enacting clause in the Senate bill and substitute the House bill.

Mr. GARNER. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. Now, has the gentleman any request to make in reference to time?

Mr. GLASS. I ask unanimous consent to consider the bill in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Virginia asks unanimous consent to consider this bill in the House as in Committee of the Whole House on the state of the Union.

Mr. GILLETT. Mr. Speaker, I object to that. I think that we had better go into Committee of the Whole.

The SPEAKER. The question is on the motion of the gentleman from Virginia to resolve the House into the Committee of the Whole House on the state of the Union. Those in favor will say "aye"——

Mr. GLASS. Mr. Speaker, I would like to reach some arrangement as to debate on the bill.

Mr. STAFFORD. Mr. Speaker, the gentleman should have made that request before the vote to go into the Committee of the Whole House on the state of the Union.

Mr. GLASS. Well, I distinctly stated that, pending the motion to go into the Committee of the Whole——

Mr. GARNER. It has been suggested——

Mr. GLASS. I did not understand that we had gone into the Committee of the Whole.

The SPEAKER. The House voted upon going into the Committee of the Whole, but then the gentleman preferred the question about time and, as a matter of fact, the House has not actually gone into the Committee——

Mr. GARNER. That is what I was going to say.

The SPEAKER. As the Speaker has not appointed a Chairman, Mr. GARNER suggested that the negative vote was not put.

Mr. GARNER. Mr. Speaker, I withdraw my motion to go into the Committee of the Whole.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 31.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives Friday, the 4th day of January, 1918, at 12 o'clock and 30 minutes in the afternoon for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

RECESS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the House stand in recess until 12.27.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that the House stand in recess until 12.27. Is there objection? The Chair hears none. The Chair wants to announce that these three inner rows of seats are to be set aside for the Senate. The House will now stand in recess under the unanimous-consent agreement.

Accordingly, at 12 o'clock and 19 minutes the House stood in recess until 12 o'clock and 27 minutes.

At the expiration of the recess the House resumed its session and was called to order by the Speaker.

JOINT MEETING OF THE SENATE AND HOUSE.

At 12 o'clock and 27 minutes p. m. the Doorkeeper, J. J. Sinnott, announced the Vice President of the United States and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the Vice President and by their Secretary and Sergeant at Arms, entered the Chamber.

The Vice President took the chair at the right of the Speaker and the Members of the Senate took the seats reserved for them.

The SPEAKER. On the part of the House, the Chair appoints Messrs. KITCHIN, SHERLEY, SIMS, CARLIN, CANNON, ESCH, and AUSTIN as a committee to wait on the President and conduct him into the Hall.

The VICE PRESIDENT. On the part of the Senate, the Chair appoints Senators MARTIN, GALLINGER, OVERMAN, LODGE, SMOOT, POMERENE, and PHELAN.

At 12 o'clock and 30 minutes p. m. the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House and stood at the Clerk's desk, amid prolonged applause.

The SPEAKER. Gentlemen of the Sixty-fifth Congress, I present the President of the United States. [Applause.]

ADDRESS OF THE PRESIDENT (H. DOC. 764).

The PRESIDENT. Mr. Speaker, Mr. President, and gentlemen of the Congress, I have asked the privilege of addressing you in order to report to you that on the twenty-eighth of December last, during the recess of the Congress, acting through the Secretary of War and under the authority conferred upon me by the act of Congress approved August 29, 1916, I took possession and assumed control of the railway lines of the country and the systems of water transportation under their control. [Applause.] This step seemed to be imperatively necessary in the interest of the public welfare, in the presence of the great tasks of war with which we are now dealing. As our own experience develops difficulties and makes it clear what they are, I have deemed it my duty to remove those difficulties wherever I have the legal power to do so. To assume control of the vast railway systems of the country is, I realize, a very great responsibility, but to fail to do so in the existing circumstances would have been a much greater. I assumed the less responsibility rather than the weightier.

I am sure that I am speaking the mind of all thoughtful Americans when I say that it is our duty as the representatives of the Nation to do everything that it is necessary to do to secure the complete mobilization of the whole resources of America by as rapid and effective means as can be found. Transportation supplies all the arteries of mobilization. Unless it be under a single and unified direction, the whole process of the Nation's action is embarrassed.

It was in the true spirit of America, and it was right, that we should first try to effect the necessary unification under the voluntary action of those who were in charge of the great railway properties; and we did try it. The directors of the railways responded to the need promptly and generously. The group of railway executives who were charged with the task of actual coordination and general direction performed their difficult duties with patriotic zeal and marked ability, as was to have been expected, and did, I believe, everything that it was possible for them to do in the circumstances. If I have taken the task out of their hands, it has not been because of any dereliction or failure on their part, but only because there were some things which the Government can do and private management can not. We shall continue to value most highly the advice and assistance of these gentlemen, and I am sure we shall not find them withholding it.

It had become unmistakably plain that only under Government administration can the entire equipment of the several systems of transportation be fully and unreservedly thrown into a common service without injurious discrimination against particular properties. Only under Government administration can an absolutely unrestricted and unembarrassed common use be made of all tracks, terminals, terminal facilities, and equipment of every kind. Only under that authority can new terminals be constructed and developed without regard to the requirements or limitations of particular roads. But under Government administration all these things will be possible—not instantly, but as fast as practical difficulties, which can not be merely conjured away, give way before the new management.

The common administration will be carried out with as little disturbance of the present operating organizations and personnel of the railways as possible. Nothing will be altered or disturbed which it is not necessary to disturb. We are serving the public interest and safeguarding the public safety, but we are also regardful of the interest of those by whom these great properties are owned and glad to avail ourselves of the experience and trained ability of those who have been managing them. It is necessary that the transportation of troops and of war materials, of food and of fuel, and of everything that is necessary for the full mobilization of the energies and resources of the country, should be first considered, but it is clearly in the public interest also that the ordinary activities and the normal industrial and commercial life of the country should be interfered with and dislocated as little as possible, and the public may rest assured that the interest and convenience of the private shipper will be as carefully served and safeguarded as it is possible to serve and safeguard it in the present extraordinary circumstances.

While the present authority of the Executive suffices for all purposes of administration, and while of course all private interests must for the present give way to the public necessity, it is, I am sure you will agree with me, right and necessary that the owners and creditors of the railways, the holders of their stocks and bonds, should receive from the Government an unqualified guarantee that their properties will be maintained throughout the period of Federal control in as good repair and as complete equipment as at present, and that the several roads will receive under Federal management such compensation as is equitable and just alike to their owners and to the general public. I would suggest the average net railway operating income of the three years ending June 30, 1917. I earnestly recommend that these guarantees be given by appropriate legislation, and given as promptly as circumstances permit.

I need not point out the essential justice of such guarantees and their great influence and significance as elements in the present financial and industrial situation of the country. Indeed, one of the strong arguments for assuming control of the railroads at this time is the financial argument. It is necessary that the values of railway securities should be justly and fairly protected and that the large financial operations every year necessary in connection with the maintenance, operation and development of the roads should, during the period of the war, be wisely related to the financial operations of the Government. Our first duty is, of course, to conserve the common interest and the common safety and to make certain that nothing stands in the way of the successful prosecution of the great war for liberty and justice, but it is also an obligation of public conscience and of public honor that the private interests we disturb should be kept safe from unjust injury, and it is of the utmost consequence to the Government itself that all great financial operations should be stabilized and coordinated with the financial operations of the Government. No borrowing should run athwart the borrowings of the Federal Treasury, and no fundamental industrial values should be anywhere unnecessarily impaired. In the hands of many thousands of small investors in the country, as well as in national banks, in insurance companies, in savings banks, in trust companies, in financial agencies of every kind, railway securities, the sum total of which runs up to some ten or eleven thousand millions, constitute a vital part of the structure of credit, and the unquestioned solidity of that structure must be maintained.

The Secretary of War and I easily agreed that, in view of the many complex interests which must be safeguarded and harmonized, as well as because of his exceptional experience and ability in this new field of governmental action, the Honorable William G. McAdoo was the right man to assume direct administrative control of this new executive task. [Applause.] At our request, he consented to assume the authority and duties of organizer and Director General of the new Railway Administration. He has assumed those duties and his work is in active progress.

It is probably too much to expect that even under the unified railway administration which will now be possible sufficient economies can be effected in the operation of the railways to make it possible to add to their equipment and extend their operative facilities as much as the present extraordinary demands upon their use will render desirable without resorting to the national treasury for the funds. If it is not possible, it will, of course, be necessary to resort to the Congress for grants of money for that purpose. The Secretary of the Treasury will advise with your committees with regard to this very practical aspect of the matter. For the present, I suggest only the guarantees I have indicated and such appropriations as are necessary at the outset of this task. I take the liberty of expressing the hope that the Congress may grant these promptly and ungrudgingly. We are dealing with great matters and will, I am sure, deal with them greatly. [Applause.]

At 12 o'clock and 33 minutes p. m. the President retired from the Hall of the House.

At 12 o'clock and 34 minutes p. m. the Speaker announced that the joint session had dissolved.

Thereupon the Vice President and Members of the Senate returned to their Chamber.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolutions of the following titles:

On December 18, 1917:

H. J. Res. 193. Joint resolution authorizing the payment of salaries of officers and employees of Congress for December, 1917.

On December 20, 1917:

H. R. 6967. An act to increase the number of midshipmen at the United States Naval Academy; and

S. 2334. An act to authorize absence by homestead settlers and entrymen, and for other purposes.

On December 26, 1917:

S. J. Res. 114. Joint resolution extending the commission provided for in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, with the same authorities, powers, and provisions until on or before March 1, 1918.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2918. An act providing that the forfeiture provisions of land laws shall not apply in the case of persons in the military and naval service during the present war; to the Committee on the Public Lands.

S. 27. An act to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes; to the Committee on Irrigation of Arid Lands.

S. 1766. An act to authorize the President to appoint Col. L. Mervin Maus to the grade of brigadier general in the United States Army and place him on the retired list; to the Committee on Military Affairs.

S. 2493. An act to amend section 3 of an act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916; to the Committee on the Public Lands.

S. 730. An act granting certain coal lands to the town of Kaycee, Wyo.; to the Committee on the Public Lands.

S. J. Res. 117. Joint resolution amending the act of July 2, 1909, governing the holding of civil-service examinations; to the Committee on Reform in the Civil Service.

S. 2852. An act to increase the limit of cost of the Federal building and site therefor at Moultrie, Ga.; to the Committee on Public Buildings and Grounds.

EXTENSION OF REMARKS.

Mr. GORDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech on the subject of relations of the railroads to the public and also of the States to the Federal Government, by Jeremiah S. Black.

The SPEAKER. The gentleman from Ohio [Mr. GORDON] asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

FEDERAL FARM LOANS.

Mr. GLASS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3235, and pending that motion, Mr. Speaker, I would like to reach some agreement with the gentleman from California [Mr. HAYES] as to the time. I would suggest that an hour on a side be devoted to general debate. Is that agreeable to my colleague?

Mr. HAYES. Mr. Speaker, a good many on this side would like to be heard. I think that length of time would be rather short. I would suggest two hours on a side.

Mr. GLASS. I suggest to my colleague that the bill will be considered under the five-minute rule.

Mr. HAYES. I am well aware of that.

Mr. GLASS. And those who do not engage in general debate will have ample opportunity under the five-minute rule.

Mr. HAYES. But under the rules of the House it will be possible to shut gentlemen out. They can not get general debate under that head, unless the House so desires. If any considerable part of the House desire to shut it off, they can do so.

Mr. GLASS. Does the gentleman anticipate that after we have consumed two hours of general debate there will be much desire to speak under the five-minute rule?

Mr. HAYES. I do. Mr. Speaker, it seems to me that this is a very important matter, one rather extraordinary and revolutionary in character, and ought to be thoroughly discussed, and I think that two hours on a side is little enough.

Mr. GLASS. I will suggest to my colleague that when the House adjourned for the holidays we had under consideration and were prepared to vote on a rule that allowed only one hour of general debate, which I think was ample.

Mr. HAYES. But, as I have been informed, the House did not agree to that one hour, and the matter was left open.

Mr. GLASS. The House did not come to any decision on the matter at all.

Mr. GILLETT. May I make a suggestion?

Mr. GLASS. I will be glad to hear it.

Mr. GILLETT. When the gentleman from California [Mr. HAYES] was not here, before the President's address, Members came to me who wished to discuss the bill, and I have here, which does not include the gentleman from California, a list of names of men who would like to consume 1 hour and 55 minutes. It seems to me that this is a question of such importance that there is no reason why it should not be debated as long as men really wish to discuss the question and throw light on it. Perhaps you on your side would not use up all of your time and could yield some to this side. The House is not pressed with business. There is no reason, it seems to me, why, on such an important matter, gentlemen should not be allowed time to debate fairly, as long as they are not trying to delay.

Mr. NORTON. I suggest that the debate be confined to the bill. With that understanding, I have no objection.

Mr. HAYES. I have no objection to that.

Mr. GLASS. Mr. Speaker, I do not think that this is a time or that this is a measure that should offer opportunity to people to talk just to be talking.

Mr. GILLETT. This is all on the bill.

Mr. HAYES. Mr. Speaker, of course we have no desire to continue the discussion longer than is necessary, and if gentlemen do not care to speak the time can be shortened accordingly. But it seems to me that Members who desire to speak on this side should have an opportunity.

Mr. GLASS. I ask unanimous consent, Mr. Speaker, that the general debate be confined to an hour and a half on each side.

Mr. HAYES. I wish the gentleman would give us two hours. We could consume two hours' time on the subject.

Mr. GILLETT. Could the gentleman give us 30 minutes of his time on this side?

Mr. GLASS. I have very few requests.

Mr. GILLETT. If the gentleman would give us thirty minutes of his time that would be satisfactory.

Mr. GLASS. I can not agree to that. I will give all that is not asked for on this side.

Mr. GILLETT. This is not against the bill, you understand.

Mr. GLASS. I understand that. I think more Members on that side want to speak for the bill than against it.

Mr. GILLETT. I think so.

Mr. GLASS. But that is not the question. I simply want to be rid of the proposition as soon as I can get rid of it. It is not a complex proposition. It is one easily understood, and to save my life how we could consume four hours in general debate is beyond my comprehension.

Mr. PLATT. But the gentleman will recollect that there is a whole lot back of it that ought to be brought out.

Mr. GLASS. I do not recollect anything of the sort. I do not know anything of the sort—that there is a whole lot back of it that ought to be brought out.

Mr. PLATT. I do not mean that in a depreciatory sense. I mean that in order to understand this thing thoroughly there are a good many things to be said.

Mr. GLASS. My observation is that a good many things are said that could be very easily dispensed with in all general debate.

Mr. PLATT. The discussion will be confined to the bill.

Mr. GLASS. Well, I suggest to my colleague that that side be given an hour and forty-five minutes and this side one hour and fifteen minutes.

Mr. GARNER. That ought to satisfy gentlemen on the other side.

Mr. GLASS. I ask unanimous consent, Mr. Speaker, that three hours of general debate be devoted to this bill, 1 hour and 45 minutes to be controlled by my colleague from California [Mr. HAYES] and 1 hour and 15 minutes to be controlled by myself, and that the general debate be confined to the subject of the bill.

The SPEAKER. The gentleman from Virginia moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7731.

Mr. CARLIN. Mr. Speaker, reserving the right to object, I want to inquire if that includes debate on the amendments?

Mr. GLASS. No; that is general debate on the bill itself.

The SPEAKER. And, pending that motion, he asks unanimous consent that general debate be limited to three hours and confined to the subject matter of the bill, an hour and three-quarters to be controlled by the gentleman from California [Mr. HAYES] and an hour and fifteen minutes to be controlled by himself. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I believe the Speaker, through inadvertence, referred to the House bill rather than to the Senate bill.

The SPEAKER. Yes; the Senate bill. I did not have it before me. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion to go into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

The SPEAKER. The gentleman from Mississippi [Mr. HARRISON] will please take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill S. 3235, with Mr. HARRISON of Mississippi in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill (S. 3235) amending section 32, Federal farm loan act, approved July 17, 1916, which the Clerk will report.

The Clerk read the bill, as follows:

An act (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916.

Be it enacted, etc., That the Federal farm-loan act, approved July 17, 1916, is hereby amended by adding at the end of section 32 the following:

"The Secretary of the Treasury is further authorized, in his discretion, upon the request of the Federal Farm Loan Board, from time to time during the fiscal year ending June 30, 1918, to purchase, at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm-loan bonds issued by such bank.

"Such purchases shall not exceed the sum of $100,000,000. Any Federal land bank may at any time repurchase, at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

"The bonds of any Federal land bank so purchased by the Secretary of the Treasury, and held in the Treasury under the provisions of this amendment one year after the termination of the pending war, shall, upon 30 days' notice from the Secretary of the Treasury, be redeemed or repurchased by such bank at par and accrued interest.

"Until all bonds so purchased by the Secretary of the Treasury have been so redeemed or repurchased, no loans in addition to those now approved shall be made by Federal land banks except under special rules prescribed by the Federal Farm Loan Board limiting further loans from funds derived from the Treasury to those made for the sole purpose of increasing food products.

"The temporary organization of any Federal land bank as provided in section 4 of said Federal farm-loan act shall be continued so long as any farm-loan bonds purchased from it under the provisions of this amendment shall be held by the Treasury, and until the subscriptions to stock in such bank by national farm-loan associations shall equal the amount of stock held in such bank by the Government of the United States."

SEC. 2. That all acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. The right to amend, alter, or repeal this act is hereby expressly reserved.

The CHAIRMAN. The gentleman from Virginia [Mr. GLASS] is recognized.

Mr. GLASS. Mr. Chairman——

Mr. TILSON. Mr. Chairman, before the gentleman from Virginia begins, will he explain which bill is being considered, whether the House or the Senate bill?

Mr. GLASS. It is the Senate bill 3235.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. GLASS. Yes.

Mr. STAFFORD. Copies of the Senate bill as it passed the Senate are not available. Will the gentleman kindly indicate what those amendments are so that we may have them before the committee in considering this bill? The Senate bill is not available. The amendments have not been printed. We are considering a bill which is not before the House.

Mr. BUTLER. None of us could obtain it; yet we agreed to consider it.

Mr. WINGO. If the gentleman will look in the RECORD of December 18 he will find the amendments.

Mr. BUTLER. That RECORD is not in our files.

Mr. GLASS. Mr. Chairman, answering the question of the gentleman from Wisconsin [Mr. STAFFORD], as I recall the amendments, one of them limits the total amount of bonds which the Secretary of the Treasury is authorized to purchase to $100,000,000 instead of $200,000,000, as provided by the House bill, and limits the time to one year instead of two years, as provided by the House bill.

The second Senate amendment limits the application of the funds derived from the sale of these bonds to the "actual production of foodstuffs." That, in brief, is the substance of the two Senate amendments to the House bill.

Mr. Chairman, it is needless for me to say to the House that in ordinary circumstances I would oppose—utterly oppose—legislation of this description. I have always been against it. When the Federal reserve act was under consideration I opposed in principle this species of legislative enactment, and when the Federal land-bank measure was under consideration I bitterly resisted legislation of this nature. I think it usually may be regarded as unwise, and in most circumstances vicious.

But these are not ordinary times. Gen. Sherman's characterization of war as "hell" may be given a very broad application. War is not only "hell" in the sufferings and casualties and disasters of the battle field; it is not only "hell" in the heartbreaks and bereavements of the homes, but is "hell" everywhere. It disorganizes and disturbs every interest of a country; and because of that fact this matter is presented for the consideration of the House to-day.

The farm-loan system was established primarily not as a protégé of the Federal Government, but as a business institution, to afford the farming community of the United States what it had theretofore never had in the whole history of this country—ample and reasonable credit facilities. It is not necessary to draw the attention of the House to the fact that the national bank act, under which we operated for half a century, in its text and by the rulings of the Comptrollers of the Currency, as well as under the decisions of the courts, sedulously and persistently excluded the farm-land interests of the United States from the credit facilities which it afforded. No matter what his acreage or how rich and productive his farm, under the national bank act no American farmer was given one dollar of land-credit facilities; and it was to cure that exasperating situation that the Federal farm loan measure was conceived and put into effect by the Congress.

As I have said, it was never contemplated that the system should be a protégé of the Federal Government. Congress resolutely resisted the attempt to make the system a Federal dependent. It is only because these are extraordinary circumstances which confront us that the matter is presented to Congress—not of choice or cheerfully, but of necessity and reluctantly.

Briefly it may be stated that the Federal farm-loan system was in efficient and effective operation up to the 1st of November, 1917. The Federal Farm Loan Board experienced no trouble whatsoever in selling Federal farm land bank bonds. Indeed, if any error of administration was committed by the Farm Loan Board, it was on the side of excessive caution. Mistakes, if any there were, have not been due in any degree to improvidence or extravagance of any sort. The Farm Loan Commissioner told me three months ago that the banks were so flooded with applications for the purchase of farm-loan bonds that the board felt it necessary to admonish great care and deliberation. From the 2d day of July, when these securities were first put on the market, up to the 1st of November, there were sold approximately $30,000,000 of 4½ per cent bonds at a premium of ¼. This achievement furnished good ground for the optimism of the Farm Loan Board and for the confident assumption that no trouble would be experienced. The sale of approximately $30,000,000 of these bonds was easily made notwithstanding the fact that the Government had floated its first liberty loan.

Approaching the 1st of November the Farm Loan Board found, according to the statement made to the House Committee on Banking and Currency, not so ready a sale for these bonds. They found it very difficult to place them, and the reason was perfectly apparent. It was because the Government had just put on its second liberty loan of $3,000,000,000, had conducted a Nation-wide campaign in behalf of that loan, and the loan itself had absorbed nearly all the ready-investment capital of the country. Now, there may be some criticism of the Farm Loan Board——

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. GLASS. Yes.

Mr. CAMPBELL of Kansas. Just in connection with the matter that the gentleman has referred to, am I correctly informed, or is my recollection correct, that there was a criticism by the Secretary of the Treasury of the Farm Loan Board for undertaking to float their bonds at the time he was undertaking to float his liberty loan bonds?

Mr. GLASS. I am not definitely informed as to that; but if such was the case I can readily understand why. I think, had I been the Secretary of the Treasury, I should have objected to seeing a rival bond campaign inaugurated just at the moment when the Treasury Department was conducting a campaign for this liberty loan, so essential to the conduct of the war in all of its phases. Very likely that did happen. I am not informed on that point. But the Farm Loan Commissioner stated to the House Committee——

Mr. CAMPBELL of Kansas. If it did happen, do you not think the Secretary of the Treasury is showing considerable generosity by asking now that the money be taken out of the Treasury to take up these bonds that the Farm Loan Board failed to float in rivalry with the liberty-loan bonds?

Mr. GLASS. I do not participate in any criticism of the Secretary of the Treasury on that score, because, had I been the Secretary of the Treasury, I should have objected very seriously and vigorously to the inauguration of a rival bond campaign in the country when the Treasury was trying to raise the unprecedented sum of $3,000,000,000 to carry on the war. However, it was not necessary for the Secretary of the Treasury to make any objection, because the members of the Farm Loan Board definitely stated to the committee that they themselves felt that the patriotic thing to do in the circumstances was to desist, and not precipitate a competitive campaign for placing bonds at that time; and I think their view of the matter was both patriotic and reasonable.

Mr. STAFFORD. Mr. Chairman, the statement has been published in the press that the Farm Loan Board have made loans on securities of a reckless character as a corollary to the need of obtaining Government bonds to the extent of $200,000,000. I wish to inquire of the chairman of the committee whether his committee has made any investigation of the character of the loans made by the Farm Loan Board.

Mr. GLASS. The Banking and Currency Committee has made no such investigation, because it has had no definite or responsible suggestion to the effect that these loans have not been securely made. Since this bill was presented I have heard some such suggestions, and I have personally made inquiry as to the justness of the criticism. I have been assured by the Farm Loan Board generally and the Farm Loan Commissioner specifically that there have been approximately 15,000 loans made, and that soon after the system began operation private interests obviously inimical to the farm-loan system had instituted a very persistent examination of the loans made, but that as far as the investigations of the board have gone—and they have been very thorough, a member of the board having gone in person to review the findings—there had been not more than half a dozen instances in which criticisms were justified. For example, it was suggested that loans were being made on worthless lands in Colorado and Arizona. The investigation by the member of the board who was dispatched to make the inquiry developed the fact that the loans were made on the grazing value of the land alone.

Mr. NORTON. Will the gentleman yield?

Mr. GLASS. I yield to the gentleman from North Dakota.

Mr. NORTON. In reply to the inquiry of the gentleman from Wisconsin, I will say that I take it that the Members from the different States where the system has been operating can speak for their respective States. When I take the floor I can give the gentleman all the information in regard to the working of the system in the State of North Dakota, which I have the honor to represent in part. I take it that the gentleman from Wisconsin is interested in the working of the system in his own State, and he can speak for that State.

Mr. LENROOT. Will the gentleman yield?

Mr. GLASS. I will yield to the gentleman.

Mr. LENROOT. I would like to ask whether the Committee on Banking and Currency has any information as to what percentage of the $105,000,000 of loans approved by the board has been for the refunding of existing mortgages and what percentage has been for new loans?

Mr. GLASS. My recollection is that the Farm Loan Commissioner has said that at least 90 per cent of loans made have involved the refunding of mortgages.

Mr. LENROOT. May I ask another question? Does not the gentleman think that that is a very important consideration in appropriating money out of the Treasury, whether it is for refunding existing loans giving the farmers a lower rate of interest payable out of the proceeds of liberty bonds where the people have made great sacrifices?

Mr. GLASS. I fail to see the distinction between making one farmer an original loan at a fair rate of interest and making another farmer a loan involving a refunding proposition which may prove the salvation of his farm and the continuance of its effective operation. The gentleman will understand that the Government can not make a farm loan except on a first mortgage. If the farmer has a thousand-dollar mortgage on his farm upon which he is paying 10 per cent interest and he finds it difficult to proceed at that extortionate rate of interest—because it is extortionate—and the Government can contribute to the efficiency of the farming operation by loaning that man $2,000 at 5 per cent, using $1,000 to refund his old loan and the other $1,000 for productive purposes, I see no objection to it.

Mr. HARDY. Will the gentleman yield for a suggestion?

Mr. GLASS. I will, except that I proposed to talk for 15 minutes only, and I have talked already 18.

Mr. HARDY. I simply wanted to say that money to take up existing mortgages may be incident to the purchase by the farmer of tracts of land for which they give to the owner the first lien, and that is taken over.

Mr. GLASS. And it arises in many instances, if not in most instances, from the inability or unwillingness of those holding the mortgages to renew at a fair interest rate such as has been compelled by the establishment of this farm-loan system.

Mr. HARDY. A man may wish to purchase a tract of land for which he can not pay the whole purchase price, but he can make the purchase through the assistance that the Government gives.

Mr. MONDELL. Will the gentleman yield?

Mr. GLASS. I will yield to the gentleman.

Mr. MONDELL. I desire to ask a question in regard to the interpretation of the paragraph of the bill, if the gentleman cares to yield.

Mr. GLASS. I think that had better come when we consider the bill by sections under the five-minute rule.

Mr. MONDELL. If the gentleman does not object, I want to call his attention to a view that occurred to me of a certain paragraph, and then we can discuss it later. The paragraph begins on line 8 and extends to line 13, page 2, of the bill. Is it the gentleman's understanding that that is a mandatory provision, or simply a suggestion and direction? The paragraph is as follows:

> The bonds of any Federal land bank so purchased by the Secretary of the Treasury, and held in the Treasury under the provisions of this amendment one year after the expiration of the pending war, shall, upon 30 days' notice from the Secretary of the Treasury, be redeemed or repurchased by such bank at par and accrued interest.

Mr. GLASS. That is a Senate amendment, and I regard it as a mandatory provision.

Mr. MONDELL. The House bill is not punctuated in the same way.

Mr. GLASS. The House bill gives the Secretary of the Treasury discretion.

Mr. MONDELL. The punctuation is different, and it strikes me as doubtful whether the language of the House bill, punctuated as it is, would bear the construction of being mandatory; that it would be only permissive.

Mr. GLASS. The House bill gives the land bank the option to redeem—that is, to repurchase—these bonds at any time and gives the Secretary of the Treasury the option 12 months after the termination of the war to require the land banks, upon suitable notice, to redeem the bonds.

Mr. MONDELL. My thought was that if it was mandatory it was an important paragraph, and if so intended the language should be made a little clearer either by changing the punctuation so as to have it correspond to the Senate bill, placing a comma after the word "shall," or transferring it from line 11 to line 10.

Mr. GLASS. I suggest to the gentleman that we will be glad to have any suggestion, when we come to the consideration of the bill in detail, that will clarify its meaning, but I think now I would like to proceed with my statement.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. GLASS. Yes.

Mr. WOOD of Indiana. I understand that the Government has subscribed $9,000,000 for the stock of the reserved bank.

Mr. GLASS. Yes.

Mr. WOOD of Indiana. The intention was that the stock should be taken by the public. Has the gentleman any information as to how much stock has been taken by the public?

Mr. GLASS. The gentleman is incorrect in his statement that the "intention was that the stock should be taken by the public." The expectation was that the Government would have to take it all; and, practically, the Government has taken it all.

Mr. WOOD of Indiana. One hundred and eight thousand seven hundred and thirty dollars has been taken by the public.

Mr. GLASS. That is correct, and the Government has taken the balance of the $9,000,000. I may say to the gentleman from Indiana that the capital stock of these banks is merely nominal; it does not amount to a drop in the bucket. The expectation was that the banks would be financed out of the proceeds of the bonds sold.

Mr. LONGWORTH. Will the gentleman yield?

Mr. GLASS. Yes.

Mr. LONGWORTH. Did I understand that there were only 15,000 loans made since the establishment of the system?

Mr. GLASS. Approximately 15,000; and out of the loans reviewed after it was ascertained that private interests hostile to the system were examining these loans, only half a dozen loans were reported to be subject to reasonable criticism.

Mr. LONGWORTH. I was only inquiring as to the number of loans made since the establishment of the system.

Mr. GLASS. Forty-six thousand have been passed on, my information is, and 15,000 have actually been made, totaling $30,000,000. Commitments have been made on loans aggregating $70,000,000 more, which the board thinks will be reduced to $50,000,000 by reason of the fact that some of the applications have been withdrawn and others will be withdrawn. There are pending and under immediate consideration, with partial approval, applications amounting to $65,000,000.

Mr. LONGWORTH. But so far only 46,000 individual farmers have received any benefit?

Mr. GLASS. That is my information.

Mr. LONGWORTH. Can the gentleman roughly state how many farmers there are in the country?

Mr. GLASS. I can not. I can state to the gentleman there have been applications aggregating approximately $219,000,000 from all sections of the country. In Ohio $763,000 have been applied for, and $415,000 in loans have been approved.

Mr. LONGWORTH. It would seem under the circumstances that this system had not been of practical benefit to a large percentage of the farming community.

Mr. GLASS. It has been of material benefit, and it is becoming more and more of benefit every day. The system is in its initial stages.

Mr. FERRIS. Mr. Chairman, if the gentleman will permit an interruption there, I would like to suggest this thought, that it has reduced the interest rates nearly everywhere, and that of itself benefits those who do not get loans.

Mr. GLASS. It has reduced the interest rate to the farmer from one end of the country to the other.

Mr. WATSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. GLASS. As I stated, there have been applications for loans aggregating $219,000,000. Sixteen million dollars have been applied for in the State of California; $12,000,000 in the State of North Dakota——

Mr. WATSON of Pennsylvania. Can the gentleman inform me which State has been credited with having the greatest number of farm loans?

Mr. GLASS. I can briefly point out the distribution of loans. As I stated a moment ago, the State of California has applied——

Mr. WATSON of Pennsylvania. I do not want the State of California.

Mr. GLASS. I did not understand that the gentleman was asking for any particular State.

Mr. WATSON of Pennsylvania. I simply asked which of the States has had issued the greatest number of bonds?

Mr. GLASS. If the gentleman will wait a moment, I shall try to answer him. The State of California has applied for $16,000,000 in loans, and has been granted $1,452,000. At the time this table was made, $4,958,000 of loans had been approved. The State of Kansas, I believe, has been granted more loans than any other State. Kansas applied for $7,826,000 in loans and has had approved $5,999,000, and has been actually loaned $3,594,000. Has the gentleman any particular State in mind?

Mr. WATSON of Pennsylvania. Will the gentleman inform me how many bonds have been issued in the State of Texas?

Mr. GLASS. Yes. The State of Texas has applied for $22,000,000 in loans, it has been granted $1,145,000 in loans, and has had approved in pending loans $11,488,000.

Mr. WATSON of Pennsylvania. Can the gentleman inform me what proportion of those bonds were sold within the State of Texas?

Mr. GLASS. I can not.

Mr. WATSON of Pennsylvania. The point I desire to raise is that the rate of interest in Texas is much higher than in many of the other States, and the farm-loan bonds being of a lower rate of interest, whether that is one of the reasons the bonds would have to be sold in other States and that the Congress must call on the Government for the purchase of those bonds.

Mr. NORTON. Mr. Chairman, if the gentleman from Virginia will yield, the gentleman from Pennsylvania has asked what State has issued the bonds. Is it not a fact that none of the States has issued the bonds, but that they are issued by the Federal loan bank?

Mr. WATSON of Pennsylvania. I know that; but the mortgages are on the property in those States, and I want to know how many mortgage bonds have been issued in the State of Texas.

Mr. GLASS. Mr. Chairman, I must decline to yield any further. I have been bombarded with questions, rendering it well-nigh impossible to make the concise statement that I desired to make.

The question is simple enough. If the Congress desires to say to the farming community of the United States, after having adopted a rural credit system which, for the first time in the history of the country, has enabled farmers to obtain loans at reasonable rates of interest and under satisfactory terms of payment—if the Congress wants to say now, when the system is caught in the vicissitudes of war, confronted by unprecedented difficulties which no man could have foreseen, that it shall suspend operations, it can make that decision by defeating this bill. The farm land banks are facing difficulties that are not properly related to the normal operation of the system—difficulties produced by a world war. If, because the system can not immediately surmount these extraordinary obstacles, Members are willing that the system shall suspend and its operations temporarily terminate, they may accomplish their purpose by rejecting this measure of relief.

In my own view, this ought not to be done. As previously stated, I am utterly opposed, in ordinary times, to this species of legislation; but in this unavoidable exigency, in these extraordinary times, I think it would be a great misfortune should Congress refuse to respond to the suggestion that temporary aid be extended to this system. Such refusal would mean something more than the mere suspension of a farm-loan system. It would mean, in my judgment, the embitterment of the entire farming community of the United States against the Government when the Government most needs the determined cooperation of all citizens. It would mean an impairment of our facilities for an immediate and efficient conduct of the war. Hence, temporarily putting aside my inherent objection to legislation of this sort, I very earnestly ask the House seriously to consider the grave consequence of withholding aid from this system at this critical time.

The reason that the banks are unable to sell bonds is, as I have indicated, that the investing public is holding off with the expectation that the interest rate must be increased or that the price of the bonds must be lowered. The contention of the Farm Loan Board is that if it is guaranteed reasonable assistance by the Government there will be a psychological change of attitude. The investing public, finding that the system may not be squeezed to death, that it will not be compelled from lack of funds to raise the interest rate or to lower the price of the bonds in the market, will, it is thought, immediately quicken its interest in bond buying. That the Farm Loan Board is measurably correct in its conjecture on this score I have not one particle of doubt. The symptoms are unmistakable. The only protest that I have had from outside sources against the proposed action by the Congress has invariably come from investment bankers, who, foreseeing that the farm-loan system is now, without any fault of its own, without sufficient funds, are trying to force it to raise the interest rates on bonds or to dispose of them at a lower market rate.

This is the whole question to be determined. There is nothing complicated about it. In brief, it is a question as to whether or not the Congress is willing that the system shall suspend by withholding this temporary relief. You will observe that the relief is absolutely temporary. It terminates at a fixed time and is for a limited amount. Otherwise I would not be here speaking for it. I reserve the balance of my time.

Mr. BANKHEAD. I desire to ask the gentleman one question before he yields the floor.

Mr. GLASS. I yield for a question.

Mr. BANKHEAD. Is there any authority contained under provisions of the bill authorizing the Secretary of the Treasury to sell these bonds to private investors pending the period when he is holding them?

Mr. GLASS. No; there is not, for the simple reason that if the Secretary of the Treasury could sell them to private investors the Farm Loan Board and bankers could do that.

Mr. DILLON. Will the gentleman yield for one question, which is very brief? Are these bonds free from tax?

Mr. GLASS. Absolutely free from tax. They are the best investment that can be obtained in this country, 4½ per cent bonds with the moral support of the Government of the United States behind them, absolutely free from taxation. Before the second liberty loan was placed the applications for bonds were a great many more than the Farm Loan Board was willing to accept.

Mr. DILLON. Now, the Government bonds being taxed under the recent enactment and these not being taxed, how does the gentleman explain that they have been a failure upon the market?

Mr. GLASS. They have not been a failure upon the market, because in four months' time $30,000,000 of them were disposed of at a premium of 1¼. In that time $130,000,000 could have been disposed of had not the Farm Loan Board been excessively cautious. But for the intervention of this second liberty loan which, for the time, practically drained the reservoir of immediate investment funds, there would have been no difficulty on earth and the system would now be in no sort of trouble.

Mr. NORTON. If the gentleman will yield for an inquiry. As a matter of fact, during the month of December if a man wanted to buy $1,000,000 worth of these 4½ per cent bonds from the Farm Loan Board, could he have gotten them?

Mr. GLASS. Oh, I think he could.

Mr. NORTON. Where?

Mr. GLASS. From the Federal Farm Loan Board, and from the bonding houses which were cooperating with the Farm Loan Board.

Mr. NORTON. As a matter of fact, were they allowed to sell them during December?

Mr. GLASS. Oh, I think so. They were allowed to sell them at any time. Members of the board stated to the committee that from patriotic motives they did not feel disposed to enter upon a rival campaign for the sale of them while the liberty loan was being placed.

Mr. NORTON. I desired to make that inquiry because of information that has come to me from different sources to the effect that absolutely no effort was made to sell these bonds, and bonds were not given out freely even while they were willing to be taken during December.

Mr. GLASS. Oh, every reasonable effort has been made to sell the bonds since it was ascertained that there was some difficulty in placing them; and, as I said, until we started on the second liberty loan, the board had more applications than it was willing to accept.

Mr. CANNON. Will the gentleman allow me? I have a little time and I am perfectly willing from my time that the gentleman should be recouped.

Mr. GLASS. I think perhaps I had a poor estimate of the time required for the discussion of this matter, and I apologize to my colleague, the gentleman from California [Mr. HAYES], for not freely yielding to his suggestion to give more time.

Mr. HAYES. The apology is accepted.

Mr. CANNON. The gentleman has just stated that the Government is morally back of these farm-loan bonds, and I will not discuss whether the farm-loan bond act originally was wise. We have it. Now, then, in the circular that was distributed lengthwise the opinion of Justice Hughes was quoted to the effect that this system of farm-loan bonds was an instrumentality of the Government. Now, the Government is to purchase these bonds, one hundred or two hundred millions of these bonds, from the Treasury, and does not the gentleman think that if the Government is morally back of these bonds and we pay out $100,000,000 or $200,000,000 from the Treasury that we had better have it in black and white that the Government, being morally bound, will see to it that these bonds are paid, so that there will be no question or opposition by private investors or those who desire to be lenders privately, or no other roarbacks, if there are to be roarbacks that might be brought?

Is it good policy now, to put it in black and white, if the Government is to enact this legislation—I repeat the question—to guarantee these bonds?

Mr. GLASS. I would say to the gentleman from Illinois that I do not agree with the opinion of Mr. Justice Hughes that the farm-loan system is "a Government instrumentality" or that it was intended to be a Government instrumentality. The Government, after considerable discussion, took a very limited temporary stake in the system. I do not agree with Judge Hughes's opinion that "the Government is morally bound" for these

bonds. But Mr. Justice Hughes is a very distinguished constitutional lawyer, a very discerning public man; and I had in mind his expressed opinion, which was requested by the investment bankers of the country when I stated a while ago that the Government was "morally behind the bonds." I think the country will accept Mr. Justice Hughes's opinion rather than mine. Nevertheless, I do not think the farm-loan system is "a Government instrumentality" nor do I think it should be one.

I do not think, except in just such an exigency as that with which we are now confronted, that the Government will ever have any need or a more intimate relation with the system than the temporary supervision which the act originally provided. I do not think the Farm Loan Board will ever, in ordinary times, have to ask the Government for any sort of aid. It would not now but for this war. Had it not been for these unprecedented liberty bond issues the farm-loan system would stand solidly on its own bottom and conduct business out of its own resources without any help from the Government or from any other source than that involved in the revenue derived from making farm loans at a fair rate of interest.

Mr. HAYES. Will the gentleman yield to me for one question?

Mr. GLASS. Yes.

Mr. HAYES. I would like to ask the gentleman if he has the opinion of anyone whose opinion is worth anything as to the constitutionality of this proposed act?

Mr. GLASS. No. It is proposing to do things that have been repeatedly done by the Congress of the United States, and in a very much more aggravated form, when it comes to the refinements of constitutional law. The Congress itself has made gifts of millions of dollars to other enterprises, whereas this is not a gift, but a loan. The President of the United States from that rostrum to-day advised the Congress that it may soon be called upon to make, practically, investments in railroad properties with a view to their efficient operation in this war exigency.

The Congress of the United States in the early period of the Government's history loaned every one of the thirteen original States millions of dollars, not one cent of which has ever been paid back. While I am not a constitutional lawyer, or a lawyer of any description, for that matter, I have no doubt of the constitutionality of this measure. But if it is not constitutional, my colleagues may be sure that the investment bankers who are opposed to its enactment will promptly take steps to test the validity of it.

Mr. MORGAN. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Virginia yield to the gentleman from Oklahoma?

Mr. GLASS. Mr. Chairman, I have taken up so much time that I can not yield for further questions, and I reserve the balance of my time. [Applause.]

Mr. HAYES. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. McFADDEN].

Mr. McFADDEN. Mr. Chairman, I would ask the right to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. McFADDEN. Mr. Chairman, we are discussing this morning the Senate bill which has been substituted for the House bill. The Senate bill is S. 3235—and I ask that it be printed in my remarks at this point, together with the amendments made in the Senate—and the House bill is H. R. 7731.

The matter referred to is as follows:

A bill (S. 3235) amending section 32, Federal farm loan act, approved July 17, 1916.

Be it enacted, etc., That the Federal farm loan act, approved July 17, 1916, is hereby amended by adding at the end of section 32 the following:

"The Secretary of the Treasury is further authorized, in his discretion, upon the request of the Federal Farm Loan Board, from time to time during the fiscal years ending June 30, 1918, and June 30, 1919, respectively, to purchase, at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm loan bonds issued by such bank.

"Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years. Any Federal land bank may at any time purchase, at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

"The bonds of any Federal land bank so purchased by the Secretary of the Treasury, and held in the Treasury under the provisions of this amendment one year after the expiration of the pending war, shall, upon 30 days' notice from the Secretary of the Treasury, be redeemed or repurchased by such bank at par and accrued interest.

"The temporary organization of any Federal land bank as provided in section 4 of said Federal farm loan act shall be continued so long as any farm loan bonds purchased from it under the provisions of this amendment shall be held by the Treasury, and until the subscriptions to stock in such bank by national farm loan associations shall equal the amount of stock held in such bank by the Government of the United States."

SEC. 2. That all acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. The right to amend, alter, or repeal this act is hereby expressly reserved.

Senator WEEKS offered the following amendment:

"On page 2, after line 13, insert:

"'Until all bonds so purchased by the Secretary of the Treasury have been so redeemed or repurchased no loans in addition to those now approved shall be made by Federal land banks except under special rules prescribed by the Federal Farm Loan Board, limiting further loans from funds derived from the Treasury to those made for the sole purpose of increasing food products.'"

Senator WEEKS offered the following amendment:

"In line 9, page 1, after the words 'nineteen hundred and eighteen,' I move to strike out the rest of that line and line 10 down to and including the word 'respectively'; and in line 4, page 2, after the figures '$100,000,000,' I move to strike out the words 'in either of such fiscal year.'"

Mr. McFADDEN. It is my understanding that later, during the discussion of this measure, the House bill will be offered as a substitute for the Senate bill.

Now, a little over a year ago we enacted the farm-loan law. At that time I pointed out certain features of the bill which in my judgment would become unworkable. I might assume an attitude to-day of "I told you so." One or two of the vital points that I criticized at that time were that this system was cumbersome and that it would not work without Government aid. That position, I believe, has been thoroughly vindicated by the introduction of this measure to-day.

Now, let us look at this proposition. The first bank of the 12 that was organized under this system was organized in March, 1917. The first loan under the system was made last June, after the declaration of war. Now, what has happened since that time? The Federal Farm Loan Bureau has received and approved and are obligated for $105,000,000 worth of loans. They have sold through investment bankers approximately $28,000,000 of these bonds on a 4½ per cent basis, or par plus a premium of 1½ per cent.

In answer to a question which I put to the Farm Loan Commissioner, interrogating him as to the theory upon which this law was predicated and enacted, that one-half of 1 per cent would cover the cost of the operation of the system from the farmer to and including the sale of the bonds—in answer to my question as to whether or not they had kept within that limit, he informed me that the total cost had been 1⅘ per cent plus the 1½ per cent premium which was paid to the bond house, who paid par to the Farm Loan Bureau, making something like 2½ or 2⅝ per cent as the actual cost of the operation thus far, instead of one-half of 1 per cent.

Mr. WINGO. Will the gentleman yield?

Mr. McFADDEN. I will.

Mr. WINGO. The gentleman evidently does not want that statement to go as a statement of the Farm Loan Commissioner? The gentleman is certainly in error as to his understanding of what the Farm Loan Commissioner said.

Mr. McFADDEN. I would be glad to be informed.

Mr. WINGO. The gentleman by his statement has led the House to believe that the Farm Loan Commissioner gave the committee to understand that the cost of operating this system had been 2⅝ per cent. That is the only conclusion that can be reached from the gentleman's statement. The fact is the Farm Loan Commissioner did not make any such statement, because that is not the fact.

Mr. McFADDEN. Will the gentleman state what the fact is?

Mr. WINGO. If the gentleman will permit me, the fact is that the Farm Loan Commissioner, in reply to the question of the gentleman, stated this, that the experience of the board so far was that the system, when it got into full operation, could be operated for less than one-half of 1 per cent, but the overhead charges in the beginning, which the gentleman will very readily understand are heavy in the beginning, have run the expenses on the initial business up to 1½ per cent. But that included a lot of organization expenses that will not have to be incurred again. In the course of a year or so, spreading all the operating expenses out over the entire business, he thought the expense would get down to less than one-half of 1 per cent.

Mr. McFADDEN. That is also true; but when this law was passed we appropriated $100,000 for organization expenses, and at the last session of Congress we appropriated $260,000 to pay salaries and incidental expenses in connection with the operation of this system, and this was all in addition to what I have stated.

Mr. WINGO. Will the gentleman yield for a question right there?

Mr. McFADDEN. I regret I can not yield further. I have only a few minutes, and I want to finish my argument.

Mr. WINGO. We gave the gentleman's side extra time from this side.

Mr. McFADDEN. I beg the gentleman's pardon. I have only 15 minutes. It seems to me that in the operation of the system thus far the Farm Loan Board have not exercised ordinary business acumen in the sale of these bonds. These bonds appear to me to be a semi-Government obligation that should be put on a basis that would insure their sale to investors, and there would appear to be no more reason for the purchase of these bonds on the part of the United States than there would be for the Government to purchase its own bonds in an endeavor to make a fictitious market for its own securities.

Mr. Chairman, on the day that this bill came up for discussion, I introduced House resolution No. 206, calling upon the Secretary of the Treasury for information in regard to the Federal farm-loan system.

I had no ulterior motive in doing this, but was prompted solely because of the lack of information in regard to this system. I felt that the Members of the House should have other information than simply the letter of the farm-loan commissioner asking for an appropriation of $200,000,000 before appropriating this vast sum of money in as critical a time as this, and especially so when the people of this country are denying themselves and are patriotically subscribing for thrift stamps, war-savings certificates, and liberty bonds, and in addition are paying heavy taxes for the purpose of winning the war.

So far as I am aware, there is no concerted move which has for its object the breaking down of the Federal farm-loan system. I am not opposed to the granting of loans to farmers for the purpose of increasing agricultural production, and I am not opposed to loaning to the farmers 50 per cent of the valuation of their property, providing the loans are in accordance with the intentions of this act. I am opposed to the operation of a system such as presented, which is under political control and domination, and which can not exist except by Government aid and support, which contention is fully justified by this bill.

Nor do I think that the farmers of this country are demanding or expecting in this critical period aid or assistance in this respect from the Government, and the enactment of this bill may be the basis of a serious criticism of this Congress and may be a factor in the sale of future liberty bonds.

The farmers of this country are patriotic and are supporting the Government to the fullest extent of their ability in the production of crops and foodstuffs, and are furnishing their share of the man force for the Army and Navy, and will continue to do so in this crises. I do not believe the farmer is asking nor does he expect to receive a more favorable rate of interest than the commercial interests of the country at this time are paying. I am, therefore, firmly of the opinion that if the Federal Farm Loan Board had seen fit to raise the rate of interest on its bonds offered to the public there would have been no difficulty in the flotation of these securities during the past six months.

I am told that because of the very great prosperity in the farming sections of the South and West there is ample money to invest in these bonds, but not at the rates quoted on farm-loan bonds. Also that if the 12 banks had been permitted to do so (which privilege was withheld from them by the policy of the Farm Loan Board to sell the bonds) that large amounts could have been sold locally by them.

The very purposes that prompted the organization of this farm-loan system in the first instance are being defeated by this legislation. The purpose of the plan was to furnish a system for the farmer to enable him to borrow from the investing public under Government supervision money on the same basis that commerce was getting it and not from the Government Treasury, and upon no other basis. Now, the board after finding it impossible to sell their bonds to the investing public comes here and asks for an appropriation of $200,000,000, and on top of that the board, I understand, is asking that the maximum which can be loaned to any one borrower be raised from $10,000 to $25,000. This will mean an increase of applications from the well-to-do farmer and speculator, and still further demands upon the Treasury of the United States.

I lay no special claim to being more patriotic than the average Member of Congress, but I do regard myself as fortunate wherein I represent a district which, while devoted almost exclusively to agriculture, yet at the same time no inflation in real estate values exists, as I will presently prove. I am, therefore, in a position to look at this important question from a sound economic viewpoint, not being carried off my feet by the terrible wail of the real estate speculator who paints the awful condition as resulting in case he fails to get into the Government crib with a pitchfork. I desire here and now to warn the Members of the House that if they permit the establishment of this precedent all the schemers who favor Government aid will get into the crib, and there is no such thing as being able to satisfy this class once the door is open.

The fact that during the discussion of this bill in the Senate the proponents of this farm-loan act who had charge of the measure acquiesced in the amendment offered by Senator WEEKS, and by unanimous consent the House is now considering the Senate bill as amended, which amendment limits the appropriation in this bill to $100,000,000, and further provides that this money shall be used exclusively for the increase of agricultural production, I believe eliminates partisanship entirely in the discussion of this measure, at least so far as the Senate is concerned, and I sincerely trust that every Member of this House will rise to the occasion and eschew all semblance of politics from the discussion of this important measure. This is not a political proposition, but an economic one, and should be considered and acted upn as such by this House.

History proves beyond all doubt that the class of people heretofore referred to have profited but by one argument, the sad argument of experience, after these teachings have brought ruin and destruction to the people. And the people of this century do not differ one bit from the people of the eighteenth century, a century in which more harm was done by inflation than any century since the advent of Christian civilization. Every important country in Europe was ruined during that century as a result of the pernicious practices of inflation. And the injury was not confined to merely financial ruin, but moral as well. Corruption and crime have invariably attended such action.

It was during the reign of inflation in England—to be exact, in 1693—that Speaker Trevor was expelled from the House of Commons for accepting a bribe of 1,000 guineas to secure the passage of a bill introduced in Parliament for means of satisfying the debts due by the city of London to the orphans, by their orphans' fund, aggregating some $3,000,000. It took them much longer to bring the disaster to England which they brought forth in France. The people of the latter country were only four years in gulping down the fallacies of John Law and causing the bursting of his "Mississippi Bubble."

If there is any question in the mind of any Member of this House in regard to what inflation means, let him read the history of France from 1717 to 1721 and he will readily learn the evil effects.

I desire to call attention to a statement issued on December 31 by the Federal Reserve Board, being an appeal to the people urging thrift, having reference to the heavy financial burden that rests upon the country at this time, and that the Nation must have goods, and urging the people to save in every way, including food, clothing, and fuel, and thus enable our Government and our allied Governments to obtain goods with the requisite speed. As everybody knows, this is the most important factor at this juncture. Coal, copper, steel, and foodstuffs are cases in point.

The board says it can not have escaped the attention of the banks that since the beginning of the war deposits have increased at a rapid rate, and that loans, discounts, and investments have grown at an even more rapid rate. It is true that the Federal reserve holdings of gold have also increased to a point where they are larger than those of any other country, but the percentage of the gold reserves against the deposits and notes has decreased. This is a familiar phenomenon in time of war, and to a certain extent, perhaps, unavoidable, but it must, nevertheless, be our constant concern to keep every dangerous tendency in the banking situation under control and particularly to retard the too rapid expansion of banking credit as far as this can be done without jeopardizing the main business of the country at this time.

They further say that nobody should draw upon the credit resources of the country except to finance transactions which are essential for a national war. Credit should be saved as much as goods.

I would ask you to compare this statement with the bill now under discussion and ask you frankly whether or not this bill is in accordance with the suggestions of the Federal Reserve Board in this statement?

The board further says that gigantic operations of the Government will cause a further growth of bank deposits and loans. Our credit structure should therefore be strengthened as far as possible, and to this end the banks should lend their efforts toward three things:

First. Absorption of Government loans by savings.
Second. Conservation of credit for public and other essential uses, with curtailment of nonessential enterprises.
Third. Increase of the gold holdings of the Federal reserve banks, so as to maintain an adequate basis for our growing credit structure.

I therefore argue that in conformity with the sentiment expressed by the Federal Reserve Board that the only argument

that can be used in support of this measure, which provides for an appropriation of $200,000,000 from the Treasury at this time, would be that it would aid in winning the war by increasing agricultural production. This may be true as to possibly 10 per cent of the money, but the other 90 per cent will be used for the purpose of refunding existing loans. Unless this amendment is added the argument might possibly be made that it was necessary to relieve the Farm Loan Board from the obligation to take $75,000,000 of loans, which should never have been promised in times like the past six months.

Mr. QUIN. Mr. Chairman, will the gentleman yield right there for a question?

Mr. McFADDEN. I regret I can not yield. I have only a few minutes left.

The CHAIRMAN. The gentleman declines to yield.

Mr. McFADDEN. During the continuance of this war we must do all we can to stimulate the production of foodstuffs, and nothing could be more conducive to that end than by Congress placing in the hands of the Federal Farm Loan Board $100,000,000 with which to purchase Chilean or other nitrogen, seeds, and fertilizers, to be sold to the farmers at the lowest price and on such terms as would encourage them to use it plentifully. No one will deny but that that would increase the production of foodstuffs, and that is the only way we can hope to reduce their cost during the war. War is naturally wasteful, and do what we may in economizing in foodstuffs, still we can not counteract the effects of the waste of war unless we increase the supply.

In this connection I would point out here that the chairman of the Committee on Banking and Currency when interrogated replied, in answer to a question as to how much of this money was used for refunding purposes, that 90 per cent of it was used to refund existing loans now held by private investors, banks, insurance companies, loan companies, and so forth. Credit should be saved as much as goods.

If we authorize this appropriation without imposing the safeguard imposed by the Senate amendment, and these funds are used by the board for the purchase or refunding of loans or for the purchase of lands, we will commit an act of inflation which no Member of this House can justify. This is no time for Congress to authorize the use of Government credit for inflation, and if we begin it on the small scale provided in this bill there will be no end to such demands during the period of the war. We have some four billions of real estate mortgages in this country, and if Congress favors a few farmers with a low rate of interest, then it will be asked to so favor all farmers; and if we favor all farmers, why not favor all classes of business.

Why, $200,000,000 would be a mere bagatelle in refunding the permanent investment of even the farmers, whereas $100,000,000 used for the increase of farm production would accomplish wonders. The Government's demands for capital to carry on the war are so stupendous that they have impoverished the capital markets of the country, impoverished them to such an extent that it is impossible for the transportation companies to procure the means to make such repairs as are necessary to transport our war material. But the roads must be properly equipped to carry that and our foodstuffs, even if the Government must supply temporarily the capital to keep the roads running and do the work itself during the war.

But we should announce the policy that in no event will we employ the Government's credit to protect the credit of any business, however much such business may be in need of credit. In that way, and in that way only, can the Government protect its own credit. If the time comes when creditors ruthlessly foreclose land mortgages or other evidences of debt, Congress can afford the necessary relief by the establishment of a moratorium for the general public, just as it has already established it for the soldiers and sailors.

The strongest argument in favor of any land-mortgage system for the purchase of lands is sociological, to prevent tenant farming. But this is no time to solve sociological problems which violate sound economic laws, especially not with Government credit. Beggars should never play the rôle of philanthropists, and for the next few years our Government will be the greatest beggar the world ever knew. The poor man should not be encouraged to buy farm lands when they are inflated, and, speaking for myself, I wish to say that I shall not be a party to any such arrangement. This farm-loan law does not help the landless man, "the poor man," to own a farm; he must first be worth half the value of his farm at least before he can participate in the benefits of this law. This law benefits the big farmer by permitting him to borrow at a less rate than the business man.

I would like the attention of the House for a few minutes while I point out how the bill under consideration will lead to inflation unless we adopt the Senate amendment. I shall not trespass on the patience of the House by making an extended argument on inflation and all the causes which produce that result, but this bill is such an important one that I must ask your kind indulgence while I give a few illustrations on inflation.

Definitions of any science are quite difficult to frame; that is to say, a definition which will meet every phase of the subject under all conditions. One definition of inflation which is doubtless familiar to all is the causing the price of an article to advance without a corresponding increase in its productivity. Any and every facility afforded for the purchase of a permanent investment will produce inflation, but any and every facility used to increase the productivity of a permanent investment will have the opposite effect.

To illustrate, suppose I lend a man money for the purpose of buying a piece of land and he makes such purchase. By that act he took that piece of land off the market, and in consequence caused the other lands in that vicinity to advance in price, and that without increasing their productivity. But suppose that instead of lending him that money to purchase that land I let him have it to buy fertilizers with and he had used it for such purpose and actually put them on the land and cultivated the land in such a way as to make those fertilizers useful. If the year be a seasonable one that loan would result in increasing the productivity of that land and become a blessing not only to the individual who obtained the loan for such purpose but to the community as well. So it is the use to which capital or credit is placed which counts. If it be used merely to change the ownership of a permanent investment, something which is already created, nothing is done to create value, and if that act advances the price there can be nothing to the transaction but inflation, and the public must pay for that without realizing any benefit in return.

The man who furnishes capital or credit for the production of agriculture or commerce, or for the distribution of those commodities through the various channels until they reach the ultimate consumer, is a public benefactor, because he has furnished the facilities for the creation of actual wealth.

It is pretty well agreed that lands in some sections of the country have become inflated during the past few years almost to the breaking point. To illustrate this I wish to present a table compiled from the 1910 census reports for the States of Iowa, Illinois, Indiana, and Pennsylvania, which I wish to incorporate with my remarks.

Value of farm lands in 1900 and 1910 and value of all farm products in 1909, and ratios of the values of such products in 1909 to such land values in 1910, according to the last United States census (1910):

State.	Value of farm lands in 1900.	Value of farm lands in 1910.	Value of farm products in 1909.	Ratio of 1909 products to 1910 land values.
				Per cent.
Iowa	$1,256,751,980	$2,801,975,729	$314,666,298	11
Illinois	1,514,118,970	3,090,411,148	372,270,470	12
Indiana	687,633,460	1,317,195,448	204,209,812	15
Pennsylvania	575,392,940	630,430,010	166,739,898	26
Fourteenth Pennsylvania congressional district	26,228,240	52,909,425	8,786,903	38

Number of counties in the above States which increased and decreased in population between 1900 and 1910.

State.	Number of counties which increased in population.	Number of counties which decreased in population.	Total number of counties.
Iowa	28	72	100
Illinois	52	51	103
Indiana	31	60	91
Pennsylvania	46	21	67

Land and crop values of the fourteenth congressional district of Pennsylvania, given by counties.

	Bradford.	Susquehanna.	Wayne.	Wyoming.
Land values:				
1910	$9,517,220	$6,213,198	$4,333,837	$2,845,170
1900	11,596,340	6,548,760	4,991,840	3,091,304
Value of crops for 1909	3,594,664	2,543,845	1,729,427	918,967

This table shows that the values of the farm lands of Iowa increased from $1,256,751,980 in 1900 to $2,801,975,729 in 1910,

or 115 per cent; those of Illinois from $1,514,118,970 in 1900 to $3,090,411,148 in 1910, or 104 per cent; those of Indiana from $687,633,460 in 1900 to $1,317,195,448 in 1910, or 92 per cent; that of Pennsylvania from $575,392,940 in 1900 to $630,430,010 in 1910, or 9 per cent; while those of the district I have the honor to represent on this floor actually decreased from $26,228,240 in 1900 to $22,909,425 in 1910, or a decrease of 12 per cent.

That makes out a pretty bad case for my district on paper, but only on paper, because the same census reports show the value of the farm products produced on those lands during the year 1909. The values of those products in proportion to the 1910 value of those lands were as follows: Those of Iowa, 11 per cent; those of Illinois, 12 per cent; those of Indiana, 15 per cent; those of Pennsylvania, 26 per cent; while those from the fourteenth Pennsylvania congressional district were 38 per cent.

Let us look at that from another viewpoint, that of the time required to purchase those lands. Let us assume that the labor cost of producing those crops and interest on the investment to be 50 per cent of the annual yield, or the value of the 1909 crops. Under that assumption the lands of Iowa would be nearly a 20-year purchase; those of Illinois, nearly 17 years; those of Indiana, nearly 14 years; those of the State of Pennsylvania, less than 8 years; and those of the fourteenth Pennsylvania congressional district a little over 5 years. It will be observed, therefore, that the fourteenth district does not show up so bad when the real test is applied, the test which takes into consideration the hard toil required to pay for those lands, and that is the only real test.

I do not give the statistics of my district for the purpose of advertising it, for it needs no advertising at my hands. I give them for the sole purpose of showing that there was no speculation to speak of in farm lands in my district during the decade in question. Hence it is that I have no land speculators "prodding" me to vote for this bill. I do not use the term "prodding" in an offensive sense, for I believe that every Member should be amenable to the healthy public sentiment of his district, but every Member should be sure that the sentiment is a healthy one. The sentiment which actuates the inflationist is the most harmful sentiment which can pervade a community or State, and all who yield to that sentiment do much harm. Therefore I plead with every Member on this floor, irrespective of party affiliation, to resist the plea of the inflationists who are behind this bill. Inflation is only caused by the use to which money is put. It is the use and not the money that is responsible for the cost of increase in prices. That inflation is giving the administration some concern is evidenced by the recent statement made by the Secretary of the Treasury cautioning the people against the use of thrift stamps, war-savings certificates, and liberty bonds in settlement of commercial transactions, and so forth. He warns the public not to treat this medium as you would treat circulating notes or money.

The real truth of the matter is that thrift stamps issued in denomination of 25 cents, war-savings certificates in denomination of $5, and liberty bonds in denominations of $50 and multiples thereof are being used to-day the same as currency or bank credits, and if the practice continues an inflation equal to the amount of the securities so issued can not fail to take place. Thus the Secretary of the Treasury very wisely warns the people to discontinue this practice, which has grown up innocently with a desire on the part of the people to popularize the purchase of these securities and to encourage the people to save and invest in thrift stamps.

There is another tendency along this same line, and I want to call the attention of the House to it in this discussion, and that is the attempt on the part of many banks and bankers throughout the country to make municipal, railroad, and other first-class bonds available for rediscounting purposes with the Federal Reserve System in giving to them the same rights as commercial paper has at the present time.

This is an attempt to make liquid fixed assets, such as real estate and permanent improvements by municipalities, railroads, and so forth. If this were permitted, it would, in my judgment, lead to a serious abuse and inflation and should not under any circumstances be permitted.

The activity of the circulating medium should be limited to the requirements of business, and in this connection every transaction of a commercial nature should carry with it its own source of relief. When that transaction is closed and finally settled the circulating medium should automatically retire.

I mention this at this time because there is sleeping quietly in the Banking and Currency Committees of the House and Senate a bill to accomplish this very result, namely, to make railroad bonds, municipal bonds, and so forth, the basis of rediscount and the issuance of Federal reserve notes, and such a measure should never pass.

At the proper time during the discussion of this bill I propose to offer amendments which will provide that this money if appropriated shall be used for the purpose of increasing agricultural production and not for the purpose of refunding existing loans in accordance with and in support of the argument which I have made. I will also offer an amendment providing that the Secretary of the Treasury shall within two years after the expiration of the war dispose of or compel the Federal Reserve Board to repurchase all of the bonds remaining in the Treasury of the United States at that time. I do this for two purposes. The first is in conformity with the argument that this contemplated purchase of bonds is only temporary and the purchase is made because of the fact that the United States is monopolizing the money market, and, second, to do away with the control over the system by the Secretary of the Treasury and return the management of the banks to the stockholders, under whose management and direction the system should be properly conducted.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McFADDEN. I ask unanimous consent, Mr. Chairman, for 10 minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for 10 minutes more. Is there objection?

Mr. SHOUSE. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from Kansas objects.

Mr. HAYES. Mr. Chairman, I will yield to the gentleman three minutes more, if that will help.

Mr. McFADDEN. Three minutes more will not cover it, so I had better quit.

Mr. HAYES. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. PLATT].

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. PLATT. Mr. Chairman, there is no question before us, in my opinion, of the suspension of this farm-loan system. There is no danger whatever that it will suspend. It does not make the slightest bit of difference, in my opinion, to the Federal Farm Loan Board or the system whether we pass this measure or not. The Federal Farm Loan Board has by no means exhausted its efforts to sell these bonds. In fact, it is not too much to say that they have not made any real effort to sell them. They have turned away bids for more than $100,000,000 worth of bonds, and now they come in on their bended knees to us and ask the Government to sell liberty bonds and use the proceeds to purchase farm-loan bonds. I think it is unnecessary and absurd, and it ought not to be done.

I believe the farm-loan system will stand on its own feet if given a chance.

I have sufficient confidence in Mr. Norris, at the head of the Farm Loan Board, to believe that he could go to New York City and sell $100,000,000 of these bonds himself in 24 hours. He has not tried to do it.

What have they done in regard to this business? They first fixed a uniform rate of interest—5 per cent—for mortgage loans in all districts, though the law does not require a uniform rate. The Federal reserve banks do not give uniform rates in all districts in rediscounting, and I think it fair to say that Congress did not expect that a uniform mortgage rate should be given in all districts, regardless of local conditions and risks, in the administration of the farm-loan act.

Then they tied themselves up with contracts to four bond companies to sell these bonds at a fixed price, on a 4¼ per cent basis, and they did that under war conditions, knowing that liberty bonds were being sold and that no power on earth could hold down the rates of interest with the enormous borrowings that the Government is making. These 4½ per cent tax-free bonds are so good that there was a big demand for them at first, and the fixed contract price worked all right until the second liberty loan sale. Then it naturally proved a serious hindrance.

Mr. MADDEN. If they do not sell these bonds through these bond houses with which they have made the contracts, they can not sell them at all—is that it?

Mr. PLATT. That has been the case up to New Year's Day. They made a contract which was good until the 1st of December, and Mr. Norris told me and told members of the committee under questioning—I do not think those hearings are printed yet, but we asked him a good many questions—that the bond companies were bound under a gentleman's agreement for 30 days beyond the period of the extension of the contract not to sell the bonds at a lower price, and that the farm-land banks were also bound.

Now, these companies have got on hand something over $1,000,000—I think $1,500,000—of these bonds. I do not know whether one reason for the introduction of this bill is to get the Government to take these bonds off of their hands or not. It will not hurt these bond houses—all big, prosperous institutions—to have $1,500,000 of 4½ per cent tax-free bonds on their hands.

Now, just a word as to the possibility of selling these bonds. When I was over in New York during the holidays I was talking with a director of one of the big insurance companies, and I asked him whether he had ever heard of these 4½ per cent tax-free bonds, practically as good as Government bonds, and he said he never had heard of them. He said there should be no difficulty in placing $100,000,000 of them with the big insurance companies and other concerns which are looking for that kind of investments, and he said he would bring it up before his company. But the Farm Loan Board has before this refused to sell these bonds to those people. They have turned down every offer that has been held out for large blocks of the bonds. They were bound by a wooden contract up to January 1 to sell these bonds in small lots on a 4½ per cent basis, when they can not probably any longer be sold on that basis. Then they come to the United States Government and ask us to underwrite or buy $100,000,000 of these bonds each year for two years; and as the first bill which came to us was written, it looked as if that $100,000,000 was to be paid out of the Treasury each year for good and all unless the land banks took it on themselves to redeem them.

Mr. GLASS. May I ask my colleague if he thinks it is exactly advisable to take the irresponsible statement of any one man that such and such a thing can be done, against the official declaration that it can not be done? I ask that question because a colleague of mine in the House said to me the other day that he knew these bonds could be disposed of easily, and he gave me the name of a banker in his State who, he said, would take $100,000 of them. I immediately gave that banker's name to the Farm Loan Commissioner, but at last accounts the bonds had not been taken.

Mr. PLATT. That is a different proposition from going to New York and trying to sell these bonds to the big insurance companies and the people who have got the money to buy them. They have not heard of them at all. The board has not tried that at all. Mr. Norris said so under questioning from me and from other members of the committee. They have not tried to sell these bonds to the people who have got the money to buy them with. 4½ per cent tax-free bonds. Surely they can be sold when 3½ per cent tax-free liberty bonds sell at 98.50 and above.

Mr. GLASS. Did not Mr. Norris say that it was the policy of the board not to put a great amount of these bonds with the wealthy corporations, but to disseminate them in small amounts throughout the United States?

Mr. PLATT. Yes; he did.

Mr. GLASS. The purpose being to enlist all the people in the investment securities of the farm-loan bank, and to have them interested in the banks.

Mr. PLATT. He did say that, and I have no criticism of that as an initial policy when all was going well.

Mr. GLASS. That was when no difficult was being experienced in placing these bonds; but the board has tried repeatedly every sort of expedient to place the bonds since the 1st of November, when they began to experience difficulties on account of the liberty loan, and they have not been able to do it.

Mr. PLATT. Yes; but they have tried to sell them under the fixed wooden contract price which they had with the bond companies. They could not break it and the bond companies could not break it; but now the contract has expired, and they are free to go out and sell these bonds; and I say we ought not to give them a cent until they go to New York and try to sell these bonds at par. I have no doubt they can sell them.

You can talk to investors, men who have money to invest, and ask them if they have ever heard of these 4½ tax-free bonds, and not 1 in 50 has ever heard of them. They are practically as good as Government bonds. There are some Members of this House who have got money to invest, and I have asked them if they had ever had any of these bonds offered them, and they said they had not.

Mr. GLASS. Yes; and a Member of this House said he would take $100,000 of them, but he has not done it.

Mr. PLATT. I do not know anything about that, but there is scarcely a man in this House who has had any opportunity to buy them. I would not mind buying a few of them myself, but they have never been offered to me, and I would not know where to go to buy them. They are not quoted in any of the financial markets or exchanges, so far as I have ever seen.

Mr. MADDEN. The gentleman talks about a wooden contract. What does he mean by a wooden contract—a contract with a man who is wooden from the chin up?

Mr. PLATT. I mean that the bond houses and the banks were bound to a fixed price regardless of conditions. They would not let the farm-loan banks sell their bonds as they ought to be allowed to do. The Kansas banks had a chance to sell their bonds above the fixed price, and the Farm Loan Board would not let them do so, I am told. They insisted that the bonds must be sold at a fixed price through the bond companies.

Mr. MADDEN. Are the men who are managing the Farm Loan Board competent?

Mr. PLATT. I believe Mr. Norris is a good man, and I have no criticism of the way they started the thing off. The contract was perhaps good policy as a beginning, when the land banks were busy with organization problems, appraisals, and so forth.

Mr. MADDEN. Why should the Treasury of the United States be called upon to furnish money to buy these bonds?

Mr. PLATT. It should not be.

Mr. MADDEN. Does the Government of the United States guarantee these bonds?

Mr. PLATT. No; not in terms, but the Government furnished the $750,000 with which each of the 12 banks began business.

Mr. MADDEN. The Government is not responsible for the bonds, except morally?

Mr. PLATT. No; except morally. I do not know that one can fairly say it is even morally responsible, but the banks are under Government control.

Mr. MADDEN. In what section of the country have most of the loans been made?

Mr. PLATT. Kansas has the largest amount so far—$3,594,000.

Mr. MADDEN. Has any been loaned in the very rich agricultural sections of the United States?

Mr. PLATT. Well, I will say that the great and prosperous State of Iowa has only had $96,000 loaned to it.

Mr. GLASS. Mr. Chairman, may I interrupt to answer the question of the gentleman from Illinois? He wants to know in what States these loans have been disposed of. The State of Illinois applied for $1,697,000.

Mr. MADDEN. That is a small amount of money for that State.

Mr. PLATT. The applications for loans do not count for a great deal. The loans already made count for more than the applications. Illinois has so far received $186,000. Many people will apply for a loan at a low rate of interest who do not greatly need the money. There is no great urgency among the farmers to borrow money. I questioned Mr. Norris, and he admitted that the $70,000,000 in mortgage loans which they consider the land banks are morally bound to furnish at the 5 per cent interest rate, having already approved them, will shrink to $50,000,000 and has already shrunk to about $50,000,000.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HAYES. I will yield to the gentleman three minutes more.

Mr. PLATT. As I say, that $70,000,000 has already shrunk to $50,000,000, which is a big shrinkage, because when a farmer asks to borrow $5,000 and they will not let him have but $4,000, he generally says he does not want any loan. Many farmers are paying mortgages instead of borrowing, and most of the loans made by the land banks go not for increased agricultural production but to refund or pay old mortgages.

Mr. MADDEN. Is it not easier for them to borrow from the private banks?

Mr. PLATT. No; I do not think so; 5 per cent is a low farm-mortgage rate, particularly at this time.

Mr. MADDEN. Is not there an additional charge made by the banks?

Mr. PLATT. Not by the farm-land banks, though there may be by private banks.

Mr. MADDEN. Do not they charge 1 per cent in addition?

Mr. PLATT. Oh, I could talk for an hour about the additional charges that are made to the farmer by some lenders of money. My point is that there is no necessity for the passage of this act. This Government bond-purchasing plan is exactly the same thing that the gentleman from Virginia [Mr. GLASS] and myself, the gentleman from California [Mr. HAYES], and others, sound-money Members, stood against in the Sixty-third Congress. The Bulkley bill provided that the Government should buy the bonds. The President was against it and we were against it, and after a strenuous struggle we prevented its being reported.

Mr. GLASS. If the gentleman will pardon me, the Bulkley bill put no limitation on the amount of bonds the Government might acquire. It was a cumulative proposition and might have involved the Government in billions of dollars expenditure.

Mr. PLATT. That is true, and nobody knows what this will entail. No power on earth can keep the interest rate down. There will be another liberty bond issue, and the interest will probably be above 4 per cent. What this amounts to is to have the Government buy these bonds to keep the market price up. Why does not the Government go into Wall Street and buy liberty bonds which are selling at 97?

Mr. GLASS. Well, that is one way of stating it, and another way is to prevent people who would naturally invest in the bonds from squeezing the system, in extraordinary circumstances, by forcing the price of the bonds down and the rate of interest up. That is another way of stating it.

Mr. PLATT. Yes; that is another way of stating it; but the contract for the sale of these bonds has only expired a few days ago, and no effort has been made to sell the bonds without restrictions on their merits as a gilt-edged 4½ per cent tax-free security. It was all right at the beginning to sell the bonds in small lots all over the country, in lots of not over 6,000, but under present circumstances it is far better to sell them to people who have the money to purchase them than to ask the Government to bolster them up.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. GLASS. Mr. Chairman, I will yield the gentleman enough of my own time to answer a question. The gentleman has perfect confidence in the sincerity and character and ability of Mr. Norris?

Mr. PLATT. Absolutely.

Mr. GLASS. Does not my friend know that Mr. Norris and the Farm Loan Board will not ask the Secretary of the Treasury to exercise this power to the extent of one dollar if they should find that they can sell the bonds to individuals? Is not there an avowed purpose to sell them to individuals, and did not they express the conviction that they can sell them to individuals if they may be fortified by this guaranty of the Government to take them if in the future they do not sell them to individuals?

Mr. PLATT. Yes; but I believe that they can sell to individuals without the guaranty, and I think they should try that first.

Mr. HAYES. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Chairman and gentlemen, I am opposed to this measure, because I do not see any merit in it at this time especially. This is a proposition to induce the Government to put $200,000,000 into this farm-loan proposition at a time when the people of our country are called upon for more money than ever before in the history of the Republic, at a time when money is much more needed to carry on the war than it is to further this particular banking system. In the first place, I have little or no faith in the system at any time, for I do not believe the Government gets legitimate loans generally, at least not so much so as do the local banks and local money lenders. I am led to that belief by a great many things that have transpired and come under my observation, and to one I desire to call your attention, which to me is a most striking illustration of the merit of this proposition. Three years ago I sold a piece of land for $2.50 per acre. It was cheap stump land, from which the valuable timber had been cut and removed. I sold that land on contract. The contract has not yet been fully paid. No improvements have been made on the land and there has been no change in its value whatever, except as it may have enhanced in value through time that has elapsed since then. I was advised the other day by the man who had purchased that property from me that he had made application for money from the Government on a mortgage on this property at $15 an acre, and that he wanted to take up his contract. Can you tell me that there is merit in such a loan? Why, he can not borrow such a sum on that land from any money lender in the vicinity of the land, because they know the value of that property better than does any outsider.

Mr. NORTON. Will the gentleman say that that loan was approved at $15?

Mr. FORDNEY. No; I do not. He gave me notice that he was going to pay up on his contract, and he said he was getting the money from the Government at $15 an acre on a mortgage on that property.

Mr. NORTON. Will the gentleman give a description of that land, so that it may be investigated?

Mr. FORDNEY. No; I will not. I can not do that. I ask the gentleman to take my word for it.

Mr. NORTON. The gentleman does not say that the loan was approved for $15.

Mr. FORDNEY. I do not say anything of the kind. I say that he has notified me that he is going to borrow the money from the Government at $15 an acre and wants a deed from me at $2.50 an acre. Let me tell you another thing. The people of this country are called upon to support our men on the battle field right now, at a most critical period in the history of this country, and the money to be subscribed in the purchase of Government bonds and the taxes to be paid by the people of this country this year is two and a half times the amount of all the money in circulation in the United States, as shown by the statement of the Treasury Department. You are coming in at a time when it is not necessary and calling upon the people of the country for $200,000,000 to put in an investment of this kind, when the money is not needed as badly, you will all admit, for this purpose, as it is to sustain our boys on the battle field. Think of it! The Treasury Department shows that there are about $5,000,000,000 of money in circulation. That is not all the money in circulation; there is far more than that—double that amount—but I say that is the amount the Treasury Department shows is in circulation in the country, and we are going to call upon the people this year for from twelve to thirteen billion dollars to purchase United States Government bonds and in direct taxes. The taxes the people will pay under existing law this year will call for 80 per cent of all of the money in circulation in this country as shown by the Treasury Department.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HAYES. I yield the gentleman one more minute.

Mr. FORDNEY. Mr. Chairman, I think it is exceedingly unwise legislation at this time, when the people of the country are called upon for so much to sustain our Government, in time of war. This can be easily passed over until after the war, and then be intelligently, carefully, and sanely considered at a time when this kind of legislation may be needed more than now. [Applause.]

Mr. HAYES. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Chairman, it would be useless now to endeavor to call a halt upon the raids that are being made on the Treasury of the United States. It would be useless also to suggest that we have a fundamental law known as the Constitution of the United States. Apparently that great charter has been lost. Upon the impulse of the moment we appropriate millions out of the Treasury without regard to the provisions of our great charter, and to the authority that the Congress has. Even fundamental political principles adhered to for more than a century by the dominant political party have been thrown to the winds. The doctrine of the rights and the duties of individuals and of the States has been forgotten. Everything now goes out from Washington. All authority is centered here. The Treasury is to the whole people now what the Government in 1840 was to the red man—the Great Father. It is useless at this time to undertake to call a halt upon these matters. At this time we are asked for $100,000,000 this year and $100,000,000 next year to buy farm-loan bonds. As a matter of policy, as a matter of constitutional right, it is quite as feasible and proper to do that as to lend $1,400,000 to the State of Tennessee, as was done by the Secretary of the Treasury a few years ago, or in a few weeks from now to lend millions to the railroads, as was suggested by the President a few moments ago we would be called upon to do. We are borrowing money from everybody who can lend; we are taxing the people by every possible method of taxation, for the purpose of raising money to carry on the war. The Treasury is not overburdened with money to carry on the great activities of the Government itself, and yet we are asked to take out of a needed fund for war purposes $100,000,000 to bolster up a failing scheme. If this were for the purpose of lending money to the farmers of the United States to carry on the next year's crop, I would not say a word in opposition, but it is for the purpose of enabling loans to be made for 30 years, out of moneys borrowed and raised by taxation to carry on the war. We are not acting in good faith with the people of the country who loaned this money and paid the taxes. The Secretary of the Treasury quarreled with the Farm Loan Board three months ago because the banks that had been designated by the Farm Loan Board were offering to sell these same bonds at a time when the Government was selling its securities—liberty loan bonds—to raise money with which to carry on the war.

And now, in three months, the Secretary of the Treasury asks the Congress to appropriate $100,000,000 this year and $100,000,000 next year out of money raised by the Government to carry on a war to buy bonds issued by the farm-loan banks. It is said my own State has been the largest borrower. The principle involved may not now be questioned, as I have before

stated, but the policy at this time of taking money out of the Treasury that was borrowed to carry on the war may be questioned and ought to be questioned and this matter ought not to have been thrust upon the Congress by the Secretary of the Treasury or by the Farm Loan Board or by anyone else. It is unwise and I believe unpatriotic at this time to ask Congress to take money out of the Treasury for other purposes that was secured by taxes or by loans for war purposes.

Mr. QUIN. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I am sorry I can not. I have here a sentiment I want to read. I have received many letters of protest against this bill:

> The farmers are not asking this appropriation of $100,000,000 to buy farm-loan bonds. It is a device of the Federal Farm Loan Board to help get themselves out of their embarrassing financial difficulty. The farmers throughout the country generally never were in a more prosperous and better financial condition than now. All kinds of farm products sell at high prices, farm lands are in demand and selling at increased prices, the legitimate wants of the farmer are being taken care of now and will be in the future as they have been in the past, without borrowing from the United States Government.

This is but an extract from one of the many letters I have received in protest against the bill.

Mr. GLASS. Letters from farmers, may I ask?

Mr. CAMPBELL of Kansas. No; but I have not had a request from a farmer in the State of Kansas to support this measure, not one.

Mr. GLASS. Is not that because they assume, of course, the gentleman will do it? [Laughter and applause.]

Mr. CAMPBELL of Kansas. I will say this to the gentleman from Virginia, that while the Government lends money to States, as it did to the State of Tennessee, and lends money to the railroads, as the President says we must in the near future, if it is lawful or wise policy for those purposes, the right of it can not be questioned when it comes to loans to the farmer, but I say in all conscience, and I believe I express the sentiment of the gentleman from Virginia, that it is untimely to ask Congress to take $100,000,000 out of the Treasury at this time that was placed there to carry on the war to bolster up the farm land-bank scheme.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. GLASS. Mr. Chairman, I yield 10 minutes to my colleague from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman, the gentleman from Kansas [Mr. CAMPBELL] closed his remarks by reading a statement from somebody who does not seem to have been a farmer, stating that the farmers were not asking for this and did not need it. The farmers are asking to the extent of $100,000,000 for loans with which to relieve themselves from encumbrances that they can not relieve themselves of otherwise, unless, as his correspondent suggests, they sell their farms; and when they sell their farms the correspondent says that the farm lands are bringing a good price; therefore when he attempts to continue to farm by buying another he finds the price of the farm that he wants to buy put up so high that he is squeezed out of the farming business; and now they are asking that loans be provided in order that they may have funds with which to liquidate these debts and enable them to go on. This statement of his correspondent that the farmers are in a good and prosperous condition is partly true, but as to the section of the United States from which I come, it is just beginning to recover from the enormous loss, which Congress said it could not help them to avoid, brought about by this war, when in 1914 they marketed the crop of cotton at a loss of $480,000,000, and many a farm was mortgaged as a result, and they have not had a prosperous time sufficient to rehabilitate themselves. They made 16,000,000 bales of cotton in 1914, and it cost the average farmer at least 12 cents a pound to make it—$60 to the bale—and the people got, on an average, $30 for it. They have never recovered, and they are to-day facing demands from England and elsewhere, from the mortgage companies, that they liquidate their mortgages, and they have got to do it in this way or not at all. Now, are these bonds safe? If they are not, who is responsible? This Congress enacted this act, and in the 27th section it provided the Federal reserve banks should have the right to buy and deal in them. Well, if they are not a safe security, why allow the great financial institutions handling the commercial credits of this country to deal in them as assets on which our currency should be based? Not only that, but is it just that we should do something for them, and is it propitious now? We have got to do one of two things, to allow these farm-loan bonds put upon the market in competition with the United States loans that are being made and asked for for the purpose of helping until this war is over—we have got either to do that or we have got to take it out of the Treasury of the United States; and I say we should not put the Farm Loan Board in competition with the Treasury of the United States, and the President this morning in this apt language expressed exactly the principle that should govern us now when he said:

> No borrowing should run athwart the borrowing of the Federal Treasury.

Mr. PLATT. Will the gentleman yield?

Mr. STEVENSON. I will.

Mr. PLATT. How is this $100,000,000 going to be raised if we do not borrow it on the credit of the United States?

Mr. STEVENSON. We borrow it on the credit of the United States, along with the billions that we are borrowing to loan to France, England, and other countries. We hear no protest against that. We hear no protest when we find that the Government is preparing to loan money to keep the railroads running; and I submit that if we are going to loan money to the railroads to keep them running, it is high time we began to take care of the men who produce that which will move upon the railroads and which is absolutely necessary to maintain the railroads, the people, and the army at the front.

Mr. PLATT. Will the gentleman yield again?

Mr. STEVENSON. Yes.

Mr. PLATT. Does the gentleman agree to have the Government seize the farms and run them for the benefit of the people as it has the railroads?

Mr. STEVENSON. The Government has not found that necessary, because the farmers have shown their capacity, if given proper credit and given the proper facilities, to run their farms so as to support this great Government; and they responded last year in a way that has far exceeded the ability of the railroads or anybody else to demonstrate their patriotism in this country.

Mr. MOORE of Pennsylvania. Could not the railroads do that, too, if they had that much credit from the Government?

Mr. STEVENSON. They have had much more than the farmers have had. They have had their credit in the money center of New York; and when in 1907 we had a panic, preceded by speculation in securities in New York, the farmers of the South paid for it in the prices of their cotton, and the money that we had in New York we could not get, for the Treasury of the United States put $100,000,000 there in order to maintain the values of the stocks of the railroads and of the bonds of the great corporations. [Applause.]

Why, Mr. Chairman, coming to that, I was president of a bank at that time. We had money in New York and could not get it. I had a neighbor who had $100,000 on deposit in a bank in New York, and it took him three weeks to get $10,000 of it, and we were having cotton forced on the market and were taking certificates of indebtedness for it. If it comes down to a question of aiding the farmers as a special class, I want to call your attention to one other thing.

The great commercial centers, such as New York, have had their heart and center in the Federal reserve banks. What have we done? There has been on deposit in those banks by the Government not less than $50,000,000, practically, ever since they have been established, upon which they do business every day in the year.

Not only that, but we passed last spring here a bill amending the provision for Federal reserves, so as to require 7 per cent of all deposits of all banks of the reserve system to be maintained in those banks, and that meant on the average deposits last year $568,000,000 of reserves, put there for the Federal reserve banks to do business upon. And yet they say that the Federal farm-loan banks can not have a credit of $100,000,000 from the Government in this way, when it is absolutely secured, which it is given the right to control until the loan is paid off; and it is presumed to be secure, because the very basis of these bonds is the land of the farmers of this country, and land is the basis and the foundation stone of all credit, and everything that maintains credit is grown for the support of this country, of its armies, and of its institutions, and upon its shoulders rests the conclusion and successful termination of this war. And they are doing their duty and using their best endeavors to provide the means with which to prevent the people from starvation. It would be a tardy act of justice not to give them at least an opportunity to look in on the Treasury of the United States and feel that Uncle Sam is a father to the farmer as well as to the other interests of this country. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAYES. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, it seems like old times in this House to have the gentleman from South Carolina [Mr. STEVENSON] denounce the trusts of New York and remind us of the crushing effect of Wall Street upon the cotton

bales of the South. All these things are supposed to be tabooed in this session of Congress.

Mr. STEVENSON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. And it brings up pleasant memories of those days when speech was free on the floor of the House and Democrats sat on one side and Republicans on the other and pleasantly contended.

Mr. STEVENSON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. STEVENSON. I have not named Wall Street or any trust. I ask the gentleman if he appears on behalf of Wall Street here?

Mr. MOORE of Pennsylvania. I answer the gentleman by stating that I read in a paper day before yesterday that whereas the present administration came into power cursing the trusts, promising to crush them and put them out of business, all prosecutions against the great trusts of the United States have for the time been suspended. And in order that the gentleman may more thoroughly understand, and that Democrats as well as Republicans may be informed of the assiduity with which the present war administration is prosecuting trusts, I put this little statement in the RECORD:

Suspension until October of Government suits for dissolution of the International Harvester Co.—

Do you remember what an incubus that was upon Kansas and South Carolina—

the United States Steel Corporation—

Do you remember what a holy terror that was when Mr. Woodrow Wilson was campaigning in 1912, and how you were going to put it out of business, and how you are relying upon it now—

the United States Shoe Machinery Corporation—

Which may now have some very profitable contracts with the Government in one form or another—

the Eastman Kodak Co., the Quaker Oats Co.—

And food prices have certainly gone up recently—

the American Can Co., and the Corn Products Refining Co.—

Another food producer which is said to be a part of the Standard Oil Co.—

was asked of the Supreme Court by Attorney General Gregory to-day.

Further suspension until the close of the war will be requested then. The tremendous expense—

Think of it!

Why, we raised $21,000,000,000 to prosecute this war and are worrying over this bauble of court costs. [Laughter.]

Mr. MADDEN. You should add $390,000,000 more to it.

Mr. MOORE of Pennsylvania. Yes; I will do that. We are going to add many more billions before this administration gets through. But think of "the tremendous expense"! Think of it! The Attorney General to whom we make constant appropriations for the investigation of trusts; the President, to whom we make an appropriation of $100,000,000 to employ agents and go out and investigate the trusts. Think of the "tremendous expense" involved in dissolving these seven great corporations. And "should the Supreme Court hand down a favorable decision, think of the disruption of the business involved." Ah, do not come up here from South Carolina or Texas or down from Minnesota and throw up to us our political contentions of 1912, when you were opposing the trusts. You have had it in your power now for nearly six years to "bust the trusts," but they seem to have become your nearest and dearest friends. Even you walk into the Supreme Court of the United States and ask for a suspension of judgment until the war is over.

Why, the prices of commodities to the people under your administration have grown higher than at any time in the history of the world, yet you ask for a suspension of judgment against the trusts during the war, because of "the tremendous cost" of hiring lawyers and prosecuting your suits to a successful conclusion. [Laughter.]

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Minnesota?

Mr. MOORE of Pennsylvania. Yes.

Mr. KNUTSON. The gentleman referred to Minnesota. I want to say on behalf of the State of Minnesota that she had nothing to do with the fraud of 1912. [Laughter and applause.]

Mr. MOORE of Pennsylvania. I accept the gentleman's statement, and I hope the gentleman from South Carolina [Mr. STEVENSON] will be good from now on.

Mr. Chairman, I have looked through this bill very carefully. I can not find that it is a war measure, which the Democrats promised us would be the substance of the legislation of this session.

I can not find anywhere in the literature respecting this bill a letter from the Secretary of the Treasury, Mr. McAdoo, advocating this measure; but I do find coming from the committee a voluntary statement that this proposed legislation, which turns loose from the Treasury of the United States $200,000,000 to the use of certain farm agitators and farmers, who may eventually turn "cats and dogs" into the Treasury of the United States, that it is a "war emergency measure." The necessity for it is explained in an appended letter from the Farm Loan Board to the Secretary of the Treasury. Read that letter, gentleman, and you will find in it not a word about the war, but a plain, blunt statement to the effect that whereas "dad," the Government of the United States, gave $9,000,000 to one of "his boys" to go out and do a little farm-loan business, on which he was thereafter to take care of himself, "the boy" failed to make good, and having made certain promises in his business, involving upwards of $100,000,000, comes back to "dad," the Government, and asks for $200,000,000 more to put him on his feet.

Oh, yes. When my colleague from Pennsylvania [Mr. McFADDEN] asks for more time to explain the objectionable features of this legislation, the gentleman from Kansas [Mr. SHOUSE] rises in his seat over yonder and objects to two or three minutes' more discussion, presumably because it appears from the RECORD that the gentleman from Kansas, looking out for the interests of his State, is doubtless aware that under this new deal Kansas expects to receive $7,826,577. His State is one of the largest of all the borrowers. Of course, he wants no discussion of a matter of this kind.

Mr. GLASS. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes; I yield to the gentleman.

Mr. GLASS. I suggest to the gentleman from Pennsylvania that had he yielded to his colleague the first 10 minutes of his own speech, which was not directed to the discussion of the bill but to politics, he might have had more enlightenment on the subject of the bill. [Laughter.]

Mr. MOORE of Pennsylvania. I suspect this bill has some politics in it. Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman has used seven minutes.

Mr. MOORE of Pennsylvania. I suspect, I say, that this bill has some politics in it, but I did not introduce politics into the discussion. The gentleman from South Carolina [Mr. STEVENSON] introduced the subject of politics by referring to the trusts that sadly distressed the cotton planter.

Now, the cotton planter has not been paying very much in taxes during this war. Let the gentleman from South Carolina remember that. The cotton farmer has declined to submit himself to taxation on cotton in the bale; he has the voting power in this House to prevent it. But he has conceded that at least four States of this Union should bear the burden of practically all of the income tax necessary to prosecute the war. He has conceded that out of the 48 States of this Union the States of New York, Pennsylvania, Massachusetts, and Illinois shall pay $122,000,000 out of a total of $180,000,000 on income tax for 1917 and more for 1918. The great voting power of this House just now can impose this new and additional farm-loan burden of $200,000,000 upon the consuming public if it wants to. It is a fine, generous spirit from 44 States of the Union which unload the bulk of the taxes on 4 States.

Politics in this bill? Why, we have had more politics under cover of war than any gentleman here dares to speak of for fear he will be charged with giving information and comfort to the enemy. Politics in this session? Well, gentlemen, if you can control the capitalists on the one hand by Government control of railroads and make the Treasury of the United States pay the cost of operation rather than those who are the beneficiaries of the railroad service you will have done one thing. Withdrawing the prosecution of the trusts of the United States is another. That may not be politics, but if you can tie up the big trusts and railroad managers and capitalists on the one hand and satisfy labor by increasing wages on the other hand and then give the farmers $200,000,000, it looks like playing pretty good politics.

Yet we are forbidden to discuss politics in this House. [Laughter.]

They wanted to pass this bill under a rule just before the holidays, and my distinguished friend from Virginia [Mr. GLASS], who made a plain, frank statement as to his attitude on the bill this morning, was in favor of that move. He did not want any more discussion of the bill than that other distinguished gentleman, the gentleman from Mississippi [Mr. HARRISON], who now occupies and graces the chair. It was the gentleman from Mississippi, who, arguing for the rule to limit debate, closed his brilliant speech with a tribute to Coriolanus and George Washington, the illustrious farmer, and Thomas Jefferson, the great tiller of the soil, and declined to be interrupted. Why did he cling to these delightful historic memories? Not

only to secure the $200,000,000 that the bill asked for, reduced, as it has been temporarily by senatorial action, to $100,000,000——

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. But because, perchance, the State of Mississippi had put in its claims to receive $7,000,000 out of this $100,000,000 or $200,000,000 or whatever the total may be. Compare that with the income tax paid by Mississippi and you can understand why this bill ought to pass. [Laughter and applause.] I would like to make some other comparisons.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GLASS. Mr. Chairman, I want to give notice now that, whether from this side or from that, I am not going to tolerate any more political harangues while we are considering a serious matter; and I will submit a point of order if any other man takes the floor and indulges in picayune politics when we want to discuss a grave question. [Applause.]

Mr. HAYES. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. LENROOT].

The CHAIRMAN. The gentleman from Wisconsin is recognized for 10 minutes.

Mr. SLOAN. Remember, the chief tolerator of the House has given notice that you will not be tolerated if you talk politics.

Mr. LENROOT. Mr. Chairman, I shall not discuss politics, even though there may be some politics in this bill. I am in favor of the Senate bill, and I sincerely hope that the substitute which the chairman of the committee announces he will present, being the House bill, will not be adopted. I want, first, to call attention to the differences between the Senate bill and the House bill. The House bill provides for $200,000,000—$100,000,000 this year and $100,000,000 next year. The Senate bill provides only $100,000,000. There is a provision in the Senate bill, known as the Weeks amendment, which provides that after the loans now approved have been taken care of, amounting to something over $70,000,000, no other funds of the Treasury shall be used for the purchase of these farm-loan bonds except for loans made for food production; in other words, that outside of the $70,000,000 of loans already approved, if the Treasury is to loan money for this purpose it must be for the purpose of increasing food production, as against making loans merely for the refunding of existing loans. The chairman of the committee stated in response to a question from me a little while ago that of the loans now approved, amounting to something over $100,000,000, 90 per cent of them involved the refunding of existing mortgages; and that means that a very large majority of these loans are not for the purpose of increasing food production except as a lowering of the interest rate may do so.

Mr. TOWNER. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. TOWNER. I think the gentleman misapprehends, perhaps, the statement made, because it is not true that 90 per cent of the loans made are for refunding purposes only. It is true that they involve refunding purposes.

Mr. LENROOT. That is what I said.

Mr. TOWNER. But it should be explained to the House that in a vast majority of cases a part of the loan is for refunding purposes and the other is for extension purposes.

Mr. LENROOT. That may or may not be so. Of course it is true to a certain extent, but I am satisfied that it is not true as to a majority of the cases. But, however that may be, under what is known as the Weeks amendment, if the loan is for the purpose of increasing food production the funds of the Treasury may be used, but not otherwise; but if it be solely for the purpose of enabling a farmer who is now paying 6 per cent to obtain his loan for 5 per cent the money of the Treasury can not be used for that purpose. And that brings us to the question whether we ought to appropriate money out of the Treasury of the United States in these war times for the sole purpose of reducing the interest rate and not for the purpose of increasing food production. That, gentlemen, is a very serious matter. Many gentlemen think they must favor this proposition as a whole because otherwise they will be charged with not favoring the farmers of their districts. Let us see. In the two liberty loans that we have floated there is no part of the United States where farmers, business men, and professional men have not gone to the banks and borrowed money at a higher rate of interest than the liberty loan bears for the purpose of purchasing liberty bonds. That is true in every section of the United States. That is true of farmers. Now, I think they have a good case for the $70,000,000, but outside of that when you say, "We will authorize the Secretary of the Treasury to use the proceeds of these liberty bonds for the purpose of loaning money to farmers to refund mortgages," when our next liberty loan comes up and we again make an appeal to the people of this country to purchase liberty bonds to carry on the war, and do it as a matter of patriotic duty, can we ask a man to go to the bank and borrow money at 5 per cent or 6 per cent in order to buy liberty bonds at 4 per cent, when we are going to turn around and pay out that money to his neighbor in order that he may get a rate of interest of 5 per cent instead of 6? Can you justify it? Is there anyone who can justify it? Ah, it is more than that. Upon that proposition the very success of the liberty loans in the future may depend.

We have no right to ask the poor and humble people of this country to go without necessaries of life in order that they may patriotically help the Government to carry on this war and purchase liberty bonds in amounts as low as $50, when it can be absolutely demonstrated that the money—perhaps the very money taken from them and depriving them of necessities—will be given to a farmer who may be worth $10,000 or $25,000, in order to enable that farmer to get a mortgage refunded for 5 per cent instead of 6 per cent. Ah, any gentleman who thinks there is any politics in supporting that kind of a proposition and voting against the Weeks amendment is very sadly mistaken. You can not justify it, and it ought not to be considered for a single moment, and I am surprised that the chairman of the committee should be opposed to the Weeks amendment. Under the Weeks amendment the $30,000,000 that the Senate bill provides for, in excess of the $70,000,000, can be used wherever the farmer making the loan will use the money for the purpose of increasing food production. All that it prevents is the refunding of existing mortgages. In a few months we may be confronted with a most serious situation with reference to raising money needed to carry on this war. Facing that condition, are we in a position to furnish money out of the Treasury that will be used in many cases solely for the purpose of lowering the rate of interest in some section of the country? Why, I understand that to-day, since the President delivered his message to this House, a bill has been introduced appropriating $500,000,000 for the railroads of this country. Unquestionably we will be compelled to appropriate in some form or other a very large amount of money out of the Treasury for that purpose. That is just as important to the farmer as it is to anyone. The farmer's farm is of no value to him unless his products can be transported. And so in every direction we are confronted and will be confronted, from day to day, with staggering sums necessary to carry on this war, and thus it is all the more important that not one dollar be appropriated out of the Treasury, or that any officer of the Government be vested with power to expend a single dollar except where it is necessary for the purpose of carrying on and winning this war. [Applause.]

But to get back to the original proposition, it should be clearly understood that every Member who votes for the House bill against the Senate bill votes to take money out of the Treasury in order to refund existing mortgages at the expense of the farmers who do not get mortgages from these farm-loan banks, asking the farmer who pays 6 per cent now from private sources to buy a liberty bond, to borrow the money from the bank to do it, in order that his neighbor who pays 6 per cent on a like mortgage may get his mortgage reduced to 5 per cent. Gentlemen, it ought not to be.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. HAYES. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN. Mr. Chairman, I am in favor of this bill. It provides that the Government may purchase for each of the fiscal years of 1918 and 1919 $100,000,000 worth of farm-loan bonds. Unless this is done, our Federal land banks may be compelled to suspend business until the close of the war. I regret that there are so many on this side of the House who are antagonizing this measure. All who have spoken on this side, so far, have been in a way criticizing this bill. I regret it. It has been said that there ought not to be any politics in this bill, and there ought not. And yet I say to you, my Republican friends, that opposition to this bill will be, and ought to be, construed as antagonistic to the great agricultural interests of this country [applause], and the Republican Party will never be in power in this Nation again if the farmers of this country understand that the party is unfriendly to their interests. [Applause.]

Now, I warn you who are here, and I warn the great leaders of the Republican Party in this Nation, that we can not return to power without the confidence and support of the farmers. We can not expect, and indeed we ought not to have that sup-

port and confidence, unless we are ready, through national legislation and national policies, to promote the prosperity of farmers and the expansion of agriculture. Shall we be wrapped up in the great commercial, financial, and industrial interests and not be ready to extend a sympathizing hand to the great agricultural interests of this country?

Mr. PLATT. Will the gentleman yield?

Mr. MORGAN. Yes; I will yield for a question.

Mr. PLATT. Does the gentleman understand that the farmers are asking us to do this? I do not so understand it; not one farmer in a million knows anything about it.

Mr. MORGAN. What I have said I stand by, and I again warn the Republican leaders of the House and of the Nation that a friendly attitude toward the farmers must be maintained if we expect to go back in national power. Historically the Republican Party has always stood for agriculture and commerce alike. Its principles and polices have favored the farmers and their industry, but modern conditions have brought new problems. No party that does not stand by the farmers and their industries should be placed in power in this Nation. [Applause.]

Now, the able gentleman from Wisconsin [Mr. LENROOT] has made an eloquent speech criticizing this measure. I am surprised at it, and I regret it. Of course if this was simply a measure to help the farmer to the injury of the carpenter, or help the farmer to the detriment of the merchant, I would not support it, and no one should; but this is to carry out a great policy established when the Government undertook to aid in financing the farmers by the passage of the Federal farm-loan act. Why was this act passed? Not simply in the interest of the farmer. No, no; but to strengthen this great Government; to increase food production; to expand agriculture; to promote through the expansion of agriculture the prosperity of the whole country. It was for the benefit of nonagricultural population as well as farmers. In this critical hour the cry comes from England, from France, from Italy, and from all of our allies for bread—the cry is food. Where is it to come from? All eyes are turned to the farmers of the United States. Shall we by our voices and our votes say to starving Europe that we will not encourage our farmers in their effort to feed the world? Certainly not. But to refuse to pass this bill would be doing so. Then, Mr. Chairman, let us pass this bill.

We can do nothing better in this hour of peril and danger than by a unanimous vote of this Congress, to give the necessary financial aid to promote the prosperity and expansion of agriculture, in order that in this great war—whether it shall last one year or five years—we may be able to feed ourselves and those who are fighting with us to free the world of autocracy, and make liberty, freedom, and justice supreme throughout the world.

Mr. Chairman, this is not the time to criticize the management of our Farm Loan Board. I have no doubt there have been mistakes made. I have no doubt, as the gentleman from Michigan has indicated, that some loans have been made too high. Nothing else could be expected. There are always mistakes made, and sometimes public officers are corrupt and betray their trusts. But this is no argument against the passage of this bill. There should be criticism if criticism is just, but this is not the time to make it. I want the report from the Federal Farm Loan Board. I want to know what they have been doing; whether they have been administering their trust efficiently and economically as they should. I will be ready at the proper time to criticize any mismanagement, with a view to improving it. But I can not lend my voice and vote to-day to oppose this great measure.

Why is the passage of this bill necessary? Here is the situation. The Government is monopolizing the credit power of this Nation to-day. You can not sell industrial bonds; you can not sell railroad bonds. If the truth were known, one of the objects of taking over the railroads is in order that the Government may finance them. Railway officials said that they could not borrow money. They could not meet their maturing obligations without borrowing money. Their bonds were depreciating in value. Our banks own billions of these bonds, and billions of their loans are based on railway bonds as collateral security. So the Government proposes to finance the railroads. The Federal Land Banks are in the same position as the railroads. In this emergency these banks—representing the farmers and their industry—must be rendered such aid as will enable them to carry on the great work they have undertaken.

It may be as the gentleman from New York [Mr. PLATT] says, these bonds can be sold without this aid. The Federal Farm Loan Board think not. Their opinion is entitled to great weight. Even if they could be sold, I am not certain it would be wise for the Federal Farm Loan Board to put 4½ per cent bonds, free from taxation, on the market in competition with the liberty loan bonds at 4 per cent in part taxable. We must clear the track for financing the war. That is the paramount duty of the hour. In the meantime we must not discourage the farmer. We must not let agriculture languish. It is of no less importance to finance the farmer than it is to finance the railways. We must do both. That is why this bill should pass.

The work of financing the farmer has not yet been completed. We have done nothing for short-time personal credit. Last summer the farmers in northwest Oklahoma, and over much of Kansas and other western States, could not buy seed wheat. This resulted in restricting the acreage of wheat sown in these sections. Various schemes were proposed. In all of them the farmers were compelled to pay an exorbitant rate of interest to borrow money to buy seed wheat. This ought never to occur again in the United States. We must go on and perfect our mortgage credit system—give it the aid it now needs—and then perfect a personal, short-time loan system which will in truth give the farmers the same credit facilities possessed by the great commercial, manufacturing, and industrial interests.

We should pass this bill and carry out the great policy of promoting agricultural growth, through better credit facilities. By so doing, we will encourage the farmers to produce all the food products possible in this hour of great crisis, and there ought not to be one vote against the measure when it comes to a vote. I hope there will not be. [Applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HAYES. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, I think that opposition to this bill in a general way is unjustified. I do not mean by that to criticize gentlemen who really believe that the bill, if passed, will mean taking $100,000,000 or $200,000,000 out of the Public Treasury. I think gentlemen are not justified in that belief, not because of the weakness of their judgment but because of a lack of knowledge of the circumstances. We have not anything to explain here that is at all remarkable, as some gentlemen seem to believe. Here is the situation. These bonds could have been placed on the market at any time and sold there for par and for more than par, if it had not been for circumstances for which the Government of the United States is itself responsible. So there is nothing to do but for us to meet the question in the best way we can. Thirty million dollars of these bonds were sold under terms that everybody agreed were just, both to the borrower, to the Government, and to every one else. Seventy million dollars more in applications which are approved are pending, for which loans would have been made if it had not been for the remarkable effect of the last liberty loan on the credits of the country. We know that just as soon as that loan was placed all of the credits of the country fell to a remarkable degree. Those who had been handling these bonds could no longer sell them. There were two reasons for that, one because of the depreciation of the investment funds of the United States, and another reason, that it is now believed by the investing public that the United States bonds of all kinds and character must carry a higher rate of interest than has hereto been authorized in order to be floated. That belief is so widespread that no one will take existing bonds except at a discount. It is very well known that our 4 per cent bonds on the market are now selling at 97 or thereabouts. These bonds are depreciated, and why? Not because of a lack of faith in the credit of the United States, but because of the fact that people believe that better terms will be given them in a very short time; that the next liberty loan will carry 4½ per cent; that in order to float this loan it will have to be raised to 5 per cent or still more. Those are the conditions beyond peradventure which exist, and which explain the reason why the $70,000,000 could not be floated.

It can not be taken charge of as it has been by those gentlemen who have managed the flotation of the $30,000,000 on existing terms and conditions. Their contracts extended only to $30,000,000, and they refused to extend it to the other $70,000,000, not because they did not desire to do so, but because they did not dare to do so. Those are the conditions which exist. Instead of taking $100,000,000 from the United States Treasury, I have very grave doubts as to whether it will ever take $10,000,000 from the Treasury. In other words, as soon as it is known to the investing public that they do not have to sell these bonds at a higher rate of interest, then they will sell at 4½. Why should they not? No more desirable bonds were ever offered in any market of the world than these. They are to-day the very best investment that can be offered anywhere on earth, and it is because the public believes they can

secure them at better rates that they are not able to sell them on the market now, in my judgment.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. TOWNER. Yes.

Mr. PLATT. The gentleman referred to the present 4 per cent liberty bonds as selling on the market at 97.

Mr. TOWNER. Yes.

Mr. PLATT. The gentleman knows that the 3½ per cent tax-free bonds are selling at 98½. Is there any reason why we should not sell these bonds at 98½ if we tried?

Mr. TOWNER. I do not know.

Mr. PLATT. I do.

Mr. TOWNER. Of course, I know the gentleman knows a great deal more about this matter than I do, but there are so many conditions that exist about which it is impossible for me to have all of the knowledge necessary to form a judgment, that I feel very great hesitancy in making a judgment on that proposition.

Mr. HARDY. It is very evident, however, that if investing capital feels sure that it can command a rate of 5 per cent it will not invest in 4½ per cent bonds.

Mr. TOWNER. That is about the whole proposition.

Mr. PLATT. If investing capital feels it can command a rate of 5½ per cent or something like that, why do they buy the 3½ per cent liberty bonds and pay 98½ for them?

Mr. TOWNER. Because, and I think the gentleman knows it, that that is the difference between the tax-free bonds and those that are taxed.

Mr. PLATT. Exactly; but these are tax-free bonds.

Mr. TOWNER. I know; and that is one of the reasons why I say they will sell readily if the investing public does not believe that the interest rate will be raised upon them.

I want to say just a word or two regarding the Senate bill. I sincerely hope that the Senate bill will be adopted by this House, and I want to address myself more particularly to the Democratic side of the House, because I think they know the responsibility that rests upon them. If we pass the Senate bill to-day, that ends the transaction, and it ends it as the Treasury desires it. Of course, I know that the Farm Loan Board would prefer that the House bill should go through. I know that the Secretary of the Treasury would prefer that the Weeks amendment should not be attached to it, but that is not a serious objection. It is a great deal better for us to pass that bill to-day and have it ended, because matters that gentlemen consider desirable can be obtained in the future, and I fear that a disagreement now to the Senate amendments may lead to a prolonged discussion between the two Houses. We ought not to wait a day longer. This bill ought to have been passed in December. Conditions are such that these borrowers of $70,000,000 are uncertain as to whether they will receive the money the Government has agreed to furnish or not. Men do not know what they can do. Their loans have been due and they have got the bank to pay them and carry them over until the 1st of January. They can not be carried much longer. We must pass this bill now if we want to save them from embarrassment and loss. Seventy millions of dollars of approved loans are now waiting, $70,000,000 are promised men who have made arrangements to take up old mortgages and who have made arrangements for the investment of additional money for improvements on property. This money that was promised to them months ago they ought to have now. Do not delay it for another two or three months. Let us pass the Senate bill to-day. What is the Weeks amendment? After all, I think there is a good deal of justification for it under the existing circumstances. We are claiming, and I believe with justice, that this is properly a war measure for the purpose of increasing the agricultural production of the United States. Gentlemen who have opposed this bill say that they would gladly pay money of the Treasury to increase production.

Very well; we do not ask them to take money from the Treasury; we just ask them to lend the credit of the United States to increase production. That is what we are asking, and only that. Therefore I am for this bill unequivocally. I believe this is a great measure for the carrying on of this war, and gentlemen who say that this is taking money out of the United States Treasury that ought to be used for carrying on the war I think are not justified in that statement. We can do nothing better than to increase the productive activities of the United States to feed our soldiers at home and abroad, to give the raw material to the manufacturers, and to furnish the things that the Government needs to equip the soldiers comfortably in the field.

Mr. STEPHENS of Nebraska. Will the gentleman yield?

Mr. TOWNER. Yes; I yield to the gentleman from Nebraska.

Mr. STEPHENS of Nebraska. Does the gentleman understand that under the Weeks amendment no more bonds can be sold by the farm-loan banks until the Government is paid off?

Mr. TOWNER. No, sir; I do not so understand. The Weeks amendment only provides——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAYES. I yield the gentleman two minutes more.

Mr. TOWNER. The Weeks amendment simply provides this, that these loans of $70,000,000 shall be put out without limitation. Then, if further applications are approved, they shall only be approved with those conditions that will make the money available for increased production and not merely for the refunding of loans.

Mr. STEPHENS of Nebraska. But the amendment states plainly that they can not approve of any more loans until the Treasury has been paid off.

Mr. TOWNER. I know; but they have approved $70,000,000 already.

Mr. STEPHENS of Nebraska. Well, but suppose after they have settled that account and they still owe the Treasury of the United States on money advanced to them on bonds, can the farm-loan banks continue the sale of their own bonds while still owing the Treasury?

Mr. TOWNER. Why, certainly they can.

Mr. STEPHENS of Nebraska. The amendment says they can not.

Mr. TOWNER. Oh, I do not think so.

Mr. STEPHENS of Nebraska. And in the Senate Senator FLETCHER stated that they could, and Senator WEEKS stated that they could not, so the amendment apparently is not very clear.

Mr. TOWNER. I do not think there is any question about it. Let me say this, gentlemen: I do not think there are a great many of these loans that are merely for refunding old loans. Nearly all of these—and it has been the policy all the way through of the farm-loan people that they should make these loans not merely for reinvestment purposes but, as far as they could, for increasing the capacity of the farmer to produce; that if he had a $1,000 loan he could refund that and get $500 more to buy more stock or build a new barn, or something of that kind, to increase his capacity to produce.

Mr. GARD. Does the gentleman know that 90 per cent of these loans involve a refund?

Mr. TOWNER. I do; but a refund, of course, would include an absolute refund of the entire loan, and also a partial refund of the loan that may be made for improvement. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HAYES. Mr. Chairman, I yield two minutes to the lady from Montana [Miss RANKIN].

Miss RANKIN. Mr. Chairman, the Federal Farm Loan System must be continued if the farmers of my State are to meet their share of the Nation's demand for food in the future as generously as they have met it in the past. My farmer constituents are complaining bitterly against conditions imposed upon them by exorbitant farm-loan rates charged by private local companies, and I feel that in the Federal Farm Loan System lies one important factor in the development of their farms.

The people of Montana have filed with the Federal land bank of Spokane 4,377 applications for loans, which aggregate nearly $12,000,000. This means an average of something over $2,700 for each applicant.

The amount of applications ranks third in the United States. Loans have been approved on 1,915 of these applications, involving $4,604,815 altogether, and averaging about $2,400 apiece. Six hundred and thirteen loans, aggregating $1,632,020, have already been closed and the money paid to the borrowers.

I am informed that reductions, rejections, inability to make title, change of mind on the part of the borrower, and other causes have cut off about 40 per cent of the applications in the country at large, to date. Assuming that the same proportion prevails in my State, it means that $7,250,000 worth of loans are closed out of the $12,000,000 worth of applications, and that my people are receiving about $1,600,000. On the same basis they will receive about $5,600,000 additional on applications now pending if the Federal Farm Loan System continues.

The consideration of the Federal Farm Loan System is especially timely right now, as we face the national food problem, which becomes more acute each week. We are urging increased production. And in the meantime we are lending to those countries with which we are associated in the world war, and, I believe, to manufacturers and builders upon whom we are depending for military equipment.

Our financial arrangements are far from complete, however, when we leave out of consideration the farmer who must feed us,

and, further than that, must feed the world. He is the man who finds it most necessary and at the same time most difficult to secure capital, and he is the man whose capital requirements must be taken care of.

I am advised that both foreign and domestic companies that have heretofore been engaged in making loans in various sections of the country are discontinuing or seriously curtailing their operations, and unless the Government facilitates the operation of the Federal Farm Loan System which it has created, the farmers of my State will not only be unable to increase their production, but will find it impossible to continue even the production of the last few years.

The Federal Farm Loan System was intended to operate on capital accruing from the sale of Federal farm-loan bonds issued through the 12 farm-loan banks to individual investors. During normal times the system operated without difficulty. Even during the abnormal period between the first and second liberty loan flotations the sale of Federal farm-loan bonds was not seriously interfered with. But since the second issue of liberty bonds, capital for such investment has been so completely absorbed as to make it impossible now to sell Federal farm-loan bonds in sufficient quantities to meet the demands for loans.

This condition of the Federal farm-loan bond market can be but temporary, and possible investors are now waiting to see whether the price of the bonds is to be reduced or the interest rate increased. During the last six months the change in interest rates has made possible the reduction in the price of the bonds from 101⅛ to 100½; and it is reasonable to believe that prospective investors will be eager to buy the bonds as soon as they know that the banks can get cash for the bonds pending their sale in the market. Thus, if the Treasury is authorized to buy the bonds, in limited amount, until they are resold to individual buyers, a certain confidence will be inspired in the investors and the Federal Farm Loan System can be continued. Inasmuch as Congress has created this system, it should be responsible for the continuation of it until some more satisfactory system of aiding the farmers can be devised.

With regard to Senator WEEKS's amendment, although it may be desirable to prevent loans being made for the mere purpose of paying off a mortgage at 6 or 7 per cent or even 12 per cent, which is not due, or for the mere purpose of enabling the applicant to borrow money at 5½ per cent, the amendment limits future loans from the proceeds of the bonds bought by the Treasury to loans which are made "for the increase of food production," and overlooks the fact that the act prohibits loaning except on first mortgages.

I believe I am safe in saying that most of the farmers of my State already have a mortgage or lien of some kind on their lands. If, then, a man whose farm is mortgaged for $1,000 wishes to borrow an additional $1,000 for live stock, machinery, or other improvements, he can not be loaned that $1,000 and have a second mortgage taken as security; but the Farm Loan Bureau must lend him $2,000 to enable him to take up his existing mortgage and give a first mortgage in exchange for the new loan.

Thus the amendment would limit future operations of the bureau to only that very small minority of farmers who have no already existing indebtedness on their farms. This would make impossible the organizations of Federal farm-loan associations of 10 or more members in which borrowers must associate themselves before loans can be made to them; and would be impracticable. [Applause.]

Mr. HAYES. Mr. Chairman, I yield 10 minutes to the gentleman from North Dakota [Mr. NORTON].

Mr. NORTON. Mr. Chairman, during the Sixty-third and Sixty-fourth Congresses I gave much time and study to the subject of a suitable and practical Federal system of credits for securing to those engaged in the production of farm products in our Nation long-time loans at fair and reasonable rates of interest on the security of their lands and permanent improvements thereon. As the few Members of the House who were most deeply and actively interested in this subject will recall, it was not an easy matter for us to formulate or to agree upon a system of Federal rural credits that would be practical and suitable for our ever-changing farming population and for the very varied agricultural conditions of our country. The subject of a Federal system for long-time farm loans was one of the most important and live subjects of consideration and debate in the House and Senate for many months over a period of about four years prior to the passage of the present rural-credit law. The study of rural-credit legislation before the passage of the existing law developed two schools of thought in this country on the subject. The followers of the one school held that the system should be purely cooperative among the borrowers; that it should be wholly self-supporting; that the Government should give no financial credit or support to the system; and that the only aid the Federal Government should give to the system should be that of Federal supervision of its organization and its business transactions.

The other school held that the Federal Government should issue and dispose of United States Government bonds to secure money at the lowest possible rate of interest, the proceeds of these bonds to be used as a fund from which loans direct to farmers could be made on their farm land as security, the notes and mortgages to be held by the Federal Government as security for the repayment of the loans. The present legislation is a compromise between two schools of thought on Federal rural-credits legislation for this country.

The rural-credits law was approved on July 17, 1916. The members of the Federal Farm Loan Board held their first meeting on August 7, 1916. The first Federal farm-land bank to receive a charter was the bank located at Wichita, Kans., which was chartered on March 3, 1917. The first bonds authorized to be issued were issued by the Wichita land bank of the ninth farm-land district. Authority for the issue of these bonds in the sum of $250,000 was made by the Federal Farm Loan Board on June 28, 1917. The first authorization for the issue of the bonds by the Federal farm-land bank at St. Paul, Minn., which is the farm-land bank of the seventh district, including the States of North Dakota, Minnesota, Wisconsin, and Michigan, was made by the Federal Farm Loan Board on August 16, 1917.

The Federal farm-land banks for the most part were not organized and ready to receive applications and approve loans until about the 1st of June, 1917. From the very beginning there was a very great demand from every section of the country for farm loans under the new system. This demand was so general and so great that the farm-land banks were not able to care for but a small part of the business that was offered to them. While the original capital of the 12 farm-land banks, each having a capital of $750,000, was but $9,000,000 up to November 30, 1917, practically the first six months' business of the banks since they were organized and ready for business, applications for loans amounting to $219,760,740 had been made. Of these applications $105,136,529 were approved. From these approved applications $29,824,655 were closed. These loans that were approved and made were made at an interest rate of 5 per cent and on an amortization plan, whereby 1 per cent per annum of the amount of the loan was provided to be collected and applied in reduction of the principal sum of the loan.

In my judgment, the work accomplished by the Federal farm-land banks up to the present time shows conclusively that the Federal Farm Loan system is a splendid success and that it is one for which there has been great and long need in this country. It could not be reasonably expected that all the workings of this new system in the first six months of its active existence would be perfect. To fully appreciate the work that the Federal farm-land banks have done in so short a time it must be understood how the system provides for a revolving fund from which farm loans are made. Under the law, when any Federal farm-land bank has made and has in its possession a certain amount of first-mortgage farm loans, say, an amount aggregating one hundred or two hundred thousand dollars, the Federal farm-land bank then may, with the approval of the Federal Farm Land Board, issue farm-land bonds to the full amount of the farm-land mortgage loans it has in its possession. These bonds are issued and sold to the public at not less than par by the Federal farm-land bank and the proceeds are again used by the Federal farm-land banks to make more first-mortgage loans to farmers on their farm lands and improvements. The amount of the loans made to farmers is not to exceed 50 per cent of the value of the land and 20 per cent of the value of the farm buildings and permanent improvements.

I wish to speak here to-day on this subject for the farmers of the Northwest. To those here who have stated that the farmers of the country do not demand legislation of this kind in aid of the Federal rural-credits system I desire to say that the farmers of my State are asking for this legislation and the farmers of every other State adjoining the State of North Dakota are asking for it. Why, gentlemen of the committee, the farmers of Massachusetts are asking for it. The farmers of Mississippi are asking for it. Farmers are asking for it from one end of this country to the other.

I have a letter here that may interest some gentlemen, and, unlike the gentleman from Kansas [Mr. CAMPBELL], who read an extract from a letter in opposition to this proposed legislation, I am pleased to give the name of the party who forwarded this letter strongly favoring the passage of the bill. This letter is written by a Mr. William E. Putnam, secretary-treasurer of

the Berkshire National Farm Loan Association, of Pittsfield, Mass. In his letter, presenting the needs for this legislation and urging the passage of this bill in aid of the rural-credit system, Mr. Putnam says, among other things:

To expect farmers to increase the food production when faced with the foreclosure of their mortgages and the loss of their farms is to expect the impossible, owing to the difficulty of obtaining money from the savings banks and, together with the floating of the huge war loans, the constant appeal for funds for the different interests, is just what the farmer is facing to-day.

When the Federal land banks were organized the farmer welcomed them as the greatest blessing they had ever enjoyed, thus to be recognized in the class of legitimate borrowers at a fair rate of interest and a living chance to pay up.

I want further to say to you, gentlemen of the committee, that the farmers of Maine are asking for and are advantageously using this system of Federal rural credits. Farmers are using it in Florida. Farmers are using it in California. Farmers are using it in Washington. They are using it in Kansas, in Oklahoma, and in every leading farming State of this Union. They are using it, and they are being greatly benefited through its operation in lower interest rates and in more favorable terms of payments on their farm loans than they have ever had heretofore. As I have observed the operation and the benefits of the rural-credits system in its present not altogether perfect form, I consider it one of the greatest pieces of Federal legislation that has been passed by Congress in the last quarter of a century in the interests of agricultural production and in the interests of the welfare of the farmers of this country. The amendment that has been added to this bill known as the Weeks amendment would completely destroy the usefulness of the Federal rural-credits system and should not be considered favorably for a moment by any true friend of rural-credits legislation. If this ridiculous and vicious amendment were enacted into law no loans other than those that have already been approved could be made to renew an existing mortgage or to provide for making farm improvements. I am surprised that anyone claiming to be a friend of Federal rural-credits legislation should speak a word in its support.

The failure of the sale of farm-loan bonds during the past two months is not due to any inherent defect in the present rural-credits law. If the Federal farm-loan bonds had been properly placed upon the market, and if the farm-land banks of the country during the last six months had been allowed to sell these bonds in competition with the United States Government bonds, they would have been easily sold. The administration, however, has seen fit to withhold the sale of these bonds and to suggest to the Federal farm-land banks that the bonds be not placed upon the market in active competition with the second liberty loan bonds. Since this has been done, I believe it is only right and proper that this Congress respond to the recommendation of the administration to enact this law in aid of the Federal rural-credits system.

Mr. GORDON. Will the gentleman yield?

Mr. NORTON. Certainly.

Mr. GORDON. Is it a fact that these bonds have never been offered for sale to the public?

Mr. NORTON. Between July 1 and November 1 of this year $30,000,000 worth of these bonds were sold. Since the 1st of November the sale of these bonds has not been pushed.

Mr. MORGAN. Will the gentleman yield?

Mr. NORTON. Yes; I shall be pleased to yield to the gentleman from Oklahoma.

Mr. MORGAN. As I understand it, they have never been offered to the public. So far they have been sold by a syndicate of bankers that had the exclusive contract for selling the bonds up to the first of this year.

Mr. NORTON. The farm-land banks have never made a systematic effort to sell these bonds to the public. The bonds that have been sold were sold through a syndicate of brokers.

Mr. GORDON. What price did they bring?

Mr. NORTON. They sold at a considerable premium. They sold at a price that would return to the purchaser about 4 per cent per annum. The bonds bear interest at the rate of 4½ per cent per annum.

Mr. HARDY. Does not the gentleman think it would have been a rather bad condition if these loans had been pushed in competition with the liberty bonds?

Mr. NORTON. I will say to the gentleman from Texas [Mr. HARDY] that I am perfectly willing at this time to waive any criticism of the wisdom of the action of the administration in this matter.

This debate has again evidenced in a most conspicuous manner that whenever there is brought up in the House for consideration any measure of importance in aid of the farming industry of this country and of the farmers of this country there are men who represent the manufacturing industries, banking interests, and railroad interests of the country who almost invariably are loud in their wails of opposition. These men are not satisfied with what has been given their constituents. They want the whole earth and the fullness thereof. They seem quite unmindful and forgetful of the past. It may be well for them to remember that during the period of depression brought on by the European war in 1914 up to the 24th of September of that year the Federal Government had loaned emergency currency to banks of the country in an amount exceeding $315,000,000. I do not now recall that I heard a word of protest at that time from any gentleman in the House from Pennsylvania or from any gentleman in the House from New York as to any loss that the Government might suffer on account of this loan of emergency currency to the banks in Pennsylvania or in New York. This money, be it remembered, was loaned to those banks at a rate of interest of 2 and 3 per cent per annum and not at a rate of interest of 4½ per cent, the rate that these good farm-land bank bonds bear. [Applause.] The banks of the State of New York, from which the gentleman [Mr. PLATT] comes, were loaned $37,000,000 of this Government emergency currency. I want to say to the gentleman from Pennsylvania [Mr. MOORE], who has so vigorously protested against this legislation, that the banks of his State were given $20,000,000 of this easy emergency currency. There was not a word of protest against that procedure by the gentleman, as I now recall it. Further, I want to say to the gentleman from Pennsylvania that it might be fairly said that considerable of that emergency currency was loaned upon real cats and dogs and not upon securities in anything like the same class as good, sound farm-mortgage loans.

Mr. MOORE of Pennsylvania. If the gentleman knows that, will the gentleman point out to anyone of them that happens to be in the Treasury to-day? Will the gentleman venture to say at all that every dollar of that was not paid?

Mr. NORTON. The gentleman can not with any reason say that a single dollar of the farm-mortgage bonds that are made or to be issued under this system will not be paid. The gentleman, if he knows anything about the rural-credit system that has been enacted, can not say that a single dollar of the bonds issued under it is not absolutely gilt-edged.

Mr. MOORE of Pennsylvania. Will the gentleman deny that the banks and trust companies that loan money upon real estate do not eventually get some of that real estate?

Mr. NORTON. While that may be true, I want to remind the gentleman that the banks and trust companies that have loaned money upon the real estate of this country have made countless millions from these loans.

Mr. MOORE of Pennsylvania. Do they not get some real estate that they can not sell?

Mr. NORTON. They do not get any good farm lands that they can not readily sell. I want to remind the gentlemen of the House that we are loaning vast sums of money to our allies across the seas. We have already loaned millions of dollars to France, to England, and to Italy; but of all our allies the greatest and the most powerful allies of this Nation in this great war are the farmers of our Nation. [Applause.] They it is who are supplying the real sinews of war. During the past year they have produced more than $21,000,000,000 worth of farm products. They have produced during the past season farm products aggregating a greater value than the total amount we have already appropriated for our expenses in this war and for all loans to be made to foreign nations during the present fiscal year. [Applause.] The farmers of the State which I have the honor in part to represent, under the most adverse seasonal conditions, produced from the soil and from the air crop products of the value of more than $220,000,000.

The passage of this legislation will enable the rural-credit system to continue its helpful and beneficial operations. It will immediately supply the funds necessary to make payment for the $70,000,000 of farm-loan applications that already have been approved, but not closed. It will give needed relief to many farmers from exorbitant interest rates and from constant fear and dread of mortgage foreclosures. It will permit these farmers to give their best thoughts and best energies to producing during the coming year a maxmium amount of the foodstuffs so much needed and so essential to the great work of winning this war. Its passage will lift burdens from those farmers who are now carrying burdens heavier than they reasonably ought to bear. It will do simple justice to the farmers of this Nation who in truth are the bulwark of the Nation in this war as in all our former wars where victory has crowned our banners. It will give merited consideration to those who, for manifold reasons, are entitled to the Nation's first, highest, and most favorable consideration. [Applause.]

Mr. MORGAN. Mr. Chairman, I ask unanimous consent to extend and revise my remarks in the RECORD.

The CHAIRMAN. The getleman from Oklahoma asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HAYES. Mr. Chairman, I yield two minutes to my colleague from California [Mr. OSBORNE].

The CHAIRMAN. The gentleman from California is recognized for two minutes.

Mr. OSBORNE. Mr. Chairman, there are to my mind two or three controlling considerations that have been brought out in this debate and that have influenced my mind in this matter. One is that the policy has already been adopted in the farm-loan act as passed in 1916. Practically it is not before the House for consideration now. That being the case, the question arises as to the proposed new measure for providing this extra capital.

It has been forcibly stated here that the raising of money by the liberty loan for war purposes and then turning it into this channel is justly subject to criticism. I think that is true, and it is only justified upon the superior considerations which this proposed action involves.

The gentleman from Oklahoma [Mr. MORGAN] made a statement which was very striking to my mind. That was that the Government is practically commandeering the credit of the country, and very properly so. That being the case, it places a handicap upon these bonds that is very difficult to overcome. The product of the farms is subjected by the Government to officially fixed prices, and it is no less than just that the Government should at least partially even matters up by facilitating farmers' credits, as is contemplated in the pending bill. [Applause.]

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. GLASS. Mr. Chairman, I stated a while ago that there was but one more speech on this side. I overlooked the fact that I had promised the gentleman from Alabama [Mr. STEAGALL] two minutes.

The CHAIRMAN. The gentleman from Alabama is recognized for two minutes.

Mr. STEAGALL. Mr. Chairman, the bill under consideration embraces no wild or revolutionary scheme. It is in perfect accord with the established view of Congress on the subject of rural credits. As was stated by the gentleman from North Dakota [Mr. NORTON], the study of the subject of rural credits developed two schools of thought in this country—one favoring a Government system based upon Government credit, dealing directly with the borrowers; the other advocating a cooperative system under Government supervision, with Government aid and credit limited to initial organization and establishment. This latter view found expression in the provisions of the Federal farm-loan act approved July 17, 1916, which provided for the organization of 12 regional land banks, with a capital stock of $750,000 each, subscribed by the Government. The bill made provision for the reimbursement to the Government of the sum of $9,000,000 original capital stock, as the same is taken over automatically by the borrower.

The measure under consideration to-day follows the same scheme. It nowhere contemplates that the Government shall take over the entire system nor lend its credit, nor make any land bank a loan of a single dollar permanently. It authorizes the Secretary of the Treasury to purchase in his discretion upon request of the Federal Farm Loan Board $100,000,000 of Federal land-bank bonds for the fiscal years ending June 30, 1918, and June 30, 1919, respectively, at par and accrued interest, such bonds so purchased to be held in the Treasury one year after the termination of the war to be repurchased by the Federal land banks at par and accrued interest on 30 days' notice from the Secretary of the Treasury.

It will be remembered that when the original bill was before the House some of us who believe in a larger measure of Government aid sought to amend the bill so as to authorize the Secretary of the Treasury to purchase with Government funds as much as $50,000,000 annually of the Federal land-bank bonds. The amendment was offered by the gentleman from Texas [Mr. HENRY], with an amendment to the amendment offered by myself. I thought then and I think now that it would have been better to have extended the additional Government aid carried in that amendment. I believe such action would have insured a continued sale of the bonds at as favorable figures as those at which they were placed by the Federal Farm Loan Board. In fact it can scarcely be doubted that under that plan the bonds could have been sold to better advantage than has been possible under the plan adopted. But the House in its wisdom rejected the amendment, and it must be admitted that subsequent events have demonstrated that they were correct in the opinion that the system could be operated successfully without such increased Government aid, had business conditions remained the same as they were at the time of the passage of that act.

Since the system was inaugurated loans have been made to the farmers by the Federal land banks to the amount of approximately $30,000,000 at an interest rate of 5 per cent per annum. Applications have been made for 92,446 loans, amounting to $219,760,740. Loans to the amount of $105,136,529 have been approved. This leaves nearly $200,000,000 of loans applied for which the Federal land banks have not the money to supply. The sale of enormous amounts of liberty bonds necessarily withdrew immense sums from the investment world. The result has been an increase in the interest rate on commercial paper and other securities. Even the interest rate on the Government bonds themselves has been increased since the sale of those bonds was begun. On account of the changed conditions brought about by the world war the Federal Farm Loan Board have increased the interest rate to be charged by the Federal land banks from 5 to 5½ per cent. Prior to November the bonds of the Federal land banks found ready market throughout the country, selling at 4½ per cent with premium of 1½, the demand of investors exceeding the supply. But for the changed conditions incident to the war no one doubts that such demand would continue to exist.

It is only natural for investors to seek the best bargain possible, and they are not unreasonable under existing conditions in hoping to get the bonds at a better price. But ought the Congress to sit by and allow this to be done? Some of us think not. I will not say that the system will be destroyed or be forced to terminate its operations if this bill is not passed; but it is manifest that its usefulness to the farmer will be seriously curtailed. It is probably true that the bonds of the Federal land banks can be sold at some price without this legislation; but the moment the Congress passes this bill the investing public will know that, if necessary, the Secretary of the Treasury is going to use Government funds to sustain the market for these bonds, and that will settle the whole matter. This will be the effect if we pass the House bill without the Senate amendment, but the moral effect sought—which is the chief object sought to be accomplished—will be lost if we accept the Senate amendment limiting and qualifying the assistance authorized. The Senate amendment would practically destroy the purpose of the bill, because that amendment provides that no loans shall be made in addition to those now approved until all bonds so purchased by the Secretary of the Treasury shall have been redeemed or repurchased, unless such loans shall be made for the sole purpose of increasing foodstuffs. So, if we wish to stabilize the market for these bonds and sustain their value during the existing emergency, let us pass the House bill without amendment and serve notice on the investing world of our purpose to stand by the system, and not go at the matter in a half-handed way.

If we do this, investors will abandon hope of driving a better bargain and normal investments will be revived. While I do not believe that without the passage of this bill the bonds could be depressed to the point of destroying the system, it must be borne in mind that under the existing law no loan can be made at a rate of interest in excess of 6 per cent, and that the rate to the borrower can not be more than 1 per cent above the amount at which the bonds of the Federal land banks sell. So it is better to take no risk of such serious and far-reaching results. Surely, this House would not be guilty of such folly.

For my part I agree with the veteran statesman from Illinois [Mr. CANNON] that the Government is morally responsible for these bonds and should guarantee their payment. I realize that this view has been rejected all along, and will be for the present. But some day I expect to see this great system simplified and utilized as a great instrumentality of the Government for the development of the agricultural interests of the Nation to a degree not possible under the existing law. For the present, especially in the great emergency confronting the Nation, creating, as it does, an unprecedented call for the increased production of the necessaries of life, surely no one who understands the situation would have the Government withhold the temporary aid indispensable to the continued usefulness of this system to the farmers of the land.

Let no one be alarmed by fear that the Government will be involved in loss through the operation of this measure. These bonds have every safeguard thrown around them than can be devised. The bonds of each of the land banks are secured by the entire 12 banks, all under strict Government supervision, having as chief security land, which really constitutes the greatest basis of credit of the Government itself. In Germany bonds

of land banks in a system similar to ours sold last year above the bonds of the Imperial German Government.

For my part, I am not frightened because this bill embodies something unusual. We are doing unusual things here every day. The Government established and controls and operates a great commercial banking system, lending its credit by issuing currency based upon commercial assets. It has built and equipped railroads and canals. It is now taking over the vast railroad properties of the Nation. This is being done not alone because their operation is essential to the Nation's welfare in the present crisis, but for the additional reason that railroad values and securities should be stabilized and upheld.

The development of agriculture and an increased production of farm products at this time transcends in importance all other economic problems confronting the Nation. It is not true, as has been suggested here to-day, that the benefits of the Federal Farm Loan System are limited to those who actually borrow of the land banks. Before the establishment of this system the farmers of the country were paying between 8 and 9 per cent interest. In round figures, their annual interest debt was something like one-half a billion dollars. The average interest rate in all lines of business was not much more than one-half of the rate paid by them. Such a discrimination has depressed agriculture, decreased production, and tended to drive the young men of the country from the farm to the cities and industrial centers. The Federal farm-loan law has reduced interest rates not alone to the farmer, who borrows under the system at 5 per cent, but through its operation banks and loan companies have reduced their rates, resulting in a general stimulus throughout every agricultural section of the country. It is not demagogery but the part of wisdom and patriotism to continue this good work. In doing so we not only serve the best interest of the farmer but we promote the welfare of every citizen of the Nation, no matter where he lives nor what may be his pursuit, because the time has come when an increased production of the farm is indispensable to the well being of all citizens and classes.

The rural population of the United States decreased from 70.5 per cent in 1880 to 53.7 per cent in 1910. The tenant farms in 1880 constituted 25 per cent of the total; in 1910 they had increased to 37 per cent. These figures are sufficient to impress every thoughtful man with the wisdom of attempting by every means at our command to make farm life more pleasant and farming pursuits more profitable. They present a problem upon the solution of which rests the future peace and happiness of the Nation. This truth is emphasized to-day as at no other period of our history, when the Republic is engaged in a struggle to the death with the biggest and bloodiest military power the ages have known—a struggle the result of which depends upon our ability to furnish food for the armies of the Nation and their allies. It would be folly unthinkable, while sending billions across the sea to support the soldiers associated with ours in battle, to withhold the paltry assistance carried in the pending bill to make it possible for the farmers of the Nation to do their part in winning the war. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. GLASS. Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman has 15 minutes.

Mr. GLASS. Mr. Chairman, I hardly think it necessary to continue this discussion. I think, perhaps, everything essential for an accurate understanding of the case has already been said. Statements to the contrary notwithstanding, there is not one whit of politics in this measure. For myself I may avow that in the 16 years I have been in this House I have never taken a partisan or narrow political view of any economic question. I would lose my own self-respect if I should do it. If I could not feel that I have vision enough to contemplate public measures in their genuine governmental aspects I would want to quit the House.

There is no sectionalism in the proposition, as any Member may very soon convince himself by the most casual inspection of this table, prepared by the Farm Loan Board, of applications for loans and loans approved and granted and of loans now pending. There is nothing sectional about it.

I deny, Mr. Chairman, that the farm loan system has "broken down" in any true sense of the term—certainly not any more than the railroad systems of this country at this time have "broken down"; not any more than the food supply by individual initiative and enterprise has "broken down"; not any more than the fuel supply of the country in the hands of individuals and corporate interests has "broken down." The fact is that nearly every public utility has broken down in this war emergency, except the Government of the United States; and God grant that this Government may never break down—and certainly not now. [Applause.]

As far as the principle involved in this measure is concerned, it is already embodied in the farm loan act—not by any effort or even assent of mine, but it is there. In the subscription by the Government to the capital stock of the bank it is there, and in other respects it is there; and this is simply a utilization in larger form of the principle that the Congress has already put into the act itself. I do not agree with the principle, but I heartily advocate its efficient and temporary utilization at this extraordinary period.

Mr. FESS. Will the gentleman yield for a question for information?

Mr. GLASS. I have only a few minutes, but I yield for a brief question.

Mr. FESS. I want to know whether in this emergency, when the Government embarks in taking the bonds, it will ever get rid of that or whether we will not continue it after the war is over?

Mr. GLASS. I think we will not continue this aid. I think there will be no need to do it. These bonds will be gotten rid of by the Treasury in a specific time. The gentleman from New York [Mr. PLATT], my colleague on the committee, who is always patriotic and always fair, and who discusses measures with intelligence and character, stated the case in a nutshell. Not in terms, but practically, he admitted what I have contended all along, that this is primarily a psychological proposition. He says there is no trouble about selling these bonds. The Farm Loan Board says there is trouble about selling the bonds.

Accepting the gentleman's statement that there is no trouble about selling, then the Government will not be called upon to spend a dollar for the purchase of these bonds. What we are proposing here is simply to create a situation in which the Farm Loan Board may be enabled to dispose of these bonds without being squeezed to a higher rate of interest, and that is the whole of it. I think myself that the bonds will be speedily sold when Congress enacts this legislation.

Now, just a word as to the Senate amendment. I am utterly opposed to it, because it cuts the very vitals out of the psychological aspect of the proposition. Not only am I opposed to it, but the farm loan commissioner, who is an expert in these matters, who has spent his life in the bonding business and knows what the bonding business is, distinctly states in a letter to me that in his judgment the amendment put on by the Senate limiting future loans to such as are for the increase of food products would not only discredit but hopelessly cripple the operation of the system, and I agree in that judgment. That is precisely what it would do.

And, moreover, it is absolutely impracticable. As has been stated here, 90 per cent of the loans made to farmers involve, either directly or indirectly, the refunding of existing loans. A farmer who wants to increase the productiveness of his farm, who wants to engage in larger operations—to be specific, a farmer who has a mortgage of a thousand dollars already on his farm and who needs a thousand dollars additional for productive purposes can not borrow the money from the Federal farm loan bank by making application merely for $1,000. He must make application for $2,000 in order to discharge the existing mortgage on his farm before he can get any credit at all; because the farm loan act, in terms, requires that the farm loan bank shall have a first mortgage on the farm; so that the existing mortgage has to be refunded. And that is what the Farm Loan Board means when it says that 90 per cent of these loans involve a refunding operation.

If we adhere to the Senate amendment, we practically make it impossible of operation and we utterly destroy the psychological aspect of this measure, which I think is important. I do not believe the Federal Treasury will have to expend one dollar for the purchase of these bonds if the Congress will enact this legislation. The Farm Loan Commissioner is an expert, experienced bond man, and he expresses the opinion that the investing public—and this is said in no reprehensible sense—is holding off under the very reasonable and natural expectation that the Farm Loan System, having no immediately available funds, will have to increase the rate of interest on the bonds or reduce their selling price. I believe that the moment it is known that this Government will not permit this system to be held up—will not permit this "squeezing" process—just as soon as that announcement goes out and the investing public knows that if it does not take these gilt-edged securities the Treasury will, then the last dollar of them will be taken.

As has been stated, there are commitals now to the extent of $70,000,000, which, as the gentleman from New York [Mr.

PLATT] has said, will be practically reduced to $50,000,000; and it would make an impression upon the farming communities that would be hurtful to all of our national interests to have this system suspend operations and refuse to meet the moral obligation to loan this $50,000,000.

I think I have said all that is needful to be said.

The CHAIRMAN. General debate is closed, and the Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the Federal farm-loan act, approved July 17, 1916, is hereby amended by adding at the end of section 32 the following:

"The Secretary of the Treasury is further authorized, in his discretion, upon the request of the Federal Farm Loan Board, from time to time during the fiscal years ending June 30, 1918, and June 30, 1919, respectively, to purchase, at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm-loan bonds issued by such bank.

"Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years. Any Federal land bank may at any time repurchase, at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

"The bonds of any Federal land bank so purchased by the Secretary of the Treasury, and held in the Treasury under the provisions of this amendment one year after the expiration of the pending war, shall upon 30 days' notice from the Secretary of the Treasury, be redeemed or repurchased by such bank at par and accrued interest.

"The temporary organization of any Federal land bank as provided in section 4 of said Federal farm-loan act shall be continued so long as any farm-loan bonds purchased from it under the provisions of this amendment shall be held by the Treasury, and until the subscriptions to stock in such bank by national farm-loan associations shall equal the amount of stock held in such bank by the Government of the United States."

SEC. 2. That all acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. The right to amend, alter, or repeal this act is hereby expressly reserved.

Mr. GLASS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Strike out all of the enacting clause and insert the following:

"That the Federal farm-loan act, approved July 17, 1916, is hereby amended by adding at the end of section 32 the following:

"'The Secretary of the Treasury is further authorized, in his discretion, upon the request of the Federal Farm Loan Board, from time to time during the fiscal years ending June 30, 1918, and June 30, 1919, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm-loan bonds issued by such bank.

"'Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years. Any Federal land bank may at any time repurchase at par and accrued interest for the purpose of redemption or resale any bonds so purchased from it and held in the Treasury.

"'The bonds of any Federal land bank so purchased by the Secretary of the Treasury, and held in the Treasury under the provisions of this amendment one year after the termination of the pending war, shall upon 30 days' notice from the Secretary of the Treasury be redeemed or repurchased by such bank at par and accrued interest.

"'The temporary organization of any Federal land bank as provided in section 4 of said Federal farm-loan act shall be continued so long as any farm-loan bonds purchased from it under the provisions of this amendment shall be held by the Treasury, and until the subscriptions to stock in such bank by national farm-loan associations shall equal the amount of stock held in such bank by the Government of the United States.'

"SEC. 2. That all acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. The right to amend, alter, or repeal this act is hereby expressly reserved."

Mr. CANNON. Mr. Chairman, at the proper time I would like to offer an amendment to the gentleman's amendment.

Mr. GLASS. I want to inquire whether we can agree on some time for the discussion of this amendment and all amendments thereto.

Mr. HAYES. Is not that a little premature? It may be that this will not require much discussion. I doubt if there will be much discussion on it. I would suggest to my colleague that we run along for a little while.

Mr. GLASS. Under the rule we are not entitled to but 10 minutes.

Mr. LENROOT. On each amendment?

Mr. GLASS. On each amendment. I merely wanted to facilitate the proceedings; I do not want to cut off any reasonable debate.

Mr. HAYES. I suggest that we go on for a little bit and see how it will develop.

Mr. GLASS. Very well; then I yield the floor to the gentleman from Arkansas.

Mr. WINGO. Mr. Chairman, I presume the committee recognizes the fact that this amendment really goes to the real question we have to settle in the consideration of this bill. There are only two matters in dispute: First, are those who are opposed to the legislation, and then those who may be in favor of the legislation and yet prefer the Weeks amendment.

From my viewpoint, if we fail to adopt the amendment offered by the gentleman from Virginia [Mr. GLASS] we might as well kill the bill. Even if you were in favor of the limitation which the gentleman in discussing the Weeks amendment says it places on the law, you can not afford to accept the language of the Weeks proposal, because the Weeks amendment, if adopted, will mean that within 60 days the land banks will be closed for all practical purposes.

The Weeks amendment says that no loan shall be made until all bonds purchased by the Secretary of the Treasury have been redeemed or repurchased.

Mr. MADDEN. Nobody has seen or knows what the Weeks amendment is.

Mr. WINGO. It has been read.

Mr. MADDEN. The Members of the House would like to know what it is.

Mr. WINGO. I can not yield. I tried to get one gentleman to yield after I had denied myself time as a member of the committee and gave that side 30 minutes more than we had, and he refused.

Mr. LENROOT. But if the gentleman states an inaccuracy, the gentleman ought to yield.

Mr. WINGO. I prefer to argue my proposition in my own way.

Mr. LENROOT. The gentleman should yield to an interruption if he states that which is not so.

Mr. WINGO. The gentleman is discourteous and unparliamentary, but he may take advantage of the protection of the House——

Mr. MADDEN. Will the gentleman yield?

Mr. WINGO. I do not yield, with all courtesy to the gentleman from Illinois. I insist that I have the right to discuss the matter in my own way. If the gentleman from Illinois will only listen, I intend to take up the Weeks proposition and discuss it fully.

Mr. MADDEN. But nobody here knows what it is.

Mr. WINGO. My altercation was not with the gentleman from Illinois, but with the gentleman from Wisconsin, who butted in.

The only Weeks amendment I have found is in the RECORD on page 501. I will ask the Clerk to give me the original Senate bill. I want the attention of the House and of those gentlemen who feel that the Weeks amendment is the proper safeguard. I want to show you that you go further than any of you think. I have no criticism to make of the author of the amendment, for he does not believe in the system. He does not believe that we ought to grant any relief, but the Senate disagreed with him and he got the best that he could out of the wreck.

Now, the Weeks amendment reads as follows:

Until all bonds so purchased by the Secretary of the Treasury have been so redeemed or repurchased no loans in addition to those now approved shall be made by the Federal land bank——

I have no need to read further. In other words, 11 of the banks may have redeemed all of the bonds which the Secretary of the Treasury has bought from them, and yet if 1 bank has $100,000 worth of bonds left unredeemed in the Treasury it would mean that the other 11 banks are held up by that 1 bank. That goes further than I believe any man who really believes in the alleged "safeguarding" proposition supposed to be covered by the Weeks amendment.

Let us see what else you do. There is no question but that the whole effect of the bill is purely psychological, for the purpose of stabilizing the market for farm-loan bonds. I think everyone will agree to that. Any fair man will agree that the bond-loan market, like the railroad-security market, has broken down.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the gentleman from Arkansas may proceed for five minutes. Is there objection?

Mr. LENROOT. I object.

Mr. MADDEN. Mr. Chairman, I think the mere presence of this bill here to-day comes more nearly proving the inefficiency or inexperience of the Farm Loan Board than anything else could. If they had ability and experience, they would have sold the bonds issued and they would not be here. That is the truth of it. It is said that the policy of the Farm Loan Board was to sell the bonds to small purchasers in five and six thousand dollar lots. They refused to sell these bonds to the men who had money and could buy. They prefer to come to the Congress of the United States and dip their hands into the Treasury and compel the Government to tax the people to furnish the money to buy the bonds, instead of going into the market and selling them.

Mr. GLASS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GLASS. Does the gentleman think that is a fair statement?

Mr. MADDEN. Yes.

Mr. GLASS. To the gentlemen who are in the service of the Government to say that they prefer to do that?

Mr. MADDEN. Well, they did it.

Mr. GLASS. And that they anticipated doing that?

Mr. MADDEN. I do not know what they anticipated, but that is the effect of it.

Mr. GLASS. Does the gentleman on consideration think that is a fair statement?

Mr. MADDEN. I do.

Mr. GLASS. I am astonished.

Mr. MADDEN. They could have sold these bonds. They would not have had to come here. They refused to sell the bonds except under contract with some men in New York or some other place, and under that contract they restricted the right of the sale of the bonds to a 4¼ per cent basis. They could have gone into the open market and sold the bonds at 4½ per cent without a contract, but they did not want men with money to have the bonds they said. That is what is said on the floor by those who speak for them. We have to reach the conclusion that these men are not efficient; that they are not practical; that they do not understand their business; and that they are working along the lines of least resistance, that they can find money more easily by coming to Congress and getting it out of the Treasury of the United States, by taking the money that we wring from the blood of those who are compelled to save, which we obtain as the result of selling liberty bonds.

These bonds ought to sell and can be sold, and if the men in charge of the Farm Loan Board are not qualified and have not the experience they ought to be supplanted by men who have the qualifications and experience and understand the thing that ought to be done. Why should the Government loan money to men who want to place mortgages upon their property? Why, it was only a year or so ago that we had before us a bill for the deposit of hundreds of millions of dollars in certain banks in the cotton section of the country with the requirement that those banks should loan the money to cotton raisers at a certain fixed price per pound of cotton. The bill was not passed. This is the equivalent of that except in another form. It is wise that the bill which we had before us before did not pass; the Congress refused to consider it seriously and it was laughed out of court, and there was just as much merit in that as there is in the bill now before us. Tell these men who have been charged with public responsibility and who have been given the amount of $9,000,000 already out of the Treasury of the United States to exercise their genius, if they have any, and furnish a market for the bonds. Ah, they will be putting mortgages on land that the Government will have to take over after a while. A vast amount of loans that are being made by this Farm Loan Board is being made in sections of the Nation where the lands upon which the mortgages are placed are absolutely valueless. You do not find money loaned in sections of the country where the land is worth something, because they can borrow the money more cheaply from private sources than from the Farm Loan Board. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Chair will state to the gentleman from Illinois that he promised to recognize the gentleman from Mississippi and then he will recognize the gentleman from Illinois.

Mr. STEPHENS of Mississippi. I am willing to allow the gentleman from Illinois to proceed and I will follow him.

Mr. CANNON. Does the gentleman desire to offer an amendment? Does he have an amendment to the amendment?

Mr. STEPHENS of Mississippi. No, sir; I have not.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. CANNON offers the following amendment to the amendment: Strike out all of section 1 of the amendment, beginning with line 6, page 1, and insert in lieu thereof the following: "the payment of all bonds provided, principal and interest, heretofore or hereafter issued by any Federal land bank, is hereby guaranteed by the Government of the United States."

Mr. CANNON. Mr. Chairman, it is admitted by all the friends of this bill that under this law on the statute books the Government of the United States is morally bound with a guaranty. Does anybody object to that statement? Silence gives assent. Now, then, there has been some doubt by some people, putting an anchor to the windward, as to whether the Government is bound. Now, in my judgment, it is morally bound, strengthened by the circular that was issued by by the Federal Farm Loan Board, with the opinion of Justice Hughes, with which gentlemen are familiar, that the Government is committed to a guaranty of the bonds. Now, you can, in my judgment, settle the whole matter. Under the law as it is now bonds can, I think, be issued in the discretion of the Federal Farm Loan Board. At what? Five or six per cent?

Mr. BYRNES of South Carolina. Must not exceed 6 per cent.

Mr. CANNON. Must not exceed 6 per cent. Now, I have not any doubt, nor has any gentleman of this House, in my judgment, any doubt that a bond at 4½ per cent net to the man who buys the bond, and certainly 5 per cent in any event, exempt from taxation, both State and National, both inheritance and surtax, will command the money without any doubt. Ah, says some gentleman, it is patriotic for the Secretary of the Treasury or the Farm Loan Board to hold up and not put the bonds on the market while the liberty loan was being pressed. It may happen that that may come again. I do not believe it will, because with a 4½ per cent liberty bond I believe that would go. This is better than a 5 per cent liberty bond, because it is absolutely free from inheritance tax and surtax. Now, why fuss about getting the money in the Treasury and buying the farm loan bonds under the provisions of the House or Senate bill? Why, may be I am foolish in my old age, but I have no doubt that the amendment amended as I have proposed——

Mr. SNOOK. Vote it down.

Mr. CANNON. Well, my friend says vote it down. Why——

Mr. SNOOK. Well, vote it up.

Mr. CANNON. That is right. I think it settles the whole question, and as long as this act stands upon the statute book and these banks exist there can be no question about the money forthcoming to meet the bonds that shall be issued. It can not hurt the farmer; it can not hurt the Government because the Government guarantees, gives credit. It gives credit to these bonds, and no man, no Socialist, no repudiationist, no Populist, no highflyer, no fool, can dispute the value of these bonds.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEPHENS of Mississippi. Mr. Chairman, the bill now under consideration proposes an amendment to the farm-loan act. If this bill is enacted into law, the Secretary of the Treasury will be authorized to purchase bonds from the Federal land banks.

Bills identical in language were introduced both in the Senate and in the House. The committee of each body reported the bill without amendment. The bill has passed the Senate with what is known as the Weeks amendment.

As stated by the chairman of the Committee on Banking and Currency, Mr. GLASS, he will move to strike out all after the enacting clause, the Senate bill as amended being now before us, and substitute the original bill.

It is my purpose to support the motion of the gentleman from Virginia [Mr. GLASS].

As was said by Senator GRONNA, the Weeks amendment practically nullifies the whole bill so far as giving any benefit to the farmer is concerned.

The purpose of the farm-loan act is to help build up the agricultural industries of the Nation. What was in mind in the introduction of the original bill was to further the general purpose by authorizing the Secretary of the Treasury to buy the land-bank bonds in order to give an additional sum to be loaned to the farmers.

The Weeks amendment would prevent any farmer who has a mortgage on his land from borrowing any money from the farm-loan banks. The farmer who is not in debt could borrow from such banks.

It is a discrimination that is unfair, unjust, and unwise. It puts the premium upon good fortune and adds an additional handicap and burden to the man who has not been so well blessed.

For example, there are two neighbors, each owning 80 acres of land. One has a mortgage on his land; the other has not. Under the Weeks amendment the one with the mortgage can not borrow; the other can borrow.

Which is in greater need of help? Of course it is the one in debt. Yet under that amendment he will be denied any relief.

Interest rates are high. The purpose of the farm-loan act is to cut down the interest rate as well as to give a long time in which to pay the principal. The man already in debt would be forced to continue to pay a high rate of interest and take his chances of having his mortgage foreclosed, while the man out of debt could borrow at a low rate of interest and be assured that he would have many years in which to pay his debt.

The gentleman from Michigan [Mr. FORDNEY] said that we ought not to refund any loans if it is necessary to take money out of the Treasury to do it, because that money, he said, was taken from the people to be used for the benefit of our soldiers, who are now, or soon will be, in the trenches of Europe.

The gentleman certainly does not grasp the situation. We will not take anything from those boys. We will be aiding them. If not, the whole purpose and effect of the farm-loan act is wrong.

It was passed not to help only a few individuals here and yonder but in the interest of the agricultural classes generally; not simply to help those now out of debt but those in debt.

Why not use this money to refund debts as well as to lend it to those who are free from debt? What we are interested in, what we need, what we must have, is an increased production of foodstuffs. If the debtor is allowed to pay a smaller rate of interest as well as to be allowed to pay only a small portion of the principal, instead of the whole of it, then he will be enabled to expand his activities and to lay out his money in such a manner as to materially increase his production. If every dollar that he gets his hands on must be used to pay high interest and a mortgage debt, with what can he buy fertilizer, improved machinery, or live stock?

The farmers of the Nation have been urged to increase production of farm products. They have responded nobly. The large increase of food production shows this, and I earnestly contend, Mr. Chairman, that we can not afford to do anything to lessen or handicap their efforts, or rather their opportunities, to serve the Nation in a larger way in this hour of great necessity.

Of course food alone will not win this war, nor will men and guns and shot and shell alone win it. All these elements are absolutely essential, and none of them are of greater importance to the United States than food, because the burden of supplying food to the allies has fallen largely upon us. The greatest need of the allies to-day is food.

I shall insert an article from the Banker-Farmer that states in a forceful way the great importance of the farmer in this war, as follows:

FARMERS' WAR RESPONSIBILITY.

The war has given to the American farmer the greatest responsibility, the greatest privilege and the greatest task any man or any class of men have ever known. In large degree he will determine the trend of human history for all time to come, because the enormous ultimate consequences of this conflict rest primarily upon the farmers' production of food and feed to sustain the fighting forces. They might fail even with an adequate food supply; without it they are certain to fail.

But in his field, far from the fury of battle, far from either the adventures or the horrors of the firing line, the American farmer will say whether autocracy or democracy shall rule the world during the seasons that are to come.

In a sense the war will be won or lost in the fields, gardens, orchards, pastures, and hog lots of the American farmer.

The hope of the American citizen, not a farmer, also hinges upon adequate agricultural production. Our aeroplanes are useless, our guns are spiked, and our rifles jammed, our shells are but as harmless baubles, if the farmer fails. This must be understood in all its grim force by every man, woman, and child in America; by farmers and by those who are not farmers.

With food we can win the war.

Lack of food will lose the war.

Whether or not we produce the food depends upon whether or not each and every individual farmer does his level best on his farm—produces its maximum.

Many people have thought of the war as "far away," as a remote, impersonal thing, a sort of dreadful nightmare—but not as a specter menacing our immediate persons or property. Our appreciation of the actuality is more poignant now, with our own flesh and blood upon the firing line. That firing line is in France to-day. It will come to America if the farmer fails.

No matter what course military strategy may take, the final battle field of the war is already fixed. The Waterloo of the Prussian autocrat and all he stands for, or the Waterloo of American liberty—the end of autocracy or the end of democracy—the end of Prussianism or the end of freedom—will be wrought on the battle field of the American farm—every American farm.

Mr. GLASS. Mr. Chairman, I am told that practically the only amendments to be proposed to the amendment offered by me, aside from the amendment just offered by the gentleman from Illinois, are amendments to take the bill back to the Senate form. And if that be so, I would like to have those amendments sent up to the desk right away, with a view of moving to close debate on my amendment and all amendments thereto.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that all amendments to be offered be now reported. Is there objection?

Mr. McFADDEN. Reserving the right to object, in answer to the query of the gentleman from Virginia [Mr. GLASS] I might say I have some amendments here that I will send to the desk covering the points he mentions, and in addition to them one other amendment.

Mr. GLASS. I ask that the gentleman send all his amendments to the desk.

The CHAIRMAN. Is there objection?

Mr. MADDEN. Mr. Chairman, reserving the right to object, I would like to ask the gentleman from Virginia if it is his intention to foreclose debate on amendments that may be offered, so that Members of the House will not know what is in the amendments?

Mr. GLASS. As I have stated, my information is that the only amendment to be offered, aside from the one offered by the gentleman from Illinois [Mr. CANNON], involves taking the bill back to the Senate form. And I distinctly inquired if there were other amendments of a different nature. If not, I think we have very largely debated the proposition as to whether the Senate amendment shall prevail or not, and I have it in mind to move to close debate.

Mr. GREEN of Iowa. I do not think the gentleman ought to do that without giving some of us who have not spoken an opportunity to speak.

Mr. GLASS. I do not mean to do that. I want to develop how many people want to speak.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. LENROOT. Reserving the right to object, I think it would be better procedure if we voted upon each amendment. The gentleman could move to close debate on each amendment, and the House could vote intelligently on each amendment before it.

Mr. CANNON. I would be glad to have a vote on the amendment to the amendment, and when that is disposed of other amendments can be offered.

Mr. LENROOT. The gentleman can move to close debate——

Mr. GLASS. I am perfectly willing to vote on the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. CANNON].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. CANNON. Division, Mr. Chairman.

The committee divided; and there were—ayes 63, noes 71.

Mr. CANNON. Tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois asks for tellers.

Tellers were ordered; and the Chairman appointed Mr. CANNON and Mr. GLASS to act as tellers.

The committee again divided; and the tellers reported—ayes 56, noes 82.

So the amendment was rejected.

Mr. HASTINGS. Mr. Chairman, the bill before us (H. R. 7731) has for its purpose the amending of the Federal farm-loan act approved July 17, 1916. It authorizes the Secretary of the Treasury to purchase at par and accrued interest not to exceed $100,000,000 of Federal farm-loan bonds for the fiscal years ending June 30, 1918, and June 30, 1919. Provision is made for the redemption or repurchase by the Federal land banks of the bonds upon 30 days' notice at any time after one year after the expiration of the present war.

The rural-credits system was authorized by the act of July 17, 1916. Twelve land banks were to be established. About six months elapsed before the members of the Farm Loan Board were selected, the banks established, and their officers and employees appointed, so that the several farm land banks have now been in operation less than a year. Up to December 1, 1917, 1,839 local cooperative associations have been chartered, the charters of 2,019 associations have been approved, and applications for 1,171 charters are pending, so that there have been formed and in process of formation 3,190 local loan associations.

These associations have applied for 92,446 loans, aggregating $219,760,740. Of these loans, 44,332 have been approved, aggregating $105,136,529. The total number of loans closed is 14,000, and $29,824,655 have been paid to borrowers.

In my State of Oklahoma 86 local loan associations have been chartered and 17 additional associations are under consideration, with 15 more in process of formation, or a total of 118 associations when all are organized. There have been 2,804 loans applied for in Oklahoma, aggregating $6,075,157. Of these loans, 913 have actually been closed, aggregating $1,740,200. Loans aggregating $4,327,957 are pending approval and disbursement.

This summary justifies the enactment of the rural-credits law. It was designed to stimulate agriculture. Everyone living in the country should have an ambition to ultimately own and cultivate a farm. The rural-credits system enables farmers to borrow money on long-time loans at a low rate of interest upon first-mortgage securities. There is greater need now to stimulate agriculture, because of the war, than when the act was passed. We need to greatly increase our food supply, not only for ourselves but for our allies. Everybody appreciates that we are going to win this war not only with men but with munitions, clothing, food, and the financial aid our country can give.

If we had not been forced into this world-wide war, there would have been no necessity for this legislation, because these farm-land bonds would have found a ready market everywhere. The 4½ per cent bond was being sold at 101⅛, or a premium of 1⅛ cents on the dollar. The offering of so many war bonds has attracted immense sums of money. Interest rates on com-

mercial paper have increased, so that there is not now the same ready sale for farm-land bonds that there was before the war broke out. The necessity for stimulating agriculture increases as the war proceeds.

The loans applied for aggregate $219,760,740, and the sum of $29,824,655 has actually been loaned. This leaves $189,936,085 in loans applied for and approved but for which the farm-land banks do not have the money to give the borrowers. Such farm-land bonds as have been sold were 4½ per cent bonds. They were sold at 101½. A small part of the 1½ premium was allowed for the sale of the bonds. The remainder of the premium, plus one-half of 1 per cent, was allowed for expenses in administering the system. This enabled the various banks to lend money to farmers at 5 per cent interest, to which, of course, the amortization charge was added. The amortization charge depends entirely upon the length of time the loan is to run. If it runs for a period of 36 years, 1 per cent, payable semiannually, will pay the principal. The farmers of the country under the administration of the rural-credits law during the past year were enabled to borrow money for a period of 36 years by paying 5 per cent interest, plus 1 per cent amortization, which paid both principal and interest. This has greatly stimulated farming, particularly throughout the South, and the farmers of the Southern States have been quick to take advantage of it.

Farmers should remember that they can borrow money not only for the purpose of buying land but to pay off existing indebtedness, to make permanent improvements upon their land, and to buy machinery, equipment, and fertilizer.

I was very much interested in the bill when it was being considered by the Banking and Currency Committee, of which I was a member, and when it passed the House, and I favor the enactment of the present amendment. As soon as this war is over farm-land bonds will find a ready sale and the farm-land banks will be able to repurchase them. In my judgment, it will not then be necessary to longer extend Government aid.

However, one criticism has been made against the system, and that is the delay in making the loans. I have invited the attention of the Farm Loan Board and the farm-land bank at Wichita to it. This bank has jurisdiction over my State. In an effort to expedite consideration of loans and to overcome this objection, when the original bill was up for consideration in the House more than a year ago, I pointed out that it was the only objection which I feared. The Federal Farm Loan Board answered my inquiry with reference to delays by calling attention to the fact that many men who are forming the local associations are not men with business experience; that their papers are not correctly filled out when first received, necessitating their return in a great many cases; that after they are received in proper form delay is caused by reason of a large number of applications being received at the same time; that it is necessary to make the preliminary investigation required by the rural-credits law before recommending that the charter be granted; and that while some of the fault is due to delays, much of it is due to the inauguration of a new system, with which no one, not even the men in charge, is familiar.

I called on the farm-land bank at Wichita, Kans., and also the Federal Farm Loan Board in Washington, for specific data as to the charters issued for local associations in my district in an effort to definitely fix the cause of these delays. I found that but five charters had been issued for local associations in my district. The original papers for the one at Tahlequah are dated March 17, 1917, but all the signatures were not secured and the papers were not sworn to until May 12, 1917. The farm-loan bank at Wichita made an investigation and forwarded the papers to the Federal Farm Loan Board on June 20, 1917. This was a month and eight days after the application for a charter was perfected and sworn to. The charter was issued on June 23, 1917, so that the application for this charter was with the Federal Farm Loan Board only three days.

However, I am advised that many of these prospective borrowers did not receive their money until three or four months thereafter. What is true of the association at Tahlequah is also true of the one in Adair County and true of the associations at Fort Gibson, Wagoner, and Enterprise. Upon investigation I find that none of the applications for charters remained with the Federal Farm Loan Board more than five days. I have called for definite information several times as to when members of these local associations actually received their money upon the loans applied for, but have not as yet received the same. I feel sure that after one or more local associations have been chartered in each county and farmers become used to the system and get their details in good shape with abstracts brought down to date such long delays will not be experienced as when the system is new. I think much can be done by the farm-land banks in expediting consideration of applications for loans. If the system is going to be a success, this will have to be done. No prospective borrower can wait from six to eight months to secure favorable action upon his application for a loan to be used as a partial payment on land or for any other purpose. He will be forced to borrow money at a much higher rate of interest from individuals, banks, or loan companies. Where the abstract can be examined at once and the land viewed and appraised, the transaction should be closed within a few days.

I believe that a further testing of the system will prove its great value to the farmers of the country and to the Nation, but I indulge the prediction that amendments will be necessary to the act, which will have for their purpose expediting the making of loans. For my part I do not think local associations are necessary. I so stated when the bill was up before the Banking and Currency Committee and when it came up for consideration in the House. I see no reason why local agents could not in safety be appointed, using a county or a district as a unit, through whom individuals could submit applications to the farm-land bank and at the same time submit an abstract brought down to date and comply with such other rules and regulations as may be prescribed by the Federal Farm Loan Board or the farm-land bank. This agent could either view and appraise the land, or the present system of appraising could be followed. Assuming that there is money on hand with which the farm-land bank could make the loan, there is no reason why the whole transaction could not be completed and the money sent to the borrower within a week after his original application is made if the local representative were permitted to appraise the land. The agent could see that the application is made in the proper form upon blanks prepared by the farm-land bank, and that the abstract is brought down to date, and could soon become an expert in passing upon the less complicated abstracts.

The rural-credits law has greatly lowered interest rates throughout the South and West, and has been the cause of much more favorable terms being extended those who borrow money. If we had not become involved in this war, interest rates would have been much lower, and prospective borrowers could have secured much more favorable terms from those anxious to invest in the very best and safest securities—farm mortgages.

Pass this amendment and provide the money to make the loans to farmers, and you will enable the tenant farmers to purchase homes, increase the number of farmers, cause all surplus lands to be placed under cultivation, increase very greatly the production of all kinds of farm products, and increase the general prosperity of the country. While the present bill only extends temporary Government relief during the period of the war, if bonds to the amount of $2,000,000 are bought by the Government within the next two years and the money is loaned to members of local loan associations, making it possible to organize additional associations in every county throughout the country, you may rest assured the system will be so strengthened that the representatives of the people in Congress will in the future continue the system, enlarge and amend it, and no backward step will be taken.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HASTINGS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. WATKINS. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Louisiana makes the same request—to revise and extend his remarks. Is there objection?

There was no objection.

Mr. KINKAID. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Nebraska makes the same request. Is there objection?

There was no objection.

Mr. WALSH. Mr. Chairman, I rose for the purpose of objecting. I was on my feet. The Chair went so hurriedly that I could not secure recognition.

The CHAIRMAN. The Chair did not see the gentleman rise in time, and thinks the objection comes too late.

Mr. GREEN of Iowa rose.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. GREEN of Iowa. Mr. Chairman, if there ever was a time when this House ought to exercise a little sober thought, it is right now. Since the foundation of this Government, if I understand, the total amount collected and the amount of money expended by the Government has been around $28,000,000,000. We are now asked to raise about $20,000,000,000 this fiscal year—probably as much the next year—and the Committee on

Ways and Means has been struggling with that proposition. If the time can possibly arise when no money ought to be loaned to anybody by this Government, except under the most dire necessity, that time has been reached right now.

I am inclined to think that, so far as the loans already made by the land bank are concerned, it is a case of dire necessity. I think that we can not afford to let these banks fail, and that is probably what would happen if we refused this money, and a large number of other calamities would ensue. I am therefore in favor of the Senate bill, but I am not in favor of anything further.

Why, gentlemen, take this matter into fair consideration. Gentlemen of the House, myself and others have been out during the vacation that ensued since the recess on December 18, calling upon men who had only $900 or $1,000 a year, or up to $1,500—sums that many gentlemen are saying now are not sufficient on which to support a family—asking them to subscribe to liberty loan bonds, and now we are proposing to take that money and loan it to somebody else who is in a better situation, so far as I know, than the men from whom it is proposed to derive this great sum of money. We ought to have consistency in our financial system. We are putting out bonds at 3½ per cent and 4 per cent, Government bonds, and we are asking the people to subscribe for them, saying that is the Government rate; and now we are proposing to loan out this money to some other parties in order that they may reduce some interest rates.

Such a proposition was never before presented to any Government or to any House, in my judgment. When this farm-loan bill was first presented to the House we were told that $9,000,000 would be enough to start it; that $100,000 would be enough to pay the expenses of organization; and that the money would not be loaned except to people who needed it in agriculture, upon first-class security.

Now we find that instead of taking a small amount it is going to take at least $100,000,000 this year and $100,000,000 next year under the amendment proposed by the gentleman from Virginia. Now we find that the organization expenses are not satisfied with $230,000, as some gentleman has stated, but that the expenses of loaning are, up to date, something like 2½ per cent on the amount loaned. How many votes would this proposition have got in the House if at the time the bill was originally pending in this House we had been told that when the Government was struggling to save itself from absolute destruction we would be called upon to furnish $200,000,000 more? Gentlemen say that we are loaning money to the allies—France and England. So we are, but I did not vote for that on the ground that it would lower the rate to France and England. I did it because I wanted to save the people of this country from having the Kaiser's foot on our necks. That is what I had in mind when I voted for that. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUIN. Mr. Chairman and gentlemen, every man who talks against this bill has some excuse to offer for his action. Here is the gentleman from Iowa, who stated that he voted to loan $500,000,000 to England, France, and Italy and for $200,000,000 to Russia. Yes; that is all right. I voted for it, too; but he is against this bill providing that the United States Treasury shall take up mortgages and lend $100,000,000 a year for the great farming industry of this country, that produces $22,000,000,000 worth of food and material for clothing to feed and clothe the people of this country and our allies in the war. [Applause.] Gentlemen are willing to loan hundreds of millions of dollars to our allies across the water, and all of us are in favor of that, but some of you object to the loan of $100,000,000 this year and $100,000,000 next year to the farmers of this Nation to make crops to feed and clothe the 104,000,000 people here and our allies in Europe and the million and a half of soldiers that we propose to have over there. So the gentleman from Kansas [Mr. CAMPBELL] strenuously objects to this bill after the farmers of his State have already received $5,000,000 from the Government under this proposition. So the gentleman from Philadelphia [Mr. MOORE], who always gets up here and takes a big hammer and hits the farmer over the head [laughter], proposes to rise up on this occasion and keep the farmer from having this money. They say that the United States Government is going out to ask for a $3,000,000,000 liberty loan, and that for that reason, forsooth, the farmers of this country should not have a loan to pay off the heavy debts and the mortgages that now hang over their heads in order that they may operate their farms successfully and produce the necessary food and clothing to keep up the world and carry on this war. [Applause.]

Gentlemen talk in favor of the Weeks amendment on this bill, but if they will analyze it they are bound to know that it cuts the guts out of the bill and that it will be worthless to the farmer who already has a mortgage or deed of trust on his land. [Applause.] Where is there a man on the floor of this House whose heart honestly beats for the farmer who will favor the Weeks amendment as passed by the Senate? Do you suppose that the men in this Congress who represent the great cities, with their enormous wealth and great financial interests—lenders of money, who come and offer amendments to this farm loan proposition—are going to come in here and offer amendments for the benefit of the farmer? Do you not know they are endeavoring to keep the rate of interest high? Always beware of such gifts as that. Look out for an amendment coming from some gentleman from a city, who has nothing in common with the man behind the plow. [Applause.]

This Glass substitute bill is the thing that will do the work. Farmers can borrow money at low rates of interest under this bill. You can not fool the man whose heart is for the farmer. We know the Weeks amendment is a wolf in sheep's clothes. [Applause.] Why, all of us men, who a few minutes ago voted for Uncle JOE CANNON'S amendment, which provided that the Government should guarantee these bonds, these men are for the farmers of this country heart and soul. I am happy to say I am one of them. [Applause.] I voted for that proposition when we had it in the original farm-loan bill. I voted for it in the caucus. The gentleman [Mr. GREEN of Iowa] who preceded me said, "Who would ever dream that anybody in this Congress would vote for a proposition for the United States Treasury to buy these mortgages from the farmers?"

Why, my friends, I voted for that in the Democratic caucus in 1913, and a great many more friends of the farmers voted for it. We were not in a majority in that caucus, but here to-day I am proud to see a great drove of Republicans who are friends of the farmer come over to this proposition and are advocating it on the floor of the House. [Applause.]

One gentleman, endeavoring to kill our bill, said it is populism. Well, we have needed a little populism in this country for a long time. [Laughter.] Some talk about taking over the railroads. Nobody can object to the Government coming along and taking the railroads when they are so congested. All of you ought to favor it. I am no Socialist, but I am proud to-day to see you gentleman recognize the fact that the Government of the United States is already in charge of the railroads of this country, and I hope it will be in charge of them from now until the very end of the existence of man. The farmers of this country have been robbed too long by the transportation companies. When private enterprise can not handle things in an emergency to properly protect the people the Government should take charge and protect the masses of this Republic. People should not be forced to shiver and freeze for the lack of coal—and suffer and starve for the lack of food. [Applause.]

Mr. McFADDEN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Line 9, page 1, after the words "nineteen hundred and eighteen," strike out the rest of that line and line 10 down to and including the word "respectively."

Mr. McFADDEN. Mr. Chairman, also the following amendment, which I send to the desk, to complete that.

The Clerk read as follows:

In line 4, page 2, after the figures "$100,000,000," strike out the words "in either of such fiscal years."

Mr. McFADDEN. Mr. Chairman, that simply provides that the appropriation is for the current year, for $100,000,000, to conform to the Weeks amendment, which will be offered a little later. I do not care to discuss those amendments at this time.

Mr. SUMNERS. Mr. Chairman, I am opposed to the Weeks amendment. In order that the maximum of benefit may be had from the Federal farm-loan bank, it is necessary not only to provide a low rate of interest for the loans effected through the bank but it is necessary that the bank shall at all times be in unrestricted competition with private capital seeking investment in farm loans. During the course of this debate a number of gentlemen have based their opposition to the House bill upon the proposition that it would be unjust to the patriotic citizens of this country, and especially to the poor people, who placed their money in the Federal Treasury by the purchase of liberty loan bonds, for any part of that money to be used, as it may be used if this bill is passed without the Weeks amendment.

Mr. Chairman, I desire to direct the attention of these gentlemen to the fact that in this country we have passed the point where it is wise to consider that the farmer alone is interested in the economic problem of the farm. The whole country is face to face with the imperative necessity of helping agriculture to raise its bid for population, in order that that proportion of population which is necessary to feed and clothe us may be held in the country. There is no longer a surplus of agri-

cultural products. Even though agricultural products are still sold to the highest bidder the margin between production and the imperative necessity is so narrow that the consumers are compelled to include in the price given for that which they eat all overhead charges incident to production. Nobody is more interested than the poor man of the city in having a cheap interest rate for the farmers of this country, because the poor man of the city must pay in the price of every loaf of bread which he purchases a part of the interest charge which the farmer must pay who produces that bread.

The country boy of to-day has been liberated by education from the necessity of following the vocation of his father. He must have as much net profit from agriculture as any other business offer or he will accept the better bid of the other business. Net profit, gentlemen; that is what we must pay. The movement of population in this country shows conclusively that the cities have been offering the better bid, and the almost total exhaustion of the world's reserve food supply shows conclusively that associated with the high cost of living is the peril of widespread hunger.

We have reached the point in the evolution of this problem, Mr. Chairman, when those who are the spokesmen for the farming interests must not shake the confidence of others in their sincerity by engaging in demagogy, and those who represent the great cities of this country must recognize that as they imperil the strength and attractiveness of agriculture they imperil the food and raiment supply of their constituents. I say that the farmer is no better than anyone else. I would not ask anything for him which is contrary to the soundest public policy. I speak the truth when I say that those of you who live in the cities are more concerned in this great drift of population from the country to the city than are those who represent country constituents. You are more concerned in interest rates than all the farmers because you must pay the charge.

We have reached the point, Mr. Chairman, when the margin between imperative necessity and current production is so narrow that if we were to slip a cog in the machinery of production the question would not be the high cost of living; but where on the face of this wide earth can we get those elements necessary to sustain life? When that time comes, when there is not enough to go around, the constituents of those who represent country districts can hold back enough for themselves, but I ask you gentlemen who represent great cities with their millions of population, a population which neither produces nor possesses a reserve surplus, what will be their situation then? What will you do when these hunger-crazed millions march down your streets behind red banners? Let us face the situation fairly. If the Weeks amendment is adopted, by its adoption you provide that those mortgage concerns which now hold farm mortgages shall not be under the necessity of competing for their renewal with the rates of interest carried by the loans made through the Federal Farm Loan Bank. If you do that, you people who live in the cities will pay the 8 and 10 per cent interest which some of those loans carry. You can not escape it—it is a fundamental economic fact, under existing conditions, that the farmer must have as much net profit as any other business will pay, or he will go to that business which offers him a higher net profit.

That is what has been happening in this country. We have reached the danger point—we have gone beyond the danger point. Our condition is one which appeals to the best constructive genius of this country and to its most disinterested statesmanship. The problems of the farmers are the problems of the country at large.

Mr. JACOWAY. Mr. Chairman, I think the record will disclose that the tenant class in this country has doubled in the last 11 or 12 years; and I would like to ask the gentleman if he has given any thought to that, and if so, what reason he can assign for it?

Mr. SUMNERS. Pardon me for not answering that, because I have not time. However, some gentlemen seem to be laughing, because, I presume, they have concluded that the question embarrasses me and I shall therefore answer it, not in detail, of course. Fundamentally, I should say that the reason why this has occurred is because neither the officials of the Federal Government nor of the several States have recognized that in dealing with the question of home ownership they are not dealing with a matter, from the Government's standpoint, at least, of primary concern to the individual, but are dealing with a matter which is of paramount concern to the Government.

No theory of government can excuse those who act and speak for the Government for permitting the relative decrease of home owners, because the home—the owned home—is the foundation upon which government rests. No government is justified by any consideration in permitting its own foundation to become weakened. A nation of home owners, regardless of its system or theories of government, can safely be trusted to deal effectively with its problems. No government whose body of citizenship is not composed of home owners is safe, I care not what its form or theories of government are. To the extent of necessity, therefore, every government should go to preserve for itself a foundation of home owners. We have not done that. The Federal farm-loan act is a step in that direction. The Weeks amendment is a step backward. Getting somewhat away from this fundamental aspect, the reason for the increase of tenantry is due to a number of related causes. I will not undertake to enumerate them all.

When the railroads and power factories came, and with them improved farm machinery, the cities began to develop and to offer to the energy and the capital of the country and to the educated and ambitious youth of the country better inducements than the country offered. Many of the young men and women bred in the country, capable of leadership, capable of making money in the country, and therefore capable of acquiring homes for themselves, left the country and left behind them a larger percentage of men in the country who are not so capable from a money-making standpoint. That of itself would necessarily reduce the home-getting average of the country population. Many of those who remained in the country who were possessed of money-making ability, after acquiring sufficient land to sustain their families from the rent thereof, moved to the town and city because of better educational advantages and the other attractions which they found there. The superior economic advantages offered by the vocations of the cities and towns shifted the wealth of the country largely to the inhabitants of the cities and towns, and many men of the cities and towns, by reason of the better credit which their fortunes gave to them, were able to procure money at a lower rate of interest than the individual living in the country and could, therefore, outbid the country man for farm lands coming on the market, other things being equal. Besides, many of them having businesses in the cities and towns which provided them a livelihood, and because of the constant advance in farm lands, they could afford to pay a price upon which they would realize a smaller per cent of revenue than they would ordinarily require, depending upon the increase in farm values to supplement the annual earnings, while the poor man in the country could only offer a price upon which, if he borrowed the money, he could pay interest charges on the principal and liquidate the debt.

The other reasons for the increase of tenantry is disclosed from the form and philosophy of this sort of legislation, which seeks to substitute for high interest rate and a short-time loan low interest rate and amortized payment, under which the tenant farmer can pay the loan in payments which are practically no larger than the interest rate on the farm loans in a large part of the country before this legislation was enacted.

I can not go further into detail. In a sentence, I will say that the increase of tenantry is due to that failure to approach the vital, imperative necessity of home ownership to the Government itself, which, it seems to me, the attitude of some gentlemen here discloses, and the failure to appreciate that the economic problems of agriculture in a peculiar sense are the problems of all of us who must eat to live.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SUMNERS. Mr. Chairman, I would ask that I may have five minutes additional.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that he may proceed for five minutes. Is there objection?

Mr. LENROOT. Mr. Chairman, reserving the right to object, I have no objection provided liberal debate is still to be extended.

Mr. GLASS. I think we have had quite liberal debate, and I propose to move to close debate on all amendments.

Mr. SUMNERS. Then I will not insist.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. MOORE of Pennsylvania. I will not object, but I should like to ask if I could have five minutes before this debate closes somewhere on one of these amendments?

Mr. GLASS. I do not think that it is reasonable that those who have had ample time should take all of the remaining time. I have refrained from invoking the rule because there are so many Members on both sides who have not spoken at all and who have appealed for some time. I am not disposed to have a long debate for the benefit of those who have already spoken.

Mr. LENROOT. The Weeks amendment has not——

Mr. SUMNERS. Mr. Chairman, in view of the peculiar situation that seems to be developed, I withdraw my request.

The CHAIRMAN. The gentleman from Texas withdraws his request.

Mr. KINKAID. Mr. Chairman, I am heartily in favor of the relief as sought by the Farm Loan Board. The condition which confronts the board in the administration of the law is one that ought to be promptly relieved. The board and the farm-land banks are stranded for want of funds. This very beneficent act had but a short time in which to get a start, and we should not allow it to perish while it is yet a yearling, but we should give it fatherly assistance, having brought it into legislative existence. [Applause.]

I think the demand for relief is reasonable and justifiable. I am unqualifiedly in favor of the amendment of the gentleman from Virginia to substitute the House bill for the Senate bill. I should have gone further—well, in fact, I have gone further—in voting for the amendment to the amendment offered by the gentleman from Illinois [Mr. CANNON] that the Government guarantee the payment of farm-land bank bonds. I thing that amendment well reflects the wisdom of long-experienced statesmanship.

Mr. Chairman, why should the Government go half way and not all the way in sustaining the operation of the act? Why obligate itself morally, which it has admitted that it has done, to make good and safe the investments in farm-loan bonds without shouldering the responsibility legally and unrestrictedly? It is plain that to remain only morally obligated would thus leave it uncertain how a future administration with a future Congress might view the matter, and that such an attitude would make investors as apprehensive and as cautious as if the Government had given the system no support whatever.

Why not go further and guarantee that farm-loan bonds shall be at all times kept at par to the same extent as a Government bond, pure and simple, is? By so doing the risk and responsibility assumed by the Government would be reduced to the minimum by the increased standing in value given the bonds, and I deem it very unlikely that the Government would ever be called on to redeem bonds if it would guarantee payment.

On the other hand, simply to stand responsible for the act, and, as a mere gratuity, to help along now and then with its operation, may compel the Government to buy and carry a large percentage of the bonds, and thus to become so loaded with such investments as to render it advisable to issue its own bonds whereby to secure funds to pay for the same.

Mr. Chairman, our history has established precedents that prove the Government recognizes a moral obligation equally with a legal obligation. Fortunately, our chief administrators have been wise enough to foresee that it was a good investment and a good State policy to sustain the faith and confidence of the people that justice will be done them at all times and in all cases.

But what is the status? Why, applications for loans have been accepted by farm-land banks to the extent of $70,000,000, for which the money has not yet been furnished. A large percentage of these applicants are intending to use all or a considerable portion of the money to pay off existing mortgages, and when their applications were accepted they promised their mortgagees to make payments within a certain time. But the farm-land banks were unable to furnish the money within the periods agreed upon, and in many instances the applicants have been obliged to go to their local banks and borrow sufficiently to take up their mortgages. In most cases a short time was given these borrowers by the local banks, and now, when the creditor banks and their patrons need this money for the ordinary commercial transactions, it is lacking. These banks, large and small, doubtless were assured by the farm-land banks that the money would be forthcoming soon in accordance with the applications they had accepted, and, in order that the farm-land banks may keep faith with the local banks, who have undertaken to help the borrowers as well as the farm-land banks, relief must somehow be afforded them.

Mr. Chairman, I take issue with the two or more Members who maintain that it is not justifiable or legitimate to legislate the relief sought for the purpose merely of reducing the rate of interest 1 per cent, which farmers must pay. It is my judgment that this is sufficient ground for affording the relief. One of the fundamental purposes of the farm-loan law, when first sought, was to secure lower rates of interest, and I am glad to say that has been already, in a measure, realized, but the result will be only temporary if the operation of the act is permitted to be long suspended for the want of funds, as is now the actual situation. Members point out that none of their constituents have written them in behalf of this legislation; neither have my constituents expressly requested me to support it; but a number of them have written me earnestly, complaining of the delay in consummating loans for which their applications have been accepted; but in any event, I favor extending relief. I grant that there are large areas where farmers feel no interest whatever in the subject, because of their good fortune in not needing loans, since they have large accumulations or live in communities so old and so well developed that interest rates have become reasonably low.

Mr. Chairman, I am in favor of affording relief in accordance with the recommendations made by the Farm Loan Board and O. K.'d by the Secretary of the Treasury. I favor it as a war measure; but if our country were not involved in war and the same or a less degree of necessity existed, I would favor the relief.

Both the great political parties were pledged to the farming industry for a farm-loan law for several years before its enactment. Considerable expenditures were made under Republican administrations in collecting information concerning the operation of farm-loan banking systems in European countries, to be used in the preparation of a farm-loan bill, so that the views of Congress had become pretty well matured on the subject before formal steps were taken for legislation when the change came.

Having launched the policy under the act passed, it would not now become us to let it lag or fail for the want of funds, which the Government can without difficulty supply.

The purpose of legislation is to help rather than to hinder the successful operation of the law, and this object will be reached by substituting the House bill unhampered by any restrictions. [Applause.]

Mr. GLASS. Mr. Chairman, I move to close all debate on the pending amendment and all amendments thereto.

Mr. LENROOT. Mr. Chairman, I do not think that is fair. The Weeks amendment has not been offered yet.

Mr. GLASS. I gave notice half an hour ago that it ought to be sent up.

Mr. LENROOT. But under the rules of the House the only way it could be offered is to get recognition, and I have been trying to get recognition for an hour.

Mr. WINGO. Mr. Chairman, I make the point of order the gentleman is out of order.

Mr. LENROOT. I know I am.

The CHAIRMAN. The gentleman from Virginia moves that all debate on this amendment and all amendments thereto do now close.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. MOORE of Pennsylvania. Mr. Chairman, a division.

The committee proceeded to divide.

Mr. LENROOT. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LENROOT. The motion is that the debate close on this amendment and all pending amendments. I make the point of order that the reading of this amendment has not been completed. Only section 1 of the amendment has been read.

The CHAIRMAN. The entire amendment has been read.

Mr. LENROOT. I beg the gentleman's pardon. The gentleman from Virginia [Mr. GLASS] at the conclusion of the reading of section 1 offered his amendment.

Mr. WINGO. If that is true, the point of order comes too late.

Mr. MOORE of Pennsylvania. Mr. Chairman, I make the point of order that that is not in order when the committee is dividing.

The CHAIRMAN. The Chair sustains the point of order and will continue the count.

The count was completed; and there were—ayes 72, noes 63.

Mr. LENROOT. Now, I make the point of order that this vote is of no effect because it was not within the power of the Committee of the Whole to make any such order.

The CHAIRMAN. The Chair——

Mr. LENROOT. I want to be heard if the Chair raises any question about it.

The CHAIRMAN. The Chair would like the gentleman to state his argument on the proposition. Does the Chair understand the gentleman to say that in the Committee of the Whole the debate can not be closed after the question has been debated for five minutes?

Mr. LENROOT. Let me give an illustration: Suppose we had a tariff bill under consideration, and at the end of the consideration of the first paragraph in that tariff bill a motion was made to close debate upon the entire bill, and through misunderstanding on the part of the Chair that motion had been put. Now, will the Chair say that if the committee voted to close debate upon that entire tariff bill, something the committee under the rules of the House had no power to do, the vote would be of any effect whatever? And that is exactly this situation.

Mr. SHERLEY. If the Chair please, the Chair has no right to assume that the Committee of the Whole acts without in-

telligence and knowledge of what it is doing. The fact is, a motion was made that might have been subject to a point of order. The gentleman from Wisconsin [Mr. LENROOT], assuming that he had a good point of order, slept on his right and did not make it until after the House was dividing, and therefore lost the right.

Mr. LENROOT. In reply to the suggestion of the gentleman from Kentucky, I would suggest to the Chair, irrespective of a point of order being made, until the reading of a bill is completed the Chair would have no right to put the motion. It does not require a point of order on the part of a Member, because it is the absolute right of every Member, irrespective of a point of order, to have the reading of the bill completed before this motion can be made at all. And if made under that situation it is of no effect.

The CHAIRMAN. The Chair will state to the gentleman from Wisconsin [Mr. LENROOT] that he tried to recognize the gentlemen as they rose who had not spoken under general debate.

Mr. LENROOT. I am not criticizing the Chair——

The CHAIRMAN. The Chair is just stating that. And the Chair tried to be fair. But the Clerk informs the Chair that this bill was read, and that the whole amendment was read as offered by the gentleman from Virginia [Mr. GLASS]. There was no point raised at that time that applied to both sections. And debate has been had on these amendments that have been offered.

Mr. LENROOT. The bill was read, but the amendment was not read, except the first section.

Mr. SISSON. The amendment was read.

The CHAIRMAN. The Clerk informs the Chair that they were read, and so the Chair thinks the motion to close debate was in order and therefore overrules the point of order. On this vote the ayes were 72, and the noes 63.

Mr. LENROOT. Mr. Chairman, I ask for tellers.

Mr. SHERLEY. Mr. Chairman, I make the point of order that the gentleman's demand for tellers is too late. The gentleman permitted the Chair to announce his decision, and then made the point that the decision had no validity, because the committee could not entertain or could not act upon such a matter. Now, having urged that the action of the committee had no validity, and being overruled, he wants to reconsider by tellers the action of the committee.

The CHAIRMAN. The Chair thinks the count had not been announced, and so he overrules the point of order of the gentleman from Kentucky [Mr. SHERLEY]. All in favor of tellers will rise and be counted. [After counting.] A sufficient number has risen. The gentleman from Wisconsin [Mr. LENROOT] and the gentleman from Virginia [Mr. GLASS] will act as tellers.

The committee again divided; and the tellers reported—ayes 88, noes 70.

So the motion was agreed to.

The CHAIRMAN. The Clerk will report the amendment to the amendment offered by the gentleman from Pennsylvania [Mr. MCFADDEN].

The Clerk read as follows:

On line 9, page 1, after the words "nineteen hundred and eighteen," strike out the rest of that line and line 10 down to and including the word "respectively."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will report the other amendment offered by the gentleman from Pennsylvania [Mr. MCFADDEN].

The Clerk read as follows:

Line 4, page 2, after the figures "$100,000,000," strike out the words "in either of such fiscal years."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. MCFADDEN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers another amendment, which the Clerk will report.

The Clerk read as follows:

Mr. MCFADDEN offers the following: Amend, on page 2, by striking out, on line 8, the words "one year" and inserting in lieu thereof the words "two years," and on lines 9 and 10 strike out the words "upon 30 days' notice from the Secretary of the Treasury."

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Did the motion that recently passed preclude all debate on these amendments?

The CHAIRMAN. It precludes all debate, but does not preclude amendments being offered.

Mr. MOORE of Pennsylvania. There can be no further debate?

The CHAIRMAN. No; there can be no further debate. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. MCFADDEN].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The vote now is on the amendment offered by the gentleman from Virginia [Mr. GLASS].

The question was taken, and the amendment was agreed to.

Mr. GLASS. Mr. Chairman, I now move that the committee rise and report the bill with amendments to the House.

Mr. LENROOT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LENROOT. I desire to ask whether section 2 of the original bill has been read for amendment?

The CHAIRMAN. The Chair will state that section 2 was embodied in the amendment of the gentleman from Virginia [Mr. GLASS]; that the motion was made to strike out all after the enacting clause. The question is on agreeing to the motion of the gentleman from Virginia, that the committee rise and report the bill and amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HARRISON of Mississippi, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill S. 3235, amending section 32, Federal farm-loan act, approved July 17, 1916, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. GLASS. Mr. Speaker, I ask for a yea-and-nay vote. No; I will withdraw that request.

Mr. FORDNEY. Mr. Speaker, I renew the motion. I demand the yeas and nays on the bill.

Mr. SHERLEY. We have not reached the passage of the bill yet.

Mr. FORDNEY. On the amendment.

The SPEAKER. Does the gentleman demand the yeas and nays on the amendment?

Mr. FORDNEY. Yes; on the amendment.

Mr. GILLETT. Mr. Speaker, I demand the yeas and nays on the Glass amendment.

The SPEAKER. The gentleman from Massachusetts demands the yeas and nays. Those in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Forty-five gentlemen have risen in the affirmative—a sufficient number.

Mr. WINGO. I ask for the other side, Mr. Speaker.

The SPEAKER. The gentleman from Arkansas demands the other side. Those opposed to taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] One hundred and six Members in the negative and 45 in the affirmative. A sufficient number in the affirmative. The yeas and nays are ordered, and the Clerk will report the amendment.

The Clerk began reading the amendment.

Mr. SHERLEY. Mr. Speaker, it is not necessary to read the amendment again. It has been read once.

The SPEAKER. Members ought to know what they are to vote on. The Clerk will report the amendment.

The Clerk resumed and completed the reading of the amendment, as follows:

Strike out all after the enacting clause and insert the following:

"That the Federal farm-loan act, approved July 17, 1916, is hereby amended by adding at the end of section 32 the following:

"'The Secretary of the Treasury is further authorized, in his discretion, upon the request of the Federal Farm Loan Board, from time to time during the fiscal years ending Junt 30, 1918, and June 30, 1919, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm-loan bonds issued by such bank.

"'Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years. Any Federal land bank may at any time repurchase at par and accrued interest for the purpose of redemption or resale any bonds so purchased from it and held in the Treasury.

"The bonds of any Federal land bank so purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this amendment one year after the termination of the pending war shall upon 30 days' notice from the Secretary of the Treasury be redeemed or repurchased by such bank at par and accrued interest.

"The temporary organization of any Federal land bank as provided in section 4 of said Federal farm-loan act shall be continued so long as any farm-loan bonds purchased from it under the provisions of this amendment shall be held by the Treasury, and until the subscriptions to stock in such bank by national farm-loan associations shall equal the amount of stock held in such bank by the Government of the United States.'

"SEC. 2. That all acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. The right to amend, alter, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on agreeing to the amendment. The Clerk will call the roll.

The question was taken; and there were—yeas 218, nays 70, answered "present" 1, not voting 139, as follows:

YEAS—218.

Alexander	Drane	Kennedy, Iowa	Rubey
Almon	Dupré	Kettner	Russell
Anderson	Eagle	Kiess, Pa.	Schall
Aswell	Ellsworth	Kincheloe	Scott, Iowa
Austin	Emerson	Kinkaid	Scott, Mich.
Ayres	Esch	Kitchin	Sells
Baer	Evans	Knutson	Shackleford
Bankhead	Fairfield	La Follette	Shallenberger
Barkley	Farr	Langley	Sherley
Beakes	Ferris	Larsen	Sherwood
Bell	Fields	Lazaro	Shouse
Beshlin	Fisher	Lea, Cal.	Siegel
Black	Flood	Lee, Ga.	Sims
Blackmon	Focht	Lesher	Sinnott
Bland	Foster	Lever	Sisson
Blanton	Frear	Little	Sloan
Borland	French	Littlepage	Small
Brand	Fuller, Ill.	Lobeck	Smith, Idaho
Brodbeck	Fuller, Mass.	London	Smith, T. F.
Buchanan	Gandy	Lonergan	Snook
Burnett	Gard	Lunn	Steagall
Byrnes, S. C.	Garner	McAndrews	Stedman
Byrns, Tenn.	Garrett, Tenn.	McClintic	Steele
Caldwell	Garrett, Tex.	McKenzie	Steenerson
Campbell, Pa.	Glass	McKeown	Stephens, Miss.
Candler, Miss.	Godwin, N. C.	McLemore	Stephens, Nebr.
Cannon	Gray, Ala.	Mansfield	Stevenson
Cantrill	Gregg	Mapes	Sumners
Caraway	Hadley	Mays	Sweet
Carlin	Hamill	Mondell	Switzer
Carter, Okla.	Hamilton, Mich.	Montague	Taylor, Ark.
Chandler, Okla.	Hamlin	Moon	Thomas
Classon	Hardy	Morgan	Thompson
Claypool	Harrison, Miss.	Nicholls, S. C.	Van Dyke
Coady	Harrison, Va.	Norton	Venable
Collier	Haskell	Oldfield	Vinson
Connelly, Kans.	Hastings	Oliver, Ala.	Voigt
Cooper, Ohio	Haugen	Oliver, N. Y.	Volstead
Cramton	Hawley	Olney	Walton
Currie, Mich.	Hayden	Osborne	Watkins
Dale, N. Y.	Helvering	O'Shaunessy	Weaver
Davidson	Hensley	Overmyer	Welling
Davis	Hilliard	Overstreet	Welty
Decker	Holland	Park	Whaley
Denison	Hood	Quin	White, Ohio
Dent	Huddleston	Rainey	Williams
Denton	Hull, Iowa	Raker	Wilson, La.
Dewalt	Hull, Tenn.	Ramseyer	Wilson, Tex.
Dickinson	Igoe	Randall	Wingo
Dies	Jacoway	Rankin	Woods, Iowa
Dillon	Johnson, Ky.	Rayburn	Woodyard
Dixon	Jones, Tex.	Reavis	Young, N. Dak.
Dominick	Keating	Roberts	Young, Tex.
Doughton	Kehoe	Romjue	
Dowell	Kelley, Mich.	Rouse	

NAYS—70.

Bacharach	Gould	McArthur	Stafford
Bowers	Graham, Ill.	McFadden	Stiness
Burroughs	Green, Iowa	Madden	Tague
Butler	Greene, Vt.	Merritt	Temple
Campbell, Kans.	Griest	Moore, Pa.	Tilson
Carter, Mass.	Hayes	Mudd	Towner
Dale, Vt.	Heaton	Nolan	Treadway
Dallinger	Hersey	Parker, N. J.	Vestal
Darrow	Hicks	Peters	Waldow
Edmonds	Hutchinson	Phelan	Walsh
Elliott	Juul	Platt	Ward
Elston	Kahn	Purnell	Watson, Pa.
Foss	Kearns	Ramsey	Wheeler
Fordney	Kennedy, R. I.	Robbins	White, Me.
Francis	Kraus	Rose	Wood, Ind.
Freeman	Lehlbach	Sabath	
Gillett	Lenroot	Sanders, Ind.	
Glynn	Lufkin	Snell	

ANSWERED "PRESENT"—1.

Browning

NOT VOTING—139.

Anthony	Brumbaugh	Clark, Fla.	Costello
Ashbrook	Capstick	Clark, Pa.	Cox
Barnhart	Carew	Connally, Tex.	Crago
Booher	Cary	Cooper, W. Va.	Crisp
Britten	Chandler, N. Y.	Cooper, Wis.	Crosser
Browne	Church	Copley	Curry, Cal.
Dempsey	Houston	Miller, Wash.	Scott, Pa.
Dill	Howard	Moores, Ind.	Scully
Dooling	Humphreys	Morin	Sears
Doolittle	Husted	Mott	Slayden
Doremus	Ireland	Neely	Slemp
Drukker	James	Nelson	Smith, Mich.
Dunn	Johnson, S. Dak.	Nichols, Mich.	Smith, C. B.
Dyer	Johnson, Wash.	Padgett	Snyder
Eagan	Jones, Va.	Paige	Sterling, Ill.
Estopinal	Kelly, Pa.	Parker, N. Y.	Sterling, Pa.
Fairchild, B. L.	Key, Ohio	Polk	Strong
Fairchild, G. W.	King	Porter	Sullivan
Flynn	Kreider	Pou	Swift
Foss	LaGuardia	Powers	Talbott
Gallagher	Linthicum	Pratt	Taylor, Colo.
Gallivan	Longworth	Price	Templeton
Garland	Lundeen	Ragsdale	Tillman
Good	McCormick	Reed	Timberlake
Goodall	McCulloch	Riordan	Tinkham
Goodwin, Ark.	McKinley	Robinson	Vare
Gordon	McLaughlin, Mich.	Rodenberg	Walker
Graham, Pa.	McLaughlin, Pa.	Rogers	Wason
Gray, N. J.	Magee	Rowe	Watson, Va.
Greene, Mass.	Maher	Rowland	Webb
Hamilton, N. Y.	Mann	Rucker	Wilson, Ill.
Heflin	Martin	Sanders, La.	Winslow
Heintz	Mason	Sanders, N. Y.	Wise
Helm	Meeker	Sanford	Zihlman
Hollingsworth	Miller, Minn.	Saunders, Va.	

So the amendment was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. POU with Mr. RODENBERG.

Mr. HELM with Mr. STRONG.

Mr. SCULLY with Mr. LAGUARDIA.

Mr. TALBOTT with Mr. BROWNING.

Mr. ASHBROOK with Mr. ANTHONY.

Mr. BARNHART with Mr. BRITTEN.

Mr. BOOHER with Mr. BROWNE.

Mr. BRUMBAUGH with Mr. CAPSTICK.

Mr. CAREW with Mr. CARY.

Mr. CHURCH with Mr. CHANDLER of New York.

Mr. CLARK of Florida with Mr. CLARK of Pennsylvania.

Mr. CONNALLY of Texas with Mr. COOPER of West Virginia.

Mr. COX with Mr. COOPER of Wisconsin.

Mr. WISE with Mr. TEMPLETON.

Mr. CROSSER with Mr. WASON.

Mr. DILL with Mr. CRAGO.

Mr. DOOLING with Mr. CURRY of California.

Mr. DOREMUS with Mr. DEMPSEY.

Mr. EGAN with Mr. WILSON of Illinois.

Mr. ESTOPINAL with Mr. DUNN.

Mr. FLYNN with Mr. ZIHLMAN.

Mr. GALLAGHER with Mr. BENJAMIN L. FAIRCHILD.

Mr. GALLIVAN with Mr. GEORGE W. FAIRCHILD.

Mr. GOODWIN of Arkansas with Mr. FOSS.

Mr. GORDON with Mr. GARLAND.

Mr. HEFLIN with Mr. ROWE.

Mr. HOUSTON with Mr. GOODALL.

Mr. HOWARD with Mr. GRAHAM of Pennsylvania.

Mr. HUMPHREYS with Mr. GREENE of Massachusetts.

Mr. JONES of Virginia with Mr. HAMILTON of New York.

Mr. KELLY of Pennsylvania with Mr. ROWLAND.

Mr. KEY of Ohio with Mr. HOLLINGSWORTH.

Mr. LINTHICUM with Mr. HUSTED.

Mr. MAHER with Mr. IRELAND.

Mr. MARTIN with Mr. JAMES.

Mr. NEELY with Mr. SANFORD.

Mr. WEBB with Mr. JOHNSON of Washington.

Mr. PADGETT with Mr. KING.

Mr. POLK with Mr. SIEGEL.

Mr. PRICE with Mr. LONGWORTH.

Mr. RIORDAN with Mr. SMITH of Michigan.

Mr. ROBINSON with Mr. SNYDER.

Mr. RUCKER with Mr. MCKINLEY.

Mr. SANDERS of Louisiana with Mr. MCLAUGHLIN of Pennsylvania.

Mr. SANDERS of New York with Mr. MCLAUGHLIN of Michigan.

Mr. SAUNDERS of Virginia with Mr. MCGEE.

Mr. SEARS with Mr. MASON.

Mr. SLAYDEN with Mr. MEEKER.

Mr. STERLING of Pennsylvania with Mr. MILLER of Minnesota.

Mr. CHARLES B. SMITH with Mr. STERLING of Illinois.

Mr. SULLIVAN with Mr. MOTT.

Mr. TAYLOR of Colorado with Mr. NICHOLS of Michigan.

Mr. TILLMAN with Mr. PAIGE.

Mr. WALKER with Mr. PORTER.

Mr. WATSON of Virginia with Mr. POWERS.

Mr. WEBB with Mr. PRATT.

On this vote:

Mr. TIMBERLAKE (for) with Mr. COSTELLO (against).

Mr. CRISP (for) with Mr. TINKHAM (against).
Mr. LUNDEEN (for) with Mr. WINSLOW (against).
Mr. DOOLITTLE (for) with Mr. ROGERS (against).
Mr. RAGSDALE (for) with Mr. GRAY of New Jersey (against).

Mr. BROWNING. Mr. Speaker, I voted "no." I am paired with my colleague, Mr. TALBOTT. I wish to withdraw that vote and answer "present."

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, I want to vote "aye."

The SPEAKER. Was the gentleman in the Hall and listening when his name should have been called?

Mr. BENJAMIN L. FAIRCHILD. I am not sure. I was rushing in in response to the bell, and got in as soon as I could.

The SPEAKER. The gentleman does not qualify himself to vote.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is on the third reading of the Senate bill.

The question was taken; and the bill was ordered to be read a third time and was read the third time.

Mr. CANNON. Mr. Speaker, I move to recommit the bill with the following instructions.

The Clerk read as follows:

Mr. CANNON moves to recommit the bill with instructions to report it back forthwith amended as follows:

Strike out all of section 1 of the bill beginning with line 6, page 1, and insert:

"The payment of all bonds, both principal and interest, heretofore or hereafter issued by any Federal land bank is hereby guaranteed by the Government of the United States."

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the motion was rejected.

The SPEAKER. The question now is on the passage of the bill.

The question was taken, and the bill was passed.

Mr. GLASS. Mr. Speaker, I move that the House insist on its amendment to the Senate amendment and ask for a conference with the House.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. GLASS, Mr. PHELAN, and Mr. HAYES.

EXTENSION OF REMARKS.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WALSH. I object.

Mr. NORTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD in the speech I have already made.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WALSH. I object.

LEAVE OF ABSENCE.

Mr. BARNHART, by unanimous consent was given leave of absence on account of illness.

The SPEAKER. The Clerk will read this telegram.

The Clerk read as follows:

PHILADELPHIA, PA., *January 4, 1918.*

Hon. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.:

My colleagues, PETER E. COSTELLO and JOHN R. K. SCOTT, and I are unable to reach Washington to-day on account of inadequate railroad train service.

WM. S. VARE.

The SPEAKER. The Chair construes this as asking for leave of absence. Is there objection? [After a pause.] The Chair hears none.

LEAVE TO PRINT.

Mr. GLASS. Mr. Speaker, in view of the fact that there are so many Members of the House who wanted to speak on this bill and were not permitted to do so, I ask unanimous consent that general leave to print on this bill be allowed for five legislative days.

The SPEAKER. The gentleman from Virginia asks unanimous consent that all gentlemen have leave to print for five legislative days on the bill. Is there objection?

Mr. WALSH. I object.

Mr. GLASS. Then, Mr. Speaker, I move that they be allowed to have five legislative days to print on the bill.

Mr. WALSH. I make the point of order that that is not in order.

The SPEAKER. The gentleman from Virginia moves that all Members be given five legislative days to print on the bill.

Mr. WALSH. I make the point of order that the motion is not in order; that you can not make a motion of that kind under the rule.

Mr. STAFFORD. Mr. Speaker, I make the point of order that no quorum is present.

Mr. GLASS. I move to suspend the rules.

The SPEAKER. The gentleman can not do that to-day. Will the gentleman from Wisconsin withhold his point for the present?

Mr. STAFFORD. I will withdraw it for the present.

ADJOURNMENT OVER.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next. Is there objection?

There was no objection.

CUSTOMS-COLLECTION DISTRICTS (H. DOC. NO. 753).

The SPEAKER laid before the House the following message from the President of the United States, which was read, ordered printed, and referred to the Committee on Ways and Means:

By Executive order dated September 7, 1917, effective October 1, 1917, customs-collection district No. 23, of which Laredo was the headquarters port, and district No. 25, of which Eagle Pass, Tex., was the headquarters port, were abolished and a new district No. 23 created with headquarters at San Antonio, Tex.

Districts No. 22, of which Galveston is the headquarters port, and No. 24, of which El Paso is the headquarters port, were enlarged. These changes were made in order to insure a better administration of the customs laws and to lessen the expenses.

WOODROW WILSON.

THE WHITE HOUSE, *4 January, 1918.*

COUNCIL OF NATIONAL DEFENSE (S. DOC. NO. 156).

The SPEAKER laid before the House the following message from the President of the United States, which was referred to the Committee on Appropriations and, without the accompanying document, ordered printed:

To the Senate and House of Representatives:

In accordance with the provisions of the act of Congress approved August 29, 1916, establishing the Council of National Defense and providing for the appointment of an advisory commission to the council, I transmit herewith the first annual report of the council, the advisory commission, and the subordinate agencies of both bodies for the fiscal year ended June 30, 1917.

WOODROW WILSON.

THE WHITE HOUSE, *4 January, 1918.*

UNANIMOUS CONSENT TO ADDRESS THE HOUSE.

Mr. STAFFORD. Mr. Speaker, I make the point that there is no quorum present.

Mr. BORLAND. Mr. Speaker, I rise to prefer a request for unanimous consent. I ask unanimous consent that on next Tuesday, after the reading of the Journal and the disposition of business on the Speaker's table, I may be allowed to address the House for 30 minutes.

Mr. GILLETT. On what subject?

Mr. BORLAND. It is the one hundredth anniversary of the application of Missouri for statehood.

The SPEAKER. Is there objection?

There was no objection.

Mr. CARLIN. Mr. Speaker, I ask the Chair to lay before the House Senate joint resolution 106.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 10 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Monday, January 7, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the chairman of the United States Shipping Board, submitting a supplemental estimate of

appropriation for the acquisition or establishment of plants suitable for shipbuilding (H. Doc. No. 739); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the president of the Civil Service Commission, submitting supplemental estimates of appropriations required by the commission for salaries and expenses for the fiscal year 1919 (H. Doc. No. 740); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Bayou Queue De Totue, La. (H. Doc. No. 741); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Columbia River, Oreg., from the mouth of the Snake River to Priest Rapids, with a view to improving open-river navigation (H. Doc. No. 742); to the Committee on Rivers and Harbors and ordered to be printed.

5. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Greenwood Lake, N. J., with a view to dredging channel at the southern end (H. Doc. No. 743); to the Committee on Rivers and Harbors and ordered to be printed.

6. A letter from the Secretary of the Navy, transmitting tentative draft of a bill to amend an act approved May 27, 1908 (34 Stats., pp. 417, 418), and for other purposes (H. Doc. No. 744); to the Committee on Naval Affairs and ordered to be printed.

7. A letter from the Secretary of the Navy, transmitting tentative draft of a bill for the relief of Paymaster Alvin Hovey-King, United States Navy (H. Doc. No. 745); to the Committee on Claims and ordered to be printed.

8. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Cape Fear River, N. C., with a view to securing an increased depth from Wilmington to the sea (H. Doc. No. 746); to the Committee on Rivers and Harbors and ordered to be printed.

9. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of channel of Young Bay from the main ship channel of the Columbia River to a point 1 mile above County Road Bridge (H. Doc. No. 747); to the Committee on Rivers and Harbors and ordered to be printed.

10. A letter from the Secretary of the Navy, transmitting tentative draft of a bill for the relief of certain ex-paymasters' clerks, United States Navy (H. Doc. No. 748); to the Committee on Naval Affairs and ordered to be printed.

11. A letter from the Secretary of the Navy, transmitting a tentative draft of legislation for the relief of certain officers of the United States Navy (H. Doc. No. 749); to the Committee on Naval Affairs and ordered to be printed.

12. A letter from the Secretary of the Treasury, transmitting copy of communication from the director of the mint submitting a supplemental estimate of appropriations required by the Bureau of the Mint for wages and contingent expenses of the assay office at New York for the fiscal year 1918 (H. Doc. No. 750); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of War submitting an estimate of deficiency in the appropriation for protecting Panama Canal and canal structures for the fiscal year ending June 30, 1918 (H. Doc. No. 751); to the Committee on Appropriations and ordered to be printed.

14. A letter from the Secretary of the Treasury, transmitting copy of a communication from the superintendent of the State, War, and Navy Department Building submitting supplemental estimate of appropriations required for operation of the State, War, and Navy Department Building during the remainder of the fiscal year 1918 (H. Doc. No. 752); to the Committee on Appropriations and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7089) for the relief of the heirs of Adam and Noah Brown; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 5327) granting an increase of pension to Robert J. Clark; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BRODBECK: A bill (H. R. 8168) providing for the protection of Antwerp homing pigeons when in interstate flight, under such regulation as may be prescribed by the Secretary of War; to the Committee on Military Affairs.

By Mr. SULZER: A bill (H. R. 8169) making an appropriation for the establishment of a hospital for the care and custody of the legally adjudged insane of Alaska, providing for the selection of the site thereof, and for other purposes; to the Committee on Appropriations.

By Mr. TOWNER: A bill (H. R. 8170) to establish the department of war supplies, to provide for the appointment of a secretary of war supplies, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 8171) to establish the department of munitions, to provide for the appointment of a secretary of munitions, and for other purposes; to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 8172) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CURRY of California: A bill (H. R. 8173) to fix the status and rank of officers of the retired list of the Army who have been or shall be detailed on active duty by direction of the President of the United States; to the Committee on Military Affairs.

By Mr. LOBECK: A bill (H. R. 8174) providing for the classification of salaries of veterinary inspectors and lay inspectors (grades 1 and 2) employed in the Bureau of Animal Industry, Department of Agriculture; to the Committee on Agriculture.

By Miss RANKIN: A bill (H. R. 8175) to equalize the wages paid to men and women employees of the Government who perform similar labor; to the Committee on Reform in the Civil Service.

By Mr. KEATING: A bill (H. R. 8301) granting an increase in appropriation to all State and Territorial soldiers' and sailors' homes from $100 per year for each inmate to $150 per year for each inmate thereof; to the Committee on Appropriations.

By Mr. ASWELL: Joint resolution (H. J. Res. 206) authorizing the President to take possession of the electrical agencies of communication to meet certain military exigencies, etc.; to the Committee on Interstate and Foreign Commerce.

By Miss RANKIN: Joint resolution (H. J. Res. 204) proposing recognition by the Congress of the United States of the right of Irish independence; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 205) authorizing the President to require all employers of labor in the United States during the progress of the war to pay women the same wages as they pay the men for performing similar work; to the Committee on Labor.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 8176) granting an increase of pension to Walter W. McGehee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8177) granting an increase of pension to Robert W. Potts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8178) granting a pension to Ida E. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8179) granting a pension to G. C. Crawshaw; to the Committee on Invalid Pensions.

By Mr. BRODBECK: A bill (H. R. 8180) granting a pension to Daniel B. Yeaple; to the Committee on Pensions.

Also, a bill (H. R. 8181) granting a pension to Charles C. Cooper; to the Committee on Pensions.

Also, a bill (H. R. 8182) granting an increase of pension to George W. Welsh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8183) to correct the military record of Jeremiah Stover; to the Committee on Military Affairs.

Also, a bill (H. R. 8184) to correct the military record of Nathaniel Staub; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 8185) granting a pension to William Stewart; to the Committee on Pensions.

Also, a bill (H. R. 8186) granting a pension to Andy Skaats; to the Committee on Pensions.

Also, a bill (H. R. 8187) granting a pension to William Campbell; to the Committee on Pensions.

By Mr. CLASSON: A bill (H. R. 8188) granting an increase of pension to Andrew J. Britton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8189) granting an increase of pension to James E. Webb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8190) granting an increase of pension to Alfred Hazen; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL: A bill (H. R. 8191) granting an increase of pension to Edward P. Tuttle; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 8192) granting an increase of pension to Martin H. Ozment; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 8193) granting an increase of pension to William Rook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8194) granting an increase of pension to Frederick Von Dissen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8195) granting an increase of pension to Samuel J. McDonald; to the Committee on Pensions.

Also, a bill (H. R. 8196) granting an increase of pension to Joseph F. Hughey; to the Committee on Pensions.

By Mr. DUPRÉ: A bill (H. R. 8197) granting a pension to James A. Coyne; to the Committee on Pensions.

By Mr. DYER: A bill (H. R. 8198) granting a pension to Elizabeth Ohl; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 8199) granting a pension to Joseph B. Montgomery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8200) granting a pension to James M. Conner; to the Committee on Pensions.

Also, a bill (H. R. 8201) granting an increase of pension to Leonidas H. Oldfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8202) for the relief of the Woman's Board of Domestic Missions, Reformed Church in America; to the Committee on Indian Affairs.

By Mr. FRENCH: A bill (H. R. 8203) granting a pension to John Miller; to the Committee on Pensions.

By Mr. GARD: A bill (H. R. 8204) granting a pension to Thomas Mahan; to the Committee on Pensions.

Also, a bill (H. R. 8205) granting a pension to William Bogen; to the Committee on Pensions.

Also, a bill (H. R. 8206) granting an increase of pension to Lucretia Napier; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 8207) granting a pension to Sarah Johnson; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 8208) granting an increase of pension to James C. Paullus; to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 8209) granting an increase of pension to George W. Bagley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8210) granting an increase of pension to Eugene B. Hoxie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8211) granting an increase of pension to William M. McCune; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8212) granting an increase of pension to Charles Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8213) granting a pension to Anna Eliza Serrien; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8214) granting a pension to Jesse Holt; to the Committee on Pensions.

By Mr. GANDY (for Mr. JOHNSON of South Dakota): A bill (H. R. 8215) granting an increase of pension to James Cooper; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Iowa: A bill (H. R. 8216) granting a pension to Mrs. Ollie Laehn; to the Committee on Pensions.

Also, a bill (H. R. 8217) granting a pension to Frank C. Barrow; to the Committee on Pensions.

Also, a bill (H. R. 8218) granting an increase of pension to William Turnham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8219) granting an increase of pension to Simeon Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8220) granting an increase of pension to Seth K. Coats; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8221) granting an increase of pension to Isaac M. Glasford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8222) granting an increase of pension to John Guy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8223) granting an increase of pension to Isaac N. Rhodes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8224) granting an increase of pension to David Houghton; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 8225) for the relief of John A. Odell; to the Committee on Military Affairs.

Also, a bill (H. R. 8226) for the relief of Cyrus J. Wilsey; to the Committee on Military Affairs.

Also, a bill (H. R. 8227) to correct the military record of John S. Miller; to the Committee on Military Affairs.

Also, a bill (H. R. 8228) granting an increase of pension to Henry D. Loveland; to the Committee on Invalid Pensions.

By Mr. LENROOT: A bill (H. R. 8229) granting a pension to Christopher Johnson; to the Committee on Pensions.

By Mr. LESHER: A bill (H. R. 8230) granting an increase of pension to C. F. Dewert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8231) granting an increase of pension to Samuel J. Pealer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8232) granting an increase of pension to James A. Kooney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8233) granting an increase of pension to John L. C. Kline; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8234) granting an increase of pension to William Roup; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8235) granting an increase of pension to James J. Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8236) granting an increase of pension to Benjamin Masteller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8237) granting a pension to Benjamin S. Kneibler; to the Committee on Pensions.

By Mr. LOBECK: A bill (H. R. 8238) granting a pension to Amandy Hall; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 8239) granting an increase of pension to Pleasant H. Ripley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8240) granting an increase of pension to Ephraim J. Stroud; to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 8241) granting an increase of pension to John W. Higdon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8242) granting an increase of pension to Andrea Coda; to the Committee on Invalid Pensions.

By Mr. OVERMYER: A bill (H. R. 8243) for the relief of Hewson L. Peeke; to the Committee on Claims.

By Mr. PURNELL: A bill (H. R. 8244) granting an increase of pension to Jacob L. Helms; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8245) granting a pension to Elizabeth C. Fry; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 8246) granting an increase of pension to Michael Gallagher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8247) granting an increase of pension to Oliver P. Krutz; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 8248) granting an increase of pension to Joseph B. Summers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8249) granting an increase of pension to Nancy Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8250) granting an increase of pension to John H. Price; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8251) granting an increase of pension to Nellie G. Carr; to the Committee on Pensions.

Also, a bill (H. R. 8252) granting a pension to William V. Yeager; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8253) granting a pension to Ezra Cleveland; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 8254) granting an increase of pension to William H. Simmons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8255) granting an increase of pension to F. M. Keltner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8256) granting an increase of pension to Alfred F. Yates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8257) granting an increase of pension to William May; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8258) granting a pension to Pearl Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8259) granting a pension to Mary Casi; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8260) granting a pension to Sarah E. Vining; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8261) granting a pension to Dicy C. Robinson; to the Committee on Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 8262) granting an increase of pension to Jasper N. Woods; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8263) granting an increase of pension to Benjamin F. Kester; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8264) granting an increase of pension to Harvey Connerly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8265) granting an increase of pension to William W. Decker, sometimes known as I. W. Sanders; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8266) granting an increase of pension to Mary A. Kinsley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8267) granting an increase of pension to James Knight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8268) granting an increase of pension to John S. Thorp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8269) granting an increase of pension to Noah Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8270) granting an increase of pension to Isaac Q. Wiggins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8271) granting an increase of pension to Joseph Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8272) granting an increase of pension to Hattie A. Calvin; to the Committee on Pensions.

Also, a bill (H. R. 8273) granting a pension to Jesse O. Ray; to the Committee on Pensions.

Also, a bill (H. R. 8274) granting a pension to Lizzie Wilkins; to the Committee on Pensions.

Also, a bill (H. R. 8275) granting a pension to Ellen Patch, widow of Jesse C. Patch; to the Committee on Pensions.

Also, a bill (H. R. 8276) granting a pension to Mrs. Jennie Ridgley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8277) granting a pension to Lydia A. Keller; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 8278) granting an increase of pension to John B. Albrecht; to the Committee on Pensions.

Also, a bill (H. R. 8279) granting a pension to Jacob Sauerwein; to the Committee on Pensions.

By Mr. STEELE: A bill (H. R. 8280) for the relief of George Sloan; to the Committee on Claims.

By Mr. SWEET: A bill (H. R. 8281) granting an increase of pension to David A. Ladd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8282) granting an increase of pension to Frank Stimpson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8283) to reimburse Mrs. Abbie J. Foster for safe destroyed by burglars; to the Committee on Claims.

By Mr. TAYLOR of Colorado: A bill (H. R. 8284) granting an increase of pension to J. K. P. Morelock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8285) granting an increase of pension to Daniel McCammon; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 8286) to remove the charge of desertion from the military record of Micheal Gillespie, alias Micheal Harrington; to the Committee on Military Affairs.

Also, a bill (H. R. 8287) granting an increase of pension to Alvin D. Lane; to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 8288) to correct the military record of Nathan Cunningham; to the Committee on Military Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 8289) to appoint Lieut. Commander Richard Drace White a commander on the active list of the United States Navy; to the Committee on Naval Affairs.

By Mr. DECKER: A bill (H. R. 8290) granting a pension to Samuel D. Lee; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 8291) granting an increase of pension to Edmond C. Kirk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8292) granting an increase of pension to John S. Bemisdarfer; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 8293) granting an increase of pension to John L. Nebergall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8294) granting an increase of pension to Andrew Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8295) granting an increase of pension to James Carmine; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 8296) granting a pension to Henry A. Rowley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8297) granting a pension to Charles Wheeldon; to the Committee on Pensions.

Also, a bill (H. R. 8298) granting a pension to Nellie Hubacher; to the Committee on Pensions.

By Mr. MONDELL: A bill (H. R. 8299) granting a pension to Alice C. Baker; to the Committee on Pensions.

By Mr. WARD: A bill (H. R. 8300) granting an increase of pension to George Perkins; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BLAND: Evidence in support of bill granting increase in pension of Ida E. Jones; to the Committee on Invalid Pensions.

Also, evidence in support of bill granting increase of pension to George C. Cranshaw; to the Committee on Invalid Pensions.

Also, evidence in support of bill granting increase in pension of Robert W. Potts; to the Committee on Invalid Pensions.

Also, evidence in support of bill granting increase in pension of Walter W. McGehee; to the Committee on Invalid Pensions.

By Mr. CARY: Petition of National Federation of Federal Employees, favoring passage of the Keating bill to increase pay of Government employees; to the Committee on Appropriations.

Also, memorials of Philadelphia Trade Press Club and American Federation of Labor, opposing changing present rates on second-class mail matter; to the Committee on Ways and Means.

Also, petition of Albert H. Van Deusen, favoring passage of the volunteer officers' retirement bill; to the Committee on Military Affairs.

By Mr. CURRY of California: Petition of Rural Letter Carriers' Association of California, asking increase in salaries, etc.; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Memorial of Federal Employees' Union No. 4, favoring increase of salaries of Government employees; to the Committee on Appropriations.

By Mr. DARROW: Memorial of Pennsylvania Woman Suffrage Association, favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. ESCH: Memorial of women of Monroe County, Wis., favoring a Federal suffrage amendment; to the Committee on Woman Suffrage.

Also, papers in support of House bill 7938, granting a pension to Phebe A. Shisler; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: Memorial of Vorhis Post, No. 273, Department of Iowa, Grand Army of the Republic, for increase of Civil War soldiers' pensions; to the Committee on Invalid Pensions.

By Mr. HARDY: Petition of sundry citizens of Corsicana, Tex., opposing bill to limit the number of cars in a freight train; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Rhode Island: Petitions of 102 men and 175 women of the third congressional district of Rhode Island and Newport (R. I.) Central Labor Union, favoring passage of Federal amendment for woman suffrage; to the Committee on Woman Suffrage.

Also, petition of Ellen D. Sharpe, of Providence, R. I., protesting against passage of woman-suffrage amendment; to the Committee on Woman Suffrage.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 6713, granting increase in pension of John S. McGinness; to the Committee on Invalid Pensions.

By Mr. PURNELL: Petition of Alonzo J. Nay and others, of Boone County, Ind., asking bill to forever prohibit boards of trades; to the Committee on Interstate and Foreign Commerce.

Also, petition of James C. Doty and others, favoring creation of court of appeals for benefit of civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. RAKER: Memorial of Half Century Association of America, urging suspension of age limit under civil service; to the Committee on Reform in the Civil Service.

Also, memorial of San Francisco Labor Council, protesting against importation of Chinese labor into the country; to the Committee on Immigration and Naturalization.

Also, memorial of parishioners of Christ Church, Washington, D. C., favoring woman suffrage; to the Committee on Woman Suffrage.

Also, petition of State commission of horticulture, Sacramento, Cal., favoring increase in appropriation for extermination of ground squirrels; to the Committee on Agriculture.

Also, memorial of American Federation of Labor, against war tax on second-class mail matter; to the Committee on Ways and Means.

Also, memorial of Alameda County Civic Association, Oakland, Cal., favoring location of Pacific naval base on shores of Alameda; to the Committee on Naval Affairs.

By Mr. RAMSEYER: Petition of 70 ladies of Mahaska County, 25 of Monroe County, and 713 ladies of Wapello County, all in the State of Iowa, favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. TAGUE: Petition of The Bronx Board of Trade, of New York City, favoring keeping pneumatic mail tube; to the Committee on the Post Office and Post Roads.

By Mr. TIMBERLAKE: Resolution of Federated Trades Council, Colorado Springs, Colo., favoring the adoption of the Susan B. Anthony suffrage amendment; to the Committee on Woman Suffrage.

By Mr. VARE: Petition of Philadelphia Trade Press Club, protesting against rates on second-class mail matter; to the Committee on Ways and Means.

Also, memorial of Prison Reform League of Pennsylvania, requesting investigation of prisons of the District of Columbia; to the Committee on the District of Columbia.

Also, memorial of Pennsylvania Woman Suffrage Association, favoring woman suffrage; to the Committee on Woman Suffrage.

SENATE.

SATURDAY, *January 5, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, bless us with Thy gracious favor, and continue us by Thy continual replenishing, that our spirits may respond to Thy Spirit, that our cause may be Thine, that our land, consecrated to the high ideals born out of the Gospel of Christ, may continue its mission among men until it shall have accomplished its end in the establishment of peace and brotherhood amongst men. For Christ's sake. Amen.

CHARLES S. THOMAS, a Senator from the State of Colorado, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

PETITIONS, ETC., SENT TO THE VICE PRESIDENT.

The VICE PRESIDENT. On the 7th day of December, in order to clarify the situation with reference to the rights and duties of the presiding officer of this body touching petitions and memorials, the Chair announced that unless otherwise ordered by the Committee on Rules petitions and memorials from citizens of the several States must be sent to the Senators representing those States for presentation to the Senate. No exception was taken to this ruling, the only comment being a commendation of the action by the Senator from Pennsylvania [Mr. PENROSE].

Upon yesterday the Chair received a letter from the managing editor of the Vigilantes, a patriotic, antipacifist, nonpartisan organization of authors, artists, and others, with headquarters at 505 Fifth Avenue, New York City, N. Y., asking the Chair to bring to the attention of the Senate certain inclosed letters of protest against the continuing membership in the highest council of the Nation of ROBERT M. LA FOLLETTE.

These letters come squarely within the ruling of the Chair made upon the 7th day of December. They will, therefore, be by the Chair transmitted to the senior Senators of the several States in which the writers thereof reside for such action as the judgment and conscience of the Senators may deem appropriate to be taken.

The presentation of petitions and memorials is in order.

CALLING OF THE ROLL.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	Nelson	Smith, Ga.
Beckham	Jones, N. Mex.	New	Smith, S. C.
Borah	Jones, Wash.	Norris	Smoot
Culberson	Kellogg	Overman	Sterling
Cummins	Kendrick	Phelan	Stone
Curtis	Kenyon	Pittman	Sutherland
Dillingham	King	Poindexter	Thomas
Fletcher	Kirby	Pomerene	Thompson
France	Knox	Robinson	Tillman
Frelinghuysen	La Follette	Saulsbury	Townsend
Gallinger	Lodge	Shafroth	Trammell
Gronna	McKellar	Sheppard	Watson
Hale	McNary	Sherman	Wolcott
Hollis	Martin	Simmons	
Johnson, Cal.	Myers	Smith, Ariz.	

Mr. FRELINGHUYSEN. My colleague [Mr. HUGHES] is unavoidably absent, owing to illness.

Mr. MCNARY. I wish to announce the unavoidable absence of my colleague [Mr. CHAMBERLAIN] on account of work in committee.

Mr. SUTHERLAND. I desire to announce the unavoidable absence of my colleague [Mr. GOFF] on account of illness.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916, with an amendment; insists upon its amendment to the bill, asks a conference with the Senate on the disagreeing votes in the two Houses thereon, and had appointed Mr. GLASS, Mr. PHELAN, and Mr. HAYS managers of the conference on the part of the House.

PETITIONS.

Mr. NELSON presented a petition of sundry postal employees of Minneapolis, Minn., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented a resolution adopted at a conference called by the San Francisco Chamber of Commerce, of California, indorsing the findings and recommendations of the Navy Yard Commission appointed by the Secretary of the Navy to investigate the location of sites, which was referred to the Committee on Naval Affairs.

WAR CONDITIONS IN SEATTLE, WASH.

Mr. POINDEXTER. Mr. President, I present the following letter and ask that it be read by the Secretary.

The VICE PRESIDENT. Is there any objection? There being none, the Secretary will read the letter.

The Secretary read as follows:

WASHINGTON STATE SOCIETY OF ARCHITECTS,
Seattle, Wash., December 29, 1917.

Hon. MILES POINDEXTER,
Washington, D. C.

MY DEAR POINDEXTER: This city is overrun with German sympathizers, and something should be done to check it forthwith. The work of detecting such persons is in the hands of the United States Department of Justice, and do you know that that department is struggling along with 10 poorly paid men, when the least number of well-paid men that can render the desired service that we must have is 50 men; not half that number, but 50, and pay them. Trying to run this department with 10 men under present conditions, and in this the leading shipbuilding point in our country, is a thousand times poorer judgment than was the management of the steamship *Lusitania* in running that vessel without proper field glasses.

I am giving such of my time free to this work as I can and look after my business, and have made the statements above with a full knowledge of what is required.

I will await an early reply from you. I am worried over the situation, knowing what I do, and shall not be satisfied until this matter is remedied.

Sincerely,

HARRY H. JAMES.

IMPORTATION OF CHINESE FARMERS.

Mr. PHELAN. Mr. President, yesterday morning the Senator from New Hampshire [Mr. GALLINGER] presented petitions in favor of the importation of Chinese labor to meet the demand for farm labor. The necessity for securing farm labor we all concede. I desire to have spread upon the RECORD, if there be no objection, a letter from the Department of Labor stating that, in view of the fact that the Department of Labor has organized a central farm service for the purpose of meeting the demand for farm labor, "it is not deemed by the department necessary to go into the matter of the importation of Chinese, Japanese, Hindu, or other foreign labor."

I submit this letter from the Department of Labor for printing in the RECORD.

I am disposed to believe that every encouragement should be given the department to solve the farm-labor question before the drastic remedy of importing nonassimilable people be entertained. In a self-governing Republic we must preserve the character of our white population as a first consideration.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, January 3, 1918.

Hon. JAMES D. PHELAN,
United States Senator, Washington, D. C.

MY DEAR SENATOR: My attention has been called to your communication of December 21st ultimo, addressed to the Secretary of Labor, which you transmit a letter of the 15th ultimo from Carson C. Cook, general manager of the Rindge Land & Navigation Co., of Stockton, Cal., and also a copy of a communication to Mr. R. L. Adams, State farm-labor agent, Berkeley, Cal., concerning a possible shortage of farm help for 1918.

In this connection I wish to state that a special farm-labor service has been organized within the United States Employment Service and that the matter will be looked into by the officers thereof and recommendations made to meet whatever conditions may arise. In view of this it is not deemed necessary to go into the matter of importation of Chinese, Japanese, Hindu, or other foreign labor.

Sincerely, yours,

LOUIS F. POST, *Assistant Secretary.*

Mr. PHELAN. In this connection I desire to present a petition from the Central Labor Council, of Santa Clara County, Cal., and one from members of the Oil Workers' Local Union No. 15612, American Federation of Labor, of Fellows, Cal., on the same subject, which I ask to have printed in the RECORD.

There being no objection, the petitions were ordered to be printed in the RECORD, as follows:

CENTRAL LABOR COUNCIL,
San Jose, Cal., December 22, 1917.

Hon. JAMES D. PHELAN,
United States Senator from California, Washington, D. C.

HONORED SIR: The Central Labor Council of Santa Clara County has been informed that Senator GALLINGER, of New Hampshire, has introduced in the Senate a bill "providing for the importation of Chinese as farm laborers during the war." The Central Labor Council of Santa Clara County, Cal., is decidedly opposed to any importation of Chinese, and the secretary has been instructed to communicate with you as to their attitude on any measure of this kind.

I don't believe it is necessary to acquaint our Senator with the sentiment of Californians on questions of this nature, as you have been in public life so long that you are very familiar with the motives behind measures of this kind.

Trusting that you are in accord with the foregoing, I beg to remain,
Yours, very respectfully,

F. J. HEPP,
Secretary Central Labor Council of Santa Clara County.

—

FELLOWS, CAL., *December 28, 1917.*

Hon. J. D. PHELAN,
Washington, D. C.

DEAR SENATOR: We (Oil Workers' Union, Local No. 15612) humbly beg of you to do all you can to defeat that bill (introduced by Senator GALLINGER) providing for the importation of cheap Asiatic labor. We feel that to admit this cheap labor, even as a war measure, would hamper the laboring class of the United States, and that it would take years to overcome it, if ever. So we, the laboring people of California, ask you again in our behalf to work against this bill.

Thanking you in advance for what you do for us, I am
Very respectfully,

[SEAL.]

VIRGIL M. SELF,
Secretary Oil Workers' Union, Local 15612.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 3386) to provide for commissioned officers of the Dental Corps of the Navy the same rank, pay, promotions, and allowances of officers of corresponding grades in the Naval Medical Corps, and for other purposes, which was referred to the Committee on Naval Affairs.

By Mr. FLETCHER:

A bill (S. 3387) to authorize and empower the President to create military zones around shipyards where vessels are under construction for the United States;

A bill (S. 3388) to amend the emergency shipping fund provisions of the urgent deficiency appropriation act approved June 30, 1917, so as to empower the President and his designated agents to take over certain transportation systems for the transportation of shipyard and plant employees, and for other purposes; and

A bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes; to the Committee on Commerce.

By Mr. MYERS:

A bill (S. 3390) to authorize the transfer to the Government of privately owned timberland within the Bitter Root National Forest, Mont., and for other purposes;

A bill (S. 3391) to authorize the Secretary of the Interior to issue patent to G. H. Beckwith for certain land within the Flathead Indian Reservation, Mont.;

A bill (S. 3392) for furnishing water supply for miscellaneous purposes in connection with reclamation projects; and

A bill (S. 3393) to authorize the exchange with the Government of lands privately owned within national forests; to the Committee on Public Lands.

A bill (S. 3394) granting a pension to Mary J. Ritchey; to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 3395) for the relief of Daniel H. Scofield, alias Cofield; to the Committee on Military Affairs.

A bill (S. 3396) granting an increase of pension to Gilbert L. Holmes (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Arizona:

A bill (S. 3397) to fix the salaries of clerks and deputy clerks of the district courts of the United States, and to repeal all other conflicting laws and parts of laws; to the Committee on the Judiciary.

By Mr. NELSON:

A bill (S. 3398) granting an increase of pension to William W. Gordon; to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 3399) to amend an act approved May 27, 1908 (35 Stat., pp. 417, 418), and for other purposes;

A bill (S. 3400) to regulate the pay of retired chief warrant officers on active duty;

A bill (S. 3401) to authorize the President to temporarily reduce the course of instruction at the United States Naval Academy;

A bill (S. 3402) to fix the age limits for candidates for admission to the United States Naval Academy;

A bill (S. 3403) for the relief of Paymaster Alvin Hovey-King, United States Navy;

A bill (S. 3404) to authorize the President to drop from the rolls any naval or Marine Corps officer absent without leave for three months, or who has been convicted of any offense by civil authorities, and prohibiting such officer's reappointment;

A bill (S. 3405) to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916; and

A bill (S. 3406) to authorize the Secretary of the Navy to determine where and when there are no public quarters available for officers of the Navy and Marine Corps; to the Committee on Naval Affairs.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. WATSON submitted an amendment proposing to increase the per diem allowance of inspectors in the field while actually traveling on official business away from their homes, etc., from not to exceed $3 per day to $4 per day, intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

PROPOSED AMENDMENT OF INCOME-TAX LAW.

The VICE PRESIDENT. Are there concurrent or other resolutions? [A pause.] The morning business is closed.

Mr. PITTMAN. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

Mr. SMOOT. Will the Senator withhold that request for a moment until I make an announcement?

Mr. PITTMAN. Certainly.

Mr. SMOOT. Mr. President, immediately following the exercises of to-day, which I understand are to begin at 12.30 o'clock, I am going to ask, out of order, to offer an amendment to House joint resolution 195, a joint resolution amending the present revenue act. In connection therewith I desire to make a statement. I will say to the Senator from Nevada that it will not take over 30 minutes for me to do so, and I simply give notice now, because if the unfinished business is taken up I shall ask the privilege, out of order, to offer the amendment and to make the remarks which I desire to make.

MINING OF COAL, ETC., ON THE PUBLIC DOMAIN.

Mr. PITTMAN. Mr. President, I renew my request for unanimous consent that the unfinished business may be laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.

Mr. PITTMAN. I offer the amendments which I send to the desk for the purpose of perfecting the bill.

The VICE PRESIDENT. The first amendment proposed by the Senator from Nevada will be stated.

The SECRETARY. On page 12, line 12, before the word "of," at the beginning of the line, it is proposed to insert the words "by a claimant," so that it will read:

SEC. 16. That upon relinquishment to the United States within 90 days from the date of this act or within 90 days after final denial or withdrawal of application for patent by a claimant, of any claim or subdivision thereof asserted under the mining laws, etc.

Mr. PITTMAN. I do not ask to have these amendments acted on now, but I merely desire to have them read.

The VICE PRESIDENT. The next amendment proposed by the Senator from Nevada will be stated.

The SECRETARY. On page 12, line 14, after the word "withdrawal," it is proposed to insert the words "and who prior to such date had performed all acts necessary to a valid mining location thereof except to make a discovery of oil."

Mr. BORAH. Mr. President, I did not understand what the amendments were. Is the Secretary now reading the last amendment or the context?

Mr. PITTMAN. These are amendments which I am now offering, to be considered later in the day.

The VICE PRESIDENT. The next amendment proposed by the Senator from Nevada will be stated.

The SECRETARY. On page 12, line 15, it is proposed to strike out the word "the" and to insert the word "such," and on page 12, line 17, after the word "each," to insert the word "such."

Mr. PITTMAN. For the purpose of perfecting the text, on behalf of the committee I offer the amendment which I now send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 25, line 6, it is proposed to strike out the word "any" and to insert the words "more than a tenth."

On page 25, line 8, after the word "the," to insert the words "transportation, refining, or."

Mr. PITTMAN. I give notice that immediately after the recess this morning I shall ask to have these amendments taken up in the order in which I have presented them, of course giving way to the Senator from Utah [Mr. SMOOT] for the presentation of the amendment to the amendment, which he desires to submit.

Mr. JONES of Washington. Mr. President, if it is now in order, I desire to propose an amendment to the pending bill, to which I do not think there will be any opposition. I have spoken to the chairman of the committee about it. The amendment is with reference to the provision on page 14 in regard to oil or gas bearing lands in the Territory of Alaska. On page 14, line 9, I desire to move to strike out the sum of "$1,000" and to insert in lieu thereof the sum of "$500." As I understand now, to secure a patent to land in Alaska an expenditure of only $500 is required, and I do not, therefore, see any reason why, to secure the benefits of the provisions of this act, there should be required the expenditure of a greater sum than to secure a patent. So I desire to offer the amendment.

Mr. PITTMAN. I think there is no objection on behalf of the committee to accepting the amendment, but I will ask the Senator from Washington to allow the amendment to go over until after the recess.

Mr. JONES of Washington. I thought that if the amendment would require no discussion and there was no opposition to it we could adopt it now.

Mr. PITTMAN. I am sure the amendment will require a few minutes of explanation.

Mr. JONES of Washington. Very well; I will withdraw the amendment now, and I shall offer it later.

RECEPTION OF THE SERBIAN MISSION.

Mr. MARTIN. Mr. President, I have just been advised that the members of the Serbian mission are now in the Capitol, and I am sure it will be a pleasure for the Members of the Senate to have an opportunity to receive them and to be presented to them. I therefore move that the Senate take a recess until 1 o'clock.

The motion was agreed to.

The VICE PRESIDENT. The Chair appoints the Senator from Virginia [Mr. MARTIN], the Senator from New Hampshire [Mr. GALLINGER], the Senator from Missouri [Mr. STONE], the Senator from Pennsylvania [Mr. KNOX], the Senator from Delaware [Mr. SAULSBURY], and the Senator from Massachusetts [Mr. LODGE] to conduct the members of the Serbian mission into the Senate Chamber.

At 12 o'clock and 30 minutes p. m. the members of the Serbian mission, escorted by the committee appointed by the Vice President and headed by the Sergeant at Arms, appeared at the main door of the Chamber, and were announced to the Senate by the Sergeant at Arms. The members of the mission were: Dr. Milenko R. Vesnitch (chairman), Dr. Sima Lozanitch, Gen. Michailo Rachitch, Lieut. Col. Michailo Nenadovitch, Capt. Milan Yovitchitch, and Mr. Vladislav Martinatz.

Mr. Lioubomir Michailovitch, minister from Serbia to the United States; Mr. Alexandre V. Georgevitch, and Mr. Todorovitch accompanied the mission into the Senate Chamber, together with the Assistant Secretary of State, Mr. William Phillips, Mr. A. B. Ruddock, of the Department of State, and Lieut. H. F. Armstrong, United States Army.

Dr. Milenko R. Vesnitch was seated on the right of the Vice President and Minister Michailovitch on his left.

ADDRESS BY THE VICE PRESIDENT.

The VICE PRESIDENT. Senators, even so untrained a mind as mine grasps the artistic possibilities of this scene. Here you are, the representatives of a free people, because your forbears heard and heeded the agonizing cry of Patrick Henry in the Virginia House of Burgesses. Here they are, the representatives of a people who for nearly six centuries in mortal combat with Austrian and with Turk have written in the blood of their sons upon the greensward of every mountain side and every valley of the Balkans the immortal cry of Henry. Here you both are this day, each a worthy representative of his race, clasping hands in the midnight darkness and solemnly vowing that the morrow's morn will find you and yours, as always, consecrated to liberty or to death! [Applause.]

If I were asked by some not so learned as you what the world will open its eyes upon when the nightmare of this awful carnage has passed, I should answer of my faith and hope and not my knowledge; I should say that the world would gaze upon one dream come true.

The greatest of the national heroes of our visiting friends was Stephen Dushan, Stephen the Throttler. His untimely death prevented the unification of the Serbs and the driving of the last Turk from the soil of Europe. It is a far cry from Diavoli to Washington. The physical Throttler died there; the spiritual Throttler, we hope, lives in this city. [Applause.]

For centuries the dream of the real world has been that some time, somehow, the spirit to rule alien nations, the ambition to lord it over conquered provinces, the arrogant desire to fatten and grow great upon the broken and bruised bodies of the weak and helpless would be throttled, throttled to their undoing and to their death; and when that time comes, as come it must, the Serb will be as free as the air that soothes to sleep his babe on the Balkan mountain side.

Senators, you are not what you pretend to be if it be not "hats off" and voices in unison with these our friends as they sing:

On our sepulcher of ages
Breaks the resurrection morn,
From the slough of direst slavery
Serbia anew is born;
Through five hundred years of durance
We have knelt before Thy face;
All our kin, O God, deliver—
Thus entreats the Serbian race.

[Applause.]

We should be traitors and forsworn to our own glorious traditions if we did not gladly greet and joyously acclaim the representatives of a people who, through the long centuries, have never failed to put their backs to the wall of Europe fighting to die in the defense of their rights and their liberties. So, Senators, it pleases me to present to you Dr. Milenko Vesnitch, the head of the Serbian mission, whom the wings of destiny have wafted to our shores. [Applause.]

ADDRESS BY DR. MILENKO R. VESNITCH.

Dr. VESNITCH. Mr. President and gentlemen of the Senate, destiny willed that we arrive in the United States just before your Christmas eve, and, having heard in Europe of the historic announcements made in your Congress during the past year, like the Magi from the East, we were anxious to inquire and to testify to their truth. The same good destiny wills, thanks to your gracious invitation, that we appear before you on the eve of our Christmas, and, like the shepherds of the Gospel, we are now going about in the splendid capital of your country singing in our hearts and reciting to ourselves the magic words which President Wilson has addressed to mankind, "We believe in peace, but we believe also in justice and righteousness and liberty." More than anybody we believe that peace can not subsist without justice, without liberty and righteousness.

From over the ocean we have anxiously listened to the epochal declarations of the eminent leader of the greatest and purest democracy that history has ever known, and we have been happy to understand that this Congress was in complete harmony with the ideas of the dignified successor of Washington and of Lincoln.

With golden characters in their hearts and souls, all liberty-loving nations will inscribe forever his and your program, following which America stands first of all for the right of men to determine whom they will obey and whom they will serve, for the right of political freedom and a people's sovereignty; for the equality of nations, which means the equality of rights, neither recognizing nor implying a difference between big nations and small, between those that are powerful and those that are weak; for no peace can last or ought to last which does not recognize and accept the principle that governments derive all their just powers from the consent of the governed [applause], and that no right anywhere exists to hand people about from sovereignty to sovereignty, as if they were property. [Renewed applause.] We, too, accept with enthusiasm the doctrine of Monroe as the doctrine of the world, "that no nation should seek to extend its policy over any other nation or people, but that every nation or people should be left free to determine its own policy, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful." We are happy to be permitted to share with you the belief that right shall command might, and that it ought not to be dishonored in its very inception.

Let me confess to you, gentlemen, that over there in Europe many people were anxious for months, if not for years, as to the attitude of the United States in this unexampled war. But let me add at the same time that I was not of the number. How could a man acquainted with your history imagine for a single moment that this great Nation should confine herself to the part of a reserved spectator in the presence of the most tremendous struggle for the highest principles of humanity? How could we believe that you could have been insensible in reading the barbarous and unprecedented ultimatum which the Hapsburg Government presented to Serbia and foreseeing the unequal struggle between the two countries, of which the one was

ten times bigger and stronger than the other, especially as the latter had just passed through two successive wars? How could an American citizen remain indifferent to the violation of Belgian neutrality, excused by the imperial chancellor with the assertion that solemn international treaties are nothing else than simple "scraps of paper"?

The people who doubted the course you were going to take are excused only by the consideration that they did not know, or rather that they had forgotten, your history.

My mind had been fixed about this problem from the very first moment of the war. But on the tragic day when our old King and his heroic son, our almost dying Voïvod Putnik, and our last soldier, hungering and freezing, quite exhausted, left the Albanian coast, taking with them nothing save our national flag and our honor enveloped in it [applause], I remained for hours and hours deploring our unmerited misfortune and defending myself against despair, and, glancing at the map in my mind, I reviewed countries and nations. And looking across the Atlantic, I saw your ancestors sailing over the "sea of darkness," after having left forever in their native countries all that was dear to them, and going to this unknown continent without any fear, unaware of the trials and troubles awaiting them here, scorning the risks and dangers, determined to fight with savages, with beasts, and with the elements. For what reason? Because they were not willing to endure autocracy and capriciousness in their native countries, and because they were ready and capable to found new human societies, where political, religious, and moral liberty would be the same for all, and where law and right would command instead of tyranny and caprice. I have followed their generations, extending civilization over the mountains, over the woods and lakes, and enlarging the political rights of everybody in this part of the continent—becoming, in a word, the promised land of all liberty-loving people. [Applause.] I remembered then how early it was that Turgot represented the American people as "the hope of mankind," and how justly he appreciated and foresaw at that time the character and importance of your people for the civilization of mankind. The American people, he thought, "must show the world by its example that men can be free and tranquil, and can do without the chains that tyrants and cheats of all garbs have tried to lay on them under the pretense of public good. It must give the example of political liberty, religious liberty, commercial and industrial liberty."

This prophecy of the great French statesman, made in the second half of the eighteenth century, has become a reality. And so, in my desolate eagerness, I said to myself that the Nation with this origin and this history, I know, can not consent to the overwhelming of the whole civilized world by the barbarous rule which centuries ago had forced them to leave their native countries and to seek other homes, and that the day is not far off when the Star-Spangled Banner will join the flags of the nations fighting for freedom, for right, and for justice, and that then better days will come for the nations suffering injustice in Europe and throughout the whole world. [Applause.]

The Serbian Nation, with their kinsmen, the Croats and Slovenes, have suffered in this war more than any other nation. But I shall not appeal to-day to your commiseration. I am happy and proud to say we have fought for our liberties as bravely as any one of our gallant allies. [Applause.] In thus fulfilling our sacred duty to our country we venture to think that we have rendered a real service, however small it may be, to the better future of humanity, for in defending our beloved land our regiments have sown the greater portion of our territory with the lives of the best of their men. These seeds of virtue can not, they will not, perish. They have even begun to give their blessed fruits. To them we owe the interest which the civilized world has taken in our national cause; to them, and because of their martyrdom, we owe the heartiness with which your great Nation has opened her magnanimous arms to us; to them my friends here present and I myself owe the great honor of being received in your Senate, which we regard as the strongest asylum of right, of liberty, and of justice, and as the noblest temple for the prayer of a better future for the human race. [Applause.]

We, too, believe with you, Mr. President of the Senate; we, too, have faith to-day that the morning light will break in this good year at hand, and that it will break with the sun of liberty rising upon a rose-tinted sky. We, too, have in this solemn hour a vision, and we voice our unalterable faith that this magnificent Republic is to lead the nations of the world unto the mountain of perfect peace and to become the arbiter of them all, because we know that the American commandments of peace are commandments of justice, which alone will enable mankind to improve in free evolution.

When, in the service of these ideals, the allied Governments, the allied soldiers and sailors, and civilian men and women will have put forth all their energies; when, in a coordinated and strongly cemented unity of all our forces, of all our war aims, and of all our thoughts, we win this fight—and we must win it unless we are all to be crushed in slavery under the Prussian heel—then, as you said some days ago, Mr. President:

> The darkness will disappear. The light will break over a world grown old in want, in sin, in misery, in autocratic kingcraft. It will be the light of a newer and a better day; and anything else that America has ever accomplished will pale into insignificance before the light of the sacrifices which it shall have made for humanity and for freedom.

Blessed be the nation which first in history gives glorious impulse to the Christian teaching, "Thou shalt love thy neighbor as thyself."

Accept, for the sake of our common humanity in these epochal days, the heartfelt gratitude of a small but of an honest nation. [Prolonged applause.]

The VICE PRESIDENT. Senators, Dr. Vesnitch and the members of the mission will be pleased to meet you and greet you.

The members of the Serbian mission took their places at the left of the Vice President's desk and the Members of the Senate were presented to them by the committee appointed by the Vice President.

The distinguished visitors were escorted from the Chamber, and (at 1 o'clock p. m.) the Senate reassembled upon the expiration of the recess.

MINING OF COAL, ETC., ON THE PUBLIC DOMAIN.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.

The PRESIDENT pro tempore. The Secretary will report the pending amendment.

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

Mr. SMITH of Arizona. I rose also to suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum is suggested, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	Norris	Sterling
Beckham	Jones, N. Mex.	Phelan	Stone
Borah	Jones, Wash.	Pittman	Sutherland
Calder	Kendrick	Pomerene	Swanson
Chamberlain	Kenyon	Robinson	Thompson
Fletcher	King	Saulsbury	Tillman
France	Lodge	Shafroth	Townsend
Gallinger	McCumber	Sheppard	Trammell
Gerry	McKellar	Sherman	Watson
Gronna	McNary	Simmons	Weeks
Hale	Martin	Smith, Ariz.	Wolcott
Harding	Myers	Smith, Ga.	
Hollis	Nelson	Smith, S. C.	
Johnson, Cal.	New	Smoot	

Mr. GERRY. I desire to announce that the Senator from Illinois [Mr. LEWIS] is detained on important business. I also wish to announce that the Senator from Louisiana [Mr. BROUSSARD] and the Senator from Oklahoma [Mr. GORE] are detained from the Senate by illness.

Mr. McKELLAR. I wish to state that the senior Senator from Tennessee [Mr. SHIELDS] is unavoidably detained from the Chamber this morning.

Mr. TOWNSEND. I desire to announce the unavoidable absence of my colleague [Mr. SMITH of Michigan]. I will let this announcement stand for the day.

Mr. MYERS. My colleague [Mr. WALSH] is still detained from the Senate by illness.

The PRESIDENT pro tempore. Fifty-three Senators have answered to their names. There is a quorum present.

PROPOSED AMENDMENTS TO EXISTING REVENUE LAWS.

Mr. SMOOT. Mr. President, out of order I offer the following amendment to House joint resolution 195. I ask that it be printed in the RECORD without reading.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment referred to is as follows:

> Amendments intended to be proposed by Mr. SMOOT to the joint resolution (H. J. Res. 195) entitled "Joint resolution amending the act entitled 'An act to provide revenue to defray war expenses, and for other purposes,' approved October 3, 1917, so as to subject to the war excess-profits tax the compensation of officers and employees under the United States, including Members of Congress," viz: Strike out all after the resolving clause and insert the following:
>
> TITLE I.—INCOME TAX.
>
> *Part I.—On individuals.*
>
> SECTION 1. (a) That there shall be levied, assessed, collected, and paid annually upon the entire net income received in the preceding calendar year from all sources by every individual, a citizen or resident of the United States, a tax of 2 per cent upon such income; and a

like tax shall be levied, assessed, collected, and paid annually upon the entire net income received in the preceding calendar year from all sources within the United States by every individual, a nonresident alien, including interest on bonds, notes, or other interest-bearing obligations of residents, corporate or otherwise.

(b) In addition to the income tax imposed by subdivision (a) of this section (herein referred to as the normal tax) there shall be levied, assessed, collected, and paid upon the total net income of every individual, or, in the case of a nonresident alien, the total net income received from all sources within the United States, an additional income tax (herein referred to as the additional tax) of 1 per cent per annum upon the amount by which such total net income exceeds $5,000 and does not exceed $7,500, 2 per cent per annum upon the amount by which such total net income exceeds $7,500 and does not exceed $10,000, 3 per cent per annum upon the amount by which such total net income exceeds $10,000 and does not exceed $12,500, 4 per cent per annum upon the amount by which such total net income exceeds $12,500 and does not exceed $15,000, 5 per cent per annum upon the amount by which such total net income exceeds $15,000 and does not exceed $20,000, 8 per cent per annum upon the amount by which such total net income exceeds $20,000 and does not exceed $40,000, 12 per cent per annum upon the amount by which such total net income exceeds $40,000 and does not exceed $60,000, 17 per cent per annum upon the amount by which such total net income exceeds $60,000 and does not exceed $80,000, 22 per cent per annum upon the amount by which such total net income exceeds $80,000 and does not exceed $100,000, 27 per cent per annum upon the amount by which such total net income exceeds $100,000 and does not exceed $150,000, 31 per cent per annum upon the amount by which such total net income exceeds $150,000 and does not exceed $200,000, 37 per cent per annum upon the amount by which such total net income exceeds $200,000 and does not exceed $250,000, 42 per cent per annum upon the amount by which such total net income exceeds $250,000 and does not exceed $300,000, 46 per cent per annum upon the amount by which such total net income exceeds $300,000 and does not exceed $500,000, 50 per cent per annum upon the amount by which such total net income exceeds $500,000 and does not exceed $750,000, 55 per cent per annum upon the amount by which such total net income exceeds $750,000 and does not exceed $1,000,000, 61 per cent per annum upon the amount by which such total net income exceeds $1,000,000 and does not exceed $1,500,000, 62 per cent per annum upon the amount by which such total net income exceeds $1,500,000 and does not exceed $2,000,000, and 63 per cent per annum upon the amount by which such total net income exceeds $2,000,000.

For the purpose of the additional tax there shall be included as income the income derived from dividends on the capital stock or from the net earnings of any corporation, joint-stock company or association, or insurance company, except that in the case of nonresident aliens such income derived from sources without the United States shall not be included.

All the provisions of this title relating to the normal tax on individuals, so far as they are applicable and are not inconsistent with this subdivision and section 3, shall apply to the imposition, levy, assessment, and collection of the additional tax imposed under this subdivision.

(c) The foregoing normal and additional tax rates shall apply to the entire net income, except as hereinafter provided, received by every taxable person in the calendar year 1917 and in each calendar year thereafter.

INCOME DEFINED.

SEC. 2. (a) That, subject only to such exemptions and deductions as are hereinafter allowed, the net income of a taxable person shall include gains, profits, and income derived from salaries, wages, or compensation for personal service of whatever kind and in whatever form paid, or from professions, vocations, businesses, trade, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in real or personal property, also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever.

(b) Income received by estates of deceased persons during the period of administration or settlement of the estate shall be subject to the normal and additional tax and taxed to their estates, and also such income of estates or any kind of property held in trust, including such income accumulated in trust for the benefit of unborn or unascertained persons, or persons with contingent interests, and income held for future distribution under the terms of the will or trust shall be likewise taxed, the tax in each instance, except when the income is returned for the purpose of the tax by the beneficiary, to be assessed to the executor, administrator, or trustee, as the case may be: *Provided*, That where the income is to be distributed annually or regularly between existing heirs or legatees or beneficiaries the rate of tax and method of computing the same shall be based in each case upon the amount of the individual share to be distributed.

Such trustees, executors, administrators, and other fiduciaries are hereby indemnified against the claims or demands of every beneficiary for all payments of taxes which they shall be required to make under the provisions of this title, and they shall have credit for the amount of such payments against the beneficiary or principal in any accounting which they make as such trustees or other fiduciaries.

(c) For the purpose of ascertaining the gain derived from the sale or other disposition of property, real, personal, or mixed, acquired before March 1, 1913, the fair market price or value of such property as of March 1, 1913, shall be the basis for determining the amount of such gain derived.

ADDITIONAL TAX INCLUDES UNDISTRIBUTED PROFITS.

SEC. 3. For the purpose of the additional tax the taxable income of any individual shall include the share to which he would be entitled of the gains and profits, if divided or distributed, whether divided or distributed or not, of all corporations, joint-stock companies or associations, or insurance companies, however created or organized, formed or fraudulently availed of for the purpose of preventing the imposition of such tax through the medium of permitting such gains and profits to accumulate instead of being divided or distributed; and the fact that any such corporation, joint-stock company or association, or insurance company is a mere holding company or that the gains and profits are permitted to accumulate beyond the reasonable needs of the business, shall be prima facie evidence of a fraudulent purpose to escape such tax; but the fact that the gains and profits are in any case permitted to accumulate and become surplus shall not be construed as evidence of a purpose to escape the said tax in such case unless the Secretary of the Treasury shall certify that in his opinion such accumulation is unreasonable for the purposes of the business. When requested by the Commissioner of Internal Revenue, or any district collector of internal revenue, such corporation, joint-stock company or association, or insurance company shall forward to him a correct statement of such gains and profits and the names and addresses of the individuals or shareholders who would be entitled to the same if divided or distributed.

SEC. 4. The following income shall be exempt from the provisions of this title:

The proceeds of life insurance policies paid to individual beneficiaries upon the death of the insured; the amount received by the insured, as a return of premium or premiums paid by him under life insurance, endowment, or annuity contracts, either during the term or at the maturity of the term mentioned in the contract or upon surrender of the contract; the value of property acquired by gift, bequest, devise, or descent (but the income from such property shall be included as income); interest upon the obligations of a State or any political subdivision thereof or upon the obligations of the United States, but in the case of obligations of the United States issued after September 1, 1917, only if and to the extent provided in the act authorizing the issue thereof) or its possessions or securities issued under the provisions of the Federal farm-loan act of July 17, 1916; the compensation of all officers and employees of a State, or any political subdivision thereof, except when such compensation is paid by the United States Government.

DEDUCTIONS ALLOWED.

SEC. 5. That in computing net income in the case of a citizen or resident of the United States—

(a) For the purpose of the tax there shall be allowed as deductions—

First. The necessary expenses actually paid in carrying on any business or trade, not including personal, living, or family expenses;

Second. All interest paid within the year on his indebtedness, except on indebtedness incurred for the purchase of obligations or securities the interest upon which is exempt from taxation as income under this title;

Third. Taxes paid within the year imposed by the authority of the United States (except income and war-profits taxes), or of its Territories or possessions, or any foreign country, or by the authority of any State, county, school district, or municipality, or other taxing subdivision of any State, not including those assessed against local benefits;

Fourth. Losses actually sustained during the year, incurred in his business or trade, or arising from fires, storms, shipwreck, or other casualty, and from theft, when such losses are not compensated for by insurance or otherwise: *Provided*, That for the purpose of ascertaining the loss sustained from the sale or other disposition of property, real, personal, or mixed, acquired before March 1, 1913, the fair market price or value of such property as of March 1, 1913, shall be the basis for determining the amount of such loss sustained;

Fifth. In transactions entered into for profit but not connected with his business or trade, the losses actually sustained therein during the year to an amount not exceeding the profits arising therefrom;

Sixth. Debts due to the taxpayer actually ascertained to be worthless and charged off within the year;

Seventh. A reasonable allowance for the exhaustion, wear, and tear of property arising out of its use or employment in the business or trade;

Eighth. (a) In the case of oil and gas wells a reasonable allowance for actual reduction in flow and production to be ascertained not by the flush flow but by the settled production or regular flow; (b) in the case of mines a reasonable allowance for depletion thereof not to exceed the market value in the mine of the product thereof, which has been mined and sold during the year for which the return and computation are made, such reasonable allowance to be made in the case of both (a) and (b) under rules and regulations to be prescribed by the Secretary of the Treasury: *Provided*, That when the allowances authorized in (a) and (b) shall equal the capital originally invested, or in case of purchase made prior to March 1, 1913, the fair market value as of that date, no further allowance shall be made. No deduction shall be allowed for any amount paid out for new buildings, permanent improvements, or betterments made to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made;

Ninth. Contributions or gifts actually made within the year to corporations or associations organized and operated exclusively for religious, charitable, scientific, or educational purposes, or to societies for the prevention of cruelty to children or animals, no part of the net income of which inures to the benefit of any private stockholder or individual, to an amount not in excess of 15 per cent of the taxpayer's taxable net income as computed without the benefit of this paragraph. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

CREDITS ALLOWED.

(b) For the purpose of the normal tax only the income embraced in a personal return shall be credited with the amount received as dividends upon the stock or from the net earnings of any corporation, joint-stock company, or association, trustee, or insurance company, which is taxable upon its net income as hereinafter provided.

(c) A like credit shall be allowed as to the amount of income, the normal tax upon which has been paid or withheld for payment at the source of the income under the provisions of this title.

NONRESIDENT ALIENS.

SEC. 6. That in computing net income in the case of a nonresident alien—

(a) For the purpose of the tax there shall be allowed as deductions—

First. The necessary expenses actually paid in carrying on any business or trade conducted by him within the United States, not including personal, living, or family expenses;

Second. The proportion of all interest paid within the year by such person on his indebtedness (except on indebtedness incurred for the purchase of obligations or securities the interest upon which is exempt from taxation as income under this title) which the gross amount of his income for the year derived from sources within the United States bears to the gross amount of his income for the year derived from all sources within and without the United States, but this deduction shall be allowed only if such person includes in the return required by section 8 all the information necessary for its calculation;

Third. Taxes paid within the year imposed by the authority of the United States (except income and war-profits taxes) or of its Territories or possessions, or by the authority of any State, county, school

district, or municipality, or other taxing subdivision of any State, paid within the United States, not including those assessed against local benefits;

Fourth. Losses actually sustained during the year, incurred in business or trade conducted by him within the United States, and losses of property within the United States arising from fires, storms, shipwreck, or other casualty, and from theft, when such losses are not compensated for by insurance or otherwise: *Provided*, That for the purpose of ascertaining the amount of such loss or losses sustained in trade, or speculative transactions not in trade, from the same or any kind of property acquired before March 1, 1913, the fair market price or value of such property as of March 1, 1913, shall be the basis for determining the amount of such loss or losses sustained;

Fifth. In transactions entered into for profit but not connected with his business or trade, the losses actually sustained therein during the year to an amount not exceeding the profits arising therefrom in the United States;

Sixth. Debts arising in the course of business or trade conducted by him within the United States due to the taxpayer actually ascertained to be worthless and charged off within the year;

Seventh. A reasonable allowance for the exhaustion, wear, and tear of property within the United States arising out of its use or employment in the business or trade; (a) in the case of oil and gas wells a reasonable allowance for actual reduction in flow and production to be ascertained not by the flush flow, but by the settled production or regular flow; (b) in the case of mines a reasonable allowance for depletion thereof not to exceed the market value in the mine of the product thereof which has been mined and sold during the year for which the return and computation are made, such reasonable allowance to be made in the case of both (a) and (b) under rules and regulations to be prescribed by the Secretary of the Treasury: *Provided*, That when the allowance authorized in (a) and (b) shall equal the capital originally invested, or in case of purchase made prior to March 1, 1913, the fair market value as of that date, no further allowance shall be made. No deduction shall be allowed for any amount paid out for new buildings, permanent improvements, or betterments made to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made.

(b) There shall also be allowed the credits specified by subdivisions (b) and (c) of section 5.

(c) A nonresident alien individual shall receive the benefit of the deductions and credits provided for in this section only by filing or causing to be filed with the collector of internal revenue a true and accurate return of his total income, received from all sources, corporate or otherwise, in the United States, in the manner prescribed by this title; and in case of his failure to file such return the collector shall collect the tax on such income, and all property belonging to such nonresident alien individual shall be liable to distraint for the tax.

PERSONAL EXEMPTION.

SEC. 7. That for the purpose of the normal tax only, there shall be allowed as an exemption in the nature of a deduction from the amount of the net income of each citizen or resident of the United States, ascertained as provided herein, the sum of $1,000, plus $1,000 additional if the person making the return be a head of a family or a married man with a wife living with him, or plus the sum of $1,000 additional if the person making the return be a married woman with a husband living with her; but in no event shall this additional exemption of $1,000 be deducted by both a husband and a wife: *Provided*, That only one deduction of $2,000 shall be made from the aggregate income of both husband and wife when living together: *Provided further*, That if the person making the return is the head of a family, there shall be an additional exemption of $200 for each child dependent upon such person, if under 18 years of age or if incapable of self-support because mentally or physically defective, but this provision shall operate only in the case of one parent in the same family: *Provided further*, That guardians or trustees shall be allowed to make this personal exemption as to income derived from the property of which such guardian or trustee has charge in favor of each ward or cestui que trust: *Provided further*, That in no event shall a ward or cestui que trust be allowed a greater personal exemption than as provided in this section from the amount of net income received from all sources. There shall also be allowed an exemption from the amount of the net income of estates of deceased citizens or residents of the United States during the period of administration or settlement, and of trust or other estates of citizens or residents of the United States the income of which is not distributed annually or regularly under the provisions of subdivision (b) of section 2, the sum of $1,000, including such deductions as are allowed under section 5.

RETURNS.

SEC. 8. (a) The tax shall be computed upon the net income, as thus ascertained, of each person subject thereto, received in each preceding calendar year ending December 31.

(b) On or before the 1st day of March, 1918, and the 1st day of March in each year thereafter, a true and accurate return under oath shall be made by each person of lawful age, except as hereinafter provided, having a net income of $1,000 or over for the taxable year to the collector of internal revenue for the district in which such person has his legal residence or principal place of business, or if there be no legal residence or place of business in the United States, then with the collector of internal revenue at Baltimore, Md., in such form as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, setting forth specifically the gross amount of income from all separate sources, and from the total thereof deducting the aggregate items of allowances herein authorized: *Provided*, That the Commissioner of Internal Revenue shall have authority to grant a reasonable extension of time, in meritorious cases, for filing returns of income by persons residing or traveling abroad who are required to make and file returns of income and who are unable to file said returns on or before March 1 of each year: *Provided further*, That the aforesaid return may be made by an agent when by reason of illness, absence, or nonresidence the person liable for said return is unable to make and render the same, the agent assuming the responsibility of making the return and incurring penalties provided for erroneous, false, or fraudulent return.

(c) Guardians, trustees, executors, administrators, receivers, conservators, and all persons, corporations, or associations acting in any fiduciary capacity, shall make and render a return of the income of the person, trust, or estate for whom or which they act, and be subject to all the provisions of this title which apply to individuals. Such fiduciary shall make oath that he has sufficient knowledge of the affairs of such person, trust, or estate to enable him to make such return and that the same is, to the best of his knowledge and belief, true and correct, and be subject to all the provisions of this title which apply to individuals: *Provided*, That a return made by one of two or more joint fiduciaries filed in the district where such fiduciary resides, under such regulations as the Secretary of the Treasury may prescribe, shall be a sufficient compliance with the requirements of this paragraph: *Provided further*, That no return of income not exceeding $1,000 shall be required except as in this title otherwise provided.

(d) Persons carrying on business in partnership shall be liable for income tax only in their individual capacity, and the share of the profits of the partnership to which any taxable partner would be entitled if the same were divided, whether divided or otherwise, shall be returned for taxation and the tax paid under the provisions of this title: *Provided*, That from the net distributive interests on which the individual members shall be liable for tax, normal and additional, there shall be excluded (1) their proportionate shares received from interests on the obligations of a State or any political or taxing subdivision thereof, and upon the obligations of the United States (if and to the extent that it is provided in the act authorizing the issue of such obligations of the United States that they are exempt from taxation) and its possessions, and (2) their proportionate shares of amounts paid to individual partners as reasonable salaries or compensation for personal services actually rendered during the taxable year, if such payments are made in accordance with prior agreements and are properly recorded on the books of the partnership; but in no case shall such salaries or compensation be in excess of the salaries or compensation customarily paid for similar services under like responsibilities by corporations engaged in like or similar trades or businesses. With respect to any period from the beginning of the calendar year 1917 (or, if the partnership has fixed its own fiscal year, from the beginning of such fiscal year) to March 1, 1918, where no previous agreement has been made as to salaries or compensation a like allowance shall be made for services actually rendered. In the case of a foreign partnership the allowance shall be limited to those portions of salaries or compensation which are paid for services rendered with respect to trade or business carried on within the United States: *Provided further*, That for the purpose of computing the normal tax there shall be allowed to the individual members a credit, as provided by section 5, subdivision (b), for their proportionate share of the profits derived from dividends.

Such partnership, when requested by the Commissioner of Internal Revenue or any district collector, shall render a correct return of the earnings, profits, and income of the partnership, except income exempt under section 4 of this act, setting forth the item of the gross income and the deductions and credits allowed by this title, and the names and addresses of the individuals who would be entitled to the net earnings, profits, and income if distributed. A partnership shall have the same privilege of fixing and making returns upon the basis of its own fiscal year as is accorded to corporations under this title. If a fiscal year ends during 1916 or a subsequent calendar year for which there is a rate of tax different from the rate for the preceding calendar year, then (1) the rate for such preceding calendar year shall apply to an amount of each partner's share of such partnership profits equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year, and (2) the rate for the calendar year during which such fiscal year ends shall apply to the remainder.

(e) In every return shall be included the income derived from dividends on the capital stock or from the net earnings of any corporation, joint-stock company or association, or insurance company, except that in the case of nonresident aliens such income derived from sources without the United States shall not be included.

(f) An individual keeping accounts upon any basis other than that of actual receipts and disbursements, unless such other basis does not clearly reflect his income, may, subject to regulations made by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, make his return upon the basis upon which his accounts are kept, in which case the tax shall be computed upon his income as so returned.

ASSESSMENT AND ADMINISTRATION.

SEC. 9. (a) That all assessments shall be made by the Commissioner of Internal Revenue and all persons shall be notified of the amount for which they are respectively liable on or before the 1st day of June of each successive year, and said amounts shall be paid on or before the 15th day of June, except in cases of refusal or neglect to make such returns and in cases of erroneous, false, or fraudulent returns, in which cases the Commissioner of Internal Revenue shall, upon the discovery thereof, at any time within three years after said return is due, or has been made, make a return upon information obtained as provided for in this title or by existing law, or require the necessary corrections to be made, and the assessment made by the Commissioner of Internal Revenue thereon shall be paid by such person or persons immediately upon notification of the amount of such assessment; and to any sum or sums due and unpaid after the 15th day of June in any year, and for 10 days after notice and demand thereof by the collector, there shall be added the sum of 5 per cent on the amount of tax unpaid, and interest at the rate of 1 per cent per month upon said tax from the time the same became due, except from the estates of insane, deceased, or insolvent persons.

(b) All persons, firms, copartnerships, companies, corporations, joint-stock companies or associations, and insurance companies, in whatever capacity acting, including lessees or mortgagors of real or personal property, trustees acting in any trust capacity, executors, administrators, receivers, conservators, employers, and all officers and employees of the United States having the control, receipt, custody, disposal, or payment of interest, rent, salaries, wages, premiums, annuities, compensation, remuneration, emoluments, or other fixed or determinable annual or periodical gains, profits, and income of any nonresident alien individual, other than income derived from dividends on capital stock, or from the net earnings of a corporation, joint-stock company or association, or insurance company, which is taxable upon its net income as provided in this title, are hereby authorized and required to deduct and withhold from such annual or periodical gains, profits, and income such sum as will be sufficient to pay the normal tax imposed thereon by this title, and shall make return thereof on or before March 1 of each year and, on or before the time fixed by law for the payment of the tax, shall pay the amount withheld to the officer of the United States Government authorized to receive the same; and they are each hereby made personally liable for such tax, and they are each hereby indemnified against every person, corporation, partnership, association, or insurance company, or demand whatsoever for all payments which they shall make in pursuance and by virtue of this title.

(c) The amount of the normal tax hereinbefore imposed shall also be deducted and withheld from fixed or determinable annual or periodical gains, profits, and income derived from interest upon bonds and mortgages, or deeds of trust or other similar obligations of corporations, joint-stock companies, associations, and insurance companies (if such bonds, mortgages, or other obligations contain a contract or provision by which the obligor agrees to pay any portion of the tax imposed by this title upon the obligee or to reimburse the obligee for any portion of the tax or to pay the interest without deduction for any tax which the obligor may be required or permitted to pay thereon or to retain therefrom under any law of the United States), whether payable annually or at shorter or longer periods and whether such interest is payable to a nonresident alien individual or to an individual citizen or resident of the United States, subject to the provisions of the foregoing subdivision (b) of this section requiring the tax to be withheld at the source and deducted from annual income and returned and paid to the Government, unless the person entitled to receive such interest shall file with the withholding agent, on or before February 1, a signed notice in writing claiming the benefit of an exemption under section 7 of this title.

(d) All persons, corporations, partnerships, or associations undertaking as a matter of business or for profit the collection of foreign payments of interest or dividends by means of coupons, checks, or bills of exchange shall obtain a license from the Commissioner of Internal Revenue, and shall be subject to such regulations enabling the Government to obtain the information required under this title as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe; and whoever knowingly undertakes to collect such payments as aforesaid without having obtained a license therefor, or without complying with such regulations, shall be deemed guilty of a misdemeanor and for each offense be fined in a sum not exceeding $5,000, or imprisoned for a term not exceeding one year, or both, in the discretion of the court.

(e) The tax herein imposed upon gains, profits, and incomes not falling under the foregoing and not returned and paid by virtue of the foregoing or as otherwise provided by law shall be assessed by personal return under rules and regulations to be prescribed by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury. The intent and purpose of this title is that all gains, profits, and income of a taxable class, as defined by this title, shall be charged and assessed with the corresponding tax, normal and additional, prescribed by this title, and said tax shall be paid by the owner of such income, or the proper representative having the receipt, custody, control, or disposal of the same. For the purpose of this title ownership or liability shall be determined as of the year for which a return is required to be rendered.

The provisions of this section, except subdivision (c), relating to the deduction and payment of the tax at the source of income, shall only apply to the normal tax hereinbefore imposed upon nonresident alien individuals.

Part II.—On corporations.

SEC. 10. (a) That there shall be levied, assessed, collected, and paid annually upon the total net income received in the preceding calendar year from all sources by every corporation, joint-stock company or association, or insurance company organized in the United States, no matter how created or organized, but not including partnerships, a tax of 8 per cent upon such income; and a like tax shall be levied, assessed, collected, and paid annually upon the total net income received in the preceding calendar year from all sources within the United States by every corporation, joint-stock company or association, or insurance company organized, authorized, or existing under the laws of any foreign country, including interest on bonds, notes, or other interest-bearing obligations of residents, corporate or otherwise, and including the income derived from dividends on capital stock or from net earnings of resident corporations, joint-stock companies or associations, or insurance companies whose net income is taxable under this title.

The foregoing tax rate shall apply to the total net income received by every taxable corporation, joint-stock company or association, or insurance company in the calendar year 1917 and in each year thereafter, except that if it has fixed its own fiscal year under the provisions of existing law, the foregoing rate shall apply to the proportion of the total net income returned for the fiscal year ending prior to December 31, 1917, which the period between January 1, 1917, and the end of such fiscal year bears to the whole of such fiscal year, and the rate fixed in section 10 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," shall apply to the remaining portion of the total net income returned for such fiscal year.

For the purpose of ascertaining the gain derived or loss sustained from the sale or other disposition by a corporation, joint-stock company or association, or insurance company of property, real, personal, or mixed, acquired before March 1, 1913, the fair market price or value of such property as of March 1, 1913, shall be the basis for determining the amount of such gain derived or loss sustained.

(b) In addition to the income tax imposed by subdivision (a) of this section there shall be levied, assessed, collected, and paid annually an additional tax of 10 per cent upon the amount, remaining undistributed six months after the end of each calendar or fiscal year, of the total net income of every corporation, joint-stock company or association, or insurance company, received during the year, as determined for the purposes of the tax imposed by such subdivision (a), but not including the amount of any income taxes paid by it within the year imposed by the authority of the United States.

The tax imposed by this subdivision shall not apply to that portion of such undistributed net income which is actually invested and employed in the business or is retained for employment in the reasonable requirements of the business or is invested in obligations of the United States issued after September 1, 1917: *Provided*, That if the Secretary of the Treasury ascertains and finds that any portion of such amount so retained at any time for employment in the business is not so employed or is not reasonably required in the business a tax of 15 per cent shall be levied, assessed, collected, and paid thereon.

The foregoing tax rates shall apply to the undistributed net income received by every taxable corporation, joint-stock company or association, or insurance company in the calendar year 1917 and in each year thereafter, except that if it has fixed its own fiscal year under the provisions of existing law, the foregoing rates shall apply to the proportion of the taxable undistributed net income returned for the fiscal year ending prior to December 31, 1917, which the period between January 1, 1917, and the end of such fiscal year bears to the whole of such fiscal year.

(c) The taxes imposed by this section shall not apply to any corporation, joint-stock company or association, or insurance company whose net income is less than $2,000, nor to any foreign corporation, joint-stock company or association, or insurance company whose net income from sources within the United States is less than $2,000.

CONDITIONAL AND OTHER EXEMPTIONS.

SEC. 11. (a) That there shall not be taxed under this title any income received by any—

First. Labor, agricultural, or horticultural organization;

Second. Mutual savings bank not having a capital stock represented by shares;

Third. Fraternal beneficiary society, order, or association operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system and providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association or their dependents;

Fourth. Domestic building and loan association and cooperative banks without capital stock organized and operated for mutual purposes and without profit.

Fifth. Cemetery company owned and operated exclusively for the benefit of its members;

Sixth. Corporation or association organized and operated exclusively for religious, charitable, scientific, or educational purposes, no part of the net income of which inures to the benefit of any private stockholder or individual;

Seventh. Business league, chamber of commerce, or board of trade not organized for profit and no part of the net income of which inures to the benefit of any private stockholder or individual;

Eighth. Civic league or organization not organized for profit but operated exclusively for the promotion of social welfare;

Ninth. Club organized and operated exclusively for pleasure, recreation, and other nonprofitable purposes, no part of the net income of which inures to the benefit of any private stockholder or member;

Tenth. Farmers' or other mutual hail, cyclone, or fire insurance company, mutual ditch or irrigation company, mutual or cooperative telephone company, or like organization of a purely local character, the income of which consists solely of assessments, dues, and fees collected from members for the sole purpose of meeting its expenses;

Eleventh. Farmers', fruit growers', or like association, organized and operated as a sales agent for the purpose of marketing the products of its members and turning back to them the proceeds of sales, less the necessary selling expenses, on the basis of the quantity of produce furnished by them;

Twelfth. Corporation or association organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this title; or

Thirteenth. Federal land banks and national farm-loan associations as provided in section 26 of the act approved July 17, 1916, entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes."

Fourteenth. Joint-stock land banks as to income derived from bonds or debentures of other joint-stock land banks or any Federal land bank belonging to such joint-stock land bank.

(b) There shall not be taxed under this title any income derived from any public utility or from the exercise of any essential governmental function accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, nor any income accruing to the government of the Philippine Islands or Porto Rico, or of any political subdivision of the Philippine Islands or Porto Rico: *Provided*, That whenever any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, has, prior to the passage of this title, entered in good faith into a contract with any person or corporation, the object and purpose of which is to acquire, construct, operate, or maintain a public utility, no tax shall be levied under the provisions of this title upon the income derived from the operation of such public utility, so far as the payment thereof will impose a loss or burden upon such State, Territory, or the District of Columbia, or a political subdivision of a State or Territory; but this provision is not intended to confer upon such person or corporation any financial gain or exemption or to relieve such person or corporation from the payment of a tax as provided for in this title upon the part or portion of the said income to which such person or corporation shall be entitled under such contract.

DEDUCTIONS.

SEC. 12. (a) In the case of a corporation, joint-stock company or association, or insurance company, organized in the United States, such net income shall be ascertained by deducting from the gross amount of its income received within the year from all sources—

First. All the ordinary and necessary expenses paid within the year in the maintenance and operation of its business and properties, including rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title, or in which it has no equity.

Second. All losses actually sustained and charged off within the year and not compensated by insurance or otherwise, including a reasonable allowance for the exhaustion, wear, and tear of property arising out of its use or employment in the business or trade; (a) in the case of oil and gas wells reasonable allowance for actual reduction in flow and production, to be ascertained not by the flush flow, but by the settled production or regular flow; (b) in the case of mines a reasonable allowance for depletion thereof, not to exceed the market value in the mine of the product thereof which has been mined and sold during the year for which the return and computation are made, such reasonable allowance to be made in the case of both (a) and (b) under rules and regulations to be prescribed by the Secretary of the Treasury: *Provided*, That when the allowance authorized in (a) and (b) shall equal the capital originally invested, or in case of purchase made prior to March 1, 1913, the fair market value as of that date, no further allowance shall be made; and (c) in the case of insurance companies, the net addition, if any, required by law to be made within the year to reserve funds and the sums other than dividends paid within the year on policy and annuity contracts: *Provided*, That no deduction shall be allowed for any amount paid out for new buildings, permanent improvements, or betterments made to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made: *Provided further*, That mutual fire and

mutual employers' liability and mutual workmen's compensation and mutual casualty insurance companies requiring their members to make premium deposits to provide for losses and expenses shall not return as income any portion of the premium deposits returned to their policyholders, but shall return as taxable income all income received by them from all other sources plus such portions of the premium deposits as are retained by the companies for purposes other than the payment of losses and expenses and reinsurance reserves: *Provided further*, That mutual marine insurance companies shall include in their return of gross income gross premiums collected and received by them, less amounts paid for reinsurance, but shall be entitled to include in deductions from gross income amounts repaid to policyholders on account of premiums previously paid by them and interest paid upon such amounts between the ascertainment thereof and the payment thereof, and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year.

Third. The amount of interest paid within the year on its indebtedness (except on indebtedness incurred for the purchase of obligations or securities the interest upon which is exempt from taxation as income under this title).

Fourth. Taxes paid within the year imposed by the authority of the United States (except income and excess profits taxes), or of its Territories or possessions, or any foreign country, or by the authority of any State, county, school district, or municipality, or other taxing subdivision of any State, not including those assessed against local benefits: *Provided*, That in the case of bonds or other indebtedness, which have been issued with a guaranty that the interest payable thereon shall be free from taxation, no deduction for the payment of the tax herein imposed, or any other tax paid pursuant to such guaranty, shall be allowed.

(b) In the case of a corporation, joint-stock company or association, or insurance company, organized, authorized, or existing under the laws of any foreign country, such net income shall be ascertained by deducting from the gross amount of its income received within the year from all sources within the United States—

First. All the ordinary and necessary expenses actually paid within the year out of earnings in the maintenance and operation of its business and property within the United States, including rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title, or in which it has no equity;

Second. All losses actually sustained within the year in business or trade conducted by it within the United States and not compensated by insurance or otherwise, including a reasonable allowance for the exhaustion, wear, and tear of property arising out of its use or employment in the business or trade; (a) and in the case (a) of oil and gas wells a reasonable allowance for actual reduction in flow and production to be ascertained not by the flush flow, but by the settled production or regular flow; (b) in the case of mines a reasonable allowance for depletion thereof not to exceed the market value in the mine of the product thereof which has been mined and sold during the year for which the return and computation are made, such reasonable allowance to be made in the case of both (a) and (b) under rules and regulations to be prescribed by the Secretary of the Treasury: *Provided*, That when the allowance authorized in (a) and (b) shall equal the capital originally invested, or in case of purchase made prior to March 1, 1913, the fair market value as of that date, no further allowance shall be made; and (c) in the case of insurance companies, the net addition, if any, required by law to be made within the year to reserve funds and the sums other than dividends paid within the year on policy and annuity contracts: *Provided*, That no deduction shall be allowed for any amount paid out for new buildings, permanent improvements, or betterments, made to increase the value of any property or estate, and no deductions shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made: *Provided, further*, That mutual fire and mutual employers' liability and mutual workmen's compensation and mutual casualty insurance companies requiring their members to make premium deposits to provide for losses and expenses shall not return as income any portion of the premium deposits returned to their policyholders, but shall return as taxable income all income received by them from all other sources plus such portions of the premium deposits as are retained by the companies for purposes other than the payment of losses and expenses and reinsurance reserves: *Provided further*, That mutual marine insurance companies shall include in their return of gross income gross premiums collected and received by them less amounts paid for reinsurance, but shall be entitled to include in deductions from gross income amounts repaid to policyholders on account of premiums previously paid by them, and interest paid upon such amounts between the ascertainment thereof and the payment thereof, and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year;

Third. The amount of interest paid within the year on its indebtedness (except on indebtedness incurred for the purchase of obligations or securities the interest upon which is exempt from taxation as income under this title) to an amount of such indebtedness not in excess of the proportion thereof which its net income from sources within the United States bears to its entire net income;

Fourth. Taxes paid within the year imposed by the authority of the United States (except income and excess-profits taxes), or of its Territories, or possessions, or by the authority of any State, county, school district, or municipality, or other taxing subdivision of any State, paid within the United States, not including those assessed against local benefits: *Provided*, That in the case of bonds or other indebtedness which have been issued with a guaranty that the interest payable thereon shall be free from taxation, no deduction for the payment of the tax herein imposed or any other tax paid pursuant to such guaranty shall be allowed.

(c) In the case of assessment insurance companies, whether domestic or foreign, the actual deposit of sums with State or Territorial officers, pursuant to law, as additions to guarantee or reserve funds shall be treated as being payments required by law to reserve funds.

RETURNS.

SEC. 13. (a) The tax shall be computed upon the net income, as thus ascertained, received within each preceding calendar year ending December 31: *Provided*, That any corporation, joint-stock company or association, or insurance company, subject to this tax, may designate the last day of any month in the year as the day of the closing of its fiscal year and shall be entitled to have the tax payable by it computed upon the basis of the net income ascertained as herein provided for the year ending on the day so designated in the year preceding the date of assessment instead of upon the basis of the net income for the calendar year preceding the date of assessment; and it shall give notice of the day it has thus designated as the closing of its fiscal year to the collector of the district in which its principal business office is located at any time not less than 30 days prior to the 1st day of March of the year in which its return would be filed if made upon the basis of the calendar year;

(b) Every corporation, joint-stock company or association, or insurance company, subject to the tax herein imposed, shall, on or before the 1st day of March, 1918, and the 1st day of March in each year thereafter, or, if it has designated a fiscal year for the computation of its tax, then within 60 days after the close of such fiscal year ending prior to December 31, 1916, and the close of each such fiscal year thereafter, render a true and accurate return of its annual net income in the manner and form to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, and containing such facts, data, and information as are appropriate and in the opinion of the commissioner necessary to determine the correctness of the net income returned and to carry out the provisions of this title. The return shall be sworn to by the president, vice president, or other principal officer, and by the treasurer or assistant treasurer. The return shall be made to the collector of the district in which is located the principal office of the corporation, company, or association, where are kept its books of account and other data from which the return is prepared, or in the case of a foreign corporation, company, or association, to the collector of the district in which is located its principal place of business in the United States, or if it have no principal place of business, office, or agency in the United States, then to the collector of internal revenue at Baltimore, Md. All such returns shall as received be transmitted forthwith by the collector to the Commissioner of Internal Revenue.

(c) In cases wherein receivers, trustees in bankruptcy, or assignees are operating the property or business of corporations, joint-stock companies or associations, or insurance companies, subject to tax imposed by this title, such receivers, trustees, or assignees shall make returns of net income as and for such corporations, joint-stock companies or associations, and insurance companies, in the same manner and form as such organizations are hereinbefore required to make returns, and any income tax due on the basis of such returns made by receivers, trustees, or assignees shall be assessed and collected in the same manner as if assessed directly against the organizations of whose businesses or properties they have custody and control;

(d) A corporation, joint-stock company or association, or insurance company keeping accounts upon any basis other than that of actual receipts and disbursements, unless such other basis does not clearly reflect its income, may, subject to regulations made by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, make its return upon the basis upon which its accounts are kept, in which case the tax shall be computed upon its income as so returned;

(e) All the provisions of this title relating to the tax authorized and required to be deducted and withheld and paid to the officer of the United States Government authorized to receive the same from the income of nonresident alien individuals from sources within the United States shall be made applicable to the tax imposed by subdivision (a) of section 10 upon incomes derived from interest upon bonds and mortgages or deeds of trust or similar obligations of domestic or other resident corporations, joint-stock companies or associations, and insurance companies by nonresident alien firms, copartnerships, companies, corporations, joint-stock companies or associations, and insurance companies not engaged in business or trade within the United States and not having any office or place of business therein.

(f) Likewise all the provisions of this title relating to the tax authorized and required to be deducted and withheld and paid to the officer of the United States Government authorized to receive the same from the income of nonresident alien individuals from sources within the United States shall be made applicable to income derived from dividends upon the capital stock or from the net earnings of domestic or other resident corporations, joint-stock companies or associations, and insurance companies by nonresident alien companies, corporations, joint-stock companies or associations, and insurance companies not engaged in business or trade within the United States and not having any office or place of business therein.

ASSESSMENT AND ADMINISTRATION.

SEC. 14. (a) All assessments shall be made and the several corporations, joint-stock companies or associations, and insurance companies shall be notified of the amount for which they are respectively liable on or before the 1st day of June of each successive year, and said assessment shall be paid on or before the 15th day of June: *Provided*, That every corporation, joint-stock company or association, and insurance company computing taxes upon the income of the fiscal year which it may designate in the manner hereinbefore provided shall pay the taxes due under its assessment within 105 days after the date upon which it is required to file its list or return of income for assessment, except in cases of refusal or neglect to make such return and in cases of erroneous, false, or fraudulent returns, in which cases the Commissioner of Internal Revenue shall, upon the discovery thereof, at any time within three years after said return is due, make a return upon information obtained as provided for in this title or by existing law, and the assessment made by the Commissioner of Internal Revenue thereon shall be paid by such corporation, joint-stock company or association, or insurance company immediately upon notification of the amount of such assessment, and to any sum or sums due and unpaid after the 15th day of June in any one year, or after 105 days from the date on which the return of income is required to be made by the taxpayer, and after 10 days' notice and demand thereof by the collector, there shall be added the sum of 5 per cent on the amount of tax unpaid and interest at the rate of 1 per cent per month upon said tax from the time the same becomes due: *Provided*, That upon the examination of any return of income made pursuant to this title, the act of August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," the act of October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," and the act of September 8, 1916, entitled "An act to increase the revenues, and for other purposes," if it shall appear that amounts of tax have been paid in excess of those properly due the taxpayer shall be permitted to present a claim for refund thereof notwithstanding the provisions of section 3228 of the Revised Statutes;

(b) When the assessment shall be made, as provided in this title, the returns, together with any corrections thereof which may have been made by the commissioner, shall be filed in the office of the Commissioner of Internal Revenue and shall constitute public records and be open to inspection as such: *Provided*, That any and all such returns shall be open to inspection only upon the order of the President, under rules and regulations to be prescribed by the Secretary of the Treasury and approved by the President: *Provided further*, That the proper officers of any State imposing a general income tax may, upon the request of the governor thereof, have access to said returns or to an abstract thereof, showing the name and income of each such corporation, joint-stock company or association, or insurance company, at such times and in such manner as the Secretary of the Treasury may prescribe.

(c) If any of the corporations, joint-stock companies or associations, or insurance companies aforesaid shall refuse or neglect to make a return at the time or times hereinbefore specified in each year, or shall render a false or fraudulent return, such corporation, joint-stock company or association, or insurance company shall be liable to a penalty of not exceeding $10,000: *Provided*, That the Commissioner of Internal Revenue shall have authority, in the case of either corporations or individuals, to grant a reasonable extension of time in meritorious cases as he may deem proper.

(d) That section 3225 of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:

"SEC. 3225. When a second assessment is made in case of any list, statement, or return, which in the opinion of the collector or deputy collector was false or fraudulent, or contained any understatement or undervaluation, no tax collected under such assessment shall be recovered by any suit unless it is proved that the said list, statement, or return was not false nor fraudulent and did not contain any understatement or undervaluation; but this section shall not apply to statements or returns made or to be made in good faith under the laws of the United States regarding annual depreciation of oil or gas wells and mines."

Part III.—General Administrative Provisions.

SEC. 15. That the word "State" or "United States" when used in this title shall be construed to include any Territory, the District of Columbia, Porto Rico, and the Philippine Islands, when such construction is necessary to carry out its provisions.

SEC. 16. That sections 3167, 3172, 3173, and 3176 of the Revised Statutes of the United States as amended are hereby amended so as to read as follows:

"SEC. 3167. It shall be unlawful for any collector, deputy collector, agent, clerk, or other officer or employee of the United States to divulge or to make known in any manner whatever not provided by law to any person the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any income return, or to permit any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; and it shall be unlawful for any person to print or publish in any manner whatever not provided by law any income return or any part thereof or source of income, profits, losses, or expenditures appearing in any income return; and any offense against the foregoing provision shall be a misdemeanor and be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year, or both, at the discretion of the court; and if the offender be an officer or employee of the United States he shall be dismissed from office or discharged from employment.

"SEC. 3172. Every collector shall, from time to time, cause his deputies to proceed through every part of his district and inquire after and concerning all persons therein who are liable to pay any internal-revenue tax, and all persons owning or having the care and management of any objects liable to pay any tax, and to make a list of such persons and enumerate such objects.

"SEC. 3173. It shall be the duty of any person, partnership, firm, association, or corporation, made liable to any duty, special tax, or other tax imposed by law, when not otherwise provided for, (1) in case of a special tax, on or before the 31st day of July in each year, (2) in case of income tax on or before the 1st day of March in each year, or on or before the last day of the 60-day period next following the closing date of the fiscal year for which it makes a return of its income, and (3) in other cases before the day on which the taxes accrue, to make a list or return, verified by oath, to the collector or a deputy collector of the district where located, of the articles or objects, including the amount of annual income charged with a duty or tax, the quantity of goods, wares, and merchandise made or sold and charged with a tax, the several rates and aggregate amount, according to the forms and regulations to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, for which such person, partnership, firm, association, or corporation is liable: *Provided*, That if any person liable to pay any duty or tax, or owning, possessing, or having the care or management of property, goods, wares, and merchandise, article, or objects liable to pay any duty, tax, or license, shall fail to make and exhibit a list or return required by law, but shall consent to disclose the particulars of any and all the property, goods, wares, and merchandise, articles, and objects liable to pay any duty or tax, or any business or occupation liable to pay any tax as aforesaid, then, and in that case, it shall be the duty of the collector or deputy collector to make such list or return, which, being distinctly read, consented to, and signed and verified by oath by the person so owning, possessing, or having the care and management as aforesaid, may be received as the list of such person: *Provided further*, That in case no annual list or return has been rendered by such person to the collector or deputy collector as required by law, and the person shall be absent from his or her residence or place of business at the time the collector or a deputy collector shall call for the annual list or return, it shall be the duty of such collector or deputy collector to leave at such place of residence or business, with some one of suitable age and discretion, if such be present, otherwise to deposit in the nearest post office, a note or memorandum addressed to such person, requiring him or her to render to such collector or deputy collector the list or return required by law within 10 days from the date of such note or memorandum, verified by oath. And if any person, on being notified or required as aforesaid, shall refuse or neglect to render such list or return within the time required as aforesaid, or whenever any person who is required to deliver a monthly or other return of objects subject to tax fails to do so at the time required, or delivers any return which, in the opinion of the collector, is erroneous, false, or fraudulent, or contains any undervaluation or understatement, or refuses to allow any regularly authorized Government officer to examine the books of such person, firm, or corporation, it shall be lawful for the collector to summon such person, or any other person having possession, custody, or care of books of account containing entries relating to the business of such person, or any other person he may deem proper, to appear before him and produce such books at a time and place named in the summons, and to give testimony or answer interrogatories, under oath, respecting any objects or income liable to tax or the returns thereof. The collector may summon any person residing or found within the State or Territory in which his district lies; and when the person intended to be summoned does not reside and can not be found within such State or Territory, he may enter any collection district where such person may be found and there make the examination herein authorized. And to this end he may there exercise all the authority which he might lawfully exercise in the district for which he was commissioned: *Provided*, That 'person,' as used in this section, shall be construed to include any corporation, joint-stock company or association, or insurance company when such construction is necessary to carry out its provisions.

"SEC. 3176. If any person, corporation, company, or association fails to make and file a return or list at the time prescribed by law, or makes, willfully or otherwise, a false or fraudulent return or list, the collector or deputy collector shall make the return or list from his own knowledge and from such information as he can obtain through testimony or otherwise. Any return or list so made and subscribed by a collector or deputy collector shall be prima facie good and sufficient for all legal purposes.

"If the failure to file a return or list is due to sickness or absence the collector may allow such further time, not exceeding 30 days, for making and filing the return or list as he deems proper.

"The Commissioner of Internal Revenue shall assess all taxes, other than stamp taxes, as to which returns or lists are so made by a collector or deputy collector. In case of any failure to make and file a return or list within the time prescribed by law or by the collector, the Commissioner of Internal Revenue shall add to the tax 50 per cent of its amount, except that when a return is voluntarily and without notice from the collector filed after such time and it is shown that the failure to file it was due to a reasonable cause, and not to willful neglect, no such addition shall be made to the tax. In case a false or fraudulent return or list is willfully made the Commissioner of Internal Revenue shall add to the tax 100 per cent of its amount.

"The amount so added to any tax shall be collected at the same time and in the same manner and as part of the tax, unless the tax has been paid before the discovery of the neglect, falsity, or fraud, in which case the amount so added shall be collected in the same manner as the tax."

SEC. 17. That it shall be the duty of every collector of internal revenue to whom any payment of any taxes is made under the provisions of this title to give to the person making such payment a full written or printed receipt, expressing the amount paid and the particular account for which such payment was made; and whenever such payment is made such collector shall, if required, give a separate receipt for each tax paid by any debtor, on account of payments made to or to be made by him to separate creditors in such form that such debtor can conveniently produce the same separately to his several creditors in satisfaction of their respective demands to the amounts specified in such receipts; and such receipts shall be sufficient evidence in favor of such debtor to justify him in withholding the amount therein expressed from his next payment to his creditor; but such creditor may, upon giving to his debtor a full written receipt, acknowledging the payment to him of whatever sum may be actually paid, and accepting the amount of tax paid as aforesaid (specifying the same) as a further satisfaction of the debt to that amount, require the surrender to him of such collector's receipt.

SEC. 18. That any person, corporation, partnership, association, or insurance company liable to pay the tax, to make a return or to supply information required under this title, who refuses or neglects to pay such tax, to make such return or to supply such information at the time or times herein specified in each year, shall be liable, except as otherwise specially provided in this title, to a penalty of not less than $20 nor more than $1,000. Any individual or any officer of any corporation, partnership, association, or insurance company required by law to make, render, sign, or verify any return, or to supply any information, who makes any false or fraudulent return or statement with intent to defeat or evade the assessment required by this title to be made, shall be guilty of a misdemeanor and shall be fined not exceeding $2,000 or be imprisoned not exceeding one year, or both, in the discretion of the court, with the costs of prosecution: *Provided*, That where any tax heretofore due and payable has been duly paid by the taxpayer it shall not be re-collected from any withholding agent required to retain it at its source; nor shall any penalty be imposed or collected in such cases from the taxpayer, or such withholding agent whose duty it was to retain it, for failure to return or pay the same, unless such failure was fraudulent and for the purpose of evading payment.

SEC. 19. The collector or deputy collector shall require every return to be verified by the oath of the party rendering it. If the collector or deputy collector have reason to believe that the amount of any income returned is understated, he shall give due notice to the person making the return to show cause why the amount of the return should not be increased, and upon proof of the amount understated may increase the same accordingly. Such person may furnish sworn testimony to prove any relevant facts, and, if dissatisfied with the decision of the collector, may appeal to the Commissioner of Internal Revenue for his decision under such rules of procedure as may be prescribed by regulation.

SEC. 20. That jurisdiction is hereby conferred upon the district courts of the United States for the district within which any person summoned under this title to appear to testify or to produce books shall reside, to compel such attendance, production of books, and testimony by appropriate process.

SEC. 21. That the preparation and publication of statistics reasonably available with respect to the operation of the income-tax law and containing classifications of taxpayers and of income, the amounts allowed as deductions and exemptions, and any other facts deemed pertinent and valuable, shall be made annually by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury.

SEC. 22. That all administrative, special, and general provisions of law, including the laws in relation to the assessment, remission, collection, and refund of internal-revenue taxes not heretofore specifically repealed and not inconsistent with the provisions of this title, are hereby extended and made applicable to all the provisions of this title and to the tax herein imposed.

SEC. 23. That the provisions of this title shall extend to Porto Rico and the Philippine Islands: *Provided*, That the administration of the law and the collection of the taxes imposed in Porto Rico and the Philippine Islands shall be by the appropriate internal-revenue officers of those governments, and all revenues collected in Porto Rico and the Philippine Islands thereunder shall accrue intact to the general govern-

benefits thereof, respectively: *Provided further*, That the jurisdiction in this title conferred upon the district courts of the United States shall, so far as the Philippine Islands are concerned, be vested in the courts of the first instance of said Islands: *And provided further*, That nothing in this title shall be held to exclude from the computation of the net income the compensation paid any official by the governments of the District of Columbia, Porto Rico, and the Philippine Islands, or the political subdivisions thereof.

SEC. 24. That Section II of the act approved October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," and Title I of the act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916, as amended, are hereby repealed, except as herein otherwise provided, and except that they shall remain in force for the assessment and collection of all taxes which have accrued thereunder, and for the imposition and collection of all penalties or forfeitures which have accrued or may accrue in relation to any of such taxes, and except that the unexpended balance of any appropriation heretofore made and now available for the administration thereof or any provision thereof shall be available for the administration of this title or the corresponding provision thereof. Title I of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," is hereby repealed.

SEC. 25. That income on which has been assessed the tax imposed by Section II of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, shall not be considered as income within the meaning of this title: *Provided*, That this section shall not conflict with that portion of section 10, of this title, under which a taxpayer has fixed its own fiscal year.

SEC. 26. Every corporation, joint-stock company or association, or insurance company subject to the tax herein imposed, when required by the Commissioner of Internal Revenue, shall render a correct return, duly verified under oath, of its payments of dividends, whether made in cash or its equivalent or in stock, including the names and addresses of stockholders and the number of shares owned by each, and the tax years and the applicable amounts in which such dividends were earned, in such form and manner as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

SEC. 27. That every person, corporation, partnership, or association, doing business as a broker on any exchange or board of trade or other similar place of business shall, when required by the Commissioner of Internal Revenue, render a correct return duly verified under oath, under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, showing the names of customers for whom such person, corporation, partnership, or association has transacted any business, with such details as to the profits, losses, or other information which the commissioner may require, as to each of such customers, as will enable the Commissioner of Internal Revenue to determine whether all income tax due on profits or gains of such customers has been paid.

SEC. 28. That all persons, corporations, partnerships, associations, and insurance companies, in whatever capacity acting, including lessees or mortgagors of real or personal property, trustees acting in any trust capacity, executors, administrators, receivers, conservators, and employers, making payment to another person, corporation, partnership, association, or insurance company, of interest, rent, salaries, wages, premiums, annuities, compensation, remuneration, emoluments, or other fixed or determinable gains, profits, and income (other than payments described in sections 26 and 27) of $800 or more in any taxable year, or, in the case of such payments made by the United States the officers or employees of the United States having information as to such payments and required to make returns in regard thereto by the regulations hereinafter provided for, are hereby authorized and required to render a true and accurate return to the Commissioner of Internal Revenue, under such rules and regulations and in such form and manner as may be prescribed by him, with the approval of the Secretary of the Treasury, setting forth the amount of such gains, profits, and income, and the name and address of the recipient of such payment: *Provided*, That such returns shall be required, regardless of amounts, in the case of payments of interest upon bonds and mortgages or deeds of trust or other similar obligations of corporations, joint-stock companies, associations, and insurance companies, and in the case of collections of items (not payable in the United States) of interest upon the bonds of foreign countries and interest from the bonds and dividends from the stock of foreign corporations by persons, corporations, partnerships, or associations, undertaking as a matter of business or for profit the collection of foreign payments of such interest or dividends by means of coupons, checks, or bills of exchange.

When necessary to make effective the provisions of this section, the name and address of the recipient of income shall be furnished upon demand of the person, corporation, partnership, association, or insurance company paying the income.

The provisions of this section shall apply to the calendar year 1917 and each calendar year thereafter, but shall not apply to the payment of interest on obligations of the United States.

SEC. 29. That in assessing income tax the net income embraced in the return shall also be credited with the amount of any war-profits tax imposed by act of Congress and assessed for the same calendar or fiscal year upon the taxpayer, and, in the case of a member of a partnership, with his proportionate share of such war-profits tax imposed upon the partnership.

SEC. 30. That nothing in section 2 of the act approved October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," or in Title I of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," or in this title, shall be construed as taxing the income of foreign governments received from investments in the United States in stocks, bonds, or other domestic securities owned by such foreign governments, or from interest on deposits in banks in the United States of moneys belonging to foreign governments.

SEC. 31. (a) That the term "dividends" as used in this title shall be held to mean any distribution made or ordered to be made by a corporation, joint-stock company, association, or insurance company out of its earnings or profits accrued since March 1, 1913, and payable to its shareholders, whether in cash or in stock of the corporation, joint-stock company, association, or insurance company, which stock dividend shall be considered income, to the amount of the earnings or profits so distributed.

(b) Any distribution made to the shareholders or members of a corporation, joint-stock company or association, or insurance company, in the year 1917 or subsequent tax years, shall be deemed to have been made from the most recently accumulated undivided profits or surplus, and shall constitute a part of the annual income of the distributee for the year in which received, and shall be taxed to the distributee at the rates prescribed by law for the years in which such profits or surplus were accumulated by the corporation, joint-stock company, association, or insurance company, but nothing herein shall be construed as taxing any earnings or profits accrued prior to March 1, 1913, but such earnings or profits may be distributed in stock dividends or otherwise, exempt from the tax, after the distribution of earnings and profits accrued since March 1, 1913, has been made. This subdivision shall not apply to any distribution made prior to August 6, 1917, out of earnings or profits accrued prior to March 1, 1913.

SEC. 32. That premiums paid on life insurance policies covering the lives of officers, employees, or those financially interested in any trade or business conducted by an individual, partnership, corporation, joint-stock company or association, or insurance company shall not be deducted in computing the net income of such individual, corporation, joint-stock company or association, or insurance company, or in computing the profits of such partnership for the purposes of subdivision (e) of section 9.

SEC. 33. That any amount heretofore withheld by any withholding agent as required by Title I of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," on account of the tax imposed upon the income of any individual, a citizen or resident of the United States, for the calendar year 1917, except in the cases covered by subdivision (c) of section 9 of such act, as amended, shall be released and paid over to such individual, and the entire tax upon the income of such individual for such year shall be assessed and collected in the manner prescribed by this title.

TITLE II.—WAR-PROFITS TAX.

SEC. 200. That when used in this title—

The term "corporation" includes joint-stock companies or associations and insurance companies;

The term "domestic" means created under the law of the United States, or of any State, Territory, or District thereof, and the term "foreign" means created under the law of any other possession of the United States or of any foreign country or government;

The term "United States" means only the States, the Territories of Alaska and Hawaii, and the District of Columbia;

The term "taxable year" means the 12 months ending December 31, excepting in the case of a corporation or partnership which has fixed its own fiscal year, in which case it means such fiscal year. The first taxable year shall be the year ending December 31, 1917, except that in the case of a corporation or partnership which has fixed its own fiscal year it shall be the fiscal year ending during the calendar year 1917, in which case the tax for such taxable year shall be that proportion of the tax computed upon the net income during such full fiscal year which the time from January 1, 1917, to the end of such fiscal year bears to the full fiscal year;

The term "net income" means in the case of a foreign corporation or partnership or a nonresident alien individual, the net income received from sources within the United States; and

The term "prewar period" means:

(1) The three of the calendar years 1909, 1910, 1911, 1912, and 1913 remaining after the exclusion of the two calendar years in which the net income of the trade or business was respectively the greatest and the least;

(2) If a corporation or partnership was not in existence or an individual was not engaged in trade or business during the whole of each of such five calendar years, but was in existence or engaged in trade or business during the whole of four of such calendar years, the term means the two of such four years remaining after a like exclusion;

(3) If a corporation or partnership was not in existence or an individual was not engaged in trade or business during the whole of each of four of such calendar years, the term means as many of such calendar years during the whole of which the corporation or partnership was in existence or the individual was engaged in trade or business.

SEC. 201. (a) That this title shall not apply to—

(1) Corporations exempt from tax under the provisions of section 11 of this act, and partnerships and individuals carrying on or doing the same business, or coming within the same description;

(2) Corporations, partnerships, or individuals the net income of whose trade or business for the taxable year is less than $2,000.

(b) This title shall apply to all trades or businesses of whatever description, whether continuously carried on or not, except—

(1) An office or employment;

(2) Agriculture;

(3) A trade or business substantially all the net income of which is derived from personal services and in which capital is not a material income-producing factor;

(4) The business of life, health, and accident insurance combined in one policy issued on the weekly premium-payment plan.

The exception in clause (1), (2), (3), or (4) shall be made only if such trade or business is carried on separately from all other trades or businesses in which the taxpayer is engaged. If the books are so kept that the Secretary of the Treasury is unable satisfactorily to determine the net income of such excepted trade or business, or if he finds that by reason of any improper or artificial method of accounting or other device an undue proportion of the total net income of all the trades and businesses of the taxpayer is ascribed to such trade or business, the exception shall not be made.

(c) For the purposes of this title—

(1) Every corporation or partnership not exempt under subdivision (a) shall be considered to be engaged in trade or business, and all the trades or businesses in which it is engaged (except those exempt under subdivision (b)) shall be treated as a single trade or business, and all its income from whatever source derived (except from a trade or business exempt under subdivision (b)) shall be treated as received from such trade or business;

(2) All the trades or businesses in which an individual is engaged (except those exempt under subdivision (b)) shall be treated as a single trade or business;

(3) A partner shall not be considered to be engaged in trade or business with respect to his share in the profits of the partnership.

SEC. 202. That in addition to the taxes under existing law and under this act there shall be levied, assessed, collected, and paid for each taxable year upon the income of every corporation, partnership, or individual engaged in trade or business a tax (hereinafter in this title referred to as the tax) equal to the following percentages of the war profits of such trade or business (determined as hereinafter provided):

Ten per cent of the amount of such war profits not in excess of 10 per cent of the prewar profits of such trade or business (determined as hereinafter provided);

Twelve and one-half per cent of the amount by which such war profits exceed 10 per cent of such prewar profits and do not exceed 20 per cent thereof;

Fifteen per cent of the amount by which such war profits exceed 20 per cent of such prewar profits and do not exceed 30 per cent thereof;

Twenty per cent of the amount by which such war profits exceed 30 per cent of such prewar profits and do not exceed 40 per cent thereof;

Twenty-five per cent of the amount by which such war profits exceed 40 per cent of such prewar profits and do not exceed 50 per cent thereof;

Thirty per cent of the amount by which such war profits exceed 50 per cent of such prewar profits and do not exceed 60 per cent thereof;

Forty per cent of the amount by which such war profits exceed 60 per cent of such prewar profits and do not exceed 70 per cent thereof;

Fifty per cent of the amount by which such war profits exceed 70 per cent of such prewar profits and do not exceed 80 per cent thereof;

Sixty per cent of the amount by which such war profits exceed 80 per cent of such prewar profits and do not exceed 90 per cent thereof;

Seventy per cent of the amount by which such war profits exceed 90 per cent of such prewar profits and do not exceed 100 per cent thereof; and

Eighty per cent of the amount by which such war profits exceed 100 per cent of such prewar profits.

SEC. 203. That for the purposes of this title the war profits shall be determined, except as otherwise in this title provided, by deducting the prewar profits from the net income of the trade or business for the taxable year.

SEC. 204. (a) That for the purposes of this title the prewar profits shall be, except as otherwise in this title provided, the average annual amount of the net income of the trade or business during the prewar period, plus 8 per cent of the amount of new capital and minus 8 per cent of the amount of capital withdrawn.

(b) For the purposes of this section the term "new capital" means: (1) The amount of cash actually paid into the trade or business since December 31, 1913, if employed in the trade or business during the taxable year; (2) the amount of the surplus and undivided profits accumulated since December 31, 1913, if employed in the trade or business during the taxable year; and (3) tangible property paid into the trade or business since December 31, 1913, valued as of the time of such payment, if employed in the trade or business during the taxable year.

If any portion of such new capital has not been employed in the trade or business during the whole of the taxable year, there shall be added, in lieu of the 8 per cent thereon referred to in subdivision (a), the same proportion of such 8 per cent which the part of the taxable year during which such portion of such new capital has been employed bears to the whole taxable year.

(c) For the purposes of this section the term "capital withdrawn" means: (1) Cash paid into the trade or business prior to January 1, 1914, and withdrawn therefrom between December 31, 1913, and the close of the taxable year; (2) surplus or undivided profits accumulated prior to January 1, 1914, and withdrawn from the trade or business between December 31, 1913, and the close of the taxable year; and (3) tangible property paid into the trade or business prior to January 1, 1914, and withdrawn therefrom between December 31, 1913, and the close of the taxable year, valued as of the time of such withdrawal.

If any portion of such capital withdrawn has been employed in the trade or business during any part of the taxable year, there shall be subtracted, in lieu of the 8 per cent thereon referred to in subdivision (a), only the difference between such 8 per cent and 8 per cent per annum on such portion of the capital withdrawn for the part of the taxable year during which it has been employed.

(d) In computing new capital and capital withdrawn in the case of a foreign corporation or partnership or a nonresident alien individual, the term "trade or business" as used in this section means only that portion of the trade or business which is carried on within the United States.

(e) If the Secretary of the Treasury in any case is unable satisfactorily to determine the prewar profits, the war profits and prewar profits shall be determined as provided in section 205.

SEC. 205. (a) That if a corporation, partnership, or individual had no net income from the trade or business during the prewar period, or if a corporation or partnership was not in existence or an individual was not engaged in the trade or business during the whole of any one calendar year during the prewar period, the amount of the war profits shall be the same proportion of the net income of the trade or business for the taxable year as the proportion which the average war profits for such year of representative corporations, partnerships, and individuals engaged in a like or similar trade or business and whose war profits and prewar profits are determined as provided in section 203 and 204 bears to the average net income of the trades or businesses of such corporations, partnerships, and individuals.

(b) The proportion between the war profits and the net income in each trade or business shall be determined by the Commissioner of Internal Revenue in accordance with regulations prescribed by him with the approval of the Secretary of the Treasury. In the case of a corporation or partnership which has fixed its own fiscal year, the proportion determined for the calendar year ending during such fiscal year shall be used.

(c) A trade or business carried on by a corporation, partnership, or individual, although formally organized or reorganized on or after January 2, 1913, which is substantially a continuation of a trade or business carried on prior to that date, shall, for the purposes of this title, be deemed to have been in existence prior to that date, and the net income of its predecessor prior to that date shall be deemed to have been its net income.

(d) In cases where the war profits are determined in accordance with subdivision (a) of this section, the prewar profits shall be determined by deducting the war profits thus determined from the net income of the trade or business for the taxable year.

SEC. 206. (a) That if the Secretary of the Treasury, upon complaint finds either (1) that during the prewar period the net return of any domestic corporation or partnership or a citizen or resident of the United States from a trade or business was low as compared with the net return during the calendar years 1909, 1910, 1911, 1912, and 1913, of representative corporations, partnerships, and individuals engaged in a like or similar trade or business, or (2) that during the prewar period the ratio between the net and gross income from such trade or business was substantially less than the like ratio during the calendar years 1909, 1910, 1911, 1912, and 1913, in case of representative corporations, partnerships, and individuals engaged in a like or similar trade or business, then the war profits and prewar profits of such trade or business shall be determined in the same manner as provided in section 205, and the tax shall be computed separately from the other war profits of the taxpayer.

(b) If the Secretary of the Treasury, upon complaint finds either (1) that during the prewar period the net return of any foreign corporation or partnership or a nonresident alien individual from a trade or business carried on within the United States was low as compared with the net return during the calendar years 1909, 1910, 1911, 1912, and 1913, of representative corporations, partnerships, and individuals engaged in a like or similar trade or business, or (2) that during the prewar period the ratio between the net and gross income from such trade or business was substantially less than the like ratio during the calendar years 1909, 1910, 1911, 1912, and 1913, in case of representative corporations, partnerships, and individuals engaged in a like or similar trade or business, then the war profits and prewar profits of such trade or business shall be determined in the same manner as provided in section 205, and the tax shall be computed separately from the other war profits of the taxpayer.

(c) The tax shall be assessed upon the basis of the war profits and prewar profits determined as provided in section 204, but the taxpayer claiming the benefit of this section may at the time of making the return file a claim for abatement of the amount by which the tax so assessed exceeds a tax at like rate computed upon the basis of war profits and prewar profits determined as provided in this section. In such event collection of the part of the tax covered by such claim for abatement shall not be made until the claim is decided, but if, in the judgment of the Commissioner of Internal Revenue, the interests of the United States would be jeopardized thereby he may require the claimant to give a bond in such amount and with such sureties as the commissioner may think wise to safeguard such interests, conditioned for the payment of any tax found to be due, with the interest thereon, and if such bond, satisfactory to the commissioner, is not given within such time as he prescribes, the full amount of tax assessed shall be collected and the amount overpaid, if any, shall upon final decision of the application be refunded as a tax erroneously or illegally collected.

SEC. 207. That for the purposes of this title the net income of the trade or business in the case of a corporation shall be ascertained and returned—

(a) For the calendar years 1909, 1910, 1911, and 1912 upon the same basis and in the same manner as provided in section 38 of the act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, except that income taxes paid by it within the year imposed by the authority of the United States shall be included;

(b) For the calendar year 1913 upon the same basis and in the same manner as provided in Section II of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, except that income taxes paid by it within the year imposed by the authority of the United States shall be included, and except that the amounts received by it as dividends upon the stock or from the net earnings of other corporations, joint-stock companies or associations, or insurance companies, subject to the tax imposed by Section II of such act of October 3, 1913, shall be deducted; and

(c) For the taxable year upon the same basis and in the same manner as provided in Title I of this act, except that the amounts received by it as dividends upon the stock or from the net earnings of other corporations, joint-stock companies or associations, or insurance companies, subject to the tax therein imposed, shall be deducted.

The net income of the trade or business in the case of a partnership or individual shall be ascertained and returned for the calendar years 1909, 1910, 1911, 1912, and 1913, and for the taxable year, upon the same basis and in the same manner as provided in Title I of this act, except that the credit allowed by subdivision (b) of section 5 shall be deducted. There shall be allowed (a) in the case of a domestic partnership the same deductions as allowed to individuals in subdivision (a) of section 5; and (b) in the case of a foreign partnership the same deductions as allowed to individuals in subdivision (a) of section 6.

In computing net income for the taxable year there shall also be deducted by a partnership reasonable salaries or compensation paid to individual partners for personal services actually rendered during the taxable year, if the payments are made in accordance with prior agreements and are properly recorded on the books of the partnership; but not in excess of the salaries or compensation customarily paid for similar services under like responsibilities by corporations engaged in like or similar trades or businesses. With respect to any period from the beginning of the first taxable year to March 1, 1918, where no previous agreement has been made as to salaries or compensation a similar deduction may be made for services actually rendered.

In computing net income for the taxable year an individual carrying on a trade or business may also deduct a reasonable amount as salary or compensation for personal services actually rendered by him in the conduct of such trade or business, but not in excess of the salaries or compensation customarily paid for similar service under like responsibilities by corporations or partnerships engaged in like or similar trades or businesses.

In the case of a foreign partnership or nonresident alien individual, the deduction shall be limited to that portion of the salary or compensation which is for service rendered with respect to trade or business carried on within the United States.

SEC. 208. That every partnership having a net income of $2,000 or more for the taxable year shall render a correct return of the income of the trade or business for the taxable year, setting forth specifically the gross income for such year and the deductions allowed in this title. Such returns shall be rendered at the same time and in the same manner as is prescribed for income-tax returns under Title I of this act.

SEC. 209. That all administrative, special, and general provisions of law, including the laws in relation to the assessment, remission, collection, and refund of internal-revenue taxes not heretofore specifically repealed and not inconsistent with the provisions of this title, are hereby extended and made applicable to all the provisions of this title and to the tax herein imposed, and all provisions of Title I of this act relating to returns and payment of the tax therein imposed, including penalties, are hereby made applicable to the tax imposed by this title.

SEC. 210. That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make all necessary regulations for carrying out the provisions of this title, and may require any corporation, partnership, or individual subject to the provisions of this title to furnish him with such facts, data, and information as, in his judgment, are necessary to collect the tax imposed by this title.

SEC. 211. That Title II of the act entitled "An act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy, and the extensions of fortifications, and for other purposes," approved March 3, 1917, and Title II of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, are hereby repealed.

Any amount heretofore or hereafter paid on account of the tax imposed by Title II of such act of March 3, 1917, shall be credited toward the payment of the tax imposed by this title, and if the amount so paid exceeds the amount of such tax the excess shall be refunded as a tax erroneously or illegally collected.

Subdivision (1) of section 301 of the act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916, is hereby amended so that the rate of tax for the taxable year 1917 shall be 10 per cent instead of 12½ per cent as therein provided.

Subdivision (2) of such section is hereby amended to read as follows:

"(2) This section shall cease to be of effect on and after January 1, 1918."

TITLE III.—GENERAL PROVISIONS.

SEC. 300. That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall by regulation allow an extension of time, not to exceed ——— days, for the filing of returns for, and the payment of, income and war profits taxes for the taxable year 1917.

SEC. 301. That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of said act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

TITLE IV.—SECOND-CLASS POSTAGE RATES.

SEC. 400. That sections 1101 to 1106, both inclusive, of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, are hereby repealed.

Amend the title so as to read: "Joint resolution amending the acts relating to income and excess-profits taxes, and for other purposes."

Mr. SMOOT. Mr. President, I desire to make a short statement explaining the provisions of this amendment.

I have yet to discuss the revenue act of October 3, 1917, with a person who understands just what the act means, and taken in connection with the act of September 8, 1916, and the act of March 3, 1917, it is useless to think that a uniform tax return by individuals, partnerships, or corporations can be made. I have yet to find any two persons, professionally or otherwise, who interpret the revenue acts alike. I am positive there are but few who will not freely admit that the act of October 3, 1917, should be amended. Not only is it unworkable but the taxes imposed are unscientific and discriminatory.

My proposed amendment repeals title 1 of the act of September 8, 1916, the income tax; title 3 of the same act, munition manufacturers' tax; title 2 of the act of March 3, 1917, the excess-profits tax; title 1 of the act of October 3, 1917, the war-income tax; title 2 of the same act, the war excess-profits tax; title 12 of the same act, the income-tax amendments; and sections 1101 to 1106, inclusive, of the same act, the provisions creating a zone system and increasing postal rates on second-class mail matter.

The amendment provides a taxing system that any ordinary business man or individual can understand and will have no trouble in making out a tax return. Every individual, whether in business as such or as a member of a partnership, is treated alike. Every corporation is taxed upon the same basis, and the questions of capital invested, watered stock, and bonded indebtedness do not enter into the question of the amount of tax to be imposed. Subnormal businesses during the prewar period are treated on the same basis as normal businesses of like and similar character.

If the amendment becomes a law there will be no need of an advisory board to prepare Treasury decisions, such as is the case to-day in the Treasury Department, nine of such decisions having already been rendered and approved by the Secretary of the Treasury. Treasury Decision 2602 shows the treatment under section 201 of the act of October 3, 1917, of the deductions authorized by sections 203, 204, 205, or 210. Such a decision is nothing more nor less than legislating by interpretation by an advisory board appointed by the Secretary of the Treasury and instructing the Commissioner of Internal Revenue to enforce the interpretation given by the board as against the law passed by Congress. In this I am not finding fault with the wisdom of the advisory board's conclusions, but I call attention to this new form of legislation, which I consider a very unwise procedure. What the courts will have to say regarding this administrative legislation I have no doubt, but I do know that there will follow endless litigation for the Government and the people.

The amendment makes no change in the normal rate of 2 per cent upon all net incomes of individuals, but it consolidates the surtax rates imposed by the acts of September 8, 1916, and October 3, 1917. It does away with the two different amounts of exemptions on individual net incomes, as provided under existing laws, and allows the sum of $1,000 exemption plus $1,000 additional if the person making the return be the head of a family or a married man with a wife living with him, or plus the sum of $1,000 additional if the person making the return be a married woman with a husband living with her, and also provides that if the person making the return is the head of a family there shall be an additional exemption of $200 for each child dependent upon such person if under 18 years of age or if incapable of self-support because mentally or physically defective, but this provision shall operate only in the case of one parent in the same family. It also adds a provision allowing a deduction for amounts paid to individual partners as reasonable salaries or compensation for personal services actually rendered during the taxable year, but in no case shall such salaries or compensation be in excess of the salaries or compensation customarily paid for similar services under like responsibilities by corporations engaged in like or similar trades or businesses. It does not provide a higher rate of taxation upon unearned incomes than upon earned incomes, as I do not think it wise to inject this question into the legislation at this time, as the amendment ought to be passed at as early a date as possible and could be passed before the end of this month if the administration would approve it. I believe in the principle of taxing unearned incomes at a higher rate than earned incomes.

Instead of the different normal taxes imposed under existing revenue acts amounting to 6 per cent upon the total net income of all corporations, the amendment levies a straight tax of 8 per cent upon the net income of all corporations except those whose net income is less than $2,000. This 8 per cent tax is not imposed upon individuals or partnerships, thus equalizing the income tax required to be paid by an individual or an individual partner engaged in business as compared with the income tax imposed upon the stockholders of a corporation. This 8 per cent rate on corporations will raise $180,000,000 over and above the amount that the 6 per cent rate under existing laws will yield; or, in other words, the amendment will provide a revenue to the Government of $715,000,000 on corporation incomes in place of $535,000,000 under existing laws.

The greater changes provided for in the amendment to the existing laws will be found in title 2, designated in the act of October 3, 1917, as "war excess-profits tax" and in my amendment as "war-profits tax." Under this title the amendment only taxes the war profits and at graduated rates that I will hereafter name. Under this title the prewar period means the three years of the calendar years 1909, 1910, 1911, 1912, and 1913 remaining after the exclusion of the two calendar years in which the net income of the trade or business was, respectively, the greatest and the least. These five years taken as the prewar period will result in a much fairer normal income of all classes of business than the three years—1911, 1912, and 1913—provided in existing laws. Taking the five years as provided in the amendment will eliminate practically all, if not all, claims of discrimination against subnormal businesses, and it certainly will prevent a just claim of discrimination being made that the income from any one class of business during the five years was subnormal as proved to be the case in a few classes of business taking the normal earnings of the three prewar years provided in the act of October 3, 1917.

Again, if a corporation or partnership was not in existence or an individual was not engaged in trade or business during the whole of each of such five calendar years, but was in existence or engaged in trade or business during the whole of four of such calendar years, the term means the two of such four years remaining after a like exclusion; and if a corporation or partnership was not in existence or an individual was not engaged in trade or business during the whole of each of four of such calendar years, the term means as many of such calendar years during the whole of which the corporation or partnership was in existence or the individual was engaged in trade or business.

The war-profits tax as provided in the amendment does not apply to corporations which are exempt from income taxes. These are—

First. Labor, agricultural, or horticultural organizations;

Second. Mutual savings bank not having a capital stock represented by shares;

Third. Fraternal beneficiary society, order, or association, operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system, and providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association or their dependents;

Fourth. Domestic building and loan association and cooperative banks without capital stock organized and operated for mutual purposes and without profit;

Fifth. Cemetery company owned and operated exclusively for the benefit of its members;

Sixth. Corporation or association organized and operated exclusively for religious, charitable, scientific, or educational purposes, no part of the net income of which inures to the benefit of any private stockholder or individual;

Seventh. Business league, chamber of commerce, or board of trade, not organized for profit and no part of the net income

of which inures to the benefit of any private stockholder or individual;

Eighth. Civic league or organization not organized for profit but operated exclusively for the promotion of social welfare;

Ninth. Club organized and operated exclusively for pleasure, recreation, and other nonprofitable purposes, no part of the net income of which inures to the benefit of any private stockholder or member;

Tenth. Farmers' or other mutual hail, cyclone, or fire insurance company, mutual ditch or irrigation company, mutual or cooperative telephone company, or like organization of a purely local character, the income of which consists solely of assessments, dues, and fees collected from members for the sole purpose of meeting its expenses;

Eleventh. Farmers', fruit growers', or like association, organized and operated as a sales agent for the purpose of marketing the products of its members and turning back to them the proceeds of sales, less the necessary selling expenses, on the basis of the quantity of produce furnished by them;

Twelfth. Corporation or association organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this title; or

Thirteenth. Federal land banks and national farm-loan associations as provided in section 26 of the act approved July 17, 1916, entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes."

Fourteenth. Joint-stock land banks as to income derived from bonds or debentures of other joint-stock land banks or any Federal land bank belonging to such joint-stock land bank.

(b) There shall not be taxed under this title any income derived from any public utility or from the exercise of any essential governmental function accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, nor any income accruing to the government of the Philippine Islands or Porto Rico, or of any political subdivision of the Philippine Islands or Porto Rico: *Provided*, That whenever any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, has, prior to the passage of this title, entered in good faith into a contract with any person or corporation, the object and purpose of which is to acquire, construct, operate, or maintain a public utility, no tax shall be levied under the provisions of this title upon the income derived from the operation of such public utility, so far as the payment thereof will impose a loss or burden upon such State, Territory, or the District of Columbia, or a political subdivision of a State or Territory; but this provision is not intended to confer upon such person or corporation any financial gain or exemption or to relieve such person or corporation from the payment of a tax as provided for in this title upon the part or portion of the said income to which such person or corporation shall be entitled under such contract.

Fifteenth. Corporations, partnerships, or individuals the net income of whose trade or business for the taxable year is less than $2,000.

Nor does it apply to—

(1) An office or employment.

(2) Agriculture.

(3) A trade or business substantially all the net income of which is derived from personal services and in which capital is not a material income-producing factor.

(4) The business of life, health, and accident insurance combined in one policy issued on the weekly premium-payment plan.

Section 202 of the amendment provides an additional tax to the taxation under existing law and under this act to be paid for each taxable year upon the income of every corporation, partnership, or individual engaged in trade or business equal to the following percentages of the war profits of such trade or business:

Ten per cent of the amount of such war profits not in excess of 10 per cent of the prewar profits of such trade or business (determined as hereinafter provided);

Twelve and one-half per cent of the amount by which such war profits exceed 10 per cent of such prewar profits and do not exceed 20 per cent thereof;

Fifteen per cent of the amount by which such war profits exceed 20 per cent of such prewar profits and do not exceed 30 per cent thereof;

Twenty per cent of the amount by which such war profits exceed 30 per cent of such prewar profits and do not exceed 40 per cent thereof;

Twenty-five per cent of the amount by which such war profits exceed 40 per cent of such prewar profits and do not exceed 50 per cent thereof;

Thirty per cent of the amount by which such war profits exceed 50 per cent of such prewar profits, and do not exceed 60 per cent thereof;

Forty per cent of the amount by which such war profits exceed 60 per cent of such prewar profits and do not exceed 70 per cent thereof;

Fifty per cent of the amount by which such war profits exceed 70 per cent of such prewar profits and do not exceed 80 per cent thereof;

Sixty per cent of the amount by which such war profits exceed 80 per cent of such prewar profits and do not exceed 90 per cent thereof;

Seventy per cent of the amount by which such war profits exceed 90 per cent of such prewar profits and do not exceed 100 per cent thereof; and

Eighty per cent of the amount by which such war profits exceed 100 per cent of such prewar profits.

War profits are ascertained by deducting the prewar profits from the net income of the trade or business for the taxable year and prewar profits are the average annual amount of the net income of the trade or business during the prewar period, plus 8 per cent of the amount of new capital and minus 8 per cent of the amount of capital withdrawn.

The estimated revenue to be derived from this tax will amount to $1,351,050,000, based upon a war profit of $3,300,000,000 for the year 1917. The amount raised under each bracket is estimated as follows:

First bracket, 10 per cent	$59,500,000
Second bracket, 12½ per cent	56,250,000
Third bracket, 15 per cent	33,600,000
Fourth bracket, 20 per cent	42,000,000
Fifth bracket, 25 per cent	47,500,000
Sixth bracket, 30 per cent	45,000,000
Seventh bracket, 40 per cent	55,200,000
Eighth bracket, 50 per cent	62,500,000
Ninth bracket, 60 per cent	60,000,000
Tenth bracket, 70 per cent	52,500,000
Eleventh bracket, 80 per cent	837,600,000
Total	1,351,050,000

This is an increase of revenue over the excess-profits tax as provided in the act of October 3, 1917, of $125,050,000.

New capital is designated as the amount of cash actually paid into the trade or business since December 31, 1913, if employed in the trade or business during the taxable year; the amount of the surplus and undivided profits accumulated since December 31, 1913, if employed in the trade or business during the taxable year; and tangible property paid into the trade or business since December 31, 1913, valued as of the time of such payment, if employed in the trade or business during the taxable year.

Mr. GALLINGER. Mr. President, will the Senator permit an interruption?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. SMOOT. I do.

Mr. GALLINGER. As I understand, the Senator proposes to offer a somewhat comprehensive bill as a substitute for the joint resolution which has come from the House of Representatives.

Mr. SMOOT. That is my purpose in proposing to strike out all after the resolving clause and to insert.

Mr. GALLINGER. If the Senator will permit me, Mr. President, I should like to ask the Senator if the bill which he proposes to offer as a substitute for the joint resolution will take the place of the two statutes which we now have relating to this question?

Mr. SMOOT. It will take the place of certain titles found in the three statutes we now have on the subjects of my amendment.

Mr. GALLINGER. So that we shall then have one comprehensive and, as the Senator has stated, easily understood law on the subject?

Mr. SMOOT. Should my bill be passed, all any person in the United States will have to do will be to get a copy of the law containing the titles covered in my amendment and he will then understand just what all of the rates are upon incomes and what all of the rates are on war profits.

Mr. GALLINGER. The present situation is one that is very annoying and very difficult to understand, there being the three laws on the subject on the statute books. I hope the Senator's proposed substitute may be adopted. We ought at least in some way to get rid of the multiplicity of statutes and to have a plain and easily understood law on this most important subject. I hope the Senator will succeed in accomplishing that

purpose, either in the effort he is now making or in some other way.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Mexico?

Mr. SMOOT. I yield to the Senator.

Mr. JONES of New Mexico. I should like to ask the Senator from Utah if the suggestion which has just been presented was not under rather exhaustive consideration, by the committee, at least, during the last session of Congress, and was it not then concluded that it was not advisable to have one comprehensive act, because of the hope that after the war it would be a simple matter to repeal any additional revenue legislation and leave the old legislation in operation? I should like also to ask the Senator whether or not at that time he did not concur in that view?

Mr. SMOOT. Mr. President, in answer to the Senator from New Mexico, I will state that what he has said is true as to the action of the committee, but that action was based upon the supposed-to-be fact that all of the revenues that would be necessary to be raised by our Government for the fiscal year ending June 30, 1918, would not exceed $7,000,000,000. The committee thought that under existing laws, which would raise $1,330,000,000, that would be sufficient revenue to be raised by the Government after the close of the war. That hope, however, has gone glimmering long ago. Instead of $7,000,000,000 to be raised, it has increased by leaps and bounds, until the amount is over $21,000,000,000 by direct appropriations and authorizations for the fiscal year ending June 30, 1918.

Mr. GALLINGER. And it will be $30,000,000,000 at the end of this session.

Mr. SMOOT. Mr. President, at this session of Congress I have no doubt but that we shall at least appropriate the same amount which was appropriated at the last session of Congress. Therefore, instead of having a bill enacted into law, hoping that as soon as the war ceased it could be repealed, because we should not need ..e revenue derived from it, we now find ourselves in a position where we shall require additional legislation to the act of October 3, 1917, in order to raise revenue sufficient for the needs of the Government. As to the revenue to defray the expenses of our Government, even after the war, I believe, Mr. President, that we shall require legislation to raise sufficient revenue to pay the running expenses of our Government to remain upon the statute books so long as our grandchildren are living.

I desire to say further to the Senator from New Mexico, in answer to his question, that I took the position in the committee that there ought to be one revenue bill and that all of the previous revenue measures ought to be repealed, but the majority of the committee thought otherwise. As we have further light upon the requirements of our Government as to the amount of revenue that must be raised, it seems to me that now is the proper time to enact a revenue measure that can be easily amended, to increase or decrease the revenue, that shall contain the principle of justice toward every individual, toward every partnership, and toward every corporation in the United States.

Mr. President, I ask Senators to read the proposed amendment which I have offered to-day and to study it in connection with existing revenue laws. If they will do so, I believe there is not a Senator in this body who will not admit that it proposes a more scientific and a more just form of taxation than is imposed upon the business and individuals of this country under existing law.

Mr. President, to resume the thread of my remarks at the point where I was interrupted, the only excuse that I have heard for not amending existing revenue acts is that the blank returns have already been prepared by the Treasury Department and should be delivered to persons affected and interested within the next 30 days, as under existing laws the returns must be made by March 1. My amendment provides in section 300 that the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall, by regulation, allow an extension of time, not to exceed ——— days, for the filing of returns for and the payment of income and war-profits taxes for the taxable year 1917. If the amendment is adopted any time during the months of January or February, it will not be too late, with a reasonable extension of time, to have the blanks prepared and sent to the interested persons.

I see no reason why this amendment should not pass both Houses of Congress within the next 30 days.

MINING OF COAL, ETC., ON THE PUBLIC DOMAIN.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.

The PRESIDING OFFICER. The question is on the first amendment offered by the Senator from Nevada [Mr. PITTMAN].

Mr. SHAFROTH. I ask that the section be read as it will appear if the amendments offered by the Senator from Nevada are agreed to.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The SECRETARY. The first amendment is on page 12, line 12, section 16, before the word "of" at the beginning of the line, to insert "by a claimant," so that it will read:

Or within 90 days after final withdrawal of application for patent by a claimant of any claim or subdivision thereof asserted under the mining laws prior to July 3, 1910—

And so forth.

Mr. SHAFROTH. Mr. President, I should like to have the Secretary read the other amendments to the section, and then reread the section to show the connection which these amendments have.

Mr. SMOOT. The Senator means the proposed amendments to section 16, does he not?

Mr. SHAFROTH. Yes; they are amendments offered by the Senator from Nevada. One of the amendments proposes to insert in line 12, before the word "of," the words "by a claimant"; and then, after the word "withdrawal," on page 12, line 14, to insert "and who prior to the said date had performed all acts necessary to a valid mining location thereof, except to make a discovery." So that the section will appear in the RECORD as it is proposed to be amended I read it, as follows:

SEC. 16. That upon relinquishment to the United States within 90 days from the date of this act or within 90 days after final denial or withdrawal of application for patent by a claimant of any claim or subdivision thereof asserted under the mining laws prior to July 3, 1910, to any unpatented oil or gas lands included in any order of withdrawal, and who prior to the said date had performed all acts necessary to a valid mining location thereof, except to make a discovery, such claimant or his successor in interest shall be entitled to a lease for each such asserted mineral location of 160 acres or less or any subdivision thereof upon which such claim is based and upon which said claimant, his predecessors in interest, or those claiming through or under him, have, prior to the date of this act, drilled one or more producing oil or gas wells, such lease to be upon a royalty of one-eighth of the production of oil or gas produced and saved therefrom after first deducting from the gross production such oil or gas as may be used in development and operating such land, and otherwise on the same terms and conditions as other oil and gas leases granted under the provisions of this act: *Provided, however*, That no claimant who has been guilty of fraud in the location of any oil claim or gas-bearing lands shall be entitled to any of the benefits of this section, nor shall his assignee be entitled thereto unless he affirmatively shows that prior to the passage of this act he purchased such lands in good faith, for a valuable consideration, and without actual knowledge of such fraud: *Provided further*, That upon the issuance of said lease and prior to the delivery thereof the applicant therefor shall pay to the United States for one-eighth of the oil or gas produced and saved from the lands included in said claim at the current field price at the time of production, which shall be in full satisfaction for all oil or gas extracted from said lands prior to said lease: *And provided further*, That none of the provisions of this section or of this act shall be applicable to or affect lands or minerals included within the limits of any naval petroleum reserve: *Provided further*, That the provisions of this section shall be applicable in all cases provided for herein, including cases where court actions have been heretofore commenced or may hereafter be commenced by the United States Government affecting the title to such lands or the product thereof: *Provided further*, That any bona fide occupant or claimant of oil or gas bearing lands in the Territory of Alaska, who prior to withdrawal had complied with the requirements of the mining laws, except as to discovery of oil or gas in wells, and who prior to withdrawal expended not less than $1,000 in permanent improvements on or for each location, shall be entitled to the benefits of this section.

Mr. BORAH. Mr. President, I do not know that I have any objection to these amendments, but they have only been offered and not as yet printed. I have had no opportunity to consider them, except as I heard them read from the desk. In view of the fact that we can not dispose of this bill until Monday—and we must dispose of it on Monday—is not the Senator from Nevada willing to let the amendments be printed, so that we may have an opportunity to consider them in connection with amendments that may be proposed from other sources?

Mr. PITTMAN. I have no objection whatever to that.

Mr. BORAH. We gain nothing by considering them this afternoon, because we can not dispose of the bill to-day anyway, and we must dispose of it on Monday. My opinion is that these amendments are in the line of the suggestions which have been made.

Mr. PITTMAN. Before I make a motion to adjourn I want to state, so that it may be in the RECORD for those who are interested in considering the subject, that the amendments made to section 16 are simply carrying out the intent that the committee originally had but which possibly was not clearly expressed. There was some doubt, as the Senator from Idaho calls attention to, with regard to the definition of the words "asserted under the mining laws." Therefore, in defining "asserted under the mining laws," we have used the same language that was used on page 15 with regard to the Wyoming

situation, which, I think, makes it definite. In other words, we now define a claim "asserted under the mining laws" to be a claim that has been located and marked on the ground and worked and sustained in accordance with the mining law in every particular except the sole particular of discovery of oil; and if the discovery of oil is subsequently made, it relates back and gives the claimant then a preference right of lease.

I think possibly that meets the objections to the definition made by the Senator from Idaho. However, we will have the bill printed, and between now and Monday we will have an opportunity to give more thought to it.

There is another amendment to which I wish to call the attention of Senators, and that is an amendment to section 34 which we have introduced here but which has not been read since we reconvened. That section provides, just as was provided in the potash bill which became a law, that locators may combine for the purpose of transporting or refining or marketing their oil, provided that no claimant or locator shall have to exceed a one-tenth interest in any one of these corporations or associations. That matter was thrashed out very carefully in the preparation of what we know as the potash bill, which has now become a law, and we agreed then that there would be no danger of monopoly if each of the oil owners was limited to a one-tenth interest in any refining company, transportation company, or pipe line.

Therefore I have offered that amendment to the section, which I believe will remedy that situation, and will remove any danger that the people in Wyoming might have of being under the domination of any one refinery or any one pipe line that may be there.

I may say, however, that if I correctly understand the law of Wyoming there is no danger from any pipe line there. The pipe line company is a common carrier, and is required to accept the oil that is given to it. I believe that does not apply, however, to refineries; and if there was any doubt about an oil operator being allowed to put up his own refinery, I know that the committee had no such intention. The committee had just the opposite intention. The committee desired by this very provision to prevent the refinery from controlling the oil lands, and it has been in all these bills for that purpose. This, in my opinion, at the present time not only prevents the monopoly that we have been trying to protect against for four years, but opens the door for the organization of mutual associations out there among the mine claimants.

Mr. SMOOT. Mr. President, I see no objection to the amendments offered by the Senator; in fact, in my opinion, they greatly improve the bill; but I ask him now to allow the amendments to go over without being acted upon.

Mr. PITTMAN. Certainly.

Mr. SMOOT. Then, if there are any objections, after more thorough consideration and examination of them, we will have an opportunity to speak on them next Monday.

Mr. PITTMAN. Undoubtedly.

Mr. SMOOT. I will say to the Senator that I have a few amendments to offer to the bill that I do not care to offer at this time, but I will do so on Monday.

Mr. JONES of Washington. Mr. President, I offer an amendment and ask to have it printed and lie on the table.

Mr. PITTMAN. There is no objection to that.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2 it is proposed to insert the words "or Territory," in line 6, after the word "State"; also to insert the same words, in line 7, after the word "State," and, in line 10, after the word "State."

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. PITTMAN. Mr. President, I desire to say that there is a great deal of misunderstanding with regard to the contents of this bill, as is demonstrated by a number of statements that have been made in this body and elsewhere. Besides that, there have been a great many views expressed with regard to the bill that are based purely on some little local condition and personal interests of private litigation. It has been impossible for the committee of the Senate to draw satisfactorily a bill that would grant to everybody what everybody believes he is entitled to. We have been able to treat this matter only in a fundamental way, to treat it in a general way, so that those that come within the law with the proper state of facts will have a remedy and the others will not.

In order that the Senate may be properly advised of the bill in the form in which it now is, I ask that it may be reprinted as amended, showing amendments agreed to in small caps and amendments pending in italics.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STERLING. Mr. President, is it in order now to propose amendments to the bill?

The PRESIDING OFFICER. Amendments are being offered and permitted to lie on the table.

Mr. STERLING. Very well. I submit an amendment, which I ask may be printed and lie on the table, and also that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The amendment is as follows:

After line 13, on page 25, insert the following:

"*Provided*, That nothing herein contained shall be construed to prevent any number of patentees or lessees under the provisions of this act from combining their several interests so far as may be necessary for the purpose of establishing and constructing a pipe line or lines to be operated and used by them jointly in the transportation of oil from their several wells or from constructing and carrying on the business of a refinery: *Provided further*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same."

Mr. KING. I offer two amendments and ask that they be printed and lie upon the table and printed in the RECORD. I do not ask that they be included within the order just made by the Senate that they be printed in connection with the bill.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The amendments are as follows:

On page 7, and at the end of section 6, insert the following as section 7:

"SEC. 7. That where, in the opinion of the Secretary of the Interior, the public interest will be benefited thereby, he is authorized to exchange noncontiguous bodies of public coal lands for privately owned coal lands, similarly situated, of approximately equal character and value, to such an extent and in such manner that thereafter the lands of the United States and those in private ownership shall each form single, compact, workable bodies or units: *Provided*, That nothing herein shall authorize the issuance or treatment of the privileges herein granted as script or assignable rights or privileges. In consummation of the exchanges herein authorized, the Secretary of the Interior is authorized to receive and record conveyances covering privately owned lands and to issue patents covering lands of the United States exchanged therefor."

On page 31, after section 44, insert the following:

"SEC. 45. That hereafter no public lands of the United States containing minerals shall be withdrawn by Executive proclamation or otherwise, and no reserve of any character or description, covering or including within its limits any mineral lands of the United States, shall be created or established except by act of Congress.

"All acts and parts of acts in conflict with this section are hereby repealed."

Mr. PITTMAN. If there is no further business at this time in connection with the bill and no one wants to speak on it, for the purpose of giving an opportunity to consider the amendments that have been offered, I propose that the Senate shall now adjourn. [After a pause.] I make that motion.

The motion was agreed to, and (at 1 o'clock and 50 minutes p. m.) the Senate adjourned until Monday, January 7, 1918, at 12 o'clock meridian.

SENATE.

MONDAY, *January 7, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek Thy favor and grace as we address ourselves to the task of another day. We pray Thee to write Thy new law, the law of love, on our hearts, that as we exercise our powers and fill the measure of our responsibility within the limited sphere of our independent activities we may have the guidance of that law of love to control and direct us in all things. Fit us, O God, as leaders of men; fit us as a part of the lawmaking body of this great land to lead the people unto the highest and best. For Christ's sake. Amen.

The Journal of the proceedings of Saturday last was read and approved.

DEATH OF SENATOR FRANCIS G. NEWLANDS.

The VICE PRESIDENT. The Secretary will read the following letter.

The Secretary read as follows:

JANUARY 5, 1918.

MY DEAR MR. VICE PRESIDENT: I beg to express to you and through you to the Members of the Senate my appreciation of your friendly sympathy during these last sad days.

My husband treasured the friendships he had formed in the Senate and valued his associations there beyond any other interest.

The evidences of the friendly feeling which his associates had for him, as expressed by you and them, have been most grateful to me.

Very sincerely, yours,

EDITH MCA. NEWLANDS.

CAMP JOSEPH E. JOHNSTON, FLORIDA.

Mr. FLETCHER. Mr. President, I desire to make a brief reference to an article that appears in the New York Herald of January 2, page 8, column 2. The article is entitled "Site

at Camp Johnston." It is misleading in title, because there is no reference made to Camp Johnston except as a means of identifying the alleged swamp. The following statement is made by the writer of the article, a communication to the editor of the Herald, signed by A. F. Engel, New York City, December 29, 1917:

About 4 miles from Camp Johnston, Jacksonville, Fla., a large tract of swamp land has been sold to the Government as a site for a recuperation hospital. This land is, at tidewater, covered with Atlantic moss, dead trees, and rotting vegetation. It is necessary to fill in and pump out streams before buildings can be erected, and it is a question which interests every citizen why the Government should purchase land of this character.

The vice of the article is that it is wholly untrue. As a matter of fact, there has been no recuperation hospital located in Florida at all. There has been some investigation with reference to establishing a site for a hospital in the State, but no report has ever been made on it to the Surgeon General, and thus far nothing has been done. So the whole statement is without any foundation and utterly false.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Washington?

Mr. FLETCHER. I do.

Mr. POINDEXTER. Otherwise the article is all right, is it?

Mr. FLETCHER. Well, the heading may be all right, but the statement with reference to this alleged recuperation hospital which it was intended to discuss is, as I said, without any foundation in fact. Perhaps otherwise it might be admitted to the newspaper as some sort of a communication.

With reference to Camp Johnston, I hold in my hand a statement from the Florida Times-Union of January 3, 1918, setting forth that—

HEALTH OF CAMP JOHNSTON EXCELLENT; SICKNESS IS LESS THAN 1 PER CENT.

The excellent health of Camp Johnston is not only a source of gratification to the authorities at the cantonment, but to the citizens of Jacksonville as well. It speaks volumes for the precautions taken by the medical authorities to guard the health of the soldiers, and also speaks eloquently for the general healthfulness of Florida.

The soldiers at Camp Johnston were drawn from every cantonment in the United States, as well as practically all States, as recently the enlisted men from the Quartermaster Reserve Corps were called into service and sent here for training. The last named came as civilians, and constitute a class of men prone to contract diseases and to bring disease into camp. They are unseasoned, undisciplined, and therefore more susceptible to disease than the men hardened by the rigors of camp and outdoor life.

It is extremely doubtful if another cantonment in the United States can show a health rate which in any way compares with that of Camp Joseph E. Johnston.

This article does not, however, have any reference to the conditions at Camp Johnston. I merely quote this because of the heading of the article, "Site of Camp Johnston."

I desire to state further, Mr. President, that Florida does not want any camp or cantonment or hospital or other military activity that is not the best for the country and helpful in these trying times.

I think it is fair to the community, I shall say, that whereas we can not, of course, correct the dense ignorance and deep prejudice of the author of this article, we can at least show that the statements are without foundation in fact.

WAR WITH GERMANY.

Mr. KING. Mr. President, I send to the desk a clipping from the Washington Post of yesterday containing resolutions recently adopted by an organization in the State of Wisconsin known as the Wisconsin State Council of Defense. Coming from that State where there are so many German-American citizens, it occurs to me, Mr. President, that at this particular juncture these resolutions ought to go into the RECORD and the attention of the country be called to them. No doubt but what they are indorsed by the residents of Wisconsin, and they are proof of the fact that the great body of the German-Americans of the United States are loyal and patriotic and that they are doing their part in the war.

I am sure that these resolutions will be gratifying to the Members of the Senate and gratifying to the patriotic people of the United States. I ask that the resolutions be read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

MADISON, WIS., *January 5.*

Demanding vigorous prosecution of the war, with no delay in the manufacture and transportation of guns and munitions or in furnishing proper food and clothing to soldiers and sailors, the Wisconsin State Council of Defense has adopted resolutions which have been forwarded to President Wilson.

The statement recognizes the patience and wisdom of the President, and declares that Wisconsin is not inclined to temporize with Members of Congress who, because of political selfishness, inefficiency, or subservience to red tape——

Mr. GALLINGER. Mr. President, I rise to a question of order, if I can not reach the matter in any other way. This paper seems to be a criticism of Congress, I should judge, and an exploitation of somebody or something. If I am not too late, I will enter an objection to the reading of the document.

Mr. KING. I desire to state to the Senator that I want read only the resolutions; and I am sure that the resolutions, not the comments of the newspaper, will not be regarded as a criticism of Congress. After having read them carefully, I feel confident that they contain no criticism of this or any other body.

The VICE PRESIDENT. The resolutions can be presented to the Senator from New Hampshire for examination, and if they contain a criticism of the Congress of the United States the Chair will sustain the point of order.

Mr. PENROSE. Mr. President, I only want to say on this point when the Senator from Utah rose I supposed he had a resolution addressed to the Senate——

Mr. KING. Oh, no.

Mr. PENROSE. But it appears he wants to have a newspaper clipping read. I thought we had at last arrived at a tacit understanding that we would not make the CONGRESSIONAL RECORD ridiculous by having a collection of telegrams and newspaper clippings inserted every morning. I shall emphatically object to having any newspaper clippings read.

Mr. KING. The objection of the Senator from Pennsylvania comes too late. Moreover, I am not so sensitive to the point suggested by the Senator. I am sure we ought to be gratified to know that the organizations of this country that represent public sentiment are vigorously behind the President in the prosecution of the war, and that they look with displeasure upon those who may hamper the war, and the spies and traitors, if there be any, throughout the country.

Mr. PENROSE. Mr. President, I do not require the listening to the reading of a Wisconsin newspaper to persuade me that our German-American citizens are loyal. I suppose I represent in this Chamber as many German-Americans as any half dozen Senators or more. I know they are as loyal as anyone else. But I can not help feeling that it is a very cheap form of statesmanship to be reading telegrams and newspaper clippings in the Senate.

Mr. KING. Of course, the Senator from Pennsylvania has had so many years of statesmanship he knows the difference between "cheap" and that which is very valuable, and he represents the valuable while I suppose I must confess to representing the cheap form of statesmanship. However, I like to know that the form of statesmanship I represent stands for the war, for its vigorous prosecution, and stands behind the President. It stands for American rights, which ought to be dear to the hearts of those citizens found within the district represented by the Senator from Pennsylvania.

Mr. PENROSE. Now, let us proceed with the ordinary routine of business, and I hope I shall be permitted to present a number of petitions for proper reference.

Mr. GALLINGER. Mr. President, I renew my objection to the matter being read from the desk.

The VICE PRESIDENT. Upon the ground that it is a criticism of Congress?

Mr. GALLINGER. A criticism of Congress, and giving instructions as to what Congress shall do in a certain important matter.

Mr. KING. I submit it is not a criticism of Congress, but if the Senator objects and the Chair sustains the objection, later on in the day I shall take occasion to read it as a part of my remarks. I insist that it is not a criticism of Congress.

The VICE PRESIDENT. In view of the controversy the Chair will not take time to read the resolutions, which are long, and, in view of the statement of the Senator from Utah that later in the day he will read them, they will get into the RECORD.

PETITIONS AND MEMORIALS.

Mr. PENROSE presented a resolution adopted by the Philadelphia Bourse, of Pennsylvania, favoring the authorization of a war-supply board to control all purchases of war necessities and the manufacture thereof, which was referred to the Committee on Military Affairs.

He also presented a memorial of the Board of Trade of Philadelphia, Pa., remonstrating against section 209 of the war-revenue act, relating to incomes derived from professions or occupations which have no vested capital, and praying that it be amended, which was referred to the Committee on Finance.

He also presented a resolution of the Board of Trade of Philadelphia, Pa., favoring the recommendation made by the President of the United States relative to the consideration of all appropriation bills through a single committee, which was referred to the Committee on Appropriations.

Mr. KENDRICK presented a petition of the One Hundred Per Cent American Club of Douglas, Wyo., praying that Indians be included in the military service of the country, which was referred to the Committee on Military Affairs.

He also presented a petition of the One Hundred Per Cent American Club of Douglas, Wyo., praying for the enactment of legislation making it a crime to use unpatriotic language, etc., which was referred to the Committee on the Judiciary.

Mr. CURTIS presented resolutions adopted by the executive committee of the Kansas State Live Stock Association, favoring the classifying of labor and so assigning it that the industries necessary for winning the war may be provided for, which were referred to the Committee on Education and Labor.

Mr. PHELAN presented resolutions adopted at a meeting of Serbian, Cortian, and Slovene residents of San Francisco, Cal., favoring the declaration of war on Austria and swearing allegiance to the United States, which were ordered to lie on the table.

He also presented a petition of the Merchants' Exchange of Oakland, Cal., praying for the construction of a naval base in Alameda as soon as possible, in order that additional facilities may be provided for naval operations, which was referred to the Committee on Naval Affairs.

Mr. THOMPSON presented a petition of the Kansas State Live Stock Association, praying for the enactment of legislation to regulate labor to the end that no labor be employed which does not contribute toward the winning of the war, especially during the crop season, which was referred to the Committee on Education and Labor.

Mr. CUMMINS. I present resolutions adopted at the annual meeting of the Joseph Smith Family Association, held on December 23, 1917, at Lamoni, Iowa, which I ask to have printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

LAMONI, IOWA, *December 27, 1917.*

Senators A. B. CUMMINS and W. C. KENYON,
Washington, D. C.

DEAR SIRS: At the annual meeting of the Joseph Smith Family Association on the 23d instant, the following resolution was read and adopted, and I, as secretary of the association, was requested to prepare and send copies of the same to yourselves, President Woodrow Wilson, and Hon. H. M. TOWNER:

"*Resolved*, That we, the Joseph Smith Family Association, composed of the direct descendants of Joseph Smith and those allied with them by marriage, not one of whom owes his or her birth or allegiance to the morally corrupting and soul-destroying doctrine of polygamy, of which he has been falsely accused, assembled in annual reunion at Lamoni, Iowa, on this 23d day of December, the one hundred and twelfth anniversary of the birth of our distinguished ancestor, hereby affirm the political faith of Joseph Smith declared in 1844, viz:

"'In the United States the people are the Government; and their united voice is the only sovereign that should rule, the only power that should be obeyed, and the only gentleman that should be honored, at home and abroad, on the land and on the sea.'

"We therefore unreservedly pledge to President Woodrow Wilson and the Congress of the United States our loyal support and our faithful service, in this dark hour of our country's peril, in their effort to make the world safe for democracy.

"*Resolved, further*, That copies of this resolution be forwarded to President Wilson and to our representatives in the Senate and House of Representatives, with request that they present the same to the bodies of which they are Members."

Very sincerely, REBECCA WELD, *Secretary.*

Mr. WARREN presented a resolution adopted by the One Hundred Per cent American Club of Douglas, Wyo., relative to the public utterances of Hon. ROBERT M. LA FOLLETTE, a Senator from the State of Wisconsin, which was referred to the Committee on Privileges and Elections.

He also presented a resolution adopted by the One Hundred Per Cent American Club of Douglas, Wyo., praying for the enactment of legislation making it criminal to use unpatriotic language, etc., which was referred to the Committee on the Judiciary.

He also presented a resolution adopted by the One Hundred Per Cent American Club of Douglas, Wyo., favoring the use of Indians in the military service of the country, which was referred to the Committee on Military Affairs.

MUNICIPAL BRIDGE AT ST. LOUIS, MO.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, with an amendment, the bill (S. 3081) to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto by the city of St. Louis within the States of Illinois and Missouri, and I submit a report (No. 185) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in section 1, page 1, line 10, after the word "extended," to strike out the words "without limitation" and to insert "for the period of three years," so as to make the section read:

That the time for the construction and completion of the municipal bridge approaches, and also extensions or additions thereto, which said construction and completion was authorized by an act entitled "An act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved June 25, 1906, be, and the same is hereby, extended for the period of three years from the date of the passage of this act.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. SMOOT. Mr. President, just a moment, please. I ask that the Secretary again report the amendment.

The VICE PRESIDENT. The Secretary will again state the amendment reported by the committee.

The Secretary again stated the amendment.

Mr. SMOOT. Mr. President, I shall not object to the passage of the bill, but as we are to vote at not later than 5 o'clock to-day on the bill to encourage and promote the mining of oil, phosphate, and so forth, I shall object to the consideration of any other bills during the morning hour.

Mr. POINDEXTER. I desire to inquire of the Senator who has reported the bill what is the purpose of extending this franchise without any limitation at all?

The VICE PRESIDENT. There is an amendment which has been reported by the committee to that provision of the bill.

Mr. POINDEXTER. That provision of the bill is proposed to be amended by the committee?

Mr. SHEPPARD. I will say to the Senator from Washington that I have been directed by the Committee on Commerce to report an amendment to the bill limiting the time for a period of three years.

The VICE PRESIDENT. The question is on the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KENDRICK:

A bill (S. 3407) granting an increase of pension to John Dewire;

A bill (S. 3408) granting a pension to Charles J. McClendon; and

A bill (S. 3409) granting a pension to Julia H. Bock; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 3410) for the relief of Charles Mace; to the Committee on Military Affairs.

A bill (S. 3411) granting an increase of pension to Milton S. Lawhead;

A bill (S. 3412) granting an increase of pension to Samuel R. Smith;

A bill (S. 3413) granting an increase of pension to David Dryburgh;

A bill (S. 3414) granting an increase of pension to Jay Smith;

A bill (S. 3415) granting an increase of pension to William J. Rigg;

A bill (S. 3416) granting an increase of pension to Robert Masters;

A bill (S. 3417) granting an increase of pension to William Wellman;

A bill (S. 3418) granting a pension to Francis M. Fox; and

A bill (S. 3419) granting an increase of pension to John E. Carpenter (with accompanying papers); to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 3420) granting a pension to Elizabeth H. Mills; to the Committee on Pensions.

By Mr. STONE:

A bill (S. 3421) granting an increase of pension to James M. Millirons (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 3422) granting a pension to Agnes Swarts (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 3423) granting a pension to Mary L. Colnay (with accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 3424) granting an increase of pension to Julia Burger (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 3425) for the relief of Paul Guenther (Inc.), and Paul Guenther and Olga Guenther; to the Committee on Claims.

GOVERNMENT CONTROL OF RAILROADS.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the bill (S. 3385) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes, which was referred to the Committee on Interstate Commerce and ordered to be printed.

Mr. WATSON submitted an amendment intended to be proposed by him to the bill (S. 3385) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes, which was referred to the Committee on Interstate Commerce and ordered to be printed.

PROPOSED AMENDMENT OF INCOME-TAX LAW.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 195) amending the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, so as to subject to the war excess-profits tax the compensation of officers and employees under the United States, including Members of Congress, which was referred to the Committee on Finance and ordered to be printed.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. PENROSE submitted an amendment providing that the Postmaster General may, in his discretion, allow employees detailed to the Army mail service abroad a per diem allowance not to exceed $3 per day, intended to be proposed by him to the Post Office appropriation bill (H. R. 7237), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

EAST ST. LOUIS RIOTS.

Mr. SHERMAN. I present a report from the attorney general of Illinois on the East St. Louis race riot. If the Senate will bear with me, I should like from three to five minutes to preface the report with a statement. I ask unanimous consent for that purpose.

The VICE PRESIDENT. The Chair hears no objection, and the Senator from Illinois will proceed.

Mr. SHERMAN. Mr. President, on the day and until midnight of July 2, 1917, a riot occurred in East St. Louis, Ill., attended with a loss of life unprecedented in such outbreaks in time of peace. The commotion disclosed a most deplorable condition in the municipal government. It showed an alliance with the vicious, lawless element which resulted in the paralysis of the ordinary agencies designed to protect life and property and preserve the public peace. A remarkable indifference afflicted officials. It was discouraging to the reputable element at East St. Louis to find their city government in such a condition. Law-abiding citizens, however, united their efforts and with a commendable spirit entered upon the redemption of their city.

Edward J. Brundage, attorney general of Illinois, promptly assumed control of the detection and punishment of those responsible for the outrages. His official conduct has been marked by a high sense of duty and professional ability. The crimes committed were of unprecedented atrocity. They manifested an abandoned spirit and a malignant cruelty difficult to believe unless proven by indisputable evidence. The bodies of 35 negroes were collected by undertakers and buried the day after the riot, unidentified and unclaimed. A large number of negroes were burned. The bodies of many were thrown into Cahokia Creek or the Mississippi River and were never recovered. Over 100 negroes were shot or mangled and beaten to various degrees of helplessness or injuries. Eight white men were killed. Over 250 buildings were burned. Some entire blocks were burned in the negro districts so completely as to leave nothing but heaps of ashes. Many negroes are believed to have been killed and their bodies destroyed so as to escape identification in the resulting fires.

The disreputable negro escaped. The law-abiding industrious one with the usual insensate blind fury of the mob was killed or maimed. Negro children were thrown back into the burning buildings. Some ran from their flaming homes and were shot by the mob while trying to escape. The East St. Louis police generally not only gave no help, but refused their efforts to save life and restore order.

Under those conditions Attorney General Brundage began an investigation. Circuit Judge Crow impaneled a grand jury in St. Clair County, in which East St. Louis is situated. When Attorney General Brundage began the investigation he demanded that the mayor of East St. Louis suspend the heads of the police department. This resulted in the suspension of the day and night chiefs and the resignation of the entire police board. One hundred and forty-three indictments were returned without a single dissenting vote. The defendants indicted were negroes in the mob that had killed white policemen, the man who fired the first shot the morning of the riot, leaders of mobs which searched street cars for negroes, policemen who disgraced their official character, leaders of riotous bodies of men which dragged negroes along the streets with ropes around their necks and hung and shot them. The mayor of the city was indicted for misfeasance in office, his private secretary for conspiracy, and a number of policemen for a variety of statutory offenses.

The attorney general sent his personal representatives to the trial table, who assisted in the prosecution. Convictions have been had for felonies in 18 or 20 of the cases, inflicting long penitentiary sentences. The defendants are now actually in the penitentiary. In the conviction for misdemeanors, generally speaking, the evidence showed only such conduct as would on ordinary occasions have been a breach of the peace.

Great publicity was given the riot and severe but merited criticisms were made. I believe it proper to say that the attorney general of Illinois and his personal representatives, the circuit judge, the grand jury, and the county officials charged with public duties in the prosecution, as well as the trial jury, have risen to the level of the emergency. They have shown a keen sense of their public duties and are resolved not only to punish the guilty, but to guarantee the future against the recurrence of such bloody outrages. The State of Illinois was humiliated by the deplorable lawlessness made manifest. It is none the less determined that the State and its several communities shall be redeemed from the disgrace brought upon it by municipal home rule of the vicious element gone mad. Illinois now challenges other States in which the mob spirit usurps control and leaves its bloody trail and ashes of ruined homes in its wake, to show a similar purpose to punish crime and vindicate the right of civilized communities to administer the laws and protect life and property. Severe reflections were made upon Illinois because of the riot. It now, so far as civil authority can atone for such unparalleled disorder and crime, presents its prosecution and punishment of the guilty who gave the occasion for such animadversion. A number of cases are still pending for trial on the indictments found. The prosecutions are being pushed vigorously. An aroused public sentiment is manifested, which promises a livelier performance of official duty and a guaranty for better conditions in East St. Louis.

One evident fact conveys a warning to every municipality in the United States. Vice and lawlessness supposed heretofore to be local in character are not so. The claim that such offenses are matters purely of home rule and punishment is a dangerous error. The insidious character of the element concerned in such supposed local offenses numbs officials, debases politics, and endangers public tranquillity. Its hidden character, until it blazes out in riot and disorder, as an ally of other forms of lawlessness, renders it more dangerous than more violent offenses. East St. Louis lies at the gateway of the great southwestern markets, factories, and carrier systems tributary to St. Louis, Mo. In time of war it could by such disorders as that of last July effectually interfere with or completely block the transportation of military and naval forces, munitions of war, and United States mails, together with the civil traffic that underlies the transactions of private life. Such conditions therefore are no longer mere matters of municipal home rule, but are become national in their necessary results.

With this preface I ask that the report of the attorney general of Illinois in reference to this prosecution be printed in the RECORD without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The report referred to is as follows:

EAST ST. LOUIS RACE RIOT.

TIME AND PLACE.

The riot took place on the principal streets of East St. Louis, Ill., and most of the negroes were killed and wounded in the very heart of the city; many within sight of the city hall. There were five small mobs of rioters that operated in different parts of the outskirts of the city, but the damage caused by them was small in comparison with that done in the downtown business part of the city.

The riot started on the morning of July 2, 1917, between 9 and 10 o'clock and continued until midnight, when it was practically quelled by the State militia. Two policemen who came on duty at 7 o'clock on the morning of the 3d took a small detachment of militia (eight men) and killed one and wounded two negroes on the island, and the Bunceum Road mob assaulted three negroes on the afternoon of the 3d. A number

of fires were set at different times during the succeeding weeks in the negro districts, but little damage was done after the 2d. The large fires were started about 5.30 p. m. on the afternoon of the 2d.

EXCUSE.

The excuse assigned by the mobs for the riot was the murder of two policemen the night before by a mob of negroes. (The negroes were beaten up by the whites during the day before the riot, and rumors of a massacre were carried to the negroes, causing them to arm and become disorderly.)

CASUALTIES AND DAMAGE.

About 35 bodies of negroes were collected by the undertakers. (In most cases they were buried the day after the riot, unidentified and unclaimed.) Eight whites were killed. (Four of these by white mobs.) Eight known whites were badly wounded (four by white mobs). Many—over 100—negroes were shot or beaten up, or both. A large number of negroes were burned and their bodies not recovered. A number were thrown into Cahokia Creek. Owing to the fact that a large part of the negro population left East St. Louis the day of the riot or shortly afterwards and went to all parts of the United States, no correct list or number of the dead and injured has ever been obtained. For days after the riot, especially before the investigation and prosecution of the rioters was commenced in earnest, it was boasted that "the niggers would be finished shortly, together with anyone who interfered with the rioters," and the negroes were afraid to even appear and claim their dead in many cases.

Over 250 buildings were burned. In some instances entire blocks in the negro districts were completely consumed. Large numbers of buildings were shot into and otherwise wrecked but escaped being burned.

RIOT CHECKED BY WHOM.

The East St. Louis police force, most of whom were in sympathy with the rioters, did nothing to stop the riot, and early in the day word was passed around that the police would not interfere. The militia on the ground during the day was composed mostly of young, green boys, and they spent the day trying to keep the crowds moving and in escorting negroes to places of safety. (Many negroes were saved in this manner.)

At 7 o'clock p. m., Company B of the Fourth Illinois Infantry, from Newton, Ill., arrived, and under the personal direction of Col. E. P. Clayton they were rushed to the corner of Collinsville and Broadway and arrested about 200 of a mob that was dragging a negro on the ground with a rope toward Main and Broadway, where they were going to hang him within sight of the city hall. Col. Clayton had his soldiers surround this crowd and marched them to the city hall at the point of the bayonet, and this wholesale arrest of the rioters broke the backbone of the riot.

The first fire alarm was turned in about 5.15 p. m., and between 6 and 7 the crowd hampered the firemen by cutting the hose; but after the wholesale arrest by Col. Clayton, he promised the fire chief of St. Louis, Mo., ample protection, and in a few minutes his companies arrived, and the fires were under control by midnight.

INCIDENTS OF THE RIOT (AS SHOWN BY EVIDENCE COLLECTED DURING INVESTIGATION).

Negroes were generally assaulted and knocked down by members of mobs and then shot while on the ground. Some were kicked and stamped with the boots and heels of the rioters. In numerous cases their skulls were crushed with paving blocks, iron bars, and clubs.

Some negroes were dragged on the ground with ropes around their necks.

Three negroes were hung.

Negro children were thrown back into burning buildings.

Numbers ran from their burning homes only to be shot by mobs which had started the fires.

One little negro girl about 2 years old was shot through the breast with a bullet.

One white woman cut the throat of a negress.

A number of negroes were chased to Cahokia Creek banks and jumped or were thrown in and when they would arise to the surface the mob would pelt them with clubs and stones until they sank.

A mob of white girls (prostitutes) attacked and beat a number of negro women. One girl would beat them with the heel of her shoe. These girls made a weapon from a table fork which they had attached to a cane, and when the street cars were stopped by the rioters the girls would stick and jab the negroes with the sharp tines of this weapon. A policeman was present when one of these girls stamped on the head of a negro whom the crowd had just assaulted and knocked down.

In a number of cases the mobs would not let the ambulance drivers pick up the wounded negroes, but would make them drive on.

One ambulance was shot into by the mob and riddled with bullets.

One negro who sought safety at the police station was driven out by an officer in the presence of the mayor and shortly afterwards was killed almost in front of the police station.

The mobs broke into the pawn shops and secured guns and ammunition in this manner.

Automobiles went from crowd to crowd passing out ammunition.

Many negroes saved their lives by "playing possum" and lying in the streets as if dead.

One officer of the police when approached by a citizen who asked him to stop the crowd from hanging a negro said, "No; they are only getting what they gave Coppedge and Wadley last night" (Coppedge and Wadley were the two policemen who were killed by the negroes the night before).

The deputy sheriffs were assisting in getting some colored women and children from a burning building, and they appealed to a police officer for help, and he said, "They did not need any help last night."

The two instances that stand out of white men attempting to stop a mob single handed from assaulting negroes are worthy of mention. Waldo D. McClure and a Mr. Stephenson are the two white men. McClure was nearly killed and Stephenson is now in an asylum from injuries received. Both of these men saved the lives of a negro, and it is interesting to know that they are both southerners.

There are numerous instances of where after driving the negroes from their homes the white mobs carried away the belongings of the negroes.

At least four white men were shot by bullets intended for the negroes.

No instance has come to light where a really bad negro was killed or wounded. In every case the victim was an old man or defenseless woman or child.

In a good many cases of the assaults committed after noon the victims were not even residents of East St. Louis, as after noon the East St. Louis negroes had run to cover and the mob began to stop all street cars and take the negroes from the cars. A good many of these cars came from other towns in the vicinity. The following story was brought to light in the trial of the case of the State against Robinson, Dow, and Hanna. (These three defendants are all now in the State penitentiary at Chester.)

Mrs. Lena Cook and husband Ed Cook, daughter Bernice, and son Lurizza were on a street car passing through East St. Louis; they were returning from a day's fishing trip. (None of these parties had ever stepped foot on East St. Louis soil.) The car was stopped, and Mrs. Cook's husband was taken out of the car by Dow, an ice man, who beat him over the head with a revolver until he was off the car and then shot him dead by a bullet in the back of the head. The son was beaten but got away and started to escape when he was also killed by a bullet from the crowd. (This bullet went through Lurizza and hit the pavement and killed a white man by the name of Keyser who was standing in front of his hardware store.) Mrs. Cook, who was begging the crowd to spare her children, was then kicked and beaten and pounded until she lost consciousness and was left for dead on the sidewalk in a pool of blood, with large handfuls of her hair which had been pulled from her head lying on the walk beside her. A white man named Stephenson interfered with mob and tried to save this woman, but the mob turned on him and inflicted injuries which has resulted in his losing his mind, and he is now in an asylum in Chicago.

As soon as the soldiers arrived at the scene of this killing, they ordered an ambulance and put in the bodies of five negroes, including Mrs. Cook. Mrs. Cook testified in the above-named case, and stated that when she came to in the ambulance her eyes were so full of blood that she could not see and that after she had felt around and secured something to wipe them with the first thing that she saw was her dead husband and the next was her dead son, one lying on each side of her. Her daughter was secreted in a drug store by a Salvation Army woman, and she found her daughter later in St. Louis.

Other witnesses testified to the fact that large bunches of her hair were lying beside her in her blood. She exhibited a scar the entire length of her head where the hair had been pulled out by the roots.

The police sergeant and police officer who led the soldiers on the 3d to the island shot one negro through the head and killed him; shot the arm off a woman, and shot another negro through the side.

PROSECUTIONS.

On the day of the riot, when the mayor, Fred Mollman, admitted to the governor over the telephone and to the chamber of commerce that he had lost control of his police force and could not force them to act and was powerless to do anything to quell the riot, a committee of 100 was formed out of the chamber of commerce and other leading business and professional men and they immediately started out to do the necessary things to protect life and property and regain order out of chaos and destruction.

They knew that under existing conditions in their county no honest, far-reaching investigation or prosecution would or could be accomplished by the local officers, and they telephoned to the attorney general of Illinois, Edward J. Brundage, for advice and help in the matter. In spite of the fact that his life was threatened in case he went to East St. Louis, he appeared there in person on the 4th of July and went into conference with the executive committee of the committee of 100.

He found a county in which it was common knowledge that a white man would not be prosecuted seriously for injuring a negro and where the boast of the ordinary citizen was that a white man had never been hung for murdering a negro; where a small race riot of a month previous had been whitewashed and where most of the officials were prepared to allow this orgy of crime also to be whitewashed; where hardly a name of members of mobs had been secured, hardly a name of the dead or wounded, the dead having been buried unidentified and without post-mortems; most of the mob members arrested by the militia already turned loose; the police force and police board which had allowed the riots still in office and shielding the rioters; and the citizens, almost without exception, ready to withhold information and evidence, either through sympathy with the rioters or fear of reprisals for divulging same. In a city where the better element threw up their hands in despair and said that the necessary convictions could not be had to redeem the city and make it a safe place to live the attorney general found more murders and other crimes committed by more criminals than ever before grew out of an act of mob violence at any place in the State or United States in the history of the country.

He immediately took charge of the investigation and prosecution of the rioters. He demanded that the mayor suspend the heads of the police department, and this resulted in the suspension of the day and night chiefs and the resignations of the entire police board. Assistant Attorney General W. E. Trautman was assigned to the coroner's jury, C. W. Middlekauff to the grand jury, and John E. Hamlin and James A. Farmer were appointed special attorneys general for the collection of evidence and the prosecution of the offenders. A large corps of investigators from the attorney general's office were also assigned to the task of collecting and presenting evidence to the grand jury, which was immediately called by Judge Crow, for the purpose of hearing the evidence, at the request of the attorney general.

After hearing over 600 witnesses the grand jury returned two lots of indictments against 143 defendants and without a single dissenting vote from a single juryman.

Among those indicted were 21 negroes, who were in the mob that killed the policemen;

The man who fired the first shot on the morning of the riot;

The leader of the labor temple hall meeting, where the first mob was organized;

The leaders of the mob which hung and dragged the negroes;

The leaders of the mobs which worked on the street cars;

The leaders of the mob which threw the negroes into the creek;

The man who stopped the ambulance from picking up the wounded negroes;

The leaders of the arson mob;

The crowd of ex-policemen who intimidated the few honest policemen by taking their prisoners away from them;

The policemen who led the militia that killed the negroes on the island;

The leaders of the mobs which worked in the outskirts of the city;

Seven of the policemen against whom positive evidence of conspiracy was obtained; and

The mayor and his secretary—the mayor for misfeasance in office and his secretary for conspiracy.

When the attorney general faced the first jury in the trial of the first case it was the first time since the early days in the history of the State of Illinois that the attorney general had appeared as a prosecutor

in a murder case, and, there being 13 defendants on trial for murder at one time, it was the largest murder case in number of defendants ever tried in the State. Ten of these defendants were given 14 years each in the penitentiary at Chester and are now serving their time.

When the investigation was first begun, the common report was that no evidence could be secured.

When the evidence was secured, the common report was that the grand jury would not indict.

After the indictments had been returned even the lawyers who were in favor of the prosecutions said that it would be impossible to secure convictions.

Even after convictions were secured the rumor was largely circulated that no one would ever serve time in the penitentiary, but at this time there are 19 in the penitentiary and 3 who have been sentenced recently. Altogether there have been over 50 defendants convicted of one crime or another on account of indictments obtained by the attorney general. All of this in spite of the fact that all of the time-worn customs of continuances, jury fixing, intimidation of witnesses, etc., were attempted, but without avail. Without hardly an exception the cases were tried as they were set, and with the above-described results, in less than five months from the time of the riot. The forces of the attorney general are ready to continue the prosecutions in the next term of court.

Just before the first riot in East St. Louis one of the lawyers of the city, in addressing a white meeting which was considering the race question, advised the people that there was no law in Illinois against mob violence. The trial of the riot cases has shown the people of that county that there is probably more law against this sort of crime than any other. At least the lawyer who made the statement, being the same lawyer who has represented the rioters in numerous cases, and who has lost every case, probably now thinks so.

As a matter of fact, law enforcement is picking up fast in this locality, and race rioting has probably been cured for some time to come. There is one law in Illinois for all nationalities—whites and negroes, Italians and Greeks, Frenchmen and Englishmen, Irishmen and Germans. They are all entitled to the protection of their lives and property, and they will get it.

GOVERNMENT CONTROL OF RAILROADS (S. DOC. NO. 159).

Mr. POINDEXTER. I ask that there be printed as a Senate document the proclamation by the President assuming possession and control of the railroads and appointing a director general, and also the statement of the President in connection with the proclamation.

Mr. SMOOT. Has not that already been printed in the RECORD?

Mr. POINDEXTER. It may have been printed in the RECORD, but I am informed it has not been printed as a document.

Mr. SMOOT. Then let it go to the Committee on Printing and we will consider it.

Mr. POINDEXTER. It is a matter of such importance I hope the Senator from Utah will not insist on its going to the committee. The Committee on Interstate Commerce is now considering this question. A large number of railroad officials and public officials who have to deal with the railroads are discussing this very proposition. There is an actual immediate need of the document in an available form.

Mr. SMOOT. Upon the statement of the Senator from Washington, I shall not object, although I think the matter ought to have gone to the Committee on Printing.

The VICE PRESIDENT. It will be so ordered.

ECONOMIES IN GOVERNMENT PAPER.

Mr. FLETCHER. Although not technically a report of a committee, perhaps, but appropriate to that head, I desire to ask to have printed in the RECORD a statement regarding the work of the Joint Committee on Printing relative to economies in Government paper. I think the statement will be valuable both for the information of Congress and the public. It is a very short statement.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

GOVERNMENT PRINTING OFFICE WILL USE 100,000,000 POUNDS OF PAPER, COSTING ABOUT $4,000,000, THIS YEAR.

[From the Official Bulletin, published by the Committee on Public Information, Dec. 15, 1917.]

Sixty-five million pounds of paper will be required for Government printing in the year beginning March 1, 1918, according to estimates submitted by the Public Printer to-day to the Joint Committee on Printing. This estimate is about 60 per cent of the quantity of paper which the Government Printing Office will use during the present year, the extraordinary demands for printing due to the war having already necessitated an expenditure of $2,260,000 for the first five months of this fiscal year. It is expected, therefore, that the total amount of paper which the Public Printer will have to buy for the present fiscal year will exceed 100,000,000 pounds, costing about $4,000,000.

Some idea of the vast increase in Government printing due to the war may be had from the fact that in normal years the Public Printer has required only about 28,000,000 pounds of all classes of paper, while for the coming year his estimate for book paper alone exceeds this total. The War Department itself has estimated that it will require $3,000,000 the coming year for printing, which is ten times the amount it ordinarily expends for that purpose in peace times.

WILL REDUCE WEIGHT OF PAPER.

In order to effect a substantial economy in the use of this immense quantity of paper the Joint Committee on Printing to-day adopted standards which materially reduce the weight of the more important classes of paper. This action was taken on the recommendation of the committee on specifications, consisting of Government paper experts, who estimate that the proposed reduction in weight will save the Government at least $320,000 in the cost of paper alone and reduce the total quantity required by nearly 2,000,000 pounds, which will thereby be available for other users of paper. Adding to this the even greater saving that will be possible for the Post Office Department to effect in the handling of the reduced weight of franked matter, the total economy proposed will amount to more than $600,000 for the coming year.

The Joint Committee on Printing itself has already taken the initiative in the use of lighter weight papers by having the CONGRESSIONAL RECORD and congressional documents printed upon 35 instead of 40 pound book paper. Including the estimated saving to the Post Office Department in the handling of the reduced weight of franked congressional matter this has already effected an economy of about $200,000 for the year.

ECONOMY IS URGED.

In view of the higher cost of paper, and the especially great need for conserving all paper-making material, the joint committee has requested the Public Printer to exercise to the fullest extent his authority under the printing law to require the use of the lightest weight and lowest grade paper possible in the execution of the public printing and binding. At its meeting to-day the members of the committee expressed the hope that all the departments of the Government would heartily cooperate with the Public Printer in his efforts to effect a further saving in the use of paper by the Government.

In addition to adopting the standards of paper for the coming year, the Joint Committee on Printing decided to open bids for such paper on January 21 in its room at the Capitol, and the Public Printer was directed to advertise for proposals in accordance with the schedule approved by the committee. The schedule, as before stated, calls for approximately 65,000,000 pounds of various classes of paper, including among the principal items, 25,000,000 pounds of machine-finish printing paper; 4,350,000 pounds supercalendared printing paper; 1,500,000 pounds news-print paper; 725,000 pounds coated book paper; 15,500,000 pounds writing paper; 5,400,000 pounds bond paper; 2,100,000 pounds ledger paper; 650,000 pounds map paper; 450,000 pounds safety writing paper; 1,150,000 pounds manila paper; 2,500,000 pounds bristol board; 1,600,000 pounds binder's board, and numerous minor lots.

THE PROPOSAL FORM.

The proposal form adopted by the committee provides that whenever the fair and reasonable market price, as determined by the Federal Trade Commission, for paper contracted for varies 20 per cent or more above or below the accepted price, either the Government or the contractor may have the option of annulling the contract at the expiration of either three, six, or nine months. This innovation was adopted by the committee last year and has since been included in other Government contracts. It is believed to be fair both to the Government and the contractor, in view of the great fluctuations that have occurred from time to time in the cost of manufacture due to the war.

The joint committee also gave recognition to the recent agreement entered into by the Attorney General with the news-print manufacturers to the effect that the price for news print should be fixed by the Federal Trade Commission. The committee's schedule provides, in accordance with this agreement, that the price of news print to be furnished the Government Printing Office after April 1 shall be the same as that fixed upon by the Federal Trade Commission for the newspaper publishers of the country.

BULK BOUGHT IN OPEN MARKET.

During the past year the Public Printer, under direction of the joint committee, has purchased by far the greater bulk of his paper in the open market, as the committee declined to award contracts on the basis of bids submitted to it last January. This has resulted in a saving of approximately $500,000 in the price that the paper would have cost the Government had it been purchased on the basis of the low bids made at that time. The committee hopes, however, that it will be able to obtain sufficiently reasonable bids for the coming year, so that it may award annual contracts as usual, for it is somewhat of a hardship to the Government and uncertainty to the manufacturers to continue the vast quantities of open-market purchases. These open-market purchases have, however, all been made after competitive bidding and the paper furnished has been inspected and tested in the same manner as that bought under annual contracts.

AMENDMENT OF FEDERAL FARM-LOAN ACT.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives insisting upon its amendment to the bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HOLLIS. I move that the Senate disagree to the amendment of the House and agree to the conference asked for by the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. OWEN, Mr. HOLLIS, and Mr. GRONNA conferees on the part of the Senate.

MINING OF COAL, ETC., ON THE PUBLIC DOMAIN.

The VICE PRESIDENT. The morning business is closed.

Mr. PITTMAN. I ask unanimous consent that the unfinished business be laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.

Mr. PITTMAN. Mr. President, there has been a peculiar attack made upon this proposed legislation. Some one is spending a large amount of money for the purpose of creating a prejudice against this measure. A full-page advertisement has appeared in one of the great papers of this city charging that this proposed legislation is in the interest of the Standard Oil Co. It is a strange thing, in the first place, that after four years' consideration of this subject, just about the time that this bill is to be voted on, this question should come up in this form.

The Committees on Public Lands of both bodies have for four years not only listened to the opinions and advice of everyone who might be interested in this matter but have invited them. This bill was originally prepared under the direct supervision of the Secretary of the Interior. It was drawn for the purpose of introducing into this country the leasing system as to nonmetalliferous metals. It is well known that nearly the entire West was opposed to that theory. It was a theory for which Mr. Pinchot was largely responsible; it was a theory which in its ultra form was totally impracticable and unfair to the development of the West. That bill came before the Public Lands Committee of the Senate. As I have said, we had possibly 20 hearings with regard to the bill; every interest was invited to come there and to be heard, and they were heard with regard to it. A bill was finally reported to this body and passed the Senate, which was very largely in the form in which this bill to-day now appears; in fact, in greater part, the pending bill is word for word the same.

The Committee on Public Lands of the House at the same time were holding hearings, and the House passed a bill almost identical with the present bill. At that time the only practical difference between the bill passed by the House and the bill passed by the Senate was this: The Senate bill provided that one lessee might hold not to exceed 2,560 acres of oil lands, while the House bill provided that one lessee should only hold 640 acres of such lands. The House contended that to grant more land to a lessee would tend toward a monopoly of the oil of this country. It was in conference on those two ideas that the final split came, and no bill was agreed to.

At the following session the bills were again introduced, again hearings were had, and again a bill was reported to this body practically in the form of the bill now pending. A third time a similar bill was reported by the Senate committee to this body, and this is the fourth bill of this kind which has been reported.

The advertisements to which I have referred attack what? They say that this legislation is going to be in the interest of the Standard Oil Co. Why? Because, they say, that if we limit the amount of land to 2,560 acres it will not permit one company to become sufficiently strong to contest with the Standard Oil Co. What does that mean? It means that the very people who are hallooing "Standard Oil Co." for the purpose of cowering the Members of Congress are urging the Congress at this time to permit them to establish a monopoly equal to that of the Standard Oil Co.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I do.

Mr. BORAH. I have not read the argument in the Post to which the Senator refers——

Mr. PITTMAN. It is the same argument as that contained in the brief handed to the Senator.

Mr. BORAH. I was going to say that I presume it is the same argument as that found in the brief; but the objection to this bill, Mr. President, whether it is found in an argument in a brief or in the Post, is that it undertakes to place a limitation upon production, but leaves the door wide open for all kinds of monopoly and combination with reference to refining.

Mr. PITTMAN. Mr. President, I have not gotten to the question of refining; I am taking up the complaints made by this public benefactor at the expense of $2,000 a page. This public benefactor states deliberately in the brief, which was handed to the Senator from Idaho, that the limitation of a lease to 2,560 acres is too small. He says that it will not give enough land to one lessee to enable him to become sufficiently strong to oppose the Standard Oil Co. Now, I will ask if that is not in that brief? If there is anyone here who denies it, then I will read the brief.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator whether in that same brief the suggestion is not made that it should be about 9,600 acres instead of 2,560 acres?

Mr. PITTMAN. That is true, I believe. The fact is, that this whole matter was fought out before both committees of Congress, and in that fight the committees determined absolutely——

Mr. BORAH. Mr. President——

Mr. PITTMAN. Just a second until I finish the sentence—that to grant more than 2,560 acres would tend to the very monopoly that now exists.

Mr. BORAH. Mr. President, I want to repeat that this law is so framed that there is no limitation upon the amount of leases which the refiners in that district may control.

Mr. PITTMAN. In what way?

Mr. BORAH. In the first place, after a man has made his discovery you put up the lease for competition. You put the prospector or the independent oil dealer in open competition in bidding for leases with the Standard Oil Co.; and that will cause the independent man to disappear just as soon as the Standard Oil Co. gets on the ground.

Mr. PITTMAN. That argument would be sound if that were all that the bill contained; and it is such arguments as that by those who desire to defeat this bill—as it is my belief this advertisement has in view—that are deceiving the people of this country and this Congress with regard to this legislation. The bill expressly provides that no person or corporation or association can, either directly or indirectly, have any interest, as a stockholder or otherwise, in more than 2,560 acres under this lease. If that is true—and that is in the bill, and to attempt it is punishable not only by forfeiture of the interest but by criminal prosecution—if that is true, then how could the Standard Oil Co. become interested in or bid for more than 2,560 acres?

Mr. BORAH. Does the Senator refer to sections 33 and 34?

Mr. PITTMAN. Yes, sir.

Mr. BORAH. I will discuss those later.

Mr. PITTMAN. I will read it, so that it will be definitely before the Senate.

Mr. BORAH. Does the Senator contend that sections 33 and 34 have any reference whatever to sections 16 and 17?

Mr. PITTMAN. No; they do not. They have no reference to those sections, but they have reference to the general leasing provision. There is no bidding provided for under sections 16 and 17. The Senator was talking about competitive bidding. Sections 16 and 17 do not provide for that form of bidding.

Mr. BORAH. Exactly; but what I say is that sections 16 and 17 open the door to those parties who are supposed to be controlled by sections 33 and 34, whereas, as a matter of fact, sections 33 and 34 do not refer to sections 16 and 17 at all.

Mr. PITTMAN. The Senator stated that the Standard Oil Co. and these refiners could outbid the individual or the poor man. I was answering that argument first, because that is erroneous.

Section 33 says:

> That no person, association, or corporation, except as herein provided—

And that refers to section 16—

> shall be permitted to take or hold any interest, as a stockholder or otherwise, in leases of any one of the deposits herein named and described during the life of such leases covering in the aggregate an area greater than 2,560 acres, and any interest held in violation of this provision shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction, except that any such ownership or interest hereby forbidden, which may be acquired by descent, will, judgment, or decree, may be held for two years and not longer after its acquisition.

Mr. OWEN. Mr. President, I should like to ask the Senator what are the exact exceptions provided for in the act when it says "except as herein provided"?

Mr. PITTMAN. I will read the exceptions now. I will read section 16, on page 12. Let me state that this section was put into the bill for this purpose:

The minute this act becomes a law all other acts in conflict with it are repealed. Under the existing law there is a provision for acquiring oil lands. That provision is under the placer-mining act. That means that a man may locate a piece of public land, mark its boundaries, file a location in the proper office, and go ahead until he makes a discovery, and when he makes a discovery he then may purchase it from the Government. A great many people are acting at the present time under the existing law. They have proceeded to sink wells and locate, and there must be some provision to take care of them when this new law takes effect. Again, there are a great many people who, under a misconception of the law, have at great expense developed new oil fields and sunk wells and are now producing oil, who, under the technical legal construction of the existing law are held not to have valid locations.

It means, as I have said before, that when the Taft withdrawal order took place in 1909 a great many of these men were cut off in their prospecting privileges just before they struck oil. Some of them were down 2,500 feet, within 200 feet of oil, and had they been permitted to go on for two weeks longer their claims would have been protected under the existing law. But what was the result? The Taft withdrawal order came on and withdrew all of these public lands from prospecting. These gentlemen did not believe that the President had authority to deal with the public lands. The Senator from Idaho [Mr. BORAH], on the floor of the Senate, denied that the President had authority to make the order of 1909. The ablest lawyers of this country denied it; and it was not until 1915 that there was a decision that the President had authority.

What was the result? Following the advice of the lower courts that decided that the President had no authority to make the order, following the advice given by Senators and Congressmen that the President had no authority to make the order, following the advice of the ablest attorneys of the United States those men continued with their work, opened up these oil wells, and have been producing ever since. Unless you put section 16 in the bill, what is the result? The result is that some man who has done nothing, some influential party, will come in and obtain a lease on the very ground that has been developed by some honest man in good faith. What are you going to do about it?

Mr. OWEN. Mr. President, can the Senator give the relative number of acres that are involved in those claims?

Mr. PITTMAN. I will give the Land Office statement with regard to Wyoming. I should judge that there are involved probably some fifteen or twenty thousand acres in California, and possibly the same amount in Wyoming.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Nebraska?

Mr. PITTMAN. I do.

Mr. NORRIS. I want to ask the Senator if President Taft's order of withdrawal made no provision for people who were on the ground, engaged in prospecting for oil? Did it not specifically provide that their rights should not be interfered with?

Mr. PITTMAN. Mr. President, President Taft was and is an excellent lawyer. President Taft, in making that order of withdrawal, stated to Congress his doubt with regard to his power to make it; and in view of that very doubt, Congress in 1910 passed what we call the Pickett Act, authorizing the President to make withdrawals. But the President, in withdrawing this land from location, had no desire to work any hardship on people who were actually operating under existing law. We know that. Under existing law, any citizen of the United States had a right to go on the public domain and prospect for oil; and should he find oil in that operation, no matter how long after he marked the boundaries of his claim—a year, or two years, or ten years—the discovery related back to the marking of the boundaries on the ground, and he was granted a patent from the United States in fee simple.

What is the result? Mr. Taft knew, as a lawyer, that there was no valid mining location—that is, no consummated mining location—until the discovery was made; and he also knew that after the discovery was made no act of Congress could affect it. He knew that after discovery was made there was no use in making an exception in the act in regard to that man, because he owned it; and what did he state? Let me read what Mr. Taft said. Here is the language that Mr. Taft used:

> Temporary petroleum withdrawal No. 5: In aid of proposed legislation affecting the use and disposition of the petroleum deposits on the public domain, all public lands in the accompanying lists are hereby temporarily withdrawn from all forms of location, settlement, selection, filing, entry, or disposal under the mineral or nonmineral public-land laws.

Now, listen to this mind you—and this answers the question of the Senator from Nebraska:

> All locations or claims—

Now, note the distinction he uses—

> All locations or claims existing and valid on this date may proceed to entry in the usual manner after field investigation and examination.

What does the circuit court of appeals say with regard to this? Listen to this: The Ninth Circuit Court of Appeals interprets the language of the President of the United States, and what does it say?

> It is insisted on behalf of the Government that the exemptions from the effect of the order of the President therein provided for, can not be properly held to apply to any land upon which at the time of its promulgation no mineral had been discovered, even though, as in the present cases, the land had been located under and by virtue of the mining laws, its boundaries properly marked on the ground, and the assignees of the locators, then in its bona fide actual possession, actively engaged in seeking mineral therein.
>
> A discovery of mineral in the ground under such conditions would manifestly have perfected the locations not only against third parties but also against the Government, and would have given to the owner of them an equitable title against the United States, and have entitled the owner to the legal title upon compliance with the statutory requirements respecting annual assessment work and payment, which rights would have been secure under the provisions of the Constitution of the United States. Such locations upon which discovery had then been made needed no protection through any order of the President. Said the Supreme Court in Belk *v.* Meagher (104 U. S., 279, 283): "A mining claim perfected under the law is property in the highest sense of that term, which may be bought, sold, and conveyed, and will pass by descent." It is not, therefore, added the same court in Sullivan *v.* Iron Silver Mining Co. (143 U. S., 431, 434), "subject to the disposal of the Government."
>
> President Taft, who had himself been a distinguished Federal judge, of course well knew this, and we think it altogether unreasonable to hold that the words employed by him in his order "All locations or claims existing and valid on this date may proceed to entry in the usual manner after field investigation and examination," were intended or can be fairly construed to apply to lands upon which discovery had already been made and to which its locators had already acquired an equitable title; but, on the contrary, that they were intended and should be held to apply to all locations and claims existing at the time of the making of the withdrawal order to which the locators or claimants had some valid right.

There is a construction by the ninth circuit court of appeals of President Taft's language, clear and simple, that these men whom section 16 attempts to relieve were entitled to proceed to patent in spite of the withdrawal order of 1909.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I do.

Mr. BORAH. It would depend entirely upon the physical facts as to whether or not they were entitled to proceed to patent, which section 16 undertakes to relieve. The assumption upon which the Senator is proceeding is that they had perfected a valid location.

Mr. PITTMAN. No; the assumption is that they had not perfected a valid location in the sense of a discovery.

Mr. BORAH. Well, but that they had done all that was required to be done under the law up to that time.

Mr. PITTMAN. Undoubtedly.

Mr. BORAH. Section 16 provides that anyone who has asserted the right to a claim and who has sunk a well——

Mr. PITTMAN. Let me read section 16, so that we will see if that is the case. Pardon me; I had in mind, of course, the amendments to section 16 that I submitted on behalf of the committee.

Mr. BORAH. Oh.

Mr. PITTMAN. I assume that unless the Senator from Idaho or some one who is opposed to the bill opposes those amendments that I have offered on behalf of the committee they will be adopted.

Mr. BORAH. Of course, I was speaking of the section as it now stands.

Mr. PITTMAN. I will read the section as the bill is now printed. I would suggest that the printed form be handed to the various Senators, because it has been changed.

Section 16 now reads as follows:

> That upon relinquishment to the United States within 90 days from the date of this act or within 90 days after final denial or withdrawal of application for patent, by a claimant of any claim or subdivision thereof asserted under the mining laws prior to July 3, 1910—

That is the date of the withdrawal under congressional authority—

> to any unpatented oil or gas lands included in any order of withdrawal and who prior to such date—

That is, prior to the withdrawal—

> had performed all acts necessary to a valid mining location thereof except to make a discovery of oil, the claimant or his successor in interest shall be entitled to a lease for each asserted mineral location—

And so forth.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I do.

Mr. BORAH. I take it that the language "and who prior to such date had performed all acts necessary to a valid mining location thereon except to make a discovery of oil" is the amendment?

Mr. PITTMAN. Yes, sir; it is the amendment. That language was also used by the committee in section 17, and therefore the committee put it in here.

Section 16 simply treats these claimants as President Taft intended that they should be treated, with the exception that President Taft intended that they should get patent to that land, and we provide that instead of getting patent to the land they shall simply take a lease on the land, the same as any other lessee, simply having a preference in leasing because of the conditions in which they have been placed.

Certainly that is the least we can do for these people. You would imagine that the whole public domain was going to be absorbed under section 16. In Wyoming there are withdrawn oil lands amounting to some 900,000 acres, and yet those who have applied for patents cover only about 8,900 acres. That designates those who have sunk wells to a discovery, because only those who have made a discovery are in a position to apply for a patent. Certainly any man who is in a position to apply for patent will apply for a patent.

Mr. KELLOGG. I should like to ask the Senator in charge of the bill how many acres there are in Wyoming of which he has a record where claims would exist under section 16 outside of those ready for patent.

Mr. PITTMAN. I have it here.

Mr. KELLOGG. It is claimed that the Standard Oil has claims which could be settled under sections 16 and 17 to a very large acreage, and that it would give them a monopoly of that field. I should like to know the number of acres.

Mr. PITTMAN. I will answer that in just a minute. I think I have it here.

Mr. KELLOGG. In connection with that, if the Senator will answer that question, I should like also to know what is the objection to placing the same limitation as to the number of acres each one can lease and acquire under section 16 as is applied under the other sections of the bill.

Mr. PITTMAN. I will attempt to answer that.

Mr. KELLOGG. It seems to me that that would solve that problem. I do not see why that should not be done, making sections 33 and 34 apply to the claimants under sections 16 and 17.

Mr. PITTMAN. I have a letter here from the Commissioner of the Land Office which I requested. It is a summary of the situation in Wyoming. I ask to have it read.

The PRESIDING OFFICER. The Secretary will read the letter.

The Secretary read as follows:

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
January 7, 1918.

Summary of pending oil-land applications—Wyoming.

Applicant.	Number of applications.	Acreage.
Midwest Oil Co. et al	40	6,400
Petroleum Mattschappij Salt Creek	1	160
W. VerValin	1	160
Elmer Church and F. Hammond	1	160
William Hanley et al	1	160
H. E. Stock et al	2	320
Societe Belgo Americaine, etc	2	320
Grass Creek Oil & Gas Co	3	480
I. D. and G. Pickett	1	40
Limit Oil Co	1	40
C. M. Bequette	1	160
Western Oil & Gas Co	1	360
E. J. McMahon	1	40
R. B. Whitehead et al	1	160
Total	58	8,900

Of the above item of 40 applications by Midwest et al., the Central Wyoming Oil & Development Co. and associates, known as the "Franco" interests, are the real parties in interest to the extent of a considerable portion. The Petroleum Mattschappij Salt Creek & Societe Belgo are part of said Franco interests. Church & Hammond, William Hanley et al., H. E. Stock et al., and Grass Creek Oil & Gas Co. are all in some way associated or under contract with the Midwest interests. The Franco interests are also more or less associated with the Midwest interests, particularly in the refining end of the business. No positive information appears of record in this office as to whether any of these concerns are associated with or controlled by the Standard Oil interests. This office has not been directly concerned with this feature of the situation.

The office has made no attempt to procure a list of the hundreds of locations or claims outside the producing areas. The two principal producing fields are Salt Creek and Grass Creek; the producing area of the former is nearly all covered by patent applications, while very few applications are pending for lands in the Grass Creek field. In the Grass Creek field 17,680 acres are withdrawn, which includes about 2,200 acres of patented land. Of the balance the Standard Oil Co. of Ohio is known to have claims for 260 acres and the Midwest interests for from 1,500 to 2,000 acres. The Roxana Oil Co. has no claim or application of record in this office.

In this connection, and also concerning Naval Reserve, Wyoming, No. 3 (Teapot Dome), reference is made to page 64, report of proceedings of Joint Conference Committee on Public Lands on House bill 406, Sixty-fourth Congress, second session. See also page 9, Annual Report of Commissioner of General Land Office, to Secretary of the Interior for the fiscal year ended June 30, 1917.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
January 7, 1918.

Summary—Wyoming.

Total acreage of petroleum withdrawals	934,295
Total number of mineral applications filed on above lands	58
Acreage included in pending mineral applications	3,900

The above are blanket withdrawals. All, no doubt, include considerable areas of patented lands, as well as considerable areas of lands of doubtful oil value, and there is some production on unpatented lands not included in withdrawals.

Mr. PITTMAN. I wish to call attention to that for a minute. I do not see in the list there any reference to any claim applied for by the Standard Oil Co. or any of its subsidiaries that are known to exist except for 260 acres. The total amount applied for is 8,900 acres. I take it that includes most of the lands which will come within the provisions of section 16. My reason for saying that is this: Section 16 only gives a preference right to lease to the lessee who has made a discovery and who has a producing well, and such a lessee would, in the nature of things, apply for a patent at the earliest possible moment. Therefore, there are only about 8,900 acres out of the 900,000 acres in Wyoming that would come under the provisions of section 16.

There is a list showing some fifteen or twenty claimants of this land. As to the Midwest Co. I know nothing, except what has been stated to me by men in whom I have confidence. Since these attacks were made I have asked Mr. William Wheeler of San Francisco, the vice president of the Midwest Oil Co., whether there is any relation whatever, direct or indirect, with the Standard Oil Co. or any of its subsidiaries, or whether the Standard Oil Co. or any of its known stockholders are big stockholders in his company, and he says, "No; that it is an independent company which originated in San Francisco, Cal., with California people, and that there is not the slightest interest; that they have two or three thousand stockholders throughout the United States at the present time." There has been a charge made here through the press that this is to the interest of the Standard Oil Co. Where is the proof? Why have they been standing back all this time? Why did they not come like honest men if they had any information and give it to the committee and give it to the Senate, instead of at the last minute attempting to impose upon what they supposed to be the cowardice of Members of this body? They are mistaken. The cry of the Standard Oil Co. can not serve to intimidate unless it is backed up by some substantial evidence.

As a matter of fact, if the Standard Oil Co. or any of its subsidiaries are in the same position exactly as the poorest prospector of this country, then I would be ashamed to deny to them the same remedy I would give the poor prospector. I do not stand here to legislate through any sentiment or any prejudice, and I would be ashamed of the man who would use that argument for a single solitary minute.

But the record discloses the fact that the charge through the public press by these men, paying $2,000 per page, is without foundation in fact, or they would submit the facts to this body. We have been ready to hear the facts. We have been ready to hear the facts ever since this matter came before the Senate. We announced the other day that we would hear the facts on this matter, and where are these men with their facts? The independent operators of Wyoming came on with their facts. Here is a letter from the independent operators of Wyoming who deny that they have any connection with this public lobby that is operating through the public press. I ask that the letter may be read.

The PRESIDING OFFICER. The Secretary will read the letter:

The Secretary read as follows:

WASHINGTON, D. C., *January 7, 1918.*

Hon. KEY PITTMAN,
United States Senate.

DEAR SIR: The undersigned are a committee of three appointed by the Wyoming Independent Oil Men's Protective Association, which independents met in assembly at Casper and Thermopolis, Wyo., and other points, and perfected an organization of that name. They are composed of the independent operators in Wyoming who are not connected with the Standard Oil Co. or with the Royal Dutch Shell Co., nor in any way connected with the briefs, advertisements, and publicity campaign now in progress. The members of this association are producers, lessees, locators, and claimants of existing claims.

We as a committee were instructed to favor the leasing bill and to endeavor to secure its amendment in the following particulars:

To change the limitation from arbitrary mileage to reference to geologic structures or conditions.

We were further instructed to ask that the permittee, instead of being limited to a patent to one-quarter of his acreage, should be entitled to elect either to accept such patent or in lieu thereof to accept a lease upon the area of his permit.

We believe that independent lessees and producers should be permitted to combine for the purpose of transporting and refining their oil and are willing that the interest of lessees in more than one lease, or his holding of stock in more than one leasing, transportation, or refining company, be reasonably limited by proper provisions to prevent monopoly, and ask that such holdings be permitted in order to make possible independent piping and refining.

We were further instructed to aid in sustaining the relief provisions of the bill and ask additional provisions that a lease shall not be let under section 16 until after final determination of any existing adverse suit.

The association is also of the opinion that the limitation to five years is arbitrary and will not protect all meritorious cases. In fact, the five-year period will arbitrarily exclude most of the claims transferred to innocent holders or lessees.

We were also instructed to request the protection of the innocent transferee or lessee of an existing claim under section 17 in the same manner as is now done in section 16.

Very truly, yours,

H. H. SCHWARTZ,
For the Committee.

Mr. POMERENE. Mr. President——

Mr. PITTMAN. I yield to the Senator from Ohio.

Mr. POMERENE. An advertisement which I saw in one of the papers was signed, as I recall it, by a firm of attorneys or rather by one member of a firm of attorneys. Is the Senator able to inform the Senate who these clients are and why their names do not appear?

Mr. PITTMAN. Two or three days ago, when this matter was up and when the very brief which was afterwards published in the Post was under discussion, we invited these men, together with others, to appear before us and tell us whom they represented and what they wanted. They have not seen fit to do so, although they continue their attack through innuendo through the press. I want to say, however, that I am informed that these gentlemen are attorneys for the Royal Dutch Shell Oil Co. I am not sure that that is the exact title of the company, but the company is largely owned or controlled by foreigners. It is a company that has holdings almost as much as the Standard Oil Co., if not more. It is one of the great oil monopolies of the world. It is reputed to own oil in all oil countries that are known. It has hundreds of prospectors throughout the United States seeking oil lands everywhere.

It seeks to defeat this bill, in my opinion, and my reason for saying that is this, that if they do not seek to defeat this bill they would come before our committee and give us facts. If they did not seek to defeat this bill they would not cry Standard Oil Co. when they themselves are just as monopolistic as the Standard Oil Co.

Do you think for one moment they represent the prospector of Wyoming, the little man? Here is a letter which has just been read, signed by a committee elected at a great mass meeting in Wyoming, by the independent operators, absolutely denying any connection with this crowd that are advertising through the papers, and not only denying it, but saying that their people in Wyoming sent them here to sustain the relief contained in sections 16 and 17 of this bill.

Mr. SMITH of Arizona. Will the Senator permit me?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Arizona?

Mr. PITTMAN. With pleasure.

Mr. SMITH of Arizona. The shell-game company of which the Senator speaks is the one represented by the attorney who sent the brief, I think, to every Member of this body, alleging that the Standard Oil Co. would own the State of Wyoming in case we pass this bill in its present form.

Mr. PITTMAN. I do not know the exact name of it, but that is the company.

Mr. SMITH of Arizona. That is the brief that was on all our tables?

Mr. PITTMAN. That is the one.

Mr. SMITH of Arizona. Submitted by an attorney who was representing the Shell Co.?

Mr. PITTMAN. I am informed that he is the attorney for the Shell Co. I know one thing, he does not represent the independent oil operators of Wyoming, whom he is pretending to be trying to protect, because those little men have sent a committee on here and this is the letter of that committee. That committee has said that they stand for section 16 and section 17 and the whole bill with just a few modifications, and what are those modifications?

Mr. PHELAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from California?

Mr. PITTMAN. In just a second. First, they want the power of the independent operators to combine for building their own pipe lines and their own refineries. The section as amended gives them that power, because it lets them build a pipe line or a refinery or create a sales agency—in other words, to combine for this purpose, provided that it is not such a close combination as would be monopolistic, provided that no lessee shall hold more than a tenth interest in one of these companies. They are in favor of the bill as it is amended. That is the way the bill is amended now. They are in favor of section 17 with one exception. They think the five-year limitation is too short. They think that claims located 10 or 15 years before should have a preferential right if the law has been complied with up to the time of the withdrawal. That is a matter that is immaterial. That is a matter that the committee was always willing to meet. But they have no objection to sections 16 and 17; in fact, they say in this letter they were instructed to favor it absolutely.

Now, they are opposed to the 20-mile limitation. The bill states that a permittee under the prospecting provision can only get a permit to prospect on 640 acres within 20 miles of producing wells. They object to that. They say it ought to be on the same geological structure. That is purely a difference of expression. There is no objection to the provision. I think that a limitation of 20 miles is better than a geological structure. Why? Because you have something definite. You can measure the 20 miles and you can not measure the geological structure. The prospector can measure for 20 miles from a known well and he knows, when he gets beyond that, he can have a prospecting permit for 2,560 acres; but if you say "on the geological structure," he does not know where to go; it is not definite; and they ask for that change. What I am getting at is that they do not ask for any material change in either section 16 or section 17, and yet they favor absolutely both of those sections. Is not that a complete answer to these advertisements that are going through the newspapers? It seems to me it is.

These men had a mass meeting while the attorneys down here are in the dark. They will not even come before a committee of the Senate. To my knowledge, they have not asked an interview with any of them; they will not submit themselves to examination; they will not submit themselves to cross-examination as to whom they represent and what their secret motives are. We have a right to draw our conclusions as to what their motives are. We are satisfied that they are the attorneys of the Royal Dutch Shell Oil Co. I do not think they will deny it. In their own advertisement, what do they say? They say that the limitation of 2,560 acres to a lessee in this bill is too little; that it will not allow a lessee to become sufficiently strong to oppose the Standard Oil Co.; in other words, that it will not allow them to create another monopoly. That is what they say; that is what they are fighting for; and that is the whole situation.

Mr. PHELAN. Mr. President, at this time it may be pertinent to amplify the answer which has been made by the Senator from Nevada [Mr. PITTMAN] with respect to the character of these attorneys. The Senator from Arizona [Mr. SMITH] asked whether they represent the Dutch Shell Oil Co. As a matter of fact, they represent the Roxana Oil Co. The significance of that is that the Roxana Oil Co. is a subsidiary of the Dutch Co. The Dutch Co. is a foreign corporation, which is owned by capitalists in Holland and in Germany, and under our law can not by location acquire mining claims. Therefore they have organized subsidiary companies. Rice & Lyons, lawyers of Tulsa, Okla., are the attorneys of one of these subsidiary corporations, the Roxana.

I do not wish to encroach upon the time of the Senator at this moment, but I will say there is a deep significance in a foreign corporation seeking at this time the acquisition of oil lands. I have in my hand a letter of the secretary of the Rocky Mountain division of the Roxana Petroleum Co., of Oklahoma, in which he complains about one of the provisions of the bill, by which only a limited number of acres—2,560—can be acquired, and that, under the provision of this bill, it would interfere with the plan of campaign of the Dutch Co. to acquire oil territory in the United States. It is a competitor of the Standard Oil Co. in everything except prices; they agree upon prices. So there is a competition for the acquisition of our land and by a foreign corporation.

The Senator has proposed an amendment, I believe, at any rate an amendment will be submitted, by which small claimants may have the right, which is not given at present in the bill, to organize for the purpose of transportation and refining. That seems to meet one of the honest objections. If the small owners of claims may unite for the purpose of transportation and refining, they can compete with the Dutch Co. and with the Standard Oil Co., but these lawyers, I rose to state, are the attorneys of a subsidiary corporation, foreign owned or controlled, and there are many such subsidiary corporations, possibly which design to undermine the great hope of this country to own and control its mineral resources. We should pass no legislation to allow a loophole in the law by which foreign owners—perhaps hostile owners—can gain control of mineral lands which yield the sinews of war.

The protests and advertisements of these attorneys should be disregarded.

Mr. PITTMAN. Mr. President, I thank the Senator from California for that information. I was satisfied that these gentlemen did represent the Royal Dutch Shell Oil Co.; that they represent the subsidiaries of that foreign corporation. Not only that, but there was another advertisement in a morning newspaper, I believe signed by Mr. Ball. I am very credibly informed—and I do not think it will be denied—that Mr. Ball is the consulting geologist of the Roxana Co. In other words, we have a great foreign oil monopoly coming here pretending to represent the independent oil operators of Wyoming, while it is apparent that they are attempting to establish a monopoly equal to that of the Standard Oil Co. They are using the old cry of the Standard Oil Co. to cover up their own monopoly, but the cloven hoof is uncovered when you read in their advertisements that by limiting the amount of land that shall be leased to one lessee to 2,560 acres you are not going to permit one company to get strong enough to fight the Standard Oil Co. That alone should be sufficient; but if that did not settle the question, this letter [exhibiting], which has been put into the RECORD from a committee of the independent operators of Wyo-

ning, absolutely repudiating these advertisements, denying that they stand for what the advertisements stand for, and stating that they stand for this bill, ought to end the whole question now and forever.

I have heard intimations that possibly some Senator might move to recommit this bill. I can not believe such a thing for a moment—to recommit a bill that has been before Congress for four long years; to recommit a bill on which there have been 20 or 30 hearings; to recommit a bill by reason of charges by some one who is afraid to come before a committee—why, it is preposterous!

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I do.

Mr. BORAH. Has the Senator concluded?

Mr. PITTMAN. I have not yet concluded.

Mr. BORAH. Would the Senator from Nevada be willing to eliminate from this bill sections 16 and 17, and bring in a new bill, and give us opportunity to be heard upon the remedial features of this proposed law?

Mr. PITTMAN. Mr. President, I stated the other day that the constant fighting of individuals for remedies applicable to their particular case tempted me personally to favor that course; but I see nothing to be accomplished by it. I had just as lief settle the question now as to settle it later, if we have got to settle it later.

Mr. BORAH. Mr. President, will the Senator again yield to me?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. Yes.

Mr. BORAH. If a mistake is made in the passage of this bill, it will not be by reason of the intent of any of us to do anyone an injustice, but I know, Mr. President, from my own examination that there is a want of knowledge of the facts with reference to the Wyoming situation. If the Senator in charge of the bill will be willing to eliminate sections 16 and 17 from the bill and let us have a separate bill, I think we shall produce some facts before the committee; and whose ever fault it may be that they have not been heretofore produced, they would be enlightening to the committee and to the entire Senate.

Mr. PITTMAN. Mr. President, we were somewhat in the dark with regard to the Wyoming situation when this matter first came before the Senate, but we are not in the dark with regard to it now—not in the slightest degree. We have very accurate knowledge with regard to the gentlemen who have been getting these advertisements out; and, fortunately, gentlemen representing the independent operators of Wyoming, who were selected at a mass meeting, have come before us and have laid down very clearly the Wyoming situation. They have stated in writing exactly what the people of Wyoming think in regard to this bill. They have stated the amendments that they want. Those amendments in the main are rather of expression than of material significance. I have not seen any particular objection to any of the amendments that the Wyoming gentlemen who have been here have suggested.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Nebraska?

Mr. PITTMAN. I do.

Mr. NORRIS. The Senator has not referred as yet to one of the amendments which has been suggested; and that is in the general leasing provisions of the bill—I have no reference to sections 16 and 17 now—where it is provided that when oil is discovered the discoverer shall be entitled to patent to one-fourth of the acreage of his permit. They want to get permission to secure the entire area of the original permit.

Mr. PITTMAN. Wait a moment.

Mr. NORRIS. That is one of the amendments they have suggested.

Mr. PITTMAN. That is not exactly correct, I will state to the Senator. He is somewhat in error. They propose that, after a discovery of oil under a permit, the permittee shall have the option, in lieu of obtaining title to one-fourth of the area of the permit, to surrender the right to such patent and take a lease on the whole area.

Mr. NORRIS. Yes; the Senator has perhaps stated it technically more correctly than I did, but I assume that the permittee will always take the whole area. The gentlemen referred to want an amendment to the bill under which, when they discover oil, they can either take a fourth of the area of the permit or all of it—and I have little doubt that they would take it all—the only difference being in the class of title they would get. In one case they would get their patent, while in the other case they would get a lease.

Mr. PITTMAN. I do not think that that is a very material amendment. Does the Senator think it is?

Mr. NORRIS. I think it is quite material, and my own idea is that it ought not to be agreed to; but I only mention that because the Senator expressed himself as rather in favor of most of the amendments which they propose, or rather as being of the opinion that they were not important. It seems to me that that would be a very important amendment.

Mr. PITTMAN. I do not see that it seriously affects the public domain as to whether a permittee surrenders claim of title to one-fourth and takes a lease of three-fourths, or whether he takes title to one-fourth and applies as a lessee under the general terms of the bill.

Mr. NORRIS. If he applies as a lessee, he would be subject to competition; in other words, as a reward for his efforts in getting oil he would, under the bill if it becomes a law, get patent to one-fourth of the area under his prospecting permit, and as to the balance of it he would come in competition with the entire world, the remainder of the area of that permit being subject to lease after competition.

Mr. PITTMAN. I do not know whether it would be more to the interest of the Government to give title to 640 acres or to lease 2,560 acres. That is just the question.

Mr. BORAH and Mr. KENDRICK addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nevada yield; and if so, to whom—to the Senator from Idaho or the Senator from Wyoming?

Mr. BORAH. I yield to the Senator from Wyoming.

Mr. PITTMAN. Then I yield to the Senator from Wyoming.

Mr. KENDRICK. I believe the Senator from Nebraska is laboring under a misconception of the amendment. The particular provision of the bill allows a prospector in case of discovery to secure title to one-fourth of the land, and it concludes by saying that he may have a lease on the remaining three-fourths; but it seems to imply no obligation that he shall have a lease. In my State a prospector must be prepared when he goes out to look for oil to expend large sums of money; but under this particular provision it is intended that he shall have only partial compensation. The independent oil operators in Wyoming believe that the prospector ought to have title to one-fourth and a preferential lease on the remainder; but instead of asking for that they ask for the alternative, or that it be made optional as to whether the prospector may accept title to one-fourth or a preferential lease on all of the land included within his permit. I do not believe that the Senator from Nebraska understood the proposed amendment in that way.

Mr. PITTMAN. I now yield to the Senator from Idaho.

Mr. BORAH. Mr. President, do I understand the Senator in charge of the bill to state that the representatives selected at the public meeting in Wyoming came before the committee?

Mr. PITTMAN. No; I said they have prepared a letter which has been presented and read. They are here. They called upon me this morning, and they handed me the letter which I have put in the RECORD.

Mr. BORAH. Do I understand that the Senator in charge of the bill is favorable to the amendments which they propose?

Mr. PITTMAN. No; I did not say I was in favor of the amendments suggested by them. I stated that I did not think any of the amendments are very material or change to any great extent the bill as it now stands. As an illustration, the question just came up of a suggested amendment making it optional to accept a lease for 2,560 acres instead of a patent for 640 acres——

Mr. BORAH. But there are some of those suggested amendments which are vital. Of course, if the Senator is in a position to favor those amendments it will put an entirely different face upon the situation; but, unless those amendments are adopted, I think it would be most unfortunate to pass sections 16 and 17 of this bill.

Mr. PITTMAN. I do not know whether the Senator is familiar with the amendments. I will inquire if he has read the amendments submitted by the Wyoming representatives?

Mr. BORAH. I have.

Mr. PITTMAN. Does the Senator favor all of them?

Mr. BORAH. No; I do not know that I do. But there are some of them that I do favor.

Mr. PITTMAN. Well, I understood the Senator to say that it would be unfortunate if they were not all adopted.

Mr. BORAH. I did not say that. I said, "Unless the amendments are adopted." That did not necessarily include each one of them.

Mr. PITTMAN. I am exactly in the position the Senator is—some of them I favor and some of them I doubt; but I will be able to pass on them.

Mr. PENROSE. I should like to ask the Senator from Idaho whether he has offered the amendments to which he has referred?

Mr. BORAH. They will be offered.

Mr. PENROSE. They have not been offered yet? I am asking the question for information.

Mr. BORAH. No; they have not been offered, and will not be until 2 o'clock, for I presume no opportunity to do so will be afforded until then.

Mr. PITTMAN. Mr. President, there is another question to which I desire to advert before passing from this matter. The Senator from Minnesota [Mr. KELLOGG] asked me whether or not I favored limiting the leasing under section 16 to 2,560 acres. I want to state that this matter was discussed most thoroughly at a meeting of a joint committee composed of three representatives of the Public Lands Committee of the other House, three representatives of the Public Lands Committee of the Senate, two representatives of the Interior Department, two representatives of the Navy Department, and two representatives of the Department of Justice. Those proceedings are set forth in the hearings on House bill 406, Sixty-fourth Congress, second session; and in that report the Department of the Interior urged that those who actually had producing wells and had complied with the other requirements of section 16 be allowed a lease on each claim, but limiting the claim to 40 acres instead of 160 acres. The joint committee, however, finally agreed that if you were going to lease 2,560 acres, and some man had a well on each mining claim of the 2,560 acres producing oil, he was not only entitled to a preference lease by reason of the development, but that the Government itself would be benefited by leasing a full claim of 2,560 acres to the man who had the producing well there instead of leasing it to three or four people. At that hearing the representative of the Department of the Interior submitted section 16; and section 16, as submitted by the Department of the Interior at that hearing, and as recommended to go into this bill, is practically in the identical words with section 16 of this bill, with the exception of the amendments that have been offered more clearly defining the words "asserted under the mining law."

I ask permission to be allowed to have printed in the RECORD section 16 as submitted by the Department of the Interior and proposed to the joint committee, to which I have referred.

The PRESIDING OFFICER. Without objection, the request will be granted.

The matter referred to is as follows:

That upon relinquishment to the United States within 90 days after final denial or withdrawal of application for patent, of any claim asserted under the mining laws to any unpatented oil or gas lands included in an order of withdrawal of naval petroleum reserve No. 2, in the State of California, the claimant shall be entitled to a lease for each asserted mineral location of 160 acres or less, upon which such claim is based and upon which said claimant, his predecessor in interest, or those claiming through or under him have, prior to the date of this act, drilled one or more producing oil or gas wells, such lease to be upon a royalty of one-eighth of the production of oil or gas produced and saved therefrom after first deducting from the gross production such oil or gas as may be used in the development or operating of said lands, and otherwise on the same terms and conditions as other oil and gas leases granted under the provisions of this act: *Provided*, That within 90 days from the date of this act or of final denial or withdrawal of application for patent, the applicant for a lease shall pay the United States for one-eighth of the oil or gas produced from the lands included in said claim subsequent to ———, at the current field price at time of production, which shall be in full satisfaction for all oil or gas extracted from said land prior to said lease: *Provided further*, That all royalties received under the provisions of this section from said naval petroleum reserve No. 2, whether in oil or money, shall be delivered or credited to the United States Navy: *And provided further*, That none of the provisions of this section or of this act shall be applicable to or effect lands or minerals included within the limits of naval petroleum reserve No. 1, in the State of California, or naval petroleum reserve No. 3, in the State of Wyoming.

Mr. THOMAS. Mr. President, if certain amendments which are to be offered to this bill are accepted by the Senate I shall probably vote for it under a species of moral compulsion. I am not in favor of the so-called leasing policy proposed by the Government. I do not want to see my Government occupy the attitude of a vast continental landlord. I do not believe that it will make for the progress of society, for the development of the West, or for the good of our population; and, so believing, I have always opposed it. I have not changed my convictions upon the subject in the slightest; but when at the bar I always, after a thorough defeat, was ready to compromise, not because I wanted to but because I had to.

When the Supreme Court of the United States handed down its decision on the Adamson Act it also decided the Utah power case. The one decision was eclipsed by the other because of its transient importance; but the Utah power case is one of the most important, far-reaching, and disastrous decisions, as suggested by the Senator from Arizona, that has been made by that distinguished tribunal in many years. If I may paraphrase that once popular but erroneous quotation from the Dred Scott decision, the Supreme Court there decided that as to the continental domain, the public domain, the States have no rights which the Government or anybody else is bound to respect. For the first time in the history of our Government it has been decided by the court of last resort that the sovereign power of eminent domain which Calhoun very truly declared to be inseparable from sovereignty no longer exists in States like Colorado and Arizona as applied to the public domain.

It is unnecessary to do more than refer to that decision now, because the time at my disposal and the condition of my voice both protest against it. However, it has had the same effect upon me that Appomattox had upon the soldiers of the Southern army. They were then ready to take the oath. We will get what we can, because we can not get what we want.

I may say, before referring directly to the bill, that the present occupant of the chair [Mr. KING in the chair] on last Friday expressed my views regarding the general framework of this bill so completely and so much more eloquently and logically than I can that I can refer to it as the indolent old fellow used to refer to the printed prayer placed above his bed, who every night before retiring pointed to it, saying: "O, Lord, them's my sentiments." It is not necessary, therefore, for me to enlarge with reference to the general features of the bill.

Mr. President, there is much unconscious humor in some of our proceedings here. For a dignified body perhaps it is more delightful because it is unconscious. The reputed author of this bill is not a humorist, and yet he has entitled the bill as one "to encourage and promote the mining of coal, phosphate, oil, gas, and potassium," and so forth. "To encourage and promote!" Why, Mr. President, this bill should have been entitled "A bill to discourage and limit" the mining of all these things the products of which to-day are so essential to the very life of the Nation.

I have listened with much interest to the arguments this morning, which are based upon the theory that this bill is going to develop the public resources. My very dear friend and colleague [Mr. SHAFROTH] seems to feel that under it a lot of coal land will be sold to private purchasers. Not one acre of coal land will be purchased under this bill, for the reason that it will be administered by a department thoroughly imbued with this new policy of conserving everything in the country until after the day of judgment, so that the angels and the goats may have something to develop and thus pass away their time through all eternity.

Mr. SHAFROTH. Mr. President, I should like to state to the Senator that my views as to the entry system or the sale system have not been modified and they conform to those of the Senator; but when he says there will be no development under this bill, it seems to me he overlooks the provision with respect to the coal lands.

Mr. THOMAS. Oh, no. The Senator has read that, and I have read all of the Senator's arguments here. My colleague differs from me in that he is a cheerful optimist. He always looks on the bright side of things, and that is the reason that I am so much fleshier than he is. But the Senator is doomed to disappointment. That is simply an assertion; let us call it a prophecy and let it go at that.

Mr. SHAFROTH. Mr. President——

Mr. THOMAS. I will yield for a moment. I only have a very few minutes, however.

Mr. SHAFROTH. I wish to call the attention of the Senator to the fact that we have used the exact language that is on the statute books now.

Mr. THOMAS. Oh, I know.

Mr. SHAFROTH. And we say that the Secretary of the Interior shall offer such coal lands and award the same through advertisement, just as he does in leasing.

Mr. THOMAS. Oh, yes; and we also said in the Pickett bill that relief should be granted to those who have taken advantage of the largess of the Government and located and occupied the oil lands—that he should, having exercised due diligence, be entitled to relief. How was the statute construed? Why, Mr. President, if any locator at the time that bill went into effect was even temporarily away from his claim he was constructively out of possession, could not show diligence, and was excluded from the benefits of the law.

That, Mr. President, is a sample of these departmental constructions of a remedial statute.

This has been said to be a bill for relief. It is. It relieves a great many of the citizens of your State and of mine, a great

many citizens of the West, of property rights which they have lawfully acquired, and then proposes to lease them at terms satisfactory to the national bureaucracy.

Mr. President, the one thing which makes me hope that some benefit will flow from this bill is my desire to see the men who have taken advantage of the opportunities given by the statutes of their country, who have given their time, their money, some of them their entire youth, some of them their lives, in developing the public domain, who have braved the horrors of the desert and the terrors of the climate, suffered all of those privations which but for the lure of wealth would never be encountered, and who have acquired something as a consequence of these risks and hardships, obtain some relief, some escape from a policy which, impliedly at least, regards them as lawbreakers and criminals and proceeds to treat them accordingly.

We are imitators, Mr. President. We read that when the savages inhabited this country, when the Iroquois Tribes captured an enemy they lined up the squaws and the warriors, armed with tomahawks and clubs and other deadly weapons, in parallel rows. Then the captive was required to run the gantlet between them. If he reached the other end of the line, they spared his life. If he did not, the Lord may have had mercy on him and shortened his agonies. Now, we are imitators, for that is how the Government in the last few years has treated the western pioneer, the man who has sought to develop our mineral wealth.

We have bands of Iroquois down here in these departments, but we call them bureaus and bureau chiefs. Our people must run the gauntlet of the Land Office and of the Reclamation Office and of the Forest Service and of all the others. A few have survived. But recently, and because some have escaped, the Secretary of the Navy, on the one hand, and the Attorney General, on the other, has each armed himself and his department with bludgeons, and taken positions at the end of the line, where they can whack the victim who may be so hardy as to reach them.

Mr. SMITH of Arizona. Away down below.

Mr. THOMAS. Clear down, yes; and may the good Lord have mercy on the poor citizen of the United States who, having believed in the bona fides of his Government, has sought to develop its resources, when he reaches the city of Washington and asks for his reward!

Mr. SMITH of Arizona. They will get him if he gets here.

Mr. THOMAS. Yes; if they do not get him "a-comin," they are pretty apt to get him "a-gwine," as the old darky said. It is because of these conditions that I hope to do something to help these claimants so long denied of justice, if we can do it.

We are met here with much opposition, one element of which has reference to the Standard Oil Co., which is said to be the bill's chief beneficiary. Mr. President, I have as little use for the Standard Oil monopoly as anybody. I have denounced it ever since I was old enough to pronounce the words which form the title of the concern, and I am conscious of the fact that there is a well-grounded and justifiable popular prejudice against that and similar organizations. For that reason it has been capitalized here for the purpose of beating this bill. It has but little interest in fact, if the records of the Government and the courts of Wyoming are at all reliable.

Reference was made here this morning, by the Senator having charge of the bill, to an advertisement in the Post the other day, a page advertisement signed by some lawyer and warning us against the Standard Co. Well, there was a half-page advertisement this morning, another one, signed by somebody calling himself a former employee of the Geological Department of the Government. That settled him with me. This statement, however, is no reflection whatever upon the distinguished head of that bureau. But he did not say that he was the geologist for this Roxana Co. which has just gone up into Wyoming and which proposes to conjure with the Standard Oil Co. in order to enable the Dutch Shell Co., which seems to be at the head of the Roxana Co. across the sea, to "get its work in," as the boys say, in Wyoming.

I am glad to see them go to Wyoming where they are needed; but would it not have been a little better if Mr. Ball had in his newspaper disquisition announced his interest as the geologist for this company? He believes, perhaps, in a wheatless day. He certainly practices some of the mysteries which are associated with a lightless night.

I am told by citizens of my State, my neighbors, in whom I believe, in the city of Denver, officers of the Mid-West Co., that the Standard Oil Co. has nothing to do except in business ways with the Mid-West Oil Co., and I believe it. I must believe it if I believe in the integrity of my neighbors, which I do. The Standard has interests there, the Ohio Oil Co. being the corporate name of the concern which it operates. It has a refinery there which utilizes a process, for the manufacture of gasoline of which they control the exclusive patent, and that is about all. But, Mr. President, if the Standard Oil Co., monster monopoly as it is, has, as a citizen of the United States, taken advantage of the provisions of the law then existing and located public lands and complied with the law, is there any man with a proper sense of justice in his heart who would deny to that company, because it is a monopoly, the same rights that we extend to every citizen? If it be shown that the Standard Oil Co. have sunk a number of producing wells under the law, are they not entitled to all the benefits of this bill if we pass it?

It seems to me that common justice—that justice for which Western Senators and Representatives have been beseeching the Congress for so long—would be no justice at all if it discriminated between great as against small concerns in a relief measure of this character.

So much, Mr. President, for the general subject of this bill. I could say more if I had time; but, not having time, I will proceed at once to the details of the bill. I perceive that the hour of 2 o'clock is approaching, and in order to keep the floor for 10 minutes afterwards I have some amendments here that I should like to offer at this time and then discuss two or three of these sections.

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Does the Senator desire to have the amendments read?

Mr. THOMAS. I shall not ask to have them read now, but I want it understood that I am now speaking on the amendments under the 10-minute rule.

Something was said in the discussion, I think by the senior Senator from Utah [Mr. SMOOT], to the effect that there was no limitation upon the amount of oil which would be acquired under this section 16. I think there is a very decided limitation. No lease can be granted to more than 160 acres and not then unless there is a producing well upon it. There is a distinct and decided limitation. It may be that John Smith may own half a dozen 160-acre claims with a well upon each of them, but what of it? If he has spent his money in the sinking of the wells and has brought in producing claims, why should he not have a lease upon them? Why should he not have a lease upon 10,000 of them if he has upon each of them sunk a producing well under the law? Why should there be any other limitation if the number of claims which he has thus developed exceeds the four sections provided for in the development part of the bill?

But there is another limitation which grows out of the physical conditions in Wyoming. The number of acres affected by this section, I am informed by those who know, is in the aggregate less than 9,000, much of which is now pending on application for patent. So the limitation imposed by existing conditions makes it impossible, no matter what the language used in the section may be, to obtain much more in any one instance, if at all, than the amount which is fixed as the standard for the general operation of the leasing sections of the bill.

It has been suggested, Mr. President, and I think it a good one, that on page 12, at the end of line 16, before the beginning of line 17, the words "in the absence of an adverse claim" should be inserted.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Colorado yield to the Senator from Nevada?

Mr. THOMAS. I yield.

Mr. PITTMAN. I was simply going to suggest that in the case of an adverse claim confirmed they could not grant a lease to anyone. Would it not serve the same purpose to say "until after final disposition of the adverse claim"?

Mr. THOMAS. I am not particular about the phraseology. I am perfectly willing it should be thus expressed.

In line 25, after the word "land," I believe there should be an amendment reading as follows:

And to be for a period of 20 years, with the right of the lessee to a renewal of the same for successive periods of 10 years.

A man has a producing well or claim. He has sunk it with his own money and at his own risk. If it is not exhausted at the end of 20 years, he should certainly have a perfect right to renew his lease so long as he sees fit to work it. If the old law had been permitted to remain as it was, he would of course have been given absolute title to the premises, and which he expected at the time he located the property.

I will offer as an amendment those two suggestions and hand them to the Secretary later.

With reference to section 17 a great deal more should be said at this time. That section is designed to safeguard the rights of those who under existing law have made locations on the unreserved domain which have not been perfected by patent and on which everything has been done as required by the law

except the making of a discovery. My first comment upon that section is that the limitation of five years is wrong. Let me say here that the right to obtain a patent upon mineral lands is not obligatory; it is permissive. A man may without a patent, so long as he complies with the law, enjoy all the advantages of the mining claim which the patent confers. Some of them perhaps for that reason have failed to make application, others for lack of money, and still others because of the difficulty of securing a market for the oil after they acquire it. But it is not right to draw an arbitrary line between the claims of all who have been operating under the law and who have done everything which the law requires except to make a discovery. Why should a man with a 5-year-old claim be protected while a man with a claim 5 years and 1 month old is denied the justice which it is said the bill will confer. I think that limitation should be eliminated.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. THOMAS. I yield.

Mr. PITTMAN. I will state that the reason why the committee put in a certain limitation was because of the controversy that arose over that provision, in which the Department of the Interior participated before the committee. The department took the position that they would have to determine the adverse right, of course, to determine the equity before they can lease to anyone. They said if there is no limitation placed upon the date of the location they might go back indefinitely, and they realized that innumerable contests would arise which it would be very difficult, if not almost impossible, to equitably and justly settle. The committee then placed three years as the limitation. Then, on the floor of the Senate it was amended to five years, and that is the way it stands. I am simply suggesting that as the argument presented to the committee.

Mr. KING. Will the Senator yield to me?

Mr. THOMAS. I will yield, but I have not much time.

Mr. KING. I should like to ask the Senator from Nevada before——

Mr. THOMAS. It is not to be taken from my time.

The PRESIDING OFFICER. It will be taken from the Senator's time if he holds the floor.

Mr. KING. Let it be taken out of my time.

The PRESIDING OFFICER. The Senator from Colorado has two minutes left.

Mr. KING. I shall not interrupt the Senator, then.

Mr. THOMAS. The fear on the part of the Interior Department that it might have too much work to do in order to establish the rights of citizens under this law does not appeal to me. If we are to pass a law we ought to pass one that will be just to everybody, and because the Interior Department fears it might have to work unduly does not appeal to me at all. We either should do justice to all the men who are entitled to relief under this bill or we ought not to pass it. It may be that there are good reasons why this arbitrary limitation should be imposed, but I do not believe it.

Now, Mr. President, the 10 minutes upon the first amendment which I offered have expired. If the Senate will bear with me to discuss one or two other of these amendments, to which I think I am entitled under the rule to 10 minutes, I shall then leave the floor.

The PRESIDING OFFICER. The Senator will pardon the Chair, but we are proceeding under the unanimous-consent agreement, and the Senate can act upon only one amendment at a time.

Mr. THOMAS. Then I, of course, yield the floor.

The PRESIDING OFFICER. The question is upon the amendment of the Senator from Colorado.

Mr. SMITH of Arizona obtained the floor.

Mr. NORRIS. Can we not have the amendment read?

Mr. SMITH of Arizona. Not in my time.

Mr. NORRIS. It will not be taken out of the Senator's time. We are debating an amendment that has never been read.

Mr. SMITH of Arizona. I am not confining myself simply to the amendment, as I have as yet said nothing whatever on the bill.

The Senator from Colorado [Mr. THOMAS] has expressed much better than I can my attitude on the public-land questions of the West, and I feel that it would be an imposition upon the Senate for me to go into that part of the discussion. I do not like this bill. I do not like a word of any bill that has in it leases of the public lands of the United States. Absent landlordism is just as offensive to me when exercised by the Government as it is to an Irish patriot when exercised against the lands of Ireland.

The West went on and developed these lands under liberal laws until a time came for this conservation idea. Sensible conservation has as warm a friend in both the Senators from Colorado and the other Western Senators, myself included, as any other one provision of law, but a conservation that means the absolute destruction of every right of a State is ruin to that State. I say here that in the early days of it my firm judgment is that, as far as the West is concerned, certain gentlemen engaged in the conservation of the West were playing about the same part in the development of that country that the Kaiser is playing now in the development of the world. They did not know what they were talking about.

As the Senator from Colorado says, with due respect to that great tribunal, how the Supreme Court of the United States ever decided the Utah case is beyond the comprehension of any lawyer off that bench, in my judgment. The United States owns the public lands of the United States, just exactly as any other proprietor owns his land.

Mr. KING. Mr. President——

Mr. SMITH of Arizona. The Government, I say, owns it simply as any citizen would own his own land.

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Utah?

Mr. SMITH of Arizona. I do.

Mr. KING. Will not the Senator make this qualification, that aside from the lands which it leases as proprietor it holds merely as trust for the inhabitants of the country?

Mr. SMITH of Arizona. Of course, whenever the Government makes a reservation for purely governmental purposes it is clearly within the power of the Government to do it, and it ought to do it, and it ought to protect those lands from any sort of intrusion by anybody, but they hold fifty-odd per cent of the land of my State to-day, and the court in the Utah case decides that we can not force a right of way across the public domain, that we can not take out a water power, because the United States Government has segregated water-power sites.

The United States Government have no more interest in the nonnavigable streams of my State than in the open sea, and not as much as my friend by my side [Mr. THOMAS] very well suggests. They have no interest on earth in them. Yet because they own the land on each side of it, which is so poor that nobody can settle it, they immediately proceed to create a power-site location. Then we can not use that power, the State can not use it, the thing that the State necessarily owns, because the Government owns the public land abutting on that stream. I think I will offer an amendment before we are through to give these water-power sites to the States in which they are located and see whether or not we can not develop the West. This, however, is by the way.

I do not like this bill. I do not like any bill that takes from any one of the States its right to the occupancy of the public land under the old law applying to it. I do not like the Government going into private business. I am opposed to it. But for the very reason suggested by the Senator from Colorado [Mr. THOMAS], with the greatest possible reluctance and because it gives relief to men who plainly have no other, who appeal to me to forego that sentiment of mine against what I deem an outrage against the rights of every Western State, if I do not change my mind between now and 5 o'clock I shall vote for this bill. I do not like a line of it; I do not like the theory on which it is built. My State has neither of the products for which so many people are suffering, and if I vote for the bill it will be, as the Senator from Colorado suggests, because it gives some relief to men who ought to have much more relief than the bill gives them.

Mr. President, I wish I could see my way clear with the rest of the Western Senators and that we could all get together in one effort to see if we could not put them, even at this late day, on an equality with the other States. Under the Utah case they could stop the people from my State going from one county seat to another if they wanted to, if they passed over public land. The State is absolutely powerless to move in the line of its own development. Yet we run against conditions where so many people are suffering in States other than mine that I may possibly give my support to the bill.

Mr. BORAH. Mr. President, I wish to say a few words in the way of general observation, although we are under the 10-minute rule and supposed to be debating amendments.

I am opposed to the bill on general principles, and being opposed to it I shall vote against it. It has been my purpose to state more extendedly than I shall be permitted to do now under the rule under which we are proceeding the objections to the general leasing system.

The leasing system, so far as the public is concerned, is just as detrimental to the Western States as any system, in my judgment, in any wise heretofore connected with the title to the natural resources of those States. We are some three or four thousand miles from the seat of authority, and the leasing sys-

tem means the taking over of our domestic concerns and our domestic affairs and operating them from Washington. The result of it would be that it would impose a burden upon the average citizen of the West which destroys initiative and prevents development, and will finally concentrate the natural resources of that country in one control, to wit, those who can afford to come here and secure the leases.

However, I am not going, Mr. President, into a general discussion of that, but I wish to make some general observations with reference to this particular bill. I have listened with a great deal of interest to what the Senator from Colorado [Mr. THOMAS] has said and as to the situation in which he finds himself by reason of the decision of the Supreme Court of the United States. I occupy somewhat that position myself mentally, but it has forced me to a different conclusion than the conclusion which the Senator from Colorado has reached.

Under the present condition of affairs, so far as I am concerned, I shall never vote for any bill here in the Senate again which has the effect of conveying even by lease these natural resources, such as oil, coal, and power, which are in their very nature monopolies. I am in favor from this time on of city, State, or Government ownership and operation of the natural resources, such as oil and power in our Western States. It does not make any difference, Mr. President, what clauses we may put into this bill which distinguish and discriminate between the small man and the large man, it will not be very long until the small man will wholly disappear and the monopolistic interests will control the situation. This will be true under the leasing system just as completely as under the entry system.

I am very anxious myself to see some amendment to sections 16 and 17, because I think they are due to those who, as independent operators, have entered that field and exploited it and developed it, and it will enable them to get some compensation for the efforts that they put forth and for their labor. But I am not deluding myself with the thought that they will long remain in that field or will long constitute a part of the developing force in the great oil fields of Wyoming. The very nature of the oil development will bring it within a very short time under the control of a very limited number of people, probably of one or two companies, and the only entity which can contend against the great monopolies which control these great natural resources day by day is the Government of the United States itself or the States. Hence, so far as I am concerned from this time, in view of the situation in which we find our resources, I am not willing to vote to donate or grant either in fee simple or by limited title these natural monopolies to private parties. I am convinced that the only way we can protect the situation and make these natural resources inure to the public good and constitute a real benefit to the mass of the people is by granting them to the States or by the Government holding them, and one or the other or, in some instances, both developing them, controlling them, and operating them. Whatever may be said as to public ownership generally, I am sure that these great oil, coal, and power possessions now belonging to the Government should be held and operated by the public for the public.

Mr. President, what has become of our power sites under the leasing system in so far as leases have been made? Where are they? Who is developing the power of the West, and who is controlling it, and who is getting the benefit of it? Has the leasing system changed one iota or the slightest the effect of this proposition upon the masses of the people? Is there any difference in the price which the people pay, or will there be any difference in the price which the people pay under a complete ownership or under a leasing system? The ultimate consumer will pay, in my judgment, finally, just as much for the use of his oil and for the use of his coal and for the use of his power under a leasing system as he will pay under an absolute ownership system, taking into consideration that we have a public utility commission whose business and whose power it is to fix rates that is especially true.

As to this bill, and I do not say this in criticism of anyone who is the author of it, its inevitable effect, its logical effect, will be worth $50,000,000 to two oil companies operating in the State of Wyoming. There is no way by which you can prevent it from being worth that amount to them if you grant a leasing system at all, in view of the physical facts which obtain now in the State of Wyoming.

The leasing system will not give the people any better use or greater benefit of these resources. I am therefore—and am compelled to be brief—for public ownership and operation of all this class of resources.

Mr. SHAFROTH. Mr. President, I am somewhat surprised to learn the attitude of the Senator from Idaho [Mr. BORAH]. I must say that I have heartily concurred in the statements that have been made by the Senator from Arizona [Mr. SMITH] and my colleague [Mr. THOMAS] as to the manner of developing the public lands and particularly the natural resources of the Government. I believe that a leasing system will never be a success. It was predicted on the floor of the Senate time and again during the consideration of the Alaskan leasing bill that there would not be a single lease taken out. That has been verified. There is not a coal mine in Alaska that is being operated to-day under a leasing system. The reason is that when a man enters upon coal lands for the purpose of developing a mine that will produce he has to have capital, and it is not the capital that goes and makes the location. When he locates upon the land he has got to have a patent that the capitalists will lend money on, and when you present a Government lease that may be forfeited at any time, especially under such circumstances as have been referred to by the Senator from Colorado and the Senator from Arizona, you can readily see that the capitalist will say, "No; we do not want to invest anything when our security is simply something that might be forfeited." That is the reason why they can not get money with which to buy machinery to open up a coal mine. The minute you refer to the fact that you have a lease title as security, immediately capitalists will say they can not consider it at all; but if the party gets a fee-simple title, he then has something upon which capitalists can depend. They know if the miners put a million dollars into modern machinery, which is necessary for the equipment of a good mine, that that security is going to be theirs in the event that the amount which they have loaned falls to be repaid.

Mr. President, I recognize the fact that it would be a very good thing—I do not mean financially—for the people if all these lands were transferred to the States; but I see no possibility of any such action. Our lands have been locked up for 15 or 20 years, and we are not getting any result from them. That situation has produced a monopoly upon the part of the people who acquired their lands before the withdrawal system was put in operation. It is for that reason that there must be some compromises in such legislation.

Perhaps some Senators remember that I have introduced bill after bill and have made a number of speeches in the Senate against the leasing system and in favor of the entry system. What I have stated in those speeches was true, and I believed every word which I stated at the time they were made; yet what have I accomplished, or what have we who have been trying to get these lands developed accomplished in the way of development? Nothing whatever. The withdrawal order on coal lands has been removed, but that did not remedy the situation, because upon a classification of such lands, which was made 10 or 15 years ago, the prices were placed upon them so high that nobody would take them up. Consequently there could be no inducement whatever to development.

Mr. President, the Senator from New Mexico [Mr. JONES] came to me one day and said: "You have been in favor of the entry system and the sale of coal lands." I said, "I have." He said, "The junior Senator from Montana [Mr. WALSH] has believed in a leasing system." I said, "He has." He said, "You believe that there can be no development except on an entry system?" I said, "Yes." The Senator from New Mexico further said, "The Senator from Montana believes that there can be no development whatever under a purchase system. Why not enact both your bills, and thereby give the applicant for the land the option"? We three met. We exchanged suggestions; a bill was introduced and referred to the committee. We met a number of times relative to the matter, and our suggestions were carried out in a report, which was ratified by a vote of 10 to 1. The result is somebody has to make certain concessions. Believing that there will be no leasing system by the Federal Government, I am willing to test the question as to whether we are right that there will be no development whatever under the leasing system, and that consequently people will not take leases.

The VICE PRESIDENT. The time of the Senator from Colorado has expired. The question is on the amendment which has been proposed by the Senator from Colorado.

Mr. SHAFROTH. I ask that the amendment be stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 15, line 5, it is proposed to strike out the article "a" and to substitute the word "locations" for the word "location."

Mr. BORAH. I desire to make an inquiry. I thought the committee had some amendments pending.

Mr. THOMAS. I think the Senator from Utah [Mr. SMOOT] would like to be present when the amendments, of which that is the first that I offered some time ago, are acted upon. I offered two other amendments, however, to section 16, which I think are pertinent to be voted upon at the present time.

Mr. BORAH. The Senator from Nevada [Mr. PITTMAN] offered several amendments, which went over on last Saturday. Those are committee amendments, and I had supposed that they were pending. Have they been adopted?

Mr. SHAFROTH. No; I think not. The regular way, of course, would be to first adopt committee amendments.

Mr. BORAH. I have no objection to this procedure, but I wondered if the committee amendments had been disposed of.

Mr. SHAFROTH. No; they have not been. They were printed, and they are contained in the reprint of the bill, which is on the desk of each Senator. I think that perhaps they had better be first voted on. I should like to inquire whether or not we are operating under the 10-minute rule, Mr. President, instead of the 5-minute rule?

The VICE PRESIDENT. We are operating under the 10-minute rule.

Mr. SHAFROTH. Had I consumed my 10 minutes?

The VICE PRESIDENT. The timekeeper so informed the Chair, and the Chair thought so.

Mr. SHAFROTH. I ask that the committee amendments be now taken up.

The VICE PRESIDENT. Then the Senator from Colorado must withdraw his amendment. The committee amendments were not formally offered; they could not be offered except one at a time. The Senator from Nevada stated that he had offered them in order that they might be printed and lie on the table and be subsequently considered; that he was not asking action on them. They were all offered at once, and a dozen amendments can not be offered to a bill at the same time. If the Senator from Colorado withdraws his amendment for the present the committee amendments will then be considered.

Mr. THOMAS. I withdraw it because of the absence at this time of the Senator from Utah from the Chamber.

The VICE PRESIDENT. The first committee amendment will be stated.

The SECRETARY. On page 12, line 12, before the word "of," at the beginning of the line, it is proposed to insert the words "by a claimant."

The amendment was agreed to.

The next committee amendment was, on page 12, line 14, after the word "withdrawal," to insert the words "and who prior to such date had performed all acts necessary to a valid mining location thereof, except to make a discovery of oil."

The amendment was agreed to.

The next committee amendment was, on page 12, line 15, to strike out the word "the" and to insert the word "such."

The amendment was agreed to.

The next committee amendment was, on page 12, line 17, after the word "each," to insert the word "such."

The amendment was agreed to.

The next committee amendment was, on page 25, line 6, to strike out the word "any" and to insert the words "more than a tenth."

The VICE PRESIDENT. Without objection, the amendment will be agreed to.

Mr. PITTMAN. Before that amendment is agreed to, I desire to state that the amendment was suggested by me, and there is also an amendment which was afterwards offered by the Senator from South Dakota [Mr. STERLING]. Both those amendments seek to accomplish the same purpose. If, however, the Senator from South Dakota insists on his amendment I will withdraw my amendment, so that we may first act on the amendment of the Senator from South Dakota.

Mr. STERLING. Mr. President, I can not quite agree with the Senator from Nevada that these two amendments mean the same thing, although his amendment may to some extent accomplish the purpose that I had in view in framing my amendment.

As I understand, the Senator from Nevada relies upon the potash bill as a precedent for the one-tenth provision contained in his amendment. The circumstances, it seems to me, are altogether different. In the potash bill there was no danger of a combination or a monopoly, such as would be found in the Middle West with the Standard Oil Co. No such condition existed there as exists here. Hence, I think that my amendment, giving the right to any number of patentees or lessees to form combination was necessary for the purpose of laying down pipe lines and for the purpose of building a refinery, is better than the Senator's amendment, and affords a better safeguard against monopolization than does the amendment of the Senator from Nevada. That is the way it appears to me.

Mr. PITTMAN. Mr. President, I have no pride in the authorship of the amendment. I adopted the formal expression because it had been debated in both Houses on a prior bill, and it was then decided by both the Senate and the House of Representatives that no lessee under the potash bill should hold a greater interest than one-tenth in any refinery or resales agency; but, as I have said, I used the language principally because it had heretofore been debated and adopted. I have no desire to have any contest over the question. I therefore ask leave to withdraw the amendment at the present time in favor of the amendment offered by the Senator from South Dakota.

Mr. STERLING. Mr. President, in lieu of the amendment of the Senator from Nevada, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from South Dakota will be stated.

The SECRETARY. On page 25, after line 13, it is proposed to insert the following:

Provided, That nothing herein contained shall be construed to prevent any number of patentees or lessees under the provisions of this act from combining their several interests so far as may be necessary for the purpose of establishing and constructing a pipe line or lines, to be operated and used by them jointly in the transportation of oil from their several wells, or from constructing and carrying on the business of a refinery: *Provided further*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior, on application to him for permission to form the same.

Mr. SMOOT. Mr. President, I should like to ask the Senator proposing the amendment a question. If his amendment be adopted, supposing there should be a half dozen or more locators who desired to combine to build a pipe line—and in the same field there might be 50 or more locators who were not in that combination—is there anything that would obligate the constructors of that pipe line to carry the oil of the other operators through that pipe line?

Mr. STERLING. No; I will say to the Senator there is not; there is nothing in the amendment that would compel that pipe line to do so.

Mr. SMOOT. Does not the Senator think that they ought to be compelled to do so?

Mr. STERLING. I thought that other locators might, under the approval of the Secretary of the Interior, make like combinations and build their own pipe lines.

Mr. SMOOT. That might be very expensive and no doubt unnecessary, I will say to the Senator. I am in favor of his amendment, but I do not think it goes far enough. I think that wherever there is a grant given to locators to combine for the purpose of constructing a pipe line for the carrying of oil, they should be compelled to carry the oil that may be offered by other producers in the same field.

Mr. BORAH. Are they not already common carriers under the interstate commerce law?

Mr. SMOOT. They are so under the interstate commerce law, but this amendment being passed after the enactment of that law, I do not know whether that law would affect the situation which might arise under the amendment offered by the Senator from South Dakota.

Mr. BORAH. I think they would still be common carriers.

Mr. SMOOT. Mr. President, I ask that the amendment be again reported. It was read hurriedly.

The VICE PRESIDENT. Without objection, the amendment will be again stated.

The Secretary again read the amendment proposed by Mr. STERLING.

Mr. STERLING. Mr. President, if the Senator from Utah will permit me, I will state that I can see how under the phraseology of this amendment other locators might be excluded probably from the use of these pipe lines. That is not intended, and I suggest this as an amendment to my amendment: After the words "several wells," add "or from the wells of other patentees or lessees under this act." Then they would be common carriers under the provisions of the amendment.

Mr. SMOOT. All I want in this amendment is to provide that the pipe lines shall be common carriers, or that we should use language that would give all operators the absolute right to have their oil transported whether such declaration is made or not.

Mr. NORRIS. Mr. President, if the Senator from South Dakota will permit me, I should like to suggest that there might be some doubt, and it seems to me there would be, as to whether these pipe lines would be common carriers, because the language under which they are authorized does not so specify. So, why not, instead of the amendment which the Senator has suggested, in line 3, on page 26, after the word "constructing," add the words "as common carriers," so that it will read "necessary for the purpose of establishing and constructing as common carriers a pipe line or lines," and so forth.

Would not that make it plain, then, that these pipe lines were common carriers? And of course, if they were common carriers, they could be utilized by others than their owners.

Mr. SMOOT. Perhaps the wording suggested by the Senator from Nebraska would cover the matter; but would it not make

it a little more definite to say "for the purpose of establishing and constructing, hereafter to be deemed common carriers, a pipe line or lines"?

Mr. STERLING. How would it do to say "or from the wells of other lessees or patentees as common carriers"?

Mr. KING. Mr. President, will the Senator from South Dakota yield to me?

Mr. STERLING. I yield.

Mr. KING. Does not the Senator feel that any attempt by the Federal Government to legislate with respect to that matter would be an encroachment upon the rights of the States? Most of the States have provided for the duties of common carriers within the States; and why should we now seek to legislate with respect to that matter? Our legislation here may run athwart the pathway of the legislation of the States. If there be a pipe line within a State, and the State law has declared a pipe line to be a common carrier, then obviously a person who desired to have his oil transported through the pipe line of that corporation, if it should refuse, would seek relief in the courts, and through the instrumentality of the public-utilities commission, if not through the courts, would secure the relief which he desired. It seems to me that we can safely leave that matter to the States.

Mr. SMOOT. Mr. President, some of the States may not have acted upon that question and may not have declared by State law that a pipe line is a common carrier. I can not say whether or not Wyoming and California have made such provision.

Mr. NORRIS. Mr. President, if the Senator will permit an interruption there, I will suggest that pipe lines may cross State lines, so that the State law would not perhaps apply.

The VICE PRESIDENT. In order to enforce the unanimous-consent agreement and to keep some track of time, the Chair would like to know what amendment is pending before the Senate?

Mr. SMOOT. The Senator from South Dakota yielded to other Senators.

Mr. STERLING. I move as an amendment to the amendment offered by me the following: After the word "constructing," in line 3, on page 26, according to the reprint, add the words "as a common carrier," and then, after the word "wells," in line 6, on page 26 of the reprint, add the words "or from the wells of other lessees or patentees."

Mr. THOMAS. Mr. President, the amendment offered by the Senator from South Dakota relieves the situation somewhat, but, if I have not misconstrued the phraseology of sections 33 and 34, they will, unless they are much more materially modified, fill the penitentiaries of the West, and possibly of the East, with practically all of the people who now enjoy their liberty for the commission of what are now and always have been simple transactions of everyday life. These two sections were designed, I presume, to prevent monopoly. A man might as well try to win a horse race by putting handicaps on his own animal instead of that of his adversary as to try to prevent monopoly by such legislation. Now, let us see what they propose. As I have said, I may be mistaken regarding their purport. I have spent some anxious moments over them, however, and I think that the conclusion which I have reached is at least justified by the language employed. Section 33 reads:

SEC. 33. That no person, association, or corporation, except as herein provided, shall be permitted to take or hold any interest, as a stockholder or otherwise, in leases of any one of the deposits herein named and described, during the life of such leases covering in the aggregate an area greater than 2,560 acres, and any interest held in violation of this provision shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction, except that any such ownership or interest hereby forbidden, which may be acquired by descent, will, judgment, or decree, may be held for two years and not longer after its acquisition.

Section 34 is as follows:

SEC. 34. That no person, association, or corporation holding a lease under the provisions of this act shall, except as herein provided, hold any interest, direct or indirect, in any agency, corporate or otherwise, engaged in the resale of coal, phosphate, oil, gas, potassium, or sodium purchased from such lessee, or enter into any arrangement, agreement, or other device to enhance the price of such minerals or products, and any violation of the provisions of this section shall be ground for the forfeiture of the lease or interest held.

Then follows the penalty:

That any person who shall purchase, acquire, or hold any interest in leases of any one of the deposits herein named and described, except as herein provided, or who shall knowingly purchase, acquire, or hold any stock in a corporation having an interest in two or more such leases, except as herein provided, or who shall knowingly sell or transfer to one disqualified to purchase, or, except as in this act specifically provided, disqualified to acquire, any such interest, shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years and by a fine not exceeding $1,000.

The remainder of the section applies the penalty to directors, trustees, officers, or agents of a corporation in the following language:

That any director, trustee, officer, or agent of any corporation holding any interest in such a lease who, on behalf of such corporation, shall knowingly participate in the purchase of any interest in another lease of the same substance or deposit which such corporation is disqualified to take or to hold or in the sale or transfer of any such interest in any lease for the same substance or deposit held by such a corporation to any corporation or individual holding any interest in any similar lease under this act, except as herein authorized, shall be guilty of a felony, and shall be subject to imprisonment for a term of not exceeding three years or a fine of not exceeding $1,000, or both.

Now, let us analyze it. This is designed, as I understand, to prevent a monopoly in refining. My friend, the Senator from Idaho, may be inclined to purchase 10 shares of the John Smith Co., whose assets consist of one of these leases. The next day some friend of his may make him a present of 10 shares of the John Jones Co., which is operating another of the leases, and that heads him for the penitentiary, for he is a shareholder at once in two of these concerns and the penalty of the statute attaches. So if the owner of one of these leases shall become, however necessary it may be, interested in any agency that is designed to transport or to treat or to sell his product, he becomes at once a felon in the eyes of the law; and, if convicted, he must either go to the penitentiary and wear stripes for a certain number of months or pay $1,000 as a maximum fine.

We can but faintly realize the effect of a provision of that kind in a speculative community or among people who, entirely innocent of any wrong motive, acquire such interests in good faith and sometimes acquire them unwittingly. One man may present a friend with a small block of stock in one of his leases, and another friend having a similar lease may make him a present also of a stock interest in his lease. By these little acts of generosity they may send their friend to the penitentiary.

We are about to pass such a law on the theory that it will prevent a monopoly in refining. Why, Mr. President, it is difficult for me to reconcile these two sections with the known ability and character of the members of the committee which reported the bill. Prevent monopoly! Why, as one Senator has said, we might just as well under these sections attempt to arrest the law of gravitation. We may control the situation, as we tried to do in the Trade Commission act; but these two sections should go out, or they should be so materially modified as to remove the specter of the penitentiary from every citizen and from every lintel throughout the country. It is the most monstrous legislation, if I have correctly interpreted it, that I have ever been called upon to consider since I have been a Member of this body.

Mr. STERLING. Mr. President, I should like to ask the Senator from Colorado if he does not think the amendment proposed by me a while ago should not apply to section 33 as well as to section 34?

Mr. THOMAS. The amendment offered by the Senator is good so far as it goes; it will relieve men from the penalties of the act in the event they combine for the purpose of building a pipe line or a refinery; but suppose a man buys stock in his neighbor's company while owning one himself or owning an interest in another, then what becomes of him?

Mr. STERLING. I think perhaps my amendment could not be construed to apply to a case of that kind.

Mr. THOMAS. The amendment is all right, but the inherent difficulty arises from the language of the two sections. Certainly we do not want deliberately to penalize a man for buying stock in two concerns engaged in the same business because, forsooth, their assets consist of a leasehold interest of identical character—at least I do not. I shall probably vote for this bill, but I do not want to vote for a bill which will so operate that when I go home I will be confronted at the station by a mob of innocent stockholders insistently demanding an explanation of the legislation which has transformed them from decent citizens to prospective criminals. These two sections should be eliminated.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from South Dakota.

Mr. STERLING. Mr. President, I submit a further amendment. I think there is a danger that section 33 might be so construed as to prevent the very combinations that are provided for in my amendment to section 34. Hence, I desire to amend the amendment so that in the reprint, beginning with line 25, at the bottom of page 25, it will read as follows:

Nothing contained herein nor in the last preceding section shall be construed—

And so forth. I move that amendment.

Mr. PITTMAN. Mr. President, these are two entirely different questions. Section 33 is an absolute prohibition against

one lessee holding an interest, either directly or indirectly, in more than 2,560 acres, and the Senator's provision seeks to provide for a combination of lessees in a greater amount than that. It seems to me it destroys the whole effect of section 33.

Mr. STERLING. Mr. President, my thought was that under the provisions of section 33 it might be held that lessees might not be able to combine their interests in their several holdings for the purpose of building a pipe line, and I wanted to prevent any such construction as that.

Mr. PITTMAN. The very object of section 33 is to prevent a combination of lessees. If you are going to permit a combination of lessees, then you are going to destroy the protection against monopoly.

Mr. STERLING. Does the Senator understand that the amendment to section 34, as I have offered it and as it has been read, does permit of a combination of lessees or patentees for the purpose of building a pipe line or for the purpose of building a refinery?

Mr. PITTMAN. Yes.

Mr. STERLING. That is what it is for, and it is to prevent a monopoly.

Mr. PITTMAN. Yes; but not for the production of oil.

Mr. STERLING. It is to prevent monopoly in that part of the business which is most subject to monopoly—namely, the refining of oil, of course.

Mr. PITTMAN. The very object of section 34, in the first place, was to prevent a great many leases from being combined in a refining company, and it was to prevent a refining company from being the holder of innumerable leases. That was the object of it.

Mr. THOMAS. Mr. President, may I ask the Senator a question? He has stated very clearly the object of the section. Suppose, under section 33, the Senator becomes a stockholder in a company holding a lease which I have secured, and also becomes a stockholder in a company owning a lease of a similar tract of land which the Senator from North Carolina has secured: Does he not come within the prohibitory clauses of the section?

Mr. PITTMAN. Yes.

Mr. THOMAS. And will he not, if indicted and convicted, incur the consequences of the section?

Mr. PITTMAN. Undoubtedly.

Mr. THOMAS. Does the Senator think that such legislation should be enacted by the Congress of the United States?

Mr. PITTMAN. Mr. President, the great trouble we have had with regard to our natural resources, as has been stated here on the floor, is the monopolization of them. We have got to do one of two things: We have either got to prohibit monopolization and punish monopolization, or we have got to take the position of the Senator from Idaho and have the Government not only own but operate all of them. I am not ready to go as far as the Senator from Idaho, because I believe that we can regulate it if we try to.

The committee has tried to regulate it. It has stated most emphatically that the extent of the interest of any individual in any lease shall be 2,560 acres, and it has also prohibited him from acquiring interests indirectly, because the prohibition would be ineffective unless it applied to indirect acquisition; and therefore the bill prohibits you from holding an interest in 100 corporations that own 100 different interests of 2,560 acres each.

Mr. THOMAS. It would seem that the Senator's remedy for monopoly is legislation that will put everybody in the penitentiary except the monopolist.

Mr. PITTMAN. I understand that the Senator is opposed to monopoly, but the suggestion he has made is not capable of being incorporated in legislation right now. As a matter of fact, if you destroy section 33, you throw down the bars, as was alleged by the Senator from Idaho heretofore.

Mr. THOMAS. And if you do not destroy it, hundreds and hundreds of innocent people, ignorant of the operation of this law, will be subjected to the pains and penalties of the bill.

Mr. PITTMAN. Mr. President, that is the complaint against every criminal law, and always has been, and always will be. Unless you are going to limit the amount of acreage in which a man may be interested under this lease system, you are bound to have monopoly. We have attempted to limit it to 2,560 acres; and I say that the amendment of the Senator from South Dakota is a destruction of section 33.

Mr. KING. Mr. President, the more this bill is analyzed the more objectionable it will appear, not only to those who are familiar with the West and its needs, and the great problems with which this bill attempts to deal, but to all who appreciate the functions of the Federal Government and the limitations placed upon it and the rights and powers and prerogatives of the sovereign States. Little by little the Federal Government has encroached upon the States, but now the tendency is to practically obliterate State lines, extinguish the rights of the States, and concentrate all power in the Federal Government.

In times of war this tendency is always exaggerated. But even the imperative legislation demanded by the great war in which we are engaged does not warrant or justify in my mind many of the provisions of this bill. It was never intended that the Federal Government should enact a general penal code. Certainly it was not the intention of those who wrote the Constitution that there should be a superimposition of penal statutes enacted by Congress upon the States and to govern the conduct of citizens of the various States in their purely domestic and local affairs.

Here we find a provision that property acquired by descent, will, judgment, or decree may be held for two years and not longer. In other words, the Federal Government is attempting to determine the question of the devolution of property, the manner in which it may be held, as well as the conditions attending its ownership. This legislation, as well as other provisions in the bill, in effect relate to purely domestic and local affairs. It has been held repeatedly by the Supreme Court of the United States that the Federal Government has no municipal control, that the States deal with the people within their borders, that their laws prescribe how property should be held, the uses to which it may be put, and so forth.

This bill further provides a criminal code in relation to domestic matters and in relation to transactions which may be purely intrastate in character.

Further supplementing the illustrations just submitted by the Senator from Colorado [Mr. THOMAS], let me suggest a set of facts of this character: If the Senator from Nevada owns a share of stock in a corporation organized under the laws of his State, which corporation was engaged in the production of oil, and he purchased a share of stock in another corporation organized under the laws of his own State engaged in a similar business, he would be guilty of a felony and subject to punishment by the Federal courts. If he sold a share of stock in one of these corporations to his neighbor, he would be compelled to scrutinize with care his action lest his neighbor might own a share in a domestic corporation engaged in the oil business, and thus bring him under the condemnation of this bill. He would thus be guilty, even though the share of stock which he sold was in a corporation which produced only one barrel of oil per day or per year——

Mr. THOMAS. Or no oil at all.

Mr. KING. Or, as stated by the Senator, no oil at all. That is, if the Senator from Nevada owns a share of stock in a nonproductive corporation engaged in the oil business, he would be guilty of a felony if he sold that practically valueless share of stock to some individual who owned a share of stock in another corporation equally as nonproductive. And this would be so even though, as stated, the corporations were organized in the same State. It would also be an offense if the two corporations in the supposititious case just mentioned produced oil and the entire output was consumed within the State.

This bill attempts to regulate purely intrastate transactions, and enacts a penal statute with reference to matters that may be purely intrastate.

I submit that the provisions of sections 33 and 34 are tyrannous and oppressive in the highest degree. This bill will retard development of oil lands as well as coal lands. It is known that the oil business is exceedingly hazardous. It is really a gamble. Millions of dollars are expended in the search for oil without oil being discovered. Most of the oil wells have been driven by men of limited resources. They have organized corporations and have sold stock to a large number of people. In most instances the persons purchasing the stock knew that the enterprise was a hazard and that they were running a risk of losing the money paid for the stock.

It is known to all persons familiar with the oil business that many people purchase a few shares of stocks in a number of companies organized to sink wells, and that most wells are driven from the moneys derived from the sales of stock in small blocks to numerous persons. This bill will prevent the sale of stock to any great extent for the purposes mentioned. Hereafter men who have not considerable capital will not be the discoverers of oil. I make the prediction that this bill will drive the oil business into the hands of a comparatively few persons of large financial interests and will unquestionably result in the transportation and refining business, which is now a monopoly, being perpetuated as a monopoly. This bill will create monopolies and perpetuate monopolies.

Many people seem to entertain the view that oil production is in the hands of monopolists. I think the history of the oil

business in the United States clearly proves that the production of oil has been by independent operators, and in the main by men of but small means. The Standard Oil Co. is not, and has not been, what might be called an oil producer. Its money has been made in the refining of oil. I think the Standard Oil Co. and its subsidiary organizations produce less than 20 per cent of the oil of the United States, but they refine more than 70 per cent. The refining of oil is in the hands of a monopoly, but the production of oil is not controlled by a monopoly.

This bill will strengthen the grasp of the refining monopoly and it will increase the power of the Standard Oil Co. and its subsidiary organizations as well as the Dutch Shell, referred to by the Senator from Nevada, in any efforts they may make to control the production of oil in this country.

This bill is a delusion and a snare. It is harmful to the best interests of the people. It will throttle and strangle competitive oil development. Unquestionably it is a blow at the Western States and places the yoke of bureaucracy and a tyrannous autocratic paternalism upon the new Commonwealths that have been so grossly discriminated against in the legislation and Executive orders of the past two decades.

I suggested in effect that the Standard Oil Co. was not a monopoly so far as oil production is concerned. While I do not profess much knowledge concerning the history of the oil industry of our Nation, my information is to the effect that the Standard Oil Co., and the organizations which it controls, have encouraged individuals and corporations to sink wells and produce oil. It and its subsidiary organizations, when the oil was produced, would then construct the pipe lines and the refineries and obtain control of the crude oil and also determine the prices of the finished product. These companies then became a monopoly in the transportation and in the refining business.

As illustrative of this situation I invite attention to a transaction with which many of the Senators are familiar. In 1896 certain leases were granted on the Osage Indian lands in Oklahoma. During 20 years, the term of the leases as I recall, about 75,000,000 barrels of oil were produced. The lessors got 5 per cent of the profits, the original lessees 2.3 per cent, and the sublessees 12.7 per cent. The Standard Oil Co., as the refiner, obtained 80 per cent. Or to put it in dollars, the lessors got for this oil $5,452,234.08, the original lessees $2,442,699.49, the sublessees $13,729,064.83, and the refining company—that is, the Standard Oil Co. and its subsidiary organizations—got $86,250,000.

There were, no doubt, a large number of lessees and sublessees. These were the producers. The Standard Oil Co. did not compete in production; it only desired to control the transportation and the refining of the oil.

It seems very clear to me that this bill is improperly conceived and will result in frightful injustices and most baneful and injurious consequences. I can not conceive how people from the West can support this bill, and I sincerely hope that the Senator from Colorado, who has just voiced his opposition to the fundamental principles contained in this measure, will continue his opposition and with others vote against it.

The Senator from Idaho [Mr. BORAH] made a suggestion in regard to the cession of the public lands to the States in order that they might control the same. Sometime ago I introduced a bill providing for the cession to the States of the public lands. I will offer it to-day as a substitute for the pending measure. Of course, I understand that such a bill will not meet with favor, but I warn Senators that the present bill is a mistake; it will fasten a millstone around the neck of the West and will prove a burden which will be grievous to the Nation.

I regret that we are not in a frame of mind to enact wise and just legislation; that we have not the vision to deal with this question in a broad and statesmanlike manner. I desire to register my unalterable opposition to it and only regret my inability to defeat it.

Mr. THOMAS. Mr. President, if an amendment is in order to the amendment, I should like to offer one at this time, my amendment being to strike from the bill sections 33 and 34.

The VICE PRESIDENT. The amendment of the Senator from South Dakota is pending first.

Mr. STERLING. Mr. President——

Mr. THOMAS. I offer this as an amendment to that amendment.

The VICE PRESIDENT. Under the rule, the right exists to perfect the part to be stricken out before it is stricken out.

Mr. STERLING. Mr. President, while I do not agree with the Senator from Nevada with regard to the effect of the last amendment offered by me upon section 33, yet I think the main purpose of the amendment will be served by having it as an amendment to section 33 alone; and therefore I withdraw the amendment to the amendment last offered.

Mr. SMOOT. Mr. President, let the amendment be stated as finally proposed.

The VICE PRESIDENT. Yes; let us try to find out what is before the Senate.

The SECRETARY. In section 34, on page 25, after line 13, it is proposed to insert the following:

Provided, That nothing contained herein shall be construed to prevent any number of patentees or lessees under the provisions of this act from combining their several interests so far as may be necessary for the purpose of establishing and constructing, as a common carrier, a pipe line or lines to be operated and used by them jointly in the transportation of oil from their several wells or from the wells of other lessees or patentees under this act, or from constructing and carrying on the business of a refinery: *Provided further*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. There is one more committee amendment, which will be stated.

The SECRETARY. On page 25, line 8, after the word "the," it is proposed to insert the words "transportation, refining, or."

Mr. PITTMAN. The Senate having agreed to the amendment of the Senator from South Dakota, I withdraw that.

Mr. BORAH. That ought to be line 18, anyhow, instead of line 8, ought it not?

Mr. PITTMAN. No; that is in harmony with the amendment. I ask for action on it, therefore.

Mr. THOMAS. Mr. President, I again renew my amendment to the pending amendment, to strike out all of sections 33 and 34.

The VICE PRESIDENT. Just a moment. The Chair understood first from the Senator from Nevada that he had withdrawn his amendment. Now the Chair understands that he has not withdrawn it. It is an amendment to perfect section 34, and therefore takes precedence of the proposed amendment of the Senator from Colorado.

Mr. THOMAS. I intended to offer it to the other amendment, but the Chair was too quick for me.

Mr. SMOOT. Mr. President, do I understand that the Senator from Nevada wants the Senate to adopt this amendment to his proposed amendment after the adoption of the amendment offered by the Senator from South Dakota?

Mr. PITTMAN. I feel that it is in perfect harmony with it.

Mr. SMOOT. I think it covers the same thing exactly, only the amendment offered by the Senator from South Dakota makes these transportation lines common carriers.

Mr. PITTMAN. The first amendment to that section offered by the Senator from Nevada is out by consent—that is, "more than one-tenth"—but the rest of it is more definite and explains the sales agencies. In other words, it reads now:

That no person, association, or corporation holding a lease under the provisions of this act shall, except as herein provided, hold any interest, direct or indirect, in any agency, corporate or otherwise, engaged in the transportation, refining, or resale of coal—

Except as provided in the amendment of the Senator from South Dakota.

Mr. SMOOT. Mr. President, I do not see the necessity for that amendment after adopting the one offered by the Senator from South Dakota.

Mr. PITTMAN. We have no prohibition in the section before the words "transportation" and "refining." I insist that it is in harmony with the section.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 25, line 8, after the word "the" or before the word "resale" it is proposed to insert the words "transportation, refining, or."

The amendment was agreed to.

Mr. THOMAS. Now, Mr. President, I move, as an amendment to the bill, to strike out sections 33 and 34.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to strike from the bill sections 33 and 34, as amended.

Mr. THOMAS. Mr. President, I am impelled to offer this amendment by reason of the very frank admission of the Senator having charge of the bill as to what will be the consequences of its enactment into law.

In response to my criticism the Senator said that it was one which was made to every criminal statute, and I suppose that is true. It is one that ought to be made to every statute which seeks to transform into a felony a perfectly innocent act and an act which is performed thousands of times daily by citizens all over the country.

Why, Mr. President, there is no more moral obloquy in the purchase of a share of stock at present than in the purchase of a horse or any other article of personal property. It is a rec-

ognized, legitimate transaction, and one in which men indulge with greater and greater frequency as time passes. These two sections at one fell stroke, for the ostensible and very creditable purpose of preventing a monopoly, transforms an innocent and lawful and in many cases necessary transaction into one of the gravest of crimes. No matter what may be the exigency which provokes such a remedial statute, I am unable to give it the sanction of my consent. I would rather have monopoly, with all of its consequences, than to seek to prevent it by a measure which necessarily operates to the disadvantage, the humiliation, and the disgrace of thousands upon thousands of innocent men and women. Nor does this one even tend to prevent the evil at which it is aimed.

Why, Mr. President, in addition to depriving locators of their property acquired under the law, this so-called measure of relief goes further and opens the doors of the penitentiaries of the Nation not only to those who are here seeking relief but to all of the citizens of the United States everywhere, if, forsooth, they should knowingly or innocently expend one dollar in the purchase of a share of stock in one company and another dollar in the purchase of a share of stock in another company, both of which are operating leases under this bill. That, to my mind, is not only indefensible but monstrous.

Mr. PITTMAN. Mr. President——

Mr. THOMAS. Just a moment. I would rather see the public domain tied up forever than released under such conditions. It is un-American; it is unjustifiable from any standpoint from which we approach the so-called land question. If it could have the effect in practical operation of preventing this monopoly, there might be some justification for it; but it will not. Its only possible effect will be to subject hundreds of thousands of our citizens to the humiliation of a criminal trial and to probable conviction for felony.

I now yield to the Senator from Nevada.

Mr. PITTMAN. I will take up the matter in my own time, so as not to consume the Senator's time.

Mr. THOMAS. I am nearly through. Therefore, Mr. President, I have offered this amendment. I think it ought to be adopted. I do not believe language is capable of so transforming or modifying these sections as to relieve them from the peril which is embodied in both. After we have enacted the bill into law, and perceive the effect of its operation, I very much fear that those who are proposing it here will be the first to clamor for its repeal.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I yield.

Mr. BORAH. The Senator from Nevada stated this morning that sections 33 and 34 had no reference to sections 16 and 17. If we strike out sections 33 and 34, what limitation is there anywhere in the bill to prevent, to any extent, monopoly of these oil lands?

Mr. THOMAS. The limitations exist in those sections. They exist in one section because of the limited amount of ground to which it can possibly be applied. They exist in the other section with regard to the number of locations and the extent to which they can be recognized. But I would rather have no location at all than to place a limitation like this upon any of these sections.

Mr. BORAH. Exactly; you limit the amount of ground; but suppose the stockholders combine? What is there to prevent a complete combination of all the stockholders or owners of a piece of land?

Mr. THOMAS. Nothing, and we can legislate here until doomsday, and some method of evasion of what we may do will be found. The Senator knows that.

Mr. BORAH. Yes; that is what I was seeking to develop. As I said a while ago, it does not make any difference what we do in this bill, the result will be that three or four people will control the whole thing.

Mr. THOMAS. Oh, yes. We dissolved the Standard Oil Co. some time ago. It now has a dozen heads where it had only one, and it is a great deal harder to cut off either of the heads it now has than to have decapitated it in the first instance.

I believe in remedial legislation and restrictive legislation. I want to say here that the Senator from Idaho to-day has imposed the only possible outcome—that is to say, the substitution of public for private monopoly.

Mr. PITTMAN. Mr. President, I did state this morning that sections 33 and 34 were intended for the purpose of preventing the monopolization of these oil fields. There is not any question about it. There are only two courses that can be taken unless we want to cease to protect against monopoly. We must either have the Government operate the oil fields and coal lands or we must place such restrictions upon the operation of the oil fields and coal lands as the intelligence of the legislator may dictate.

Our committee have decided to try to develop these oil fields through individual effort and to throw around that development such restrictions as will prevent monopoly as far as possible. That policy was adopted four years ago in this body when it passed a bill similar to this. That policy has been adopted twice in the House of Representatives when it passed the bill and sent it to this body. This kind of protection is the result of the work of both the committee of the Senate and the committee of the House with regard to public lands. It is their judgment after hearings on numerous occasions. It is the result of the labors of the lawyers and the statesmen on those committees. Now, it may not prevent monopoly; it may be true that we are powerless to prevent monopoly; but I am not ready at this time to admit it. If I were ready to admit that to be the fact, I would instantly be in favor of the Government not only owning all the oil and coal lands but actually operating them.

If I had the view of this matter that the Senator from Colorado has, I would not vote for any bill except a bill to furnish the United States Government sufficient money to take the oil out of the ground and to take the coal out of the ground and distribute them where they are needed; but as I am not prepared to go that far, as I still believe that punishment can prevent the commission of crime to such an extent as to permit the people to operate without Government interference in everything——

Mr. SMITH of Arizona. Mr. President, will the Senator permit a question on the line of the monopoly of which he speaks?

Mr. PITTMAN. Certainly.

Mr. SMITH of Arizona. From the Senator's experience with the West, does he know of anything that could possibly be worse than a Government monopoly?

Mr. PITTMAN. I do not know that there is very much distinction between monopolies, but I would prefer a Government monopoly to an individual monopoly.

Mr. SMITH of Arizona. I would not.

Mr. PITTMAN. But I want to say right now, as I said before, that these two sections of the bill include the principal protection that the committee has offered against the monopolization of this land. So far as section 16 is concerned, monopolization under that section is protected by physical facts. It is protected by physical facts, because there are only a few cases where wells have been sunk down to oil; but in the leases that are to be let under this bill on 6,000,000 acres of land there is no protection if you strike out sections 33 and 34.

In other words, you open the door for the Standard Oil Co. or the Royal Dutch Shell Co., or both of them together, to acquire every lease that the United States Government executes under the bill, and to hold and operate it. I am satisfied, and the committee were satisfied, that 2,560 acres of oil lands are enough to sustain a good, sound, substantial company.

Mr. THOMAS. I agree to that.

Mr. PITTMAN. The Senator from Colorado agrees with me. Therefore we should prohibit the acquisition, directly or indirectly, of any more.

The Senator's speech was largely directed to a misconception of what the Senator from Nevada said or the Senator from Nevada inadvertently misstated what he knew with regard to the bill. Here is the situation. The bill says:

> That any person who shall purchase, acquire, or hold any interest in leases of any one of the deposits herein named and described, except as herein provided, or who shall knowingly purchase, acquire, or hold any stock in a corporation having an interest in two or more such leases, except as herein provided, or who shall knowingly sell or transfer to one disqualified to purchase, or, except as in this act specifically provided, disqualified to acquire, any such interest, shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years and by a fine not exceeding $1,000.

In other words, the statement of the Senator from Colorado that one might be punished who innocently purchased stock in a corporation that is interested in more than one is a condition that can not arise under the statement of the bill. Innocent purchasers of stock or innocent purchasers of an interest at least are absolutely protected under the bill. The bill only punishes those who knowingly and willfully in violation of law attempt to monopolize the public domain under the provisions of the act. I certainly hope that the bill will not be destroyed by striking out these provisions.

Mr. THOMAS. Let me ask the Senator before he takes his seat if the word "knowingly" helps the situation. If I purchase 10 shares of stock in one company to-day, I do it know-

ingly. If I purchase 10 shares to-morrow in a prohibited company, I do it knowingly.

Mr. PITTMAN. The question is as to knowledge.

Mr. THOMAS. The intent is absent from the expression of the bill.

Mr. PITTMAN. Who has knowledge of the fact?

Mr. THOMAS. I do not object to the limitation of 2,560 acres. What I object to is the punishment which follows if one or more individuals acquire small stock in two of these companies.

Mr. PITTMAN. If the word "knowingly" does not import knowledge, then the Senator can suggest an amendment to that section.

Mr. THOMAS. It imports knowledge but does not import willfulness.

Mr. PITTMAN. But you are striking out all the safeguards against monopoly. If it does not, then the language of this section is sufficient. If the Senator will offer an amendment at that point the committee will be glad to accept it if it makes the language clearer.

Mr. BORAH. If we are through with the debate I wish to call for a quorum. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	McNary	Simmons
Beckham	James	Martin	Smith, Ariz.
Borah	Johnson, Cal.	Myers	Smith, Ga.
Culberson	Johnson, S. Dak.	New	Smith, Md.
Curtis	Jones, Wash.	Norris	Smoot
Fernald	Kendrick	Overman	Sterling
France	Kenyon	Owen	Sutherland
Frelinghuysen	King	Phelan	Swanson
Gallinger	Kirby	Pittman	Thomas
Gerry	Knox	Poindexter	Thompson
Gronna	Lewis	Shafroth	Tillman
Hale	Lodge	Sheppard	Trammell
Harding	McCumber	Sherman	Vardaman
Hardwick	McKellar	Shields	Wolcott

Mr. WOLCOTT. I wish to announce the absence of my colleague [Mr. SAULSBURY] on public business.

Mr. MYERS. My colleague [Mr. WALSH] is still detained from the Senate by illness.

Mr. LEWIS. I desire to announce that the members of the Interstate Commerce Committee are in session on the railroad bill and beg to state that if necessary for a quorum they will return to the Chamber; if not, they ask that they may be excused so that they may continue the hearing.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

Mr. OWEN. I send to the desk the following proposed amendment.

The VICE PRESIDENT. There is a pending amendment now.

Mr. OWEN. I beg the Chair's pardon; I was not aware of it.

The PRESIDING OFFICER. The pending amendment is the amendment of the Senator from Colorado [Mr. THOMAS] to strike out sections 33 and 34 as amended.

Mr. SHAFROTH. Mr. President, I hope this amendment will not prevail. One charge that has been made against the administration of the public lands has been the fact that there have been created monopolies, and it is claimed that by reason of that condition there ought to be some supervision upon the part of the Federal Government. That has been the strength of what might be termed the conservation movement, and it has created a condition of affairs that has been very detrimental to the Western States. Here are two sections that propose to remedy that condition or tendency toward monopoly as much as they can, and the striking out of them would throw down the bars and say there shall be no law against combinations. It seems to me the adoption of the amendment would prevent the bill from ever becoming a law.

Sections 33 and 34, the part to which the Senator from Colorado, my colleague, has objected, prohibit combination in the ownership of stock in companies that own oil leases. The usual form of owning and having a combination in several leases or several pieces of property is by means of stock. That is the very way by which it is done, and to strike out this provision that proposes to prohibit the ownership of stock or knowingly acquiring the ownership of stock in any other company, it seems to me would simply permit any one combination to own 90 per cent of every leasing company or ownership company. That being the case there would be no safeguard whatever, there would be no protection whatever, against monopoly.

Mr. President, we have had sections that have been proposed in various forms. Some have said that the ownership of a stockholder of one company in that of another company owning a lease should be limited to one-tenth. That will not do, because 10 men in one company then could each acquire stock in all the other companies in the field and consequently produce a monopolization of it. The only way that that combination can be prevented is by the retention of sections 33 and 34.

Mr. SMITH of Arizona. Will the Senator permit an interruption there?

Mr. SHAFROTH. Yes, sir.

Mr. SMITH of Arizona. Is it not the whole purpose of the committee in the adoption of those two sections to prevent the Standard Oil Co. and the Dutch Shell Co. from owning every one of these leases?

Mr. SHAFROTH. Or any other company. That is what it is.

Mr. SMITH of Arizona. Or any other company; and the purpose is to prevent the absolute monopoly of these leases by rich companies. The only inhibition is against you or me or anybody else going in and owning shares in every one of the companies.

Mr. SHAFROTH. We are prohibited because by that prohibitory statute they are prohibited. That is the reason. On that account, it seems to me, it would be very wrong to strike out these sections.

I want to say in addition that the attempt has been made to have small leases, and under this bill quite a large lease is permitted, 2,560 acres. That is done for the very purpose of letting a company that has capital and means to develop oil lands to the highest extent to have such control that they can make a business success of it. That is the reason why, instead of being limited to 20 acres, or a combination of eight men to acquire 160 acres, under the present placer act, they are permitted to prospect for and get the fruit practically of their discovery to the extent of 2,560 acres. Of course a great many competing companies can exist under that large area. The House committee does not consent to that. They make only 640 acres the limit. We believe that there should be a larger area so that there would be companies that could compete with the large companies and thereby make a competition that would be of use and benefit to the consumer.

Now, we find that if you prevent the statute from going into effect which says that the owner of stock in one company can not acquire stock in another company, one company could own the entire field in Wyoming or in any other State in the Union where there is public land. So while there may be some inconvenience in the case of stockholders as a result, on the other hand, not to have stockholders at all, not to have corporations; they would have to be all individuals. Individuals do not like to go into business where there is an unlimited liability. For that reason they can sacrifice some of their right or transfer some of their right of purchasing stock in other companies in order to prevent the monopoly under which people have been very much aggrieved because the consumer is held up by the large company.

Mr. President, it does seem to me that some modification might be made, but to strike out the only two provisions in the bill relating to the prevention of monopoly, the prevention of the stockholders of one company owning all the oil lands in a field. If these sections are stricken out, there is no land of the public domain but what might be acquired by one company.

So I hope, Mr. President, that the amendment offered by my colleague, the Senator from Colorado, will be rejected.

The VICE PRESIDENT. The question is on the amendment of the Senator from Colorado [Mr. THOMAS].

The amendment was rejected.

The VICE PRESIDENT. The Senator from Oklahoma offers the following amendment.

Mr. OWEN. I should like to have my proposed amendment read.

The VICE PRESIDENT. It shall be read.

The SECRETARY. Strike out sections 16 and 17 and insert in lieu thereof the following:

SEC. 16. That any claimant who, either in person or through his predecessor in interest, entered upon any of the lands embraced within the Executive order of withdrawal dated September 27, 1909, prior to July 3, 1910, honestly and in good faith for the purpose of prospecting for oil or gas, and thereupon commenced discovery work thereon, and thereafter prosecuted such work to a discovery of oil or gas, shall be entitled to lease from the United States any producing oil or gas well resulting from such work, at a royalty of not less than one-eighth of all the oil and gas produced therefrom, together with an area of land sufficient for the operation thereof but without the right to drill any other or additional wells: *Provided*, That such claimant shall first pay to the United States an amount equal to not less than the value of one-eighth of all the oil and gas already produced from such well: *And provided further*, That this act shall not apply to any well involved in any suit brought by the United States, or in any application for patent, unless within 90 days after the approval of this act the claimant shall relinquish to the United States all rights claimed by him in such suit or application: *And provided further*, That all such leases shall be made and the amount to be paid for oil and gas already produced shall be fixed by the Secretary of the Interior under appropriate rules and regulations.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator to explain the difference between his amendment and the provisions that he seeks to strike out. The amendment has not been printed?

Mr. OWEN. No; it has not.

Mr. SHAFROTH. It is difficult to follow it, so as to see what the difference is.

Mr. OWEN. Mr. President, as I understand the controversy over the question of validating the claims on various leases for oil and gas which arose under the old placer act, it is substantially that while some of these claimants were justified in some of the claims to have been bona fide, there are many of them who are charged with having made dummy entries and perpetrated various frauds by which to put themselves in the attitude of a just claim and asking to have Congress protect their equities. It is now a matter before the court, and many of these cases are pending.

The proposed amendment which I have offered undertakes to protect the equity of the man who in good faith under the old placer law made a claim and prosecuted it with the intention of developing oil and actually carrying out the purpose of making a development even if it was done after the act of withdrawal, provided it was done before the time fixed in the proposed amendment, 1910. The purpose of it is to protect the man who had an actual equity, and draw a clear line of demarcation between that man with an equity and the man who has no equity but who violated the purposes of the act of Congress, who violated good ethics, in his attempt to monopolize the public domain for speculative purposes; and it does draw a clear line of demarcation between the two.

I think the proposed act in sections 16 and 17 is broader than it should be, because it proposes to give to a claimant who prior to July 3, 1910, had performed all acts necessary to a valid mining location except to make a discovery of oil. The exception, of course, is vital, because he could only acquire a right if he did actually make a discovery of oil under that statute.

Mr. PITTMAN. Mr. President——

Mr. OWEN. I yield to the Senator.

Mr. PITTMAN. If there was no discovery made, then the bill proposes that he shall have no relief at all.

Mr. OWEN. I understand some of them did actually make discovery.

Mr. PITTMAN. I do not think the Standard Oil made a discovery prior to 1910.

Mr. OWEN. I do not know what the evidence discloses, but I have had so many statements made with regard to these claims——

Mr. PITTMAN. Those who made discovery prior to 1910 do not need any relief, because they had title.

Mr. OWEN. If they are given relief they would not have to prosecute a case in court, and those who went on after the time when they were inhibited by the Government, I think, are not justified in seeking this character of relief.

Mr. SMOOT. Mr. President, I have not had a chance to examine the amendment offered by the Senator from Oklahoma, but if his explanation of the amendment is correct, then you are going to penalize the man who has spent his money to develop an oil field in which he was unfortunate enough not to find oil; but if a man was lucky enough to find oil you are going to give him the right to a lease. If a man before the withdrawal in 1910 discovered oil there is no court on earth and no power on earth that can take his title away from him; he is entitled to the land.

If the amendment the Senator offers is adopted it seems to me we might just as well pass no bill at all and just leave the law as it is to-day, because it simply means that a man who did have a title and a right to the land of course could not lease it, and nobody is going to lease land who has not an absolute title to it. If I understand the amendment, that is the effect of it.

Mr. KING. Mr. President, as I interpret the language contained in the amendment offered by the Senator from Oklahoma, it narrows rather than broadens the ground upon which relief will be granted to certain claimants of oil lands. I think there can be no question but what the proposed amendment would not protect locators who had gone upon oil lands in good faith, but who had failed to remain in actual possession because of being driven off by stronger parties, who in some instances used the process of the courts to aid them in ousting the original locators and in keeping the latter out of possession. Neither would the amendment protect locators who respected the President's proclamation and deserted from work, even though they expended many thousands of dollars upon their respective claims. Other situations suggest themselves, not covered by the suggested amendment. It is too restricted and should be defeated.

Mr. BORAH. Mr. President, if I have an opportunity, unless sections 16 and 17 are materially amended, I shall vote to strike them from the bill. But I can not vote for this amendment, because the substitute for sections 16 and 17, I think, in all probability would not accomplish what I am sure the Senator has in mind. After hearing it read from the desk, I am not willing to vote for the substitute, although I would like to vote to strike out sections 16 and 17.

Mr. SHAFROTH. Mr. President, the difficulty is in examining amendments that are offered here and are not printed. It makes it almost impossible for a person to know exactly the purport or meaning of the amendment. For that reason it seems to me we ought to be very careful in deviating from the report of a committee that has examined this question for at least four years, presenting sections that have been approved by the action of the House of Representatives and also by committees of the Senate. It seems to me that we ought to be careful in adopting an amendment unless it is clearly understood. I believe in view of the action of the committee in approving a certain measure, especially when, as I understand, the Interior Department has approved those very sections, we should not change it unless the amendment is plain and palpably right. So it seems to me we should adhere to the sections as presented by the committee.

Mr. OWEN. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Oklahoma?

Mr. SHAFROTH. I yield.

Mr. OWEN. I think the Senator from Colorado did not understand the scope of the amendment, nor did the Senator from Nevada, as to the period of time. The language is—

That any claimant who, either in person or through his predecessor in interest, entered upon any of the lands embraced within the Executive order of withdrawal dated September 27, 1909, prior to July 3, 1910—

That was entered prior to that time—

honestly and in good faith for the purpose of prospecting for oil or gas, and thereupon commenced discovery work thereon, and thereafter prosecuted such work.

That is, after the period of July 3, 1910, prosecuted the work and found oil after that date. It does not limit it to the finding of oil prior to July 3, 1910, but it limits it to the entry prior to July 3, 1910, and who thereafter found oil.

Mr. SHAFROTH. What is the difference, then, between them? It seems to me that sections 16 and 17 provide for just such conditions as those, although probably not in the same language. I do not believe in changing language that has been studied and which has been repeated in bills for four years by substituting something else, unless it is so manifestly clear that all agree the amendment is wise.

Mr. SMOOT. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. SMOOT. I understand the difference between the two propositions is that in line 16, on page 15, the words "except to make a discovery" are not included in the proposition of the Senator from Oklahoma. In other words, no matter how diligently he has acted and how much money a locator has expended to discover oil, unless he has actually discovered it, under the amendment of the Senator from Oklahoma he is not entitled to a lease.

Mr. OWEN. I would suggest to the Senator, Mr. President, that a man who in seven years has not made any discovery has not been diligent.

Mr. SMOOT. The Senator from Oklahoma makes that statement offhand, without knowing the conditions existing in the Wyoming oil fields.

Mr. OWEN. I think that a man who knows anything about the oil fields—and the State of Oklahoma produces as much oil as any State in the Union——

The VICE PRESIDENT. Senators can only speak once on this amendment. The Chair will enforce the unanimous-consent agreement. The question is on the amendment of the Senator from Oklahoma.

The amendment was rejected.

Mr. THOMAS. Mr. President, referring back to sections 33 and 34, I offer the following amendment: On page 24, line 17, of the old print of the bill, I move to strike out the words "except as herein provided" and to insert "except as provided in sections 16 and 17 of this act."

Mr. SHAFROTH. I suggest to my colleague that he leave in the words "except as" and that he simply move to strike out the words "herein provided" and insert in lieu thereof the words "provided in sections 16 and 17 of this act." It is a limitation of the act and makes more specific what is excepted.

Mr. THOMAS. I modify my amendment as suggested by my colleague.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Colorado as modified.

The amendment was agreed to.

Mr. THOMAS. In section 34, page 25, line 5, after the word "act," I move to insert the words "other than leases issued under the provisions of sections 16 and 17 thereof," and to strike out the words "except as herein provided," on line 6. It is virtually the same amendment which I have just previously offered.

Mr. PITTMAN. There is no objection that I can see to that amendment.

Mr. JONES of New Mexico. Mr. President, I endeavored to get recognition before the other amendment was voted upon, but evidently I did not make myself heard by the Chair. This amendment, however, involves the same question. The purpose of it is to prevent there being any limitation upon the quantity of land which may be acquired by these so-called equitable claimants, and the amendment now offered is to remove any restriction as to the manner in which those lands may be operated by these so-called equitable claimants. In my opinion, it was unwise to have adopted the amendment to section 16, for the reason that it enlarges the area which one concern may control, and it enlarges it beyond the point where we are willing to permit for the future citizens or associations of the country to acquire these lands. In other words, we propose by this bill to limit the amount of land that any individual or corporation may be interested in for the future to 2,560 acres; but we have a class of claimants who went upon these lands in violation of law, in good faith, it is true, under a misconstruction of the law, and we are proposing to permit those who are trespassers upon the public domain to acquire greater rights through a so-called claim of equity than we are willing to permit the individual of the country, who now goes upon the land in good faith and under the law, to acquire.

In my judgment, there should be some restriction, and the restriction offered by the Senator from Colorado, which has just been adopted to section 16, removes that limitation. I am perfectly willing that there shall be relief granted to the people who have actually developed oil in that country under legal advice that they had a right to do so, although it has been decided that they had no such right; I am willing to grant to them relief; but I am not willing to grant to them relief beyond the point where we are willing to permit the citizen of the country to go in a legal way. I think this amendment should be voted down, and I think the vote upon the other amendment should be reconsidered.

I think we are doing an injustice here to people who in the future under the law may go upon the public domain and seek to develop oil. We are limiting them; but we put no limitation upon those who have gone upon the public domain in violation of the law, even though in good faith, and developed oil. I can not conceive upon what principle Senators favor giving to these claimants rights beyond those which we are willing to permit citizens to have who go there in a legal way, simply because the others have gone there in an illegal way, although acting in good faith.

Mr. THOMAS. Mr. President, my purpose in offering these amendments is to mitigate in some degree those provisions of sections 33 and 34 to which I unsuccessfully called attention a few moments ago. I do not conceive that any of the men concerned in sections 16 and 17 went upon the public domain of the United States illegally, except in the most technical sense. The President of the United States himself, the author of the withdrawal order of September, 1909, expressed doubt as to his power to make that order, and the Supreme Court of the United States, in sustaining it, virtually held that acts of usurpation, if persisted in and repeated, became sanctified by time into law. These men took a chance, it is true, and the Supreme Court decided against them, but the two sections, 16 and 17, apply to other locations as well as to those to which the Senator from New Mexico refers.

So far as section 16 is concerned, the limitations placed upon the acreage involved by the actual physical conditions in Wyoming, are such that an extreme combination could not exceed 5,000 acres; and if the limitations of sections 33 and 34 apply to them, it will be impossible for them to avoid that monopoly of refinement which has been so eloquently inveighed against here.

So far as section 17 is concerned, the locations there described represent the rights of persons who on the 1st day of August, 1917, were bona fide occupants or claimants of oil or gas bearing lands open to appropriation as such under existing law. Certainly, those locations could not be called illegal, nor can the locators themselves be accused of disregarding the withdrawal order of the President. They refer to locations made upon the unappropriated public domain which had not been withdrawn and which were, therefore, open to occupation under the statutes of the United States, the only need of relief being that no discoveries had yet been made upon them.

I think, therefore, that it is perfectly right and proper that these remedial sections, framed to relieve men from existing conditions, should not be made subject to the penal clauses and limitations of the other two sections. I might add that, so far as I am able to judge from a somewhat cursory reading of the bill several times, the exceptions exist anyway. I merely offer the amendments to clarify the situation.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I yield the floor.

Mr. BORAH. I want to ask the Senator from Colorado a question. As I understand the Senator's amendment—I was called out at the moment he offered it—to section 33 consisted in striking out the words "herein provided" and inserting the words "other than leases issued under the provisions of sections 16 and 17 thereof."

Mr. THOMAS. Yes.

Mr. BORAH. In what respect does that change the bill from its present form as construed by the committee itself?

Mr. THOMAS. I think it merely expresses more clearly what the language embodied in sections 33 and 34 means anyway.

Mr. BORAH. It has been stated over and over again here by those in charge of the bill that sections 33 and 34 do not apply to section 16.

Mr. THOMAS. Yes; but the Senator and myself have had some experience with department constructions of remedial statutes.

Mr. BORAH. Yes.

Mr. SHAFROTH. Mr. President, under the law as it now exists and as it existed prior to the withdrawal order of President Taft a company has a right to locate as many claims as it wanted to. It could locate a million claims if it so desired. That was a right which had been given; it was a matter of right that would accrue in a patent. There came, however, the sweeping order withdrawing such lands from entry where the discovery of oil had not been made. The owner of a mining claim drives four stakes on every 20 acres of land; he does not have to record his certificate, and probably would not record the certificate until 30 days thereafter; at least he is allowed that right by law. He must, however, make a reasonable effort to discover oil, and that is generally done by a derrick. With the drill he is supposed to keep on until he discovers oil. If he does not discover oil, he will have no more title to that land than would I—not a particle more. Consequently, after these men went upon the public lands and sunk wells for oil, when the order was issued some of them had spent, as I have understood, as high as fifty thousand and in several instances as much as $100,000.

I have not any doubt, as explained by the Senator from Nevada, that President Taft never intended that those who had not discovered oil at the time of the issuance of that order should be cut off; in fact, the Pickett Act seemed to sanction the same view. Suppose a company having under law acquired 2,560 acres of land, had acquired a patent and a lease, and when this order was promulgated had spent $50,000 or $100,000 in a well, is it possible that we should legislate that such a company should not be entitled to get the additional well upon which they had spent that sum of money and let any locator without any work acquire the same? Is that right? Such a policy would produce no development. The object of this statute is to produce development; and it seems to me in framing this law those people should be given that right.

I believe in a limitation, but it should be equitably made. There must be a limitation as to the amount of land which can be acquired when a man begins operation. It is not fair to say, after he has his claim in process of development, "We shall not allow you to acquire any more than a certain fixed amount, and all your work will go to the first man who asks for a permit on that land."

It is possible that the House of Representatives, acting on this bill, will send back their bill, which may be to the effect that only 640 acres may be acquired by lease. I do not know where they are located, but I have no doubt that there are any number of companies in the United States which have more than 640 acres of land, and perhaps there are a number of them which have more than 2,560 acres. To say that they shall be cut off, when such a provision was not in the law when they began operations, it seems to me would be doing them an injustice and not granting them relief at all. Let us fix a maximum in the law, so that people who locate may know the

limitations to which they may acquire land, and let them acquire that amount; but to say, after a man has made his entry, that he may be cut down by a law subsequently passed by Congress it seems to me would be unwise and unfair.

For those reasons, Mr. President, I hope the amendment proposed by my colleague will be adopted.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Colorado. [Putting the question.]

Mr. KENDRICK. I wish to offer the several amendments, respectively, which I send to the desk.

Mr. SMITH of Arizona. Mr. President, what became of the amendment offered by the Senator from Colorado?

The VICE PRESIDENT. The Chair has not ruled.

Mr. SMITH of Arizona. I would like to have the ruling of the Chair.

The VICE PRESIDENT. The Chair does not know on the vote taken whether it was carried or not. All in favor of the amendment will rise.

Mr. PITTMAN. Mr. President, a parliamentary inquiry. Is the question on the amendment to section 34?

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Colorado.

Mr. SHAFROTH. The amendment is to insert the words "other than leases issued under the provisions of sections 16 and 17."

The VICE PRESIDENT. Those in favor of the amendment will rise. [A pause.] Those opposed to the amendment will rise. [A pause.] The amendment is adopted.

The first amendment offered by the Senator from Wyoming will be stated.

The SECRETARY. In section 11, on page 8, line 21, it is proposed to strike out the words "if the same are situated within 20 miles of any producing oil or gas well," and in lieu thereof to insert "if, in the judgment of the Secretary of the Interior, the same are situated within the geologic structure of a producing oil or gas field."

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Wyoming.

Mr. PITTMAN. Mr. President, I desire to express opposition to that amendment. I do not think it is determinative at all. It provides for a determination by the geologic structure, which I believe would be a very difficult matter for a prospector to ascertain, and I am satisfied that, if left to some of the bureaus, they might include a whole State in a geologic structure. I think that it is to the interest of the prospector to have some limitation as to where he may prospect and how much land he may get within certain areas. I am opposed to the amendment.

Mr. KENDRICK. Mr. President, in explanation of the amendment I wish to say that whatever the situation may be in other sections of the country it is rather easy to determine the limitations of any oil structure in my State. This section clearly intends to govern the acreage in a prospector's permit according to the distance from producing oil structures. As an indication of the injustice of the language of the bill as drawn I will point out the fact that what has been spoken of here as the Teapot Dome is within 5 miles of the largest oil-producing field in my State, but it is an entirely separate structure. Under such circumstances the section as it at present stands would limit the prospector, drilling in an entirely separate structure, to one-fourth of the maximum area, which is clearly contrary to the spirit of the bill. In my judgment, it would be a mistake to make such a provision, and I hope that the amendment will prevail.

Mr. BORAH. Mr. President, may I ask the Secretary to restate the amendment?

The VICE PRESIDENT. The Secretary will again state the amendment.

The Secretary again stated the amendment.

Mr. BORAH. As I understand the Senator from Wyoming, the amendment is intended as a limitation?

Mr. KENDRICK. A limitation that carries with it a restriction of the amount of land that a prospector may have under a prospector's permit. Under the section as it now stands, if the land is within, say, 19¾ miles of a producing well, he can only have 640 acres, as I understand, while if it is 20 miles away he may have 2,560 acres. The truth of the matter is, that it is intended to restrict prospecting to territory that has not been proved, as contradistinguished from oil structures that have already been proved as such.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator whether or not the phrase "the geologic structure of a producing oil or gas field" is easily ascertained? A man by going on the public domain and seeing a derrick, of course, can measure 20 miles and know where the line is between the 640-acre entry and the 2,560-acre entry; but I am not sufficiently familiar with the oil fields to know whether the geologic structure is readily ascertainable and is delineated on the ground. It would not be so objectionable if it were delineated and visible, so that the prospector could find it. The only question in my mind is whether the use of the words "geologic structure" would not confuse him. If the geologic structure is plain and visible, or can be ascertained readily, I am in favor of the proposal; but if it can not, I feel that the best way to do would be to make distance in miles the guide; and if 20 miles is too much, we can make it less than 20, so far as I am concerned.

Mr. KENDRICK. Mr. President, in the territory of the larger oil fields in my State there have been frequently expensive wells sunk just outside of the structure where there were evident lines indicating the outline of the structure. Such wells have proved an entirely new oil structure, sometimes one after the other in succession. As I have already said, the oil structures are clearly defined, and some of them are very much nearer and closer together than 20 miles. Therefore I think that any prospecting done within an entirely new territory should be done on a basis of equality.

Mr. SHAFROTH. What is there on the surface of the ground to indicate where these zones or geologic structures are?

Mr. KENDRICK. In my State there are clearly defined walls in almost every instance.

Mr. SHAFROTH. Visible to the eye, on the surface?

Mr. KENDRICK. Yes.

Mr. SHAFROTH. So that they can be ascertained by the prospector without having to come down to Washington to find out about them?

Mr. KENDRICK. Yes; and they are known not only to the local but to the Federal geologists. There is only a question of expending the money to determine the presence of oil. In many cases these structures are broken; the oil has wasted away; and the fact of the presence of oil is only demonstrated by a heavy outlay of money, as the Senator from Colorado has already suggested.

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Wyoming.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, on page 14, in the proviso at the close of section 16——

The VICE PRESIDENT. Just a moment. The Senator from Wyoming sent to the desk several amendments. The next amendment offered by the Senator from Wyoming will be stated.

The SECRETARY. In section 11, on page 8, line 24, it is proposed to strike out the words "if the same are situated over 20 miles from any producing oil or gas well" and insert "if, in the judgment of the Secretary of the Interior, the same are not situated within the geologic structure of a producing oil or gas field."

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

The VICE PRESIDENT. The Secretary will state the next amendment offered by the Senator from Wyoming.

The SECRETARY. In section 17, on page 14, line 12, it is proposed to strike out the words "August, 1917," and insert in lieu thereof "January, 1918," so as to read:

That the rights of any person who on the 1st day of January, 1918, was, and ever since has been, a bona fide occupant——

And so forth.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

The VICE PRESIDENT. The Secretary will state the next amendment offered by the Senator from Wyoming.

The SECRETARY. At the end of section 12, page 10, line 3, after the words "unsurveyed lands," it is proposed to strike out the period and insert a semicolon and the following: "or at his election the said permittee shall be entitled to a lease for the entire area described in his permit for a term of 20 years, such lease to be conditioned upon the payment by the lessee, after first deducting from the gross production such oil or gas as may be used in development and operating such land, of a one-eighth royalty of the product of said land, or the value thereof, and the payment in advance of a rental of $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited on the royalty for that year, and such other reasonable terms and conditions as may be prescribed by the Secretary of the Interior."

Mr. STERLING. Mr. President, as a substitute for the amendment just read, I offer the one which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In lieu of the words proposed to be inserted, the Senator from South Dakota moves to insert the following:

Provided, That said permittee shall be given a preference right to lease the remaining and unpatented lands embraced within the limits of his permit upon the same terms and conditions as provided for other leases, or said permittee may, at his election, with like preference right and upon like conditions, become the lessee of the entire tract embraced within said permit, instead of receiving a patent for any part thereof.

The VICE PRESIDENT. The question is on the amendment of the Senator from South Dakota.

Mr. STERLING. Mr. President, just a word in regard to this amendment. It is somewhat broader than the amendment of the Senator from Wyoming [Mr. KENDRICK]. It gives the patentee a preference right to lease the remainder of the tract if he desires. It gives him a preference right to lease it. It also allows him, at his election, instead of taking a patent for any portion, to lease the entire tract covered by his permit.

I think the rest of the language of the amendment puts the lessee in this case upon exactly the same footing as other original lessees provided for in the bill, and I believe the amendment is a little preferable to that of the Senator from Wyoming.

Mr. SHAFROTH. Mr. President, I like the first part of the amendment offered by the Senator from South Dakota, but I do not like the latter part of it. This measure is one that has been considered very carefully by the committee, and, so far as I am concerned, I do not like to have the leasing system extended to one acre more than is necessary in order to get through a working bill. For that reason I feel that where the proposition is as contained in the bill itself—namely, that the applicant shall have a right for his discovery to 160 acres in one instance and to one-fourth of the other premises that may be issued to him—that is something definite and fair, and you will find that in every instance the well would be sunk on the land of which the man is the owner.

While I would not vote against the bill on this account, yet where we have a system that we hope will work and a provision with relation to what shall be given to a man for his discovery it seems to me we ought to let that system prevail all the way through. Therefore I shall vote against the amendment.

Mr. KENDRICK. Mr. President, I wish to accept the amendment offered by the Senator from South Dakota in lieu of the one which I offered.

Mr. NORRIS. Mr. President, the bill as reported authorizes the giving of a permit for anyone to prospect for oil and gas. He has within the limits of that permit two years to prospect; and if he discovers oil, then he gets as a reward for the discovery a patent to one-fourth of the land embraced in his permit. It may be 640 acres or it may be 2,560 acres, depending upon the location.

It seems to me that that reward is sufficient. He gets that absolutely. He gets an absolute patent for it. The balance of land within that permit is then leased by the Secretary of the Interior. Of course it is known then that oil has been discovered, and probably, as a rule, it would be valuable.

As I understand this amendment, the effect of it is this: Instead of confining the man to a patent for one-fourth of the land embraced within his permit it gives it all to him. That is really the effect of it. He gets a lease for it. In the other case he would only get a patent for one-fourth, and the balance would be leased, if the Secretary saw fit, in a competitive way. He would put it up and lease it to the highest bidder, very likely. He is given authority under the bill to do that. If this amendment prevails, that is what it will do. In other words, instead of giving the man title in fee to one-fourth of the land embraced within his permit, it gives him a lease of the whole thing for 20 years.

Mr. BORAH. Upon the same conditions that he leases the balance.

Mr. NORRIS. No; if the Senator will turn to——

Mr. BORAH. I have not the amendment of the Senator from South Dakota before me.

Mr. NORRIS. I am referring now to the bill in another place. It tells how the balance of the land under that permit, after oil has been discovered, shall be leased. It gives to the Secretary of the Interior the right to lease it under competitive bidding. It is in section 15, I think, on page 11, where provision is made that after one-fourth of the land embraced in the man's permit has been given to him in fee simple the balance of the land can be leased, the bill says—

By the Secretary of the Interior, through competitive bidding or such other methods as he may adopt by general regulations, in areas not exceeding 2,560 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned—

And so forth.

Mr. BORAH. Mr. President, as I understand this amendment, its effect is no other than to give the original discoverer a preference right to a lease upon the same terms and conditions upon which the Secretary would have granted a lease to anybody else under this bill.

Mr. NORRIS. Well, if that means that he may put it up at competitive bidding and permit this man to take it at the highest bid——

Mr. BORAH. This is what it says:

Provided, That said permittee shall be given a preference right to lease the remaining and unpatented lands embraced within the limits of his permit upon the same terms and conditions as provided for other leases, or said permittee may, at his election—

And so forth.

Mr. STERLING. Mr. President, will the Senator from Nebraska pardon me for a moment?

Mr. NORRIS. I do not know how much time I have left.

The VICE PRESIDENT. About a minute.

Mr. NORRIS. Let me finish this statement, and then I shall be glad to yield to the Senator.

The language I have read is found on page 15. If that goes in as it is now, it is going to be necessary to amend the bill, to strike out this language that I have read; otherwise, it will be absolutely inconsistent. I do not see how the Secretary of the Interior could put that up at competitive bidding and then say, "Here is one man who is going to have it if he wants to."

Mr. STERLING. Mr. President, under the language of the amendment he could not do that. The amendment is intended to give that man a preference right to the remainder of the tract covered by his permit, or a preference right to lease the whole of the tract instead of taking a patent for part of it, if he so desires.

Mr. NORRIS. I understand that.

Mr. STERLING. That is the object of it.

Mr. NORRIS. I have not a misconception as to what the amendment means.

Mr. STERLING. Otherwise the lease would be subject to the same terms and conditions as other leases.

Mr. NORRIS. Yes; but that language means that the balance of the land embraced in the permit could not be put up at competitive bidding.

Mr. STERLING. I grant that.

Mr. NORRIS. That is all I contend. It seems to me that that means that the man who gets this permit has the exclusive right to stay on 2,560 acres of land for two years and keep everybody else off of it. He gets that permit to prospect, and he gets oil. If he gets oil, under the bill as it is drawn now, he is given one-quarter of the land contained in his permit in fee simple, and he selects it himself. It must be in compact form, but he takes a quarter of it. If this amendment prevails, instead of that happening when he discovers oil, he gets it all. So it seems to me that so far as practical purposes are concerned you may just as well say, when you give the permit to a man: "We will give you two years to decide whether you want this land or not, and if you decide within two years that you want it, we will lease it to you. You will get everything there is in it, and if at the end of two years you think you do not want it you can give it up and pay no more attention to it, but during that time you have the exclusive right, and everybody else must be kept off."

The VICE PRESIDENT. The time of the Senator from Nebraska has expired. The question is on the amendment of the Senator from South Dakota.

Mr. STERLING. Mr. President, just this word in regard to this amendment:

One thing that I have had in view here is what we are all interested in, I suppose, and that is the production of oil, and the production of oil as far as possible free from monopoly or free from one interest getting control. I have thought that the man who made the exploration, who looked over the land and who made the discovery, did the work, and paid out the money, making, after all, a proposition that was more or less problematical, when he takes his patent for 160 acres in the one case or 640 acres in the other case, ought to be entitled to a preference right to the balance of the 640 acres if the land is within 20 miles of a known oil or gas well, or 2,560 acres if the land is more than 20 miles from an oil or a gas well. I think he should be entitled to that preference. He knows the land better than anybody else; he knows the possibilities of that land; and I think it will tend more to the production of oil to give the man who has made this investigation and this discovery a preference right than it otherwise would.

That is the sole object I have in offering this amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from South Dakota and accepted by the Senator from Wyoming.

The amendment was agreed to.

The SECRETARY. Also, on page 10, line 4, after the word "patent," insert the words "or lease."

The amendment was agreed to.

The SECRETARY. On page 10, line 10, after the word "patent," insert the words "or lease."

The amendment was agreed to.

The SECRETARY. On page 10, of the old print, in section 13, the last words in the section, after the word "terminate," strike out the words "but he may become a lessee of the other lands described in his permit."

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from Wyoming whether that language should not be kept in the bill, so that if the prospector elects to take his patent to the one-fourth, he may be permitted to lease the balance of it and be upon equal terms with anybody else?

Mr. KENDRICK. Mr. President, the Senator from Colorado is absolutely right.

Mr. SHAFROTH. Does the Senator insist upon his amendment?

Mr. KENDRICK. I withdraw the amendment just read. The last three, if I remember right, refer to leases.

The SECRETARY. Amend section 15, on page 11, line 8, after the word "patented," by inserting the words "or leased."

The amendment was agreed to.

The SECRETARY. In line 9, after the word "patent," add the words "or lease."

The amendment was agreed to.

The SECRETARY. On page 25, line 18, strike out the words "two or more such."

Mr. SHAFROTH. Wait, please. What is that—page 25?

Mr. KENDRICK. I withdraw that amendment.

Mr. JONES of Washington. Mr. President, on page 14, in line 9, I move to strike out "$1,000" and insert "$500."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 14, line 9, it is proposed to strike out "$1,000" and to insert in lieu thereof "$500."

Mr. SHAFROTH. Mr. President, I will state to the Senator from Washington that the amount carried in this section was suggested by the Delegate from Alaska. The object of it is to show that the man had expended a large amount of money, and had been continuously expending it for a certain time, showing his good faith in prosecuting his claim. If we should make the amount too small, it might let anybody come in and claim the benefits of the statute, whereas, in the case of the withdrawal, he wanted and the committee wanted something to show that there was an effort on the part of the applicant to keep continuously at work until he got a discovery. On that account it was difficult to say that he did not get his discovery at that time; and a substitute was offered, making it a thousand dollars, which would show that the man had exercised good faith in trying to get his discovery; and the committee thought that a man who would spend as much as a thousand dollars in endeavoring to get it should be protected.

Up in Alaska the climate is often so cold that they have to desist from work, and strictly and literally under the placer mining act the man has not any claim at all. He is subject to be "jumped," according to the laws of the United States, and there ought to be some——

Mr. JONES of Washington. Mr. President, I should like to know whether the Senator from Colorado is using my time or his own?

The VICE PRESIDENT. He is using yours.

Mr. JONES of Washington. I can not yield further to the Senator if he is using my time.

Mr. SHAFROTH. I beg the Senator's pardon.

Mr. JONES of Washington. I simply wanted to say this about the amendment:

As I understand the law, before the withdrawals were made it was this: That a person could get a patent for these lands in Alaska upon proof that he had made improvements of the value of $500. Now, there ought not to be more required to get a claim under this law than there was to get a patent to the land, and that is the sole purpose of reducing this to $500. While I would not say that the Delegate from Alaska had told me this, I had understood that he was desirous of having this change made.

Mr. SHAFROTH. Mr. President——

The VICE PRESIDENT. Does the Senator yield?

Mr. SHAFROTH. I will state to the Senator that he is under a misapprehension as to the amount it was necessary to expend. You have got to expend money often to the amount of $50,000 before you make a discovery. It is not like, after you get a discovery, doing $500 worth of work annually; and for that reason it seems to me there ought to be a good, substantial amount required for the purpose of showing his good faith.

Mr. JONES of Washington. Mr. President, I want to say that if I have been misinformed as to the law—and I have not had time to look it up—I agree with the Senator. I do not want to have any amount in here that will not require a showing of good faith in securing these claims.

Before my time expires I want to say that I have three amendments pending on page 2 which I shall not have time to discuss, as the time for discussion will close in 10 minutes. They are simply to insert the words "or Territory" in section 2; in other words, to make the provisions of this act, with reference to coal, apply to Alaska as well as to the coal fields of the continental part of the United States. It seems to me there can not be any objection to that.

I am not going to take any further time. I simply want that to be kept in mind when the amendments are submitted.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 31, at the end of section 43, on line 19, insert a colon and the following words:

Provided, however, That in order to assist in the production of oil to meet the present emergency, pending the final determination of a right to a patent to any oil or gas lands, or the actual granting of a lease upon oil or gas lands, as herein provided, the Secretary of the Interior is hereby authorized to permit increased production of oil under the terms of agreements authorized under the provisions of said act Approved August 25, 1914, which act is hereby continued in force for such purpose.

Mr. SMOOT. Mr. President, I want to say to the Senator having the bill in charge that that is simply allowing the act of August 25, 1914, the temporary leasing act, to continue in force after the passage of this act, if it becomes a law, until the time when the land is actually leased by the Government.

Mr. PITTMAN. In other words, it is to take care of the hiatus between the operation of the two acts.

Mr. SMOOT. That is all.

Mr. JONES of New Mexico. Mr. President, I offer a substitute for the amendment just offered by the Senator from Utah, as follows:

In order to assist in the production of oil to meet the present emergency pending the final determination of a right to a patent to any oil or gas lands, or the actual granting of a lease upon oil or gas lands, as herein provided, the Secretary of the Interior is hereby authorized to permit production of oil to continue under the terms of existing agreements authorized under the provisions of said act approved August 25, 1914.

Mr. SMOOT. Mr. President, I can not see what difference there is between the two amendments.

Mr. JONES of New Mexico. There is quite a difference. In the first place, the amendment proposed by the Senator from Utah authorizes an increased production, and in my opinion it also authorizes the making of new agreements under the act of August 25, 1914; and I do not believe that should be done. As to agreements which are in existence now, I am quite agreed that they should be continued in force until this bill becomes operative and until the parties have an opportunity to transfer their rights under the act of August, 1914, to their rights under this bill, but I do not believe that a new agreement should be entered into, or that any increased production should be permitted. It seems to me that if they go ahead under the agreements that they have now, they ought to be satisfied, and then come in under the provisions of this bill.

I therefore offer this amendment as a substitute for the amendment of the Senator from Utah.

Mr. SMOOT. Mr. President, the only difference between the two amendments is that my proposed amendment will allow an increase of production of oil that is so badly needed now. The amendment offered by the Senator from New Mexico is exactly the same with the exception of the allowance of an agreement between the Secretary of the Interior and the producer to produce more oil until the land that is to be leased is leased out under the terms of the pending bill, if it becomes a law.

I think my amendment is far better than limiting the production as the amendment of the Senator from New Mexico does.

Mr. JONES of New Mexico. Mr. President, it seems to me that the language of the amendment offered by the Senator from Utah permits a much broader construction than that based upon the amendment by himself. The language of his amendment is:

The Secretary of the Interior is hereby authorized to permit increased production of oil under the terms of agreements authorized under the provisions of said act approved August 25, 1914—

And so forth. He uses the words "under the terms of agreements authorized." If that does not mean that the Secretary has authority to execute new agreements, then I am incapable of understanding that language, and not only to execute new agree-

ments but to modify existing agreements so as to authorize the sinking of new wells and increasing their production.

It seems to me that the amendment offered by the Senator from Utah goes far beyond what he wants, and the purpose of my substitute is to limit the transaction in express language, so that the agreements may go ahead just as they are now but no further until they bring themselves within the provisions of this law.

The VICE PRESIDENT. The question is on the amendment of the Senator from New Mexico [Mr. JONES] to the amendment of the Senator from Utah [Mr. SMOOT].

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question now is on the amendment of the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 15, lines 6, 7, 8, 9, 10, and 11, it is proposed to strike out all of the following words: "If the claim was initiated within less than five years prior to the withdrawal, and such claimant had performed a reasonable amount of work preparatory and essential to the sinking of a well or wells, and who because of and in obedience to such order desisted from the prosecution of work for the development of such claim."

Mr. SMOOT. Mr. President, in explanation of that amendment I want to say that the words were put in, so I have been informed, for the purpose of taking care of the locator who located prior to the withdrawal order and who had assisted in work after the second order was issued. I think that whoever inserted the words did not take time to consider what effect these words really would have upon just such honest locators.

Mr. PITTMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Nevada?

Mr. PITTMAN. The committee did give very careful attention to that, and it was a subject of considerable debate there with representatives of the Department of the Interior. I hope that amendment will not be adopted.

Mr. SMOOT. Mr. President, I do not want the Senator to take my time. With those words stricken out, it would read:

> And any person who at the time of any withdrawal order heretofore made was a bona fide occupant or claimant of oil or gas bearing lands within such withdrawn area, other than lands reserved for the use of the Navy, and who has performed all acts necessary to a valid mining location thereof, except to make a discovery, shall have a preference right to lease the same under the provisions of this act.

If those words remain in the bill, the honest locator will be in many cases deprived of the privilege of leasing the land. If they go out, the dishonest locator will have a chance to get those lands as against the man who is entitled to the lease. It does not apply to any locator who has complied with the law and done his annual assessment work and all that is required of him under existing law.

I hope the amendment will be agreed to.

Mr. JONES of New Mexico. Mr. President——

The VICE PRESIDENT. The hour of 5 o'clock has arrived. The question is on the amendment of the Senator from Utah [Mr. SMOOT].

The amendment was rejected.

Mr. PITTMAN. I offer the following amendment to come at the end of section 17.

The SECRETARY. At the end of section 17, on page 15, at the end of line 22, insert:

> *Provided, however*, That no claimant who has been guilty of fraud in the location of any oil claims or gas-bearing lands shall be entitled to any of the benefits of this section, nor shall his assignee or lessee be entitled thereto unless he affirmatively shows that prior to the passage of this act he purchased such lands in good faith, for a valuable consideration and without actual knowledge of such fraud.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Nevada.

The amendment was agreed to.

Mr. SMOOT. I offer the following amendment.

The SECRETARY. On page 15, line 12, strike out the words "have a preference right to lease the same," and in lieu insert: "shall be entitled to a lease upon the same at one-eighth royalty and otherwise for the period and upon the conditions as other oil and gas leases are granted."

The amendment was agreed to.

Mr. SMOOT. I offer the following amendment.

The SECRETARY. On page 14, line 19, strike out the word "diligent" and insert, after the word "work," the following words: "without unreasonable delay"; and, in line 22, strike out the word "diligent" and in lieu thereof insert the word "said."

The amendment was agreed to.

Mr. SMOOT. On page 14, line 20, after the word "gas," I move to insert the words "which work may be done on said location successively."

The amendment was agreed to.

Mr. JONES of Washington. I offer the amendment to which I referred a moment ago: On page 2, lines 6, 7, and 10, after the word "State," in three places, I move to insert the words "or Territory."

The amendment was agreed to.

Mr. KING. I offer the following amendment.

The SECRETARY. On page 31, after section 44, insert a new section, as follows:

> SEC. 45. That hereafter no public lands of the United States containing minerals shall be withdrawn by Executive proclamation or otherwise, and no reserve of any character or description, covering or including within its limits any mineral lands of the United States, shall be created or established except by act of Congress. All acts and parts of acts in conflict with this section are hereby repealed.

The VICE PRESIDENT. The question is on the amendment of the Senator from Utah.

The amendment was agreed to.

Mr. KING. I offer the following amendment.

The SECRETARY. On page 7, at the end of section 6, insert a new section, as follows:

> SEC. 7. That where, in the opinion of the Secretary of the Interior, the public interest will be benefited thereby, he is authorized to exchange noncontiguous bodies of public coal lands for privately owned coal lands, similarly situated, of approximately equal character and value, to such an extent and in such manner that thereafter the lands of the United States and those in private ownership shall each form single, compact, workable bodies or units: *Provided*, That nothing herein shall authorize the issuance, or treatment, of the privileges herein granted as script or assignable rights or privileges. In consummation of the exchanges herein authorized the Secretary of the Interior is authorized to receive and record conveyances covering privately owned lands and to issue patents covering lands of the United States exchanged therefor.

The amendment was rejected.

Mr. PENROSE. I desire to offer the following amendment.

The SECRETARY. On page 15, lines 7, 8, 9, 10, and 11, strike out the following words: "and such claimant had performed a reasonable amount of work preparatory and essential to the sinking of a well or wells, and who because of and in obedience to such order desisted from the prosecution of work for the development of such claim."

Mr. PITTMAN. A point of order. I think that amendment has just been acted upon.

Mr. PENROSE. It is in a different order.

Mr. PITTMAN. It is clearly out of order. The same amendment, to the same intent and purpose, was presented by the Senator from Utah and was defeated.

Mr. PENROSE. It is an amendment of narrower scope, I think, than that of the Senator from Utah.

Mr. PITTMAN. It was an amendment in about this language.

Mr. PENROSE. Let us have a vote on it, Mr. President.

The VICE PRESIDENT. The Chair thinks it was voted on once, but there is not any harm in having it voted on again. The question is on the amendment.

The amendment was rejected.

Mr. JONES of New Mexico. Mr. President, a parliamentary inquiry. The committee adopted an amendment at the end of section 43 inserting "except as provided in sections 16 and 17 of this act." I desire to give notice that in the Senate——

Mr. PITTMAN. Mr. President, a point of order.

Mr. JONES of New Mexico. I desire to give notice of a motion to disagree to the amendment offered which was adopted in Committee of the Whole and at the end of section 43, if it is in order, I should like to move to strike out the words adopted in Committee of the Whole and at the end of the section insert other words.

The VICE PRESIDENT. There is a unanimous-consent agreement here that certainly can be understood, and it is not to discuss amendments further.

Mr. JONES of New Mexico. Then I should like to give the notice.

The VICE PRESIDENT. The Senator has a right to reserve the amendment for a separate vote in the Senate.

Mr. JONES of New Mexico. I reserve it.

Mr. SMOOT. I offer the following amendment. On page 15, line 5, I move to strike out "a," where it occurs before the word "valid," and, in the same line, to strike out the word "location" and insert "locations."

The amendment was agreed to.

Mr. POINDEXTER. On page 12, in section 16, line 21, after the word "withdrawal," I move to insert the words "not within a naval petroleum reserve."

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Washington.

Mr. SHAFROTH. I ask that the Secretary may read the amendment. I did not catch it.

Mr. POINDEXTER. I am stating it from the latest print of the bill.

The VICE PRESIDENT. It is impossible for the Secretary to get it in that way.

Mr. POINDEXTER. In the original print, on page 12, section 16, at the end of line 14, after the word "withdrawal," I move to insert the words "and not within a naval petroleum reserve."

The amendment was rejected.

Mr. POINDEXTER. In section 3 of the bill, page 4, line 16, I move to strike out the words "outside of the Territory of Alaska."

The amendment was rejected.

Mr. POINDEXTER. I move to strike out section 2 of the bill, which relates to the sale of coal land.

The VICE PRESIDENT. The question is on the amendment of the Senator from Washington.

The amendment was rejected.

Mr. STERLING. I offer the following amendment. I have not had time to indicate where the amendment will come in, as I have just written it, but it should be inserted after the word "thereof," on line 18, page 12.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 12, line 18, after the words "any subdivision thereof," insert "and not exceeding in the aggregate 640 acres, if in the judgment of the Secretary of the Interior the same are situated within the geologic structure of a producing oil or gas field, or 2,560 acres if, in the judgment of the Secretary of the Interior, the same are not situated within the geologic structure of a producing oil or gas field."

The amendment was rejected.

Mr. KING. I offer the following amendment as a substitute for the bill.

The SECRETARY. Strike out all after the enacting clause and insert:

That the public lands, property of the United States, within the several States, which have not been acquired or reserved for the public or special uses of the Government of the United States, together with all rights, jurisdiction, privileges, and sovereignty appertaining thereto, or heretofore exercised or enjoyed by the Government of the United States with respect thereto, are hereby ceded, granted, and confirmed severally to the particular States within the territorial boundaries of which such unreserved public lands may severally lie and be situated.

SEC. 2. That there is excepted from this grant all particular tracts of land which have been entered pursuant to law, and for which the rights of entrymen or claimants may have been initiated, vested, or accrued. Upon the relinquishment, however, of the right of the claimant or entryman to any such lands the same shall be subject to the operation of the grant made by this act.

SEC. 3. That the grant made by this act shall take effect as to the lands within any particular State when the legislature of such State shall by resolution accept the grant made by this act and shall deposit such resolution with the Secretary of the Interior. Resolutions of acceptance shall be made within four years after the date of the approval of this act.

Upon the receipt of a resolution of acceptance from a particular State the Secretary of the Interior shall deliver to such State such maps, records, books, and documents, or certified copies thereof, as may be necessary or convenient for the enjoyment, control, use, administration, or disposition of such lands.

SEC. 4. That the grant hereby made shall be subject to the right of holders of outstanding land script, heretofore issued by the United States, to locate such lands in satisfaction of such script; but such locations shall be made before the lands herein granted shall pass to private proprietors.

SEC. 5. That all laws relating to the entry of public lands within the several States are hereby repealed.

SEC. 6. That the provisions of this act shall not apply to Alaska or to the Hawaiian or Philippine Islands.

The VICE PRESIDENT. The question is on the amendment of the Senator from Utah.

Mr. JONES of Washington. I should like to move an amendment to the amendment. After the words "United States," in line 6, I move to insert "and which are not included within forest reserves."

The VICE PRESIDENT. The question is on the amendment of the Senator from Washington to the amendment of the Senator from Utah.

The amendment to the amendment was rejected.

The amendment was rejected.

Mr. WARREN. I offer the amendment on page 3, line 13, which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Wyoming will be stated.

The SECRETARY. On page 3, line 13, after the word "lands," it is proposed to insert the words "entered after the passage of this act."

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Wyoming.

The amendment was rejected.

Mr. KIRBY. I submit the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause of the bill, and to insert the following:

The President of the United States is hereby authorized to mine and develop oil, gas, and coal on any lands belonging to the United States, and to operate the wells and mines under the direction and supervision of the Secretary of the Interior, when the public exigency, in his discretion, may require that it shall be done.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was rejected.

The VICE PRESIDENT. The bill is still before the Senate, as in Committee of the Whole, and open to further amendment. The Senator from New Mexico [Mr. JONES] has reserved a vote on one amendment. The question is on concurring in all of the amendments save the one reserved by the Senator from New Mexico.

Mr. POINDEXTER. I ask to reserve the last amendment, which I have proposed—to strike out section 2 of the bill.

The VICE PRESIDENT. The amendment was lost. The Senator from Washington can again offer it in the Senate.

Mr. POINDEXTER. It was lost; but I ask to reserve a separate vote upon the amendment.

The VICE PRESIDENT. The Senator can not reserve a vote on an amendment which has been rejected; but he can offer it again in the Senate. The question is on concurring in all of the amendments made as in Committee of the Whole, save the amendment on which the Senator from New Mexico has asked a separate vote. They are concurred in, without objection. The Senator from New Mexico asks a separate vote upon an amendment, which will be stated.

The SECRETARY. In section 33, page 24, line 17, as in Committee of the Whole, the Senate agreed to an amendment to strike out the words "herein provided,' and to insert the words "provided in sections 16 and 17 of this act."

Mr. JONES of New Mexico. I move that the Senate disagree to that amendment, to strike out the amendment agreed to as in Committee of the Whole, and at the end of the section to insert:

The provisions of sections 16 and 17 of this act shall be subject to the limitations of this section.

The VICE PRESIDENT. It is not possible to disagree to this amendment, but the Senate can concur in it. Later on the Senator can offer his amendment. The question is on concurring in the amendment.

The amendment was concurred in.

The VICE PRESIDENT. The bill is in the Senate and open to amendment.

Mr. POINDEXTER. I move to strike out section 2 of the bill, which is the section authorizing the sale of all the coal lands of the United States in all the States and Territories.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Washington.

Mr. POINDEXTER. I ask for a yea-and-nay vote upon the amendment.

The yeas and nays were not ordered.

The amendment was rejected.

The bill was ordered to be engrossed for a third reading and read the third time.

The VICE PRESIDENT. The question now is, Shall the bill pass?

Mr. BORAH. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "nay." I desire to state, while on my feet, that my colleague [Mr. HUGHES] is absent on account of illness.

Mr. SUTHERLAND (when Mr. GOFF's name was called.) I desire to announce the absence of my colleague [Mr. GOFF] on account of illness.

Mr. McCUMBER (when his name was called). I have a general pair with the senior Senator from Colorado [Mr. THOMAS]. I am informed that if present he would vote in the affirmative on this question. I shall therefore cast my vote. I vote "yea."

Mr. PENROSE (when his name was called). I am paired with the senior Senator from Mississippi [Mr. WILLIAMS], who is absent. I believe he is in favor of the general principles of the pending bill; but being in doubt as to how he would vote on

the final passage of the measure as amended to-day, I shall refrain from voting.

Mr. STONE (when Mr. REED'S name was called). My colleague [Mr. REED] is necessarily absent on business. He is paired with the Senator from Michigan [Mr. SMITH].

Mr. WOLCOTT (when Mr. SAULSBURY'S name was called). I desire to announce the absence of my colleague [Mr. SAULSBURY] on account of public business.

Mr. SMITH of Maryland (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. In his absence I withhold my vote.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce the necessary absence of my colleague [Mr. SMITH of Michigan]. He is paired with the junior Senator from Missouri [Mr. REED].

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from New Jersey [Mr. HUGHES] and vote "nay."

Mr. VARDAMAN (when his name was called). May I ask whether or not the junior Senator from Idaho [Mr. BRADY] has voted?

The VICE PRESIDENT. He has not.

Mr. VARDAMAN. I have a general pair with that Senator, which I transfer to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. MYERS (when Mr. WALSH'S name was called). My colleague [Mr. WALSH] is necessarily absent on account of illness. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. If present, my colleague would vote "yea."

Mr. WILLIAMS (when his name was called). I understand that the Senator from Pennsylvania [Mr. PENROSE], who has a pair with me, has announced that pair. If he is now present I want my vote recorded in the affirmative; and, if not, I want the pair to stand.

The VICE PRESIDENT. The Senator from Pennsylvania is not here.

Mr. WOLCOTT. I transfer my pair with the Senator from Indiana [Mr. WATSON] to the junior Senator from Louisiana [Mr. BROUSSARD] and vote "yea."

The roll call was concluded.

Mr. JAMES. Has the junior Senator from Massachusetts [Mr. WEEKS] voted?

The VICE PRESIDENT. He has not.

Mr. JAMES. I have a pair with that Senator, and therefore withhold my vote.

Mr. REED. I requested my colleague [Mr. STONE] to announce my absence, but I got through with my affairs and have been enabled to return to the Chamber. I desire to state that I am paired with the Senator from Michigan [Mr. SMITH]. If he were present and I were at liberty to vote, I should vote "nay."

Mr. RANSDELL. I wish to announce the unavoidable absence of my colleague [Mr. BROUSSARD] on account of sickness.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY]; and

The Senator from New Mexico [Mr. FALL] with the Senator from Nebraska [Mr. HITCHCOCK].

The result was announced—yeas 37, nays 32, as follows:

YEAS—37.

Ashurst	Jones, N. Mex.	Overman	Simmons
Bankhead	Kendrick	Owen	Smith, Ariz.
Beckham	Knox	Phelan	Sterling
Chamberlain	Lewis	Pittman	Stone
Fernald	Lodge	Pomerene	Thompson
Fletcher	McCumber	Ransdell	Warren
Gerry	McKellar	Robinson	Wolcott
Hale	McLean	Shafroth	
Hollis	McNary	Sheppard	
Johnson, Cal.	Myers	Shields	

NAYS—32.

Borah	Gronna	Kirby	Sutherland
Calder	Harding	La Follette	Swanson
Cummins	Hardwick	New	Tillman
Curtis	Johnson, S. Dak.	Norris	Townsend
France	Jones, Wash.	Poindexter	Trammell
Frelinghuysen	Kellogg	Sherman	Underwood
Gallinger	Kenyon	Smith, S. C.	Vardaman
Gore	King	Smoot	Wadsworth

NOT VOTING—25.

Brady	Goff	Penrose	Walsh
Brandegee	Hitchcock	Reed	Watson
Broussard	Hughes	Saulsbury	Weeks
Colt	James	Smith, Ga.	Williams
Culberson	Martin	Smith, Md.	
Dillingham	Nelson	Smith, Mich.	
Fall	Page	Thomas	

So the bill was passed.

SUPPLY OF PRINT PAPER.

Mr. SMITH of Arizona. I move that the Senate proceed to the consideration of the joint resolution (S. J. Res. 101) to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of paper at a fair price, and by insuring a supply and equitable distribution at fair prices to the industries of the United States.

The VICE PRESIDENT. The question is on the motion of the Senator from Arizona.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. STONE. Mr. President, I understand that the action of the Senate makes the joint resolution, called up by the Senator from Arizona, the unfinished business. Is that correct?

The VICE PRESIDENT. It will be the unfinished business if it is not taken out of the category of unfinished business by something else.

Mr. STONE. Oh, it could be displaced by motion.

The VICE PRESIDENT. Certainly.

Mr. STONE. Yes; by taking up something else; but ordinarily it is the unfinished business?

The VICE PRESIDENT. It is if the Senate adjourns now.

EXECUTIVE SESSION.

Mr. STONE. I am told there are numerous appointments pending, sent in by the President, some of importance, which should be referred, and I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 35 minutes spent in executive session the doors were reopened and (at 6 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 8, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 7, 1918.

SOLICITOR OF INTERNAL REVENUE.

A. A. Ballantine, of Boston, Mass., to be solicitor of internal revenue, vice E. C. Johnson, resigned.

DISTRICT ATTORNEYS.

Robert N. Bell, of Birmingham, Ala., to be United States attorney, northern district of Alabama. A reappointment, his term having expired.

Thomas D. Samford, of Montgomery, Ala., to be United States attorney, middle district of Alabama. A reappointment, his term having expired.

Alexander D. Pitts, of Mobile, Ala., to be United States attorney, southern district of Alabama. A reappointment, his term having expired.

Thomas A. Flynn, of Phoenix, Ariz., to be United States attorney, district of Arizona. A reappointment, his term expiring January 27, 1918.

John W. Preston, of San Francisco, Cal., to be United States attorney, northern district of California. A reappointment, his term having expired.

John Robert O'Connor, of Los Angeles, Cal., to be United States attorney, southern district of California, vice Albert Schoonover, resigned. (Mr. O'Connor is now serving under appointment by the court.)

Hooper Alexander, of Atlanta, Ga., to be United States attorney, northern district of Georgia. A reappointment, his term having expired.

James L. McClear, of Boise, Idaho, to be United States attorney, district of Idaho. A reappointment, his term having expired.

Thomas J. Boynton, of Everett, Mass., to be United States attorney, district of Massachusetts, vice George W. Anderson, resigned. Mr. Boynton is now serving under a recess commission.

Francis Fisher Kane, Philadelphia, Pa., to be United States attorney, eastern district of Pennsylvania. A reappointment, his term having expired.

Rogers L. Burnett, of Scranton, Pa., to be United States attorney, middle district of Pennsylvania. A reappointment, his term having expired.

Stuart W. Walker, of Martinsburg, W. Va., to be United States attorney, northern district of West Virginia. A reappointment, his term having expired January 6, 1918.

L. H. Kelly, of Sutton, W. Va., to be United States attorney, southern district of West Virginia, vice F. W. McCullough, appointed by the court. Mr. Kelly is now serving under a recess appointment.

UNITED STATES MARSHALS.

Emmet R. Jordan, of Nome, Alaska, to be United States marshal, district of Alaska, division No. 2. A reappointment, his term having expired.

F. R. Brenneman, of Valdez, Alaska, to be United States marshal, district of Alaska, division No. 3. A reappointment, his term having expired.

Joseph P. Dillon, of Phoenix, Ariz., to be United States marshal, district of Arizona. A reappointment, his term expiring January 15, 1918.

Edgar H. James, of Louisville, Ky., to be United States marshal, western district of Kentucky. A reappointment, his term having expired.

William T. Dortch, of Raleigh, N. C., to be United States marshal, eastern district of North Carolina. A reappointment, his term having expired.

Charles A. Webb, of Asheville, N. C., to be United States marshal, western district of North Carolina. A reappointment, his term having expired.

Frank J. Noonan, of Philadelphia, Pa., to be United States marshal, eastern district of Pennsylvania. A reappointment, his term having expired.

John J. Richards, of Providence, R. I., to be United States marshal, district of Rhode Island. A reappointment, his term having expired.

Jacob A. Herring, of Houston, Tex., to be United States marshal, southern district of Texas. A reappointment, his term having expired.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Surg. Herbert M. Tolfree to be a medical inspector in the Navy from the 15th day of October, 1917.

Passed Asst. Surg. Frank X. Koltes to be a surgeon in the Navy from the 15th day of October, 1917.

Pay Clerk George W. Armstrong to be a chief pay clerk in the Navy from the 15th day of July, 1915.

The following-named citizens of the United States to be assistant civil engineers in the Navy from the 27th day of December, 1917:

Raymond V. Miller,
Willard A. Pollard, jr.,
John J. Manning,
William M. Angas,
Vernon R. Dunlap,
Lewis B. Combs,
Valentine J. McManus,
Arthur L. Nelson,
George W. Horsley, and
Hugo C. Fischer.

The following-named citizens of the United States to be assistant civil engineers in the Navy, for temporary service, from the 27th day of December, 1917:

Fritz C. Nyland,
Emil Praeger,
Lewis Thornburg,
Ira P. Griffen,
Lewis N. Moeller,
Harold W. Johnson,
Henry B. Overesch, jr.,
Charles R. Johnson,
Carl F. Fritch,
Frank F. Addicks,
Carl H. Cotter,
Andrew G. Bisset,
Henry Brinkmeyer, jr.,
Robert L. McLellan,
Louis B. Hyde,
John B. McTigue,
Charles D. Riddle,
Theron A. Hartung,
Herbert S. Bear, and
Arthur C. Eberhard.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 7, 1918.

SOLICITOR OF INTERNAL REVENUE.

A. A. Ballantine to be solicitor of internal revenue.

COLLECTOR OF CUSTOMS.

Presley Stockton Ray to be collector of customs, in customs-collection district No. 42, with headquarters at Louisville, Ky.

UNITED STATES MARSHALS.

F. R. Brenneman to be United States marshal for the District of Alaska, division No. 2.

Joseph P. Dillon to be United States marshal for the district of Arizona.

Edgar H. James to be United States marshal for the western district of Kentucky.

William T. Dortch to be United States marshal for the eastern district of North Carolina.

Charles A. Webb to be United States marshal for the western district of North Carolina.

Frank J. Noonan to be United States marshal for the eastern district of Pennsylvania.

John J. Richards to be United States marshal for the district of Rhode Island.

Jacob A. Herring to be United States marshal for the southern district of Texas.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 7, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Look down from Thy throne of grace, O Lord God, our Heavenly Father, with compassion upon our infirmities. We are weak. Thou art mighty. We are finite. Thou art Infinite.

Help us to fix our minds upon the Eternals, with a grim determination to follow where they lead, amid the conflicting forces, the unholy strife, the international struggle into which we have been reluctantly forced.

Grant that we may put all our energy, strength, and courage into it, that liberty, truth, justice, righteousness may obtain.

That we, with our allies, under Thy guidance, may establish a world-wide peace.

That all the nations of all the world may be permitted to pursue the peaceful vocations of life to the glory and honor of Thy Holy Name, in Christ Jesus, our Lord. Amen.

The Journal of the proceedings of Friday, January 4, was read and approved.

RESIGNATIONS FROM COMMITTEES.

The SPEAKER laid before the House the following resignation from a committee.

The Clerk read as follows:

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

DEAR SIR: I hereby tender my resignation as a member of the Committee on the Post Office and Post Roads and as a member of the Invalid Pensions Committee.

Respectfully, W. E. COX.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Chair lays before the House another resignation from a committee.

The Clerk read as follows:

JANUARY 4, 1918.

Hon. CHAMP CLARK,
Speaker of House of Representatives, Washington, D. C.

MR. SPEAKER: I herewith tender my resignation from the Committee on Coinage, Weights, and Measures, and request immediate acceptance of same.

Very respectfully, JAS. H. MAYS.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

LEAVE OF ABSENCE.

The SPEAKER. The Chair lays before the House the following personal request.

The Clerk read as follows:

BRAMWELL, W. VA.

Hon. CHAMP CLARK,
Speaker of House of Representatives, Washington, D. C.:

On account of serious illness of member of family, I am compelled to ask for leave of absence for one week.

EDWARD COOPER.

The SPEAKER. Without objection, the request is granted.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. ELLSWORTH R. BATHRICK, late a Representative from the State of Ohio.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

Resolved, That as a further mark of respect to the deceased the Senate do now adjourn.

The message also announced that the Vice President had appointed Mr. JONES of Washington and Mr. HOLLIS members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the United States Civil Service Commission.

SERBIAN MISSION.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that at 12.30 to-morrow the House stand in recess from that hour for 30 minutes and that the Speaker be instructed to invite the Serbian mission to visit the House at that time.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. GARD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a series of communications from the Surgeon General of the Army to the Chief of Staff upon the sanitary conditions of the Army camps and cantonments.

The SPEAKER. The gentleman from Ohio [Mr. GARD] asks unanimous consent to extend his remarks in the RECORD by printing correspondence upon the sanitary arrangements in the camps. Is there objection? [After a pause.] The Chair hears none. Under special order the gentleman from Illinois [Mr. MCCORMICK] is entitled to one hour.

Mr. GILLETT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. GILLETT. Mr. Speaker, I make a point of order that there is no quorum present.

The SPEAKER. Evidently there is not.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Fairchild, B. L.	King	Sanders, N. Y.
Ashbrook	Fairchild, G. W.	Kreider	Sanford
Bacharach	Flynn	LaGuardia	Schall
Baer	Foss	Lea, Cal.	Scott, Pa.
Barnhart	Fuller, Mass.	Lundeen	Scully
Bowers	Gallagher	Lunn	Sears
Brand	Gallivan	McCulloch	Shackleford
Brodbeck	Garland	McLaughlin, Pa.	Siegel
Byrnes, S. C.	Goodall	Mann	Sloan
Capstick	Goodwin, Ark.	Martin	Small
Carew	Graham, Pa.	Mason	Smith, Mich.
Cary	Greene, Mass.	Miller, Wash.	Smith, T. F.
Church	Griest	Morin	Steele
Clark, Fla.	Hamill	Mott	Sterling, Ill.
Clark, Pa.	Hamilton, N. Y.	Nelson	Sterling, Pa.
Coady	Harrison, Miss.	Nichols, Mich.	Sullivan
Cooper, W. Va.	Haskell	Padgett	Swift
Cosello	Heflin	Phelan	Templeton
Crosser	Heintz	Porter	Timberlake
Curry, Cal.	Helm	Price	Tinkham
Davis	Hollingsworth	Ragsdale	Van Dyke
Dill	Humphreys	Rainey	Walker
Dooling	Husted	Riordan	White, Me.
Drane	Ireland	Robinson	Wise
Drukker	Johnson, S. Dak.	Rogers	Woodyard
Dunn	Johnson, Wash.	Rowe	
Edmonds	Kehoe	Rowland	
Estopinal	Kelley, Mich	Sanders, La.	

The SPEAKER. A quorum is present.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

COPIES OF WATER-POWER BILL.

Mr. POU. Mr. Speaker, I ask unanimous consent to make an announcement of half a minute.

The SPEAKER. The gentleman asks unanimous consent for half a minute. Is there objection?

There was no objection.

Mr. POU. Mr. Speaker, I would like to announce to the House that 1,000 copies of the water-power bill have been printed, and any gentleman who desires a copy can have it by applying to the desk here or sending to the office of the Committee on Rules.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. OWEN, Mr. HOLLIS, and Mr. GRONNA as the conferees on the part of the Senate.

VICKSBURG MEMORIAL CELEBRATION (H. DOC. NO. 754).

Mr. COLLIER. Mr. Speaker, I want to ask unanimous consent to have printed as a public document the report of the national memorial celebration and peace jubilee at Vicksburg last October. It is a small report.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to have printed as a public document the report of the national memorial celebration held at Vicksburg last October. Is there objection?

Mr. MADDEN. I would like to ask the gentleman to couple with his request the printing of the pictures.

Mr. COLLIER. Mr. Speaker, it is a small report, less than 40 pages, and there is one picture and two diagrams in it.

Mr. MADDEN. I would like to ask the gentleman to have those included in his request.

Mr. COLLIER. I ask it.

The SPEAKER. The gentleman asks unanimous consent that in printing this document the pictures and diagrams be also printed. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

Mr. DRANE, by unanimous consent, was granted leave of absence indefinitely, on account of illness.

WAR IN EUROPE.

The SPEAKER. The gentleman from Illinois [Mr. MCCORMICK] is recognized for one hour. [Applause.]

Mr. MCCORMICK. Mr. Speaker, let me say by way of preface to my remarks that I have received word that the French ministry of war is sending to the House a large relief map in plaster of Paris showing the front in detail, and that later, after it has arrived, if any Member cares to have me do so I should be glad then to answer questions in detail relative to the problems on the front.

May I add that, as I have tried to compact within the hour allotted to me a review of the problem in Europe as those of us who went over there have seen it, I shall be glad if Members of the House will defer any questions until after I have concluded?

This war, like other long-drawn conflicts, falls into chapters of events. Such a chapter came to an end when Russia collapsed and America declared war. Russia went out of the war in the spring of 1917, while America will not go into it in earnest until the spring of 1919. There is in war, as in peace, a distinction between forms and facts. Russia has not made peace, but she no longer fights. America has declared war, but she has not begun to fight. We must see now that if Germany is not yet victorious neither are we winning the war.

The military task was never more simple nor more difficult than it is to-day. I have not seen Russia this year, but I have talked with Russians who represented the revolutionary government until anarchy supplanted it; I have talked with European socialists who went on official missions to Petrograd, with European statesmen who knew all that men could learn of Russia from messengers and dispatches, and among them I met but one who believed that we might hope for a Russian effort against the enemy this year or next. Russia is so disordered that if she can not make war there is also hope that she may not be able to make peace, to supply the Hohenzollern and Hapsburg autocracies with food and labor to fight Russia's old allies and America; but if Russian radicals failed directly to help our enemies, still it was they who chiefly contributed to the unhappy events in Italy by releasing German guns and divisions, together with Hungarian divisions, for service on the western front.

"Our anvil is gone," the greatest of the active commanders among the allies said to me. "To disintegrate the enemy forces without it we shall have to hammer all the harder. If you had come in before Russia went out, we should have finished this horror in a short year. If you had been ready when you came in, your pressure would have begun before Russia's disintegration was complete and Germany had increased her forces on the front." I quote this, not in the spirit of recrimination but to emphasize what I have to say later about the great responsibility which rests upon our still inadequate organization for the war.

All through the spring and summer Germany was on the defensive in the western line. She had won nothing from Switzerland to the Channel, but, on the contrary, had suffered reverses and terrible losses of human material. Her enemies, at last, not only had her outmanned, but in a smaller but appreciable degree

outgunned. Never did the strategic genius of the German general staff shine more clearly than when they resumed at sea, or rather under the sea, the offensive which they lost on land. Whether it succeed or fail, barbarous though it may be, the submarine offensive was a powerful flank attack. Germany was failing in the main theater; she struck at her enemies on their left flank, struck at the source of the power of England, the most formidable of her adversaries, formidable in wealth and numbers; struck at great England, unconquerable in undiminished reserves of moral energy and courage. It was a hazardous business, justified in German minds by their contempt for our moral fiber and by their knowledge of our military weakness. We joined our little sea force to England's greater forces to fight the submarines. It is too soon to say that we have mastered them. They may be improved; they may be better equipped to combat destroyers; their cruising radius may be increased; it may be that the rougher waters and shorter days of winter rather than the activities of their adversaries are responsible for the falling losses in merchant ships. At all events, during the late summer and early autumn the German public, like the German staff, saw that the submarines had failed in their full promise for this year. Then the imperial staff struck their adversaries again, this time on the right flank, in Italy. There is no mystery about that blow. In order to understand it we have only accurately to estimate the weakness and the strength of Italy, her achievement, and her failure, and the responsibility which we share with her European allies for her recent defeat. Italy, strong in man power but weak in all other resources, had done well. Some of her troops had been proved the equal of any in the French and British Armies. She had driven the Austro-Hungarian forces slowly eastward in the face of the great natural obstacles. All observers praised the organization with which she maintained her front in an incomparably difficult country. You must bear in mind that Italy labored under great handicaps.

In a war which is primarily industrial, Italy producing no iron and no coal, received from abroad even less than her normal imports. Her shell factories, which should have been working night and day, were working but part time. In spite of her lack of war material she pushed the enemy to the north in the Trentino and forced him eastward on the road which runs past Trieste to Laibach. She was seeking the old Napoleonic route to the heart of the Hapsburg monarchy. Ah! If she had been supplied with the resources to have driven through it! When I was on that front, Trieste was before our eyes. There were but two barriers between us and the highway to the plains beyond. The sons of the Roman road builders had woven over the rocky and precipitous desert a network of splendid highways the like of which are not to be seen on this continent. Along those highways, for miles, in iron pipes, they carried water for the parched armies and compressed air for the tools to drive galleries, to drill out tunnels, to cut roads across the faces of sheer cliffs. But for lack of ammunition her advance was stopped.

The Austrians were weakening. Italian officers told me of the capture of Turks among the prisoners, Turks summoned by the imperial German staff to the help of faltering Austria. As Italy pushed painfully toward the eastern edge of the desert country her difficulties increased. Her advance had been stopped because she lacked shells. For want of shells and guns her long flank on the north was weak. When I was there Hungarian divisions of real worth, together with German guns and German divisions from the Russian front, were being assembled for the drive which the Italians even then anticipated. They knew that they were in danger.

Sir, people were troubled by our course. They asked why we had joined hands with France and Britain and not with them, whose ideals and purposes were the same as those of the other western democracies. They asked why we had differentiated between the modern Hohenzollern autocracy and the more ancient, more obscurantist, more reactionary, and more tyrannical Hapsburg.

Italy expected the attack, but she did not look for the cowardice and treason of some of her divisions, which had been corrupted by the imperial spy system developed—in Italy as in America—while Italy stood by and watched the other democracies fight. They threw down their guns, those divisions, and Italy with her line broken had to fall back to the Piave.

There is a little satisfaction to be gained from the knowledge that the imperial staff achieved no great strategic success in Italy when they drove their enemies back to the line of the Piave. They made a political foray primarily for its moral effect and to relieve the pressure in the main theater of the war. Both these results they accomplished. They cured Austria-Hungary of despair. They marched Italian prisoners through the streets of Berlin and restored the faltering faith of the German people in the invincibility of the Hohenzollern. They compelled the British and French to detach divisions and guns from the western line, where they were gaining, to assist the Italians in the plain of the Po.

If America and the allies can profit by the lesson, we may yet count the German drive into Italy as a disguised blessing. Every thinking creature can now see, what too few saw before, that the front from the Adriatic to the channel is a common front. [Applause.] It is 700 hundred miles long. Three hundred miles of it lie between the Alps and the Adriatic; 400 miles between the channel and the Alps.

There are about 7 Italians under arms for every 10 men in the combined French and British armies in France and Flanders, so that the number of men is about equally proportioned to the lengths of the two great sections of the western line, but there is a great disparity in the distribution of guns. Even before the Italians lost a third or so of their cannon, the enemy on the Italian front faced less than one-quarter as many guns as he faced in the hands of the British and the French.

If America and the allies can learn anything from the past, if America awakens and does her full duty in the manufacture of vast numbers of cannon, Italy with her millions of infantry can be armed by us with the great weapons necessary to repeat on the Piave what transpired on the Marne. [Applause.]

When the drive into Italy was checked, for simple and cogent reasons, the imperial staff turned from Italy to France.

So far the submarines have failed to accomplish all that the imperial staff hoped of them, but the attack in Italy did very nearly all that was expected of it. Now, with unremitting energy, the imperial staff is assembling its forces to take the initiative against the French and British Armies in the main theater, where a real decision must be had if there is to be any. They intend to win before we can make ready.

Mr. Speaker, they know that in France there is a minority which, believing that we bluffed before we declared war, believes or fears that we may prove bluffers still. The imperial staff must strive to induce France to make peace on that score—the score that America will not make ready in time. That is the reason why the front from the Alps to the channel has assumed a greater importance than at any time since the battle of Verdun.

There is no military activity in the Vosges. So much of the front as lies south of the sharp salient of St. Mihiel has been quiet. One-third of the whole line is held by the British, against whom the Germans have mustered nearly as many divisions as there are opposed to the French. In passing, I may venture to remind you that there is a direct relation between the frequency of attack by the British as compared with the French and the greater concentration of men and guns on the shorter British line.

You have noted all through the summer a series of French and British successes. With a single exception the successes followed intensive artillery preparation, of which they were the direct result. If I venture to refer to certain of my own observations on the British and French fronts in some detail it is because I there saw the terrain of the two recent battles which exemplify the usual and the exceptional in modern attack. I traveled along the line upon which the British effected their advance toward Cambrai. The line before Cambrai was quiet, save for the singing of an occasional shell passing overhead. The monotony of an apparent stalemate was relieved only by occasional trench raids.

To the north the greater part of the British forces in guns and men had been pounding for months, while, as I have said, the French recently had made a savage attack to the south. Thus the German line before Cambrai had been drawn thin in the effort of the imperial staff to accumulate reserves to check the French to the south and the British to the north. Other reserves were not to be spared, for they had been dispatched to Italy. Then, when the attention of the whole world was held by the German thrust in Italy, Byng's infantry, with their tanks, in the thick mist of the autumn dawn burst through the thin line of sleeping Germans. It was a surprise; it was splendid; it was in keeping with the finest traditions of the British Army, but, as Gen. Maurice, chief of the British military intelligence in London, pointed out, it was only the long bombardment below and above Cambrai that made possible Byng's dash forward.

A day or two after the news of the sudden British advance some anonymous expert in Washington was responsible for the published statement that we were planning to win this war with masses of infantry. Infantry there must be in great numbers. Men will bleed and men will die, but every man who has lived on that bloody line will say that with guns enough you can win this war without the terrible losses of the past,

that without the guns you will lose thousands and you may lose the war.

In contrast to the drive for Cambrai stands out the bloody check which the French suffered last April. It is hard to learn the exact truth. Apparently the commander in chief (since disgraced), yielding to political pressure, thrust his infantry forward against the height of the Chemin des Dames without adequate artillery preparation. Then, when news of the subsequent losses reached the politicians, at their instance the general in chief precipitately and prematurely halted the attack. It was those fruitless losses before we came into the conflict which darkened the spirit and quenched the hopes of our friends in the Republic across the seas.

How different it was this autumn. I had been running from Verdun toward Soissons. Gen. Petain, the commander and chief of the French armies, sent for me to learn if I had profited by the special facilities afforded me for observation. I told him that from the lips of his principal commanders, as well as from what I had seen and heard in Italy, I had come to realize that this was a vast industry in which we were engaged and that big guns were the tools of the trade. I said that therefore I wanted to see with my own eyes on as large a scale as possible an artillery attack. He promised that it should be so. He did not tell me where, nor that it was to be the greatest bombardment of the war. He told me to return to Paris and wait. There had been bloody losses and no success in the spring; there had been no adequate preparation.

The last battle of the Chemin des Dames was planned in July to be fought in October. The French had laid well nigh a thousand miles of broad and narrow gauge track to bring up the great guns and the munitions for their service. They had brought in 110 freight loads of high explosives. There was a cannon for every 3 or 4 yards of the front attacked. For every 2 infantrymen employed in that action there were 3 men engaged in the service of the artillery.

We set out very early from the French great headquarters for the front along a highway checked with traffic; motor-driven or motor-drawn trucks, heavily carrying forward supplies of ammunition, horse-drawn light artillery, food convoys, field kitchens, stretcher bearers, ambulances, battalions and brigades. African blacks from the Senegal, yellow-skinned Asiatics from Annam and Cochin China, bronzed tribesmen of Morocco, soldiers from every Province of dauntless France. At intervals, and each at a little distance from the grinding roads, there were the headquarters of the commander of the army of that particular front, of an army corps on that sector, each differing from the other only in size, each housed in a quiet villa. Every such headquarters was linked to the other commands by wires, so that each commander could communicate with his chief or follow and direct every move under him, with his eyes on a relief map, which pictured to him hillside and hamlet, stream and farm house, highway, bridge, battery, and entrenchment.

We worked our way forward, the soldiers on the front seat pressing the slower vehicles to the side. Presently the traffic began to melt along the light railways, and narrower roads which lead to the actual line. The main highway was clearing. The driver hurried the car and hurried it still more.

We could hear the voice of the battle softly calling, still far off.

We raced past the nets of grass and leaves—camouflage—which as the road neared the front screened traffic from the enemy airplanes; turned up a rough road, over a steep hill, dropped down, and came to a stop under some bombed and broken buildings.

The air roared.

There were waves upon waves of sound as thousands of noises overlapped one another, shaken together, rolling apart, as far as the ears could hear, even farther—as far as the senses could imagine hearing, while overhead the many airplanes looked like a flock of birds and through the reverberations of the guns, their engines sometimes hummed like distant sawmills. There were no ear-splitting shocks, such as you have seen described. There are none save when you are near a battery or perhaps when a shell bursts too near, but the air was filled, saturated by the sound of guns, now and then punctured by the popping of the shrapnel overhead.

Before us was the Chemin des Dames, "the road of the ladies," the blood-drenched "road of the ladies," along which for months men fought and waited, in hate, to fight again. Picture a long, low flat-crested ridge, its sides covered with forests and pierced by caverns—quarries really, from which stone had been taken for the building of Paris. Here and there the ridge widens into a larger mass, from which in turn run out spurs. Such a place was it that the French planned to take. Along the center of the flat top of the ridge runs the "road of the ladies," flanked on either side by wasted fields, once fertile with the minute care of the French husbandman. Across that road the advance posts of the armies faced each other. Beyond the ridge is a valley cut by a little stream and then another ridge upon which was placed a great part of the German artillery. Southwest of the Chemin des Dames there was also a valley and stream and another ridge, on which the French had found emplacements for so many of the guns as were not thrust forward on the spurs of the larger mass which it was purposed to attack.

We had stopped in front of a hut, partly dug in the ground, partly built of sand bags and roofed with railroad iron and still more bags of sand. A calm little man in the uniform of the general of a colonial division came forward to greet us. "Permit me," he said, as we shook hands, "to introduce to you our 'wrecking contractor.'" I looked at the "contractor" with some wonder, which doubtless expressed itself on my face, for the general of the division continued, "It is his function as chief of the artillery to wreck the batteries and defenses of the enemy so that our infantry as it goes forward may not be cut up." Then I sought to catechize the chief of artillery, but our host interrupted to lead us to the sand bag and dug-out hut, which was staff headquarters and mess hall for the division. The windows shook in the shocked air. In spite of us Americans, it was impossible to confine the conversation to the subject of the attack outside. The officers wished to question us as much as we did to question them. We talked of public opinion in France, England, Italy, and America, even of literature, although we were interrupted by officers coming to report news of the action. All the while the air shivered in the torture of the bombardment.

They are very calm and cool on the battle line, those French officers. I remember when I had persuaded the commander of the citadel of Verdun to let us go to the outermost defenses, we strolled along the crest of Souville, looking down over the dip of the valley at the German batteries on the rolling ground beyond. I remarked to a French officer standing near, that considering the daily communiques of "more or less artillery activity," it was very quiet. Just then a bomb burst on the left. We did not purpose to indicate to our French companion that we were disturbed, so I waved my stick toward the enemy and asked where was the battery which sent that shell. Boom, went another just below us. "My friend," said the French officer, as he took his cigar from his mouth, "that is the way those devils always begin; high first, low next, bang through the middle the third time. Let us stroll along." [Laughter.]

But to return to the Chemin des Dames, we walked along the front of the dugout and descended into a hole in the ground, which was the office of the wrecking contractor. It was not unlike the office of an American contractor for a big job. There were plain pine shelves, upon which were stacked little reports of munitions expended and damage done, for all the world like the reports of the number of square yards of earth excavated. There were neatly classified piles of little photographs taken by the airplane observers, showing the work of the French shells upon the German defenses and batteries. Certain officers became expert to read them, just as some physicians are cunning to diagnose disease from radiographs. There were occasional supplemental reports from rarely returning airplanes while more came by wireless from the planes equipped with Marconi instruments, advising the artillery to sprinkle a little more to the left or lower on the right. There was one report that some German battalions had been definitely located hiding in one of the quarried caverns, on which the roof was too thick to be broken in by shelling, but not too thick to crack. Orders were issued to open fire upon it with the largest shells, filled with the heavy asphyxiating gas, invented by the Germans themselves, so that through the cracks which they might make the gases could filter down and asphyxiate the men within.

When all this had been explained we moved down toward the front, first past the dugouts, where were lodged the infantry waiting for the attack to be made in the mist at dawn. There were guns behind, before, on either side. The screaming of our own shells overhead, to our untutored ears, could not be distinguished from the "arrivals," as the French dub the enemy shots. Then up past the final observation post and down to the last light batteries, just back of the trenches. Here we closed our ears to the steady pounding of the guns that did the work—that is it, the guns that did the work. They blasted the way for the infantry; they destroyed the enemy batteries, overwhelmed, stunned, slaughtered the enemy infantry, so that on the October morning when the French advanced in the measured pace of modern charges, they took with almost methodical exactness that which was planned last July for them to take, and they took it with astonishingly little loss. Have I made

myself clear? It is all so clear to me that I am fearful lest I omit something which may make it intelligible to others.

Great guns are to this war what the steam shovel was to the Panama Canal. When the French company, under De Lesseps, sought to pierce the Isthmus with shovels and picks and petty machinery men died by thousands on the tropic hillsides, which they had but scratched. So fell hundreds of thousands at Mons, on the Marne, and at Verdun, who with their own bodies stopped the shells and stayed the charges which ought to have been stayed and stopped by the counterbombardment of their own batteries. Time is the essence of victory and cannon are the weapons with which it must be won. We, we Americans, must make cannon enough, in time, to win.

I do not underestimate the other agencies necessary to victory. Men we must send slowly at first, because we can send them only slowly, to join our gallant little Army across the seas. Transport there must be and aircraft—"the cavalry of the air," as Lloyd-George once called them in Celtic poesy. Guns, transports, destroyers, aircraft—25,000 guns to be made by the forges of America to win the war. That is not a figure which I summon from my inner consciousness. It is the best military opinion in Europe. The general upon whose shoulders rests the heaviest burden said to me: "We are grateful for your little army. The echo of its footfalls on our shores carried hope to every hearth in France; it told us that you had not forgotten that the blood of the soldiers of Rochambeau and Lafayette mingled with those of your forebears in the fight for American liberty; but while we await the gathering of your forces send ammunition and guns to us, that we may have the weapons to win victories and to defend ourselves, so that we may still be here in force to fight by your side on the appointed day to win victory and peace."

We know that war is an industry of destruction, but though the industry almost has hidden the romance and heroism of war, heroes there are in greater numbers than ever before.

An old friend of my mother's, a splendid American, Mrs. Whitelaw Reid, sent for me in London to ask of our boys. She had come from the bedside of a young British officer, who never would walk again nor would ever again be able to take a friend by the hand. He was almost merry in his misery; glad, for although he had been crippled for life by the bomb upon which he had thrown himself, yet when it broke not one of his men had been harmed. [Applause.]

Gen. Pershing told me of a French lady, a nurse, torn by a shell. As he stood by her bed while the commander in chief of the French Army pinned upon her breast the Croix de Guerre—the soldiers' war cross, with palms—she whispered to him. "Gen. Pershing, I am glad that I have been struck, so that you may tell your countrymen that the daughters as well as the sons of France are ready to suffer and, if need be, to die—die for her and liberty." [Applause.]

I spent a day in the Hindenburg trench with a splendid Irish division. As I sat at division headquarters with the gallant Irishman who commands them, we turned the pages of the long roll of honor, counting the names of those who had done gallant deeds. There was one, that of a simple private who was lying wounded in a shell crater when he espied over the lip of a ridge, in a near distance, a German machine gunner turning his deadly fire to and fro over the ranks of the Fusileers as they sought shelter in the shell holes on that muddy slope. Up he jumped, dashed, limping, over the ridge, and brained the machine gunner with the butt of his rifle. He shouldered the machine gun and carried it back to the crater. Then, as he caught his breath, "Begorrah," he panted, "I left me gun where the Huns can get it. The old man will be giving me hell for that." And out of the crater and over the ridge he dashed again. There he came upon two of the enemy quarreling over his rifle. He flew at them with fists and feet in such fury that both surrendered. He made them carry their own guns and his as well, and back to the crater he marched them and there held them until dusk, when he took them to the rear for surrender. [Applause.] He got not hell, but the Victoria cross for that afternoon's work. [Applause.]

Oh, there are no comparisons in gallantry along that line. Among the French there are none more brave than the others, Gascon or Norman, Breton or Savoyard. In the British armies, English or Canadian, Irish or Australian, Welsh or Scotch, none are braver or better troops than the other, where all are sublime. We shall be proud of our young men. They will reflect glory on the Union. They will be a credit to the men whose arms founded the Republic and those who fought in the sixties. In generous rivalry, where all are bravest, they purpose only to be bravest, too. [Applause.]

The spirit of the armies is indomitable. The French, in spite of their terrible losses, are grimly brave, believing that by our side liberty can not lose, ready to give themselves in the last sacrifice for the future security of the world. They are brave. They are tired. They clearly know that promises are to be measured by performance. Let us not fail to do all that must be done, for their confidence in us must remain unshaken if they are to endure terrible to their enemies unto the very end.

How can I speak of the still-growing power of Britain, of the high, rollicking courage of her armies, better than to say that when I went among our men and found with them British noncommissioned officers, teachers of the deadly bayonet, professors of cold steel, each told me that the world owned no better fighting men than their brother in arms? [Applause.] Those lithe American boys will prove the peers of veteran armies. They have but two anxieties: First, lest they do not get at the enemy soon enough; second, lest the great body of the people at home lack something of the unity, the iron energy, and terrible resolve which moves the American soldiers at the front. "Tell them," they said, "tell the folks at home that if they will stand by us we'll can the Kaiser."

Sir, it is not possible within the compass of the time which the House so generously has accorded me to measure the task before us. Even the most exhaustive analysis of the economic condition of Germany leaves ground for conjecture. Let me say only that as Germany plainly has been crippled for the economic contest which must follow the war, so no less plainly has she suffered awful losses of man power. During the summer German soldiers in increasing numbers deserted, complaining that during bombardments their officers left them in the front line to seek shelter in the dugouts connected with the second. We know from prisoners captured that in the summer of 1917 there were incorporated in the armies the military classes of 1918—that is to say, lads 17 years of age—while there were many so-called volunteers of the classes of 1919, mere striplings of 16, whose tears and stifled sobs wrenched the hearts of the poilus and the Tommies who captured them. But I would not have you believe that there are not splendid German divisions, splendid in the efficiency imposed by the iron Prussian discipline. They were outgunned and they were outmanned still more, but the reenforcements brought from the eastern front will redress the balance. To the unity of purpose which actuates all the belligerents the Central Empires add a unity of command through which the Imperial German staff directs the movements of the Turks and the Bulgarians as well as of the Hapsburg and Hohenzollern forces. We are fighting the German armies; we are also fighting the German economic machine and the German administrative system. We who have tolerated inefficiency, because in a new country we could afford to do so, must now reckon that administrative energy and genius are as essential to victory as strategic skill. As the allies have marshaled armies, so they have been compelled to organize industrially and politically to combat German militarism.

As Germany may be our apprentice in democracy, so must we be her pupil in administrative energy. Even in western Europe the hand of government is now omnipresent. It measures the food and fuel of the people, allots raw products to the manufacturer, lends public credit to private enterprise, writes the terms of settlement between employee and employer. Government has created new offices in Europe, as it has restricted the activities of the old, in order that they may bear the heavier burdens imposed by the war. In France and England the manufacture of guns and munitions has been taken out of the war department, as it will be here if we are to profit by the lessons of the war. [Applause.] The task of organizing armies and of forging the instruments of destruction was too great even for the great Kitchener, so Lloyd-George, the ablest of the servants of all the enemies of Germany, was put to organizing the making of cannon and shell and shrapnel.

Government is planning not only for the war but for the economic reconstruction which must follow the war. Italy intends to double her developed water power as a state monopoly.

Mr. COOPER of Wisconsin. Mr. Speaker, how much time would the gentleman like in which to finish what he has to say?

Mr. McCORMICK. I could certainly do it in 20 minutes.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman may have 20 minutes' extra time.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the gentleman from Illinois may proceed for 20 minutes more.

Mr. GARD. Mr. Speaker, I amend that request by asking that the gentleman be allowed to go on until he concludes his remarks.

The SPEAKER. The gentleman from Ohio amends that request by asking that the gentleman from Illinois be allowed to proceed until he concludes his remarks. Is there objection?

There was no objection.

Mr. McCORMICK. Committees of French business men, their credit underwritten by the Government, are planning the rehabilitation of her industries.

French scholars and public men have united to devise legislation to stabilize the Government and to increase the birth rate. John Bull, the old merchant and mariner, has made the most far-reaching plans of all. He knows that the world has changed, never again to be what it was before the war. Beside the other new ministers, he has appointed a minister of reconstruction, aided by committees, expert in manufactures and raw products, in problems social and problems industrial. John Bull plans also for the agricultural rehabilitation of his little island no less than he plans for the growth of his trade from the Bight of Guinea to the Gulf of Carpentaria. But most striking of all, he has already matured plans to build, at public cost, as the ink dries on the treaty of peace, 300,000 workingmen's homes. The slums, which disgraced English cities before the war, are gone, never to return. [Applause.] English workers, once chiefly interested to get a day off, are now eager to seize the new chances to get on in the world. Once underpaid, they now earn high wages. Girls in the shell shops are paid ten times the pittance they earned before the war.

It has been said that this is a war not of armies but of nations, yet until the eyes see and the ears hear it is not possible to know the measure in which the people have given themselves, body and spirit, to the conflict. The men from 18 to 40 years of age, if they be sound in body, have gone to the war. Boys have been called forward and old men called back to fill the places which the soldiers have left. Girls and young women have taken up the tools which the men have laid down. You see them everywhere, those high-hearted girls; in the stables and the shops, as conductors of omnibuses, running elevators, at work on railway trains, as messengers, as porters, as drivers of motor trucks. In France and England 2,000,000 of them are engaged in work for the war, while in England alone this year 200,000 women and girls, volunteers, went out from the cities upon the farms to garner the harvest. Crofters' lassies, daughters of old houses, girls from shops and from sheltered homes, like their brothers in the trenches, are knit together in the new democracy of toil. If in Europe they have suffered, so also have they been ennobled by self-sacrifice. Sir, there is no one of us in this House who, as his foot touched the soil of wounded France, but drew new strength from the well springs of her courage. Nor is there one of us who saw in England the fusion of true idealism and hard intelligence but felt that never in her greatest hour was England greater than she is to-day.

Yonder the national spirit has been shot through with a new fire. In England, Italy, France they began, as we have begun, with a party truce and a party administration of the war, but they have got beyond that and unite in the administration men of every great party unless they refuse to share in the responsibility of government. Whatever his legal powers may be Lloyd-George, deriving his authority from the people, directly responsible to their House of Commons, is invested with the moral authority of a dictator. But he sits daily in conference with his war cabinet of five—Smuts, the Boer general; Barnes, the labor leader; Curzon, the old Indian Viceroy; Carson, the Ulsterman; Milner, the Tory administrator. The old political elements are almost equally represented.

One of the greatest men in Europe, whose name I wish I might give this House, said:

> You Americans will have to include in the administration of the war the greatest talent in America. You will have to call to Washington your greatest leaders, regardless of past political differences and past personal animosities.

Across the seas they were divided before the war by political differences more venomous than any which we have known since the civil conflict in the sixties, but the fires of a new patriotism, kindled by the awful struggle, have fused old hatreds into a common labor and fast cooperation. [Applause.] Men embittered by years of personal and political strife have put aside all bitterness to sit at one council table, there to apportion among them without jealousy the tasks which must be done.

In democracies governments reflect the sober sense, the energy, and the courage of the people who choose them. So it was in Europe. The voice of the people of Italy, France, England, in louder tones and ever more imperative, demanded that the genius and leadership of the land be summoned to share in the government at Rome, Paris, London, there to muster the forces of the nation to the conflict. This must we do in America in order to mobilize and to direct the industrial and military forces of the greatest of all democracies. Our decisions, our promised successes, must not be stillborn, like so many of those of our friends across the sea. Idealism, democracy, great plans, will go for nothing unless they be supported by force and action. Let each of us contribute of his energy and let each, according to his conscience, speak out his measured opinion to the end that his Government may act and greatly do before it is too late. [Prolonged applause.]

CAMP CODY, NEW MEXICO.

The SPEAKER. The gentleman from Minnesota [Mr. KNUTSON], under the special order of the House, is recognized for 15 minutes.

Mr. KNUTSON. Mr. Speaker, early last fall I received a letter from a young soldier constituent of mine, stationed at Camp Cody, Deming, N. Mex., which closed with this paragraph: "This camp is a hell hole, and if you can procure our transfer to some other place it will be an act of God."

"Camp Cody, Deming, N. Mex." The words floated through my mind like a song wafted on the gentle breezes of fall, and to refer to such a place as a hell hole seemed to my poor untutored mind as bordering upon the sacrilegious. I had pictured Deming as being situated in the heart of a land abounding in milk and honey, where want and privation were unknown.

Naturally, I determined to visit Camp Cody upon the first opportunity, and, after the close of the second liberty loan campaign in my district, set out for Deming. En route I visited at Camp Dodge, Iowa, for two days, where I found everything in shipshape order and the boys in the best of spirits. Before taking up the rather disagreeable subject of Deming I crave your indulgence for a moment while I dwell upon the very pleasant one of Dodge. The location is an ideal one. The boys are well housed; the site is well drained, and almost perfect health is the rule. The many boys with whom I talked were unanimous in their praise of Camp Dodge, and their well-nourished and contented looks verified all they said to me. [Applause.]

How different was the situation at Camp Cody. It is situated in the heart of a vast desert waste where one only finds dust, yuccas, cactus, sagebrush, rattlesnakes, jack rabbits, and then some more dust. Of all the God-forsaken spots in the Universe it easily holds first place. A native proudly informed me that the section adjacent to Deming has been proven by geologists to be the oldest known portion of the earth. I can easily believe that, for it has a moth-eaten and hackneyed appearance that mere words can not describe, and when I contrast it with my own State of Minnesota, I can but conclude that the glorious North Star State was one of the last places created. [Laughter.]

My impression of the town of Deming was not a favorable one. It has all the earmarks of mushroom growth. The hotel accommodations are decidedly meager. At two hotels I failed to find accommodations, while the landlord at the third place where I called offered to fix me up with a cot in a hall upstairs at an outrageous price. I declined his generosity and called up an officer friend of mine at the camp who invited me to come out and take pot luck with him, which I did.

If the village of Deming looked God forsaken, Camp Cody beggars description. It is situated in the middle of nothing, surrounded by a desert of alkali dust, ankle deep. Were I in fear of the hereafter, I would first go to Camp Cody for a preparatory course. [Laughter.] It is an annex of hades of which his Satanic Majesty is evidently ashamed, and why the War Department should have seen fit to select such a place in which to train 26,000 red-blooded young Americans I can not understand. Had I the gift of a Dante I might do justice to the subject, but its true portrayal is beyond my poor power.

Picture to yourself a vast stretch of alkali dust with a chain of mountains on either side; barren of vegetation, save for a sprinkling of cactus and yuccas; no sign of life, save the thousands of boys drilling in clouds of dust. Ye Gods! What a scene! Gov. Harding, of Iowa, upon his return from a four-days' stay there, gave out an interview wherein he likened it to hades.

In the three days I spent there my throat became so sore from breathing the alkali dust that I could not speak except with pain. Hundreds of the boys are having trouble with their eyes as a result of the dust. They drill in it and sleep in it. Is it any wonder that there is so much sickness at Camp Cody? If grit were the all-necessary requisite to military success Camp Cody has it aplenty.

The "Broomstick Brigade" was also very much in evidence at Cody. I saw several regiments but partially accoutered, and while it has not been necessary for the boys to wear each others' shoes, as has been the case at Camp Custer, according to testimony brought out at the Senate committee hearings, yet they use each other's guns. Many of the boys were without heavy underwear and mittens; they live in tents, and the cold nights now prevailing in the high altitude of Deming imposes an unnecessary hardship that could and should have been avoided.

The officers and men at Camp Cody are among the best in the country, but all are laboring under extremely difficult condi-

tions, and were it not for the fact that all are seasoned troops who served on the border last year the task of getting them ready would be well-nigh hopeless.

The men with whom I talked could not understand why they had not been sent to Brownsville, or San Benito, Tex., where they were during the Mexican trouble, and which are situated within the boundaries of God's country. All were unanimous in declaring those ideal locations, but not one of them had a good word to say for Cody as a site. I defy any living man to advance a good and valid reason for locating a camp at Deming. It is true they have a plentiful supply of pure, cold water, but there are thousands of other places in this country where the same holds good, that are far better adapted for the training of soldiers.

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I will.

Mr. LITTLE. Does not the gentleman think that those who pull through would make dandy good soldiers?

Mr. KNUTSON. Yes. They will be impervious to everything if they can stand Camp Cody.

Now a word about the business men of Deming. Be it understood that there is little or no agriculture in that section of the country. Heretofore their only crop has been consumptives, and when the American troops began flowing in a vista of coming wealth dazzled the eyes of the Deming merchants and presaged a crop such as they had never dreamed of, even in their most delusive moments. They fairly licked their chops in anticipation, and no time was lost in taking the wares off the shelves and marking them up, in some cases 100 per cent, and Heaven knows they were high enough before. [Laughter.]

It finally became so bad that it was necessary for the camp authorities to stock the regimental canteens with almost all necessary merchandise. One canteen that I visited carries a $5,000 stock. When the Deming merchants saw that the boys would not fall for their coarse tactics they marked the prices down to somewhere within reason. But not so with house rentals. I believe that I have already stated that the soldiers promised to be the best crop they had ever had in Deming—in fact the only crop, save for the few consumptives who go there to die. Well, many officers and a few privates brought their families with them to Deming. Those who did were robbed in a shameless manner.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. AYRES. I will ask the gentleman if it is not practically a fact where all these cantonments are established? Is it not the same thing in Des Moines and the same thing in Illinois?

Mr. KNUTSON. I will say that as to Des Moines a committee has been appointed to investigate, and they invite the soldiers to report the case of any merchant who has been overcharging. I was unable to find any place where the soldiers were overcharged at Camp Dodge.

Mr. AYRES. I will say to the gentleman that I had a report from one of the captains at Des Moines, who made that complaint not more than 6 or 10 days ago.

Mr. KNUTSON. I talked with more than 100 of the men, and I did not hear of any complaint.

Mr. AYRES. Not that I am upholding them at all.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. SABATH. Are not the conditions in the District here equally bad as to overcharges of rents and the necessaries of life? Of course, if the gentleman has his own home here he would not perhaps be aware of it.

Mr. KNUTSON. I will show you conditions existing there that can not be duplicated anywhere in the country, if I am allowed to proceed.

Two-room unplastered shacks, about the size of a decent chicken house, bring $35 per month, while five and six room palaces, not modern, bring as high as $150 per month. I doubt if you can duplicate that anywhere else in all the world.

Mr. AYRES. Can you not duplicate that in Washington?

Mr. KNUTSON. I hardly think so. Rather than submit to the real estate highbinders who make Deming their habitat, many have built their own homes, and while they are all modest in the extreme, yet they enable their owners to escape the claws of the human vultures who would prey upon those who are about to go forth to fight, yea, mayhap, lay down their lives for their country. Any remonstrance over high prices always elicits this reply: "Well, it cost us $15,000 to get the camp here, and we've got to make it back in some way."

In that section of New Mexico they have a stream named the Mimbres River. Mimbres means "lost" in Spanish. The stream meanders down the Mimbres Valley for miles and miles, deploying out on the plains east of Deming, where it becomes smaller and smaller, finally disappearing into the ground altogether. Nature is wise, indeed. As the cactus wears a coat of thorns to protect itself against roaming beasts, so the Mimbres River seeks the protection of Mother Earth before reaching Deming, well knowing that it could never get by that den without paying a heavy toll. [Applause.]

The Germans levy tribute upon their enemies; Demingites levy toll on their friends. Which is worse?

Mr. HARDY. Mr. Speaker, will the gentleman yield there?

Mr. KNUTSON. Yes.

Mr. HARDY. Did not Deming have a camp for the Regular Army in 1916, before this cantonment was located there, and was there not a considerable amount of buildings there?

Mr. KNUTSON. Cantonment buildings?

Mr. HARDY. A considerable amount of buildings and a division of the Regular Army?

Mr. KNUTSON. I think the gentleman will find that everything that is there now was put up this past year.

Mr. HARDY. I think there was a camp there in 1916.

Mr. SMITH of Idaho. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. SMITH of Idaho. How many soldiers have they stationed there?

Mr. KNUTSON. Twenty-six thousand.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Minnesota yield to the gentleman from Ohio?

Mr. KNUTSON. I will yield to the gentleman for a brief question.

Mr. KEARNS. The gentleman speaks about its having cost the merchants of that town $15,000 to get the camp. To whom did they pay that money?

Mr. KNUTSON. They did not tell me that. They told it to soldiers and officers.

Gentlemen, I believe that Cody should be changed to a more suitable location; I believe that a committee of Congress should be named to make a thorough investigation of why a cantonment was located there; that we should find out why it was necessary to spend $15,000 to get the camp located at Deming. [Applause.] Situated as it is, Camp Cody will take the heart out of the best of our boys, and the Congress of the United States owes it to itself, to the American people, and the boys stationed there to find out why that particular spot was chosen.

Only those who are callous to the needless suffering of our soldier boys will object to the bringing of these facts to light. The American people are entitled to know the truth, and he who tells it renders a most valuable service to the country. [Applause.]

Mr. Speaker, I yield the balance of my time to the gentleman from Massachusetts [Mr. TREADWAY], who will follow me.

The SPEAKER. The gentleman has no time left to yield. His time is out.

Mr. WALTON. Mr. Speaker, I ask unanimous consent for 15 minutes in which to address the House at the conclusion of the addresses already scheduled.

The SPEAKER. The gentleman from New Mexico asks unanimous consent for 15 minutes in which to address the House at the conclusion of the address of the gentleman from Massachusetts [Mr. TREADWAY].

Mr. ROBBINS. On what subject?

The SPEAKER. On this same subject that the gentleman from Minnesota [Mr. KNUTSON] was speaking on. I take it for granted that is it.

Mr. ROBBINS. Is that the subject?

Mr. WALTON. Yes; at the conclusion of the others.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Massachusetts [Mr. TREADWAY] is recognized for five minutes.

EX-CONGRESSMAN LAWRENCE.

Mr. TREADWAY. Mr. Speaker, Members who served in this body previous to the Sixty-third Congress will readily recall the Member from the first Massachusetts district. Should any of the older men be asked who made friends the most readily, and the most of them, who always had a cordial greeting, a hearty handclasp, and a pleasant word for everyone, I believe the name that would be most likely to come to mind would be of this very Member.

The disposition which endeared him to his friends at home was the same as that which made him so popular in the Halls of Congress. The smile, the handclasp, the hearty laugh, were all the indications of his natural personality. I well recall

during my early membership in the Sixty-third Congress how frequently Members on both sides of the House inquired most feelingly for him. It was very easy for me, a new Member, to realize what a loss the House itself felt in his retirement, both from his merit as a Member and from his personal association with his colleagues. His jovial disposition could not better be illustrated than by the remark he made to me when I asked him, after I had been elected as his successor, why he was retiring from Congress. His reply was:

I want the people to say, "Why did you?" instead of "Why don't you?"

George Pelton Lawrence was a native son of Berkshire County, Mass., where he always resided. He was a graduate of one of its academies, of Amherst College, in the class of 1880, was later admitted to the bar, and for nearly 10 years was judge of the district court. He was a member of the Massachusetts Senate from 1895 to 1897, and during the sessions of 1896 and 1897 he was the president of that body. He was first elected to this House in the Fifty-sixth Congress, and was continuously reelected until he voluntarily retired at the close of the Sixty-second Congress. He served here for many years upon the important Committee on Rivers and Harbors, having the position of ranking Republican member at the time of his retirement. He was also selected for the difficult task of aiding in the reconstruction of the rules in the Sixty-first Congress.

I should like to refer briefly to his closing remarks in Congress, which were delivered during debate on the rivers and harbors bill on March 2, 1913. His expressions on that occasion are typical of the man, and I here quote the following from the RECORD of that date:

Mr. Speaker, since I made the announcement a year ago that I would not be a candidate for reelection my colleagues upon both sides of the aisle have said so many gracious and generous things, in public and private, about me that I wish to express my very deepest appreciation. The fact that I have not merited all that has been said has not interfered in the slightest degree with my enjoyment of it.

I will confess that I am shameless to that degree. I have been a Member of the House for 15 years. I think the man must be hopeless who is not broadened and rendered more patriotic by such service. If there was about me when I came here any suggestion of sectionalism, and I presume there might have been, every vestige of it has been eliminated. [Applause.] And as I have sat here in this Congress, under one of the best and fairest Speakers that this House has ever had, and as I have worked with my colleagues upon the other side of the aisle, I must confess that it has been pretty difficult to keep myself up to the point of believing that he and they were a menace to the Republic. [Applause.]

* * * * * * *

I shall not speak in detail of my service here during 15 interesting and eventful years. Perhaps some time I shall write a book about it. That is everybody's privilege. All I wish now to say is that I shall leave the House on the 4th of March with, as you all must know, the greatest affection and good will for my colleagues on both sides of the aisle and with entire respect for their patriotic purpose. [Applause.]

His service was always of that sincere and earnest character that marked his every action through life. To this no reference need be made among his former colleagues, and it is therefore of his life at home I ask the privilege of saying a few words. Mr. Lawrence was probably personally better known to more men in western Massachusetts than any other citizen of that section. His cordial laugh is historical and proverbial. His middle name was dropped almost entirely, and when it appeared it was invariably printed in a nickname—George "Popular" Lawrence. He never failed to bring a smile to the faces of any friends among whom he was mingling or to any gathering where he made a speech. He was, however, a man of strong convictions, and mingled with his jocular ways were invariably seriousness and good judgment.

In private life he was regarded as one of the substantial citizens of our State; in public life his record here was such a brilliant one that he was frequently considered as a probable gubernatorial candidate in Massachusetts. I can not refrain from mentioning one incident indicative of his loyalty. An intimate friend met with business reverses, which brought on a nervous breakdown. Both he and Judge Lawrence were fond of tramping over our beautiful hills. For weeks he devoted himself exclusively to restoring his friend to health by taking him on long tramps and preventing his further decline.

It is sometimes said that a strong character must make enemies, but this was not true of Mr. Lawrence. I have associated for years with people among whom he lived and never heard a word of criticism of him as a man, as a statesman, or a public official. A person would be a misanthrope indeed who could find any reason to dislike George Lawrence.

After leaving Congress he was selected by the then governor, although a member of the opposition party, for one of the responsible positions in our State. This position, however, he was able to retain only for a short time. Last summer he was designated as chairman of the local exemption board in the city of North Adams. The work of that board was a severe strain upon him in that he felt the conscientious duty of designating the young men who were to enter the military service of our country from his own city. It was this service that permanently undermined his health. No man could have gone about this task with more feeling of responsibility and conscientious desire to perform his duty than did Mr. Lawrence. He gave his life in serving his country. Positions on the exemption boards are ones of patriotism, and as Mr. Lawrence lost his health and strength in that service he can be classed as one of those who have given their lives gladly in their country's cause and the patriotic call of duty. I last saw him as the first troops went to the cantonment, and, together with all his friends present, noticed that he was broken in health and was in need of a change of scene. He died in New York City on November 21 last. George Pelton Lawrence has forever left the earthly scenes which he so greatly enjoyed and where he was so much beloved. His life was a useful and illustrious one.

Verses might be quoted which would be truthful of his life and character. I prefer, however, in these brief remarks to designate him with these few words: A true friend, a brilliant statesman, a manly man. [Applause.]

CAMP CODY, NEW MEXICO.

Mr. WALTON. Mr. Speaker, I wish to apologize to the gentlemen of the House for taking their time at this particular moment, but I would not be doing my duty toward myself or toward the people whom I represent if I did not at least make some reply to the unjust charges, the unfounded accusations, the unwarranted criticisms just made upon a community in my State—one of the most progressive cities in New Mexico—by the gentleman from Minnesota [Mr. KNUTSON]. I am compelled most earnestly to take issue with the gentleman as to the accuracy of the information upon which his remarks are based and upon the conclusion which he has reached as a result of that information. The gentleman's visit to Deming and Camp Cody—Camp Cody being located very close to the city of Deming—must necessarily have been a very brief one. The impressions which he gained were unquestionably the result of hasty information, obtained from those who had recently left their comfortable homes and taken up the inevitable rigors of camp life and who had not yet accustomed themselves to their new surroundings. I do not deem that to be a reflection upon the patriotism and loyalty of those boys. To use a slang expression, to "kick," to register complaints, is only human nature, and the gentleman from Minnesota [Mr. KNUTSON] has apparently paid attention only to the registered "kicks" and has not looked for the benefits and advantages manifestly apparent from the location of that camp.

Camp Cody was selected for a cantonment only after an exhaustive and careful investigation by the officials of the War Department. Not only did the natural advantages of the place commend it to favorable consideration, but past experience has demonstrated its availability and its advantages as a site for a cantonment or a military camp. With an abundant supply of pure water—99.99 per cent pure, by Government analysis—with a climate that is mild, both in summer and in winter, with excellent railroad facilities, Deming possesses the additional advantage of being located within a short distance of the Mexican border, where past experience has demonstrated that troops in large numbers are liable to be needed at almost any moment. There was, as the gentleman from Texas [Mr. HARDY] indicated in his inquiry, a National Guard cantonment at Deming in the spring and summer of 1916, and the experience of that time demonstrated to the War Department that the site was an admirable one, both from a strategic and a practical standpoint. The camp has received high praise from such real red-blooded American soldiers as Maj. Gen. Tasker H. Bliss, Chief of Staff; Maj. Gen. H. A. Green; and Maj. Gen. E. F. Glenn, who was in command there in 1916.

Digressing for a moment, and while I think about it, to answer the statement made by the gentleman from Minnesota that some one told some person, and some person told somebody else, and so on and so forth, that $15,000 had been expended to secure the location of the camp at Deming, I want to say to you, Mr. Speaker, that I was present in Washington when the committee came from Deming to present the availability of that section; that the committee consisted of the president of the chamber of commerce and the mayor of the village of Deming; that they were here absolutely at their own expense; that they did not wine; that they did not give dinners; and all that they did was to go to the War Department—because I accompanied them and was present and know whereof I speak—and present a written statement of the advantages of the camp and offer the donation of the land necessary for the camp.

I know that of my own knowledge. The particular advantage of the location of Camp Cody is the mild and equitable climate, permitting of outdoor work every day of the year. The average yearly temperature in that section—and I live within 48 miles of Deming; have lived there 27 years and certainly know something about conditions; also having lived in Deming—is about 45 degrees. The latest data which I have noticed was for the year 1915, when the average temperature was 58 degrees. The number of sunshiny days was 323. The highest average monthly temperature was 77 and the lowest 44. The soldier boys there can work and train in the open and with absolute comfort all the year round.

With reference to dust, Mr. Speaker, which seems to have made such a very vivid impression on the distinguished gentleman, I desire to say that in all sections of the Southwest there are at infrequent intervals dust storms; and I presume that the visit of the gentleman occurred on one of these very rare occasions. These storms are really healthful in effect, purifying, as they do, the atmosphere. A large body of men moving around as they do in Camp Cody naturally creates dust, but it is a pleasure to inform the gentleman that this condition has been rectified by the liberal sprinkling of water and oil and no longer exists, if it ever did exist as he describes it.

Now, Mr. Speaker, I called at the office of the Surgeon General the other day in regard to conditions in Camp Cody. I have heard that some criticism was about to be made relative to the camp and I asked a formal expression of that office especially as to health conditions there, and I received this letter:

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, December 14, 1917.

Hon. W. B. WALTON,
Room 172, House of Representatives, Washington, D. C.

MY DEAR MR. WALTON: In compliance with your request of this morning, I am directed by the Surgeon General to make the following statement in regard to health conditions in the Thirty-fourth Division, National Guard, at present stationed at Camp Cody, N. Mex.:

This camp is excellently located. Its general sanitary condition and sanitary administration has been reported as excellent by all inspectors, including an inspector from this office. The climate is a fine one.

It is believed that health conditions would have remained excellent at this camp had it not been for the outbreak of measles, which started soon after drafted men had been received. The outbreak of measles assumed considerable proportions by the middle of November, since which time the number of new cases reported each week has been increasing, but not to the same extent as in a number of other camps of the National Guard made up of troops from the more sparsely settled States.

Reports from Camp Cody indicate that the type of measles cases is mild. The outbreak has been attended by a few cases of pneumonia as a complication, and, as with pneumonia, there is always a certain proportion of deaths.

As regards pneumonia at Camp Cody, the death rate has been remarkably low. The proportion of cases of pneumonia following measles has also been much lower than in the other camps.

Conditions would appear to indicate that the measles outbreak has about reached its height at this camp. Additional cases of pneumonia are to be expected, but as the measles subside these will no doubt diminish in number. Generally conditions at Camp Cody may be said to be better than at five or six other National Guard camps and not so good as at five or six others. These latter camps are composed of troops from the more densely populated Northern States, among whom the proportion of men who have not had measles is small. All reports indicate that the extent to which the National Guard camps suffer from measles depends very largely upon the number of men in the camp who have not had the disease in childhood. Western troops appear to go through the disease easier than those from the South and with fewer complications and a much lower death rate.

No unfavorable criticism has been received in this office in regard to the care of patients in the hospital at Camp Cody. The chiefs of the Medical Service have been selected with great care from among the most prominent specialists in the country. During the height of the measles outbreak the doctors, nurses, and attendants have no doubt been very hard worked, and for this reason the same personal attention which a sick man may receive in his home could not be expected in the Camp Cody hospital. Nothing has been received to indicate that there has not at all times been plenty of vacant beds and ample supplies of bedding, with medical supplies and equipment sufficient to meet all needs.

Very sincerely, yours,

F. P. REYNOLDS,
Colonel, Medical Corps.

And also an extract from telegraphic report dated Camp Cody, December 29, 1917, to the Surgeon General from the committee of special sanitary inspectors, composed of Col. P. M. Ashburn, Medical Corps; Maj. William H. Welch, and Maj. A. C. Abbott:

Conditions in this camp generally very satisfactory. All your recommendations being put into effect, but recommend expediting plumbing and sewerage. Measles situation controlled. Pneumonia not so bad as in many places, and mortality not unusually high. Meningitis not a problem. Venereal record excellent. Medical affairs in division and hospital well handled and not criticized.

The charge made by the gentleman from Minnesota that exorbitant charges were being demanded by the people of Deming for the rental of houses and for the purchase of merchandise, with all due respect to him, is absolutely not substantiated by the facts.

Mr. KNUTSON. Will the gentleman yield?

Mr. WALTON. Yes.

Mr. KNUTSON. Did not the officials at the camp warn the boys not to trade at Deming, but to trade at the canteen?

Mr. WALTON. Every Army post of which I have knowledge has what is called a canteen, and it is customary and usual for the soldiers to trade at those canteens. Now, I am in receipt of a telegram from the Chamber of Commerce of Deming, which I think explains the situation, and shows also the high patriotism of the people of that place.

Mr. HARDY. Before the gentleman leaves that point I want to say that I was in Deming in 1916. They had a good many splendid buildings there and were still adding to them for a camp for the Regular Army. How many regiments were there I do not know.

Mr. WALTON. There were about 5,000 National Guard troops stationed there during the crisis in the Mexican affairs.

Mr. HARDY. That is about the number I thought.

Mr. WALTON. The telegram is as follows:

DEMING, N. MEX., *December 19, 1917.*

Hon. W. B. WALTON,
Washington, D. C.:

When camp was first started and thousands of people flocked to Deming, some to work on camp construction and others to start in business, there were some cases of high rents, for which the owners of the property were not responsible. They leased at reasonable prices, but speculators drove up the rents on business property. In one or two instances Army officers got to bidding against each other on furnished residence property and drove up rents in that way. Members of the chamber of commerce and business men of Deming have done everything possible to relieve the situation by constructing houses with modern improvements at actual loss for Army men with families at $20 and $25 per month, and the chamber of commerce is offering to furnish ground rent free to any officer or enlisted man who wishes to erect temporary residences. Over 300 residences have been erected in this way.

SECRETARY DEMING CHAMBER OF COMMERCE.

Now, I might say that the increase in the population of Deming, which was formerly about 4,000, has been about 10,000. I know of my own knowledge that many reputable business men of Deming have erected houses, when they had no desire to do so, simply to provide accommodations to newcomers, and they rented them at a reasonable price.

A meeting of the chamber of commerce was held a little while ago to investigate complaints of overcharges at which a committee of officers attended by invitation, and after a careful and exhaustive investigation not a single case was found where a soldier had been charged in excess of the prices that were charged the local people—not a single case of discrimination. And the secretary of that body addressed a formal letter to the officers in charge of the camp asking them to report any cases of violation in order that prompt and summary action might be taken. Certainly nothing more could be done. Deming has a reputation for fair dealing that was established long before any soldiers were sent there, and is doing everything that it possibly can to maintain that reputation.

The people of Deming are my neighbors—almost my home folks—and I do not speak from conjecture or hearsay when I undertake to voice their sentiments in these matters. I can say from my own personal knowledge that there has been no effort on the part of representative citizens to exact from the soldiers or from those brought to Deming by reason of the existence of the cantonments any higher prices than are charged to their own people. Not only that, but I assert that there has not in any camp site in the United States been a more earnest and patriotic effort on the part of the local citizenry to aid the Government in the stupendous task of fitting its soldiers for the war and to aid the soldiers in all matters that pertained to their welfare and comfort. There are no more hospitable, no more loyal, no more patriotic people in the country than are to be found in Deming and in Luna County, N. Mex.; and I keenly resent any statements that reflect on these qualities of their citizenship.

In conclusion, Mr. Speaker, I think that I can offer an explanation of the reason for the gentleman's criticism. I suspect that he fears, and his fears are well founded, that the boys from Minnesota and the other States at Camp Cody will be so enamored of the magnificent climate of New Mexico, so impressed with the great resources of the country, so enthusiastic over the wonderful opportunities awaiting there that they never will be content to return to their former homes in the bleak and dreary Northwest, but at the conclusion of the war will come back to the Sunshine State and cast their lot with us. And they will be welcome—heartily welcome.

The SPEAKER pro tempore (Mr. FOSTER). The time of the gentleman has expired.

Mr. WALTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from New Mexico asks unanimous consent to extend and revise his remarks. Is there objection?

Mr. STAFFORD. I assume that the gentleman only wants to extend his remarks as far as his own speech and not by incorporating other letters and telegrams.

Mr. WALTON. Yes.

The SPEAKER pro tempore. This being unanimous-consent day, the Clerk will call the first bill on the Unanimous Consent Calendar.

NATURALIZATION OF RESIDENT ALIENS.

The Clerk read as follows:

A bill (H. R. 3132) to amend section 2171 of the Revised Statutes of the United States relating to naturalization.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, I would like to inquire of the gentleman in charge of the bill whether this authorization granting the right of citizenship to those who declared their intentions prior to our entry into the war has the indorsement of the State Department? It is true that it only modifies the existing statute by substituting the date of April 6, 1917, for the earlier date when this statute was last amended.

Mr. KITCHIN. In the absence of the gentleman from California, I ask to have this bill go over without prejudice.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the bill be passed without prejudice. Is there objection?

Mr. STAFFORD. I have no objection to the request of the gentleman.

There was no objection.

FOR INCREASE OF PRODUCTION IN RECLAMATION PROJECTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4431) to provide for the common defense and general welfare by increasing the production upon public and private lands within the United States reclamation projects, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. I object.

Mr. TAYLOR of Colorado. Will the gentleman modify his objection so as to allow the bill to remain on the calendar?

Mr. STAFFORD. What is the purpose? It has been on the calendar for months. It should not be taken up by unanimous consent and can be taken up on a call of committees. It is a bill containing important provisions to which there are serious objections. I do not think it will ever be considered under unanimous consent, and I do not see any necessity of encumbering the Unanimous-Consent Calendar with it.

Mr. TAYLOR of Colorado. If the gentleman has serious objections to it, of course there is no use in retaining it on the calendar, but the Interior Department and the Reclamation Service are very much in earnest about this bill. They speak to me every few days about it and want to know when it is coming up. There is nothing personal to me in it; it is a departmental bill, and the Reclamation Service has been very urgent to have it taken up.

Mr. STAFFORD. It is a rare thing to put a bill on the Unanimous-Consent Calendar where there is a minority report.

Mr. TAYLOR of Colorado. I understand that.

Mr. STAFFORD. There is a minority report on this bill, where the gentleman from Texas [Mr. BLANTON] has gone to the pains of preparing a very elaborate argument stating objections to the bill. This involves the expenditure of several million dollars, and the bill should not remain on the Unanimous-Consent Calendar. I therefore object.

Mr. KINKAID. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. The gentleman from Wisconsin objects.

CITIZENS OF ALLIED COUNTRIES IN UNITED STATES MILITARY FORCES.

The next business on the Calendar for Unanimous Consent was House joint resolution 115, requesting the Secretary of State to open diplomatic negotiations with certain Governments with a view to obtaining their approval and sanction for action by the United States permitting the inclusion in the armed forces of the United States of such citizens of the countries of such Governments as are within the United States.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the author of this resolution is out of the Chamber at the present time and I ask unanimous consent in deference to him to have the resolution passed over without prejudice.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the resolution be passed over without prejudice. Is there objection?

There was no objection.

AUXILIARY RECLAMATION PROJECT, YUMA, ARIZ.

The next business on the Calendar for Unanimous Consent was the bill 3135, to amend section 4 of the act entitled "An act to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to obtain some information about the bill which is not given in the report. I wish to inquire what additional funds will be utilized in the construction of the project if this amendment be adopted? As I understand the present law, the funds that can be utilized for the construction work on this auxiliary project at Yuma must arise from the sale of lands exclusively. I wish to inquire, if this condition be lifted, what additional funds will be available?

Mr. HAYDEN. The law as it now stands is inconsistent with itself. The act of January 25, 1917, provides that money received from the sale of public lands and money received from the owners of private lands included within the project shall be placed in a separate fund in the Treasury, to be known as the auxiliary reclamation fund of the Yuma project. But in section 4 of the act there is a provision that the moneys in this special fund, only to the extent which they are received from the sale of public lands, may be used in the construction of the works of the auxiliary project. I am trying to correct this inconsistency so as to let all of the money which may be placed in the fund be used to pay for the irrigation works, regardless of whether received from the sale of public lands or as payments made by the owners of private lands.

Mr. STAFFORD. Was not the money from private owners of land on this project to be raised merely for the use of water rights rather than from the sale of land itself?

Mr. HAYDEN. That is true, of course; because if a man owns his land he would not have to again pay for it; but in order to obtain a water right for his land he has to pay the same construction charge as anyone else. The whole theory of the bill was that the private landowner should pay his full share, just the same as the man who bought public land.

Mr. STAFFORD. As I understand it, a private owner can avail himself of the advantages of this project if he contributes the regular price fixed by the Secretary of the Interior for the use of the water.

Mr. HAYDEN. Yes.

Mr. STAFFORD. And now you wish to utilize whatever he contributes to this fund for that purpose before he receives any water at all?

Mr. HAYDEN. Yes; everyone has to advance some money before he gets any water. In other words, the plan is that the landowners shall advance their share of the money and that the public lands shall be sold and the payments thus obtained placed in this fund, the combined amount to be available before any construction work is undertaken.

Mr. STAFFORD. How much money is it contemplated to expend in the construction of this project?

Mr. HAYDEN. The dam is already built. A pumping plant is to be constructed to lift the water from the existing main canal to the level of the mesa, where it will be distributed by a canal system.

Mr. STAFFORD. What amount is estimated will be raised?

Mr. HAYDEN. The estimate of cost had not been completed, but the latest figures are about $100 an acre.

Mr. STAFFORD. What total amount will be required?

Mr. HAYDEN. If 40,000 acres could be irrigated, it would amount to $4,000,000.

Mr. STAFFORD. How much money will arise from the sale of public lands?

Mr. HAYDEN. If all of the private lands are taken into the project they will amount to about 7,000 acres out of a total of 40,000 acres. It will be possible to irrigate approximately 33,000 acres of public land and 7,000 acres of private land.

Mr. STAFFORD. How much money will be realized from the sale of these public lands?

Mr. HAYDEN. The Reclamation Service expects to raise about $100 an acre from each source. That would be $3,300,000 from the public-land and $700,000 from the private-land owners.

Mr. STAFFORD. The thought occurred to me, in reading the bill in connection with the original act, that you were trying to obtain from the private-land owner the use of money for a right that could not be charged to him until the works are in operation.

Mr. HAYDEN. There is no money available with which to construct this project, because the regular reclamation fund is practically exhausted. In his report on the bill that we are now

amending the Secretary of the Interior describes its objects as follows:

The bill provides a means by which it is made possible that the work of reclaiming the mesa lands of the Yuma project may be continued without further expense to the United States or draft upon the reclamation fund, a work which in the present condition of the reclamation fund must otherwise be delayed for many years.

It purposes to create an auxiliary reclamation fund to be constituted of the proceeds of the sale of the future water rights which will attach and become appurtenant to the lands when the irrigation works have been completed. No works are to be undertaken until a sufficient sum has been subscribed and paid in to insure the completion thereof. It also provides for the payment into the reclamation fund of a sufficient amount to cover the proportionate cost of the main Yuma project works.

The mesa lands of the Yuma project are generally believed to be the best citrus-fruit lands in the United States, free from the dangers of frost, and to be worth much more when irrigated than the cost of the irrigation works necessary to completely reclaim them. It is believed that experienced citrus-fruit growers will gladly pay for such lands the prices that will be fixed under this act if it becomes a law, and that the resulting benefits to the Yuma project as a whole and to the reclamation fund will wholly justify the experiment. Under its provisions the money must be paid into the Treasury before any liabilities are incurred or expenditures made for construction purposes, and none in excess of the amounts so paid in.

Mr. BORLAND. Mr. Speaker, reserving the right to object, is this the auxiliary project for the mesa lands at Yuma?

Mr. HAYDEN. Yes.

Mr. BORLAND. Where it is necessary to pump the water up to the higher levels to irrigate it?

Mr. HAYDEN. Yes.

Mr. BORLAND. That was to be a purely auxiliary project to the Yuma project?

Mr. HAYDEN. Yes.

Mr. BORLAND. It was to carry itself?

Mr. HAYDEN. The auxiliary project must bear its share of the burden of the works heretofore constructed and all additional work.

Mr. BORLAND. And any additional work necessary to put in this pumping plant to raise the water to that level?

Mr. HAYDEN. Yes.

Mr. BORLAND. Will the bill result in taking any part of the funds collected for water rentals on the lower lands and applying them to the mesa lands?

Mr. HAYDEN. No. The two units are separate and distinct in every particular.

Mr. BORLAND. Are you still adhering to your original plan that the mesa land shall bear its share of the original construction and also an additional share of the other construction?

Mr. HAYDEN. Exactly so.

Mr. BORLAND. You are not departing from that at all?

Mr. HAYDEN. There is no change at all. The truth of the matter is that the law we are now seeking to amend was originally prepared by the Reclamation Service, was introduced and passed the Senate, and then passed through the House. None of us at that time noted this inconsistency in the original bill.

Mr. BORLAND. Why, if that is true and you are proceeding on your original proposition, are you asking water rentals to be applied to construction when, as the gentleman from Wisconsin says, there are no water rentals on the mesa land?

Mr. HAYDEN. I was perhaps incorrect in using that term, but what I am really trying to do is to make available the money that will be received from the private-land owners for the construction of this project. One part of the law provides that they shall pay the same for water rights as the purchasers of public land, but when their money once gets into the fund it can not now be used.

Mr. BORLAND. Does that apply only to private-land owners who happen to be on the mesa?

Mr. HAYDEN. That is all.

Mr. BORLAND. And who happen to be engaged on this auxiliary project?

Mr. HAYDEN. Yes.

Mr. BORLAND. The main part of the auxiliary project was to be paid by the sale of public lands on the mesa, but there are certain privately owned lands to whom it is proposed to sell water rights.

Mr. HAYDEN. Because of the physical situation there, which makes it advantageous to include the private lands within the project.

Mr. BORLAND. So that the money you will get from the private-land owners of the mesa you intend to apply to construction, and you are not asking any water rentals from the original project for the mesa land?

Mr. HAYDEN. It aids the original project to the extent that the lands on the mesa help to pay for the irrigation works heretofore constructed.

Mr. BORLAND. To that extent it is an additional help to the Yuma project?

Mr. HAYDEN. That is it, exactly.

Mr. LENROOT. Mr. Speaker, reserving the right to object, I would like some further information. From what source is the money derived that goes into this auxiliary reclamation fund now?

Mr. HAYDEN. There is no money in the auxiliary reclamation fund now. The bill provides that the public lands located on the Yuma mesa shall be sold to create such a fund.

Mr. LENROOT. The gentleman says there is no money, the bill expressly limits the appropriations to the money in the fund.

Mr. HAYDEN. As a matter of fact the plans have not been carried out far enough to determine how much the charges will be. The Secretary of the Interior by the act passed in the last Congress is directed to ascertain the proportionate cost of the work heretofore constructed which should be charged to the mesa land, and then to ascertain the cost of the works to be constructed in the future—that is, the pumps, canals, etc., needed to deliver the water to the mesa land. Using these two estimated costs as the basis, he is to fix an appraised price for the public lands and offer them for sale. If he receives enough money from that source and from a like charge paid by the private landowners, he is then authorized to construct the new project. That is the sum and substance of the scheme.

Mr. LENROOT. Well, let me ask this question: A portion of the burden of the original project is to be borne by this auxiliary district?

Mr. HAYDEN. And very properly so.

Mr. LENROOT. Now, if we permit all the money of this fund to be used in the construction work of this auxiliary district, how is the main project to get its share of the burden that should be borne by the district?

Mr. HAYDEN. Because the proportionate cost of the works heretofore constructed is included in the charge which all of the lands in the auxiliary project must bear.

Mr. LENROOT. Yes; but if it is paid into this fund and then can be used entirely for construction within the auxiliary district, how does the Yuma project get its share?

Mr. HAYDEN. Of course, if a thing like that could happen the original Yuma project would not receive its proportionate share, but as a matter of fact the price that must be paid includes the two costs, the cost of the works heretofore constructed and the cost of the work hereafter done, so the fund will be large enough to pay both costs.

Mr. LENROOT. But does not the bill permit all money, that for the auxiliary district and that for the main project, to be used within the auxiliary district, and is not that the purpose of it?

Mr. HAYDEN. No; the object of the bill is to make available the money received from the private landowners for the same purposes as the money received from the sale of public lands.

Mr. LENROOT. Does the gentleman think that the bill is limited to that? All the money in the fund may be used now, if this bill passes, for this purpose, without any portion of it being used to defray its share of the burden of the original project.

Mr. HAYDEN. I have no such fear, because I am sure that the total sum of money received from the sales of the public land and the payments made by the private landowners will be sufficient to pay both costs. Otherwise there would be no advantage to the reclamation fund. If this plan is successful there will be immediately paid into the reclamation fund the proportionate part of the cost of the Laguna Dam and the other irrigation works now in existence. That is the plan, and we have no desire to depart from it.

Mr. LENROOT. What proportion of the lands within this auxiliary district is in private ownership and what portion has been public lands and sold?

Mr. HAYDEN. There are about 40,000 acres in the auxiliary project, about 33,000 acres of public lands, and approximately 7,000 acres in private ownership.

Mr. LENROOT. If there are 33,000 acres sold and the law now provides all the proceeds of that can be used within the district, although a portion of it is for the purpose of carrying the burden of the Yuma project, is not the district already getting more than its share without the use of the money from the private lands?

Mr. HAYDEN. I do not know what the proportionate cost will be between the irrigation works to be constructed and the works heretofore constructed. But I do know that the Yuma mesa should be treated as one project, the private lands and the public lands, and all the funds received from them treated exactly in the same way. That is what this bill seeks to do. It was a mere oversight that we did not do so in the first place.

Mr. LENROOT. As to the law passed last January, there must have been some purpose in the use of that language.

Mr. HAYDEN. There was not. It was one of those cases where somebody, in trying to be very careful, said something they did not intend to say. That is the explanation the Reclamation Service gives for the use of this language.

Mr. LENROOT. The gentleman is willing to assure the House that the original project will not lose any of the share that belongs to it?

Mr. HAYDEN. Oh, absolutely so. I am here representing the people now living on the Yuma project, rather than somebody who in the future may be benefited by this plan.

Mr. STAFFORD. Can the gentleman inform the House whether there is any precedent for this character of legislation, calling upon owners of private lands to utilize their rental for prospective rights in the construction of water-power plants?

Mr. HAYDEN. I do not know that there is any precedent for it, but we were driven to this extremity because the reclamation fund itself was exhausted. There was no other way to obtain the money to do this work, and the owners of the private land included in the project are more than willing to advance the money to the Government and let that work be done by the Reclamation Service.

Mr. MONDELL. If the gentleman will allow me——

Mr. HAYDEN. Certainly.

Mr. MONDELL. My opinion is that the plan adopted on the auxiliary Yuma project is a very splendid plan, and the only regrettable fact of the situation is that there are not more lands that we can apply such a good plan to.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

Mr. HAYDEN. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Arizona asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 3135) to amend section 4 of the act entitled "An act to provide for an auxiliary reclamation project in connection with the Yuma project, Ariz."

Be it enacted, etc., That the first sentence of section 4 of the act entitled "An act to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona," approved January 25, 1917, be amended so as to read as follows:

"That the money in said auxiliary reclamation fund of the Yuma project, Ariz., shall be available for the construction or completion of irrigation works of the said auxiliary project or unit."

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAYDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum.

Mr. KITCHIN. I hope the gentleman will withhold that for one minute.

PRINTING OF PRESIDENT'S MESSAGE.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the President's message be ordered printed. We failed to do that the other day.

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that the President's message delivered on Tuesday last be printed. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Pennsylvania [Mr. MOORE] makes the point that there is no quorum present. The Chair will count.

Mr. KITCHIN. Does the gentleman from Pennsylvania insist on the point?

Mr. MOORE of Pennsylvania. Yes.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 46 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 8, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of harbors and connecting waters of the Great Lakes, with a view to determining what additional improvements would be necessary in order to permit those waterways to accommodate vessels able to pass through the Welland Canal when enlarged by the Dominion of Canada, including report as to the character and drafts of vessels which may be expected to use the canal when so enlarged (H. Doc. No. 755); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Calooshahatchee River, Fla., from the mouth to Fort Myers (H. Doc. No. 756); to the Committee on Rivers and Harbors and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Tugaloo River, Ga. (H. Doc. No. 757); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Galveston Harbor and Galveston Channel, Tex., with a view to obtaining a navigable depth of 35 feet (H. Doc. No. 758); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

5. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Nehalem Bay and Nehalem River, Oreg., from the entrance of Nehalem Bay to the city of Nehalem, with the view of the improvement of the same in cooperation with local interests (H. Doc. No. 759); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

6. A letter from the Secretary of the Navy, transmitting tentative draft of a bill to authorize the payment of gun pointers and gun captains while temporarily absent from their regular stations, and for other purposes (H. Doc. No. 760); to the Committee on Naval Affairs and ordered to be printed.

7. A letter from the Secretary of the Navy, transmitting tentative draft of a bill for the relief of certain pay officers of the United States Navy (H. Doc. No. 761); to the Committee on Claims and ordered to be printed.

8. A letter from the Sergeant at Arms of the House of Representatives, transmitting a statement of receipts and disbursements for the year December 1, 1916, to December 1, 1917, and a statement of property in his charge December 1, 1917 (H. Doc. No. 762); to the Committee on Accounts and ordered to be printed.

9. A letter from the Acting Secretary of Commerce, transmitting annual report of the Chief of the Division of Publications (H. Doc. No. 763); to the Committee on Expenditures in the Department of Commerce and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the bill (H. R. 69) to authorize the payment of indemnities to the Governments of Austria-Hungary, Greece, and Turkey for injuries inflicted on its nationals during riots occurring in South Omaha, Nebr., February 21, 1909, reported the same with amendment, accompanied by a report (No. 232), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 6966) authorizing the Secretary of State to procure a suitable portrait of Gen. George Washington and present the same to the Military College of the Argentine Republic, reported the same without amendment, accompanied by a report (No. 233), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Military Affairs was discharged from further consideration of the bill (S. 2117) to appoint Allen M. Sumner a captain on the active list of the United States Marine Corps, and the same was referred to the Committee on Naval Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BANKHEAD: A bill (H. R. 8302) to amend section 2237 of the Revised Statutes, fixing the salaries of registers and

receivers of the United States Land Offices; to the Committee on the Public Lands.

By Mr. BORLAND: A bill (H. R. 8303) to increase and expedite the supply of munitions of war; to the Committee on Military Affairs.

By Mr. DENT: A bill (H. R. 8409) to amend an act entitled "An act to authorize condemnation proceedings of lands for military purposes," approved July 2, 1917, and for other purposes; to the Committee on Military Affairs.

By Mr. BELL: A bill (H. R. 8410) for increased allowance for carriers on rural free delivery mail routes; to the Committee on the Post Office and Post Roads.

By Mr. JACOWAY: A bill (H. R. 8411) to provide for the improvement of navigation on the Arkansas River; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 8412) providing for a survey of Arkansas River, Ark., with the view to making same navigable; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 8413) appropriating $350,000 for the construction of dredge boats for dredging on the Arkansas River; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 8414) for the purchase of a site and the erection thereon of a public building at Morrilton, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8415) for the erection of a public building at Conway, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8416) for the purchase of a site and the erection of a public building at Little Rock, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8417) to establish marketing departments in agricultural colleges in the several States of the United States; to the Committee on Agriculture.

By Mr. SWIFT: A bill (H. R. 8418) allowing transportation to enlisted men granted furlough; to the Committee on Military Affairs.

By Mr. SULZER: A bill (H. R. 8419) extending the provisions and benefits of the Federal farm-loan act to the Territory of Alaska; to the Committee on the Territories.

By Mr. LUFKIN: Resolution (H. Res. 210) directing the Secretary of State to inform the House of Representatives of the status of negotiations with foreign countries with respect to the drafting of aliens into the military forces of the United States; to the Committee on Foreign Affairs.

By Mr. JACOWAY: Resolution (H. Res. 211) requesting the Secretary of Agriculture to report to the House the buildings occupied by the Department of Agriculture, the amount of floor space, the number of employees in each, and other information; to the Committee on Agriculture.

By Mr. EMERSON: Joint resolution (H. J. Res. 207) to appropriate money to clear the Cuyahoga River (Ohio) of sand that has washed into the channel; to the Committee on Rivers and Harbors.

By Mr. BENJAMIN L. FAIRCHILD: Joint resolution (H. J. Res. 208) authorizing the President to expend sufficient sums of money, in his discretion, to provide buildings for the housing of departmental employees engaged in emergency war work; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COOPER of Ohio: A bill (H. R. 8304) granting an increase of pension to Joseph C. Hammond; to the Committee on Invalid Pensions.

By Mr. DENTON: A bill (H. R. 8305) granting an increase of pension to Mortimer Johns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8306) granting an increase of pension to Denton Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8307) granting an increase of pension to William Hopkins; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 8308) granting a pension to Laura D. Bricker; to the Committee on Pensions.

Also, a bill (H. R. 8309) granting a pension to Caroline Scott; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 8310) granting an increase of pension to Valentine Fish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8311) granting an honorable discharge to Albert Smith; to the Committee on Military Affairs.

Also, a bill (H. R. 8312) for the reimbursement of Horace M. Hunt for the loss of a horse while hired by the United States Geological Survey; to the Committee on Claims.

By Mr. GOOD: A bill (H. R. 8313) granting an increase of pension to Evans Blake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8314) granting an increase of pension to John H. Maxwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8315) granting a pension to Kate Crawford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8316) granting a pension to Charles A. Walters; to the Committee on Pensions.

By Mr. HENSLEY: A bill (H. R. 8317) granting an increase of pension to A. M. Casteel; to the Committee on Invalid Pensions.

By Mr. HILLIARD: A bill (H. R. 8318) granting a pension to James Gallagher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8319) granting a pension to Arthur F. Stowell; to the Committee on Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 8320) granting a pension to Tiney and Demple Rittenberry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8321) granting an increase of pension to Sarah M. Brown; to the Committee on Pensions.

Also, a bill (H. R. 8322) for the relief of Alexander V. Richardson; to the Committee on Claims.

Also, a bill (H. R. 8323) granting a pension to Catherine Beek; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 8324) granting a pension to George W. Johnston; to the Committee on Pensions.

Also, a bill (H. R. 8325) granting a pension to George W. Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8326) granting a pension to Kate Chance; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8327) granting a pension to Sam Ragsdale; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8328) granting a pension to C. B. Chamness; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8329) granting a pension to Mrs. A. M. Hughes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8330) granting an increase of pension to Mary Ballou; to the Committee on Invalid Pensions.

Also a bill (H. R. 8331) for the relief of the heirs of Peter Goodman; to the Committee on War Claims.

Also, a bill (H. R. 8332) for the relief of the heirs of Simon Kirkpatrick; to the Committee on War Claims.

Also, a bill (H. R. 8333) for the relief of the heirs of Augusta W. Diehl, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8334) for the relief of the heirs of George W. Sleeker; to the Committee on War Claims.

Also, a bill (H. R. 8335) for the relief of the heirs of Lovick Lambeth, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8336) for the relief of the heirs of Jacob Pennington; to the Committee on War Claims.

Also, a bill (H. R. 8337) for the relief of estate of George Byerly, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8338) for the relief of the estate of Jeremiah Cockrell, late of White Oak, Fairfield County, S. C.; to the Committee on War Claims.

Also, a bill (H. R. 8339) for the relief of the estate of William A. Crawford and the heirs of Henry H. Beavers; to the Committee on Claims.

Also, a bill (H. R. 8340) for the relief of Stephen W. Bates; to the Committee on Military Affairs.

Also, a bill (H. R. 8341) for the relief of Eli G. Collier; to the Committee on War Claims.

Also, a bill (H. R. 8342) for the relief of C. V. Hinkle; to the Committee on Claims.

Also, a bill (H. R. 8343) for the relief of James A. Frey; to the Committee on War Claims.

Also, a bill (H. R. 8344) for the relief of George W. Beavers; to the Committee on Military Affairs.

Also, a bill (H. R. 8345) for the relief of R. W. Harris; to the Committee on Military Affairs.

Also, a bill (H. R. 8346) for the relief of Marion H. Henderson; to the Committee on Claims.

Also, a bill (H. R. 8347) for the relief of J. C. Hill; to the Committee on Military Affairs.

Also, a bill (H. R. 8348) for the relief of William D. Kirkland; to the Committee on Claims.

Also, a bill (H. R. 8349) for the relief of Mrs. Herbert Williams; to the Committee on Claims.

Also, a bill (H. R. 8350) for the relief of Caleb B. Zachry; to the Committee on Military Affairs.

Also, a bill (H. R. 8351) for the relief of Patrick O'Kane; to the Committee on War Claims.

Also, a bill (H. R. 8352) for the relief of Gillum Smith; to the Committee on Military Affairs.

Also, a bill (H. R. 8353) for the relief of James Shook; to the Committee on Military Affairs.

Also, a bill (H. R. 8354) for the relief of Edgar Shinn; to the Committee on Claims.

Also, a bill (H. R. 8355) for the relief of John W. Fein; to the Committee on Claims.

Also, a bill (H. R. 8356) for the relief of Finis M. Williams; to the Committee on Military Affairs.

Also, a bill (H. R. 8357) for the relief of John Davis; to the Committee on Naval Affairs.

Also, a bill (H. R. 8358) for the relief of W. M. Middleton; to the Committee on Military Affairs.

Also, a bill (H. R. 8359) for the relief of Leander Mason and others, heirs of Thomas M. Mason, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8360) for the relief of Elizabeth Granger and Mary Granger, daughters of Dan B. Granger, deceased; to the Committee on Claims.

Also, a bill (H. R. 8361) for the relief of the legal representatives of Wiley J. Davis, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8362) for the relief of the Grand Lodge of Free and Accepted Masons of Arkansas; to the Committee on War Claims.

By Mr. KAHN: A bill (H. R. 8363) granting an increase of pension to Oscar Weil; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8364) granting an increase of pension to J. Murray Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8365) granting a pension to Marie Barisch; to the Committee on Pensions.

By Mr. LESHER: A bill (H. R. 8366) granting an increase of pension to Michael T. Wertz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8367) granting an increase of pension to Saul Shipman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8368) granting an increase of pension to Charles Edward Rohrbach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8369) granting an increase of pension to John M. Goodwin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8370) granting an increase of pension to Benjamin D. Cole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8371) granting a pension to John U. Shroyer, alias John W. Schroyer; to the Committee on Pensions.

Also, a bill (H. R. 8372) granting a pension to Mary J. Rockefellow; to the Committee on Pensions.

Also, a bill (H. R. 8373) granting a pension to Pierce G. Clinger; to the Committee on Pensions.

Also, a bill (H. R. 8374) to correct the military record of George W. Wall; to the Committee on Military Affairs.

By Mr. McCLINTIC: A bill (H. R. 8375) granting a pension to Herman Mootz; to the Committee on Pensions.

By Mr. McKINLEY: A bill (H. R. 8376) granting an increase of pension to Harriet Busick; to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 8377) to correct the military record of Sylvester De Forest; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 8378) granting an increase of pension to Ellen Hawkes; to the Committee on Invalid Pensions.

By Mr. OSBORNE: A bill (H. R. 8379) granting a pension to Nancy Ellen Benedict; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8380) granting a pension to Lillie Bircut; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8381) granting a pension to Carl Schoppe; to the Committee on Pensions.

Also, a bill (H. R. 8382) granting a pension to Joseph A. Bell; to the Committee on Pensions.

Also, a bill (H. R. 8383) granting a pension to Mary F. Payne; to the Committee on Pensions.

Also, a bill (H. R. 8384) for the relief of John D. Humphrey; to the Committee on Naval Affairs.

By Mr. O'SHAUNESSY: A bill (H. R. 8385) granting an increase of pension to Samuel A. Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8386) granting an increase of pension to Henry Matteson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8387) granting an increase of pension to Bernard Boyle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8388) granting an increase of pension to Mary Matteson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8389) granting an increase of pension to Gustav Lenau; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8390) granting an increase of pension to Henry B. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8391) granting a pension to Mary T. Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8392) granting a pension to Josephine Greene; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8393) granting a pension to Lydia Jacques; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8394) granting a pension to Mary A. Luther; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8395) granting a pension to Ellen M. Cornell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8396) for the relief of George S. Boutwell; to the Committee on Military Affairs.

By Mr. PLATT: A bill (H. R. 8397) granting a pension to Minerva J. Forrest; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8398) granting a pension to Frances Norris; to the Committee on Invalid Pensions.

By Mr. REAVIS: A bill (H. R. 8399) granting an increase of pension to William M. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8400) granting a pension to Lavina C. Walbridge; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 8401) granting a pension to Walter Starnes; to the Committee on Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 8402) to perfect the title of the heirs of James S. Rollins, deceased, to bounty land warrant No. 58479, issued to George Hickum, teamster, United States Quartermaster Department, War with Mexico; to the Committee on the Public Lands.

By Mr. SLEMP: A bill (H. R. 8403) granting a pension to Amos H. Archer; to the Committee on Pensions.

Also, a bill (H. R. 8404) granting a pension to Henry L. Fitzhugh; to the Committee on Pensions.

By Mr. CHARLES B. SMITH: A bill (H. R. 8405) granting an increase of pension to John Shanly; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 8406) granting an increase of pension to Marcellas F. Darling; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 8407) granting a pension to William S. Whitley; to the Committee on Pensions.

By Mr. WHEELER: A bill (H. R. 8408) granting an increase of pension to Charles H. Stockton; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Indiana, Ohio, Oklahoma, and Pennsylvania, urging the passage of the Moore Purple Cross bill (H. R. 5410) or the Wolcott Purple Cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), memorial of the Federated Trades Council of Colorado Springs, Colo., urging the adoption of the suffrage amendment; to the Committee on Woman Suffrage.

By Mr. BRODBECK: Papers to accompany House bill 8181; to the Committee on Military Affairs.

Also, papers relative to bill granting a pension to Charles C. Cooper, House bill 8180; to the Committee on Pensions.

Also, papers to accompany House bill 8180, granting a pension to Daniel B. Yeaple; to the Committee on Pensions.

By Mr. CARY: Memorial of Wisconsin Game Protective Association, urging early consideration and passage of House bill 2612 or Senate bill 1553; to the Committee on Agriculture.

Also, a letter from P. R. Bolton, asking for a law to prohibit the sale of game birds in the District of Columbia; to the Committee on Agriculture.

By Mr. CLASSON: Petition of citizens of Brown County, Wis., favoring the Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. DALE of New York: Petition of Wallabout Grocery Co., protesting against the discrimination by the Government in favor of the American Sugar Refining Co.; to the Committee on Agriculture.

Also, memorial of the Chamber of Commerce of the State of New York, favoring the establishment of free zones at the port of New York and such other ports as are deemed advisable; to the Committee on Interstate and Foreign Commerce.

Also, petition of E. M. Roberts, Long Island City, N. Y., against the submission of the suffrage amendment; to the Committee on Woman Suffrage.

Also, a memorial of the Central Federated Union of Greater New York and vicinity, favoring the Federal suffrage amendment; to the Committee on Woman Suffrage.

Also, memorial of Central Federated Union of Greater New York and vicinity, urging increased compensation for Federal employees and indorsing the Keating bill; to the Committee on Appropriations.

By Mr. FOCHT: Evidence in support of House bill 8060, for the relief of William J. Shirley; to the Committee on Pensions.

Also, evidence in support of House bill 8050, for the relief of Abraham Bouder; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 8056, for the relief of Martin L. Rex; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 8051, for the relief of John H. Condon; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 8059, for the relief of Henry L. Wolfe; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 8048, for the relief of Sarah E. Hood; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 8055, for the relief of Henry S. Rider; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 8054, for the relief of Samuel Hess; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 8046, for the relief of Lucien W. Sieber; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 8043, for the relief of John F. De Wire; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 8058, for the relief of Amos M. Stroh; to the Committee on Invalid Pensions.

By Mr. HILLIARD: Petition of Margaret Long, M. D., M. Jean Gale, M. D., Margaret Donaldson, Nettie A. Donaldson, Clara M. Moore, M. D., Annie R. Grossmann, Nettie G. Kline, Ella Dufer, Ida Beers, M. D., Frances A. Higinbotham, Mary A. Donovan, Dorothy Donovan, Ellen C. Messinger, Mary K. Messinger, D. E. Wetzel, M. D., F. Woodward, Della B. Johnston, Anna H. Strang, Mary E. Gacks, Garnet Isabel Pelton, Elsie Sedge Pratt, M. D., M. Ethel Fraser, M. D., Mildred L. Beatty, Mary G. Beatty, Mrs. John C. Graham, E. A. Ramsey, Olga M. Oakes, E. W. Brewster, Julia Tyler Davis, Estelle Mathews, Lenore V. Cooper, Mary E. Bennett, M. L. McFarren, Lillie Angerman, L. C. Olmsted, Cora E. Dodge, Lydia B. Nye, Mary A. Hollingsworth, Mrs. Edith Davis, Mrs. Eva S. Rinkle, Louise W. Frazer, Ella Harper, Eva Stoneman, Ethel Armstrong, Theodora Mussey, Mrs. Margaret Smith, Mrs. L. Alice Stile, Lottie S. Gardiner, Mrs. R. E. Ridelle, Annie Hayner, and Mrs. Frank C. Wilder, all of Denver, Colo., urging the immediate adoption of the national suffrage amendment; to the Committee on Woman Suffrage.

Also, letter from G. E. Brown, superintendent Greeley (Colo.) public schools, urging the creation of a department of education; to the Committee on Education.

Also, letter from Virginia D. Hyde-Vogl, urging the adoption of House bill 1654, providing an increase of pay for post-office clerks and letter carriers; to the Committee on the Post Office and post roads.

By Mr. KAHN: Papers to accompany a bill to increase the pension of J. Murray Bailey; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: Memorial of Just Government League of Maryland, urging a favorable vote on the suffrage amendment; to the Committee on Woman Suffrage.

Also, telegrams and letters from the following citizens of Maryland, asking favorable action on suffrage amendment: R. H. Tillman, Florence R. Sabin, A. Morris Carley, Margaret T. Carey, Olympia Brown, Maud S. Weeks, Minnie L. Henry, B. C. Y. Hogue, Josephine C. Thomas, Ella Roberts, Hilda Roberts, A. S. Roberts, Ellen Price, Henrietta Haggerty, V. C. McNabb, M. Goldenberg, Julius Goldenberg, Clara E. Benson, Helena Geer, and J. E. Greiner; to the Committee on Woman Suffrage.

Also, letters of Lyon, Conklin & Co., S. Halle Sons, the Marcus W. Wolf Co., and Dietrich Bros., all of Baltimore, Md., asking that Congress do not repeal recent legislation increasing postal rates on second-class matter; to the Committee on the Post Office and Post Roads.

Also, memorial of Baltimore Meat Packers' Association, Baltimore, Md., favoring House bill 1654; to the Committee on the Post Office and Post Roads.

Also, letter of Joseph A. Busey, urging the formation of a pharmaceutical corps; to the Committee on Military Affairs.

Also, letters of L. P. Morton, Charles H. Clark, and Charles E. Read, all of Baltimore, Md., asking support for legislation increasing compensation of Government employees; to the Committee on Appropriations.

By Mr. LUFKIN: Resolutions adopted by the Haverhill Chamber of Commerce, Haverhill, Mass., relating to the proposed new postage rates on periodicals; to the Committee on the Post Office and Post Roads.

By Mr. O'SHAUNESSY: Resolutions of Warren Equal Suffrage League, Warren, R. I., and the Jamestown Equal Suffrage League, Jamestown, R. I., desiring a favorable vote on the suffrage amendment; to the Committee on Woman Suffrage.

By Mr. SCULLY: Memorial of the Methodist Episcopal Church of Belmar, N. J., favoring the national prohibition amendment; to the Committee on the Judiciary.

Also, a resolution by the First Unitarian Church of Orange County, Orange, N. J., asking Congress to pass, as a war measure, a law prohibiting manufacture, sale, and transportation of alcoholic beverages and to compensate those who would suffer financial loss as a result of the law; to the Committee on the Judiciary.

Also, resolutions of New Jersey Branch of the National Woman's Party of a mass meeting in Paterson, N. J., and of a mass meeting held in Newark, N. J., favoring the suffrage amendment; to the Committee on Woman Suffrage.

Also, resolutions of Monmouth County (N. J.) Board of Agriculture, asking legislation to supply the farms with sufficient labor, and urging Congress to immediate action to see that farmers get a sufficient supply of fertilizers; to the Committee on Agriculture.

Also, resolution of Board of Commissioners of Jersey City, N. J., favoring bill providing for increase of salaries of postal employees; to the Committee on the Post Office and Post Roads.

Also, resolution of National Council of American Cotton Manufacturers, favoring liberal appropriations for the Bureau of Foreign and Domestic Commerce, and urging the creation of a bureau to develop and extend American foreign trade; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of International Typographical Union, at Colorado Springs, Colo., protesting against increase in postal rates for second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. STINESS: Petition of 70 citizens of South Kingston, R. I., favoring the Federal woman-suffrage amendment; to the Committee on Woman Suffrage.

Also, a petition of 834 men and women of the second congressional district of Rhode Island, requesting favorable action on the Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. TILSON: Petitions of Frank Goetz Bakery Co. and Messrs. Miner, Reed, and Tullock, of New Haven, Conn., protesting against discrimination by the Government in favor of the American Sugar Refining Co.; to the Committee on Agriculture.

SENATE.

TUESDAY, *January 8, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, amid conditions that try men's souls and that put to the utmost test the fiber of our national life, we bless Thee for the light that shines upon our pathway and for the assurance of our own hearts that we do not hesitate to confess to the world that our desire as a Nation is only to advance the interests of mankind, to establish peace and brotherhood among men, to extend the borders of Thy kingdom in the earth, and to glorify Thy holy name. We pray Thee to further us in our undertakings in Thy name and give us the assurance that Thou art leading us on to victory. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

LIEU-LAND CLAIMS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of December 11, 1917, copies of various papers in connection with forest lieu selection No. 2904, involving lands claimed by Alma De Long and others as entrymen or contestants, which, with the accompanying papers, was referred to the Committee on Public Lands.

PETITIONS AND MEMORIALS.

Mr. THOMPSON presented a petition of Garfield Post, No. 25, Grand Army of the Republic, Department of Kansas, of Wichita, Kans., praying for an increase in the pension of veterans of the Civil War, which was referred to the Committee on Pensions.

Mr. HARDING presented a petition of sundry citizens of Youngstown, Ohio, praying for the establishment of a pharmaceutical corps in the Army, which was referred to the Committee on Military Affairs.

Mr. McLEAN presented a petition of sundry citizens of Farmington, Conn., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. PHELAN presented a petition of the Board of Supervisors of Riverside County, Cal., praying for the enactment of legislation providing for flood control and conservation of waters of Santa Ana River running through the counties of San Bernardino, Riverside, and Orange, in that State, which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Stockton, Cal., praying for the establishment of a military highway from Blaine, Wash., to San Diego, Cal., which was referred to the Committee on Military Affairs.

TUG RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back with amendments the bill (S. 3009) granting the consent of Congress to the P. M. C. Coal Co. to construct and maintain a bridge across Tug River, connecting Pike County, Ky., and Mingo County, W. Va., and I submit a report (No. 186) thereon. I ask for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The amendments were, on page 1, lines 5, 6, 7, and 8, to strike out "in accordance with the provisions of an act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906"; in line 9, after the words "Tug River," to insert "at a point suitable to the interests of navigation"; and, on page 2, line 2, to strike out the words "the said bridge to be constructed," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the P. M. C. Coal Co., and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across Tug River at a point suitable to the interests of navigation, one end of the said bridge being in Pike County, Ky., near the western portal of Hatfield Tunnel of the Norfolk & Western Railway, and the other end of the said bridge being on the opposite side of Tug River, in Mingo County, in the State of West Virginia, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 3426) to empower the President to requisition timber and timber products for war purposes (with accompanying papers); to the Committee on Military Affairs.

By Mr. TILLMAN:

A bill (S. 3427) for the relief of certain ex-paymaster's clerks; to the Committee on Naval Affairs.

By Mr. BORAH:

A bill (S. 3428) granting an increase of pension to Benjamin S. Waggener; and

A bill (S. 3429) granting an increase of pension to Eri C. Tuller; to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 3430) granting a pension to Fred T. Macomber (with accompanying papers);

A bill (S. 3431) granting a pension to Linda H. Lount (with accompanying papers); and

A bill (S. 3432) granting an increase of pension to Martha E. Hammond (with accompanying papers); to the Committee on Pensions.

CALLING OF THE ROLL.

The VICE PRESIDENT. Are there concurrent or other resolutions?

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Chamberlain	Cummins	Fernald
Beckham	Colt	Curtis	Fletcher
Calder	Culberson	Dillingham	Frelinghuysen
Gallinger	Knox	Pomerene	Swanson
Gerry	Lewis	Ransdell	Thomas
Gronna	Lodge	Robinson	Thompson
Hale	McCumber	Shafroth	Tillman
Harding	McKellar	Sheppard	Townsend
Hardwick	McLean	Sherman	Trammell
Hollis	Martin	Shields	Underwood
James	New	Simmons	Vardaman
Johnson, Cal.	Norris	Smith, Ariz.	Warren
Johnson, S. Dak.	Overman	Smith, Ga.	Watson
Jones, Wash.	Owen	Smith, Md.	Williams
Kellogg	Phelan	Smith, S. C.	
Kenyon	Pittman	Smoot	
King	Poindexter	Sterling	

Mr. FRELINGHUYSEN. I desire to announce the unavoidable absence of my colleague [Mr. HUGHES] owing to illness.

Mr. TOWNSEND. I announce the absence of my colleague [Mr. SMITH of Michigan]. He is paired with the Senator from Missouri [Mr. REED]. I will let this announcement stand for the day.

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a concurrent resolution providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 8th day of January, 1918, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them, in which it requested the concurrence of the Senate.

JOINT MEETING OF THE TWO HOUSES.

The VICE PRESIDENT laid before the Senate the following concurrent resolution from the House of Representatives, which was read:

House concurrent resolution 32.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 8th day of January, 1918, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Mr. MARTIN. I move that the Senate concur in the resolution that has just been laid before the Senate.

The motion was agreed to.

SUPPLY OF PRINT PAPER.

The VICE PRESIDENT. Is there further morning business?

Mr. SMITH of Arizona. I ask unanimous consent that the Senate proceed to the consideration of Senate joint resolution 101, the unfinished business.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. GALLINGER. This is a very important matter, and I ask that the joint resolution may be read.

The VICE PRESIDENT. The Secretary will read it.

The Secretary read the joint resolution, as follows:

Joint resolution (S. J. Res. 101) to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of print paper at a fair price and by insuring a supply and equitable distribution at fair prices to the industries of the United States.

Whereas by reason of a state of war now existing it is essential to the national security and defense for the successful prosecution of the war to assure a supply of print paper and its equitable distribution at a fair price in order that the Government of the United States may be assured an adequate supply of paper products and that all proper news may be generally and efficiently disseminated: Now, therefore, be it

Resolved, etc., That the Federal Trade Commission is hereby authorized and empowered to supervise, control, and regulate the production and distribution of print paper and mechanical and chemical pulp in the United States, and that all mills producing and all agencies distributing print paper and mechanical and chemical pulp in the United States shall be operated on Government account; that these products be pooled in the hands of the Federal Trade Commission for the term of the war and the emergency occasioned thereby and equitably distributed at a price based upon cost of production and distribution plus a fair profit per ton, as determined by the Federal Trade Commission: *Provided*, That if the compensation so determined be not satisfactory to the person, company, or corporation entitled to receive the same such person, company, or corporation shall be paid 75 per cent of the amount so determined by the Federal Trade Commission and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation for such paper, and jurisdiction is hereby conferred on the United States district courts to hear and determine all such controversies.

SEC. 2. That the President is authorized and empowered to take all proper steps to secure the cooperation of the Government of the Dominion of Canada in the creation of a similar agency as herein provided, with like functions; and the Federal Trade Commission is authorized and empowered to act in conjunction with such Canadian agency, when appointed to the end of fully effectuating the objects of this act.

SEC. 3. That the President shall have power by proclamation to declare that imports into the United States during the present war emergency of print paper and mechanical and chemical pulp shall be made only on Government account, to or through the Federal Trade Commission, if and whenever he shall determine such step to be necessary in order to fully effectuate the objects of this act.

SEC. 4. That compliance with all orders and regulations of the Federal Trade Commission made in accordance with this act shall be obligatory on any individual, firm, association, company, corporation, or organized manufacturing industry, or the responsible head or heads thereof, and shall take precedence over all other orders and contracts heretofore placed with such individual, firm, company, association, corporation, or organized manufacturing industry; and any individual, firm, company, association, corporation, or organized manufacturing industry, or the responsible head or heads thereof, failing to comply with the provisions of this act shall be deemed guilty of a felony and upon conviction shall be punished by imprisonment for not more than three years or by a fine of not exceeding $50,000, or both.

Mr. SMITH of Arizona. Mr. President, I have had no opportunity to get together the Committee on Printing since this joint resolution was reported. I have had interviews with the Trade Commission and some of the newspaper publishers themselves; and to the joint resolution I wish to offer the amendments which the Secretary will please read as a part of the joint resolution, modifying in a great measure the extreme powers granted in the first instance.

Mr. SMOOT. Mr. President, this is a most important measure, and I ask the Senator if he will not have the amendments printed, because I doubt very much whether he intends to force the passage of the joint resolution to-day. We can then see exactly what effect they will have upon the joint resolution as reported.

Mr. SMITH of Arizona. I would have no objection that the amendments I have placed in the hands of the Secretary be printed, with a new print of the joint resolution with those proposed amendments in it, they being a substitute for certain parts of the joint resolution.

Mr. SMOOT. That will be all right. I should like to have them read now, and then they will go into the RECORD and we can see them to-morrow morning.

Mr. SMITH of Arizona. That is what I was asking.

Mr. SMOOT. My suggestion was they be read and then they may be printed immediately.

Mr. SMITH of Arizona. I have sent to the Secretary the amendments in the order in which they are to be made, and I ask him to read them, so they will appear in the RECORD just exactly as they will appear in the joint resolution.

Mr. SMOOT. That will be all right, then, Mr. President.

Mr. SMITH of Arizona. That is the request I make.

The VICE PRESIDENT. The Secretary will read the amendments.

The SECRETARY. On page 1, after the word "That," in line 3, strike out down to and including the word "empowered," in line 4, and insert in lieu thereof "whenever during the continuance of the war and for six months thereafter the President shall deem it needful, he may direct the Federal Trade Commission." On page 2, after the word "pulp," in line 2, insert the words "and their products." On page 2, strike out the word "all," on line 2, and insert in lieu thereof the word "such." On page 2, line 3, strike out the word "all" and insert in lieu thereof the word "such." On page 2, line 4, after the word "pulp," insert "and their products." On page 2, line 4, after the word "States," insert the following words "as the President shall designate." On page 2, after the comma, in line 18, insert the words "pulp and pulp products." And strike out all of section 3, page 3, and insert in lieu thereof:

That the President, during the present war emergency, shall have power, by proclamation, to declare that such imports of mechanical and chemical pulp and their products as he shall deem necessary in order to fully effectuate the objects of this act, shall be made only on account of the United States of America, to or through the Federal Trade Commission.

So as to make the joint resolution read:

Whereas by reason of a state of war now existing it is essential to the national security and defense for the successful prosecution of the war to assure a supply of print paper and its equitable distribution at a fair price in order that the Government of the United States may be assured an adequate supply of paper products and that all proper news may be generally and efficiently disseminated: Now, therefore, be it

Resolved, etc., That whenever during the continuance of the war and for six months thereafter the President shall deem it needful, he may direct the Federal Trade Commission to supervise control, and regulate the production and distribution of print paper and mechanical and chemical pulp and their products in the United States, and that such mills producing and such agencies distributing print paper and mechanical and chemical pulp and their products in the United States as the President shall designate shall be operated on Government account; that these products be pooled in the hands of the Federal Trade Commission for the term of the war and the emergency occasioned thereby and equitably distributed at a price based upon cost of production and distribution plus a fair profit per ton, as determined by the Federal Trade Commission: *Provided*, That if the compensation so determined be not satisfactory to the person, company, or corporation entitled to receive the same such person, company, or corporation shall be paid 75 per cent of the amount so determined by the Federal Trade Commission and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation for such paper, pulp, and pulp products, and jurisdiction is hereby conferred on the United States district courts to hear and determine all such controversies.

SEC. 2. That the President is authorized and empowered to take all proper steps to secure the cooperation of the Government of the Dominion of Canada in the creation of a similar agency as herein provided, with like functions; and the Federal Trade Commission is authorized and empowered to act in conjunction with such Canadian agency, when appointed to the end of fully effectuating the objects of this act.

SEC. 3. That the President, during the present war emergency, shall have power by proclamation to declare that such imports of mechanical or chemical pulp and their products as he shall deem necessary in order to fully effectuate the objects of this act, shall be made only on account of the United States of America, to or through the Federal Trade Commission.

SEC. 4. That compliance with all orders and regulations of the Federal Trade Commission made in accordance with this act shall be obligatory on any individual, firm, association, company, corporation, or organized manufacturing industry, or the responsible head or heads thereof, and shall take precedence over all other orders and contracts heretofore placed with such individual, firm, company, association, corporation, or organized manufacturing industry; and any individual, firm, company, association, corporation, or organized manufacturing industry, or the responsible head or heads thereof, failing to comply with the provisions of this act shall be deemed guilty of a felony and upon conviction shall be punished by imprisonment for not more than three years or by a fine of not exceeding $50,000, or both.

Mr. SMITH of Arizona. Mr. President, as a concurrent resolution has just been adopted providing that the two Houses shall meet in joint session in the Hall of the House of Representatives at 12.30 o'clock, I ask that the unfinished business be temporarily laid aside.

Mr. MARTIN. That is not necessary. When the Senate returns to its Chamber the measure in charge of the Senator from Arizona will be automatically before the Senate.

Mr. SMITH of Arizona. Then I suggest that some Senator make an appropriate motion.

Mr. MARTIN. That is not necessary.

Mr. GALLINGER. Mr. President, I will ask my friend, the Senator from Arizona, if he is not willing to let this joint resolution go over until to-morrow. I want to look into it with a good deal of care. I apprehend there will be no disposition at all to unduly hold the joint resolution back, but I should like to examine the amendments in connection with the joint resolution, and I want also to communicate with one or two people who are interested in this matter. I have had no time to do so in the last few days.

Mr. SMITH of Arizona. I have no objection to that. I do not wish to attempt to rush the joint resolution through without proper consideration by the Senate. The only objection I have on earth to any delay is the fear that the measure may be displaced by some more important matter.

Mr. GALLINGER. Oh, no.

Mr. SMITH of Arizona. With the understanding that no effort will be made to do that——

Mr. GALLINGER. We will cooperate with the Senator to see that that is not done.

Mr. SMITH of Arizona. With that understanding, I am perfectly willing that the consideration of the joint resolution shall go over until to-morrow, and with the understanding also that the joint resolution will be printed as proposed to be amended.

The VICE PRESIDENT. Just a moment. The Chair can not be a party to making arrangements as to the unfinished business. The hands of the Chair must be clean about this matter.

Mr. GALLINGER. Let the joint resolution be temporarily laid aside.

Mr. SMITH of Arizona. That is the request that I originally made.

The VICE PRESIDENT. The joint resolution will be temporarily laid aside.

JOINT MEETING OF THE TWO HOUSES.

The VICE PRESIDENT. The hour arriving at which, in accordance with the concurrent resolution, the Senate is to proceed to the Hall of the House of Representatives to hear such communication as the President of the United States may be pleased to deliver, the order will now be carried out.

Thereupon the Senate, preceded by its Sergeant at Arms, and headed by the Vice President and Secretary, proceeded to the Hall of the House of Representatives.

At 1 o'clock p. m. the Senate returned to its Chamber and the Vice President resumed the chair.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 765).

The address of the President of the United States, this day delivered at a joint session of the two Houses of Congress, is as follows:

Gentlemen of the Congress, once more, as repeatedly before, the spokesmen of the Central Empires have indicated their desire to discuss the objects of the war and the possible bases of a general peace. Parleys have been in progress at Brest-Litovsk between Russian representatives and representatives of the Central Powers, to which the attention of all the belligerents has been invited for the purpose of ascertaining whether it may be possible to extend these parleys into a general conference with regard to terms of peace and settlement. The Russian representatives presented not only a perfectly definite statement of the principles upon which they would be willing to conclude peace, but also an equally definite programme of the concrete application of those principles. The representatives of the Central Powers, on their part, presented an outline of settlement which, if much less definite, seemed susceptible of liberal interpretation until their specific programme of practical terms was added. That programme proposed no concessions at all either to the sovereignty of Russia or to the preferences of the populations with whose fortunes it dealt, but meant, in a word, that the Central Empires were to keep every foot of territory their armed forces had occupied,—every province, every city, every point of vantage,—as a permanent addition to their territories and their power. It is a reasonable conjecture that the general principles of settlement which they at first suggested originated with the more liberal statesmen of Germany and Austria, the men who have begun to feel the force of their own peoples' thought and purpose, while the concrete terms of actual settlement came from the military leaders who have no thought but to keep what they have got. The negotiations have been broken off. The Russian representatives were sincere and in earnest. They cannot entertain such proposals of conquest and domination.

The whole incident is full of significance. It is also full of perplexity. With whom are the Russian representatives dealing? For whom are the representatives of the Central Empires speaking? Are they speaking for the majorities of their respective parliaments or for the minority parties, that military and imperialistic minority which has so far dominated their whole policy and controlled the affairs of Turkey and of the Balkan states which have felt obliged to become their associates in the war? The Russian representatives have insisted, very justly, very wisely, and in the true spirit of modern democracy, that the conferences they have been holding with the Teutonic and Turkish statesmen should be held within open, not closed, doors, and all the world has been audience, as was desired. To whom have we been listening, then? To those who speak the spirit and intention of the Resolutions of the German Reichstag of the ninth of July last, the spirit and intention of the liberal leaders and parties of Germany, or to those who resist and defy that spirit and intention and insist upon conquest and subjugation? Or are we listening, in fact, to both, unreconciled and in open and hopeless contradiction? These are very serious and pregnant questions. Upon the answer to them depends the peace of the world.

But, whatever the results of the parleys at Brest-Litovsk, whatever the confusions of counsel and of purpose in the utterances of the spokesmen of the Central Empires, they have again attempted to acquaint the world with their objects in the war and have again challenged their adversaries to say what their objects are and what sort of settlement they would deem just and satisfactory. There is no good reason why that challenge should not be responded to, and responded to with the utmost candor. We did not wait for it. Not once, but again and again, we have laid our whole thought and purpose before the world, not in general terms only, but each time with sufficient definition to make it clear what sort of definitive terms of settlement must necessarily spring out of them. Within the last week Mr. Lloyd George has spoken with admirable candor and in admirable spirit for the people and Government of Great Britain. There is no confusion of counsel among the adversaries of the Central Powers, no uncertainty of principle, no vagueness of detail. The only secrecy of counsel, the only lack of fearless frankness, the only failure to make definite statement of the objects of the war, lies with Germany and her Allies. The issues of life and death hang upon these definitions. No statesman who has the least conception of his responsibility ought for a moment to permit himself to continue this tragical and appalling outpouring of blood and treasure unless he is sure beyond a peradventure that the objects of the vital sacrifice are part and parcel of the very life of Society, and that the people for whom he speaks think them right and imperative as he does.

There is, moreover, a voice calling for these definitions of principle and of purpose which is, it seems to me, more thrilling and more compelling than any of the many moving voices with which the troubled air of the world is filled. It is the voice of the Russian people. They are prostrate and all but helpless, it would seem, before the grim power of Germany, which has hitherto known no relenting and no pity. Their power, apparently, is shattered. And yet their soul is not subservient. They will not yield either in principle or in action. Their conception of what is right, of what it is humane and honorable for them to accept, has been stated with a frankness, a largeness of view, a generosity of spirit, and a universal human sympathy which must challenge the admiration of every friend of mankind; and they have refused to compound their ideals or desert others that they themselves may be safe. They call to us to say what it is that we desire, in what, if in anything, our purpose and our spirit differ from theirs; and I believe that the people of the United States would wish me to respond, with utter simplicity and frankness. Whether their present leaders believe it or not, it is our heartfelt desire and hope that some way may be opened whereby we may be privileged to assist the people of Russia to attain their utmost hope of liberty and ordered peace.

It will be our wish and purpose that the processes of peace, when they are begun, shall be absolutely open and that they shall involve and permit henceforth no secret understandings of any kind. The day of conquest and aggrandizement is gone by; so is also the day of secret covenants entered into in the interest of particular governments and likely at some unlooked-for moment to upset the peace of the world. It is this happy fact, now clear to the view of every public man whose thoughts do not still linger in an age that is dead and gone, which makes it possible for every nation whose purposes are consistent with justice and the peace of the world to avow now or at any other time the objects it has in view.

We entered this war because violations of right had occurred which touched us to the quick and made the life of our own people impossible unless they were corrected and the world secured once for all against their recurrence. What we demand in this war, therefore, is nothing peculiar to ourselves. It is that the world be made fit and safe to live in; and particularly that it be made safe for every peace-loving nation which, like our own, wishes to live its own life, determine its own institutions, be assured of justice and fair dealing by the other peoples of the world as against force and selfish aggression. All the peoples of the world are in effect partners in this interest, and for our own part we see very clearly that unless justice be done to others it will not be done to us. The programme of the world's peace, therefore, is our programme; and that programme, the only possible programme, as we see it, is this:

I. Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view.

II. Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

III. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

IV. Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

V. A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined.

VI. The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs

as distinguished from their own interests, and of their intelligent and unselfish sympathy.

VII. Belgium, the whole world will agree, must be evacuated and restored, without any attempt to limit the sovereignty which she enjoys in common with all other free nations. No other single act will serve as this will serve to restore confidence among the nations in the laws which they have themselves set and determined for the government of their relations with one another. Without this healing act the whole structure and validity of international law is forever impaired.

VIII. All French territory should be freed and the invaded portions restored, and the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine, which has unsettled the peace of the world for nearly fifty years, should be righted, in order that peace may once more be made secure in the interest of all.

IX. A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality.

X. The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.

XI. Rumania, Serbia, and Montenegro should be evacuated; occupied territories restored; Serbia accorded free and secure access to the sea; and the relations of the several Balkan states to one another determined by friendly counsel along historically established lines of allegiance and nationality; and international guarantees of the political and economic independence and territorial integrity of the several Balkan states should be entered into.

XII. The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development, and the Dardanelles should be permanently opened as a free passage to the ships and commerce of all nations under international guarantees.

XIII. An independent Polish state should be erected which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.

XIV. A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike.

In regard to these essential rectifications of wrong and assertions of right we feel ourselves to be intimate partners of all the governments and peoples associated together against the Imperialists. We cannot be separate in interest or divided in purpose. We stand together until the end.

For such arrangements and covenants we are willing to fight and to continue to fight until they are achieved; but only because we wish the right to prevail and desire a just and stable peace such as can be secured only by removing the chief provocations to war, which this programme does remove. We have no jealousy of German greatness, and there is nothing in this programme that impairs it. We grudge her no achievement or distinction of learning or of pacific enterprise such as have made her record very bright and very enviable. We do not wish to injure her or to block in any way her legitimate influence or power. We do not wish to fight her either with arms or with hostile arrangements of trade if she is willing to associate herself with us and the other peace-loving nations of the world in covenants of justice and law and fair dealing. We wish her only to accept a place of equality among the peoples of the world,—the new world in which we now live,—instead of a place of mastery.

Neither do we presume to suggest to her any alteration or modification of her institutions. But it is necessary, we must frankly say, and necessary as a preliminary to any intelligent dealings with her on our part, that we should know whom her spokesmen speak for when they speak to us, whether for the Reichstag majority or for the military party and the men whose creed is imperial domination.

We have spoken now, surely, in terms too concrete to admit of any further doubt or question. An evident principle runs through the whole programme I have outlined. It is the principle of justice to all peoples and nationalities, and their right to live on equal terms of liberty and safety with one another, whether they be strong or weak. Unless this principle be made its foundation no part of the structure of international justice can stand. The people of the United States could act upon no other principle; and to the vindication of this principle they are ready to devote their lives, their honor, and everything that they possess. The moral climax of this the culminating and final war for human liberty has come, and they are ready to put their own strength, their own highest purpose, their own integrity and devotion to the test.

SUPPLY OF PRINT PAPER.

Mr. SMITH of Arizona. I ask unanimous consent that Senate joint resolution 101, the unfinished business, be taken up and proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 101) to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of print paper at a fair price and by insuring a supply and equitable distribution at fair prices to the industries of the United States.

Mr. SMITH of Arizona. Mr. President, if the Senate will indulge me with its attention I will briefly—and I hope clearly—explain the purpose of the joint resolution now before us for consideration, and the abuses which led up to the favorable report by the Committee on Printing, which I have had placed on the desks of Senators for a more detailed history of the facts than I feel justified in giving in the brief time I shall consume in this statement of the case.

First. The resolution authorizes the Federal Trade Commission to supervise and control and regulate the production and distribution of print paper and mechanical and chemical pulp in the United States, and all mills making either in the United States shall be operated on Government account during the war, and the products equitably distributed at a fair price by the commission to the Government and other users of the commodity.

As to that I have offered amendments, as the reprint of the joint resolution to-morrow will show.

Second. The President is authorized to secure the cooperation of Canada in the creation of a similar agency, and the Trade Commission empowered to act in conjunction with such agency to fully effectuate the objects of this act.

Mr. GALLINGER. Will the Senator permit me? What will be the status of this matter if Canada declines to proceed along the line the joint resolution proposes we shall adopt?

Mr. SMITH of Arizona. It would result probably in a refusal to permit Canada to import, as the joint resolution further provides.

Mr. GALLINGER. Does the Senator really think that we will ever reach that point?

Mr. SMITH of Arizona. I do not think we will.

Mr. GALLINGER. To prohibit the importation of anything from the Dominion of Canada?

Mr. SMITH of Arizona. I do not think there will be the least trouble. Canada is selling to-day for 2½ cents to their papers and selling to the American papers at 9 and 10 cents.

Mr. GALLINGER. And equally so with American manufacturers.

Mr. SMITH of Arizona. I know; but we stopped them in a suit; and they pleaded guilty and paid a fine.

Third. The President can, during the war, prevent the importation of print paper or pulp from Canada, except such as is consigned to our Government account, whenever he shall determine such step necessary to effectuate the objects of this act.

Fourth. Plenary power is given the Trade Commission in the premises and severe penalties imposed on those persons or firms failing to comply with the provisions of this act.

It will be observed on reading the resolution that it is made to conform to the views of Congress as expressed in the food-control act in authorizing suits in the United States Court in case the price set by the commission is deemed unfair to the manufacturer. The penalty clause of the resolution finds a just precedent in the national defense act, where like penalties are prescribed in the purchase of military supplies.

Mr. President, there is no doubt of the great and extraordinary powers conferred on the Government of the United States and its instrumentalities in this resolution—powers which if proposed in time of peace or under normal conditions would find no advocate on this floor. But this is no time of peace, and every condition is intensely abnormal. A free press in a Government like ours is absolutely essential not only to the preservation of our liberties but to our very existence as a Government. It is essential as a war measure that the press of the country shall not be suppressed. The general enlightenment of the people is the only guarantee of perpetuity of this Republic. At this time under these conditions, where patriotic

nerve is strained to meet the almost boundless requirements of our country not only in personal service, in taxes, but in life offering itself, we stand appalled before that infamy that would reap personal unearned gain from the country's distress. I have as much respect for a common thief—yes, more than I have for any man or set of men who raise at this time the price of any needed commodity above a fair and legitimate profit. The poor and hungry thief may have some excuse for stealing bread, and his case appeals to human sympathy; but the rich thief, who does not need to plunder, yet steals from the public without mercy and without shame merely to swell his own plethoric pocket and roll in more opulence amid the envy and pain of surrounding want, deserves as little mercy as he shows for others as he moves along this path so nearly touching treason.

Mr. GALLINGER. Will the Senator permit me a question?

Mr. SMITH of Arizona. Certainly.

Mr. GALLINGER. The Senator recalls the fact that when this joint resolution was introduced and when it was reported I was absent from the city in consequence of illness. I wish to ask the Senator, because I have not the information at hand, whether any hearing was had on the joint resolution?

Mr. SMITH of Arizona. There was. The members of the Trade Commission were before the committee.

Mr. GALLINGER. But were the parties interested, the paper manufacturers and dealers, invited to appear before the committee?

Mr. SMITH of Arizona. They were not. They were invited to appear before the commission at the time of the report. On the part of the committee, on my part at least, there was no inclination to extend an invitation to them to appear when they had already been invited to appear before the Trade Commission and give all the reasons they had, if any, against the report of the commission and against this proposed legislation.

Mr. GALLINGER. Then I will ask the Senator further, if he will permit me, if the interested parties were heard before the Trade Commission, was that hearing put in print?

Mr. SMITH of Arizona. Oh, yes.

Mr. GALLINGER. Is the testimony those men gave available?

Mr. SMITH of Arizona. We have the report of the commission itself and the correspondence between them.

Mr. GALLINGER. That is the opinion of the Trade Commission, but was the position that those men took, with the representations they made to the Trade Commission, ever put in print?

Mr. SMITH of Arizona. I have no doubt it was. I do not know whether it was or not.

Mr. SMOOT. No.

Mr. GALLINGER. I have not been able to find it.

Mr. SMITH of Arizona. I will tell you what was put into the matter to show what they themselves confess they did, and that they themselves rendered a plea of nolle contendere in one of the most infamous trusts and robberies ever perpetrated upon the American people.

Mr. GALLINGER. The word "trust" is a familiar one.

Mr. SMITH of Arizona. I will show that before I get through, if the Senator will bear with me.

The price of print paper becoming so high and no just cause appearing for the great increase in price, the Senate on April 24, 1916, by resolution directed the Federal Trade Commission to make an investigation of the news-print industries and ascertain whether the price demanded for print paper was justified. The report of the commission is found in Senate Document 49. Read that report and see to what extent impudent and lawless greed can go. The Senator will be enlightened if he will obtain a copy of it. The facts set forth in this report caused the indictment of the members of the News Print Manufacturers' Association in the United States District Court for the Southern District of New York, and on trial which occurred on the 26th of November, 1917, certain of the defendants on a plea of nolle contendere, were found guilty of violation of the antitrust law, and by a consent judgment the defendants Ed. W. Backus, representing two companies; George H. Meade, Spanish River Co.; George Cahoon, Laurentide Co.; F. J. Sensenbrener and Philip T. Dodge, International Paper Co., were found guilty and fined in the sum of $2,500 each and the trust known as the News Print Manufacturers' Association was dissolved by decree of the court and the defendants entered into an agreement of record whereby they were bound until April 1, 1918, to furnish the print paper to the users thereof in rolls by carload lots at $3 per hundred pounds, f. o. b., and that after said date they would furnish their product at a price to be fixed by the Government, through the Trade Commission.

That this agreement does not give adequate relief is clearly set forth in the following letter received by me from Mr. Colver, of the Trade Commission:

FEDERAL TRADE COMMISSION,
Washington, December 13, 1917.

Hon. MARCUS A. SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: We have received your letters of December 8 and December 11, 1917, in regard to the advisability of action on Senate resolution 101. The copy of our letter to Senator KELLOGG, which I took the liberty of forwarding to you, was not sent in response to your inquiry of December 8, but because I knew that you would be interested in our view regarding this matter, being the author of the bill which embodies substantially the recommendations made in our final report.

The letter to Senator KELLOGG, however, covers the matter pretty fully. The agreement which the Department of Justice entered into with certain news-print manufacturers relates only to the price of their news-print paper. It gives no control over the price or distribution of other grades of printing paper, such as book paper, and no control over the price and distribution of chemical and mechanical pulp, which are the principal materials used in making paper. Thus far only three companies in the United States and six or seven in Canada have joined in the agreement. Our last information is that one of the Canadian companies which signed the agreement is undertaking to disavow the act of its representative and withdraw its consent.

The necessity for the enactment of your bill depends upon the conditions of production and consumption which shall prevail and in these abnormal times it seems impossible to foretell accurately what changes the next few months will bring. The best informed persons in the industry differ radically regarding the future course of the market. Because of the uncertainties in the situation it seems to us that the wisest course is to have this legislation enacted at the earliest opportunity. If the commission finds that it can control the situation without the exercise of the powers granted thereby, it will not invoke them. The mere possession of such powers to be used in case of emergency would in itself help to give assurance and stabilize conditions.

If you should desire to have us do so, we would be glad to appear before your committee at any time to give whatever information we can relative to this matter.

Very truly, yours, WILLIAM B. COLVER,
Commissioner.

The letter sent to the Senator from Minnesota [Mr. KELLOGG] is as follows:

DECEMBER 6, 1917.

DEAR SIR: The commission has your inquiry of December 3, 1917, regarding the present status of the print-paper matter.

In connection with our investigation of the news-print-paper industry, we obtained certain records tending to show violation of the Sherman law, which were turned over to the Department of Justice in January, 1917. Largely on the basis of this evidence the Department of Justice secured indictments against a number of news-print manufacturers in April, 1917. The case came to trial in November, and after the jury had been drawn a settlement was reached. The indicted manufacturers entered a plea of nolle contendere and signed an agreement with the Attorney General providing, among other things, that the price of their standard news print would be $3 per hundred pounds f. o. b. mill for rolls in carload lots from January 1 to April 1, 1918, after which date the price on all grades of news print should be determined by the Federal Trade Commission for the continuance of the war.

This agreement will give the commission control over the news-print paper prices of three manufacturers in the United States and six or seven in Canada, who have signed it. The agreement gives the commission no control over the distribution of news-print paper or over the price and distribution of chemical and mechanical wood pulp from which the paper is made. If as a result of abnormal conditions a severe shortage should occur the commission would be unable to prevent those publishers who were not protected by contracts from suspending publication. If, on the other hand, the production keeps pace with consumption the powers conferred upon the commission by the agreement will be sufficient to accomplish much good.

It may be that your inquiry is moved by the pending Smith bill, which was reported favorably by the Committee on Printing. The commission feels that the enactment of this bill will be of great benefit. Should conditions improve and become tolerable the law need not be invoked; should they become intolerable, on the other hand, it will be well to have the law ready to hand. If the law is enacted that very fact will tend to make its invocation unnecessary.

Very truly, yours,
FEDERAL TRADE COMMISSION.

I see no need of amplifying the statement thus clearly made in these letters. The decree dissolving the trust and the agreement between the manufacturers and the Government each went a great way in breaking the strangle hold these "gentlemen" had on the throats of their victims, but did not by any means give the full relief to which the Government and all other purchasers of print paper were and are entitled.

The intolerable condition of the print-paper purchasers before the report of the Trade Commission was made public is fully set forth in Senate Report No. 49, Sixty-fifth Congress, first session, and the facts are also fairly well collected in the report on this resolution.

I have these facts to which I have just alluded before me, and I read them.

Before submitting its report to the Senate the Trade Commission undertook an arbitration between the manufacturers of print paper and the publishers whereby immediate relief might be had on a basis that would prevent serious financial distress and injury to the publishers and at the same time assure a fair

compensation to the manufacturers of paper. In the course of this negotiation the principal manufacturers of news-print paper submitted a formal proposition to the commission requesting it to fix upon a fair and reasonable price for their product and agreeing to abide by such findings. The commission promptly fixed upon 2½ cents per pound, car lots, f. o. b. mill, as a fair and reasonable price for news-print paper, but, subsequent to this finding, several of the largest manufacturers withdrew from the arbitration and no substantial or permanent relief has yet been obtained for the newspaper publishers. However, the Government itself has profited from the findings of the Trade Commission in that the President, at the suggestion of the Joint Committee on Printing, has exercised his authority under the national-defense act to purchase news-print paper required for certain war publications at the price fixed upon by the Trade Commission. Therefore it seems all the more important that Congress should not delay longer in securing the same measure of justice for the newspaper publishers of the country.

There are 2,000 small dailies and some 14,000 weekly newspapers in the United States that have to depend largely on the open market for their supplies of news print. In the latter part of 1916 many of these smaller papers had extreme difficulty in obtaining a supply of paper except at prices which, if maintained, will drive them out of business, and yet the Federal Trade Commission, which spent more than a year investigating the news-print situation, reports to Congress that—

The efforts of the commission to restore competitive conditions in the news-print industry expeditiously and to arbitrate and effectively project a fair price for news-print paper have failed.

The Federal Trade Commission in its report states that at prices now prevailing news print will cost the publishers in 1917 more than $105,000,000, which is an increase of $35,000,000, or 50 per cent. The commission further declares that one-half of this $35,000,000 increase in paper cost, or $17,500,000, alone represents additional profits to the manufacturers.

VAST PROFITS OF PAPER COMPANIES.

The International Paper Co., of New York, which produces nearly 40 per cent of the news print made in the United States, and thereby largely fixes its price, is reported to have added $7,465,827 to its profits in 1916, an increase of $4,344,146 over its profits for 1915. It is likewise interesting to note that the common stock of the International Paper Co. jumped from 9½ to 75½ in 1916 and recently was quoted around 35, while its preferred stock ranged in 1916 from 42½ to 109½, the current quotations being about 65. Unless Congress takes some such action as here proposed, the International will likewise get the lion's share out of the $17,500,000 of additional profits, which the Federal Trade Commission reports are in sight this year for the news-print manufacturers.

In connection with the vast profits now being made by the manufacturers of news-print paper the report of the committee on paper of the American Newspaper Publishers' Association states:

There is not a single paper mill which has been built in the United States or Canada in the last 10 years which has not made 15 to 20 per cent on the money invested. The very fact that stock jobbers and watered-stock promoters are able to get away with so much in the paper business is prima facie evidence that the margins are more than liberal. Many companies have millions of dollars of water stock, which was only promotion and organization bonus stock. Under the liberal profits being made this stock is in many cases worth away above par.

That the News Print Manufacturers' Association at the time of the indictment of its members was an impudent, lawless, unconscionable trust is fully shown in the record of the trial of these freebooters. The indictment to which the defendants entered the plea "nolo contendere" set forth the following amazing facts. They agreed among themselves in carrying on their business and trade—

(a) To refrain from competing with each other for new customers for their paper;

(b) To refrain from competing with each other as to the quality of paper to be sold in said trade and commerce;

(c) To refrain from competing with each other as to delivery of, and furnishing storage for, paper sold but not delivered;

(d) To refrain from competing with each other as to terms of credit, rate of interest upon open accounts, the dates of the beginning and ending of contract years, the methods of making sales of such paper through salesmen, dealers, and jobbers, the payment of return freight upon the cores upon which their paper should be wrapped, payment of charges for cartage, and allowing of claims for waste or damaged paper;

(e) To engage in simultaneous representations to the public, to their customers, and to each other, of alleged increased cost of manufacture and of alleged shortages of such paper;

(f) To manufacture insufficient quantities of such paper;

(g) To cooperate in discouraging the erection of new mills or the installation of new machinery for the manufacture of such paper;

(h) To cooperate in preventing new concerns from competing with the corporate defendants by transferring orders and contracts for such paper to new concerns on condition that such new concerns should not compete with the corporate defendants;

(i) To cooperate in preventing other manufacturers of news-print paper from competing with the corporate defendants;

(j) To furnish from time to time to said News Print Manufacturers' Association, at 18 East Forty-first Street, in the Borough of Manhattan, and in said southern district of New York, for the information of the individual defendants. Full and complete information and data concerning their contracts with their customers and the quantity of such paper manufactured, carried in stock, or sold by them in relation to the capacity of their several plants and other details of their several businesses.

BAR TO COMPETITION.

(6) The corporate defendants submitted to such regulations, rules, and decisions, in the carrying on of their said trade and commerce, notwithstanding the fact that because the corporate defendants were independent of each other, they should and, but for said unlawful combination, they would have competed freely and fully with each other as to all said matters and should and would have conducted their said trade and commerce free from such regulations, rules, and decisions.

Mr. JOHNSON of South Dakota. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Arizona yield to the Senator from South Dakota?

Mr. SMITH of Arizona. I yield.

Mr. JOHNSON of South Dakota. I wish to ask the Senator when these associations reached this agreement among themselves, if he knows?

Mr. SMITH of Arizona. Here it is [exhibiting]. I have the proceedings of the trial contained in the Editor and Publisher. It is as follows:

In the spring of 1915, at the suggestion of the defendant, Sensenbrenner, and with the cooperation of the other defendants, the organization which they had up to that time was done away with and this new organization was inaugurated, known as the News Print Manufacturers' Association, and Steele was appointed as its manager, at the rather moderate stipend, considering his duties, of $24,000 a year salary.

They did not know whether they ought to incorporate or not, in order to carry out the purposes, but they concluded to act as a company without incorporation, and appointed a general manager and five directors. They sent directions to each of the paper manufacturers to return reports on the cost of producing paper, and not to be particular in making it too low, but to report to the world the highest possible cost they could squeeze out of it, so as to show the necessity for this raise which they contemplated and the raise that they did make.

Mr. JOHNSON of South Dakota. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona further yield to the Senator from South Dakota?

Mr. SMITH of Arizona. Yes.

Mr. JOHNSON of South Dakota. Certainly the statement which the Senator has made is a most remarkable one and discloses a remarkable condition of affairs which it is the duty of this Congress to put an end to.

Mr. SMITH of Arizona. Here [exhibiting] is what one of the investigators states, and it is stated by the attorney who tried the case also:

I have calculated, in the light of the Federal Trade Commission's report, that these defendants, the news-print manufacturers, have reaped a profit of at least $15,000,000 in a short period of time; and it seems to me that to let anybody else throughout this industrial country know that in order to make $15,000,000 worth of exorbitant profits in contravention of the law, all you have to do is to incur a fine of $5,000.

They agreed to pay $2,500 and have the case dismissed, and that they would enter into this agreement, which they did enter into with the Federal Trade Commission.

Mr. HOLLIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from New Hampshire?

Mr. SMITH of Arizona. I do.

Mr. HOLLIS. I should like to inquire of the Senator if this very astonishing agreement which he has read to the Senate was in writing and signed by the parties to it?

Mr. SMITH of Arizona. No; it was not in writing signed by the parties, but it was ascertained from the facts which were disclosed by the record, and which the Trade Commission found did exist, and it was made the charge in the indictment in which

they plead nolle contendere. They have not denied a line of it nor have they denied a single one of the facts which were set out in the report of the Trade Commission, to which I have alluded, when they were indicted and appeared in court, nor from that day to this have they denied a single allegation of fact which the Trade Commission has made against them, even as to the absolutely unearned profits of $17,000,000 which they reaped.

Their conduct is particularly conspicuous in comparison with the views expressed by other American business men who, at the recent Atlantic City convention of the Chamber of Commerce of the United States, adopted resolutions urging Government price fixing for all essential products, not only in sales to the Government but to the public as well, and advocating a general Government purchasing department, which, in addition to fixing prices, would have power to distribute the output of industries in a manner most necessary to the conduct of the war. The resolutions adopted by the Chamber of Commerce of the United States gave further expressions to the loyalty of the business men, as follows:

It is the spirit of American business, that however fundamental may be the change in the relation of Government to business, the Government should have the power during the period of the war to control prices and the distribution of production for public and private needs to whatever extent may be necessary for our great national purpose.

The resolution giving the Federal Trade Commission power to supervise, control, and regulate the production and distribution of print paper is in full accord with the position taken by these patriotic American business men at their Atlantic City convention.

The demand for favorable action on the pending resolution comes from nearly every newspaper in the country.

I had presented to me this morning a petition from newspapers of every State in the Union, and I think from every congressional district, and they are not half of those who have also petitioned for the passage of this joint resolution, as they have said, through the trade press. I have copies of the petitions somewhere in my desk of 800 or more of the local newspapers which have paid or attempted to pay the price these people were charging them and whose editors are asking relief from these unconscionable exactions.

The press of the country and the Government itself are entitled to fair play and just treatment in regard to this great necessary product. This resolution will afford proper relief without injury to just trade.

By indorsing the proposition for Government control over the production and distribution of print paper during the war the newspaper publishers have indicated that they have no fear whatever of the Government censorship under such plan. What the newspapers do fear, and justly so, is that their very existence may be placed in jeopardy by the paper combine, which already, by its greed for excessive profits, has forced hundreds of the smaller newspapers throughout the country to discontinue publication. Could any Government censorship be more drastic or fatal to a free press than that which the indicted paper clique already has exercised for their own selfish interest?

The committee submits the resolution for the consideration of the Senate with the question whether it is better to safeguard the continuance of a free press in this country by assuring it an adequate supply of print paper at a fair and reasonable price or whether to permit a further increase in the excessive profits of the paper industry, which the Federal Trade Commission declares is about to exact $17,500,000 more in excessive profits from the American publishers who are loyally and patriotically supporting their Government in this fateful hour?

Mr. LEWIS. Seventeen million dollars annually?

Mr. SMITH of Arizona. Yes, sir; $17,000,000 annually; $13,000,000 or so in about six months.

Mr. President, I shall not detain the Senate much longer, but there is one thing to which I should like to call attention before I forget it.

Mr. GALLINGER. If he desires to put something more into the RECORD, I shall not interrupt until he does so.

Mr. SMITH of Arizona. I have not given up the floor at all.

Mr. GALLINGER. Mr. President, as I said a moment ago, and I beg to reassure the Senator from Arizona, I do not propose to present any factious opposition to this measure. If it is wise, I want to vote for it just as much as does the Senator from Arizona; but I want some information. In the daily press of Washington I find this clipping:

Commissioner W. B. Colver, of the Federal Trade Commission, announced to-day—

That was two days ago, I think—

that plans were rapidly maturing for the hearings beginning January 7 in connection with the news-print price agreement, which several manufacturers recently made with the Department of Justice. A general invitation has been extended to all publishers and jobbers to participate and from replies it is expected a large number will attend. The manufacturers will present information supplementary to their cost reports bearing on such matters as the hazards of the business, methods of determined wood costs, and depreciation charges. It is probable that information will also be given on what is a fair investment in the business and what is a fair rate of profit on such investment.

The afternoon of January 9—

That is to-morrow—

has been set for a conference with the jobbers, at which the provisions of the agreement in which they are interested will be considered.

So it seems, Mr. President, that while we are considering this joint resolution the Federal Trade Commission is having a hearing, and they are having a hearing, as I understand—if I am wrong the Senator from Arizona will correct me—on an agreement that was reached between the Attorney General of the United States and the manufacturers and jobbers of news-print paper that they will furnish during the war news-print paper at a price satisfactory to the Department of Justice. Is that a fact?

Mr. SMITH of Arizona. Not altogether. It is true that the investigation is still going on. There is, however, no necessity for investigation in regard to the agreement, for that is of record. That agreement promised on the part of the paper makers that they would furnish paper f. o. b. at 3 cents a pound at the mill up to the 1st day of April next, and, in consideration of the dismissal of the indictment, when they accepted a moderate fine and the dissolution of their trust, they agreed that after the 1st day of April the Federal Government, through the Federal Trade Commission, should set the price of roll print paper. It applies to nothing else. I have a letter received a few days ago from Mr. Colver in regard to the joint resolution itself, and I saw him yesterday.

I imagine that what the Post alludes to is that there may be under way a preliminary investigation as to what is the fairest and best thing to do when this agreement of record shall have expired. I imagine that is the reference. Otherwise the Trade Commission is anxious for the passage of this measure. It is less drastic than originally drawn, as the Senator will perceive from the amendments which have been offered to the joint resolution. It has no purpose to take control, except where it becomes essential to take control. So, I take it, that the proposed legislation very much will relieve the situation. Mr. Colver, of the Trade Commission, hoped that with the power given them they could probably negotiate with the paper men, acting in perfect frankness, and they could set reasonable prices, satisfactory both to the publishers and to the manufacturers of paper. My hope is that they can do so, and I believe they will do so. I am certain they can do so under this resolution.

Mr. GALLINGER. Mr. President, does not the Senator think that they can do so without passing this joint resolution?

Mr. SMITH of Arizona. No, sir; for two of the gentlemen in the agreement, or one of them at least, already, as I am informed, has been trying to back out of it; and I see also that 67 or 68, instead of 6 or 7, have now begun to join together in some kind of an understanding. The dissolution of the Paper Trust strikes me on its face as being something like the dissolution of the Beef Trust, when the packers quit the Beef Trust, but became a Stockyards Trust, which is much more prolific of trouble than was the original trust.

Mr. GALLINGER. I will join with the Senator in the expressed belief that the dissolution of the great trusts has not done the American people much good.

Mr. SMITH of Arizona. Not much.

Mr. GALLINGER. Now, I want to ask the Senator one or two questions——

Mr. BORAH. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. LEWIS in the chair). Does the Senator from Arizona yield to the Senator from Idaho?

Mr. SMITH of Arizona. Certainly.

Mr. BORAH. What trust has been dissolved?

Mr. GALLINGER. We have been told that the Standard Oil Trust was dissolved on a certain occasion, although I believe the Standard Oil Co. has prospered more than ever before because of that wonderful dissolution that took place. I wanted to ask the Senator from Arizona one or two other practical questions, and I do not do it to annoy the Senator.

Mr. SMITH of Arizona. I appreciate that fact.

Mr. GALLINGER. The Senator is always courteous, and I want to be equally so. Has the Senator information that at the present time print paper is being sold in the United States at from one-half to one-third of the price which is being paid for it in Great Britain to-day?

Mr. SMITH of Arizona. I know that is not true, so far as the record and the investigations made in respect to Canada show. In that country print paper is sold a good deal cheaper than in the United States.

Mr. GALLINGER. I am talking about Great Britain.

Mr. SMITH of Arizona. I presume that Great Britain has great difficulty in getting news-print paper at any price. I doubt whether she can get it at all.

Mr. GALLINGER. One other point: The Senator has improved the joint resolution beyond a doubt by the amendments which he has offered. Has the Senator given very careful consideration to the question of withholding a portion of the price and sending these people to the courts to establish their rights to some added compensation? The Senator is a business man and he must know that that provision will work great hardship to these people. They may not get money enough to pay the cost of manufacture if they only get two-thirds, and they will probably be forced into the market to secure capital, which is not an easy matter to do at the present time. The Senator may not answer this, but I want him to give consideration to the question whether or not when the Government or somebody arbitrarily fixes the price at which these people shall sell their product and they have no redress from that they ought not to be given the entire amount awarded to them by this arbitrary tribunal?

Mr. SMITH of Arizona. No; I do not think so, and I do not think the Senator will think so if he will reflect a moment.

Mr. GALLINGER. I have reflected.

Mr. SMITH of Arizona. It would cause them to begin speculating in the decisions of the courts from the very start; they would get all the money accorded them and gamble on getting more. It is a matter of merely providing that a fair amount of the money shall be held back. I am not particular about the amount being 25 per cent. If that is thought to be too much, let it be changed, although, as a general rule, in dealing with the Government on disputed accounts that is the amount withheld. A provision to that effect has been put in several bills recently.

Mr. GALLINGER. It has been done in some cases, yes.

Mr. SMITH of Arizona. I presume the Senator is alluding probably to the fact set forth by the grand mogul of the paper companies, Mr. Philip T. Dodge, the president of the International Paper Co., in which he states, in a letter of recent date, that no mill in America could remain out of bankruptcy under this provision. If they were getting full compensation—grant that they were—and they concluded that they wanted to sue, as it is not impossible with men who did what these gentleman did to get money, they would probably not hesitate to sue for all they thought they could get.

In this connection, in regard to injuring the industry, I should like to say, in answer to Mr. Dodge's letter—and if I had had time I would have answered him respectfully—that these people never denied one fact brought out by the Trade Commission. I am informed that they were asked to come before the Trade Commission, and that their own financial reports show that their profits were just about what the Trade Commission said they were; that is, some $17,000,000, or in excess of 19 per cent. They did not deny the allegation that they made a profit of this amount. I thought perhaps that out of the $17,000,000—and $13,000,000 previously—they had probably saved enough to enable them to stand the holding back of 25 per cent on a disputed account. However, I am not so anxious that the amount withheld shall be 25 per cent. All I want is something to deter them from gambling in lawsuits and that is all it amounts to.

Mr. GALLINGER. Mr. President, I am glad to hear the Senator say that he has not fixed in his mind that the amount ought to be 25 per cent. These men may have saved a good deal of money. I do not know anything about that; but they have been in the hands of the Attorney General, and the courts are open to prosecute them. They were found to be a trust. I do not know whether the trust was dissolved or not. I believe the Senator says it was; but I really do not think that in our legislation we ought to penalize them because they may have saved a little money, which very likely they have lost between that time and now, for they may have gone into some other speculation that was not so profitable.

I simply wanted the Senator's opinion on that point, and he has given it frankly. I do think that it may prove to be a great hardship, especially to the smaller concerns—and we have a great many of them in the United States—to be compelled to live under a provision—a penalizing clause, I would call it—that they can only be paid a portion of what is adjudged to be their right and that then they can go to the courts, and, if they can supply money enough and live long enough and employ lawyers enough, they may get something further.

Mr. President, I think upon candid reflection the Senator will not feel that he ought to disassociate the men who are engaged in this business from all the rest of the people of this country and declare them to be rogues and scoundrels and violators of law, and hence that they have no place before the Congress of the United States when they appeal to us to give them what they, I think, feel is fair play. I do not know one of them; I have not seen one of them, now or in the past, and hence I hold no brief for them. I want to vote fairly on this question, but I want to vote intelligently. That is the reason why I asked the questions that I have asked, and for no other purpose.

Mr. SMITH of Arizona. I think the Senator will bear me out, as far as he has noticed my record, in the statement that I have never been one of those yelling about somebody because he had money; but it is not altogether wrong, and I do not think even the subject of criticism, to call attention to the conduct of men who in the stress of occasions like this use their combined power to oppress. They certainly did it or they would not have paid the fines and consented to the dissolution of their organization as they did.

I shall incorporate the judgment of the court in that case in the RECORD with my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

This cause came on to be heard at this term and was argued by counsel; and thereupon, upon consideration thereof, and upon the consents hereto in writing and in open court by the defendants, George H. Mead, Philip T. Dodge, George Chahoon, jr., Gordias H. P. Gould, Edward W. Backus, Alexander Smith, Frank J. Sensenbrenner, Abitibi Power & Paper Co. (Ltd.), Belgo-Canadian Pulp & Paper Co. (Ltd.), Brompton Pulp & Paper Co., Donnacona Paper Co. (Ltd.), Gould Paper Co., International Paper Co., Kimberly-Clark Co., Laurentide Co. (Ltd.), Minnesota & Ontario Power Co., Price Bros. & Co. (Ltd.), and Spanish River Pulp & Paper Mills (Ltd.), and upon the unanimous resolution of the executive committee of the News Print Manufacturers' Association consenting to the dissolution of said association and consenting to this decree, and said consents having been duly given by their respective solicitors to the entry of this decree before any testimony has been taken, it was ordered, adjudged, and decreed as to said defendants so consenting as follows, viz:

(1) Defendants, by becoming and acting as members of the News Print Manufacturers' Association, have entered into and engaged in an unlawful combination in restraint of trade and commerce in news-print paper among the several States and with foreign nations in violation of the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies."

(2) The News Print Manufacturers' Association is an unlawful combination of the defendants in restraint of the trade and commerce in news-print paper among the several States and with foreign nations in violation of said act of July 2, 1890, and said News Print Manufacturers' Association shall be, and it hereby is, dissolved.

(3) Each corporate defendant is hereby perpetually enjoined from carrying into further effect the combination hereby dissolved and from entering into or engaging in any like combination having for purpose or effect (a) the elimination or restriction by concert of action of competition in news-print paper, or (b) the concerted working for materially higher prices for news-print paper, or (c) the establishment by concert of action of uniform prices, terms, or conditions for the sale of news-print paper, or (d) the concerted working to discourage others from manufacturing news-print paper.

(4) Each corporate defendant is hereby perpetually enjoined from entering into any combination, agreement, understanding, or concert of action with any other corporate defendant or with any other manufacturer of news-print paper having for purpose or effect (a) to limit or restrict itself as to the customers to whom it should sell or offer to sell news-print paper, (b) to limit or restrict itself as to the quality or quantity of news-print paper it should make or sell, (c) to limit or restrict itself as to the service it should render to its customers or the prices, terms, or conditions upon which it should sell or offer to sell news-print paper.

(5) The injunctions herein contained against the corporate defendants shall apply to and be binding upon such corporations and their respective officers, directors, agents, and employees and all other persons, firms, or corporations acting under, for, or in behalf of them, or any of them, or claiming so to act.

(6) Each individual defendant is hereby perpetually enjoined from entering into, engaging in, or carrying into further effect any contract, combination, or conspiracy having for purpose or effect to regulate, dominate, or restrict the trade or commerce in news-print paper of any person, firm, or corporation other than the firms or corporations with which such individual defendant is or may be connected as an officer, agent, or employee.

(7) Nothing herein contained shall prevent the defendants from entering into and performing a certain contract of even date with the Attorney General of the United States, as trustee, made for the purpose of meeting the emergencies created by existing conditions and by the present state of war in the United States. Nothing herein contained shall be deemed an adjudication for or against the exercise of control by any corporate defendant of any of its subsidiaries as set forth in the petition, nor for or against the right of certain of the defendants or their subsidiaries to avail themselves of the services of the Canadian Export Paper Co. (Ltd.) or the G. H. Mead Co. or the Minnesota & Ontario Power Co. in the manner and to the extent now being availed of as set forth in the petition herein.

(8) The court retains jurisdiction to proceed against the defendants not hereby consenting to this decree and to enforce this decree and to enable any of the parties to apply to the court for modification hereof, if it be hereafter shown to the satisfaction of the court that by reason of changed conditions or changes in the statute law of the United States the provisions hereof have become inappropriate or inadequate to maintain competitive conditions in the interstate or foreign trade or commerce of the United States in news-print paper or have become unduly oppressive to defendants or any of them and are no longer necessary to secure or maintain competitive conditions in such trade or commerce.

Dated New York City, N. Y., November 26, 1917.

JULIUS M. MAYER,
United States District Judge for the Southern District of New York.

Mr. SMOOT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Utah?

Mr. SMITH of Arizona. Certainly.

Mr. SMOOT. I will ask the Senator if it is not a fact, however, that the agreement that was made between the paper manufacturers and the Federal Trade Commission to sell paper at a certain price per pound was not violated by the paper manufacturers until after the Attorney General had begun suit against the very paper manufacturers that had entered into the agreement?

Mr. SMITH of Arizona. I think the Senator is mistaken in that.

Mr. SMOOT. I am quite sure I am not mistaken, Mr. President.

Mr. SMITH of Arizona. The Senator may be right. I am not charging that he is not, but I have heard differently. I am not so confident about the sources of my information as the Senator himself may be, but I know that they did commence immediately violating the 2½-cent agreement. Whether or not it was done by reason of the Attorney General bringing suit and this indictment against them I do not know.

Mr. SMOOT. I agree with the Senator that the agreement was repudiated by the paper manufacturers; but it was not repudiated until after the Attorney General had started suit against the very manufacturers that had entered into this agreement with the Federal Trade Commission.

Mr. SMITH of Arizona. Yes; but that did not justify them in violating a subsequent contract.

Mr. SMOOT. They thought they were dealing with a part of the Government that had a perfect right to make the agreement, and another part of the Government immediately started suit against them as a trust and for the dissolution of the company.

Mr. SMITH of Arizona. There is not any doubt about that.

Mr. SMOOT. Now, I want to ask the Senator another question in this connection while we are on the subject: Is it not a fact that the price of print paper—I mean the great bulk of it that is sold in the United States to-day—has not increased in price as great as many other commodities have increased in the United States since the breaking out of the war?

Mr. SMITH of Arizona. Oh, very likely; I do not know. I could not say whether that is true or not.

Mr. SMOOT. I want to say now, for the RECORD, that that is the case.

Mr. SMITH of Arizona. If it be true that they have already killed a big part of the demand, I might account for it in that way.

Mr. SMOOT. I wish they could kill a great deal more of the demand for the purposes for which news-print paper is being used to-day. For instance, the Senator knows that on Sunday morning he can pick up a paper from any of the great cities of the United States and it is almost all he can do to put it under his arm, and all the real news that is in the paper could be printed in 12 pages.

Mr. SMITH of Georgia. It is in the first 12 pages.

Mr. SMOOT. Yes; as the Senator from Georgia suggests, it is in the first 12 pages.

Mr. SMITH of Arizona. Easily.

Mr. SMOOT. The Sunday papers consume nearly 20 per cent more paper than ought to be consumed by the press of this country.

Mr. SMITH of Arizona. I am glad the Senator makes that criticism, in which I most heartily concur, for, in my judgment, if there ever was an exhibition of absolute waste, it is in these 50 and 60 and 70 page Sunday papers, with their Sunday magazines.

Mr. GALLINGER. Mr. President, will not the Senator add to that the absolute and indefensible waste of which the Congress of the United States is guilty?

Mr. SMITH of Arizona. There is not a doubt about that, either, and we ought to try as hard as we can to curtail it from now on. I certainly shall do whatever I can to accomplish it.

Mr. SMOOT. Yes; that is certainly the case, when we know to-day that the amount of paper that is to be purchased for the Government of the United States for the coming fiscal year has increased by 400 per cent in quantity——

Mr. SMITH of Arizona. I think more than that.

Mr. SMOOT. Four hundred per cent in quantity; and as to the price, the advance runs all the way from 50 per cent up to 150 per cent, and in some particular instances higher than that.

Mr. SMITH of Arizona. Mr. President, I only want to recur for a moment to those who have favored this legislation, aside from the thousands of petitioners that have written to the Congress, many of them to me, publishers all over the country.

The National Editorial Association, at its annual convention in Minneapolis on July 11 of last year, adopted resolutions urging the Federal Trade Commission to take over and operate American news-print mills and thus reduce the price of news-print paper. The Southern Newspaper Publishers' Association, in convention at Asheville, N. C., about the same date, adopted a resolution on the same subject. Both of these I ask to have printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[Resolutions of National Editorial Association.]

Whereas for the past 18 months there has been a determined and persistent effort on the part of the print-paper manufacturers and jobbers to create a panic market for print paper; and

Whereas for several months they have succeeded in making the publishers believe that there was good and sufficient reasons for the extraordinary prices they were charging, but during the past seven or eight months it has been clearly demonstrated by the investigations of the Federal Trade Commission and by your legislative committee that there was, and is, no good reason for the large advances made, as the Trade Commission clearly demonstrated that there had been but a very slight increase in the cost of manufacture: Therefore be it

Resolved, That the National Editorial Association in convention assembled at Minneapolis calls upon Congress to pass legislation immediately that will give the Federal Trade Commission power to fix prices and operate the mills and distribute the print paper manufactured in the United States during the period of the present war in accordance with the recommendations of the Trade Commission in its report to Congress; and further be it

Resolved, That arrangements be made with the Canadian Government so that the print paper manufactured in Canada and shipped into this country shall also be handled by the Trade Commission in order that all the publishers of the United States may be provided with sufficient paper at a reasonable price.

[Resolution of Southern Newspaper Publishers' Association.]

Resolved, That the Southern Newspaper Publishers' Association, representing 105 leading daily newspapers of the South, in convention assembled, unqualifiedly approves and strongly urges the immediate adoption of the complete plans of the print-paper committee of the American Newspaper Publishers' Association to empower the Federal Trade Commission by legislative enactment to control the production of news-print paper, to pool its distribution, and to fix its price.

This action is absolutely neecssary to conserve the best interest of our Government and our people under the present extraordinary emergency.

Mr. SMITH of Arizona. The Georgia Weekly Press Association likewise adopted a resolution at its meeting in Thomasville, Ga., on July 16 to 18, indorsing the action of the Federal Trade Commission in urging Government control of print paper.

The New York State Press Association at its meeting in Ithaca on June 29 adopted a resolution indorsing the action of the Federal Trade Commission in recommending Government control of print-paper mills; and various others have done likewise.

Mr. Hosmer, chairman of the legislative committee of the National Editorial Association, says:

The smaller newspapers are particularly thankful to the Trade Commission at this time for the paper they have furnished them since last April, even though the big manufacturers, who agreed to furnish paper at a reasonable price, failed. Independent mills have furnished the paper through the commission to newspapers in more than 20 States at prices from 25 to 33⅓ per cent under the prices quoted by jobbers and mills direct. In some cases this paper has been distributed through designated jobbers, who have been paid about 10 per cent for handling; in other cases through State associations or committees from associations, who have handled it as a patriotic duty, without expense to the newspaper men.

The Canadian Government, at the time of this finding of the Trade Commission, had undertaken to control the production and distribution of news-print paper through its orders in council; and I hear that the government of each one of the nations now at war has control of its news-print paper.

Mr. SMOOT. Mr. President, they virtually control it by controlling the size of the issue of every paper and every publication.

Mr. SMITH of Arizona. But the Canadian Government has undertaken to control the production and distribution of news-print paper through its orders in council.

Mr. SMOOT. That is true.

Mr. SMITH of Arizona. It is stated that a pool is actually in existence in Canada, the news-print manufacturers selling to Canadian publishers at $2.50 per hundred and charging $3 per hundred when shipped outside of Canada. In this connection it is interesting to note that $2.50 is the price that the Federal Trade Commission has fixed upon as a fair and reasonable price for news-print paper in this country—that is, at the time to which the Senator alludes. In comparison with this price the Trade Commission reports that the largest consumers of news-print paper have had to pay from $3 to $3.50 per hundred pounds, and in some cases even as high as $4.50, while the small publishers have been forced to pay prices as high as $7.50 to $9 per hundred f. o. b. mill. This same paper, before the war started, sold generally at $2 per hundred pounds.

Mr. SMOOT. Mr. President, in that connection I want to say that Canada is treating the United States, in the selling of her paper, just opposite to the way we have been trying to

treat our allies in selling products that are shipped to them from this country. For instance, we put a price upon copper of 23½ cents per pound. We sell it to all of our allies at 23½ cents a pound. England buys it at 23½ cents a pound from the United States; and yet, at the same time, for copper produced in Canada she pays 29 and 30 cents a pound, and for copper produced in Mexico, in the case of purchases made upon the same day, instead of 23½ cents a pound she has paid as high as thirty-odd cents a pound.

Mr. FERNALD. Does the Senator refer to the United States Government?

Mr. SMOOT. No; I refer to England. Everybody purchases it from us for 23½ cents a pound. In other words, we are trying to sell our allies our products just as low as it is possible to sell them, while our allies are forcing us to pay as high prices as possible and more than she charges her own people, as in the case cited here by the Senator from Arizona.

Mr. SMITH of Georgia. Mr. President, will the Senator let me ask him a question before he takes his seat?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Georgia?

Mr. SMITH of Arizona. I do.

Mr. SMITH of Georgia. How can the machinery of this joint resolution be carried into execution? The Trade Commission is to take the paper. It can not take it without paying for it; and then it must sell it. Is any money provided for the Trade Commission with which it can make this first payment? Is it to go into the general business of buying and selling all this paper? And if so, where is the capital provided?

Mr. SMITH of Arizona. Where is the capital in the case of coal? Where is the capital in the war-products bill?

Mr. SMITH of Georgia. The coal bill does not provide for purchasing and selling coal, if the Senator will allow the suggestion.

Mr. SMITH of Arizona. Yes; it does.

Mr. SMOOT. There are also appropriations made there.

Mr. SMITH of Georgia: Yes; the food-control bill contains an appropriation of $100,000,000. I do not want the Senator to misunderstand me. I just want to have the joint resolution in such shape that it will work.

Mr. SMITH of Arizona. I do not misunderstand the Senator; not at all. I am glad of the interruption. I think we need it.

Mr. SMITH of Georgia. I am not opposing the legislation. It seems to me there is simply no machinery to execute this joint resolution as it is drawn, and that the Trade Commission would have no power to do anything under it except to stop the paper manufacturers' business. Would it not be better to permit the Trade Commission to fix the price, and not interfere with the business of any company that accepts the price, but let it go on in a normal way, dealing directly with its customers rather than with the United States Government?

Mr. SMITH of Arizona. Here is the purpose that I get from those who expect to try to handle it: They believe that under the power given them they can establish fair and legitimate prices after an investigation of the costs. They can see that the paper is fairly distributed and not given to one place and refused to another. The power rests in them. The provision is that the mechanical and chemical pulp in the United States shall be operated on Government account, and that these products shall be pooled in the hands of the Federal Trade Commission.

Mr. SMITH of Georgia. Nothing of that sort is done with reference to coal.

Mr. SMITH of Arizona. It has not been done yet, but it can be.

Mr. SMITH of Georgia. No; the Government has the right to take the mines and operate them and do the work itself, but the fuel administration has no power to take all the coal in the United States and distribute it; and the food control has an appropriation of $100,000,000 with which to conduct its business with reference to foodstuffs. It seems to me that without some amendment this measure is calculated to stop the business and to give nobody any means of obtaining the goods for distribution. The Interstate Trade Commission can not get them without paying 75 per cent of the value. They have no money with which to pay the 75 per cent. They have no authority and machinery for distribution. They must go into the general business of buying and selling. They can not distribute without pay. Most of the newspapers buy on time. A great many of them do. Is the Trade Commission to determine the credit of every newspaper in the country and sell on time? All these delicate details, it seems to me, we ought to settle in this legislation and in the joint resolution before we pass it.

While I am on my feet there is one further provision to which I wish to call attention. It is in line 7, page 2, where it is provided that the legislation shall continue in force "for the term of the war and the emergency occasioned thereby." I am opposed to leaving any such language as "emergency occasioned thereby" in any legislation.

Mr. SMITH of Arizona. I do not care for that at all.

Mr. SMITH of Georgia. I should like to take that out.

Mr. SMITH of Arizona. I do not care; let it come out.

Mr. SMITH of Georgia. I have been sitting here studying it, and I have had this bill brought to my attention by my friends who want something of the sort, who feel that they have been greatly oppressed by what has been going on. My suggestion is, first, that if the Trade Commission is authorized to fix the price, then we ought not to interfere with the business of anybody who accepts that price.

Mr. GALLINGER. Mr. President, if the Senator will yield, if I understand the matter correctly, the Attorney General has made an agreement with the manufacturers and dealers in print paper that the Federal Trade Commission may fix the price, and both sides have agreed to that.

Mr. SHIELDS. I understood that they violated the agreement.

Mr. SMITH of Georgia. Not this last agreement. They made an agreement, and subsequently to the agreement it is claimed that the Attorney General instituted legal proceedings against the manufacturers, and they jumped the agreement after the legal proceedings were instituted by the Attorney General. The two branches of the Government did not act in harmony, so it is claimed. I do not know what the facts are in that respect. What I want is to see a measure passed which will practically work out fairly to everybody and be a real protection to those who must use paper against unjust combinations and extortionate prices.

My first suggestion is that if the Trade Commission is to fix the price those who accept the price should go on with their business with their customers without interference. As I understand this language, it proposes that the Trade Commission shall take over the paper product of the United States and resell it. It does not give them the money to buy it. It does not provide the machinery for the resale. It does not say whether they shall resell at the same price.

Mr. SMITH of Arizona. The only purpose of the measure, I will say to the Senator, was that in case of necessity it was to be done.

Mr. SMITH of Georgia. Ought there not to be at least this kind of a provision, that any company accepting the rate fixed by the Trade Commission shall be permitted to go on with its business without any interference at all?

Mr. SMITH of Arizona. That is the object of two or three of my amendments.

Mr. SMITH of Georgia. I have not studied the amendments; I have just studied the original joint resolution.

Mr. SMITH of Arizona. I am obliged to the Senator for his comment.

Mr. SMITH of Georgia. I hope that the great bulk of companies will accept, if they have not already agreed to do so. They agreed once before, and some kind of a dispute arose that broke up the agreement.

Mr. SMOOT. Mr. President, I shall not take the time today to discuss the provisions of the pending joint resolution for I want to see the amendments the Senator from Arizona has offered to it and what effect they will have upon it, but as they were read from the desk I hardly think that they correct the measure in a way that it can possibly be administered. The joint resolution says:

> That the Federal Trade Commission is hereby authorized and empowered to supervise, control, and regulate the production and distribution of print paper and mechanical and chemical pulp in the United States, and that all mills producing and all agencies distributing print paper and mechanical and chemical pulp in the United States shall be operated on Government account; that these products be pooled in the hands of the Federal Trade Commission for the term of the war and the emergency occasioned thereby and equitably distributed at a price based upon cost of production and distribution plus a fair profit per ton, as determined by the Federal Trade Commission.

The Senator knows that there are thousands of little papers, weekly papers and little magazines, published in small towns throughout the country that do not use half a car of paper in a year. They buy their paper from the local paper distributor, and those distributors are in every large city in the United States.

Mr. SMITH of Arizona. And they have charged most enormous profits.

Mr. SMOOT. Some of them, and some of them no doubt charged a reasonable profit. I know small papers that can not buy even a roll of paper at a time. I know they have actually asked that the rolls be divided, and not only that but their credit is such that it is absolutely impossible for them to buy more than what is required for the actual issue, and they issue once a week or once a month, as the case may be. I do not believe

that there are 5 per cent of the newspapers of the United States that pay cash for their paper. They are given 30 days' time, some of them 60 days' time, and with many of them special arrangements are made by which they are carried by the distributor of paper for a longer period than 60 days.

Under the joint resolution there is no provision whatever to meet a situation of that kind. If the Federal Trade Commission is going to undertake to distribute print paper as the joint resolution provides, we shall have employed not a thousand or two thousand or three thousand men under the Trade Commission but so many thousand that I can not predict what the number would be.

Mr. SMITH of Arizona. The Senator does not permit me to tell him.

Mr. SMOOT. Yes; I will yield to the Senator at any time.

Mr. SMITH of Arizona. All the matter of which the Senator speaks right now is modified by the proposed amendments that have been offered.

Mr. SMOOT. Will the Senator read the amendment that modifies it?

Mr. SMITH of Arizona. I will read a few of them right now in the order they come.

Mr. SMOOT. I mean the one that takes care of this very point.

Mr. SMITH of Arizona (reading)—

That whenever during the continuance of the war and for six months thereafter the President shall deem it needful, he may direct the Federal Trade Commission to supervise, control, and regulate the production and distribution of print paper and mechanical and chemical pulp and their products in the United States, and that such mills producing and such agencies distributing print paper and mechanical and chemical pulp and their products in the United States as the President shall designate shall be operated on Government account—

And so forth.

This shows that it can not affect all the small people, except as the President shall designate, that a particular one shall be taken. It gives more latitude. Instead of turning over every newspaper plant in America it only turns over the recalcitrant ones—the disobedient ones—and those who are combining for the purpose of making a bigger price for their product.

Mr. SMOOT. The amendment has the effect of taking out of the Federal Trade Commission the authority and giving it to the President of the United States, and to authorize the Federal Trade Commission to put it in force.

Mr. SMITH of Arizona. It does not. It gives the President of the United States power to designate any cases, and very probably they will report to him. As the Senator knows very well, it must pass through the commission of necessity.

Mr. SMOOT. I do not think the President of the United States can or should say to this mill, "You shall sell your paper to Tom Jones at such and such a price"——

Mr. SMITH of Arizona. I do.

Mr. SMOOT. "And deliver so much paper to him every day, and you shall extend credit to him for 60 days or 90 days, and in case Tom Jones can not buy one roll of paper, then you have got to divide the roll of paper and give him just what he wants." The President of the United States under any act of Congress ought to be given general powers, and whatever power he uses——

Mr. SMITH of Arizona. This gives general power, and nothing else.

Mr. SMOOT. Affect all alike.

Mr. SMITH of Arizona. It is nothing else except the very same thing you complain of. As soon as there is proposed the least possible relief from seizing every newspaper in the country, then you complain because the relief given does give the authority to the President or to this agency either. As you know, the President has to act through the Trade Commission, and not otherwise. It is merely designating some source by which they can seize those who are absolutely violating the provisions of the joint resolution, and no others, and order a fair price. There is nothing else to say about it.

Mr. SMOOT. I ask the Senator how will any manufacturer of paper in the United States know he is violating a law unless he knows beforehand what the law requires of him? There has got to be a price fixed, and that price apply to all alike.

Mr. SMITH of Arizona. There will be a price fixed, and there is one fixed by agreement with the very trust, and there is another, as far as roll print paper is concerned, that they will submit to what the Trade Commission says until the end of the war.

Mr. SMOOT. If that be the case, then there is no necessity whatever for this legislation.

Mr. SMITH of Arizona. No matter if they do violate the contract, as they would do in 15 minutes if they had only $2,500 to pay to keep out of the penitentiary.

Mr. GALLINGER. There is a $50,000 fine in the joint resolution.

Mr. SMOOT. I know the Senator from Arizona is a just man and I know he does not want to cast reflections upon any man unjustly.

Mr. SMITH of Arizona. I do not, and I will not, either.

Mr. SMOOT. There is no question, Mr. President, but what the Federal Trade Commission took up this question of the price of print paper. They went into it, as they stated before our committee, most thoroughly, and it was agreed what the price of print paper should be. They called the print-paper manufacturers of the country or the representatives of the leading mills of the country before them and after an exhaustive conference it was agreed at that conference what the price of print paper should be. The print-paper manufacturers thought that that agreement was made in good faith with the Government of the United States and were perfectly willing to carry it out. The agreement had not been made very long before the Attorney General started suit against the very concerns that had made agreements with the Federal Trade Commission that print paper should be a certain price. Shortly after that agreement was made with a commission of the Government another department of our Government starts suits against them to declare them a trust and dissolve the association. Just as soon as that happened the manufacturers who had agreed upon the price of paper stated if the Government of the United States was going to start suit they might as well let them carry on the suit and there will be no further agreement as to the price of paper until the suit was decided.

Mr. HARDWICK. Will the Senator allow me. The Senator I take it is opposed to the joint resolution.

Mr. SMOOT. I am opposed to it in the form in which it is.

Mr. HARDWICK. So is the Senator from Georgia on principle, no matter what form it is put in. I think there was some agreement that it was not to be disposed of until to-morrow or not to be taken up even. Of course, it will not be disposed of to-day.

Mr. SMOOT. It was not to be disposed of until to-morrow.

Mr. SMITH of Arizona. My intention was to put my explanation of the measure in the RECORD to-day and have the amendments printed.

Mr. SMOOT. I will say to the Senator from Georgia that after the statement was made by the Senator from Arizona there developed through his colleague [Mr. SMITH of Georgia] a question that seemed so vital to the resolution that it was worthy of consideration, and in order that it might be obviated, if it could be, we thought it was proper to call the attention of the Senator having the measure in charge to it.

Mr. HARDWICK. I want to discuss the measure at some length, but I do not care to do it until the amendments which the Senator from Arizona has offered have been printed and I can comprehend exactly what they mean. I think it would be better to lay aside the joint resolution until to-morrow.

Mr. SMOOT. I will say to the Senator, I am through with what I had to say.

Mr. HARDWICK. I was not complaining of the Senator.

Mr. SMOOT. I recognize that. I opened my statement with the remark that to-morrow I shall more than likely discuss the joint resolution in detail, but I did feel like calling the attention of the Senator having it in charge to this one question, that it seemed to me was so vital that the measure would be unworkable and would be of no effect whatever if passed in the shape it is.

Mr. SMITH of Arizona. There are amendments to meet all those bad conditions.

Mr. GALLINGER. Mr. President, I want to submit two proposed amendments and have them printed in the joint resolution as it will appear pending to-morrow. I move to strike out "seventy-five," before "per centum," in line 13, page 2, and insert "ninety," and in lines 16 and 17, to strike out "seventy-five," before "per centum," and to substitute "ninety." I hope the Senator from Arizona will look into that matter very carefully and see if 10 per cent in place of 25 per cent would not be a sufficient amount.

Mr. SMITH of Arizona. I shall be very glad to give it consideration in committee, if I can get a chance.

Mr. GALLINGER. If the joint resolution passes, as it is likely it will in some form, I should like very much indeed to have those amendments agreed to, and I hope the Senator will find it in his heart to agree to them.

Mr. SMITH of Arizona. I would not want to meet the suggestion of the Senator without some sort of a showing of good faith.

Mr. GALLINGER. Then I wish to ask the Senator one further question as a preliminary. There may be some bad men

engaged in the news-print paper business, as there are bad men engaged in every other activity of human endeavor. Does the Senator find in any similar cases a penalty of three years in prison and $50,000 fine or both? Does not the Senator think that amount might well be reduced and not let it go to the world that these men are such a wicked lot of scoundrels that they ought to be dealt with differently from the rest of human kind?

Mr. SMITH of Arizona. I have no pride at all about that, and all those matters will rest in the judgment of the Senate. When we come to the final consideration of the measure all those things will appeal to me, no doubt, as they will to any Senator.

Mr. GALLINGER. I will tender another amendment now. I move to strike out "$50,000," on page 3, line 24, and insert "$20,000." Let that be pending.

Mr. SMITH of Arizona. I suggest right in this connection, if the Senator will permit me, the national-defense act provides as follows—

or any necessary supplies or equipment, as ordered by the Secretary of War, or who shall refuse to furnish such arms, ammunitions, or parts of ammunition, or other supplies or equipment, at a reasonable price as determined by the Secretary of War, then, and in either such case, the President, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement herein provided for, is hereby authorized to take immediate possession of any such plant or plants, and, through the Ordnance Department of the United States Army, to manufacture therein in time of war, or when war shall be imminent, such product or material as may be required, and any individual, firm, company, association, or corporation, or organized manufacturing industry, or the responsible head or heads thereof, failing to comply with the provisions of this section shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years and by a fine not exceeding $50,000.

Mr. GALLINGER. Well, Mr. President, that deals with the life of the Nation. Men who obstruct the Government in its efforts to carry on this great war ought to be dealt with very severely, and I would not object to $500,000 instead of $50,000, but in this business transaction it seems to me it is an entirely different thing.

As the joint resolution is to go over until to-morrow, I will move that the Senate do now adjourn.

Mr. SMITH of Arizona. Before that is done I ask that the joint resolution be temporarily laid aside.

The PRESIDING OFFICER. It is requested by the chairman of the committee having the joint resolution in charge that it be temporarily laid aside. Does the Chair hear any objection? The Chair hears none. The request of the Senator from Arizona is granted, and the joint resolution takes its regular course and remains as the order of business.

Mr. CULBERSON. I suggest that we have a short executive session.

Mr. GALLINGER. I do not object to that.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed a bill (H. R. 3135) to amend section 4 of the act entitled "An act to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona," in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

H. R. 3135. An act to amend section 4 of the act entitled "An act to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona," was read twice by its title and referred to the Committee on Irrigation and Reclamation of Arid Lands.

EXECUTIVE SESSION.

Mr. CULBERSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 2 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 9, 1918, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 8, 1918.

COLLECTOR OF INTERNAL REVENUE.

James J. Brady to be collector of internal revenue for the first district of Michigan.

UNITED STATES ATTORNEYS.

Robert N. Bell to be United States attorney, northern district of Alabama.

Thomas D. Samford to be United States attorney, middle district of Alabama.

Alexander D. Pitts to be United States attorney, southern district of Alabama.

Thomas A. Flynn to be United States attorney, district of Arizona.

John W. Preston to be United States attorney, northern district of California.

John Robert O'Connor to be United States attorney, southern district of California.

Hooper Alexander to be United States attorney, northern district of Georgia.

James L. McClear to be United States attorney, district of Idaho.

Thomas J. Boynton to be United States attorney, district of Massachusetts.

Francis Fisher Kane to be United States attorney, eastern district of Pennsylvania.

Rogers L. Burnett to be United States attorney, middle district of Pennsylvania.

Stuart W. Walker to be United States attorney, northern district of West Virginia.

L. H. Kelly to be United States attorney, southern district of West Virginia.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 8, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father, who art in Heaven, let Thy spirit come nightly upon these, Thy servants, that with clear minds, strong hearts, and high resolves they may prosecute the work of the hour with courage, vigor, and efficiency, and thus make themselves worthy of the trust reposed in them. For Thine is the kingdom, and the power, and the glory, forever and ever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3081. An act to extend the time for the completion of the municipal bridge, approaches, and extensions or additions thereto by the city of St. Louis within the States of Illinois and Missouri; and

S. 2812. An act to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain.

CORRECTION OF THE JOURNAL.

Mr. COOPER of Wisconsin rose.

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. COOPER of Wisconsin. I understood from listening to the reading of the Journal a sentence saying that Mr. COOPER of Wisconsin made a point of no quorum. If that is in the Journal I think it is incorrect, because I did not make that point.

The SPEAKER. The Chair did not understand the gentleman.

Mr. COOPER of Wisconsin. I would like to have a correction made.

The SPEAKER. It ought to be Mr. GILLETT instead of Mr. COOPER.

Mr. FOSTER. It ought to be Mr. MOORE of Pennsylvania.

The SPEAKER. Mr. MOORE of Pennsylvania was the man.

Mr. GILLETT. Mr. Speaker, I made the point of order, as the RECORD correctly has it.

The SPEAKER. It fixes GILLETT, then. [Laughter.]

Mr. FOSTER. It was the gentleman from Pennsylvania [Mr. MOORE] who made the last point of order.

JOINT SESSION OF THE TWO HOUSES.

Mr. FLOOD. Mr. Speaker, yesterday unanimous consent was given that the House take a recess at 12.30 o'clock to-day to receive the Serbian commission. I ask unanimous consent that that time be changed until after the President finishes his address to-day, and that then the House stand in recess for 10 minutes for the purpose of receiving the Serbian commission.

The SPEAKER. The gentleman from Virginia asks unanimous consent, in view of the fact that the President notified us that he wanted to come over here at 12.30 o'clock, that this prior order, to take effect at 12.30 for 30 minutes to hear the Serbian commission, be changed so as the Serbian commission shall come in just after the President leaves, and a recess of 10 minutes instead of 30 minutes.

Mr. GILLETT. Mr. Speaker, reserving the right to object, this is the first notification we have had that the President is coming up. May I inquire why this sudden change?

The SPEAKER. The change was necessitated by the fact that the President suddenly notified us that he was coming over here at 12.30.

Mr. GILLETT. I will acquiesce then. I suppose the House has to adopt some resolution on the subject.

The SPEAKER. It is going to adopt it right now.

Mr. KITCHIN. Mr. Speaker, I move immediate consideration and adoption of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House concurrent resolution 32.

Resolved by the House of Representatives (the Senate concurring), That the Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 8th day of January, 1918, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. FOSTER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. FOSTER. Mr. Speaker, I withdraw the point.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 32.

Resolved by the House of Representatives (the Senate concurring), That the Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 8th day of January, 1918, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

RECESS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the House stand in recess until 12.25.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House stand in recess until 12.25. Is there objection?

There was no objection.

Accordingly (at 12 o'clock and 10 minutes p. m.) the House stood in recess until 12.25 p. m.

AFTER RECESS.

At the expiration of the recess the House resumed its session and was called to order by the Speaker.

JOINT MEETING OF THE SENATE AND HOUSE.

At 12 o'clock and 25 minutes p. m. the Doorkeeper, Joseph J. Sinnott, announced the Vice President of the United States and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the Vice President and by their Secretary and Sergeant at Arms, entered the Chamber.

The Vice President took the chair at the right of the Speaker and the Members of the Senate took the seats reserved for them.

The SPEAKER. On the part of the House the Chair appoints the following committee to wait on the President: Mr. FLOOD, Mr. SHERLEY, Mr. WEBB, Mr. POU, Mr. COOPER of Wisconsin, Mr. GILLETT, and Mr. CAMPBELL of Kansas.

The VICE PRESIDENT. On the part of the Senate the Chair appoints Senators MARTIN, STONE, SIMMONS, OVERMAN, GALLINGER, LODGE, and WARREN.

At 12 o'clock and 30 minutes p. m. the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House and stood at the Clerk's desk.

The SPEAKER. Gentlemen of the Sixty-fifth Congress, I present the President of the United States.

ADDRESS OF THE PRESIDENT (H. DOC. NO. 765).

The PRESIDENT. Gentlemen of the Congress, once more, as repeatedly before, the spokesmen of the Central Empires have indicated their desire to discuss the objects of the war and the possible bases of a general peace. Parleys have been in progress at Brest-Litovsk between Russian representatives and representatives of the Central Powers, to which the attention of all the belligerents has been invited for the purpose of ascertaining whether it may be possible to extend these parleys into a general conference with regard to terms of peace and settlement. The Russian representatives presented not only a perfectly definite statement of the principles upon which they would be willing to conclude peace, but also an equally definite programme of the concrete application of those principles. The representatives of the Central Powers, on their part, presented an outline of settlement which, if much less definite, seemed susceptible of liberal interpretation until their specific programme of practical terms was added. That programme proposed no concessions at all either to the sovereignty of Russia or to the preferences of the populations with whose fortunes it dealt, but meant, in a word, that the Central Empires were to keep every foot of territory their armed forces had occupied,—every province, every city, every point of vantage,—as a permanent addition to their territories and their power. It is a reasonable conjecture that the general principles of settlement which they at first suggested originated with the more liberal statesmen of Germany and Austria, the men who have begun to feel the force of their own peoples' thought and purpose, while the concrete terms of actual settlement came from the military leaders who have no thought but to keep what they have got. The negotiations have been broken off. The Russian representatives were sincere and in earnest. They cannot entertain such proposals of conquest and domination.

The whole incident is full of significance. It is also full of perplexity. With whom are the Russian representatives dealing? For whom are the representatives of the Central Empires speaking? Are they speaking for the majorities of their respective parliaments or for the minority parties, that military and imperialistic minority which has so far dominated their whole policy and controlled the affairs of Turkey and of the Balkan states which have felt obliged to become their associates in the war? The Russian representatives have insisted, very justly, very wisely, and in the true spirit of modern democracy, that the conferences they have been holding with the Teutonic and Turkish statesmen should be held within open, not closed, doors, and all the world has been audience, as was desired. To whom have we been listening, then? To those who speak the spirit and intention of the Resolutions of the German Reichstag of the ninth of July last, the spirit and intention of the liberal leaders and parties of Germany, or to those who resist and defy that spirit and intention and insist upon conquest and subjugation? Or are we listening, in fact, to both, unreconciled and in open and hopeless contradiction? These are very serious and pregnant questions. Upon the answer to them depends the peace of the world.

But, whatever the results of the parleys at Brest-Litovsk, whatever the confusions of counsel and of purpose in the utterances of the spokesmen of the Central Empires, they have again attempted to acquaint the world with their objects in the war and have again challenged their adversaries to say what their objects are and what sort of settlement they would deem just and satisfactory. There is no good reason why that challenge should not be responded to, and responded to with the utmost candor. We did not wait for it. Not once, but again and again, we have laid our whole thought and purpose before the world, not in general terms only, but each time with sufficient definition to make it clear what sort of definitive terms of settlement must necessarily spring out of them. Within the last week Mr. Lloyd George has spoken with admirable candor and in admirable spirit for the people and Government of Great Britain. [Applause.] There is no confusion of counsel among the adversaries of the Central Powers, no uncertainty of principle, no vagueness of detail. The only secrecy of counsel, the only lack of fearless frankness, the only failure to make definite statement of the objects of the war, lies with Germany and her Allies. The issues of life and death hang upon these definitions. No statesman who has the least conception of his responsibility ought for a moment to permit himself to continue this tragical and appalling outpouring of blood and treasure unless he is sure beyond a peradventure that the objects of the vital sacrifice are part and parcel of the very life of Society [applause], and that the people for whom he speaks think them right and imperative as he does.

There is, moreover, a voice calling for these definitions of principle and of purpose which is, it seems to me, more thrilling and more compelling than any of the many moving voices with which the troubled air of the world is filled. It is the voice of the Russian people. [Applause.] They are prostrate and all but helpless, it would seem, before the grim power of Germany, which has hitherto known no relenting and no pity. Their power, apparently, is shattered. And yet their soul is not subservient. They will not yield either in principle or in action. Their conception of what is right, of what it is humane and honorable for them to accept, has been stated with a frankness, a largeness of view, a generosity of spirit, and a universal human sympathy which must challenge the admiration of every friend of mankind [applause]; and they have refused to compound their ideals or desert others that they themselves may be safe.

They call to us to say what it is that we desire, in what, if in anything, our purpose and our spirit differ from theirs; and I believe that the people of the United States would wish me to respond, with utter simplicity and frankness. Whether their present leaders believe it or not, it is our heartfelt desire and hope that some way may be opened whereby we may be privileged to assist the people of Russia to attain their utmost hope of liberty and ordered peace. [Applause.]

It will be our wish and purpose that the processes of peace, when they are begun, shall be absolutely open and that they shall involve and permit henceforth no secret understandings of any kind. [Applause.] The day of conquest and aggrandizement is gone by; so is also the day of secret covenants entered into in the interest of particular governments and likely at some unlooked-for moment to upset the peace of the world. It is this happy fact, now clear to the view of every public man whose thoughts do not still linger in an age that is dead and gone, which makes it possible for every nation whose purposes are consistent with justice and the peace of the world to avow now or at any other time the objects it has in view.

We entered this war because violations of right had occurred which touched us to the quick and made the life of our own people impossible unless they were corrected and the world secured once for all against their recurrence. What we demand in this war, therefore, is nothing peculiar to ourselves. It is that the world be made fit and safe to live in; and particularly that it be made safe for every peace-loving nation which, like our own, wishes to live its own life, determine its own institutions, be assured of justice and fair dealing by the other peoples of the world as against force and selfish aggression. All the peoples of the world are in effect partners in this interest, and for our own part we see very clearly that unless justice be done to others it will not be done to us. The programme of the world's peace, therefore, is our programme; and that programme, the only possible programme, as we see it, is this:

I. Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view. [Applause.]

II. Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war [applause], except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

III. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance. [Applause.]

IV. Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety. [Applause.]

V. A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the Government whose title is to be determined. [Applause.]

VI. The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy [applause] and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome, assistance also of every kind that she may need and may herself desire. [Applause.] The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

VII. Belgium, the whole world will agree, must be evacuated and restored [applause], without any attempt to limit the sovereignty which she enjoys in common with all other free nations. No other single act will serve as this will serve to restore confidence among the nations in the laws which they have themselves set and determined for the government of their relations with one another. Without this healing act the whole structure and validity of international law is forever impaired.

VIII. All French territory should be freed and the invaded portions restored, and the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine [applause], which has unsettled the peace of the world for nearly fifty years, should be righted, in order that peace may once more be made secure in the interest of all. [Prolonged applause.]

IX. A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality. [Applause.]

X. The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development. [Applause.]

XI. Rumania, Serbia, and Montenegro should be evacuated; occupied territories restored; Serbia accorded free and secure access to the sea [applause]; and the relations of the several Balkan states to one another determined by friendly counsel along historically established lines of allegiance and nationality; and international guarantees of the political and economic independence and territorial integrity of the several Balkan states should be entered into. [Applause.]

XII. The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development [applause], and the Dardanelles should be permanently opened as a free passage to the ships and commerce of all nations under international guarantees. [Applause.]

XIII. An independent Polish state should be erected which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant. [Applause.]

XIV. A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike. [Applause.]

In regard to these essential rectifications of wrong and assertions of right we feel ourselves to be intimate partners of all the governments and peoples associated together against the Imperialists. We cannot be separated in interest or divided in purpose. We stand together until the end. [Applause.]

For such arrangements and covenants we are willing to fight and to continue to fight until they are achieved; but only because we wish the right to prevail and desire a just and stable peace such as can be secured only by removing the chief provocations to war, which this programme does remove. We have no jealousy of German greatness, and there is nothing in this programme that impairs it. We grudge her no achievement or distinction of learning or of pacific enterprise such as have made her record very bright and very enviable. We do not wish to injure her or to block in any way her legitimate influence or power. We do not wish to fight her either with arms or with hostile arrangements of trade if she is willing to associate herself with us and the other peace-loving nations of the world in covenants of justice and law and fair dealing. We wish her only to accept a place of equality among the peoples of the world,—the new world in which we now live,—instead of a place of mastery. [Applause.]

Neither do we presume to suggest to her any alteration or modification of her institutions. But it is necessary, we must frankly say, and necessary as a preliminary to any intelligent dealings with her on our part, that we should know whom her spokesmen speak for when they speak to us [applause], whether for the Reichstag majority or for the military party and the men whose creed is imperial domination.

We have spoken now, surely, in terms too concrete to admit of any further doubt or question. An evident principle runs through the whole programme I have outlined. It is the principle of justice to all peoples and nationalities, and their right to live on equal terms of liberty and safety with one another, whether they be strong or weak. Unless this principle be made its foundation no part of the structure of international justice can stand. The people of the United States could act upon no other principle; and to the vindication of this principle they are ready to devote their lives, their honor, and everything that they possess. The moral climax of this the culminating and final war for human liberty has come, and they are ready to put their own strength, their own highest purpose, their own integrity and devotion to the test. [Prolonged applause.]

At 12 o'clock and 54 minutes p. m. the President retired from the Hall of the House.

At 12 o'clock and 55 minutes p. m. the Speaker announced that the joint session had dissolved.

Thereupon the Vice President and Members of the Senate returned to their Chamber.

SERBIAN MISSION.

The SPEAKER. The Chair appoints as a committee to escort the Serbian mission Messrs. FLOOD, DENT, SABATH, COOPER of Wisconsin, and FORDNEY, and the House will stand in recess.

Accordingly (at 12 o'clock and 58 minutes p. m.) the House stood in recess.

At 1 o'clock p. m. the members of the Serbian mission, escorted by the committee appointed by the Speaker, entered the Hall of the House and were announced by the Doorkeeper. The members of the mission were: Dr. Milenko R. Vesnitch (chairman), Dr. Sima Lozanitch, Gen. Michailo Rachitch, Lieut. Col. Michailo Nenadovitch, Capt. Milan Yovitchitch, and Mr. Vladislav Martinatz.

Mr. Lioubomir Michailovitch, minister from Serbia to the United States, accompanied the mission into the Hall of the House, together with the Third Assistant Secretary of State, Mr. Breckinridge Long; A. B. Ruddock, of the Department of State; and Lieut. H. F. Armstrong, United States Army.

The SPEAKER. Gentlemen of the House of Representatives, almost 500 years ago the Turks overran the Balkans and got as far as the capital of Austria, and John Sobieski, the heroic King of Poland, went down there with an army and defeated the Turks under the walls of Vienna. From that day to this the Turks have been retreating eastward, sometimes very slowly and sometimes more rapidly. During all these years, nearly five centuries, the Serbians and Montenegrins have kept up a more or less constant warfare against the Turks. [Applause.] They never admitted that they were conquered. Serbia was one of the first of the Balkan Provinces that achieved its independence. It is one of the smaller States of Europe, but no nation in the world has ever put up a braver fight. [Applause.] About the time that the western end of the Balkans, including Serbia, had achieved independence from the Turks, the Austrians precipitated this war by an assault on Serbia. They did not get along as easily as they supposed they would, and the Serbians fought them inch by inch, and were driven from their own country only by the overwhelming force of men and guns. I suppose that in this war the Serbians have suffered more than any other nation in Europe.

I take pleasure in introducing to the House the head of the Serbian mission to the United States, Dr. Milenko R. Vesnitch, who will now address the House. [Applause.]

Dr. VESNITCH. Mr. Speaker and gentlemen of the House of Representatives, we stand here, in this post of honor, my friends and myself, thanks to your great courtesy, and my first thoughts go beyond you to your constituents, to those whom you so conscientiously represent, and who probably have often asked of you the reason for this catastrophe overwhelming the world, and which has imposed upon them the greatest sacrifices which humanity has ever been called upon to endure. Would that my voice might reach them all, but, alas! I fear that I can not hope to succeed in this self-imposed task, for the voice of a modest representative of a small nation is too weak to be heard throughout this vast country. Nevertheless, I dare not hesitate, and your democracy, gracious and gentle as it is powerful, will lend its ears to my voice, because I ask the favor of speaking the truth and of invoking justice for the cause of the allies and for that of my desolate country.

The most distinguished of our common allies have explained to you from this platform the reasons for which Germany and Austria-Hungary have provoked this tremendous war, and for which all righteous and liberty-loving nations have been successively and necessarily involved in this conflagration. This duty was for none of them so great and so imperative as for me; for little Serbia, as you know, was the first nation attacked by Austria-Hungary, and later invaded by Germany, Bulgaria, and Turkey. Serbia was the first object of the Teuton's aggression. In a single moment the armies of four powers, representing 150,000,000 inhabitants, were hurled against a small nation of hardly 5,000,000, whose army was exhausted by two preceding wars.

Why did the central European powers attack us, aided by their Turanian, Asiatic, and half-Asiatic allies? Why did the liberal nations of Europe interfere in this unequal struggle? Why was it impossible for your great country to stand, as it were, apart, and await the final result of this immense conflict, far from the field of battle? To frame clearly the answer of these questions would require hours and hours, if not days, and, as I may not impose upon your good nature or claim more than half an hour of your precious time, I shall endeavor to be very brief. Because of this my address will necessarily suffer, but I count upon your indulgence.

You will, I sincerely hope, agree with me that a great and enlightened democracy has the right in our time to be fully informed why it is that its citizens, so far removed from the battle field, why, to be specific, the countrymen of Washington and Monroe, should forsake their regular occupations, renounce all their cherished plans, and concentrate their thoughts and their powers, physical as well as moral and material, exclusively on one object—to win the war. The necessity for this is absolute.

Two motives have led Germany and Austria-Hungary to crush Serbia, both of which were peremptory and categorical. The first was dictated by the determination of the Germans to become the masters of the world after having successfully subjected Europe to their will and having settled themselves in Asia Minor. The second was due to the horror in which the German mind holds democracy. If you consider these two motives more closely you will readily persuade yourselves that their origin is the same autocratic mentality of the Teutons, of which the Hohenzollerns and the Hapsburgs are the strongest and the most evident personifications. This mentality manifested itself long ago in the Middle Ages, when the Hohenzollerns imposed Christianity with the sword for political purposes, and when the Hapsburgs forced a people to stand bareheaded before the hat of Gessler. Medieval, feudal robbers, the Hohenzollerns descended from their mountain castles, and, passing through the county of Nuremburg, founded the Duchy of Brandenburg, outraging and exterminating the Slavs, and colonizing their lands with Teutons. Through persistent intrigue and military activity they have transformed their dominions into the Kingdom of Prussia, which they enlarged by robbing Austria of Silesia, Denmark of Schleswig-Holstein, and, excluding Austria from the circle of German States, formed the North German Confederation, under the leadership of Prussia. Five years later the South German States, through compulsion and compromise, were united with the North German States and merged into an empire, and, enlarged by the cynical annexation of Alsace and Lorraine, under the dominion of this same Prussia, the German States have become Prussianized. From that moment the ambition of the Hohenzollerns has known no bounds. They have resolved to conquer the world. Indeed, before Nietsche announced his theory of the superman, the German people considered themselves to be a superior people. Their superior people—Uebervolk, to use their own expression—ought, in their opinion, to govern and direct the world, because, in their pride, they claimed to be the cultured people—in their own language Kulturvolk—and the transmitters of culture, as they termed it, Kulturtrager—to the peoples of the earth. The first step to be taken was to secure financial and agricultural resources for the struggle which this ambition would necessarily provoke. These, they early saw, were to be found in Palestine and Mesopotamia, where there were cotton and wheat in abundance. After having for scores of years lulled the Turks into a belief in their friendship, until the Kaiser, with turban on head, knelt before the grave of Mohammed, the Germans decided to cut their way through the Balkans. But to reach Constantinople and Saloniki it was necessary to win over or to crush Serbia. As we could not be won over, our destruction was quickly decided at Berlin and Vienna.

The House of Hapsburg had even more reasons to wish for our disappearance from the map. Old feudal brigands, descending from the Swiss mountains, the Hapsburgs conquered, often fraudently acquired, Province after Province. By cabal, corruption, and treachery, they acquired the crown of the Holy Roman Empire of the German Nation, without ever seeing in their provinces and realms anything more than private lands or family domains. Even nowadays the Hapsburgs do not recognize an Austrian or Hungarian, a Czech or Croat country, nor even an Austria-Hungary. They only know lands and estates belonging to their house like simple property, and it is on the basis of these conceptions that they administer their Provinces, considering the inhabitants as belonging to and forming a part of their estates. At the same time, being essentially a Teutonic dynasty, the Hapsburgs have always been in the East the agents of German policy. With the exception of the German, and from the latter half of the last century Magyar, they have never tolerated national tendencies under their rule, and they have persecuted systematically every nation or race with those ambitions, especially the Slavs; but they have emptied the vials of their wrath upon the Yougoslavs, because the democratic Slovenes and Croats had seen in the Serbia of their brothers the realization of their dreams extending over centuries, and, as they have openly and with all their energy favored our development, many of them abandoning their homes and their native lands in order to pass over to and to settle in little Serbia, the feudal and bureaucratic Hapsburgs have seen in our country a real danger to their political situation. And because of this menace, as they considered it, they long ago inaugurated the policy of oppressing the Yougoslavs, of persecuting Serbia, and of thwarting all our endeavors toward a normal economic and political development.

If Austria-Hungary has become a hell to all her inhabitants, with the exception of the Germans and Magyars, no nationality has suffered more under Hapsburg misrule than the Yougoslavs.

Hatred of the Croats and of the Slovenes has increased in the last 50 years as they have begun to oppose Germanization, leaning upon Serbia as a defense and upon her democracy. Since the formation of the Austro-German alliance of 1879, Vienna and Berlin have been united in their policy to crush Serbia because of its democracy—a small America in the southeast of Europe—and to counteract every effort of the Serbs and Croats or Slovenes in the dual monarchy standing in their way.

Our desperate moral and political situation has been truly pictured by one of our great national poets, "Our tears flow unremarked, and neither our cries nor our prayers are heard." The ambition to dominate the world, and the determination to check democratic movements in their dominions, have been the motives which have caused the central powers to inaugurate this tremendous war. All else has been simple pretext.

You know the methods followed by the Germans in this war in Belgium, in France, in Italy, in Roumania, and even in Russia. You have never heard of the horrors endured by the Yougoslavs, not only in Serbia but even in the Provinces of Austria-Hungary. They are so cruel and inhuman that I am obliged to spare you the recital. But I must give you one, the slightest example of it.

Since we have been so happy as to enjoy the hospitality of your beautiful Capital, I have been going every Sunday to commune with your people in prayer for all the unfortunate men and women in the world and for our redemption from the evils imposed upon us all by German aggression. On every one of these occasions I have recalled to mind the military order issued by the invader of my martyred country:

Divine service is only to be permitted at the request of the inhabitants of the locality and only in the open air and outside the church. No sermon, however, will be permitted under any conditions whatsoever. A platoon, prepared to fire, will hold itself in readiness near the church during divine service.

In methods of barbarity, Austrians, Magyars, Bulgarians, and Germans have vied with one another. Contrary to the traditions of warfare in the last three centuries, and contrary to the obligations assumed in international treaties, the Austro-Germans, the Bulgarians, and the Turks have violated the most elementary civil, moral, and religious rights in Belgium, in France, in Italy, in Roumania, but surely nowhere in such large measure as in Serbia. Should they be victorious in this war, the turn of others would necessarily come, and neutral nations would not escape.

This situation imposes upon us all the imperative duty of facing sacrifices to win the war. I have come from the western front in Europe, and I saw there all the horrors of German devastation. Attila could go to the school of barbarism founded by the successors of Moltke. But I saw at the same time the resolution of all the allied soldiers, those under the command of your gallant Gen. Pershing included, to win this war, forced upon us all, and to restore right, justice, and liberty to the civilized world. [Applause.] But to win it we must act with all our coordinated energy and indefatigably day and night. We must not, we dare not, think of anything else these days than of the war and of winning it. Only when we hold complete and definite victory in our hands can we dare to think of peace. This peace must be a just and a lasting one, and to be such it can not be made in Germany. [Applause.] To obtain it we must realize that further great and earnest efforts are to be made. We must stand as one man and concentrate all our energies. We Serbs put all our confidence in our allies, as we have up to the present day, that this sunlight will dawn. We hope that the new world organization—for a new world will and must result from this war—will be inspired by the American spirit, tending toward "a more perfect union," providing at the same time that no State shall be deprived of its equality in the new society of nations. We may assure you, gentlemen of the House of Representatives, that in the coming happier organization we shall be factors and elements of order and of progress, and that we shall be happy and proud to stand beside you and to follow you in the way in which the spirit of Washington is to guide mankind. [Applause.]

The members of the mission then took their places on the right of the Speaker's rostum, and the Members of the House of Representatives were presented to them.

The distinguished visitors were then escorted from the Hall of the House.

The recess having expired, the House (at 1 o'clock and 37 minutes p. m.) resumed its session.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent that the proceedings which took place during the recess be published in the RECORD.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the proceedings incident to the visit of the Serbian mission be printed in the RECORD. Is there objection?

There was no objection.

LEAVE TO WITHDRAW PAPERS.

By unanimous consent, Mr. DENTON was given leave to withdraw from the files of the House, without leaving copies, the papers in the case of Thomas J. Lamar (H. R. 19145, 64th Cong.), no adverse report having been made thereon.

REFERENCE AND PRINTING OF THE PRESIDENT'S ADDRESS.

Mr. KITCHIN. Mr. Speaker, I move that the address of the President be printed and referred to the Foreign Affairs Committee.

The motion was agreed to.

Mr. KITCHIN. Mr. Speaker, in addition to the copies of the President's address which will be printed and distributed through the Document Room under the rules of the House, I ask unanimous consent that 25,000 copies be printed and distributed through the Folding Room.

The SPEAKER. The gentleman asks unanimous consent that 25,000 copies of the President's address just delivered be printed in document form and distributed through the Folding Room. Is there objection?

There was no objection.

The SPEAKER. The Chair will call attention to the fact that the next to the last address of the President never has been referred. Does the gentleman wish to make some motion about it?

Mr. KITCHIN. I thought myself that being a special message it was unnecessary to make a motion.

The SPEAKER. Then the Chair will refer it to the Committee on Interstate and Foreign Commerce.

HOUR OF MEETING THURSDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns Wednesday it adjourn to meet at 11 a. m. on Thursday.

Mr. GILLETT. Is that with the understanding that the woman-suffrage amendment will be considered on Thursday?

Mr. KITCHIN. I understand the Rules Committee will bring in a rule on Thursday for the consideration of the woman-suffrage amendment, and that it is the purpose to close the matter up and vote on the amendment on that day, and we wish to have an extra hour.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns on Wednesday it adjourn to meet at 11 o'clock a. m. on Thursday. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. KEATING. Mr. Speaker, I ask unanimous consent for leave of absence for the gentleman from Ohio [Mr. CROSSER], indefinitely, on account of illness.

The SPEAKER. The gentleman from Colorado asks unanimous consent that the gentleman from Ohio [Mr. CROSSER] be given indefinite leave of absence on account of illness. Is there objection?

There was no objection.

UNLAWFUL RESTRAINTS AND MONOPOLIES.

Mr. CARLIN. Mr. Speaker, I ask unanimous consent for the present consideration of S. J. Res. 106, extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, now on the Speaker's table.

The SPEAKER. The parliamentary clerk is momentarily absent, but the Chair will recognize the gentleman from Virginia when the gentleman from Missouri [Mr. BORLAND] has concluded his 30-minute speech.

Mr. CARLIN. Mr. Speaker, I have no objection to awaiting the return of the parliamentary clerk, but I want to be certain that we are not going to adjourn so as to cut off consideration of Senate joint resolution 106, because this is the last day of the existence of the law and it is necessary to consider it if possible to-day.

Mr. STAFFORD. What does the resolution relate to?

Mr. CARLIN. It relates to the suspension of section 10 of the Clayton Antitrust Act.

Mr. STAFFORD. I think there is some objection to the passage of the resolution.

Mr. CARLIN. I am not concerned about the objection to the resolution, but I am concerned about its consideration to-day.

The SPEAKER. There is no trouble about that; it is entitled to be called up to-day. The gentleman from Missouri [Mr. BORLAND], under the order of the House, is entitled to 30 minutes.

Mr. LONDON was called to the chair as Speaker pro tempore.

Mr. BORLAND. Mr. Speaker, January 8 commemorates the brilliant victory of Gen. Jackson at New Orleans, but this year we Missourians celebrate it for another reason. It marks the date when the first petition was presented in Congress to confer statehood upon that great Commonwealth. The battle then begun was epoch-making in the history of our Republic. It ranged over the whole field of social, political, and constitutional problems, until it culminated in the famous "Missouri compromise," under which Missouri was admitted to the Union August 10, 1821.

It is the purpose of the people of our State to celebrate the centennial anniversary of the statehood of Missouri in some fitting manner in 1921. It is my purpose at this time to call attention to the rapid Americanization of Missouri during the first 14 years of its history and the tremendous effect of this change upon the destiny of the great West.

The transfer of Upper Louisiana from the control of France to that of the United States occurred at St. Louis March 10, 1804. The Province of Louisiana had belonged to Spain for 40 years, but Spanish rule had made little or no impression on it. The settlements remained French. Their language and customs were French. The spirit of the people was French, and no influx of Spanish colonists had come in all those 40 years to disturb the quiet, shut-in life of the little villages. The nominal transfer of the Province back to France to permit it to be ceded to the United States awakened in their hearts the fires of enthusiasm for the land of their fathers.

Gen. Chittenden thus describes the scene of the transfer:

> It was an unusual spectacle that took place in St. Louis March 9 and 10, 1804, and one filled with sadness to the old inhabitants, who were mostly of French descent. The formal transfer of Upper Louisiana from Spain to France had not been made when the time arrived for its transfer to the United States. In order that this transfer might be made from France to the United States according to the terms of the treaty with Napoleon, Capt. Amos Stoddard, of the United States Army, who had been delegated to receive the country from France, was empowered by the French Government to act as its agent in the transfer which must first take place from Spain to France. The ceremony of the first transfer occurred between the hours of 11 a. m. and noon, March 9, 1804. The Spanish flag was lowered and the standard of France was run up in its place. The people, although conscious that the sovereignty of France was being resumed but for a moment and simply as a necessary formality in the final transfer, nevertheless could not restrain their joy at seeing float over them once more the standard which even the 40 years of the mild sway of Spain had not estranged from their memories. So deep was the feeling that when the customary hour came for lowering the flag the people besought Capt. Stoddard that it might remain up all night. The request was granted and the flag of France floated for 24 hours over the city from which it was about to be withdrawn forever. At the appointed time on the following day, March 10, 1804, the ceremony of transfer from France to the United States was enacted. The flag of the French Republic was withdrawn and the Stars and Stripes waved for the first time in the future metropolis of the valley of the Mississippi. Thus St. Louis became perhaps the only city in history which has seen the flags of three nations float over it within the space of 24 hours. * * * (American Fur Trade, vol. 1, p. 105.)

With such a beginning, the task of governing and Americanizing our first-acquired territory was inaugurated. With this, our first venture in national expansion, the whole theory of our institutions was on trial. Was Missouri to remain French—a mere subject province, alien in thought and speech; another Alsace and Lorraine—or was it to become American, an integral part of the Union?

The first government of acquired territory is always military, but the military régime should last no longer than is necessary to establish public order. Capt. Amos Stoddard, afterwards major, the Army officer who received the territory on behalf of the United States, became the head of authority for the time being. He exercised power in pursuance of the act of Congress of October 31, 1803, which authorized the President to take possession of Louisiana, and which provided "that until the expiration of the present session of Congress, unless provision for the temporary government of said Territories be sooner made to Congress, all the military, civil and judicial powers exercised by the officers of the existing government of the same shall be vested in such person and persons, and shall be exercised in such manner as the President of the United States shall direct for maintaining and protecting the inhabitants of Louisiana in the free enjoyment of their liberty, property, and religion."

The settlements then existing in Upper Louisiana were Arkansas Post, New Madrid, Cape Girardeau, St. Genevieve, Carondelet, St. Louis, and St. Charles, and a few private trading posts among the Indians. The total population of these settlements, according to the census furnished by the United States consul at New Orleans, was 6,028. This may have included only the inhabitants of the villages. Many American settlers had come in during the last decade of Spanish rule, and these followed the frontier custom of building their log cabins in clearings on their individual tracts of land, often remote from the settlement. The French, on the contrary, clung to the villages. According to one estimate, about two-fifths of the inhabitants of the upper district were Americans at the time of the transfer.

On the 26th of March, a few days after the transfer, and during the same session of Congress as that which passed the act for the taking possession of Louisiana, an act was passed for the temporary government of the newly acquired domain. The portion south of the 33° of lattitude, and now constituting the State of Louisiana, was organized into the Territory of Orleans. The residue of the Province from the southern boundary of Arkansas to the British possessions was included in the unorganized District of Louisiana. By the act the latter was placed under the control of the governor and judges of Indiana Territory, which Territory, embracing Illinois, extended to the east bank of the Mississippi. To these officials was given not only executive and judicial but legislative authority, subject to the Constitution of the United States and to certain special provisions for religious liberty and for trial by jury in all criminal prosecutions and in civil cases when the amount involved was $100. All inhabitants between the ages of 18 and 45 were to be subject to militia duty. "The laws in force in the said District of Louisiana at the commencement of this act and not inconsistent with any of the provisions thereof, shall continue in force until altered, modified, or repealed by the governor and judges of Indiana Territory."

Gen. William Henry Harrison, governor of Indiana Territory, thus became governor of the new District of Louisiana, which was simply added for the time being to his jurisdiction without being incorporated in the Territory of Indiana. Some technical question was afterwards raised about this on the subject of slavery. It was contended that as Indiana Territory was part of the Northwest Territory, in which by the ordinance of 1787 slavery and involuntary servitude were prohibited, the District of Louisiana came under the same law when it was added to the jurisdiction of the governor of Indiana Territory and therefore slavery became unlawful from that date. The contention was never seriously pressed. It is manifest from the terms of the act of Congress of March 26, 1804, that the laws then prevailing in the District of Louisiana were continued in force until changed by the governor and judges to whom the legislative authority was committed. As Gov. Harrison was not to assume his duties until October 1, 1804, he came to St. Louis, with his judges, in the meantime and familiarized himself, as far as possible, with the needs of the District.

The summer of 1804 was a busy one for St. Louis and for the new Territory. Lewis and Clark organized and started upon their expedition to the Pacific. Americans began to pour into the new land, led by the spirit of adventure and the unaccountable lure of a new country. After the return of Gov. Harrison and the judges to Vincennes from their visit to St. Louis, they enacted, on October 1, 1804, a few laws for the government of the District of Louisiana, including a slave code modeled upon that of Kentucky. Congress at the following session, March 3, 1805, changed the name of the District of Louisiana to the Territory of Louisiana. In response to a popular demand the act provided that a governor, a secretary, and three judges should be appointed who should reside in the Territory. The act was modeled after that for the government of Indiana Territory. All power, legislative, executive, and judicial, was vested in the governor and the three judges, who were appointees of the President. This is what is known in our law as a Territory of the first grade. It is a civil government and is one step higher than the military rule which it supersedes. It provides for local legislation but not for local participation in government.

The first governor appointed under the new act was Gen. James Wilkinson, who was then in command of the western posts of the American Army. The first judges of the Territory who served with Gov. Wilkinson were John B. C. Lucas, Return J. Meigs, jr., and Joseph Browne. The new governor established himself at St. Louis and took up his duties April 24, 1805. Shortly thereafter Aaron Burr came to St. Louis and visited Wilkinson, and the air was soon thick with rumors of the wonderful conspiracy of Burr to establish an independent empire in the Southwest. It was never known how deeply Wilkinson was involved in Burr's plans. After the acquittal of Burr, Wilkinson was tried as an accessory, but no case was proved against him. He was unpopular with the St. Louis people, whether on account of his supposed intrigue with Burr

or because of his speculations in land is not clear. He was removed from the office of governor after less than two years' service. Col. Hammond was acting governor until the spring of 1807, when Capt. Meriwether Lewis was appointed governor.

The Americanization of the new Territory had now begun in earnest. In 1805 Lieut. Zebulon Pike was sent by Gov. Wilkinson to explore the upper waters of the Mississippi and to establish American authority there as against the encroachments of the British traders. The following year Pike was sent to the headwaters of the Arkansas, which resulted in his invading Spanish territory and being detained in honorable captivity. In 1806 the American post, Fort Bellefontaine, was established on the south bank of the Missouri River a few miles above its mouth. During that year and the next a colony of pioneers from Kentucky, under the leadership of Col. Benjamin Cooper, was established on Loutre Island in the Missouri River, opposite where the city of Hermann now stands. The return of Lewis and Clark, crowned with success in their efforts to reach the Pacific by way of the valley of the Missouri, gave new impetus to the fur trade. Companies were organized, and St. Louis became the emporium of this traffic.

The sons of Daniel Boone, Daniel M. and Nathan, had begun the manufacture of salt at a locality known as Boones Lick. This commodity was much in demand on account of the growing trade in peltries and the influx of the pioneer population with its live stock. The methods of the salt makers were primitive, consisting simply in the evaporation of the water from a salt "lick" or spring. The salt was loaded into dugout canoes and floated down the Missouri to St. Louis. Cedar Creek, which now divides the counties of Calloway and Boone, was the western boundary of the St. Charles district. The country above this stream was known as "Boones Lick country" and for a generation was the outpost of American settlement. Here in 1810 was removed the Cooper colony from Loutre Island, and the great fertility of the region attracted the first permanent group of American settlers.

The first newspaper in the Territory was the Missouri Gazette, established at St. Louis in 1808 by Joseph Charless. This paper is still in existence under the name of the St. Louis Republic. During the Spanish régime a few of the prominent French traders had established trading posts at points convenient for the traffic with certain tribes, but these were not even the nucleus of settlements. Manuel Lisa had such a post near the Osage villages on the headwaters of the Osage River. Francis G. Chouteau founded what was known as the "Kansas Post," supposed to have been located on an island in the Missouri River about 3 miles below the mouth of the Kansas River.

The abuses of the unregulated trade with the Indians moved the American Government to do something in their behalf. The Spanish policy had been a restriction of trade into the hands of a few concessionaires of the Crown. With American sovereignty came the genius of the American institutions, which abolished monopoly and threw trade open to free competition. This was not an unmixed blessing to the Indians. Fraud, imposition, deceit, oppression, the debasing use of liquor, and the demoralizing influences of real or pretended sales on credit determined the Government to extend the "factory system" to the new country. A factory was a Government trading post, where the Indians could procure honest goods at just prices in exchange for their furs. The first, and for a time the only, factory west of the Mississippi was established at Fort Osage in 1808. The original orders from the Secretary of War directed the founding of a trading house and a military post to protect it at some point on the Osage River. After reviewing the situation, however, Gen. William Clark, Capt. Clemson, and Mr. Sibley decided upon locating the post on the Missouri River 4 miles above Fire Prairie Creek. This locality was 20 miles east of Kansas City. The post was accordingly started September 4, 1808, and completed December 2. It was first called Fort Clark, afterwards Fort Osage.

The lead mines of Missouri contributed also to the rapid settlement of the territory. The presence of a valuable deposit of mineral had been known since the time of the early French exploration. When first discovered it was supposed that the metal was silver, and this apparently fabulous wealth gave rise to the Mississippi scheme projected by John Law in 1719. The mines were worked in a desultory fashion under the French and Spanish, but no great progress was made. In 1797 a grant was made by the Spanish authorities to Moses Austin, afterwards celebrated as the pioneer colonizer of Texas. He was given a tract 1 league square for mining and smelting land. After the American occupation some real development occurred.

By 1809 a shot tower was in operation at Herculaneum, at which, tradition says, the shot was made to furnish the troops of Gen. Jackson in the Battle of New Orleans. John Bradbury, the English naturalist, gives an extended account of the lead mines as he saw them in 1810. He was impressed with the fact that there was a considerable body of lead under the soil of Missouri. The mineral land was held under French or Spanish grants and the proprietors did little besides collecting a royalty from prospectors. The latter went from tract to tract as prospects seemed to offer. They stripped the soil, finding the lead in pockets and selling it to the proprietors at a customary price.

The cause which contributed most to the rapid growth of Missouri was the fact that it was new slave territory. The Northwest Territory, embracing Ohio, Indiana, and Illinois, was free soil by the ordinance of 1787. The settlers from Virginia, the Carolinas, Kentucky, and Tennessee, who then constituted the most enterprising and adventurous class of the American population, crossed over the free soil of the Northwest Territory to reach Missouri, where they could take their slaves. This was supposed at the time to be an immense advantage to Missouri, and did contribute both to the rapidity of its settlement and to the character of its population, although the country never was adapted, from an economic standpoint, to the institution of slavery. The census of 1810 revealed a population in the Territory of 20,845, of which 3,011 were slaves. In St. Louis there were 5,667 inhabitants, of which 740 were slaves. The percentage of slaves in proportion to population continued to fall off with each census. After the coming of river transportation the doom of slavery as an economic institution was sealed. It was preserved only by the stress of partisan zeal.

Gen. Benjamin Howard was made governor of the Territory in 1810, and in the years of his administration several forts or stockades were erected by the settlers in the Boones Lick neighborhood for protection against the Indians. These forts had no regular garrison. In case of alarms the sounding of a horn summoned all the neighbors within the walls of the stockade, which was defended by the men and boys, all of whom were experts with the rifle. Punitive expeditions, composed of volunteer riflemen, were frequently sent after marauding parties of Indians who by a sudden raid had committed some outrage. Of the various tribes of Indians with whom these troubles occurred the Iowas only were of Sioux stock and belonged west of the Mississippi at the advent of the white men. They overran a portion of northern Missouri. The remaining tribes—the Miamis, Pottawatomies, Fox, Kickapoos, Delawares, and Shawnees—were Algonquin tribes, who had originally lived east of the river, some of them as far east as Pennsylvania. They had been driven from their homes by the steady advance of white settlement in the Northwest Territory. Many of them had fought in the French and Indian war against the Americans. By the time they reached Missouri they had become predatory vagabonds—cruel, bloodthirsty, and crafty. The savage virtues which they shared with the Algonquin race had disappeared in their contact with the whites and as result of their homeless wanderings. They gave more trouble than the resident tribes of the Sioux race that were found in the Missouri Valley.

The census of 1810 showed that the Territory had grown in population over 300 per cent in the six years following the change in sovereignty. All of the newcomers were Americans. It was but natural that they should begin to agitate for some form of political rights. Accordingly, a petition was presented to Congress in 1811 praying for local self-government. At this time the Territory of Orleans, comprising that part of the purchase below the thirty-third degree of latitude, was petitioning for statehood under the name of Louisiana. It was admitted as a State under that name April 8, 1812. The residents of the upper settlements, theretofore known as the Territory of Louisiana, promptly adopted the name "Missouri." Congress passed an act June 4, 1812, providing that the Territory of Louisiana should thereafter be called the "Territory of Missouri." No change in the boundaries was made. A governor and secretary were to be appointed by the President. The legislative power was to be vested in a general assembly consisting of the governor, a legislative council, and a house of representatives, with an absolute veto in the hands of the governor.

The house was to be composed of members elected every second year by the people of the Territory—one representative for every 500 white male inhabitants. The legislative council was to consist of nine members appointed by the President for five years from a list of 18 persons nominated by the house. The people were to elect one Delegate to Congress. The act took effect the first Monday in December of that year. Edward Hempstead was the first Delegate elected to Congress.

Here was the beginning of local government—an elective lower house, with an appointive upper house and executive. This is called a Territory of the second grade. The house of representatives held its first session on December 7, 1812, and nominated 18 persons, from whom the President was to select the

legislative council. Gov. Howard had taken the field in the war then beginning with England, and Gen. William Clarke, the companion of Capt. Meriwether Lewis, was appointed governor. The first meeting of the fully organized general assembly occurred on the 3d day of June, 1813. A number of laws were passed for the local government of the Territory.

The second war with England, which was officially proclaimed June 19, 1912, did not disturb seriously the new Territory of Missouri. Actual hostilities did not extend that far west. It was feared by the inhabitants that the Indians, particularly those tribes which had come in from the Northwest, would be armed and instigated by British agents to commit fresh depredations. Fortunately, Gen. Clarke had, in May just preceding the outbreak of war, taken a party of chiefs of the Great and Little Osages, the Sac, the Renards or Foxes, the Delawares, and Shawnees to Washington on an embassy of friendship. As a result no organized warfare was attempted by the Indians, although the settlers did not escape occasional raids.

When the War of 1812 broke out Gen. Howard sent word to the settlers in the Boones Lick country to come into St. Louis for protection, but received this reply from Capt. Cooper:

We have maid our Hoams here & all we hav is here & it wud ruen us to Leave now. We be all good Americans, not a Tory or one of his Pups among us & we hav 2 hundred Men and Boys that will fight to the last, and we hav 100 Wimen & Girls that will tak their places wh. makes a good force. So we can defend this Settlement, wh. with Gods Help we will do. So if we had a flew barls of Powder and 2 hundred Lead is all we ask.

Whether the fear that British agents were inciting the Indians of the trans-Mississippi region to hostilities against the Americans was well founded or not, the rumors to that effect persisted among the fur traders. To prevent such influence among the Indians of the upper Missouri one of the most experienced fur traders, Manual Lisa, was appointed by Gov. Clarke subagent for those tribes. Lisa was the stormy petrel of St. Louis business life in those days. He was eminently successful as a trader and very tactful in his dealings with the Indians, but nothing he did escaped criticism from his commercial rivals. The Indians under his charge remained peaceful and even friendly to the Americans throughout the course of the war, but at its close it was necessary for him to resign and write a long letter to Gov. Clarke explaining that he had not enriched himself unlawfully out of the $500 which the Government allowed him for the expense of his office.

The United States Government, on the acquisition of the Territory, made Auguste Chouteau a colonel and ambassador to the Indians. Chouteau was a handsome man of winning manners and convincing oratory, with light hair, high forehead, and straight nose; was always smoothly shaven and carefully dressed. After the treaty of Ghent, which put upon the United States the duty of making peace with the Indian tribes, Col. Chouteau achieved his greatest feat of diplomacy in a council which he held with them at Portage des Sioux on the Missouri River, a few miles above St. Louis. As the result of the tact and fairness of Col. Chouteau, Gov. Clarke, Maj. Sibley, Manual Lisa, and other representatives of the Government in Indian affairs, the Indians of the new Territory remained friendly and tractable, and Missouri was spared most of the horrors of Indian massacres which have stained with blood the early history of many American Commonwealths.

The treaty of Ghent, which closed the second war with England, was signed by the commissioners of the two Governments December 24, 1814, but news of the treaty did not reach the United States until after the brilliant victory of Jackson at New Orleans January 8, 1815. An attempt was made on the part of the British negotiators of the treaty to settle the northern boundary of Louisiana Province, but nothing could be agreed on, and the treaty was therefore silent on that point.

The termination of the war, with the sense of security which that event gave to the western settlers from attacks from the British dominions on the north or from the Indians instigated by the British, conduced to the rapid settlement of Missouri Territory. The two Boones, sons of Daniel, surveyed and laid out the first road west of the river. Their highway led from St. Charles to Old Franklin, a distance of about 150 miles. It was a rude affair, consisting of little more than the "blaze" on the trees to indicate the route and primitive log ferryboats at those streams which were too large to be forded. Rude as it was, it turned the immigrant tide toward the interior of the Territory and became a great artery of travel. It was known as the Boones Lick Road, and is one of the famous highways of history.

Settlers poured in from the Southern and Southwestern States. Those who came brought their families, and, in many cases, their live stock and slaves with them. While they were accustomed to live as much by hunting as by tilling the soil, they were home makers and not moving trappers. They were of the best type of frontier life, hardy, adventurous, self-reliant, and resourceful. The axe and the rifle were their simple weapons to conquer the wilderness, and they were proficient in the use of each. Missouri was one great woodland and contained an abundance of sound, hard timber. Before provision was made for disposing of the public domain the new settlers squatted on the land wherever the fancy took them—usually on the bank of some creek, where there was water for the stock and the household. They did not gather into villages or even into clusters. Each settler maintained a jealous independence—"not near enough to hear the bark of his neighbor's dog."

Their houses were built of logs, notched at the end so that when the logs were laid one upon the other, the sides and ends alternating, they would fit together as snugly as possible. Chinks between the logs were filled with mud and broken stones. At first the logs were undressed, even the bark being left on, and the floor of the house was only the hard-packed dirt. Afterwards, as the pressure for immediate shelter was less acute, and especially as the family of boys grew, the houses were made of logs hewn square and neatly fitted together. Floors, tables, and benches were made of puncheon—that is, logs flattened on top and left rounded beneath. Chimneys were added, built of stone, running up the side of the house, with the fireplace opening into the living room through a hole left in the logs. Hardware there was none, so none was used in the building. No nails were needed, and the doors hung on leather or wooden hinges. A latch or bar which fitted into a rest fastened the door on the inside. This latch could be raised from the outside by means of a leather thong fastened to the latch and then passed through a hole in the door just above the latch. If the latchstring was hanging through the hole anyone outside the door could pull the latchstring and raise the latch. Unwelcome intrusion could be prevented by closing the door, fastening the latch, and pulling the string inside. "The latchstring hanging out" meant, therefore, the right to enter, or, colloquially, a standing invitation and welcome.

The woods abounded with game—turkey, deer, quail, grouse, rabbits, and squirrels. The streams were full of fish. The soil was fertile and the climate temperate. A little labor would raise more food than the family could consume, and there was no market for any surplus. After the few household utensils were provided, ammunition, salt, and some coarse cloth were the chief needs of the family. The men and boys dressed as much as possible in buckskin, so admirably suited to hard service and to protect the body in the tangled growth of the forests. Wild honey was a convenient substitute for sugar. Hunting bee trees was a sport of the late summer. A single hollow tree might yield several tubs of honey—enough for the winter supply of the family. Strange to say, bees are not naturally wild, nor are they native to Missouri. The Europeans brought the bees to our shores, but the insects escaped into the woods and became wild in the splendid luxuriance of field and forest. They crossed the continent in the vanguard of civilization, keeping just ahead or abreast of the settlers. The Indians came to regard bees as the forerunners of the white men.

The United States land system, so simple and so immensely superior to the Spanish system, was put into force in the new territory as rapidly as possible. It was not possible to begin the survey of the public lands immediately upon the acquisition of Louisiana. The country was wild and, for the most part, unexplored. The titles were clouded not only by the Indian right of occupancy but by the existence of the French and Spanish grants. The first settlers could only squat upon unoccupied lands and take chances on buying in the title when the lands were opened for settlement. The settler who had cleared the forest and built his improvements had no legal right of preemption, but his chances of perfecting his title as against a claim jumper or a mere speculator were greatly enhanced by a healthy public sentiment, aided by a firm reliance upon the "silent sentinel of the fireside," which hung above every chimney piece.

In 1815 the fifth principal meridian, the basis of land surveys in Missouri and Arkansas, was run north from the mouth of the Arkansas River. After the peace with Great Britain land was placed on sale at the St. Louis land office and at a land office opened at Franklin, in Howard County. Military bounties to the soldiers of the War of 1812, in lands to the north of the Missouri River, were decreed by Congress.

The act of Congress of 1812 creating the Territory of Missouri was amended April 29, 1816, by providing that both branches of the legislative council should be chosen by the people of the Territory. This raised Missouri to the status of a Territory of the third class, which is the most complete local self-government short of statehood. Little debate occurred

in Congress over this change, and yet it was a momentous one for Missouri. It indicated very nearly complete Americanization of this alien land in the short space of 12 years. Nothing truly approaching self-government had existed there in the hundred years from its settlement to its purchase, but as soon as the American pioneer became affixed to the soil his political genius asserted itself. With both branches of the legislative council elected by the people came the opportunity for general legislation in response to local demands. The first Territorial legislature under the act of 1816 revolutionized the system of law which prevailed over all of the old Province north of the boundaries of the State of Louisiana. The Spanish law was found in force. It was swept aside and the English common law substituted for it. Not a vestige of the Spanish law now remains in all that vast domain.

At the time of the original settlement of the Province of Louisiana the French law, which would in any event have followed the settlers of that nation, was expressly introduced and the customs of Paris were given to the colonies as their legal code. This continued to be the rule of action in the rather infrequent cases in which appeal to its provisions was necessary until the cession of the Province from France to Spain in 1762. In fact, it continued longer, until the coming of Count O'Reilly as the representative of the new sovereign in 1769. The seven years from 1762, when French authority ceased, to 1769, when actual control was taken by Spain, is spoken of in our history as the "interregum." This means only that there were no legal governors, and not that there were no laws protecting private rights, for it is a principle of international jurisprudence that the laws governing the rights of private citizens are not destroyed by the mere fact of conquest or the transfer of sovereignty, but remain in force until altered or repealed by the new sovereign. This is what is known as the territorial theory of law which prevails among all civilized nations in contrast to the tribal theory of law which prevails among savage and barbarous tribes. It has been decided by the courts, both of Louisiana and Missouri, that the Spanish law was introduced into the Province of Louisiana by the Spanish authorities shortly after O'Reilly's proclamation in 1769—if not by the mere legal force of that instrument, at least by the practical adoption of it which followed.

Mr. Jefferson, indeed, insisted in the celebrated Batture case that this proclamation only changed the civil organization and the form of judicial proceedings, and that the French law still continued in force in reference to the civil rights of the inhabitants, but his opinion was not sanctioned by the courts. Notwithstanding this formal decision decreeing its death, the French law seems to have survived with remarkable vitality in the hearts of the people, as witness its reappearance more than 40 years later as the basis of the jurisprudence of the new State of Louisiana. In fact, the Supreme Court of the United States has said:

> Every country has a common law of usage and custom, both local and general, to which the people, especially those of a conquered or ceded one, cling with more tenacity than to their written laws, and all sovereigns respect them. The people of Kent contended with the Conqueror of England till he confirmed their local customs and tenure which continue to this day; and history affords no instance where the people have submitted to their abrogation without a struggle, as was the case in Louisiana when they found that the laws of France and the customs of Paris were about to be superseded by those of Spain.

Legally and technically, when we took over the Province it was under the laws of Spain, and these laws remained in force until expressly altered or repealed by the proper lawmaking authorities. The laws of the Province were never treated by the Supreme Court of the United States as foreign laws, to be decided as a question of fact, but the court held itself bound to notice them judicially, as much so as the laws of a State of the Union. After the American occupation, the earlier territorial acts necessarily repealed such of the Spanish laws as were inconsistent therewith, as for example the act of July 4, 1807, which abolished the Spanish law of community and gave a wife dower in lieu of her interest under the Spanish law.

But the act of 1816 adopting the common law, which was a complete system, had the effect of repealing the entire Spanish code and thereafter the latter had no existence in the Territory of Missouri.

The act adopting the common law follows in its wording that of Virginia, in providing: "That the common law of England and all acts of Parliament of a general nature, not local to that Kingdom as it existed prior to the fourth year of the reign of James the First, shall be the law of this Territory." The fourth year of the reign of James the First was 1606, one year before the first permanent settlement of Englishmen within the limits of the United States at Jamestown, in Virginia. Our common law, therefore, goes back to the time when there were no colonies and when neither the written nor the unwritten law had been warped by the struggle between the colonies and the mother country.

The common law of England was claimed by the American colonists as a heritage and followed them into all the territory belonging to the thirteen original States. But Missouri adopted the common law by the free act of its legislative assembly. Thus the common law was carried across the Mississippi and displaced an alien system that had held sway for more than a century. And Missouri, at this time, included all of the Louisiana Purchase except the State of Louisiana. Thus the destiny of the whole West was affected, and the seal of Americanization set for all time upon the acquired domain. It was the supreme test of the change of national sentiment. The body of customary law, the deepest rooted of human institutions, was superseded—utterly swept away—by the free vote of the first popular assembly, both branches of which were chosen by the people of the Territory.

In 12 short years Missouri had become American. [Applause.]

Mr. COX. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. COX. I may have forgotten my history, but how long had it been French?

Mr. BORLAND. It was settled in 1700, and had been French for 100 years. In 1762 it was ceded to Spain, but Spain's rule was purely nominal. There were no Spanish colonists.

Mr. COX. Between 1762 and 1769 Spain acquired full power and dominion over it.

Mr. BORLAND. In 1762, and took possession in 1769.

Mr. COX. Did the French have possession again in 1769?

Mr. BORLAND. France acquired the Territory and relinquished it in 1803.

Mr. COX. So that France and Spain had the Territory between 1769 and 1802.

Mr. BORLAND. Spain had the Territory, but the laws and customs and inhabitants were French. We had acquired the domain by treaty with Napoleon, and the population was still so purely French that they demanded that the French flag be kept up for 24 hours. But it became rapidly Americanized. It did not remain long under military rule. Within a year it was a first-grade Territory, with local judges and local officers. In six years more it was a second-grade Territory, with a legislative assembly, the lower house of which was elected by the people and the upper house appointed by the President. In five years more both branches of the legislature were elected by the people. Missouri had advanced to a Territory of the third grade. The first act of the legislature, both branches being elected by the people of the Territory, was to repeal the entire body of the French and Spanish law and supplant it with the English law. No such complete Americanization of territory has ever occurred, and no such complete change in national sentiment in an acquired domain has been recorded in the pages of history. In less than 12 years a people, completely alien in thought, habits, and laws for 100 years and a land with an alien language, were Americanized and turned into American territory. In 1818, less than two years after that, Missouri felt able to ask for statehood. It was much more entitled to statehood at that time than any other State when it first applied. But on account of the bitter struggle between the North and the South then coming on, it was not until August 10, 1821, that Missouri was able to be admitted as a State. In 1821, under the celebrated compromise, Missouri, the first completely American State to be created out of an acquired domain, came under the Stars and Stripes. [Applause.]

UNLAWFUL RESTRAINT AND MONOPOLIES.

Mr. CARLIN. Mr. Speaker, I ask that the Chair lay before the House Senate joint resolution 106.

The SPEAKER laid before the House joint resolution (S. J. Res. 106) extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914.

The Clerk read the joint resolution, as follows:

> *Resolved, etc.*, That the effective date on and after which the provisions of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, shall become and be effective is hereby deferred and extended to January 1, 1919: *Provided*, That said section shall become effective on January 8, 1918, as to any corporations hereafter organized.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. CARLIN. I will.

Mr. STAFFORD. Section 10 of the Clayton Antitrust Act, which is sought to be still further deferred in its enforcement, was deferred for two years under the terms of the original enactment and was later extended for its operation, which limit expires to-day?

Mr. CARLIN. Yes.

Mr. STAFFORD. Its purpose was to prevent railroad directors from profiting by the purchase of supplies from some company in which they were largely interested?

Mr. CARLIN. That was one of the purposes of the section.

Mr. STAFFORD. As I understand it, there is a strong argument for this further extension, because the railroad companies are not able to purchase under contracts as limited by the provisions of section 10, which requires them as to all supplies above $50,000 to advertise for bids?

Mr. CARLIN. That is correct. The difficulty now is not how to buy but where to get supplies, and the request came to the Committee on the Judiciary from the joint legislative committee of the Senate and the House that has the subject under consideration. The gentleman will recall that a joint legislative committee was appointed from the two Commerce Committees of the Senate and the House. That joint committee wrote us a letter, which the gentleman will find in the report, suggesting the advisability of continuing this matter for a year.

Mr. STAFFORD. This is a matter that the joint committee has under consideration?

Mr. CARLIN. Yes; and they are ordered to report upon it.

Mr. STAFFORD. I assume by reason of the deferring of the enforcement of this section there is some valid reason why the railroads find it unworkable.

Mr. CARLIN. It is absolutely unworkable at this time and we have to get an extension.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. CARLIN, a motion to reconsider the vote by which the Senate joint resolution was passed was laid on the table.

By unanimous consent, House joint resolution 188, of similar tenor, was laid on the table.

RETIREMENT OF JOHN J. FITZGERALD (H. DOC. NO. 805).

Mr. STAFFORD. Mr. Speaker, I desire to make a request for unanimous consent. At the time of the passage of the deficiency bill just before the Christmas holidays some notable addresses, as I view them, anent the retirement of our distinguished former colleague, the gentleman from New York, Mr. Fitzgerald, were made in the House. I believe that those addresses, together with the address subsequently made by the former Speaker, Mr. CANNON, on the day prior to adjournment, when a gift was presented to Mr. Fitzgerald, should be printed as a House document, and I therefore make that request.

EXTENSION OF REMARKS.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein the speech to which the President referred in his message this morning made by Mr. Lloyd-George.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to print in the CONGRESSIONAL RECORD the speech referred to by the President, made by the Premier of England, Mr. Lloyd-George. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the speeches made touching the retirement of Mr. Fitzgerald and the subsequent speech made by the former Speaker, Mr. CANNON, presenting him with a silver service, be printed as a House document. Is there objection?

There was no objection.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a speech delivered by my colleague, Mr. HICKS, in New York City, on the subject of the European front.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by printing therein a speech made by Mr. HICKS as to his experiences in Europe. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, where was the speech delivered?

Mr. SIEGEL. In New York City, on Sunday, December 23.

Mr. WALSH. Mr. Speaker, I object.

Mr. TREADWAY. Mr. Speaker, I desire to renew my request for unanimous consent to extend my remarks in the RECORD by printing therein the speech of Mr. Lloyd-George.

The SPEAKER. Is there objection to the gentleman from Massachusetts printing in the RECORD the speech by Premier Lloyd-George?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, can the gentleman obtain an authorized copy of that speech, so that the speech that will be printed will be unquestionably the speech made by Mr. Lloyd-George?

Mr. TREADWAY. In reply to the gentleman I will say that I have asked for a copy and have been informed that undoubtedly an official copy can be obtained through the State Department. I shall make such a request of them in time to have it inserted in the CONGRESSIONAL RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Speaker, I desire to prefer a request for unanimous consent, and if it be granted, then, at the conclusion of the remarks to be made, I shall move to adjourn. I ask unanimous consent that the gentleman from Texas [Mr. BLANTON] be permitted to address the House for three minutes.

The SPEAKER. Is there objection?

Mr. ROBBINS. Mr. Speaker, on what subject?

Mr. BLANTON. I desire to explain my absence from the House at the time of the taking of the vote on the prohibition question. It is a personal matter.

The SPEAKER. Is there objection?

There was no objection.

Mr. LONDON. Mr. Speaker, I ask unanimous consent that I be permitted on Friday next, immediately after the reading of the Journal, to address the House for three-quarters of an hour on the subject of an international league to secure peace.

The SPEAKER. The gentleman from New York [Mr. LONDON] asks unanimous consent that on Friday next, immediately after the reading of the Journal and the disposition of business on the Speaker's table, he be permitted to address the House for 45 minutes on the subject of creating an international league to secure peace, not to interfere with appropriation bills or conference reports. Is there objection?

Mr. COX. Mr. Speaker, reserving the right to object, the gentleman from Ohio [Mr. SHERWOOD], chairman of the Committee on Invalid Pensions, I think intends to call up an omnibus pension bill on Friday next, and if the gentleman would provide that his speech shall be delivered after the passage of that bill I shall not object.

The SPEAKER. What does the gentleman from New York say?

Mr. LONDON. Well, Mr. Speaker, I make it after the consideration of the bill to which the gentleman from Indiana [Mr. COX] referred.

The SPEAKER. The gentleman changes his request until after the gentleman from Ohio [Mr. SHERWOOD] gets through with his omnibus pension bill. Is there objection? [After a pause.] The Chair hears none.

Mr. BORLAND. Mr. Speaker, I ask unanimous consent to revise and extend in the RECORD the remarks which I have just made.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The gentleman from Texas [Mr. BLANTON] is recognized for three minutes.

Mr. BLANTON. Mr. Speaker, I have been criticized—by one not in my district, however—for being absent on the 18th day of December when the vote on the prohibition amendment was taken. Shortly after the convening of the present session of this Congress, learning that there would be few matters considered before the holiday recess, I had agreed upon a pair with my colleague from Texas [Mr. GREGG] on the prohibition amendment. Later on he informed me that he was inclined to support the resolution, that he had about made up his mind to support it, and I released him from the agreement. On the 7th day of December Mr. T. A. CHANDLER, of Oklahoma, Mr. JAMES C. WILSON, of Texas—my colleague—and myself signed a written agreement to pair both on the national prohibition amendment and the woman-suffrage amendment, Mr. T. A. CHANDLER, of Oklahoma, and myself pairing in favor both of prohibition and suffrage, and Mr. JAMES C. WILSON, of Texas, against both measures, agreeing, however, that should all three of us be present whenever the vote was taken on either measure that then we should be released from the pair and all could vote. This signed written agreement was filed with the pair clerk on the 7th day of December, 1917, after which I left for Texas and Mr. CHANDLER left for Oklahoma, both Mr. CHANDLER and myself relying implicitly upon our pair duly executed and filed.

Having in my district 58 counties running 566 miles east and west, from Mineral Wells to El Paso, and several hundred miles north and south, from Lubbock to Rock Springs and Presidio, with over 400,000 people in it, and being the largest district in the United States, while over 90 per cent of the people are loyal, patriotic, dependable citizens standing solidly behind their flag, President, and Government, yet because of socialistic

propaganda and ignorance of conditions, there existed some disloyal, seditious sentiment, three men having already been sent to the Federal penitentiary for such crime, and, moreover, many boys from my district stationed at Camp Bowie were dying, and some at Camp Travis were dying, I went to my district and drove in an automobile, through freezing weather part of the time, over 100 miles a day, making two, three, four, and even five speeches a day, and making a personal inspection of conditions at said camps, and upon one day especially I remember I drove 167 miles from Abilene, Tex., to Junction, speaking at Ballinger, Paint Rock, Eden, and Junction in behalf of our Government policies, no politics, however, being in any of my speeches. On the 15th day of December I received a telegram from Dr. A. J. Barton, president of the Antisaloon League of Texas, from Washington, indicating that the prohibition cause might be embarrassed by my pair with Mr. WILSON, and asking me to wire Mr. KITCHIN to change pair to some one else provided Mr. WILSON could be induced to vote for prohibition. I immediately wired Mr. KITCHIN on December 15 that provided Mr. WILSON of Texas would support the prohibition amendment, then to change my pair to benefit the prohibition cause.

Also, on December 15 I wired Dr. A. J. Barton that I had complied with his request and had wired Mr. KITCHIN, authorizing him to change pair if Mr. WILSON of Texas would vote for prohibition, and that if necessary to count Mr. WILSON'S vote for prohibition I would return immediately. On the 16th day of December, from Albany, I sent a telegram to Mr. WILSON of Texas, urging him as his colleague and particular friend since college days to support the prohibition amendment, thus permitting the States to pass upon the question once for all, and stated that if he would vote for prohibition to pair Mr. CHANDLER and myself with some other negative vote.

The SPEAKER. The time of the gentleman has expired.

Mr. BLANTON. Mr. Speaker, may I have two minutes additional?

The SPEAKER. The gentleman from Texas asks unanimous consent to speak for two minutes additional. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. I received no reply from Mr. WILSON. Also, on December 16 I wired Mr. E. Y. WEBB, chairman of the Committee on the Judiciary, that in case Mr. WILSON would vote for the prohibition amendment to pair Mr. CHANDLER and myself with some one else.

Also, on December 16 I wired Mr. GREGG, of Texas, and others, urging that they support the prohibition amendment.

I refer to pages 8683 and 8684 of the RECORD of last session for remarks I made on October 5, 1917, in favor of the passage of the national prohibition amendment and predicted that it would pass the House early in the December session. I missed only seven days' sessions of the House, as during my entire absence the House met only on the 11th, 12th, 13th, 14th, 15th, 17th, and 18th days of December.

I will state, on the prohibition question I am further already on record. On April 9 I introduced a joint resolution (H. J. Res. 40) proposing an amendment for national prohibition, which is practically the same resolution introduced by Senator SHEPPARD that passed this House on the 18th of December, and on the 19th of April I introduced a bill (H. R. 3565) to suspend the manufacture of and all traffic in intoxicating liquors for beverage purposes during the war. On May 8 I introduced an amended bill (H. R. 4248) to suspend the manufacture of and all traffic in intoxicating liquors for beverage purposes during the war, and on May 9 I got Senator KENYON to introduce a copy of this last amended bill in the Senate. These matters, I take it, place me upon record on this question as being unalterably in favor of national prohibition, and I ask unanimous consent that these documents may go into the RECORD in connection with my remarks.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by inserting these telegrams, and so forth. Is there objection?

Mr. WALSH. Mr. Speaker, I think the gentleman's statement is sufficiently clear as to what the telegrams contain, and I object.

Mr. BLANTON. Mr. Speaker, if the gentleman will withdraw his objection——

The SPEAKER. But the gentleman objects, and it is not debatable.

SANITARY CONDITIONS IN DIFFERENT ARMY CAMPS, ETC. (H. DOC. NO. 806).

Mr. GARD. Mr. Speaker, at the request of some Members of the House of Representatives I ask unanimous consent that the report of Surg. Gen. Gorgas on the sanitary conditions in the different Army camps and cantonments, as made to the Chief of Staff, be printed as a public document.

The SPEAKER. The gentleman from Ohio [Mr. GARD] asks unanimous consent that the report of Gen. Gorgas, Surgeon General of the Army, on the sanitary conditions of the various camps be printed as a public document. Is there objection?

Mr. STAFFORD. Mr. Speaker, I assume the gentleman means as a House document?

Mr. GARD. Yes.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 31 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 9, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting tentative draft of a provision of legislation to be included in some urgent deficiency bill (H. Doc. No. 766); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting a supplemental estimate of appropriation required by the Ordnance Department of the Army for the fiscal year 1918, on account of armament and fortifications (H. Doc. No. 767); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of harbor of refuge at Evanston, Ill. (H. Doc. No. 768); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Secretary of War, transmitting abstracts of proposals received during the fiscal year ending June 30, 1917, for material and labor in connection with works under the Engineer Department (H. Doc. No. 769); to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RAKER, from the Committee on Woman Suffrage, to which was referred the joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States extending the right of suffrage to women, reported the same without amendment, accompanied by a report (No. 234), which said joint resolution and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 2310) granting a pension to Samuel Miller; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5571) granting a pension to Thomas Maginnis; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7564) granting a pension to Sally Speer Signor; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6409) granting a pension to Mary E. Price; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6897) granting a pension to George W. Hyland; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8029) granting an increase of pension to John William Farrell; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7558) granting an increase of pension to William A. Strong; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ZIHLMAN: A bill (H. R. 8420) authorizing the Federal control and operation of the Chesapeake & Ohio Canal, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DIXON: A bill (H. R. 8421) for the conservation of foodstuffs and alcohol; to the Committee on Agriculture.

By Mr. DENTON: A bill (H. R. 8422) to amend section 401 of an act approved October 6, 1917, entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: A bill (H. R. 8423) to authorize the addition of certain lands to the Weiser National Forest, Idaho; to the Committee on the Public Lands.

By Mr. MERRITT: A bill (H. R. 8424) to provide for the purchase of additional land for the enlargement of the site of the public building at Stamford, Conn.; to the Committee on Public Buildings and Grounds.

By Mr. SCHALL: A bill (H. R. 8425) to increase the pension of Civil War veterans, and for other purposes; to the Committee on Invalid Pensions.

By Mr. SIEGEL: A bill (H. R. 8426) fixing the salary of the clerks of the United States district courts, prescribing how and when they shall account for the fees collected; providing for the office expenses of such clerks, including salaries of deputy clerks and clerical assistants; and for the travel and subsistence expense of such clerks and their deputies when necessarily absent from their official residences; to the Committee on the Judiciary.

By Mr. NEELY: A bill (H. R. 8427) to amend an Act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916, and an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. BYRNS of Tennessee: A bill (H. R. 8428) to relieve Congress from adjudication of private claims against the Government; to the Committee on the Judiciary.

By Mr. FAIRFIELD: Joint resolution (H. J. Res. 214) proposing an amendment to the Constitution of the United States limiting suffrage to citizens of the United States only; to the Committee on the Judiciary.

By Mr. CARY: A bill (H. R. 8430) to amend the Army Regulations; to the Committee on Military Affairs.

By Mr. MOORE of Pennsylvania: Joint resolution (H. J. Res. 209) requesting the President to take over the Chesapeake & Ohio Canal, and to improve and operate it for purposes of national defense; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Resolution (H. Res. 213) for consideration of House joint resolution 200; to the Committee on Rules.

By Mr. REAVIS: Resolution (H. Res. 212) to provide for a service flag; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 8431) granting a pension to Frances Brady; to the Committee on Pensions.

Also, a bill (H. R. 8432) granting an increase of pension to Richard Williams; to the Committee on Pensions.

By Mr. ASHBROOK: A bill (H. R. 8433) granting a pension to George W. Willard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8434) granting an increase of pension to Benjamin F. Hemmingway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8435) granting an increase of pension to Charles L. Shriver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8436) granting an increase of pension to Alexander Sumpus; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 8437) for the relief of Charles F. Johns; to the Committee on Military Affairs.

Also, a bill (H. R. 8438) granting a pension to Louis K. Rohde; to the Committee on Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 8439) granting a pension to Ella H. Garlock; to the Committee on Invalid Pensions.

By Mr. DILLON: A bill (H. R. 8440) granting an increase of pension to Archibald Branaugh; to the Committee on Invalid Pensions.

By Mr. DOUGHTON: A bill (H. R. 8441) granting a pension to Jesse D. Nelson; to the Committee on Pensions.

By Mr. DUPRÉ. A bill (H. R. 8442) granting a pension to Henry Rudolph; to the Committee on Pensions.

By Mr. FAIRFIELD: A bill (H. R. 8443) granting an increase of pension to John S. Lozier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8444) for the relief of Ira G. Kilpatrick and Guy D. Dill; to the Committee on the Public Lands.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 8445) granting an increase of pension to Carpenter Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8446) granting an increase of pension to Anna M. Moak; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8447) granting an increase of pension to Chester P. Tryon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8448) granting an increase of pension to James Beyea; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8449) granting an increase of pension to Alvin W. Every; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8450) granting an increase of pension to Marcus W. Dewitt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8451) granting an increase of pension to Thomas A. Pine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8452) granting an increase of pension to William F. Clapham; to the Committee on Pensions.

By Mr. FREAR: A bill (H. R. 8453) granting an increase of pension to William H. Adams; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 8454) for the relief of John Weigart; to the Committee on Military Affairs.

By Mr. HOLLAND: A bill (H. R. 8455) granting a pension to Hardy B. Liverman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8456) for the relief of The Ferries Co.; to the Committee on Claims.

By Mr. JACOWAY: A bill (H. R. 8457) granting an increase of pension to Mary A. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8458) granting an increase of pension to Alvin G. Woodworth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8459) granting an increase of pension to James R. Power; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8460) granting an increase of pension to William Douglas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8461) granting an increase of pension to William H. Simmons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8462) granting an increase of pension to George W. Burton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8463) granting an increase of pension to George W. Plank; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8464) granting an increase of pension to Jefferson D. Williams; to the Committee on Pensions.

Also, a bill (H. R. 8465) granting an increase of pension to Andrew J. Lee; to the Committee on Pensions.

Also, a bill (H. R. 8466) granting a pension to Edward Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8467) granting a pension to Rebecca E. Skaggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8468) granting a pension to Frank Thompson; to the Committee on Pensions.

Also, a bill (H. R. 8469) granting a pension to James A. Swaim; to the Committee on Pensions.

Also, a bill (H. R. 8470) granting a pension to William A. Pollard; to the Committee on Pensions.

Also, a bill (H. R. 8471) for the relief of John Davis; to the Committee on Naval Affairs.

By Mr. KEARNS: A bill (H. R. 8472) granting an increase of pension to Eli Clark; to the Committee on Invalid Pensions.

By Mr. LONDON: A bill (H. R. 8473) for the relief of Thomas H. Rockwell, deceased; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 8474) granting a pension to Elizabeth Goodykoontz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8475) granting an increase of pension to Levi P. Fodrea; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8476) for the relief of Willard Thompson; to the Committee on Military Affairs.

By Mr. RUCKER: A bill (H. R. 8477) granting an increase of pension to Nancy Wood; to the Committee on Invalid Pensions.

By Mr. SANDERS of New York: A bill (H. R. 8478) for the relief of James P. Cornes; to the Committee on Military Affairs.

By Mr. SELLS: A bill (H. R. 8479) granting an increase of pension to Alexander H. McQueen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8480) granting an increase of pension to William Carpenter; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 8481) granting an increase of pension to George Gardner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8482) granting a pension to Kate Frances Getts; to the Committee on Pensions.

By Mr. STRONG: A bill (H. R. 8483) granting an increase of pension to David R. Pringle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8484) granting an increase of pension to Andrew Lydick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8485) granting an increase of pension to John McDowell; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 8486) to carry out the findings of the Court of Claims in the case of Frank S. Bowker; to the Committee on Claims.

By Mr. WILLIAMS: A bill (H. R. 8487) granting an increase of pension to Elias Culbreth; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 8488) granting an increase of pension to Benjamin R. Brewer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petition of druggists of Topeka, Kans., and transmitted by Gov. Arthur Capper, of Kansas, favorable to the passage of House bill 5531; to the Committee on Military Affairs.

Also, petition of Wesley F. P. Haas and other pharmacists of Leavenworth, Kans., favorable to the passage of House bill 5531; to the Committee on Military Affairs.

By Mr. BORLAND: Memorial of the Council of Administrative School Women, favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. CARY: Petition of Miss Mabel Search, chairman Milwaukee Branch National Woman's Party, signed by the following, who favor the passage of the Susan B. Anthony suffrage amendment: Frank Haggerty, Fred Heath, John Abrams, Edna Peters, I. R. Diegle, Leo A. Wolfsohn, S. A. McIntosh, A. F. Krueger, W. C. Eichstaedt, F. J. Le Bean, Stanley Lutomski, Anton Kilhanek, Andrew Wibican, Edmund T. Melms, Louis A. Arnold, Theo. Sweet, George Gauer, R. Wustrade, E. Haase, F. J. Hahn, Fred Wall, M. H. Whitaker, and Bert W. Wedereil; to the Committee on Woman Suffrage.

Also, memorial of Dane County Equal Suffrage League, favoring the Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. CLASSON: Petition of women of Brown County, Wis., favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. COOPER of Wisconsin: Petition of sundry citizens of Racine, Kenosha, Walworth, Rock, and Waukesha Counties, Wis., and of William H. Somners and other members of the Trades and Labor Council, Racine, Wis., favoring woman suffrage; to the Committee on Woman Suffrage.

Also, resolution adopted at the Forty-fourth Annual Convention of the Woman's Christian Temperance Union, favoring woman suffrage; to the Committee on Woman Suffrage.

Also, resolutions adopted by the Wisconsin Game Protective Association, at the convention in Madison, Wis., favoring the enactment of pending legislation better to conserve migratory birds; to the Committee on Agriculture.

By Mr. DALE of New York: Petition of National Union American Society of Equity, favoring Government control of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of National League of Postmasters of United States, favoring increase in pay of fourth-class postmasters; to the Committee on the Post Office and Post Roads.

Also, petition of National Council of Women, United States of America, favoring suffrage for women; to the Committee on Woman Suffrage.

By Mr. DAVIDSON: Petition of men and women of the sixth congressional district of Wisconsin, in favor of the Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. ELSTON: Petition signed by 10,000 citizens of Oakland, Cal., urging increase of salaries for post-office clerks and carriers; to the Committee on the Post Office and Post Roads.

Also, petition of prominent citizens of Berkeley, Cal., requesting pension legislation in aid of aged widows; to the Committee on Invalid Pensions.

Also, resolution adopted by the Yugoslavs, Croatians, Serbians, and Slovenes of Alameda County, Cal., approving the declaration of war against Austria-Hungary and pledging loyalty to the United States; to the Committee on Military Affairs.

By Mr. ESCH: Petition of Wisconsin Game Protective Association, favoring passage of House bill 2612, for better conservation of the valuable bird life of the country; to the Committee on Agriculture.

By Mr. FOCHT: Evidence in support of House bill 8044, for the relief of Mrs. Mary E. Roland; to the Committee on Invalid Pensions.

By Mr. FREEMAN: Petitions of Arthur H. Brewer and others, of New London County, Conn., favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. FULLER of Illinois: Petition of International Typographical Union, relative to salaries of printers in the New York post office; to the Committee on the Post Office and Post Roads.

Also, petition of Bi-Lateral Fire Hose Co., of Chicago, Ill., favoring woman suffrage; to the Committee on Woman Suffrage.

Also, memorial of Philadelphia Trade Press Club, relative to second-class postage rates; to the Committee on Ways and Means.

Also, memorial of Eggleston Post No. 244, Department of Kansas, Grand Army of the Republic, favoring increase of civil-war pensions; to the Committee on Invalid Pensions.

By Mr. KAHN: Papers to accompany H. R. 8365, granting a pension to Mrs. Marie Barisch; to the Committee on Pensions.

Also, papers to accompany H. R. 8363, granting an increase of pension to Oscar Weil; to the Committee on Invalid Pensions.

By Mr. MERRITT: Petition of sundry citizens of Fairfield County, Conn., favoring the submission of the Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. O'SHAUNNESSY: Petition of sundry citizens of the State of Rhode Island, favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. RANDALL: Memorial of N. P. Banks Post, No. 170, Grand Army of the Republic, asking that pensions of Civil War veterans be doubled, to continue during the prevalence of high price of living; to the Committee on Invalid Pensions.

Also, memorial of Ebell Club, of Fullerton, Cal., recommending early passage of the Susan B. Anthony amendment; to the Committee on Woman Suffrage.

By Mr. SANDERS of New York: Petitions of the Medina Woman's Christian Temperance Union, Medina, N. Y., and the Women's Society of Batavia, N. Y., urging the adoption by Congress of a resolution to amend the Federal Constitution to prohibit polygamy and polygamous cohabitation; to the Committee on the Judiciary.

Also, petitions of a public meeting held in Medina, N. Y., a mass meeting held in Brockport, N. Y., and a mass meeting of women held in Lima, N. Y., urging the adoption by Congress of a resolution to amend the Federal Constitution to prohibit polygamy and polygamous cohabitation; to the Committee on the Judiciary.

Also, petitions of the Methodist Episcopal Church of Hulberton, N. Y., and the Methodist Episcopal Church of Clarendon, N. Y., urging the adoption by Congress of a resolution to amend the Federal Constitution to prohibit polygamy and polygamous cohabitation; to the Committee on the Judiciary.

By Mr. SCHALL: Resolution adopted by the City Council of the city of Minneapolis, Minn., requesting Congress to enact a law providing for the punishment of those found guilty of impeding or interfering with the United States Government in the prosecution of the war; to the Committee on Military Affairs.

By Mr. SIEGEL: Memorial of city of New York, against discontinuing pneumatic mail service; to the Committee on the Post Office and Post Roads.

By Mr. SNYDER: Petition of 1,000 farmers of Herkimer County, N. Y., against any unnecessary conscription of farm labor and in the interest of the production and conservation of food; to the Committee on Military Affairs.

Also, memorial of Common Council of Utica, N. Y., asking law restraining operations of certain persons in the United States; to the Committee on the Judiciary.

Also, memorial of Oneida County (N. Y.) Pomona Grange, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of members of Bacon Post, Grand Army of the Republic, Utica, N. Y., favoring increase of pensions for soldiers of the Civil War; to the Committee on Invalid Pensions.

Also, petition of Sturdevant & Co. and L. Hower & Son, of Rome, N. Y., against forcing the placing of orders for sugar with the American Sugar Refining Co.; to the Committee on Interstate and Foreign Commerce.

By Mr. STRONG: Petition of the employees of the Brookville post office, Brookville, Pa., favoring enactment of the Madden bill (H. R. 1654); to the Committee on the Post Office and Post Roads.

By Mr. VOIGT: Petition of about 600 men and women of the second congressional district of Wisconsin, praying for the submission of the Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. WALTON: Petition of women of Colfax County, N. Mex., favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. WASON: Resolutions of Grafton County (N. H.) Rural Letter Carriers' Association, favoring increased compensation to rural carriers; to the Committee on the Post Office and Post Roads.

SENATE.

WEDNESDAY, *January 9, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we address ourselves to our task day after day with the assurance that Thou art leading us on. When we stand for the sacredness of contracts we are sure that we stand with Thee, who hast entered into a covenant with men, and Thy word has never been broken. When we stand for the rights of men, the great and the small alike, we stand with Thee who hast made of one blood all men who dwell on all the face of the earth and hast fixed the bounds of their habitation. And when we stand for universal liberty we stand not only for the impulses of our own hearts but for that law which Thou hast written upon our hearts, the law of love and of justice and of right. So we bless God we stand with Thee in the great world conflict. Lead Thou us on. For Christ's sake. Amen.

The Vice President being absent, the President pro tempore assumed the chair.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the joint resolution (S. J. Res. 106) extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914.

ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (S. J. Res. 106) extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. MYERS presented a petition of sundry citizens of Montana, praying for a reduction in the present appraisement of lands on the Fort Peck Indian Reservation, in that State, which was referred to the Committee on Indian Affairs.

Mr. TOWNSEND presented a petition of the Pattern Makers' Local Association, of Detroit, Mich., praying for an increase in the salaries of post-office employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of Arizona. I present a petition signed by a large number of newspaper publishers in favor of Senate joint resolution 101, known as the Smith resolution, providing for Government control of print paper by the Federal Trade Commission.

The newspaper publishers from every State in the Union except one have signed a separate petition and forwarded it through the American Press Association, expressing earnest support of Senate joint resolution 101, and urging Senators and Representatives in Congress to give it early consideration. I move that the petition be referred to the Committee on Printing.

The motion was agreed to.

Mr. COLT presented resolutions signed by the governor and sundry other citizens of Rhode Island, and resolutions adopted by the Equal Suffrage Leagues of Newport County, Pawtucket Valley, Narragansett, Warren, Jamestown, North Providence, North Kingstown, and Smithfield, in the State of Rhode Island, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. PHELAN presented a memorial of the Labor Council of San Francisco, Cal., remonstrating against the importation of Chinese to this country to be used as farm laborers, which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Branch, National Association of Letter Carriers, of Alameda, Cal., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 3433) requiring the Government to furnish uniforms to officers of the Army, and for other purposes; to the Committee on Military Affairs.

A bill (S. 3434) prohibiting the issuance of patent under lieu selection 2904, serial 1034, Olympia, Wash.; to the Committee on Public Lands.

A bill (S. 3435) authorizing the issuance of patent to the Pioneer Educational Society and its successors for certain lands in the diminished Colville Indian Reservation, State of Washington; to the Committee on Indian Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 3436) to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg in said State," commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes; to the Committee on Public Lands.

A bill (S. 3437) granting a pension to Louise R. Hanley (with accompanying papers); to the Committee on Pensions.

By Mr. GERRY:

A bill (S. 3438) to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress; to the Committee on Privileges and Elections.

By Mr. MYERS:

A bill (S. 3439) for the relief of certain homestead and desert-land entrymen; to the Committee on Public Lands.

By Mr. FRANCE:

A bill (S. 3440) to authorize the President to further mobilize the Federal forces and to increase temporarily the Military Establishment of the United States; to the Committee on Military Affairs.

By Mr. KENDRICK:

A bill (S. 3441) granting an increase of pension to Richard McDermott; and

A bill (S. 3442) granting a pension to Alice C. Baker; to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 3443) granting a pension to Catharine A. Kanouff; to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 3444) for the relief of certain pay officers of the United States Navy;

A bill (S. 3445) to authorize the payment of gun pointers and gun captains while temporarily absent from their regular stations, and for other purposes; and

A bill (S. 3446) to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes", approved March 4, 1917; to the Committee on Naval Affairs.

By Mr. HOLLIS:

A bill (S. 3447) granting an increase of pension to George L. Danforth (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 3448) granting the consent of Congress to the village of East Dundee and the village of West Dundee to construct a bridge across the Fox River; to the Committee on Commerce.

By Mr. TOWNSEND:

A bill (S. 3449) granting a pension to Charles D. Jackson (with accompanying papers); to the Committee on Pensions.

By Mr. GORE:

A bill (S. 3450) to establish experiment stations in engineering and in the other branches of the mechanic arts in connection with the colleges established in the several States and Territories under the provisions of an act approved July 2, 1862, and

of the acts supplementary thereto; to the Committee on Agriculture and Forestry.

By Mr. WATSON:

A bill (S. 3451) fixing rate of pension for soldiers of the Civil War; to the Committee on Pensions.

By Mr. JONES of Washington:

A joint resolution (S. J. Res. 120) providing for employees to Senators and Senate committees commencing with the fiscal year beginning July 1, 1918; to the Committee on Rules.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. WATSON submitted an amendment relative to the compensation of printers, skilled laborers, and mechanics in the Post Office Department, intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

COST OF OFFICERS' UNIFORMS.

Mr. JONES of Washington. Mr. President, I have a bill which I desire to introduce, and I want to take a moment or two of the time of the Senate to call attention to it in the hope that some action may be taken promptly by the Military Committee with reference to it if, after considering it, they think it advisable to do so.

As I understand it, the Government furnishes the uniforms for the private soldiers in our armies but that officers must furnish their own uniforms. Thousands of our young men have volunteered to enter the training camps to fit themselves for officers in the Army. They have done this from a purely patriotic motive, and this is about the situation which confronts them: While they are in the training camp the Government issues to them the uniforms that they use until their training experience is over. Then if they receive a commission in the Army they must go out and purchase their uniforms.

Now, what is the situation? The situation in this respect is just as it seems to be in almost every line of industry and every product of our country in which our people deal. These men must turn back to the Government the uniforms issued to them while in training. They must go to private establishments to get the uniforms they must have. The private dealer knows they must have them, and the result is that these patriotic boys must pay two or three prices for their uniforms. In other words, the profiteer of the country is given these men as his special prey, and he is taking advantage of the situation and making profit out of patriotism. I have here a letter from a gentleman from my State relating his experience, and I want to read it to the Senate.

Mr. KING. Will the Senator yield to me for a moment?

Mr. JONES of Washington. Yes, sir.

Mr. KING. Why does the Senator limit his statement of this matter to those who have attended the training camps? The reason why I ask it is that I have received a number of communications from young men who have been made officers from the ranks, and in one instance a young man was inclined to refuse his commission because he ascertained that it would cost him so much to get the necessary equipment.

Mr. JONES of Washington. My bill is not limited to that, as far as the bill is concerned. It is true the slime of the profiteer touches everybody and touches all these various avenues of possible profit. This young man says in this letter:

> Last summer when we accepted our commissions a price list of outfit required was sent and we were given to understand that we could buy all of our quartermaster supplies from the Army quartermaster. When we get into the Army we find out that the quartermaster has nothing to sell, but instead issues an order that no quartermaster goods are to be sold to officers. This order was disastrous to us, as the Regular Army officers were all outfitted by the Government at cost, so that the only ones to suffer were the men who had given up everything to go into the fight.

My understanding is that he is mistaken in that. I understand that the Regular Army officers must buy their uniforms as well as other officers; but this is the result that came to this young man, and it is similar to that suggested by the Senator from Utah [Mr. KING]:

> The result is that my outfit, instead of costing $300, as I expected and was willing to pay for, will now be $500. The most regrettable thing in connection with the whole business is that although the Army quartermaster can not get these supplies to sell to us at the manufacturer's cost every scoundrel in the country is stocked up with them, which they sell to us for two and three times their value. I can state conservatively with truth that up to the present time at least $3,000,000 have been taken out of the pockets of reserve officers in inflated profits for supplying them with necessities that the quartermaster should have supplied at cost.
>
> What is the result to those of us that are married and have families and must keep our homes running? Frankly, I can not afford to pay the exorbitant prices, and now down here at ———, with snow and freezing, I am wearing the same cotton uniform that I wore last summer. From the time I entered the Army I have drawn, besides my pay, $125 to meet my family's and my own expenses—

I have left out the name of the camp—

> Now, I am not complaining of the Army life. I am well satisfied, but I am simply up against it for an outfit. I have at least $200 more equipment to buy.
>
> If you can get the quartermaster of the Army to issue an order that all quartermaster supplies are to be sold to reserve officers at manufacturer's cost, it will be appreciated by thousands of officers that are in the same fix that I am. There is no question but that the wolves that are stocked up with military supplies will howl, but they should be interned with the Germans.

I think there is a good deal of merit in that last suggestion. Mr. President, in talking with another Army officer he told me this—and I merely cite it as a simple illustration of what these men are subjected to. He said that while in the training camp shoes were issued to him at between two and three dollars a pair, and when he got out the same shoes cost him from six to eight to ten dollars a pair. Then for an overcoat that was issued at nine to fifteen dollars, that was turned back when he came out, he now has to pay from forty to seventy-five dollars. Then he showed me this—a little thing. He took off a belt he was wearing and he said, "When I was in the camp this belt would be issued to me at 9 cents, but when I buy it I have to pay 75 cents for it."

Mr. President, it seems to me that the Congress of the United States ought to do something to correct any situation like this. Certainly nothing can do more to dampen the patriotism of the men who have volunteered to fight their country's battles and who may be at the battle front of Europe fighting for world democracy while their comrades and the thousands who must come after them, if our declared aims are to be sustained, are being made the prey of profiteers at home. If we are to carry out the program laid down for us and we are to right the ancient wrongs of the peoples of the earth, rearrange the boundaries of States great and small, and set up and maintain individual sovereignties in Europe, we must do nothing to quench the patriotism of the thousands and millions that we will have to take from our homes to do this world-wide work. I hope the Military Committee will consider this proposition and act promptly.

Mr. CHAMBERLAIN. Mr. President, in reference to the remarks of the Senator from Washington I may be permitted to say that the Military Affairs Committee of the Senate is investigating the whole proposition as to the character of the uniforms being furnished to the officers in the three different armies and the character of the uniforms being furnished to the men and inquiring generally into the whole situation. We are now investigating this very subject, and the committee hopes in a short while to be able to make a report and give some suggestions. It takes a good while to discuss it, and I would prefer not to go into the question under this order; but, Mr. President, the committee is working night and day on this investigation and have been at it ever since Congress convened and I think will be able to present a report and suggest a remedy before we get through.

Mr. BORAH. I desire to ask the Senator if the report of the proceedings to which he has referred are being taken down and printed so that other Members of the Senate may have them?

Mr. CHAMBERLAIN. They are being taken down. There is possibly just a little of the hearings that ought not to be printed, but I will say that that particular portion refers more particularly to conditions in Europe.

Mr. BORAH. I have no desire to call out anything that the committee think ought not to be printed.

Mr. CHAMBERLAIN. There will be very little of it, I will say to the Senator.

Mr. BORAH. I should like to have a print of the hearings which are permitted to be made public. I have not been able to get them yet, and I do not know whether they are being printed or not.

Mr. CHAMBERLAIN. We are printing only a copy for each member of the committee at present. We are going over that after a little while, and I think that we shall not have to expunge any of it, and if we do eliminate any at all it will be simply a few pages of it that have reference only to conditions in Europe.

Mr. THOMAS. Mr. President, in corroboration of what has been said by the Senator from Washington, it is perhaps not out of place for me to refer to similar conditions existing in the capital city of my State.

During the examination of the Quartermaster General by the Military Affairs Committee he was asked by the chairman or some member of the committee whether Government contracts for clothing to private contractors of the same line of goods had not been, in some instances, postponed because of the additional profits that could be derived from dealing in those goods by the dealers. I think the answer of the Quartermaster General was that he was not informed of such conditions. About an hour after I had read this statement a major in the Army, who, of

course, does not want his name given, informed me that every department store and every clothing store in the city of Denver had on hand a very large supply of officers' uniform goods and also a large supply of the ordinary khaki uniforms, and that officers who are volunteering, particularly at that recruiting station, Fort Logan, are obliged as soon as they are mustered into the service to appear in uniform and can only secure them from private dealers at a cost averaging from 45 to 100 per cent in excess of the Government's price for similar articles.

I visited casually three or four of these establishments and discovered as far as I could by casual inspection that this officer's statement was absolutely true.

About that time my youngest son volunteered and was accepted. I thought it was no more than proper that I should contribute a little something to his equipment, and I told him to go and provide himself with a uniform and have the bill sent to me. I got the bill this morning. It is from a private house in Denver, because he was unable to secure a single thing required from the stores at Fort Logan. The bill, without going into particulars, is $65.50, exclusive of shoes, for which I presume I shall receive some notification to-morrow.

Now, the condition of which the Senator from Washington complains exists everywhere, and it seems to confirm the impression embodied in the question asked the Quartermaster General, to wit, that the Government requirements are postponed for those of private dealers in order that the volunteer officers of the United States Army and the others may be compelled to pay tribute to profiteers of the country, because of their inability to secure this accouterment from the authorized official sources. I am glad to hear the chairman of the committee say that he is investigating these conditions. They certainly exist; and while I shall not anticipate what the report may be, I am prepared to go to any length that may be necessary to protect the volunteer officers of this country from this species of oppression and extortion.

Mr. STONE. Mr. President, I listened with interest to what the Senator from Washington [Mr. JONES] said in commenting on the bill he introduced with respect to Army uniforms, and I sympathize with what he said. I have no purpose of attempting now to add to what he so well said in support of the particular thing he has in mind to accomplish by his bill; but I wish at this juncture, which seems to be an opportune juncture, to make a suggestion of my own about uniforms, and I should like to have it written into the law, if there is to be a new law enacted on that subject.

Mr. President, I have read, all of us have, more or less, in the press, and have otherwise heard a good deal about the unauthorized and fraudulent use of uniforms worn by American soldiers in Europe. Last night at a social gathering—I hope I may properly speak of this—I listened to most interesting statements outlining in a conversational way the observations and experiences of two Senators who recently visited France. Among other things, I gathered from them is that our Army uniform has been frequently fraudulently worn in the streets of Paris and of other cities by men who have no right whatever to wear it. Of course, cases of this kind can now be taken in hand, as they have been, and I do not know that any additional legislation with respect to such cases is needed.

But beyond that I have something else in mind, Mr. President and Senators. There are to-day thousands of men in France and perhaps elsewhere wearing uniforms—officers' uniforms, as well as the uniforms of privates—who never get and never expect to get within the sound of a hostile gun. I believe that there ought to be some distinguishing mark on uniforms to separate the men who go into the trenches with their guns and put their lives at stake, from those who are holding other kinds of positions, no doubt of more or less importance—but clerical or civilian positions—positions that keep them out of the zone of danger, positions labeled "Safety first," or, as the Senator from Iowa [Mr. KENYON] suggests sotto voce, "bomb-proof" positions.

Mr. President, I know and you know that there has been a clamor for and a rush after the positions which are labeled "safety first."

Mr. SMOOT. And with a higher salary attached to them.

Mr. STONE. The Senator from Utah observes—and I suppose he is accurate as to that, although I am not advised—that these "safety first" heroes actually receive, as a rule, higher compensation for their services than the men who bear the guns; and yet these carpet knights are wearing the same uniform and wearing the same marks upon their shoulders and upon their sleeves as real soldiers wear to show the rank which they hold in the fighting Army of the United States.

Mr. President, I do not believe that this is fair to the men who are to fight. They should not be thus put upon a par with the men who are to do a lesser, although important, service, but a service of little or no personal hazard. I do not see any reason why this latter class of men, generally speaking, should be clothed with uniforms at all, and still less why they should be given a military rank, requiring the fighting men to salute them. But if for some reason it is deemed necessary to clothe them in uniform, then I express the firm conviction that there ought to be some mark upon uniforms—maybe an entire difference in the color of them—but, whatever it may be, something to distinguish the soldier in uniform from the civilian in uniform; to distinguished the soldier who is in line of actual battle, or whose duty takes him into the zone of danger, from the man who is stationed so far back that he may never hear the sound of the big guns, much less the rattle of musketry.

I suggest this thought to my friend from Washington, since he is preparing a bill on the subject of uniforms, if it should happen to meet with his approbation, that something of the kind I indicate might be incorporated in his measure.

Mr. JONES of Washington. Mr. President, I intended to ask that the bill which I introduced may be printed in the RECORD in connection with my remarks. It is only six or seven lines in length, and, in brief, simply provides for the furnishing of these uniforms hereafter by the Government of the United States.

The PRESIDENT pro tempore. If there be no objection, the bill introduced by the Senator from Washington will be printed in the RECORD. The Chair hears none, and it is so ordered.

The bill (S. 3433) requiring the Government to furnish uniforms to officers of the Army, and for other purposes, was read twice by its title and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That all uniforms, accouterments, and equipment required for any officer of the military forces of the United States shall be furnished and issued to such officers by the Government at cost price, under regulations to be prescribed by the Secretary of War, and the same shall be similar in quality and price for all officers of the same rank.

NATION-WIDE PROHIBITION RATIFICATION BY MISSISSIPPI.

Mr. VARDAMAN. Mr. President, I was awakened at an early hour this morning from a deep dream of peace, superinduced probably by the remarkable message delivered to the Congress on yesterday by the Chief Executive, by a messenger who delivered to me the telegram which I send to the desk, and which I ask to have read.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested. The Chair hears none.

The Secretary read the telegram, as follows:

JACKSON MISS., *January 8, 1918.*

Senator JAMES K. VARDAMAN,
Washington, D. C.:

Prohibition amendment ratified on first legislative day of session. Vote in House 93 for and only 3 against. Vote in Senate 35 for and only 5 against. We believe Mississippi is the first State to ratify amendment. Great rejoicing in Mississippi.

H. V. WATKINS.

Mr. VARDAMAN. Mr. President, the information contained in that telegram brings great joy to my heart, and bids me hope for better and cleaner things in our Government. It announces the flowering of the ideas entertained by me and the culmination of the great work to which I with other men and women have devoted many years of our lives in the State of Mississippi.

If I may be permitted a personal reference, I will say that the first vote I ever cast was against the open saloon in my State. It was a time when prohibition was unpopular, and the indulgence in intoxicating liquors was rather a common custom. The average toddy-drinking Democrat looked with suspicion upon any man who dared to antagonize the liquor interests. The saloon in those days was a potent factor in politics, and the person who undertook to interfere with the prosecution of that nefarious business was often denounced as a fanatic, a puritanical crank, and one who would put the shackles of intellectual servitude and the straight jacket of political proscription upon the free-born American citizen.

Prohibition was denounced as sumptuary legislation which, if carried to its logical conclusion, would finally eventuate in prescribing the form of dress and the regulation generally by the Government of one's private life. But "in spite of the stare of the wise and the world's derision" we continued the fight for this righteous cause, and it gathered strength as the years passed by until this good day when, thank God, we see the creed of the persecuted minority about to become the faith of an awakened nation.

It is gratifying to me that Mississippi should be the first State to ratify this amendment, but may I be permitted to add that this is not the first time that Mississippi has played the noble part of protagonist in great matters of reform. Mississippi was the first State of this Republic to recognize the right and capacity of woman to attend to her own business and

manage her property interests. Mississippi was the first State, in fact, to emancipate woman commercially and place her on a dead level with man in the business world. It was also Mississippi's proud distinction to be the first State to establish and maintain by public taxation a great industrial college for the education of woman, whose curriculum and policies teach her to understand and equip her in all respects to enjoy the rights, privileges, and perform the duties of citizenship. And if I may be permitted to indulge in a little speculation, it is my deliberate judgment that Mississippi will be the first of the old rock-ribbed Democratic States of the South to give woman the ballot. That problem would have been solved many years ago by our people and justice done to woman if it had not been for the presence of the enormous negro population, which imposes upon us a problem of far-reaching and almost infinite moment. It touches every public question and involves limitations and proscriptions which overshadow every other consideration and fills the hearts of our people with apprehensions that often discourage enterprise and hinder progress and advancement along certain lines.

I believe the time has arrived when the influence of woman at the polls has become a positive necessity. We need the purity of her morals, her undeviating devotion to the home, together with her unfailing intuition which in the darkness always points the way when the logical processes of man fail us. If the women of the world had been consulted this world-wide cataclysm would never have occurred.

It was Mississippi, led by that incomparable statesman, patriot, and practical dreamer, James Z. George, who devised a constitutional scheme which mitigated the dangers and tantalizing difficulties growing out of that unfortunate enactment known as the fifteenth amendment. That amendment was conceived in hate and brought forth in a spasm of venom and revenge. Of course, the remedy which Mississippi's constitution provides, which saves us from Ethiopian incompetency in government, is only of temporary duration. This great race question still looms upon the horizon and as of old causes statesmen to pause and ponder; but in the Providence of God and by the ingenuity and patriotism of our people, I believe we will be able to meet and overcome all the difficulties that may grow out of it.

I believe the time has arrived in the history of this Republic when sectional animosity and war-generated hatreds of 50 years ago have passed away, and that the thoughtful, patriotic American people of the North recognize and appreciate the difficulties of their brethren of the Southern States and will at the proper time lend a helping hand in the solution of this great problem.

Mr. President, since the Nation is about to enter upon the herculean task of fixing the boundary lines of the nations of the earth and prescribing the form of government for the peoples of other lands, I thank God that we see the wisdom of devoting at least a little time to our own domestic needs; that we are providing means whereby the blood of our people shall be kept clean and pure, the mind alert and the brain freed from the fume clouds of intoxication. To do all of these things well America must first be true to herself. If America is to lead the world in politics, if she is to become the dictator and exemplar of civilization, it is important that we have a sober America. The saloon has been, and is to-day, a blot upon our civilization. It is a biting, blasting, curse without a mitigating incident—a cancerous growth upon the body politic which must be extirpated.

That the Legislature of Mississippi should be the first of all the States to act on this matter is very gratifying to me. I congratulate the Nation, I congratulate the Legislature of Mississippi, I rejoice with the people of Mississippi and throughout the entire Republic upon the action of the legislature in this behalf. May Mississippi's lead be followed with celerity by the other Commonwealths of the Nation.

NATIONAL BUDGET SYSTEM.

Mr. KENYON. I introduce a joint resolution, which I am going to ask to have read. I desire to say, in explanation, that I have tried for a good many sessions of Congress to secure some action on a plan providing a budget system for this Government. We are to spend, we are informed, some $21,000,000,000 this year. Outside of Turkey, we are the only civilized Nation—if Turkey can be called civilized—that does not have a budget system of finance, and it is time that we get out of the class of Turkey.

If this joint resolution does not receive the consideration of the committee to which it is sent, I propose within a short time to move the discharge of the committee from its further consideration and bring the question to the floor of the Senate, as no more important question can come before us now than to establish some kind of a budget system. I ask that the joint resolution be read.

The joint resolution (S. J. Res. 121) creating a commission to report a plan for the adoption of a national budget system, was read the first time by its title and the second time at length, as follows:

Whereas in times of peace the expenditures of the Government were increasing yearly at a rapid rate; and
Whereas our entry into the world war will enlarge these expenditures to enormous proportions; and
Whereas the increased taxation to support the Government will place new burdens upon the shoulders of every citizen of the United States; and
Whereas this vast sum of money should be spent with the utmost efficiency and economy, and under modern methods of control; and
Whereas the estimates for the expenditures of the Government come to Congress without revision or scrutiny by any centralized agency of the Executive Government and are not treated by Congress as a part of its legislative program; and
Whereas under the present methods of legislative procedure the responsibility for the expenditures of the Government is scattered amongst a number of standing committees in the two Houses of Congress, which work independently of each other and of the Executive Government in providing funds; and
Whereas it is possible for private Members, on the floors of the two Houses, to offer amendments at will increasing the items of expenditures provided in the respective appropriation bills beyond the amounts requested by the Executive; and
Whereas under this procedure the evil practices, known as "logrolling" and "pork-barrel" methods, have grown up and flourished; and
Whereas under this system there is no possibility of a governmental business program, or of a financial policy, or of a coordination of expenditures with revenues; and
Whereas it is the consensus of opinion among men of business, publicists, and students of public finance that the adoption of the national budget system would put the finances of the Government upon a sound, efficient, and economical basis by making possible a business program prepared upon the responsibility of the Executive and presented by him to Congress to be enacted into law; and
Whereas the chief political parties of the country in their platforms in 1916 pledged themselves to carry out budgetary reforms for the Federal Government; and
Whereas it is the experience of practically all foreign governments that the national budget system is the only efficient method of dealing with the expenditures and revenues; and
Whereas to plan such a system for this Government requires careful study: Therefore be it

Resolved, etc., That a joint commission to report out a plan for adoption of a national budget system is hereby established. Its membership shall consist of the Secretary of the Treasury and two other officials of the executive department of the Government to be appointed by the President, three Members of the Senate and three Members of the House to be appointed by the presiding officer of the House and Senate, respectively.

SEC. 2. That no compensation shall be paid to any member of said commission.

SEC. 3. That said commission is hereby empowered and directed to report by March 1, 1918 a plan for the adoption of a national budget system for the Government of the United States, and showing therein what changes, amendments, or adjustments the adoption of said budget system would cause in the rules of the Senate and the House in the laws now in operation relative to revenues and expenditures, in the organization of the Treasury Department, in the forms and method of preparation of the departmental estimates, in the method of presenting said estimates to the Congress, in the methods of accounting and audit, and such other and further information as said commission may see fit to lay before the Congress.

SEC. 4. That said commission is authorized to employ such experts and such clerical assistance as may be necessary to carry out the provisions of this resolution.

SEC. 5. That the sum of $20,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the provisions of this resolution.

SEC. 6. That said commission shall expire on the 1st day of June, 1918.

Mr. KENYON. I ask that the joint resolution be referred to the Committee on Appropriations.

The PRESIDENT pro tempore. The joint resolution will be referred to the Committee on Appropriations.

CONSIDERATION OF TREATIES.

Mr. BORAH. I submit a resolution and ask for its present consideration.

The PRESIDENT pro tempore. The Senator from Idaho asks for the present consideration of a resolution which will be read.

The resolution (S. Res. 178) was read, as follows:

Resolved, That the Committee on Rules be, and the same is hereby, directed to prepare a revision of the rules of the Senate relating to the consideration of treaties so as to provide that all treaties hereafter shall be considered in the open executive sessions of the Senate, and, when such revision is so prepared, to report the same to the Senate for its consideration.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. SMITH of Arizona. I object.

Mr. SMOOT. Mr. President, as I understand, it is a resolution proposing an amendment of the rules.

Mr. BORAH. No; it is not proposing an amendment of the rules. It is a direction to the Committee on Rules to revise and report.

Mr. SMOOT. Oh!

The PRESIDENT pro tempore. Objection is made, and under the rules the resolution will go over.

Mr. SMITH of Arizona. Mr. President, I do not wish to make an objection unless the request is for the present consideration of the resolution.

The PRESIDENT pro tempore. The Chair understands that the Senator withdraws his objection.

Mr. BORAH. I simply desire to have this resolution passed. That will bring in the report of the committee, and then it will be up for consideration.

Mr. KENYON. Mr. President, I should like to ask the Senator from Idaho a question. Does the Senator's resolution go to the point of abolishing executive sessions?

Mr. BORAH. No; this resolution only deals with the consideration of treaties.

Mr. KENYON. I supposed, in view of the President's message yesterday, that executive sessions for the consideration of treaties would cease.

Mr. BORAH. This is in harmony with that suggestion.

Mr. SMITH of Georgia. Mr. President, I ask that the resolution be read again.

The Secretary again read the resolution.

The PRESIDENT pro tempore. Is there objection?

Mr. GALLINGER. Mr. President——

Mr. SMITH of Georgia. Yes, Mr. President; I object.

The PRESIDENT pro tempore. Objection is made to the consideration of the resolution, and it will go over.

Mr. SMITH of Georgia. I wish also to make the further point on the resolution that it is out of order. It is, in effect, an amendment of the rules of the Senate in that it directs the Committee on Rules to prepare a particular kind of a rule. I submit that such a procedure would violate the rules, because the rules require that notice shall be given of a purpose to offer an amendment to the rules, and then that the proposed amendment itself must be offered and sent to the committee. I submit to the Senator from Idaho that to instruct the committee by resolution to bring in a particular rule violates the provisions of the rule applicable to the way in which changes in the rules can be made.

Mr. BORAH. Mr. President, I do not desire to debate the matter now, unless we are going to consider the resolution today. If the Senator objects to its consideration at this time I will discuss this feature of it on another day. I understand that the Senator objects.

Mr. SMITH of Georgia. Yes; I object and will insist that it has to go to the Committee on Rules when it comes before the Senate.

Mr. BORAH. I desire to have it go to the Committee on Rules. That is my object.

Mr. SMITH of Georgia. I misunderstood the Senator.

Mr. GALLINGER. But, Mr. President——

Mr. SMITH of Georgia. I have no objection to the resolution being referred to the Committee on Rules without adoption.

Mr. BORAH. That is precisely what I want. The resolution simply calls upon the committee to report a revision of the rules. Then, when the revision report comes in, it will be for the Senate to determine whether or not it will adopt the change proposed by the report of the committee.

The PRESIDENT pro tempore. The Chair has ruled that objection has been made to the consideration of the resolution and that under the rule it goes over.

Mr. KENYON. Mr. President, I do not want the statement of the Senator from Georgia to go unchallenged that the Committee on Rules can not be instructed to bring in a change of the rules. We had that identical question up here in a resolution seeking to get rid of these secret sessions. That identical question was raised, and the Vice President ruled that it could be done.

Mr. SMITH of Georgia. Mr. President, I do not recall the ruling, but if the Vice President so ruled I disagree with him.

Mr. KENYON. That is unfortunate for the Vice President.

Mr. GALLINGER. The Vice President is wrong.

Mr. SMITH of Georgia. It has been unfortunate sometimes for presiding officers that the Senate disagreed with them or, rather, fortunate for the Senate.

The PRESIDENT pro tempore. The resolution has gone over under the rule.

THE DISTRICT CODE.

Mr. VARDAMAN submitted the following resolution (S. Res. 179), which was read and referred to the Committee on Printing:

Resolved, That the Code of Law for the District of Columbia, approved March 3, 1901, as amended to January 1, 1918, together with index and annotations, be printed as a Senate document.

FUNERAL EXPENSES OF THE LATE SENATOR NEWLANDS.

Mr. PITTMAN submitted the following resolution (S. Res. 177), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of the Hon. FRANCIS G. NEWLANDS, late a Senator from the State of Nevada, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. Are there further concurrent or other resolutions? If not, the morning business is closed and the calendar under Rule VIII is in order.

AMENDMENT OF THE FEDERAL FARM-LOAN ACT (S. DOC. NO. 160).

Mr. OWEN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.

ROBERT L. OWEN,
HENRY F. HOLLIS,
A. J. GRONNA,
Managers on the part of the Senate.

CARTER GLASS,
MICHAEL F. PHELAN,
EVERIS A. HAYES,
Managers on the part of the House.

Mr. OWEN. In order that Senators may understand the conference report, I ask that the amendment of the House be printed in the RECORD.

The amendment is as follows:

Strike out all after the enacting clause and insert:

"That the Federal farm-loan act, approved July 17, 1916, is hereby amended by adding at the end of section 32 the following:

"'The Secretary of the Treasury is further authorized, in his discretion, upon the request of the Federal Farm Loan Board, from time to time during the fiscal years ending June 30, 1918, and June 30, 1919, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm-loan bonds issued by such bank.

"'Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years. Any Federal land bank may at any time repurchase at par and accrued interest for the purpose of redemption or resale any bonds so purchased from it and held in the Treasury.

"'The bonds of any Federal land bank so purchased by the Secretary of the Treasury, and held in the Treasury under the provisions of this amendment one year after the termination of the pending war, shall upon 30 days' notice from the Secretary of the Treasury be redeemed or repurchased by such bank at par and accrued interest.

"'The temporary organization of any Federal land bank as provided in section 4 of said Federal farm-loan act shall be continued so long as any farm-loan bonds purchased from it under the provisions of this amendment shall be held by the Treasury, and until the subscriptions to stock in such bank by national farm-loan associations shall equal the amount of stock held in such bank by the Government of the United States.'

"SEC. 2. That all acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. The right to amend, alter, or repeal this act is hereby expressly reserved."

The PRESIDING OFFICER. The question is on agreeing to the report of the committee of conference.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Oklahoma if he will not let the conference report go over until to-morrow and be printed?

Mr. OWEN. I should be pleased to have the report lie on the table. I move that the report lie on the table, to be printed, and I give notice that to-morrow I shall ask to have it taken up for consideration.

Mr. SMOOT. That is satisfactory, Mr. President.

The PRESIDING OFFICER. That action will be taken.

Mr. HOLLIS. Mr. President, in order that Senators interested may understand the matter, I ask the Senator from Okla-

homa if it is his intention to have this conference report taken up at the close of morning business to-morrow?

Mr. OWEN. I gave notice that I would bring it up at the first opportunity to-morrow.

Mr. HOLLIS. But would it be agreeable to the Senator to state that he would bring it up at the close of morning business to-morrow, in order that Senators may understand the matter?

Mr. OWEN. Yes; I will give notice, Mr. President, that after the morning business to-morrow I shall ask that the report be taken up for consideration.

The PRESIDING OFFICER. The notice will be entered.

SUPPLY OF PRINT PAPER.

Mr. SMITH of Arizona. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate joint resolution 101, the unfinished business.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 101) to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of paper at a fair price and by insuring a supply and equitable distribution at fair prices to the industries of the United States.

Mr. HARDWICK. Mr. President, if considerations of personal friendship could control our actions as Members of this body, or if other personal considerations could rightfully influence them, I should hesitate to oppose the proposition reported to this body by my warm personal friend, the senior Senator from Arizona [Mr. SMITH]. But I take it that that Senator, as well as all other Senators, will understand that no such considerations can or ought to materially influence or control the position of any Member of this body with respect to public measures; and I am impelled to oppose this measure because it violates, and violates unnecessarily, the most important and the most fundamental principles.

What is this measure, Mr. President? It is a proposition that the Government shall go into the business of manufacturing and selling print paper. If the proposition were that the Government of the United States should manufacture the print paper that it needs for the Government Printing Office, for its own agencies, for its own business, it would be unobjectionable. But if the proposition is—as I think I can demonstrate to this body that it is—that the Government of the United States shall engage generally in the business of manufacturing and selling as well as fixing the price of wood pulp and print paper for a great business industry of the country, then undoubtedly Senators who feel as I do are bound to oppose the measure, unless it can be in some way justified as growing out of the present national emergency, in some way directly related to that emergency, in some way directly connected with that emergency.

The joint resolution is entitled:

> Joint resolution to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of print paper at a fair price—

So far, so good—

> and by insuring a supply and equitable distribution at fair prices to the industries of the United States.

Then the preamble recites as follows:

> Whereas by reason of a state of war now existing it is essential to the national security and defense for the successful prosecution of the war to assure a supply of print paper and its equitable distribution at a fair price in order that the Government of the United States may be assured an adequate supply of paper products and that all proper news may be generally and efficiently disseminated—

All proper news may be generally and efficiently disseminated—

> Now, therefore, be it
> *Resolved, etc.*, That whenever during the continuance of the war and for six months thereafter the President shall deem it needful, he may direct the Federal Trade Commission to supervise, control, and regulate the production and distribution of print paper and mechanical and chemical pulp and their products in the United States, and that such mills producing and such agencies distributing print paper and mechanical and chemical pulp and their products in the United States as the President shall designate shall be operated on Government account.

For the present I will stop there, because the measure explains itself, by its own terminology.

If it is justifiable at all, then we ought not to shift the responsibility for its enactment to the President. If a condition exists or is likely to exist which makes this legislation either necessary or justifiable, why should we shift the burden for its enactment to the already overburdened shoulders of the Chief Executive of the Republic? Has Congress sunk so low that it can not take even this responsibility in and of and by itself, but must ask that the President do this if he thinks it needful?

So I say, with all respect, that the amendment suggested by the Senator from Arizona, so far from improving the measure, makes it absolutely more objectionable, from my standpoint, at least.

Is it necessary, Mr. President, in order to provide for the national defense, that the Government of the United States shall go into the manufacture of print paper? If so, there is not an article in all the great commercial and industrial index of this country that can not with equal force—yea, in most instances, with greater force—be put in the same category by the use of the same argument. Surely we are not going to fight the Germans with paper bullets. Surely we are not going to send our overvalient and overzealous newspaper editors out to fight the Germans with their papers; although I will say that I would be somewhat reconciled to some of the things that have been done if we could take a few of these overly patriotic newspaper gentlemen and stick them on the front line of the firing ranks of the men they drafted. But surely we are not going to conquer the German Empire by putting the Government in the business of giving these people their print paper at a little lower price; and anybody who makes a contention so roundabout and remote almost makes himself ridiculous in the eyes of thinking men.

The joint resolution recites that—

> It is essential to the national security and defense for the successful prosecution of the war to assure a supply of print paper and its equitable distribution at a fair price in order that the Government of the United States may be assured an adequate supply of paper products and that all proper news may be generally and efficiently disseminated.

My God! What a commentary upon a country in whose Constitution is embedded the guaranty of a free press!

Ah, gentlemen, if we could win this war in the newspapers we would have won it long ago. But the trouble is that some of our most valiant newspapers and some of our most notable newspaper victories do not contribute much toward real success. If we could capitalize some of their statements and turn them into an effective dynamic force, the Germans would undoubtedly surrender before sundown. But I am afraid that even though the American newspapers get print paper at the Government expense and by Government operation at a fair price the Germans will fight on just the same and that Germany will fail to surrender, although we, "for the national security and for the national defense" and in order to protect the country and in order to wage the war, have violated our fundamental principles and embarked the Government on the socialistic enterprise of supplying the raw material of a great business industry, all for the purpose of "the national safety and defense."

Mr. President, if this proposition rested frankly and solely on the real reason and the real ground upon which it must rest we would know better how to meet it and the country could better appreciate a verdict upon it. If this proposal be a part of the propaganda, somewhat general and entirely alarming, to substitute for private control, for competition, for individualism, Government monopoly, Government activity, and governmental participation in all the great businesses of this country, the debate could be narrowed and would be narrowed, for then the proponents of this measure would carry the simple burden of maintaining successfully to this body and to the country the proposition that our old-time methods of dealing with monopoly were obsolete; that our present situation is such that they are ineffectual. They could contend, as they doubtless would contend, that monopolies have grown up so strong and so powerful in this country that the courts were impotent when it came to their control; that even the lawmaking powers of the Nation are inadequate to give relief from their oppressions.

Mr. KING. Will the Senator yield for a question?

Mr. HARDWICK. I yield.

Mr. KING. What reason is there to differentiate this business from any other business? Obviously, in a Republic such as ours we must look with abhorrence upon a proposition that the Government should enter upon the domain of private business and private industry. Assuming that as a premise for the question, why should we then enter into the private control of this business? Why should the Government manufacture print paper any more than it should manufacture steel or manufacture anything else?

Mr. HARDWICK. Or grow cotton or raise wheat?

Mr. KING. Or grow cotton or raise wheat, as the Senator says, or enter into any other industry essential to the economic life and growth and development of the people?

Mr. HARDWICK. I can only answer the Senator according to my own opinion. There is no difference. Not only that, if this is to remain a free country, if the constitutional guarantees are to be preserved unimpaired, in their full vigor and vitality, there is abundant additional reason why we should not do it. You should never put any political administration in control of

the great business end of the affairs of these trustees and servants of public opinion, denominated the press.

Mr. SHERMAN. Mr. President——

Mr. HARDWICK. I yield to the Senator from Illinois.

Mr. SHERMAN. Following out the same line of inquiry of the Senator from Utah, I inquire from the Senator whether print paper, generally, would be valuable in the absence of printers' ink, type founders, and a printing press, and whether these would not be a necessary incident of print paper?

Mr. HARDWICK. Oh, undoubtedly, Mr. President.

Mr. SMITH of Arizona. Mr. President——

Mr. HARDWICK. I yield.

Mr. SMITH of Arizona. If we permit a combination at this particular time and make it impossible to acquire any one of the things necessary to print, would the Government be justified if it allowed such a thing in an emergency like this?

Mr. SHERMAN. No more than assuming control of a potato patch. The householder has got to have potatoes, especially if he has a big family.

Mr. HARDWICK. The Senators have gotten to the pith of the argument. If the Senator from Arizona can sustain this proposal at all before the Senate, it can be sustained with reference to almost every other line of business or industry and with reference to several other branches of the same industry, as suggested by the Senator from Illinois. Now, are the Senator from Arizona and those gentlemen who think with him prepared to accept the proposition that our statutes have broken down, that our courts have become impotent? There is a law against combinations, not only one law, but a mass of laws, from the Sherman antitrust law on down, including the very act establishing this self-same Federal Trade Commission. Are those laws impotent? Are they valueless? Are they to be thrown into the scrap heap? There are courts in this country presided over by able and distinguished, honest and impartial jurists. Are those courts impotent to give the relief provided by statute? In other words, has our system of individual enterprise broken down? Is that what the Senator means to assert when he presents this proposal? If he does, we must face it. We must face this question in a thousand ramifications. If he does, we must meet it on almost every corner and in every phase of American activity. If he does, then we need to reform a system, to change the form and possibly the substance of a government, because I am convinced, Mr. President, in all soberness and in all seriousness, that if this thing goes on unobstructed, unchallenged almost, we will have soon destroyed the great principles of individualism on which the rights and liberties and the very form and structure of this Government rests.

This is no war emergency. The same argument could be made with equal or with greater force as to almost every other article or commodity in the Republic. It is a sop to the press of this country, and that is what we know it to be. If in our effort or in our desire to give these newspaper people, by governmental activity, print paper at a cheaper price than they can secure it at present we are prepared to desert our principles and abandon all our beliefs, we had just as well realize at once what we are doing and what it means.

Mr. President, I address the Senate with a spirit of some sadness on this occasion and on this question, because I realize how futile are my words, because I realize that Senators who feel as I feel, who think as I think, and who believe as I believe are going to vote for just this sort of a proposition in spite of their thoughts and beliefs and principles. I may be powerless to stem this tide; I may be powerless to stop it; but, at least, I have the poor privilege and at least I have the high duty of standing here to protest against it. At least, I have the right to say to Senators, if you continue to do this thing, if you continue to yield to this sort of war-emergency measures, pitiful, indeed, will be the pittance of liberty and individual initiative that will be left to the once proud people whom you came here to represent, and whose liberties and rights you came here pledged to preserve.

I believe that I measure by words, Mr. President, that I would go as far as any Senator in this body on either side of the aisle to do anything that according to my opinion was best calculated and best suited to serve this country and advance its interests in the great contest on which it is embarked. I do not yield to any Senator in patriotism in that respect, or in any other. I may differ with many Senators about the wisest plan to pursue or the best method to adopt about many things; but, after all, can any Senator honestly think, fairly contend, really assert that this is a war measure or anything like one, and if it is not a war measure what Senator can justify it, what Senator can urge it, what Senator can ask the Senate to adopt so radical, so revolutionary, so unnecessary a departure from the principles of our Government?

Mr. SHERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WARREN in the chair). The Senator from Illinois suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Harding	McCumber	Smith, Ga.
Beckham	Hardwick	McKellar	Smith, Md.
Borah	Hollis	McNary	Smoot
Chamberlain	James	Martin	Sutherland
Cummins	Johnson, S. Dak.	Norris	Swanson
Curtis	Jones, N. Mex.	Owen	Thompson
Dillingham	Jones, Wash.	Poindexter	Tillman
Fernald	Kellogg	Ransdell	Townsend
Fletcher	Kendrick	Saulsbury	Underwood
France	Kenyon	Shafroth	Warren
Frelinghuysen	King	Sheppard	Weeks
Gallinger	Kirby	Sherman	Wolcott
Gronna	Lewis	Shields	
Hale	Lodge	Smith, Ariz.	

Mr. KELLOGG. I announce the necessary absence of my colleague [Mr. NELSON]. On account of illness in his family he is unable to be here to-day.

Mr. TOWNSEND. I announce the necessary absence of my colleague [Mr. SMITH of Michigan]. He is paired with the junior Senator from Missouri [Mr. REED]. I should like to have this announcement stand for the day.

Mr. KING. I desire to announce the absence of the senior Senator from Arkansas [Mr. ROBINSON] on official business. I ask that this announcement may stand for the day.

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent owing to illness.

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. A quorum is present.

Mr. SMITH of Arizona. Mr. President, I move to amend the joint resolution, as shown by the reprint in italics, at the top of page 2, and I ask that the lines struck through be eliminated from the joint resolution and that those which are printed in italics be substituted therefor.

Mr. GALLINGER. Mr. President, let the amendment be reported from the desk.

The PRESIDING OFFICER. The Secretary will report the proposed amendment.

The SECRETARY. It is proposed, in section 1, page 2, line 1, after the first word "That," to strike out the words "the Federal Trade Commission is hereby authorized and empowered," and in lieu thereof to insert "whenever during the continuance of the war and for six months thereafter the President shall deem it needful, he may direct the Federal Trade Commission."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arizona.

Mr. SMOOT. Mr. President, if this joint resolution is to become a law, I can not see that the amendment offered by the Senator from Arizona would improve it in any way. The joint resolution as originally reported to the Senate reads as follows:

That the Federal Trade Commission is hereby authorized and empowered——

Mr. SMITH of Arizona. The joint resolution further reads:

To supervise, control, and regulate——

Mr. SMOOT. Yes; it continues:

To supervise, control, and regulate the production and distribution of print paper and mechanical and chemical pulp in the United States——

And so forth.

Mr. President, we all know that if this joint resolution becomes a law the details of enforcing it will be administered by the Federal Trade Commission.

Mr. SMITH of Arizona. Unquestionably.

Mr. SMOOT. There is no necessity whatever, Mr. President, for changing the original language of the joint resolution in that respect and authorizing and giving the power to the President of the United States, if he deems it needful, to transfer it to the Federal Trade Commission, and then the Federal Trade Commission to put it into force. In fact, Mr. President, I think the amendment which has been offered by the Senator from Arizona makes the joint resolution more objectionable than it was as originally reported.

Mr. SMITH of Arizona. Mr. President, it is hard for me to conceive, when one understands the purpose of the joint resolution, that there should be an objection to the amendment. If the amendment is not adopted, the Senator from Utah will observe that every newspaper manufacturing plant in America would immediately be put under the supervision of the Federal Trade Commission. There is no necessity for any such broad, sweeping, and universal application of the rule——

Mr. SMOOT. Then, I will ask the Senator from Arizona why he reported the joint resolution at all?

Mr. SMITH of Arizona. Therefore we make the modification by simply inserting the words "whenever during the continuance of the war and for six months thereafter the President shall deem it needful," and so forth.

We know that information as to its needfulness will come from the Federal Trade Commission, who will have this law to administer, and this amendment will prevent the wholesale seizure of every newspaper manufacturing plant in the United States. That was the purpose of the amendment.

Mr. SMOOT. Mr. President, I yielded to the Senator from Arizona for a question; but I want to say to the Senator that he himself reported the joint resolution just as he read it in the first place.

Mr. SMITH of Arizona. I did.

Mr. SMOOT. I know who prepared the joint resolution. The Federal Trade Commission prepared it. It went to the Joint Committee on Printing of the two Houses; and it was considered by that committee. I will frankly state that I was not present at the time the joint resolution was being considered. My duties called me to the Finance Committee of the Senate. The joint resolution was considered at a time when we had the revenue bill before the Finance Committee, and so I could not attend the meeting of the Committee on Printing. The joint resolution, however, came from that committee just as I read it, conferring the power upon the Federal Trade Commission.

Mr. President, in the way in which this joint resolution is worded, if it should become a law, it would mean that there is given power to the President of the United States to withhold print paper from any newspaper or magazine in the country that he may see fit.

Mr. SMITH of Arizona. If the Senator will permit an interruption, would it not also be true that the Federal Trade Commission could do the same thing under the provisions if it were unamended?

Mr. SMOOT. Certainly; but I want the Senator to understand that I think it is a most vicious measure.

Mr. SMITH of Arizona. I thought the Senator thought so.

Mr. SMOOT. I think it the most vicious measure that has ever been presented to this body, and I think, if Senators were present in the Chamber and would listen to the discussion of the joint resolution and analyze its provisions, the joint resolution could not pass the Senate of the United States.

Mr. OWEN. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Oklahoma?

Mr. SMOOT. Certainly.

Mr. OWEN. Without this joint resolution, could not the manufacturers, who have been shown to be in combination, withhold print paper from a newspaper at their option?

Mr. SMOOT. No; Mr. President, if what the Senator from Arizona said yesterday be true, that there is an agreement now between the Federal Trade Commission and the print-paper manufacturers of the country as to the price of paper and as to its distribution, there is no necessity whatever for this legislation.

Mr. OWEN. The Senator just made the point, if I understood him correctly, that the Federal Trade Commission might withhold paper from a newspaper——

Mr. SMOOT. Yes.

Mr. OWEN. Whereas, without this proposed law, that can be done by a private interest?

Mr. SMOOT. Well, Mr. President, it never has been done by a private interest. And not only that, but they could not do it; there are a thousand different places at which news-print paper can be purchased in the United States; a newspaper could purchase news-print paper through any one of the various agencies established for that purpose. It is impossible to control all of the agencies for print paper in the United States and prevent all of them from selling paper to any one newspaper, whereas, under the provisions of the joint resolution, all that it would be necessary to do would be to have an order issued that no print paper should be sold to a particular paper or magazine, and it would be absolutely impossible for such paper or magazine to buy a pound of it.

Mr. KING. Mr. President, will my colleague yield for a suggestion?

The PRESIDING OFFICER. Does the Senator from Utah yield to his colleague?

Mr. SMOOT. Certainly.

Mr. KING. I should like to suggest to my colleague in answer to the distinguished Senator from Oklahoma, furthermore that if the Government takes control of the private business it becomes a gigantic monopoly, and it could withhold paper from any newspaper that it desired to punish, whereas if an individual engaged in the manufacture of print paper withheld the paper there would be opportunity for other individuals engaged in the business to produce paper and vend it, or private individuals of their own initiative could embark upon the business undertaking and produce sufficient to satisfy the needs of the public.

Mr. SMOOT. There is no question, Mr. President, that the statement made by my colleague is correct.

But there is another provision in this measure that goes even further than that. It reads:

That the President, during the present war emergency—

And who knows what length of time that may be construed to mean; certainly, Mr. President, if there were any advantage to be gained it could be construed to mean until after the next presidential election—

That the President, during the present war emergency, shall have power by proclamation to declare that such imports of mechanical and chemical pulp and their products as he shall deem necessary in order to fully effectuate the objects of this act shall be made only on account of the United States of America, to or through the Federal Trade Commission.

In other words, we are about to pass legislation giving to the President of the United States power to prevent all importations of wood pulp or its products into the United States.

Why, Mr. President, we say we are fighting for the democracy of the world, but it is just such legislation as this that causes thinking men to conclude that we are fighting for socialism in its most rampant form. Why stop at the control and manufacture of print paper? Why not give the President of the United States power to control every business in the United States?

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Florida?

Mr. SMOOT. Yes; I yield.

Mr. FLETCHER. If the Senator will allow me to interrupt him, I wish to say that I regard the provision with reference to dealing with the Canadian situation as perhaps the most important feature of the joint resolution. The Senator, I believe, will bear me out in the statement, on the information which I have, to the effect that some 30 per cent of all our print paper comes from Canada.

Mr. SMOOT. Certainly.

Mr. FLETCHER. Which is somewhere near 80 per cent of the Canadian output, and it comes into this country free of duty. Now, my understanding is that newspapers in Canada get their paper at about 2½ cents a pound, whereas, although it comes into the United States free of duty, we have to pay from 3 to 4 cents a pound for it, or something like that.

Mr. SMITH of Arizona. Yes; and if the Senator will permit me right there, I will say that these very gentlemen themselves are Americans running plants in Canada and selling to Canada at 2½ cents a pound and to our own people at 3 cents.

Mr. FLETCHER. Yes; I think there is a good deal in that; but they are hampered by this condition as I understand: Some of our very largest manufacturers—I think the International Paper Co., for instance—have large areas of wood-pulp timber in Canada.

Mr. SMOOT. And so have other manufacturers.

Mr. FLETCHER. And they can not get it out of Canada as the Canadian Provinces prohibit the exportation of the wood after American manufacturers have gone there and invested hundreds of thousands of dollars in its purchase. After they have made their investment they can not use the wood because Canada will not allow the wood to be exported. To meet that kind of a situation, it seems to me we must have some such provision as this, so that we can say to Canada, "We will not allow that material to come into the United States unless we can come to some sort of terms and agree that we may have paper at the same rates that the Canadian people have it, a reasonable allowance being made for transportation, and that sort of thing." Canada has the advantage because there is wood-pulp timber there owned by American manufacturers which they can not get out after they have purchased it. I understand the Provinces, by some sort of regulation, prohibit the exportation of that timber and all the products of that timber. That was done, I presume, in pursuance of a policy to compel the location of manufacturing plants in Canada. That may be a very good policy for Canada, perhaps, but it does not help the situation in the United States.

Mr. SMOOT. Mr. President, if the Senator is through with his question I will proceed.

Mr. FLETCHER. I am asking the Senator if he does not feel that there ought to be some sort of power vested here whereby we would be able to cope with that condition which confronts our manufacturers?

Mr. SMOOT. In answer to the Senator I will state that the wording of this proposed amendment would not meet the situation complained of. The Senator from Arizona and the Senator from Utah live in a State that has no paper-manufacturing establishment nor within many hundreds of miles of them. But under this bill the President of the United States could close every paper-manufacturing concern in the State of Maine, or any one of them. Mr. President, wood pulp and mechanical wood pulp are absolutely necessary to the manufacture of print paper in the United States, and this provision means that an order could be issued against any one of the paper mills in Maine or in any other State of the Union in which a paper mill was located, preventing it from getting wood pulp or mechanical wood pulp from Canada, and this would result in absolutely closing the mills. We can not manufacture the paper that we do in this country unless we get the wood pulp and mechanical wood pulp from Canada, as everybody knows.

Mr. FLETCHER. If the Senator will allow me to interrupt there, this does not prevent the importation of wood pulp. It gives the President power to order its importation for account of the United States.

Mr. SMOOT. Well, that is what I said.

Mr. FLETCHER. But that is a power which needs to be exercised only where advantage is being taken of manufacturers in this country, and to prevent that. So long as wood pulp can come to the manufacturers here from Canada on the same basis that it is sold in Canada, or approaching that basis, there will be no need for excluding it.

Mr. SMOOT. If that is all that is necessary by way of legislation, let us pass a resolution to that effect, and then quit.

Mr. SMITH of Arizona. Let us do anything except pass the pending joint resolution, according to the Senator.

Mr. SMOOT. If the Senator will please desist until I get through, and then answer me, I shall be very much obliged, unless he asks me to yield, and then I shall be very glad to yield.

Mr. SMITH of Arizona. If the Senator, then, will yield, so that I can respond to that politeness, I will say that when the Senator gets the floor he is almost as much of a monopolist as these news-print-paper manufacturers are. It is impossible for any man to interrupt him, no matter how gently he tries, without receiving some sort of criticism from my friend from Utah, for whom, personally, I have as high regard as for any man in the country.

Mr. SMOOT. I thank the Senator.

Mr. SMITH of Arizona. I should be glad if occasionally the Senator would abate his intensity enough to permit me to interrupt him, either to get, or in the wild hope of giving, a little information as the debate runs on. I certainly shall not intentionally interfere with or attempt in any way to weaken the force of his argument. It is not necessary.

Mr. SMOOT. Mr. President, the Senator from Arizona occupied the floor yesterday for an hour and a half or two hours. Nobody interrupted him to any extent, and if he will take the RECORD to-morrow morning and examine it I think it will be found that the interruptions of the Senator occupy about as much space as the remarks of those that have addressed the Senate. Now, I am not objecting to that. Certainly the Senator from Arizona does not have a higher regard for the Senator from Utah than the Senator from Utah has for the Senator from Arizona.

Mr. President, what is back of this legislation? Who is pushing it? Why is it wanted? What is it supposed to accomplish? I take it for granted that the Senator from Arizona will not deny that some of the newspapers of the country have felt that if they could have legislation of this kind passed they would buy their news-print paper at a lower price than they can get it for under the agreement that has been made betweeen the manufacturers and the Federal Trade Commission.

Yesterday the Senator from Arizona stated that users of print paper have paid as high as 9 cents a pound for it. I say now, without fear of successful contradiction, that no news-print-paper manufacturer in all of the United States ever charged 9 cents for a pound of paper, or 7 cents, or 6 cents. It may be true that some news-print-paper distributor located in some little town away out West, in dealing with some little paper that wanted to print a few pages of an issue once a month, and required a roll of paper to be divided, has charged 9 cents a pound. There may be one case of that kind in the United States; but it is brought up here as an awful example of what the manufacturers of paper in this country are doing to the consumers of print paper in this country.

Ninety per cent of the paper that is used in the United States to-day is purchased at a price the increase of which is less than the increase in the price of 75 per cent of the commodities of the United States.

I hold no brief for the paper manufacturers. I know little about their business, but I know that they are in business for the same purposes as other concerns are in business. They all ought to be protected by the same laws, and no different ones. They ought to have the same privileges that other concerns have, and no more. If they have been formed into a monopoly, and are charging undue prices for their product, we have laws upon the statute books to reach them; and if those laws are not ample, I am perfectly willing that they shall be strengthened.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Florida?

Mr. SMOOT. I yield to the Senator.

Mr. FLETCHER. I should like to suggest that one difficulty about the law is that by the time you proceed and get any results by an attempt to enforce the law, injuries will have occurred and losses and inconveniences and disturbances which can not be remedied. I think the record shows that these people did violate the antitrust law. They formed a combination which finally, under this proceeding, resulted in fines aggregating $11,000, and the result of that combination was that they cleaned up something like $15,000,000 of profit; and the combination that they formed was unquestionably a clear violation of the law. There are only, I think, six or seven manufacturers who have signed the agreement with the Attorney General, leaving some fifty or sixty outside who have not signed it; and if they continue any such arrangement as they had before, I am afraid you will not accomplish very much by invoking the antitrust law on them.

Mr. SMOOT. Mr. President, I do not think that any of the manufacturers of print paper in this country would like to go to jail. If the jail sentences provided in the existing law are not enough, make them greater. If the law has not been enforced, Congress is not to blame for that. I believe that wherever a combination in restraint of trade is shown, it ought to be handled by the authorities of the United States Government. But, Mr. President, in this joint resolution we are singling out one industry, and saying that that industry, from now on, shall be absolutely controlled by the Government of the United States. If the country has come to such a pass that individual initiative shall cease, and that all of the business of the country shall be directed by one director general appointed by the President of the United States, let us take them all in, and not single out one industry. Let us be fair to them all or let us notify the socialists of America and the socialists of the world that the only way to run the business interests of the country is to have the Government of the United States control them all.

As far as I am concerned, Mr. President, I have not arrived at such a conclusion; and woe be to the Government that tries to maintain itself by having a single power control all of the energies of all the people of the country!

I had thought, Mr. President, when this piece of legislation was to be discussed in the Senate that we could have Senators present to listen to what was said upon it; but evidently there is a feeling among the Senators that no matter what legislation is asked by the administration or by any department of the Government—or now it has gotten even to a commission—we ought to pass it without a question. There are other provisions of the bill that are just as objectionable as those to which I have referred, but what is more surprising than all is that this class of legislation should be brought before the Senate of the United States and recommended by a joint committee of the Senate and the House even for favorable consideration.

Mr. President, I hope this measure will be defeated. If it passes, it will be a notice to the people of the United States that Congress is in favor of legislation granting a commission power to make or destroy any business organization in the United States that is engaged in making print paper. If this power is going to be given, and if it is exercised, I would prefer that it apply to all engaged in the business, rather than that particular ones that may be selected may be marked for slaughter.

Therefore, Mr. President, I certainly hope that the Senate of the United States will not vote for any such measure.

Mr. OWEN obtained the floor.

Mr. FLETCHER. Mr. President, will the Senator from Oklahoma yield to me for just a minute? I have to attend a committee meeting.

Mr. OWEN. I yield to the Senator.

Mr. FLETCHER. I should like to say in this connection—it will take only a minute—that I am inclined to favor the amendment, which has come up in my absence, which provides that 90 per cent instead of 75 per cent of the amount ascertained by the Federal Trade Commission shall be paid pending the determination of the question of compensation. In other words, I am inclined to believe that it would hardly be fair to the

manufacturers, who will have a right to appeal from any decision made by the Federal Trade Commission, to withhold one-fourth of the amount involved; and I would favor the amendment which proposes to change 75 to 90 per cent. That is somewhat in line with the agreement made by the Attorney General with certain manufacturers as a result of the litigation in New York State. There none of the amount is withheld. The parties have a right to appeal to the court from the decision of the Federal Trade Commission as to the whole sum involved. I think that if this 75 per cent were changed to 90 per cent it would improve the joint resolution and would be more fair and just.

In that connection, Mr. President, I think it might be well to insert in the RECORD the agreement made on the 26th day of November, 1917, between the Attorney General and certain manufacturers or representatives of manufacturers. As I understand, six or seven manufacturers have signed the agreement. It bears upon this question.

Mr. SMOOT. They produce, however, the great bulk of the news-print paper in the United States.

Mr. FLETCHER. I think that is true. I think they are the larger manufacturers.

The PRESIDING OFFICER. Is there objection to the matter being printed in the RECORD? If not, it is so ordered.

The matter referred to is as follows:

This agreement, made this 26th day of November, 1917, between Thomas W. Gregory, the Attorney General of the United States, and his successor or successors in office, as trustee, acting herein in behalf of each and every individual, firm, or corporation publishing a newspaper and using news-print paper in his or its business in the United States that now is, or during the life of this agreement shall become, a customer of any of the parties of the second part to this agreement, party of the first part, and the undersigned engaged in the manufacture and sale of news-print paper, parties of the second part: Witnesseth:

Whereas heretofore differences have arisen between the manufacturers and users of news-print paper as to the price and terms at which such paper should be sold, and such differences have heretofore been brought to the attention of the Federal Trade Commission; and

Whereas the Department of Justice of the United States has instituted, or is about to institute proceedings in equity under section 4 of the act of July 2, 1890, entitled an act to protect trade and commerce against unlawful restraints and monopolies; and

Whereas it is desirable in the present condition of affairs in the United States that some adjustment of the trade conditions in news-print paper should be had, it is agreed between the parties hereto as follows:

First. The United States may file a petition in equity to enjoin any operations of the News Print Paper Manufacturers' Association and of the manufacturers who are members of that association, in so far as such operations are claimed to constitute a restraint of trade. In such proceeding the parties of the second part will consent to a decree as prayed for, reserving the right at the time such consent to a decree is presented to the court to make such statements, oral or written, not impairing the binding force of the decree as they are advised may be necessary to protect their interests. The petition may also pray for the dissolution of the News Print Manufacturers' Association, and if a request be made to that end the parties of the second part will consent thereto.

Second. The price of news-print paper on the basis of 24 by 36 inches in size, weighing approximately 32 pounds per 500 sheets, on all new contracts from now to January 1, 1918, and on all contract in existence on January 1, 1918, or made thereafter, and on all sales and deliveries in the United States shall not exceed the following amounts:

(a) From January 1, 1918, until April 1, 1918, for such news-print paper in rolls, $3 per hundred pounds f. o. b. at the mill, in car-load lots, and $3.25 per hundred pounds f. o. b. at the mill, in less-than-car-load lots, and for such news-print paper in sheets, $3.50 per hundred pounds f. o. b. at the mill, in car-load lots, and $3.75 per hundred pounds f. o. b. at the mill in less-than-car-load lots. The foregoing subdivision (2–a) shall not apply to the Minnesota & Ontario Power Co. nor the Fort Frances Pulp & Paper Co. (Ltd.); but as to said two companies, the Federal Trade Commission, after due hearing and investigation and subject to review as provided in subdivision 2–b, shall fix the just and reasonable maximum prices and terms of contract for said two companies from January 1, 1918, until April 1, 1918, effective January 1, 1918.

(b) After April 1, 1918, the just and reasonable maximum prices and terms of contracts for the sale of all or any news-print paper shall be determined and fixed by the Federal Trade Commission, after due hearing and investigation, subject to review by the circuit judges of the second circuit, who, if of opinion that the prices or terms of contract fixed by the commission are unjust or unreasonable, shall determine what are just and reasonable. Such judges shall have the right to hear any pertinent matter considered by the Federal Trade Commission and additional evidence or matter if it shall be shown to their satisfaction that such additional evidence or matter is material and that there were reasonable grounds for the failure to adduce the same in the proceedings before the commission. The maximum prices and terms of contract so determined shall continue during the war and for three months thereafter, with the right to any of the parties of the second part or to the Department of Justice to ask the Federal Trade Commission for an investigation and determination of new prices or terms of contract whenever during such period conditions arise which in the opinion of either make it desirable to ask for any change in price or terms of contract, subject to the same right of review. In determining the prices to be effective April 1, 1918, the Federal Trade Commission shall consider all pertinent conditions, including those prevailing during the months of January, February, and March, 1918, to the end that the prices when announced shall cover the facts as near the time of the effective date of the new prices as is possible.

Third. The parties of the second part, during the life of this agreement, shall offer their news-print paper for sale in accordance with paragraph second hereof. In case of sale by written contract, said paragraph shall be embodied therein, either wholly or by sufficient reference thereto; but if any customer of any of the parties of the second part who is offered paper in accordance with the provision of this agreement prefers to make or retain a contract for a fixed price for any definite period, and any one of the parties of the second part, after duly notifying the Attorney General of his or its intention in the matter, shall make or retain such contract solely in deference to the wishes of the consumer, such agreement so made shall not be construed as a violation of this agreement, even though the price which the consumer pays in furtherance of his own interest is in excess of the prices fixed in this agreement.

Fourth. The parties of the second part agree that, to the extent of their power, they will cause such of their news-print paper as is ordinarily purchased by the so-called small publishers through the intervention of jobbers, dealers, or other middlemen to be delivered to such small publishers at not to exceed reasonable and just prices and terms of sale to be established by the Federal Trade Commission (subject to review by the circuit judges in the manner aforesaid).

Fifth. The party of the first part, or his successor in office, as trustee of an express trust, may bring any appropriate action, suit, or proceeding in law or in equity to enforce this agreement on behalf of any person, firm, or corporation injured or damaged by a violation of the terms hereof, and may proceed by preliminary injunction or otherwise to restrain violations of the terms hereof.

Sixth. Books of account and records of parties of the second part and of all corporations or other instrumentalities owned or controlled by them shall be open to inspection of the Department of Justice and the Federal Trade Commission during the life of this agreement, upon reasonable notice, in so far as said books and records relate to the manufacture and sale of news-print paper.

Seventh. The liability of the parties of the second part hereunder is several and not joint. Any manufacturer of news-print paper may become a party to this agreement by signing the same or a counterpart hereof; all counterparts hereof shall be deemed one and the same instrument.

In witness whereof each of the parties of the second part has caused its corporate name and seal to be hereunto affixed by its proper officers thereunto duly authorized and has set after its name the approximate present daily tonnage of news-print paper which it is subjecting to the terms of this agreement.

Mr. OWEN. Mr. President, republics can not be successfully carried on, except where the people are educated and informed with regard to current affairs by a free and unembarrassed press. Printing paper at a fair price is vital to a free press. This monopoly of print paper strikes at the most vital interests of the people of the United States, because it strikes at the ability of the publishers of newspapers and magazines in securing their supplies of print paper.

The Senator from Utah [Mr. SMOOT] lays great stress upon the power which would be given to the President of the United States or the Trade Commission under this joint resolution, and argues that putting the power in the hands of the authorized agents of the United States might result in closing up a paper manufacturing establishment in Maine or in some other State. That argument, broadly, would go to the final conclusion that the President of the United States should not have any power lest he abuse it. It is incredible that the President of the United States would close a paper manufacturing company in Maine or in any other State. It is not a question of closing a paper manufacturing company in Maine or in any other State. It is a question of putting the firm and patient hand of the Government upon the lawless profiteers, those of the print-paper manufacturers, who are taking unfair advantage of the publishers of the United States, and thus taking advantage of the people of the United States at a vital point.

Mr. SMOOT. Mr. President, is it not true that the Federal Trade Commission have agreed that the price that is being charged for print paper now is not an exorbitant price?

Mr. OWEN. I do not absolutely know whether it is or not, but I do not think it is at all material whether they have or not. I do know now that these unrestrained profiteers have been laying their heavy hands upon the publishers of this country, and that they have been in a position to put out of business every little country newspaper in the land and have put them in jeopardy and in fear of ruin.

Mr. SMOOT. That statement, of course, can not be——

Mr. OWEN. That is a statement which I am justified in making here from this record, and I call the attention of the Senate to it.

Mr. SMOOT. I can name any number of little country newspapers that have never been put out of business in my own State, as I suppose the same is true as to the Senator's State.

Mr. OWEN. The fact that they have not been killed is no reason why this power should be left in the hands of this unrestrained monopoly to kill them.

Mr. SMOOT. I was only referring to what the Senator said, that they had all been put out of business.

Mr. OWEN. I did not say they all had been put out of business. I said they were in a position to be put out of business; that they could be put out of business by this greedy, ruthless monopoly.

Mr. SMITH of Arizona. If the Senator will allow me——

Mr. OWEN. I will be pleased to hear the Senator.

Mr. SMITH of Arizona. A great New York newspaper, one of the very few absolutely independent ones, has made its contracts for this year at 2¼ cents a pound.

Mr. SMOOT. Certainly, and I know that some of the western mills have made contracts at 2½ cents a pound.

Mr. SMITH of Arizona. Then, can the Senator say that it is not exorbitant when these companies charge 7 and 9 cents a pound?

Mr. SMOOT. I asked the question as to whether the Federal Trade Commission had not said that it was not exorbitant. I know that newspapers in Ohio and other parts of the country are paying 3 cents under the agreement made by the manufacturers of news-print paper with the Federal Trade Commission.

Mr. OWEN. Mr. President, these unscrupulous profiteers were reported by the Trade Commission as having charged as high as 9 cents for print paper, and I regard the report of the Federal Trade Commission as worthy of full credit.

Mr. SMITH of Arizona. They admitted it in their plea of nolle contendere when the indictment was brought against them.

Mr. SMOOT. I say there is no manufacturer of print paper who has ever sold print paper at 9 cents a pound.

Mr. OWEN. Then the Senator disagrees with the Trade Commission report.

Mr. SMOOT. If the Senator had been here, he would have heard the explanation I made.

Mr. OWEN. I have the report of the commission itself, and it states positively that while paper sold before the war at 2 cents, it has been pushed up as high as 9 cents a pound.

Mr. SMOOT. I do not care what the report says; the paper that was sold at 9 cents a pound was sold by paper distributors, not by manufacturers.

Mr. GALLINGER. In small lots.

Mr. SMOOT. In small lots—less than roll lots.

Mr. OWEN. It matters not whether these profiteers themselves, directly or through agents, were contriving in their lawless greed to throttle the publishers of the country. The methods of the manipulation of print paper is exhibited. The indictment of Philip T. Dodge, the president of the International Paper Co., sufficiently shows what the nefarious practices were. The fraud charged against him together with the president of the Laurentide Co. and other members of the News Print Manufacturers' Association shows that they had agreed in carrying on their trade—

First. To refrain from competing with each other in the matter of securing new customers for their paper—

A violation of the laws of the United States—

Second. To refrain from competing with each other as to the quality of the paper to be sold—

A violation of the laws of the United States—

Third. To refrain from competing with each other as to delivery of and furnished storage for paper sold but not delivered—

Another violation of the law—

Fourth. To refrain from competing with each other as to terms of credit; rate of interest on open accounts; dates of beginning and ending of contracts; the methods of making sales of paper through salesmen, dealers, and jobbers; the payment of return freight on the cores upon which their paper was wrapped; payment of charges for cartage; and allowance of claims for waste or damaged paper—

Another violation of the statute—

Fifth. To engage in simultaneous representations to the public, to their customers, and to each other, of the alleged increased cost of manufacture and of the alleged shortage of news print paper, and to manufacture insufficient quantities of such paper, with the object of concertedly working for materially higher prices—

Another violation of the statutes of the United States, a violation intended to aid these profiteers in levying tribute upon the publishers of the newspapers of this land.

Mr. KING. Will the Senator yield?

Mr. OWEN. I yield.

Mr. KING. Assume that all these facts are true and assume that these men ought to be sent to the penitentiary for constant infractions of the Sherman antitrust law; assume that there is a gigantic monopoly which has charged extortionate prices for the paper which has been disposed of to the newspapers of the United States or to intermediate companies which have furnished the paper to the newspapers, does the Senator think that that fact or series of facts justifies the Federal Government in going into the newspaper business and performing the functions that ought to devolve upon private enterprises?

Mr. OWEN. I answer the Senator that when the statute has been persistently and viciously disregarded by these men, when the statute which Congress through more than 20 years has been perfecting failed to protect the publishers of this land, then I say the drastic hand of the Government should be put upon these things, and that the power of the Government should be used to restrain these profiteers from their nefarious conduct. It will not necessitate having the Government going into the newspaper business; the power to do so will teach these greedy men some decency for fear of the Government's power, which they do not now properly respect.

Mr. HALE. Mr. President——

Mr. OWEN. I yield to the Senator.

Mr. HALE. There are manufacturers of print paper in this country who are not unscrupulous profiteers.

Mr. OWEN. I am glad to be informed of this and have not doubted that there were such honest manufacturers of print paper.

Mr. HALE. I have in mind a great corporation in my State which is charging substantially 2½ cents a pound right along through all the high prices. Is it not true that this legislation will apply equally to the man who has done a fair business and to the man who has done an unfair business?

Mr. OWEN. No; it is not. The administrative officers of the Government of the United States will take cognizance of the honorable conduct of such concerns as have been referred to by the Senator from Maine, and the Government of the United States would under no circumstances interfere with the legitimate, ordinary affairs of such upright, honorable manufacturers.

Mr. SMITH of Arizona. If the Senator will permit me, for the enlightenment of the Senator from Maine, I will state that the joint resolution itself in the first amendment I have offered, taken in connection with the other amendments, leaves those men absolutely free, as long as they are doing a legitimate, fair business, from the Government interfering with them in the least degree. It is only the monopolistic cases, the unfair dealings, that the joint resolution proposes to touch at all. The amendment that I have offered, as the Senator will see in the reprint of the joint resolution, justifies the statement that no legitimate trade will be interfered with in any particular by the resolution, and a man like the one to whom the Senator from Maine refers will be absolutely protected in his rights.

Mr. OWEN. I wish to make this observation: The people of the United States are face to face now with determining whether or not they will have this Government controlled by an intelligent democracy or threatened by organized State socialism. Make no mistake about that. The Nonpartisan League which was organized in North Dakota has taken charge of the offices there and elected every one of the candidates in the State with one exception. Out of 113, I think, it elected 112, because it discovered that the elevator system and the commission system had systematically robbed the producers of that State and the consumers of that State of the lawful profit on their labor, estimated at $55,000,000 in one wheat crop. No wonder the people of that State would not submit to it, and they are beginning to organize in Idaho and Montana and a number of other States. We either must have an intelligent democracy in this country, which will put its hands on unrestrained private greed, or we will have to meet the menace of State socialism as an unavoidable consequence.

These men were indicted also because they cooperated—

Sixth. In discouraging the creation of new mills or the installation of new machines for the manufacture of news print.

Seventh. To cooperate in preventing new concerns from competing with them by transferring orders and contracts for paper to new concerns on condition that such new companies should not compete with them.

Eighth. To furnish from time to time to the News Print Manufacturers' Association, at No. 18 East Forty-first Street, New York City, for the information of the defendants, full and complete information concerning contracts with their customers and the quantity of the paper manufactured, carried in stock or sold by them, also the capacity of their various plants and other details of their businesses.

Here was a whole series of acts in violation of the statute which had been on the books of this Republic over a full generation, and which Congress has been from time to time trying to perfect. But the condition of our judiciary system, the difficulty of indictment, the difficulty of bringing to speedy trial, the difficulty of bringing to speedy punishment those who violate our statutes show two things: First, that our judicial system ought to be revised so as to make it as effective as the English system; and it shows, second, that because our statutes fail to meet the needs of this country we are forced to provide a mechanism that shall lay the hand of Government more quickly and directly upon the men who undertake to rob the publishers of this land. And here comes in before us the report of this committee of both Houses telling us of the appeals that have been made by the National Editorial Association at its convention in Minneapolis July 12, in which they say:

Whereas for the past 18 months there has been a determined and persistent effort on the part of the print-paper manufacturers and jobbers to create a panic market for print paper; and

Whereas for several months they have succeeded in making the publishers believe that there was good and sufficient reasons for the extraordinary prices they were charging, but during the past seven or eight months it has been clearly demonstrated by the investigations of the Federal Trade Commission and by your legislative committee that there was, and is, no good reason for the large advances made, as the Trade Commission clearly demonstrated that there had been but a very slight increase in the cost of manufacture: Therefore be it

Resolved, That the National Editorial Association in convention assembled at Minneapolis calls upon Congress to pass legislation immediately that will give the Federal Trade Commission power to fix prices and operate the mills and distribute the print paper manufactured in the United States during the period of the present war in accordance with the recommendations of the Trade Commission in its report to Congress. And further be it

Resolved, That arrangements be made with the Canadian Government so that the print paper manufactured in Canada and shipped into this country shall also be handled by the Trade Commission in order that all the publishers of the United States may be provided with sufficient paper at a reasonable price.

Now, this memorial and other memorials of like character come to the Senate of the United States and appeal to us to protect the publishers of this country against the frauds that have been perpetrated upon them and upon the people of the United States.

Mr. GALLINGER. Mr. President——

Mr. OWEN. I yield to the Senator.

Mr. GALLINGER. If the Senator will permit me, does he think that that association is accurate enough to receive the indorsement of any reasonable man when they say that there has not been any considerable increase in the cost of the production of anything on this continent. Is it conceivable——

Mr. OWEN. They said that the Trade Commission have demonstrated there has been but a very slight increase in the cost of manufacturing paper.

Mr. GALLINGER. Does the Senator himself believe that?

Mr. OWEN. Certainly I believe that.

Mr. GALLINGER. The Senator believes it?

Mr. OWEN. I fully believe it, and am justified by the evidence of our honorable Federal Trade Commission.

Mr. GALLINGER. Then the Senator, of course, is irreconcilable as far as my attitude is concerned.

Mr. OWEN. I have great respect for the Trade Commission that heard both sides and could determine where the truth lay; and when these greedy monopolists and violators of law are indicted for repeated violations of the statutes of the United States I do not regard their testimony as Holy Writ by any manner of means.

Mr. GALLINGER. If the Senator will further permit me——

Mr. OWEN. Certainly; I yield to the Senator.

Mr. GALLINGER. I am not going to be terrified by the Senator's enthusiasm in this matter. Does the Senator believe that any great manufacturing enterprise in this country is producing its products without a very considerable added expense beyond what it was a few years ago?

Mr. OWEN. Some of them have a greatly increased expense and others have not.

Mr. GALLINGER. I should like to know what——

Mr. OWEN. In this case we have a report of the Trade Commission of the United States, that heard both sides and determined what the truth was, and the truth of their statement is abundantly verified and demonstrated and proven by the statement of the Senator from Maine [Mr. HALE] that there is a great corporation in his State that is now selling paper for 2½ cents a pound.

Mr. GALLINGER. The Senator knows that the price of timber of every description has increased almost four times over what it cost a few years ago.

Mr. OWEN. The suggestion of the Senator from New Hampshire is answered by the statement which I have just made, that this great company is selling print paper at 2½ cents a pound and, of course, at a profit.

Mr. GALLINGER. That may be.

Mr. OWEN. The suggestions I have made are, therefore, well founded.

Mr. GALLINGER. But before the war they sold for even less than that.

Mr. OWEN. They sold before the war, I understand, on an average of about 2 cents.

Mr. GALLINGER. What I want to emphasize is this—and I know something about it—that the cost of the raw material in the manufacture of paper has enormously increased; that wages have enormously increased.

Mr. OWEN. That may be; but still this great, honest company sells for 2½ cents a pound, while this combination of profiteers have been selling paper as high as 9 cents.

Mr. GALLINGER. No; they never did.

Mr. OWEN. That is what the Trade Commission said, and I believe them in preference to the self-serving statements of the profiteers.

Mr. GALLINGER. The Trade Commission did not state the truth in that respect any more than when they say there has been no substantial increase in the cost of producing print paper.

Mr. SMITH of Arizona. Whether the Federal Trade Commission stated the truth or not, these gentlemen divided the whole territory out amongst themselves.

Mr. GALLINGER. We are not talking about that.

Mr. SMITH of Arizona. These are the real facts. They divided the territory among themselves. This very combination one year ago offered to the Government paper at 7¼ cents. The Trade Commission fixed the price at a reasonable rate, away below what they are claiming we should give them.

Mr. SMOOT. Mr. President——

Mr. SMITH of Arizona. The Senator will excuse me. They divided the territory. The Senator is now claiming that the news-paper manufacturers are not getting a profit. No; they are not getting it; they are simply handing over each one of the districts free from intrusion, free from the competition of any other news-paper print concern in America. They permit their agents to hand it out to the country newspapers, and they are handing it out at 9 cents a pound. That is what they have been paying for it. The newspapers have been furnished in that particular section that nobody can invade except this man, and they hide behind the fact that the agent is a party to the robbery. We find that the manufacturer and those acting under him are in a combination to rob the publishers at the rate of 9 cents a pound.

Mr. GALLINGER. If the Senator will permit me?

Mr. OWEN. I yield to the Senator.

Mr. GALLINGER. My cook the other day paid for a bag of coal at the rate of $28 a ton. Does the Senator think that is an indictment against the men who are mining coal and selling coal to the people of the United States?

Mr. SMITH of Arizona. When you prove to me that the coal was in the hands of seven different gentlemen, only one of whom was allowed to sell coal in Washington, and that coal was selling cheaper in every other district not so controlled by that particular corporation or company or trust, I say unquestionably that the man who sold that coal at $28 a ton ought to be sent to the penitentiary.

Mr. GALLINGER. The Senator is romancing now.

Mr. SMITH of Arizona. I think it is legitimate.

Mr. GALLINGER. The fact that a little batch of paper, half a roll, perhaps, was sold by some dealer in some country town to a country newspaper at 9 cents a pound, whether it be true or not, does not carry any conviction to my mind that the men who are producing paper had anything to do with it whatever.

Mr. SMOOT. I note the Senator made a statement which may be misconstrued, or I at least misunderstood him. I understood the Senator to say that the newspaper manufacturers today charge the Government 7¼ cents for news-print paper.

Mr. SMITH of Arizona rose.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Arizona?

Mr. OWEN. I yield to the Senator from Arizona.

Mr. SMITH of Arizona. They actually refused to deliver it. They left the Government at the mercy of jobbers and they would supply it to the jobbers. They offered it under those conditions to the Government at 7¼ cents.

Mr. SMOOT. I have never known the Government of the United States to pay 7¼ cents for print paper.

Mr. SMITH of Arizona. You can buy it at two and a half now.

Mr. SMOOT. Certainly; and never paid any more. I think they paid one day——

Mr. OWEN. The Senator from Arizona did not say the Government paid seven and a fourth cents a pound. He said these manufacturers' agents tried to get the Government to pay that price. There is a vast difference between attempting a fraud on the Government and succeeding in it.

Mr. SMOOT. I do not think they even offered it at that.

Mr. OWEN. There is a vast difference between the attempt at fraud and succeeding in the attempt, and the Senator from Utah can safely enter his negation of the latter with perfect propriety. In view of the vast profits of this combination in one year estimated at seventeen and one-half million dollars, no excuse of increased cost of production of paper will exculpate them from the charge of extortion, so fully established by the Government.

Mr. President, one of the most evil consequences of this banded lot of profiteers and pirates, one of the worst consequences of their gross misconduct, is this, that they have put themselves by virtue of this vicious monopoly in a position where they could dictate to the press of this country and deny to a publisher an orderly, constant, reasonable supply of paper, which is so vital to the commercial and financial life of any newspaper. A paper which does not get the means with which to regularly print its issues would go out of business. The free American press has been intimidated by this trust. It is quite a surprise to me that this editorial association would have the courage to publicly ask for relief against these commercial masters. One

of the greatest evils to America would be the power to suppress the newspaper press of this Republic. One of the principal means by which the autocracy of Germany and of Austria have established monarchy and the military power with which they are governing their people now has been the suppression of a free press and the ignorance and misdirection of public opinion in unhappy Germany. They declared in the secret treaty at Verona, in the second article, their solemn purpose to suppress the freedom of the press in order to maintain monarchy and autocracy. If we allow the commercial profiteers of this country to lay their heavy hands upon the free press of America, we permit a condition to arise the far-reaching consequences of which no man can foresee.

Mr. WADSWORTH. Will the Senator yield?

Mr. OWEN. I yield.

Mr. WADSWORTH. Does the Senator think there will be any danger to the freedom of the press in the future if the supply of print paper upon which the press is depending is in the control of the Government itself?

Mr. OWEN. I do not believe under the joint resolution there will be any danger whatever to any newspaper or to any honest, legitimate paper manufacturing company. I have confidence in the officers of the United States, whether those officers be Democrats or Republicans, and I think they are about half-and-half. I do not regard this as a partisan matter, and I deprecate the suggestion that it should be considered in that way.

Mr. WADSWORTH. I made no such suggestion whatever.

Mr. OWEN. Perhaps not, but a Senator very near him said sotto voce that such power would be used for partisan purposes, and he was heard throughout the Chamber.

Mr. WADSWORTH. I did not hear him. The Senator was commenting on the power of the German and Austrian Governments to suppress the press of those countries, and it occurred to me that we were about to clothe our Government with a portion of that power.

Mr. OWEN. Mr. President, we can clothe our own Government with power without the slightest fear, because the people of the United States control this Government. The sovereignty is vested in the people of the United States, and their representatives, whether executive or legislative, Republican or Democratic, will respond to the will of the people. We are in no danger when we put power in the hands of our Executive.

Mr. WADSWORTH. Does the Senator believe that this should be confined merely to the period of the war?

Mr. OWEN. I do not.

Mr. WADSWORTH. The Senator believes it should be a permanent policy?

Mr. OWEN. I think it should be a permanent policy, until these gentlemen have been taught the lesson of good behavior.

Mr. SHERMAN. Mr. President, Senators have suggested that we must take our choice between a socialistic state and an intelligent democracy. If it were a matter of an intelligent democracy governing the country as manifested by the provisions of this resolution, I could support it. It does not so present itself to me. It is a question of a choice between an intelligent, active democracy and a quasi combination of bureaucrats suffering from a chronic and incurable inertia. That is the complaint from which popular government is now suffering in this country, and this is merely a manifestation of the general disease. If it were only a question of lodging power in Congress, I would turn to the Constitution and find out what our limit of power is. Our powers are legislative. The administrative and executive powers are lodged elsewhere. But when I search four years of legislation I find in it a continuous abdication of congressional power. It is not a question of Congress exercising its governmental powers, which are purely legislative in character. It is a further surrender of those powers into departments and bureaus. This resolution forges another link in the endless chain of delegated legislative power to boards, commissions, and departments.

I remember that the Senator who last had the floor not long since introduced a resolution, which can be found with but little search, censuring the Supreme Court of the United States because it had the judicial temerity to set aside acts of Congress as in contravention of the organic law of the country. That resolution demands that whenever a member of the Supreme Court of the Government concurs in or writes a decision setting aside an act of Congress as unconstitutional, he thereby declares by his judicial conduct the office vacant, and the Executive is empowered to fill the vacancy so created. The reason that I have heard given to sustain such a condemnation of the court is that it is a denial or an impairment of the sovereign power of Congress; that it is in effect an usurpation of legislative power by the judiciary.

Comment has been made upon the unlimited powers of an act of Parliament that the court of last resort of England never sets aside an act of Parliament. That is true; and if you will carry the analogy further I will agree with the conclusion at which gentlemen arrive when they consider conditions in the British Empire. There is no such thing as a written constitution in England. Some of her colonial dependencies have written constitutions; they have been written since the one under which we act was written; but, as to England herself, the only constitution she has is found in acts of Parliament of a general character, in decisions of her courts of last resort, in that great body of maxims called the common law, in certain immemorial usages that have cost the heads or scepters of English kings and have sent thousands of her people to die upon the battle field. They have built up an instrument which is as binding as anything ever committed to human parchment.

The English King to-day is but little more than the head of a dress circle in an evening reception in England. He possesses not so much power as the Sergeant at Arms of the Senate. He is the semblance of a once crowned monarch. To-day King George is but little more than the memory and the residuary shell of monarchical power in the Old World.

I sometimes wish that we should heed the lesson of the English people; that we would curb our seemingly irresistible tendency to build up a mighty executive power in this country. The President of the United States is the fountain head of all patronage; he is the head of tremendous political power as well as of a great political party.

Notwithstanding these are war times and we are exhorted by sundry admonitions of all the faithful to forget our politics, we can not forget the actions of those who would delegate all power to the head of a partisan organization. This joint resolution is not a war measure; it is a measure to still more firmly rivet upon the press of this country a supreme and uncontrollable censorship. At present a censorship is practically exercised by denying postal facilities to an offending publication and the searching provisions of the espionage act. That ought in ordinary times to seem enough. However, it is evident that more power yet is sought. Under this measure, coupled with the espionage law, a newspaper can not only be prosecuted but its supply of print paper can be withheld. This completes the authority. From it there is no appeal. The passage of such a joint resolution adds one more department or one more power to that immense number of bureaus that now make the most complete circumlocution office there is in the world. When Dickens in a novel invented the phrase embodied in his "circumlocution office," he seemed to have had prophetic insight into what would happen to us in the years to come.

You remember when the poet Byron, Mrs. Shelley, and three others on the banks of a river in Italy, where they were spending some time, floated down the river to the seashore one evening, after they had dined both sociably and well, separated with an agreement that each of them should write a novel that would be completely a work of the imagination, in which no human element of probability would be found, but which yet might be in the development of the future chemical and biological research of mankind. Four of those novels are unknown to the world and to its literature. But one, that of Mrs. Shelley, remains. It is a novel known as Frankenstein, in which the monster is not Frankenstein, but the creator of the monster is Frankenstein, who suffers all the melancholy experiences and undergoes all the dangers consequent upon the exercise of an unhallowed power which he discovers. I do not care to do more than refer to that and to correct the ordinary use of the expression. When we speak of a "Frankenstein" we think of a monster, inhuman in his powers and remorseless in his cruelty, but Frankenstein was the creator of the monster in human form but beyond human control. He breathed into this dangerous creation, by some strange power which he discovered in his laboratory, human life, strength, and physical ability, until he was beyond the reach of the ordinary man and possessed all of the powers destructive in character that made him a terror to the regions where he roamed. Frankenstein was the victim of his misplaced power. To-day Congress is a legislative Frankenstein, a victim of its misplaced delegated powers. It is engaged in creating by repeated delegations of its lawful powers an uncontrollable executive despotism alien to free government and akin to kingcraft.

The Senator from Oklahoma [Mr. OWEN] is the author of the resolution of judicial censure to which I alluded. He to-day supports here this further delegation of legislative power. He adds another hand, with hands already numerous and strong, to the bureaucratic devices to which we have already delegated so much of our power. His resolution is based upon the judicial censure of judges who have shorn Congress of the power to violate the Constitution. Of course the Constitution is a hack-

nered document which now has 17 amendments; it is over a century old, and perhaps it is unfashionable to allude to it. For that reason when, in the exercise of its duty, it feels called upon to enforce any of its provisions, it draws upon itself the censure of such resolutions as that to which I have referred.

It is true the Supreme Court does at times curtail the power of Congress; it restrains the lawmaking department of the Government inside of the limits marked out by the instrument that creates us and under which we act. If that be so, it is a proper action for the Supreme Court to take; but to-day some of the Senators who believe the Supreme Court very often unjustly usurps the powers of Congress and sets aside bills which we pass are attempting still further to subtract from the power of Congress by delegating such powers as are embodied in this resolution to a commission or a bureau or a department. The support of such resolutions as this menaces the legislative power of Congress more than all the judicial usurpations from George Jeffreys to the twentieth century.

We have had some trouble in our section of the country, in common with other large centers of population, in getting print paper. The publishers in many of our Western States have found themselves in sore straits. I might parenthetically remark here that we are in no greater difficulty than are many men and women in Washington to-day who are attempting to find a place to lay their weary heads.

Mr. HARDING. Or to buy coal.

Mr. SHERMAN. Yes, sir; or buying coal. There is no more profiteering by the manufacturers of print paper or by the jobbers distributing it, no, not by 100 per cent or by four or five hundred per cent, than there is by the lessees of landlords by way of subtenancies in the city of Washington. Senators talk of the jobber in print paper. The manufacturer stands at the source of supply, and it is suggested that the jobber is an evil agency that becomes the convenient medium for exacting extortionate profits from the publishers; but I know of one case—and I can multiply it by several thousand—in the city of Washington where there is a profit of 650 per cent between the original lease made by the owner of the property and the sublease which is made by the tenant who pays the rent to that owner. Six hundred and fifty per cent, when extorted from a Government clerk, is a matter of some concern to the clerk if he has a wife and five children; but I have heard no sympathetic voice raised for him in this Chamber in the discussion of this joint resolution, nor have I observed any action of any committee in an effort to relieve the person of small means who is called on to pay 650 per cent profit after the lease for the possession of the property leaves the landlord and is farmed out by some cormorant in Washington to the homeless who require some place to lay their heads.

How much saccharine matter does a housekeeper get on one trip to a grocery shop? Ten cents' worth, if she be a favored customer; otherwise she goes sugarless to rest. I have gone to eight grocery shops myself—and I am old-fashioned; I do my own marketing—and each time I was greeted with either an incredulous look or a frozen stare. But sugar has gone to the limbo of forgotten things. Had it not been for the kindly ministrations of a friend, I would have seen no sugar until the lambs were gamboling on the Maryland hills, until the Cuban crop had passed through the refinery, and the gentlemen who are collaborating with Mr. Hoover had permitted us to have sugar. I have heard no complaint about that; I am not complaining about it; I am only citing it as an illustration of what Government action can do. And it has done some of the most wonderful things in the city of Washington, which is governed, not by Congress, but by the same bureaus, my friend, to which you wish to delegate more and more power. There is not a more bureaucratic government on earth than that of the District of Columbia, and every time a bureau is created here the price of rents jump 100 per cent and the price of sugar 200 per cent.

If you go down where the inbound freights on all the great lines come into Washington and study the statistics of coal shipments arriving in the District of Columbia, you will find that 2,000 more tons of coal have come into the District of Columbia so far, to the 1st day of January this year, than in any year since I have been here. Can you find that coal? Where is it? Is it in the homes of the poor mentioned here a while ago? It is not. Can it be had at anything like reasonable prices, compared with the price paid the operator who produces the coal at the mines? It can not. Is there any profiteering? There is not. I read a long advertisement by a retail coal dealer in Washington—it has been in the newspapers for two or three days—denying that there is such a thing as profiteering in coal in Washington; he spurns the thought that the coal dealers wish to make any money; they are Good Samaritans who are distributing buckets of coal to the needy; they are engaged in an honorable struggle with the frost king, and they are giving up freely of their substance that the stove may be full of coal.

And where is the jobber? He, too, is brought before the bar of public opinion, and he, too, proves an alibi. So we are just where we were when we started; and the people of Washington are in the same condition as the average Senator of the minority party when, refreshed from his sleep, he starts in the early morning at 9 o'clock on a trip to some of the bureaus or departments in quest of useful information. He runs until a few minutes before 12 o'clock, and if he is extremely fortunate and nimble-footed he will go out of the same door he went in at 9 o'clock. Has he any information? None. What has he been doing? Wearing out his shoe leather visiting departments. Has he any answer to any query propounded to guide his constituents, to keep them free from the toils of the law, or to give them any information they desire? He has not. What has he been doing meanwhile, if I may continue this primer of elementary instruction? He has been shunted from pillar to post; he has been the circulating medium in the departments; he has been going from one branch of the circumlocution office to another, and when he gets out he rubs his hand over his puzzled eyes and wonders what he has been doing all forenoon as he heads for the Capitol to make the laws of this Republic.

I can understand why the cobbler is the only man who is amassing any wealth in Washington. These comparatively humble gentlemen who sit in stalls and holes in the wall, with half a peck of shoe pegs and a hammer, a ball of wax, and a little linen thread, are the only men who are getting ahead in the world because we are wearing out our shoe leather in Washington running around the departments and paying $12 a pair for shoes under the Hoover administration of food supplies and the like.

That is what has happened to us; and yet we are asked to delegate more power. The condition in which Mr. Frankenstein found himself will be an earthly edition of paradise compared with ours if we go on building up this governmental combination known as bureaucratic government. We are governing by bureaus when we ought to govern by laws. When we go around to the departments to find whether they have been enforcing laws that have been on the statute books for 20 years and more—since 1890—they say they are insufficient; we can not enforce them. "Why?" "Because we go into court and the jury acquits them." That is what one of the law officers of the Government told me, that a jury can not be trusted to convict. I asked, "Why?" He answered, "Well, they are the judges of fact, and they do not find that the defendants ever have enough proven on them to constitute guilt under the statute." He said, "Look at the packers out in your section; we went out and prosecuted them and tried them before a jury, but the jury went out and found them not guilty, although," he said, "everybody knew they were guilty." I said, "Of what?" He said, "Of something or other." I said, "That is the reason you tried them; you tried them for something or other. You did not try them for an offense; you tried them because you thought they were guilty of something; but you could not tell just what it was, and so you indicted them and expected the jury to find them guilty of something that they might discover from the evidence as the case went along." "It was a jury of farmers," he said, "and the farmers all sold cattle and hogs to the packers, and therefore they were prejudiced." If the jury had not been farmers, they would have been somebody who sold merchandise to farmers and the same condition would continue.

Following up that method, it has been very fashionable here to talk about the farmers. This is the first measure of this character I recall being under consideration in the four years I have been here in connection with which, somehow or other, the farmer has not been thrust into the discussion. He is not in this print-paper question; but another person is in it who is in the aggregate sense just about as mythical for present purposes as the farmer, and that is the newspaper editor. The National Editorial Association met and resolved. Editors are just like lawyers; I never knew a lot of lawyers to get together that they did not pass a resolution; and I never knew editors to get together and not improve the occasion in like manner. I remember that once a biographer, I think it was Parton, who biographied about everybody worth while in this country in his day, made a very sage remark. Everyone that he ever wrote about was a hero; I do not know of one of the characters Parton preserved to posterity that was not a hero; he was at least a demigod; he knew more than anybody else; he was born great; he inherited the purple; he had a vast quantity of brains of a superlative quality; and if he had not lived in his generation everything would have gone down, the pillars of state would have crumbled,

general darkness would have ensued, and the heavens would have rolled up like a scroll in the manner that the apostle and revelator tell us about. In the midst of this tangle, of adulation—and I read these biographies when I can not sleep and am not better occupied—I found one grain of wheat. After eulogizing lawyers, editors, statesmen, divines, and generals without number he got through, ended the chapter, and indulged in one solitary philosophical reflection that has a world of truth in it when applied to practical men who do something besides talk, who do not have time to talk because they are so busy doing something. He said a government made up of lawyers, orators, and editors would be a failure because it would lack somebody who could make up his mind and do something.

The editors got together at Minneapolis and resoluted about print paper. Well, I remember they resoluted once before some years ago—in 1913, if I remember; and my good friend from New Hampshire [Mr. GALLINGER] remembers, as do the rest of us—they resoluted, and with resounding phrase that smote the skies, and that wasted much pure print paper and good ink, they announced that the extortionate price of print paper was because there was a customs duty on the paper, or on the chemically treated pulp, as it came through the customhouse. All you need to do to make this a newspaper heaven was to free list the product. So even some Republicans were caught by the clamor, and there was no very strenuous objection to free listing the article. Well, what happened? It went on the free list, but our editor friends did not walk in the elysium that they had supposed. Everybody fell for the argument, if you will permit the phrase here in this august Chamber, Democrats and Republicans, Progressives and unprogressives. Everybody thought it was worth trying. Like my good friend who sits here, who is absent to-day, when he voted to put hides on the free list, he thought it would lower the price of leather, and so he hearkened to the argument, and the thing was so arranged; and the senior Senator from Vermont realizes that it had no more effect on the price of leather than if he had resolved that it was a mistake.

Mr. GALLINGER. Did it not increase the price of leather? Did not leather and shoes immediately go up in price?

Mr. SHERMAN. They did; yes, sir. The Senator is entirely within the record. It had no more effect to lower it, apparently, than if he had addressed his remarks to an inhabitant of some far-off planet, but it did increase the price, or it permitted it, or it happened. Now, take your choice. A very short time afterwards prices began to increase, so print paper began to increase in price.

Mr. BECKHAM. Mr. President, will the Senator yield for a question?

Mr. SHERMAN. Certainly.

Mr. BECKHAM. Does the Senator think that the placing of print paper upon the free list and the placing of hides upon the free list caused the increase of the price of those articles?

Mr. SHERMAN. I will answer the Senator's question in this way: It did not cause the price to go down.

Mr. GALLINGER. And the price went up.

Mr. SHERMAN. Going back, now, to many a hard-fought phrase in the years past, whenever anything did not go down we said it ought to go up as a result of the same action. I do not know; I do not suppose I could demonstrate it mathematically to the Senator, but in years past when we placed a duty on anything, and somebody had to pay a penny more for it, it was anathematized as the result of the protective tariff. That always followed, and we have carried the load many times, the burden has come to us in the heat of the day, that the duty was responsible for the increase in price. You took off the duty and it acted just the same way, only about a thousand per cent worse.

I will let my friend from Kentucky answer the conundrum that he has propounded. I can not demonstrate it to his satisfaction, and maybe not to anybody's. I can only say that the promises that were made and the legislative changes that were made produced no result of a kind corresponding with what was promised, but that, on the contrary, they did cause the price to advance. If the tariff is a tax, it never acts like one, and the protective tariff lowers prices and gives us our own markets.

We are facing here the proposition of delegating to the Federal Trade Commission the power contained in this joint resolution.

Mr. HARDING. Mr. President, will the Senator allow me to interrupt him?

Mr. SHERMAN. Yes, sir.

Mr. HARDING. Appropriate to the immediate discussion of the change in price, it is authoritatively stated that after paper was put on the free list there was no increase of production in this country of any character whatever, while prior to the elimination of the tariff on paper we had been increasing our tonnage in news print approximately 250,000 tons per year for a period of something like 15 years; so the inference may be drawn rationally that the abnormal increase in the price of paper was due almost directly to placing it on the free list, because by that act we stopped the increase of American production, while the demand was going on all the time.

Mr. SHERMAN. Yes, sir. We went across into Canada when we stopped our production, if I remember the conditions correctly. Others followed them who are more conversant with this business than I am. We went across into Canada to import. The Dominion of Canada changed her laws so that the wood from which the pulp is made can not be brought into the United States in its unmanufactured form. The result was that the manufacturing was done in Canada. Not only was the wood stopped from being imported in its raw form, but the Crown lands of Canada were so arranged in the leases made to those producing the wood pulp that we paid tribute to Canada on her Crown lands because of the export duty or the regulations attending the export into our country of the needed supplies of print paper or of wood pulp.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WARREN in the chair). Does the Senator from Illinois yield to the Senator from Utah?

Mr. SHERMAN. Yes, sir.

Mr. KING. I hope the Senator from Illinois, who is making such a strong and admirable and interesting address and showing so many reasons for voting against the joint resolution which is under consideration by the Senate, will pretermit the discussion of the tariff heresies just suggested by the Senator from Ohio [Mr. HARDING] as well as the Senator from Illinois, because some of us who are going to vote against the joint resolution might be considered by some of our friends as having yielded to these heretical views and antagonized the bill because of the arguments on the tariff.

Mr. SHERMAN. I appreciate the scruples of the Senator and will respect them. I will say that he may not have been here at the time this controversy was embarked upon, but it began incidentally and not as the main point in view. As the man said who once took out a hound and shot him, "He was a good hound, but when we were after a wolf he branched off and chased too many rabbits." This may forensically be called a rabbit chase, on the side. I will get back now after the wolf in this joint resolution—that is, from your viewpoint. From our viewpoint we think it is very material, and even more important than the basic principles of this bill. But I realize that when there is a union of allies we must not complain about the different views which nations may hold about their respective ideas of domestic policy. So the Senator is right in cautioning those who are against this joint resolution not to use what some might consider heretical arguments.

But, Mr. President, we are building up here in war times a series of powers which will return to plague us time out of mind in the years to come. I think that the Trade Commission is fairly busy now. I have the good fortune to know one or two of its members, men of ability—one lawyer in particular in whom I have great confidence, who has the happy faculty of doing things instead of talking about them—and I think they are occupied. I happen to know further, relating to this territory where we need a great deal of print paper to communicate intelligence to each other—we would have nothing to read on the elevated railroad in the morning unless it were for the cheap morning editions—keeping that in mind, I remember to-day, Mr. President, that the Trade Commission a year and a half ago exercised the power of bringing before it the print-paper manufacturers. They conferred at various times and places, through their representatives, with these manufacturers. They actually did enter into an agreement. That agreement on the part of the paper producers may have been actuated by a fear of prosecution under the antitrust law. I do not know what their motive was; but it is sufficient to say that there was an agreement made, and it is in existence. I have a copy of it in my files. All of the Chicago newspapers were affected by it. The country newspapers, even those that are published twice a week, were affected by it. Prices were fixed at a variable scale. I think, in some instances, as low as $2.50 per hundred. The price of paper in small quantities going to country newspapers was fixed, I think, at $3.50, at which price the country newspapers, many of them, assured me they could get along; that they could live. They said that everything else was going up, and they were not complaining at the small advance, if it only kept within the bounds of their ability to pay.

I will say that these prices are not greater prices, when you compare the advance, than the advance in almost every other needed article. All the footgear, leather manufactures of all

kinds, leather findings, the metals raw and in their manufactured form, clothing, both wool and cotton fabrics, have increased in price many fold. It is useless to take the time here to enumerate these articles. I could produce here tables of learned length and thunderous sound to demonstrate all this, but it would not throw any more light on this discussion than the mere statement, because we are familiar with it.

So these contracts were made, and print paper was delivered under the contracts for a long time. I think it is delivered under it yet. The joint resolution, however, proposes not to regulate the paper manufacturers or the jobbers by law; it proposes to take possession of their factories and to run them by law. Of course I know the joint resolution is not in express terms that way, but the necessary effect of it is. Whenever you pool the product of which I may manufacture a certain per cent, control its prices and its distribution, then you are controlling the production.

I do not care what men may say about manufacturers still retaining control of their plants; the prices are fixed; the quantities and the terms of sale are fixed. Who is to buy does not depend upon the vendor; it depends upon the commission. The commission can go out into Utah and into Illinois and say to certain publishers: "You shall have paper," and to the paper manufacturers whose product is pooled, and the central point of which is the Trade Commission, "You must sell to certain men in Utah and certain men in Illinois." "On what terms?" "Oh, on easy terms"—just like tax paying. Everything is easy until pay day comes. We have not reached pay day on most of our undertakings. It is like "the morning after," Mr. President, the time when the ice water and the towels arrive. The repentance always comes after it is too late.

Here in this particular transaction the product is pooled, and the Government, through the Trade Commission, undertakes to say how the product shall be sold. If the Government does not make any better success of managing print paper than it has of a host of other things, where it has meddled in essentially private undertakings, then may Heaven deliver us and the editors of the association who passed the resolution from the consequences of the acts demanded by their own resolution!

We have attempted to regulate by law, it is said, and the Senator was quite emphatic in his statement that regulation had failed. If that be so, then nothing remains in this country save to take over the human being in time of peace, as well as all of his active pursuits. If a census of criminal dockets be taken, it will be found that there are no more prosecutions of corporations for violations of law than of the natural individual indicted either singly or jointly with other defendants. Criminal codes have been in existence for many centuries. The Government has them; every State has them. Every term of courts of criminal jurisdiction finds luckless individuals indicted, arraigned, and tried. This does not argue that Government regulation of individual conduct to restrain crime is a failure, but that there are certain inherent traits of human nature in some persons that lead them to break the laws, however great the punishment may be. Either through inherited tendencies or their environments or for some other reason unknown to human understanding they commit the crime and take the chances. Are we to argue from that that the Government must immediately lay its hand upon the personal liberty of everyone in the country, that civil liberty shall end, and that we shall go into a socialistic state where there is no such thing as personal civil liberty remaining?

Nobody argues that. I think it is equally unsound to say that the business enterprises of the country, whether individual or corporate, have reached the stage where regulation will fail. I think, on the contrary, that governmental regulation has succeeded; that if a census were taken of the corporations of the United States, great and small, it would show that the average business enterprise, whether corporate or individual, is a law-abiding enterprise. The difficulty is with every concern doing business in more than one State that there is not a lawyer in the United States who can advise any large concern as to what it can with safety do.

Before I came into this body my associates and myself were sometimes at our wits' end to tell associations of business men what they could do. They do not want you to tell them what they can not do. They do not need a lawyer for that. What they want lawyers for is to tell them what they can lawfully do. The corporations have had great difficulty, especially the larger ones that do business in all the States and Territories radiating out from Chicago and in foreign countries; so in that difficulty some of them have gone on and taken their chances and been indicted, in order to have an interpretation and application of the law to the particular case.

I remember that one of the best lawyers in the Northwest advised a corporation what to do. They were advised by another lawyer not to do it. They framed up their business, made their contracts, sold their merchandise, and courted an indictment by a United States grand jury, in order that they might forever set at rest the question of what they could or could not do. It was charged, when the matter came into court, that here was "another great lawless combination, setting at naught the laws of the country," when they themselves had paid out many thousands of dollars to ascertain what the laws were. All they tried to do was to continue their business.

I think regulation has not failed. On the contrary, in every instance when you could understand what the law was, in the frequent changes and interpretations put upon it, regulation has been the guide and the mentor of all the great business enterprises of this country, with certain exceptions. I will admit that there are some buccaneers in business who take their chances, just as individuals do in private life.

If they run contrary to the criminal code, they expect prosecution; but it is unfair to say that regulation has broken down when the Government has attempted to apply it to the business enterprises doing an interstate business in this country.

This means that the producer of print paper in the United States must take all of his merchandise to the Federal Trade Commission and pool it. That is all there is left for him to do. How long will he manufacture under those regulations? What incentive is there? Manufacturers have not yet reached the point where they are purely altruistic in their activities. Somebody has got to make something. I hear Senators comment with some harshness on "profiteering." I should like to know where we will get these billions of revenue from, in the years to come, unless somebody in private life makes some profit. I know of no source from which this beloved Government can draw a dollar except the private taxable wealth of the country, and you can not tax private wealth unless it has a fair return on what it is undertaking to do. So the producer of paper pulp or print paper will necessarily at last, unless he can be permitted to earn something on his investment, be driven to cease his operations. That, therefore, drives the Government to the point where it must take his plant when he stops and operate it. Then we have got the Government in the print-paper business.

Mr. WOLCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Delaware?

Mr. SHERMAN. I do.

Mr. WOLCOTT. The Senator has touched a question there that has been occurring to me. Suppose the manufacturer of print paper should not find it to his profit to continue the manufacture under the regulations of the Federal Trade Commission and should choose to quit. Where does this joint resolution give the Government the power to do that which the Senator said it might do, namely, assume for itself the manufacture of print paper in that particular plant of that particular manufacturer? Where does this joint resolution empower the Government to manufacture print paper?

Mr. SMITH of Arizona. There is not a line to that effect.

Mr. SHERMAN. In lines 10 and 11.

Mr. SMITH of Arizona. What page?

Mr. SHERMAN. Page 2. I will read the whole of it, beginning with the amendment at the top of the page:

> That whenever during the continuance of the war and for six months thereafter the President shall deem it needful, he may direct the Federal Trade Commission to supervise, control, and regulate the production and distribution of print paper and mechanical and chemical pulp and their products in the United States, and that such mills producing and such agencies distributing print paper and mechanical and chemical pulp and their products in the United States as the President shall designate shall be operated on Government account.

Mr. WOLCOTT. By whom?

Mr. SHERMAN. I assume, from the interpretation of the spirit of this joint resolution, while it is not specific in its terms, that if the owner should cease to operate the Government can operate through its agencies.

Mr. WOLCOTT. I do not agree with the Senator in the interpretation of that language. They are to be operated on Government account, that is true; but if the owner ceases to operate there is no authority conferred on the Government to operate on its own account, and I take it that there is no inherent power in the United States Government, in the absence of a statute, to go in and operate a business.

But let me pursue the question further, and assume that the Senator is right, that by this language there is an implied grant of power to the Government to operate a plant in case the owner ceases to operate it. Must not that power be further followed by a grant of money to finance it before there can be any actual

operation of the plant?—and there is no grant of money in this bill.

Therefore, may I not suggest to the Senator that we come back to this proposition—that if the owner of the plant finds that it is no longer profitable to him to operate, and if he quits, there will not be any manufacture of paper in that plant, and a situation arises which we certainly do not want—that the quantity of output is thereby reduced?

Mr. SHERMAN. Either that would happen, as the Senator says, if he is correct in his interpretation of the joint resolution, or the Government itself must operate, taking over the plant. But while there is no money appropriated in the joint resolution, there is a fund of $100,000,000, or the balance of it, in the hands of the President, to be used for war purposes. This may not be fairly said to be for war purposes; but there will be, within the next 90 days, another issue of liberty bonds. Whether or not these mills make the kind of paper needed for these bonds, I am not sure.

Mr. SMOOT. No; they do not.

Mr. SHERMAN. They do not make anything of that kind, I understand. But print paper can easily be interpreted into a war necessity in many lines. The Army and the Navy and all the departments must have it.

Mr. WOLCOTT. Mr. President, will the Senator yield to me further?

Mr. SHERMAN. Yes, sir.

Mr. WOLCOTT. I am inclined to consider the point I have just made a very strong point against this joint resolution. If this scheme, when it goes into operation, is going to result in the reduction of paper output in any such manner as I have suggested, then the scheme never ought to be adopted.

Mr. SHERMAN. One or the other must necessarily follow. Either the Government must operate or, if the private manufacturer quits, the output of that mill must cease. If they all quit in the United States because of unprofitable terms under which they must operate, then the American production will cease to be available for publishers. In that event it would be an unmixed calamity that would drive us, for our print-paper supply and for chemical pulp, into the Canadian market. There is no other country to which we have access, outside of our own. We must depend upon some part of Canada to get pulp and wood across into our own country. Mexico is out of the question.

Mr. SMITH of Arizona. Mr. President, will the Senator permit me to make a suggestion there?

Mr. SHERMAN. Yes, sir.

Mr. SMITH of Arizona. We must remember that one-third of the paper used in the United States is brought from Canada, owned by Americans operating in Canada. The proof before the Trade Commission was that the combination of these men who were indicted and convicted had suppressed the further erection of a mill in the United States by a combination in opposition to it. Therefore Americans went to Canada. One paper in the Senator's own State—the great Chicago Tribune, I think—owns its entire plant, and every ounce of paper it uses it brings from its plant in Canada. It was forced into it by the conditions then surrounding the news-print paper world.

In my judgment, there is no necessity for the calamitous conditions to which the Senator has referred flowing from the passage of this joint resolution, because if it were true that the suppression of news-print paper would be such a calamity to the country—and I confess it would be—then how would it be if, without some agency or some aid, without a combination, the news-print paper people of the United States should say, "We will not sell to the Government, we will not sell to anybody, for less than $5 a hundred pounds at the mill," when we know they can make it for less than 1½ cents a pound?

Mr. SHERMAN. We would be in exactly the same condition if the men holding the patents on the Mergenthaler linotype machine should all unite and say, "We will not sell it; we will quit," or if the manufacturers of printer's ink should do the same thing. Only a limited number of concerns manufacture printer's ink. Every newspaper publishing company that must use ink in vast quantities knows that there is a limited supply of printer's ink. The advance in the price of all these necessities is as great as the advance in the price of print paper.

Mr. HARDING. Much greater.

Mr. SHERMAN. I have no doubt, as the Senator from Ohio says, that it is greater, and he is familiar with those matters; I am not. The type founders in Chicago have found the same difficulty in satisfying their customers. Every type founder in the United States has the same conditions confronting him. Type metal has gone up, wages have gone up, rent has gone up, and everything they use in the composition of the type has reached a point where they can no longer sell at prices that do not excite comment on the part of the purchaser.

Print paper, as far as the newspaper world is concerned, would be utterly useless unless we had printer's ink and type founders. Practically in every large daily, unless the linotype could be used, they had just as well suspend publication to-morrow morning. These are all covered by patents. There are only a few men in the United States or in the world who manufacture the Mergenthaler typesetter. No man would think for a moment that those men would stop and destroy the daily newspapers to-morrow morning, and it is inconceivable that the print-paper manufacturers through any act of theirs would destroy the newspaper world, because there is after that no market for most of their product. Self-interest alone would lead them at all times to deliver their product to the consumer at living prices, because that is the only way they can hope themselves to continue in business.

There is much in what the Senator from Delaware [Mr. WOLCOTT] says in the possible cessation of the manufacture altogether. It is only by considering the spirit of the resolution that I should think the Government may take over the plant and operate it. A strict adherence literally to the verbiage of the resolution would not justify the inference I have drawn.

That leads us, if I be correct, however, again to the point raised on the ability of the Government to operate under this resolution. Suppose the Government does undertake to operate the plant. It will have to do it with men who know the business. I am aware there are some undertakings of a governmental character where it is possible for the Government to call to its use those who know about the business. But the general rule is to undertake to run a private business by the Government by appointing those who know nothing about it. It has become almost an axiom of Government ownership and operation that a man who understands the business must not be appointed to run it. Some essayist and platform psychologist is called in to make the enterprise go by talking at it.

I do not like to be uncharitable, but it looks to me like much of the governmental activity of the last 10 or 15 years has been devoted to ejecting the men who have spent a lifetime in some occupation from the management of a business, and the search afterwards has been to get somebody to run the same business who does not know anything about it. I heard a man a few days ago say that he had only got help from one man—that all the rest of them gave nothing but advice how to run his business.

So if it be a governmental operation and the print mills are run by the Government, to be taken over under the resolution, what must we expect? We would expect the same activity that we have had on the Shipping Board, for instance. We would expect the same activity that we have had in getting blankets for some camps in northwestern United States; the same activity we have had in getting woolen overcoats. I know most of them have been supplied, but the truth remains that one department I shall not name openly boasted in the city of Washington that it has woolen blankets for men in the service for more than two years, and woolen blankets and woolen overcoats for another department of the United States service are lacking in some of the camps. If they can not distribute pulp paper any better than they can distribute woolen blankets, the Lord deliver us from any more governmental activity until the Government has learned to use what the departments now have without waste and duplication! I give fair and timely warning to the editors who assembled at Minneapolis and passed the resolution, if it is equally deadly among them there will be a good many editors who will lose their places before this is over.

I totally condemn the exercise of any governmental power over individuals or corporations unless it be to regulate them. I believe in a government of regulated individualism, not in the collective ignorance and inexperience of a great multitude, and that is what Government ownership of a private undertaking is in its final analysis. The Government ownership of print-paper pulp will work out like all other Government ownerships. It will produce the usual number of assistants and bureaus and departments and lead to a fresh destruction of shoe leather when we try to find out anything. It will be the same circumlocution office over again.

It is said that the civil service will protect the pay roll. I used to be a victim of that hallucination myself. I confess it with shame. It is just like the universal direct primary, with a ballot the size of a Sunday metropolitan daily. It is a glittering thing when seen in the sky, but it must be worked out under the feet of misguided stargazers of this Republic, and then I sadly confess it is not. Civil service will guide and control every employee in a Government print-paper mill, I presume.

Mr. SMITH of Arizona. Will the Senator permit an interruption there?

Mr. SHERMAN. Certainly.

Mr. SMITH of Arizona. It is in the shape of a kindly suggestion. While I confess I agree with the Senator on the civil-service business, I would suggest also that on account of so many of the civil-service advocates on his side it might be that in his opposition to the resolution he had better pretermit that part of it for fear that some of them will vote to sustain the civil service in support of the resolution.

Mr. SHERMAN. I have no objection to their supporting the civil service, but what I object to is to use it as a nostrum that will cover everything, even including a pay roll in a pulp factory. It will not do it. Civil service as administered in this Government to-day is the one colossal humbug of the Western Hemisphere, and everybody knows it. Civil service in the Postal Department is a trap for the unwary. The civil service covers a multitude of sins, all the way from fourth-class postmasters up to the advisers of these departments, their counsel. Some of the lawyers have to go in under civil service, some of the doctors have to pass under the rod of the Civil Service Commission, notwithstanding the lawyers have been licensed and the doctors have been given their license to practice upon helpless communities. It may be manslaughter; I do not know. At any rate the State from which they hail has given them, under general laws, the power to practice their profession. Then the civil service, with solemn unction, assembles itself, through many high-priced examiners, and proceeds to examine for every position in the healing art. They asked a lawyer at one time if he knew what the rule in Shelley's case was. He said he did once years ago, before he ever practiced law, but he said since he learned anything about how law was actually practiced he had forgotten what the rule was.

Mr. SMITH of Arizona. If the Senator will excuse me, in the examination for a local carrier on a rural route they asked him how far it was to the moon. He said, "I do not know how far it is exactly, but if it is on my route I do not want this contract." [Laughter.]

Mr. SHERMAN. I have no doubt of it. That is on an equality with some of the questions asked carriers in my part of the country. I do not want to be led astray from the point under discussion here, but when it is said, and it has been said in private conversation to me, that civil service will come in and cure all these governmental ills, the truth is the civil service was here before the Government ills came. If it is an antidote we ought have remained in sound health. We ought never to have had any occasion for its criticism. The longer the war continues the worse it will grow. When the war is over the most indefatigable chemist in a laboratory could not find, to drop into their parlance, a remote vestige of civil service in all this realm. It will be extinct. It will die a natural death unless somebody reforms the civil-service reformers. War accelerates that as it does with the physically unfit. They get into the service and they have either to get out or die. With many of the governmental undertakings, laws, and institutions all of them that linger for years in peace under the swift surgery of modern warfare will end.

This is only a symptom of the general disease, Mr. President. That is the reason why I am taking the time here to comment on it, not because I have any manufacturers of print paper in my immediate part of the country. We are in a prairie country and we buy from those who manufacture it. I am moved to express myself upon the joint resolution because I regard it as a Government ownership and operation resolution in disguise. I suppose it will be regarded as unwise for me to say that if I must lose my American birthright I would rather lose it by conquest under the helmeted legions of the Kaiser than to lose it from the degradation and decay that comes from the failure of private enterprise.

In this country we have built up our institutions, we have developed our resources, we have hewed and used our forests, we have broken up the sod of our great northwestern plains, we have builded our cities, we have developed our States, we have passed our laws, we have restrained the unruly and criminal, we have made ourselves into great populous empires in the northern Mississippi Valley, taking it from the Canadian border down to the cotton belt. The people of my generation have done this. I can remember to have seen on the unbounded plains the morning sun rise where there was not a house or a fence for a hundred miles. We have seen all of that mighty commonwealth grow to what it is. In that time we have stood aloof from the Government. Outside of buying postage stamps and occasionally being drawn for jury service in the district or circuit court of the United States, we have not known there was such a thing as United States authority. We have built up our enterprises, banking, manufacturing, railways, agriculture, and transportation by inland waterways. We have done all this without a dollar from the Government or a word of encouragement since the Civil War closed.

To-day the Government, as manifested in this resolution, from time to time has been committed to embarking in what are essentially private enterprises, to take away from all these people what they have done, to remove from them what is theirs as a birthright, coming to them from their fathers of old, and committing them to a series of Government undertakings under the guise of war necessity. Great as the emergencies of war are, all human wars have ended. Even the 100 years' war that Holland waged with the Spanish Crown ended. All the battle cries have died away. Some time it will end. We fervently pray the end will speedily come, but if it endure until the last territory of Europe taken in robbery shall be restored, or has been devastated and desolated, or until human exhaustion shall come to the modern world, whether we shall continue the struggle with the posterity of the same armed legions that centuries since destroyed ancient Rome before the Dark Ages were ushered in, it will end at some time and some way.

I have sometimes thought that the present age was somewhat like the days when the Goths and Vandals came down from northern Europe on the civilization of ancient Rome. We do not know with our limited human vision what the end will be. I have seen the luxury of modern life in its development from day to day, from year to year, of great wealth concentrated in cities, the end of that human economy and struggle and simplicity that marked our grandfathers. We have softened our muscles. We abstain from exercise and self-denial. We have lost physical well-being. The automobile has destroyed our ability to walk, and it has taken our appetite with it. We have forgotten half we knew about how to take care of ourselves. It is the age of gasoline and electricity, of class and caste. By pressing a button all human effort by muscle is saved. So we have gone on, staggering beneath a load of self-indulgence, luxuries, until I wonder whether we have reached a condition to-day where Germany and her legions are threatening the civilized world as her ancestors did the ancient Empire of Rome. Time will tell. But we must remember that whatever the end may be, if there is anything left for this Republic it is for the sturdy muscle and mind, the self-reliance of private enterprise, to be permitted to continue on their way. The dreary mediocrity of a socialistic state promises nothing but decay. We can not live in the way and at the gait we are going and sustain ourselves in the great competitive race with the nations of the world.

To my mind, one of the most menacing aspects at present in public affairs is this tendency every time this generation reaches a problem it will not solve itself to run to the Government for help, just like the newspapers are doing now. I wish the editors who founded these great dailies were alive to-day or could be reincarnated and put back upon earth. If their posterity had the same self-reliance that our ancestors had, they would settle this question themselves. But now they reserve a Pullman drawing-room, come to Washington, and ask for help. Every time the price of corn meal goes up in Illinois somebody wires, "See the Government."

Mr. KING. Or if it goes down.

Mr. SHERMAN. Yes; it is the same way. All the average farmer wants, though, is to be let alone; but as a rule when anything pinches, instead of trying to devise a remedy by individual effort or by working out the salvation at home we come to Washington for help. The States are gradually being destroyed. There are no State powers any more under this administration. Food regulators are going into the kitchens, into the restaurants and hotels. There is not any such thing as private life; it is all the Government.

This is only, I repeat, a symptom of the general disease. I may belong to another age; I do not know nor do I care. I may be a reactionary; I do not know that and I care less. I only know that no Government that has undertaken the unrestrained management of private enterprises has ever strengthened itself or succeeded. It has universally gone the way of taking a growing concern, with its brain and ability and management, and putting it on an unprofitable basis, lowering the rate of the commodity or shortening the hours—and within a reasonable limit I have no objection to raising wages—but taking no account of original cost, no account of depreciation and maintenance, nothing for a sinking fund, going blithely along and living in a financial fool's paradise. All the way from San Francisco to Chicago it is telling the same story. It is sapping individual strength. It is weakening the initiative of the individual, which is the greatest incentive the world ever saw for the development of the Caucasian race. It is creating a staggering debt. It is diminishing the revenues. It is taking away the sources of taxation, because no public property is taxed.

I do not want to take more time; but I repeat, I can not vote for this or any resolution of a similar character. It is only the harbinger of more to come, and I had as well begin on such a question as this as any other. The railroad problem will come

in due season. I would rather spend the rest of the life allotted to me in private than to surrender one syllable of my convictions upon these unalterable principles that lie at the basis of civil government. A halt must be called upon the attempt to take in hand the enterprises which are essentially private in character and operate them by the Government. I believe in regulation to the reasonable limit, but I believe in drawing a line of demarcation between what is governmental in character and what is essentially private in character. That, it seems, some of this generation have lost all ability to do. I believe it to be the duty of the Senate to face this issue and manfully, without regard to consequences upon individual Members, to meet the issue that divides what is legitimately a Government undertaking from an essential private undertaking that has belonged to us as an American inheritance.

I have departed somewhat from the exact question involved in the resolution, but it touches the great issue soon to come, and I have done so because of the inevitable tendency of this and all other measures of a like kind.

Mr. SMITH of Arizona. Mr. President, it would be impossible for me, and I think for anyone else, to attempt to follow successfully, with any sort of an answer, the very strange mosaic, the beautiful, conglomerate of argument—Government interference with private individuals, the tariff, civil service, the teeth of the children in Chicago, automobiles, leather, powers of the State, taxation, railroads. These are only a few of the very important questions touched on very entertainingly by the Senator from Illinois, and even if the conclusions reached as to many of the positions he has taken be true, none of them, as far as I can see, have anything to do with the consideration of this measure further than the mere naked question as to the wisdom of the Government proceeding under the provisions of the joint resolution.

With the ingenuity of a practiced debater, however, the Senator from Illinois has very well appealed to every prejudice that ever man had in peace times against any interference by the Government with any functions of private life or the private business of people. In that sentiment we all agree, but let us get out of the clouds and the mist of these Niagara Falls noises and see if we can not come down to a condition that now confronts us.

The Senator from Illinois speaks always entertainingly, and we listen to him with pleasure, but did you notice that he has not offered a single suggestion? My friend from Utah [Mr. SMOOT] is equally prolific in denunciation, but he can not find one word to put in its place. It is like what the old preacher once said when he heard an infidel. He said:

> How pitiable it is to see men attempting to tear down the things which so many think are right and on which so much of hope and belief depends and yet offering not one thing in place of the superstructure which they are attacking.

So it is in this case. We have nothing but a denunciation of every single war measure which has been taken since the war began. There is not an argument which has been made here against this measure which is not equally applicable to the food law and to every other war measure which has been passed by Congress, and, boiled down to its lowest terms, you find in the very argument that has been used by the Senator from Illinois—while I do not claim that the Senator was attempting in any manner to stand in the way of the successful prosecution of the war—I say in the application of his argument, his position may be used against every war measure which has been passed by Congress.

Mr. SHERMAN. I should like to have the Senator specify what I or any of my colleagues who have opposed this joint resolution have said to justify opposition to legitimate war measures.

Mr. SMITH of Arizona. I have said that I can take the generalizations of the Senator's statements and apply them to the food law, for in the food law there is the very provision to which he is objecting in this joint resolution. He may make a differentiation that the food law presented a very different matter from that contained in this print-paper joint resolution; and that is what I want to get at right now. I want to disclaim now, though there is no need for the disclaimer in the light of the record of my friend from Illinois, that he and the Republican Party are not entitled to credit, just as I am, for standing behind the people of the United States in every just means to prosecute this war to a successful termination. I want to say that no act of the Senator's which I have ever known has intentionally militated against that result.

Mr. SHERMAN. Mr. President, will the Senator from Arizona permit an inquiry?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Illinois?

Mr. SMITH of Arizona. Certainly.

Mr. SHERMAN. I will ask the Senator from Arizona if all the arguments opposed to this joint resolution have not been to limit the Government to what is strictly necessary, and not to go outside to take up any private enterprise which is not urgently demanded by the exigencies of war? That is our argument.

Mr. SMITH of Arizona. Well, that is your argument, as stated, but the argument goes further, in effect, against this particular joint resolution by your denial of the fact that it is in any sense necessary for the Government to take hold of this matter at all.

Mr. SHERMAN. Mr. President, will the Senator permit a further inquiry?

Mr. SMITH of Arizona. Certainly.

Mr. SHERMAN. Does the Government of the United States expect to fight the Germans with paper wads made out of pulp or with leaden bullets? What has paper got to do with the war? All of the war news is censored out of the papers. We do not get any news. Every correspondent is bursting with suppressed information which he dares not publish.

Mr. SMITH of Arizona. Mr. President, I have no idea that all the newspapers are half so pregnant with valuable information as is my friend himself, who suppresses the knowledge of the things he has; and if he thought it would militate against America, against our successful enterprise, he would not give it, no matter how strongly the pains of parturition might oppress him.

Mr. SHERMAN. Mr. President, might I then inquire what is the vital necessity of paper pulp or print paper in the war if we do not get any news?

Mr. SMITH of Arizona. I will answer the Senator with pleasure. In order to get paper you must have pulp. You can not print a paper in the United States without chemical or mechanical pulp. That is essential to the industry of printing. You could not run this country, and you could not have floated your war loans if the action of the court in this particular case had not been taken, removing, as I said yesterday, the strangle hold of this trust from the throats of the publishers of the United States.

As to the talk about the censorship of the press, I desire to say that there is not a reputable newspaper, except the large ones of which the Senator speaks, that looking between the lines and speaking only from a very just suspicion, that has said nothing on this subject, that has not contracts which are far better than the ordinary paper gets from these print-paper manufacturers.

Mr. SHERMAN. Will the Senator from Arizona explain to the Senate how this joint resolution will help the progress of the war? I have been waiting to hear as to that.

Mr. SMITH of Arizona. I will tell the Senator. This joint resolution may not help the progress of the war; it may not retard an enemy shot on the battle field or save a drop of blood in France, in Belgium, in Russia, or in Italy; but it may save many a drop of blood of some poor typesetters in every little country town in Illinois who have been robbed, whose lives have been made a burden, and their homes made unhappy under all this taxation which we are enduring for the purposes of war. Take this combination of news paper manufacturers; they form themselves into a trust, and through the instrumentality of their own illegal conduct they have compelled every single country newspaper in my State and in yours to buy paper at a price not justified either by conscience or by common decency.

Mr. HARDING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Ohio?

Mr. SMITH of Arizona. I do.

Mr. HARDING. If the Senator from Arizona will allow me, as I happen to be a newspaper publisher myself, I am extremely interested to know how this reaches the typesetter?

Mr. SMITH of Arizona. It will reach the typesetter if he is put out of business, will it not? I should not think it would be hard for the Senator from Ohio to draw the conclusion that, if you drive the typesetter out of business and send him on the street as a tramp, it might be that he would be a little worse off than he was before. Will they keep him on the newspaper with these constantly increasing prices?

Mr. HARDING. Will the Senator allow another question?

Mr. SMITH of Arizona. Certainly.

Mr. HARDING. Does the Senator know of any newspaper publication having been discontinued because of the price of paper?

Mr. SMITH of Arizona. I do not know of any such publication which has been discontinued because of the price of paper, except, as the Senator will see himself, by looking at the report of the Federal Trade Commission.

Mr. HARDING. Then, another question. Does the Senator know that news-print paper generally was much cheaper in January, 1917, than it was, for instance, in December or January, 1916?

Mr. SMITH of Arizona. There is not a doubt about it, and I am delighted that the Senator has called my attention to it. The very men against whom I am inveighing did not get in their "fine Italian hand" until the time of which the Senator speaks, until they were indicted, and only escaped the penitentiary by confessing to absolute crimes against common business decency as well as against the law of this country. Until that minute they held the strangle hold. I will tell the Senator about that. As soon as they were convicted, and as soon as the Federal Trade Commission made its report, they commenced letting go; they commenced selling news-print paper cheaper, and the only independent concern to-day is furnishing paper to the trade everywhere at 2½ cents. They agreed to give it for 3 cents until the 1st of April, and then at whatever price the Trade Commission might fix; but the ink was not dry on that agreement, the record had hardly been signed by the judge, before we find these people, as appears in the Paper Trade Journal, in the forty-sixth year of its publication, declaring:

It is held in this connection that now more than ever before is the time for news paper manufacturers to stand close together and obtain unified action.

Just exactly the unified action that they had when they were charging from 4½ cents up as high as 9 cents a pound for common print paper, which they were making for a cent and a half a pound.

Mr. SHERMAN. Mr. President, will the Senator from Arizona yield to me?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Illinois?

Mr. SMITH of Arizona. I will yield to the Senator from Illinois with pleasure.

Mr. SHERMAN. If any typesetters in the western country have lost their occupation, I know of no place than there where they can more quickly find something else to do. The potato patch is still untenanted in that country; the corn is still unhusked; the stock is still unfed; the great granary of the world in this crisis is without the garnerer of the sheaves or of the planter in the spring to come; and no human being with ordinary understanding and a fair pair of legs, Mr. President, can fail to get a job in the mighty West.

Mr. SMITH of Arizona. That is very true.

Mr. SHERMAN. No typesetter need be out of work, Mr. President.

Mr. SMITH of Arizona. The Senator is not confining himself strictly to the discussion, but I do not object to that, for the Senator is always at least illuminating in the suggestions he makes. Now, however, he is dodging the question of this combine, which controls 90 per cent of the print paper in America and one-third of that which is sent from Canada, which is being sold to Americans for 3 cents and to Canadians for 1½ cents a pound, with no duty. These manufacturers infamously and impertinently claim that they are being compelled to compete with a similar commodity imported free of duty. If a duty were added, I do not know what the effect would be; for a part of the argument of my friend demonstrated to me beyond question that the best possible way to secure high prices for American products was to give free trade. He showed that by his argument.

Mr. SHERMAN. Mr. President——

Mr. SMITH of Arizona. Let me state my position in this case. I shall not be led into further argument in reference to matters outside. Here are the conditions which constrain the Senate of the United States, on an appeal from the publishers of this country, to take action. There was a combination in restrain of trade on an article which was very important to the United States itself; that is, print paper. I presume no man will gainsay that in this hour of civilization, and certainly it will not be gainsaid by one who for so many years gave out from his sanctum, through the instrumentality of his own press, the enlightenment which every once in a while made Ohio democratic.

But, Mr. President, there has not been a suggestion as to how the country is to get rid of this condition; no man has dared suggest an amendment that will take care of it; but, on the contrary, Senators have merely declaimed against the Government taking hold of anything.

Here were the conditions, as I said yesterday, and when I conclude this I shall say no more. The record shows that about 85 or 95 per cent of the print-paper manufacturers in the United States formed a combination. They were not working closely enough together. They called in an attorney, who told them they could not evade the law by forming a mere corporation, and there was no sense in doing that. So they formed an association without articles of incorporation, and they appointed a board of five directors, with a sort of director general. The very first thing they did when they got well consolidated, as the record shows, was to notify every user of paper in the country, when there was not one iota of evidence, that it cost 20 cents more a hundred tons to produce paper at the time they took the action than it cost six months before; that the cost of production had so enormously increased that they would have to increase the price. The grand mogul of the crowd wrote to the different manufacturers requesting that they send him a statement of their costs and to make those costs as extreme and as high as they could in order to justify an increase in the price of the product to the consumer.

Senators, if the newspapers of the United States are not essential to the prosecution of the war, there is nothing on earth that is. You can strike down the newspapers to-day, but the result would be disastrous. Senators talk about invading private rights. Suppose, on the other hand, by the outrageous proceedings or measures that I have suggested as being taken on the part of the paper manufacturers, the newspapers should be blotted out, and suppose in every country home to-morrow there could not be read news of what the Government is doing, how long would it take to float another liberty loan? Under such conditions, how long would it have taken to float the last liberty loan? The newspapers of this country, in spite of the criticisms that have been made of their selfishness, as we all know, are the bulwark of American power and force in the creation of an enlightened and patriotic public sentiment.

It is easy to decry an argument of this kind and say it has nothing to do with the question and in the meantime permit these robbers to flock like vultures at the corpses of those whom they are despoiling in order to make profit. They put in their own pockets in one year a profit of $17,000,000 wrung from the people, without earning it in the least degree; and in their last report, in spite of some of the complaints of these gentlemen as to the increased cost of living and production, they say that they paid above all expenses, including war taxes and 15 per cent depreciation on their mills, a modest little dividend of 29 per cent.

Senators, I ask, What is to be done? It is well enough to inveigh against the Government taking private property into its hands; but the newspaper press of this country is as essential as is the soldier. The newspaper is the most potent factor in keeping up the esprit de corps of our people. Yet, it is said, let the newspapers be taxed all that the print-paper manufacturers please, we must not dare let the Government put its sacrilegious hand on those who have gotten together in the attempt to rob everyone who uses their product.

It is said the Government has no power to act, but no other remedy is offered; no single remedial amendment is proposed. There is merely a general denunciation of the pending proposal and the statement that the Government has no right to take over the property of private individuals.

When I opened the debate on this question yesterday I said then all I intended to say, and but for the remarks of the Senator from Illinois this evening I would have said no more. I regret even that I have said now what I have said, for I am anxious to get a vote on this measure. But, Mr. President, let us not, under the guise of protecting the rights of the individual to his own development, because of the appeal to that beautiful vision of the American conquering the West and the glorious story of America's useful achievements, be led away from the issue. America will show in this modern day still greater achievements if we can make people deal fairly with each other. That is all this joint resolution proposes. Every suggestion that it provides for Government control, every suggestion that it proposes Government ownership, is absolutely outside of the facts. It merely proposes to tell these manufacturers that if they do not distribute their products fairly the Government will distribute them; that they shall not do as they have been doing and as their new combination will probably do—give to my friend, the great Senator from Ohio [Mr. HARDING] 20 tons of paper and give to my equally distinguished friend from Illinois [Mr. SHERMAN] not a ton. That is the reason why the provision in regard to distribution comes in. These manufacturers do not care whether they sell to one man or another if they get their money, but their contracts do not allow a resale. One newspaper could get 20 tons of paper from them, but under its contract with them it could not let a neighboring paper have half a ton of it; it would be itself required to use every bit of it. That provision is in their written contracts, of which I have a copy. That practice, the decision of the court says, they shall not pursue further.

I suggest that Senators read the decision in that case. If they will do so, they will learn something about the print-paper business as it is conducted by its present owners, which, it is said, we are going to invade, although it is simply proposed to grant such power as will make them quit robbing the public; that is all. We do not want to take possession of their plants; we do not want to do a thing to them but what we have done in every other case, and what we will probably have to do to a still greater extent before the war is over.

In a time of profound peace nobody, as I suggested in opening this debate, would for one moment contend that some of the measures proposed come within the legitimate functions of the Government; there are in time of peace other ways to handle such situations. That is true of the food bill, and it is true of every war bill we have passed; they were not within the legitimate functions of the Government in time of peace; but this is not a time of peace; this is a time of war—a war straining every energy—and I say, without meaning to denounce anybody, that my own private judgment is that the men or the set of men who take advantage of this unhappy condition of our suffering country to line their own pockets with money, only to flaunt themselves around in the face of the want and need of their neighbors, are deserving of the severest condemnation. They do not need the money, and they have no right to take it.

On the hands of the Government in time of war there is very little restraint. As much as my friend reveres the Constitution, he has studied it no more and worshipped at its shrine no longer than I; but if that Constitution is to nerve the arm of this country when fighting for its very existence, are we to permit adherence to its strictest terms alone to guide us while the Germans are killing men, women, and children in every country which they have invaded, as they soon may invade ours? Are we to indulge in namby-pamby talk about the restrictions and limitations of the Constitution when the Government needs something to preserve its very life? When the Government requires something for its existence, it can take it. It could take over the newspapers if it wanted them to send forth news to the world and there was no other way of doing it. That is the reason I contend that all this argument amounts to nothing in the light of the facts which are of record that 7½ cents was the price offered to the Government for paper a year ago, while the paper manufacturers have agreed now to supply the paper for 3 cents a pound, an independent company is supplying it for 2½ cents a pound, and there is not one of the paper companies that can not make paper at 1 cent a pound.

Mr. SMOOT and Mr. GALLINGER. At 1 cent?

Mr. SMITH of Arizona. At 1½ cents, to a certainty.

Mr. SMOOT. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Utah?

Mr. SMITH of Arizona. I yield.

Mr. SMOOT. I merely want to ask the Senator a question. The Senator bitterly criticizes the paper manufacturers of the country as profiteers, and says they ought to be put in jail. That ought to apply, then, to all the manufacturers of the country, ought it not, who may be said to be in the same situation?

Mr. SMITH of Arizona. Unquestionably; as to those engaged in producing a material that is necessary; though it might not apply to concerns engaged in furnishing fox and skunk hides.

Mr. SMOOT. That is what I meant—materials necessary for use by the people.

Mr. SMITH of Arizona. Yes, sir.

Mr. SMOOT. Then, I will ask the Senator, why he does not include in this joint resolution manufacturers of cotton goods? Mrs. Smoot went down town the other day to buy a piece of cotton cloth, which three years ago she could buy for 10 cents a yard, but she was compelled to pay 35 cents for it. That is a 350 per cent increase. There has been no such increase in the price of print paper.

Mr. SMITH of Arizona. If I should——

Mr. SMOOT. Just a moment.

Mr. SMITH of Arizona. But the Senator is not asking me a question.

Mr. SMOOT. Yes; I am asking a question; and I am going to conclude it in a moment. The news-print paper manufacturers charged 2 cents a pound for their paper before the war, while now they are charging from 2½ to 3 cents a pound. That is an increase of from 25 to 50 per cent, whereas the price of cloth made from cotton has increased 350 per cent. Why do we not regulate that business?

Mr. SMITH of Arizona. The Senator says——

Mr. SMOOT. Because——

Mr. SMITH of Arizona. Oh, I give up.

Mr. SMOOT. I do not blame the Senator for giving up.

Mr. SMITH of Arizona. I should not think the Senator would; he takes my time and will not let me get the floor again.

Mr. SMOOT. Well, the Senator can answer the question now.

Mr. SMITH of Arizona. I will try to answer it in this way: Will the Senator consent to a reduction, to the same extent, in the price of woolen blankets made in Utah?

Mr. SMOOT. Certainly I will.

Mr. SMITH of Arizona. That is so much a yard?

Mr. SMOOT. Why, blankets are not sold by the yard.

Mr. SMITH of Arizona. Well, so much on the pound.

Mr. SMOOT. Certainly.

Mr. SMITH of Arizona. Do not quibble on how they are sold. You are getting a bigger profit or as big a profit on woolen goods as is being obtained on cotton goods. There is no use in trying to becloud this question. Why does not the Senator ask me something about the scarcity of parsnips in Montana?

Mr. SMOOT. So far as I am concerned, I am perfectly willing to have the law apply to every class of manufactures in the United States and not merely to one class. I am not going to stand here and try to point out that the print-paper manufacturers are profiteers when there are other industries in the United States that are making from 300 to 400 per cent more profit out of the goods which they produce than are the paper manufacturers.

Mr. SMITH of Arizona. Inasmuch as the Senator has injected another speech, I should like to make an observation in my own time.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Illinois?

Mr. SMITH of Arizona. Very well.

Mr. SHERMAN. I desire to make an inquiry relative to the ground covered just a moment ago by the Senator. Why have these robbers not been indicted?

Mr. SMITH of Arizona. They have been convicted and would have gone to the penitentiary except for an agreement that was arrived at.

Mr. SHERMAN. Why not keep on convicting them, so that it will be so unprofitable that these robberies will cease? I inquire why existing law has not been applied and applied sufficiently to correct any evil?

Mr. SMITH of Arizona. I will tell the Senator a little about that, since the Senator calls it up. I am again obliged to the Senator. He will get enough enlightenment now, if he will listen, to change his ideas about this measure. These gentlemen got together when an investigation of them was commenced and in order to avoid it they went before the Trade Commission and agreed with the Trade Commission to fix a price of 2½ cents a pound for print paper, not claiming, as they themselves said, that there had been any unreasonable increase in the cost of manufacture. Then they attempted to get the Attorney General's Office to agree that if they would produce paper at 2½ cents a pound there would be no indictment brought against them under the antitrust law. However, he did bring that indictment. Those gentlemen appeared before us, and immediately on the finding of the indictment and the equity suit to do away with this corporation they increased the price to 3 cents in less than a week. What for? It certainly was not out of revenge, was it? Were they giving it to the Government at a price at which they were going to lose money? As soon as the Government began to indict them they said, "Well, we will increase it to 3 cents.

They were indicted. Look at the remarks I submitted yesterday, which appear in the RECORD. I put the indictment in the speech.

Mr. SHERMAN. I know; I have seen it.

Mr. SMITH of Arizona. They entered what you and I and all lawyers know, that ingenious plea that "I will not answer; I will not contend." In spite of the fact that the indictment laid down seven or eight of the most awful violations of the Sherman antitrust law in the history of this country, they would not contend. They agreed to it in the processes of that settlement, in consideration of the fact that the Government would not press the question of conviction.

I am glad the Senator is back, for I may have gone too far in the statement I made, to which I see he is about to make some interruption.

As soon as they were indicted they came before the tribunal on the 17th, I think, of last November. There they confessed, as you and I and every lawyer knows, that "We will not contend against these facts. We will confess that we have been in this conspiracy," and here is what we did: We agreed to fine them $2,500 apiece and remit any further prosecution on that account. They agreed that they would sell news-print paper now not at the 2½ cents to which they had agreed but at 3 cents

up to the 1st of April, in carload lots, roll paper, f. o. b. at the mill. That did not touch the greatest part of the iniquities that they had been practicing; but let that go. They agreed to that, and agreed further—these five men, running five of those big companies—after the 1st day of April to submit to the very things as to which you are contending, and all the balance of you, how outrageous it would be; and those men themselves consented that this matter should be thereafter settled at the price stated by the Federal Trade Commission.

They have been given six months. They only met here yesterday—a matter to which the Senator from New Hampshire called my attention, and which I investigated last night. They were not ready. Six months was not nearly enough time. In spite of their statements prior to this that the products going into the manufacture of paper have not seriously increased in price, they now want until the 4th of February to ascertain what their property is worth.

If that is not fraud, what is it? They are making every day accounts to their own people, and they are writing off every year 15 per cent depreciation on the wear and tear of their machinery, and yet, while they have had six months, they want three months more, until the 4th of next February, to make a showing as to what their property is worth and what it costs them to make paper. You know and I know and every other man knows that those great business concerns know to the fraction of an ounce what a ton of paper costs them. They know.

If that were all there were in it, there might be nothing left in the bill; but under these agreements that they have made any one of them can still make a trade with a publisher for the small cut paper going to the country press at any prices they please. They ought to be allowed 10 per cent for handling it; the mill ought to be allowed a fair profit for making it; and that is the whole purpose of this resolution, and the whole purpose of the Trade Commission and every man on it, and the whole purpose of these thousands, yes, thousands of editors of some of the biggest papers in the country, answering completely the Senator's argument as to censorship of the press. They have asked for this action in paper after paper. I have here on my desk two different publications that are absolutely filled with the names of the papers and the localities where the men live asking for relief from this aggression; and yet, my Lord! we stand here asking what paper has to do with the war! We lose sight of the inadvisability, in an emergency like this, of allowing the crippling of this great arm of the Government that is suffering in its support, but is none the less devoted to it, the great country press of this country that has assisted so materially in floating our liberty bonds. We stand by, for fear of interfering with legitimate business, and let this sort of a combination keep up, and keep up eternally!

Better a thousand times a censorship of the Government against every paper that did not say exactly what it pleased, as infamous as that would be, a thousand times better than to let a combination of self-seeking gentlemen get together and say, "We will rob every poor editor, every poor paper, and increase the price in spite of the great tax they are already paying in their postage. We will increase the price to these people and fill our own pockets still fuller."

Mr. President, unless some other Senator desires to speak, I would just as soon move that the Senate adjourn at this time.

Mr. GALLINGER. I think the Senator would better make that motion. Quite a number of Senators on this side of the Chamber intend to speak on the resolution, but they are not prepared to do so to-day. I think this is a good time to adjourn.

Mr. SMITH of Arizona. I have no objection, unless there is some reason to have an executive session.

Mr. GALLINGER. No; there is not.

Mr. MARTIN. Mr. President, I know of no reason for an executive session. There has been some suggestion for the Senate not to sit to-morrow; but in explanation of a motion to adjourn until to-morrow I will say that, among other things, the conference report on the farm-loan bank bill will be taken up to-morrow, and more particularly I want to call attention to the fact that the Senator from Iowa [Mr. KENYON] desires to submit some remarks to the Senate to-morrow. I take it that he will have something to say about his recent trip to the battle front in France, though he did not tell me the subject to which he expected to address himself; but he did say that if it would be agreeable he would like to address the Senate to-morrow.

Mr. SMITH of Arizona. I think that could easily be accomplished before the expiration of the morning hour, and I would willingly join in the request that the Senator should have that right. I would not if I could stand in the way of the delivery of his speech.

Mr. MARTIN. I will say that I do not know that the Senator from Iowa would want to interfere with any other business. He just happened to mention to me the fact that he wished to address the Senate to-morrow, if it would be agreeable to the Senate to hear him.

Mr. GALLINGER. Mr. President, I was only going to make this suggestion: We have been in the habit recently, when a bill came here, of being told that it must be put through instantly, almost the very day it has been reported; and we have yielded to that because it was said that it was a crisis in our affairs. Now, this bill need not be hurried. If the Senator gets his bill through in three or four days he will be doing remarkably well. I had a bill here, relating to something that concerned me much more deeply than this concerns the Senator, and I did not get it through for three months

Mr. SMITH of Arizona. The Senator remembers well when he was one of the few that helped me try to get a bill through for over 20 years.

Mr. GALLINGER. Yes; I did, and we succeeded after a while.

What I was about to remark was that I think the Senator would better let the consideration of this measure go along deliberately. There are several Senators who desire to speak. Some of them are not prepared to speak to-day, and they may not be to-morrow, but I feel sure that the Senator will get a vote on this bill in a few days. There is no doubt about it.

Mr. SMITH of Arizona. I want to be perfectly frank with the Senator. The only fear I have about it is that matters of greater importance, in the view of the Senate, will probably be intruded, and the bill will go over for weeks and weeks at a time.

Mr. GALLINGER. There is nothing in sight.

Mr. SMITH of Arizona. Whatever I have asked about the consideration of the bill, I confess has been largely personal. I would not permit that to prevent the proper consideration of the bill and whatever debate on it Senators really want to make; but I am extremely anxious, largely on personal grounds, to see that it is not displaced as the unfinished business.

Mr. GALLINGER. We will try not to allow that to happen.

Mr. SMITH of Arizona. If that is not done. I am perfectly willing that it shall go over until to-morrow as the unfinished business.

Mr. MARTIN. It will, under the rules, take that course if the Senate adjourns. Therefore I move that the Senate do now adjourn.

The motion was agreed to; and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 10, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 9, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we thank Thee for the clear and cogent messages delivered by the Premier of Great Britain and the President of the United States as to the demands of the entente powers, their position, and desires for a world-wide peace, based on clear and God-like principles, for all the world. And we pray that these just and equitable principles may find a response in every true heart and become the basis of a world-wide conference among the leaders of all nations; that the terrible war may cease, and liberty, truth, justice, and righteousness be established in all the world, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3009. An act granting the consent of Congress to the P. M. C. Coal Co. to construct and maintain a bridge across Tug River, connecting Pike County, Ky., and Mingo County, W. Va.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3081. An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis within the States of Illinois and Missouri; to the Committee on Interstate and Foreign Commerce.

S. 2812. An act to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain; to the Committee on the Public Lands.

CONSTITUTIONAL PROHIBITION AMENDMENT.

Mr. HARRISON of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. HARRISON of Mississippi. Mr. Speaker, on August 1, 1917, the Senate passed the amendment to the Federal Constitution providing for nation-wide prohibition by a vote of 65 to 20. In the House, on December 17, 1917, the House passed the resolution by a vote of 282 to 128. The legislature of my State yesterday convened at 12 o'clock, and in the lower house of that body, by a vote of 93 to 3, it ratified the constitutional prohibition amendment. [Applause.] The senate of that State on yesterday by a vote of 28 to 5 took like action. [Applause.] Thus Mississippi is the first State to ratify the constitutional prohibition amendment, and it is hoped that the action of that body, in a State that has seen the beneficent influence of prohibition for many years, will be followed by other States of the Union. [Applause.]

SERVICE FLAG IN THE HOUSE OF REPRESENTATIVES.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved, That the Clerk of the House of Representatives secure from the Members of the House of Representatives the record of the number of sons or brothers of Members in the military or naval service of the United States, and that he is instructed to procure a suitable service flag representing this number, or such number as may later join the colors, to be hung in the Hall of the House of Representatives, and that credit on the flag shall also be given for the four Members of the Sixty fifth Congress who have joined the colors.

The SPEAKER. Is there objection to the consideration of the resolution?

Mr. GORDON. I object, Mr. Speaker. I did not hear the resolution read. I will object to its consideration.

Mr. TREADWAY. I ask unanimous consent, Mr. Speaker, that the resolution be read again for the benefit of the gentleman.

Mr. GORDON. All right.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the resolution be read again. Is there objection to that?

There was no objection.

The resolution was again read.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. LENROOT. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Massachusetts on what theory brothers of Members are included?

Mr. TREADWAY. Mr. Speaker, I thought that there were Members of the House probably not old enough to have sons in the service, but who are greatly interested in the fact that they have younger brothers or older brothers who have joined the colors.

Mr. LENROOT. Generally, where service flags are used by members of families, brothers are not included.

Mr. TREADWAY. My understanding, Mr. Speaker, is that the use of the service flag is pretty general. Organizations use them, and they are used to designate members of a family or members of a church. It has been very general, and I think properly so. It strikes me that the relationship of brothers and sons is sufficiently close to recognize them in a flag of this character.

Mr. LENROOT. My understanding was that service flags only included the members of the immediate family, and it seems to me that if brothers are to be included the force and significance of the service flag would largely be lost.

Mr. MADDEN. Yes; unless the brothers were members of the family or the same household. I really think it would lessen the effect of it if it includes brothers in the form in which it is stated.

Mr. TREADWAY. Mr. Speaker, in view of the statement made by some of the Members I ask unanimous consent that the word "brothers" may be stricken out.

Mr. CANNON. What are you going to do—if the gentleman will yield—about those Representatives who have no sons or brothers?

Mr. MADDEN. They may have sons-in-law.

Mr. CANNON. Some have no sons-in-law.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. GARD. What is the plan of the War Department or of the Navy Department as to the use of the service flag?

Mr. TREADWAY. My only knowledge on that score is that gained from the service flag at the entrance of the War Department, showing the number of employees of the department that are now with the colors—a very large flag, as the gentleman probably knows.

Mr. GARD. Has there been any general rule adopted with regard to the service flag?

Mr. TREADWAY. Not to my knowledge, I will say to the gentleman.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, this is a matter upon which some of us have had no thought before. It occurs to me that the gentleman ought to consider very carefully just who should be represented. I really have some question as to whether a service flag hung in the Hall of the House of Representatives should contain stars indicating other than Members of the House of Representatives and probably employees of the House of Representatives who have gone, and that it ought not to go to the extent of including members of families. Those are represented in the homes of Members by the service flags there. I suggest that to the gentleman's consideration. With the spirit and purpose which the gentleman has in mind, of course, I am sure we are all in harmony, but I venture to suggest to the gentleman that he withdraw the resolution for the present.

Mr. TREADWAY. I am willing to leave it temporarily.

Mr. GARRETT of Tennessee. Leave it temporarily, and let us discuss that a little and see just what form it should take.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent that the resolution be allowed to lie on the table temporarily, to be brought up later.

The SPEAKER. Without objection, it will be so ordered.

Mr. MOON. I object.

The SPEAKER. The gentleman from Tennessee [Mr. MOON] objects.

Mr. TREADWAY. What is the nature of the objection?

The SPEAKER. The gentleman from Massachusetts requested that his resolution lie on the table temporarily, and the gentleman from Tennessee [Mr. MOON] objected. The gentleman from Massachusetts can withdraw his resolution without asking anybody's consent.

Mr. GARRETT of Tennessee. I ask unanimous consent that the resolution be referred to the Committee on Military Affairs.

Mr. TREADWAY. That is entirely agreeable to me, Mr. Speaker.

Mr. GARRETT of Tennessee. I think it ought to be considered by the committee.

Mr. WALSH. Mr. Speaker, reserving the right to object, I want to suggest to my colleague from Massachusetts that, as I understand it, there is now no officially recognized service flag. There happens to be pending before this House, as I understand it, a resolution or bill, introduced by the gentleman from Nebraska [Mr. REAVIS], to have Congress provide a design for a service flag, and I would suggest that, rather than have the resolution referred to the Military Affairs Committee, my colleague from Massachusetts withdraw it until action is had upon the resolution of the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Speaker, reserving the right to object, I desire to call the attention of the House for just a moment to the situation with reference to this service flag. The service flag that is in general use throughout the Nation has been patented by an Army officer, Capt. R. L. Queisser, of Cleveland, Ohio, who is charging for the use of this flag a royalty of 5 and 10 per cent of the wholesale price. This Army officer has pretended to assign this patent to what is known as the Service Flag Co., of Cleveland, Ohio. The stationery of that company has but one name on it, and that is the name of the president, who, by the way, is the officer who patented the flag. It is merely a pretended assignment for the reason that the patentee and the company are one and the same person. I think there should be something in our connection with this war so altogether worthy that the profiteer should be made to keep his hands off of it. [Applause.] The mothers of America are hanging this flag in their windows as a sort of holy sacrament, as an expression of the pride that they feel in contributing a son to the service of the Republic. That anyone, especially an Army officer, should exact from them a royalty is nothing short of contemptible. I have pending before the Judiciary Committee a resolution calling for the adoption of a service flag which shall be known as the national service flag, upon which no patent shall be granted. I would not like to see this House indicate its pride in the Members who have gone to the service by hanging any flag upon these walls upon which we have to pay a royalty before we may use it. [Applause.] I would like to see this resolution withdrawn until the Judiciary Committee can report in proper form some legislation, either by resolution

or such amendment as may suit its pleasure, looking to the adoption of some design as a national service flag which the homes of America may use without charge, because I am tired of seeing the devotion and the patriotism of the parents of this Nation coined into money for the benefit of the profiteer. [Applause.]

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] has offered a motion to refer the resolution to the Committee on Military Affairs.

Mr. STAFFORD. I ask unanimous consent to proceed for three minutes, to give some information that may be of value to the House concerning the patent upon this flag.

The SPEAKER. The Chair will state the question. The gentleman from Tennessee [Mr. GARRETT] moves that this resolution be referred to the Military Affairs Committee. How much time does the gentleman from Wisconsin ask for?

Mr. STAFFORD. Three minutes.

The SPEAKER. The gentleman from Wisconsin asks for three minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, last November my attention was called to the fact that this captain in the Army to whom the gentleman from Nebraska [Mr. REAVIS] refers, and who has been given considerable prominence in this House by a resolution introduced by the gentleman from Ohio [Mr. EMERSON] to provide $50,000 for the purchase of this service design to be displayed in the homes of families whose sons have enlisted under the colors, had begun proceedings against manufacturers of these generally used service flags. I received the information from a patent attorney who was representing some of these manufacturers who had manufactured flags without authority from the inventor of the design. He advised me that the head of the division of designs in the Patent Office had made a finding adverse to the granting of the patent for the design, but that in his absence on a vacation some subordinate or other official had authorized the patent. This patent attorney is contesting the position of this Army officer who is claiming 5 per cent royalty on all flags manufactured before the issuance of the design patent, and 10 per cent royalty, 5 per cent for himself and 5 per cent for the Red Cross, on all flags manufactured thereafter. It is a question that is going to be contested, because many manufacturers are being besieged with claims by this person who has obtained this design patent really with the disapproval of the head of the Design Division that had it in charge.

True, he has a patent; but I approve the position taken by the gentleman from Nebraska that we should not go ahead and grant authorization by congressional action of a design which the claimed originator is using for collecting money from innocent users.

The SPEAKER. The question is on the motion of the gentleman from Tennessee to refer the resolution to the Committee on Military Affairs.

Mr. REAVIS. Mr. Speaker, I move to amend the motion so as to refer it to the Committee on the Judiciary, that already has the other resolution.

Mr. TREADWAY. Mr. Speaker, I hardly think it should go to the Committee in the Judiciary. The matter that the gentleman from Nebraska has before him is the general proposition, and this is a special one relative solely to this organization. As far as I am concerned, I should be perfectly willing to have it await in the Committee on Military Affairs until action is taken in the Judiciary Committee on the gentleman's previous resolution.

Mr. WALSH. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. WALSH. My point of order is that permission has not been secured to consider the resolution, and therefore the motion to refer it is not in order.

Mr. TREADWAY. The question was put by the Speaker as to whether there was objection, and there was none.

Mr. GARD. Would not it solve all the difficulty if the gentleman from Massachusetts would withdraw the resolution?

Mr. TREADWAY. Mr. Speaker, we have already taken too much time on a matter that I thought would not take any time, and I withdraw the resolution for the present.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 106. Joint resolution extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914.

WOMAN SUFFRAGE.

Mr. SAUNDERS of Virginia. Mr. Speaker, I ask unanimous consent that the minority of the Committee on Woman Suffrage may file minority views.

The SPEAKER. The gentleman from Virginia asks unanimous consent to file minority views on the woman suffrage resolution. In what time?

Mr. SAUNDERS of Virginia. Instanter.

The SPEAKER. The gentleman asks unanimous consent to file minority views on the woman suffrage resolution. Is there objection?

There was no objection.

PAIRS.

Mr. CHANDLER of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a statement by one of the pair clerks of the House.

The SPEAKER. The gentleman asks unanimous consent to print in the RECORD a statement from one of the pair clerks of the House. Is there objection?

There was no objection.

The SPEAKER. The Chair will take occasion to state that the House has absolutely nothing to do with pairs. It has gone as far as to allow them to be made a matter of record, but it is a private transaction. A good many Members think that the House has something to do with it, but it has not. If anybody wishes to know all about pairs, let him get Benton's "Thirty Years in the United States Senate" and see what he had to say about it when it was first begun.

The statement is as follows:

HOUSE OF REPRESENTATIVES UNITED STATES,
Washington, D. C., January 8, 1918.

Messrs. THOMAS L. BLANTON, M. C., and T. A. CHANDLER, M. C.,
House of Representatives, Washington, D. C.

MY DEAR SIRS: On day before yesterday you requested me, as pair clerk of the House of Representatives, to make you a statement in writing as to the facts concerning the pair made between you and Hon. JAMES C. WILSON, giving the reason why the pair was not observed and did not appear in the CONGRESSIONAL RECORD.

About two weeks before the vote was taken on the constitutional amendment for national prohibition, Hon. THOMAS BLANTON, Member of Congress from the sixteenth Texas district, came to me and stated that he had a pair upon the votes to be taken upon the constitutional questions of national prohibition and woman suffrage, Mr. BLANTON stating that he was for both these propositions and that Mr. WILSON would be against both, and that they would secure some other Member who would vote as Mr. BLANTON would in the matter. (Pairs upon these constitutional questions are in the same proportion as the vote, and as it requires a two-thirds majority for legislation of this character, it would take two Members for either of these amendments to protect one Member voting against.) On the next day Mr. BLANTON came to me with Mr. T. A. CHANDLER, Member of Congress from Oklahoma, and handed to me a pair which was out of the ordinary for the reason that it was a typewritten agreement, with the names of Messrs. BLANTON and CHANDLER voting for the prohibition amendment and Mr. WILSON voting against the prohibition amendment inserted in the pair and duly signed by each of them, and I told them, as pair clerk, that the pair would go into the RECORD.

Two or three days before the vote was taken on the prohibition amendment Mr. WILSON came to me and said he had expected to leave the city, but that as he had not he desired to have the pair changed to some one else who would vote as he would in order that he might vote.

Now, pairs are simply agreements between Members of Congress, the idea being that one vote will offset the other, and should one or all Members concerned in a pair or an agreement made between Members be absent, these agreements and pairs are observed. After such an agreement is made it is never altered by the pair clerks, except by the consent or permission of those concerned.

Therefore, when Mr. WILSON requested the pair clerks to release him we had nothing to do with it, as the matter was between Messrs. BLANTON of Texas, CHANDLER of Oklahoma, and Mr. WILSON of Texas. I told Mr. WILSON that if he would communicate with Messrs. BLANTON and CHANDLER, and they would agree to do so, of course it would be all right; otherwise I would put the pair up for the RECORD.

In the meantime Hon. CLAUDE KITCHIN, the Democratic floor leader, handed me a telegram from Mr. BLANTON, which is as follows:

"Am making three speeches a day in my district, embracing 58 counties, in effort to wipe out all disloyalty and force absolute support behind Government. If WILSON of Texas will support prohibition amendment, then change my pair to benefit cause, or if necessary I will return immediately."

Mr. WILSON came back to see me and said so far as Mr. BLANTON was concerned he was willing to release him (Mr. WILSON) from the pair. Mr. HOLLINGSWORTH, who represents the minority in the matter of pairs, who was present, asked Mr. WILSON how he expected to protect Mr. CHANDLER. Mr. WILSON said that he had no agreement with Mr. CHANDLER, and then we cited Mr. WILSON to the signed agreement, with all names filled in, and which is as follows:

"Mr. Speaker: We, the undersigned, have paired on the resolutions for the national prohibition amendment and the national woman suffrage amendment, THOMAS L. BLANTON, of Texas, and T. A. CHANDLER, of Oklahoma, each voting both for national prohibition and national woman suffrage and JAMES C. WILSON, of Texas, voting against both of these said resolutions, and we request that this agreement be printed in the RECORD.

(Signed) "THOMAS L. BLANTON, of Texas.
"T. A. CHANDLER, of Ohio.
"JAMES C. WILSON." (Name later erased.)

Mr. WILSON then said that he intended to vote anyway. I went to Mr. FERRIS, of Oklahoma, and although it was late we made an effort to communicate with Mr. CHANDLER as to whether he wanted to hold

Mr. WILSON to the pair, as it was my plain duty as pair clerk to have the pair as made announced for printing in the RECORD. Mr. WILSON came to the pair clerk's desk again, and with him was Mr. MORGAN, of Oklahoma, who stated that he was not willing to state whether or not Mr. CHANDLER would be willing to release Mr. WILSON from the pair, after the matter had been explained to him. Mr. WILSON then left and returned after a few minutes and said that he was going to vote and asked to see the signed pair, which he took and said as he intended to vote, would not have his name on it, and then erased his name from the agreement, which he had, according to his own statement, signed.

Mr. BLANTON'S telegram released Mr. WILSON from the pair, provided he intended to vote for the prohibition amendment, and on the final vote he voted against the amendment, so that he had no release from Mr. BLANTON and did not claim to have any from Mr. CHANDLER. We, the pair clerks, could not put the pair into the RECORD because Mr. WILSON had erased his name and there was nothing to hold him to the agreement, as he had announced his intention of voting.

This is how the matter happened, and no one regrets as much as do the pair clerks that you both were left unprotected on the vote, as we knew when you left the city it was with the understanding that you would be taken care of.

With highest personal regard, I am,

Very respectfully, yours, W. E. SMALL, Jr.,
Pair Clerk, House of Representatives.

LEAVE TO PRINT.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to print in the RECORD a speech made by my colleague from New York [Mr. HICKS] on his observations on the battle front in Europe.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by printing a speech made by the gentleman from New York [Mr. HICKS] on his observations on the battle front in Europe. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. DENISON. Mr. Speaker, the gentleman from Pennsylvania [Mr. PORTER] is ill, and I ask unanimous consent that he be excused for 10 days.

The SPEAKER. The gentleman from Illinois asks for the leave of absence for the gentleman from Pennsylvania [Mr. PORTER] for 10 days. Is there objection?

There was no objection.

The SPEAKER. The Chair will take occasion to state that in such cases as this if the Member will give the Clerk a slip making the request they can all be attended to at once without waste of time. This is Calendar Wednesday, and the Clerk will call the first committee.

FUEL STORAGE YARD IN THE DISTRICT OF COLUMBIA.

The Clerk proceeded to call the committees, and when the Committee on Mines and Mining was reached,

Mr. FOSTER. Mr. Speaker, I call up House joint resolution 23, authorizing and directing the Secretary of the Interior to make an investigation and report upon the advisability of establishing and maintaining Government fuel yard or yards in the District of Columbia.

The Clerk read as follows:

House joint resolution 23.

Resolved, etc., That the Secretary of the Interior is hereby authorized and directed to cause to be prepared by the Director of the Bureau of Mines plans and specifications, together with report showing the approximate cost of the establishment of a fuel-storage yard or yards and necessary handling and distributing equipment in the District of Columbia, for the storage of fuel for the use of and for delivery to all executive departments and independent establishments in the District of Columbia and vicinity, which plans and specifications and estimates of cost, together with a report upon the advisability of establishing, maintaining, and operating such a yard or yards and equipment, and the feasibility of consolidating all matters relating to the purchase and supply of fuel for the use of the Federal Government in the District of Columbia and vicinity, shall be submitted to Congress on the first Monday in December, 1917, or as soon thereafter as practicable.

Mr. FOSTER. Mr. Speaker, this resolution is for the purpose of directing the Bureau of Mines and Mining to prepare plans and select a location for the establishment of a Government fuel yard in the District of Columbia to supply the executive departments and independent establishments within the District of Columbia, and those within the vicinity of the District of Columbia. I do not recall how many there are but the workhouse at Occoquan is outside and the fuel is supplied to it by the Government.

Last summer one department of the Government secured its own coal, buying some 15,000 tons, securing a truck for the purpose of delivering it, and secured its coal for 76 cents less a ton than it could have been bought from the dealers or by bids. There is used, or was previous to the war, about 225,000 tons per year, so at this rate in normal times the saving in the cost of coal for the District of Columbia for Government use would amount to quite a considerable sum of money and would also insure a supply to be purchased at a time when coal could be easily secured.

The Government now gets its coal by bids. The yards of the District do not have sufficient capacity for storing coal, and they do not have the equipment that is necessary for handling it; and it is believed by the Committee on Mines and Mining that the passage of such a resolution looking to the establishment of a yard for the purpose of supplying the Government would be not only an economical transaction but would result in securing an adequate supply for the Government.

Mr. DOWELL. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. DOWELL. In what manner has the coal been purchased for the Government heretofore?

Mr. FOSTER. By bids from local dealers in the District of Columbia.

Mr. DOWELL. Retailers?

Mr. FOSTER. Wholesalers and retailers. I think the coal which supplies the Capitol is purchased direct from the mines.

Mr. DOWELL. Has it not been possible to purchase all of it at the mines?

Mr. FOSTER. I do not know; but it has not always been done.

Mr. DOWELL. It has all been purchased from the retail dealers.

Mr. FOSTER. As I say, so far as I know except for the Capitol.

Mr. MOORE of Pennsylvania. Will the gentleman yield to me five minutes?

Mr. FOSTER. Yes. Permit me to say that this is a unanimous report from the Committee on Mines and Mining after hearing statements from those who knew something about it, and we believe that the establishment of this yard would be of great value.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. FOSTER. Yes.

Mr. MADDEN. I notice that the report of the committee says that a saving of 76 cents a ton has been made by one department of the Government because it has been able to handle and deliver its own coal supply. How many hundred thousand tons of coal do the departments use?

Mr. FOSTER. I can not give the gentleman the information since all these new places have been opened up, but previous to the war it was about 225,000 tons.

Mr. MADDEN. So that would be about $2 a ton for the year, if we spend $400,000 for a yard. If the Government can save 76 cents a ton on coal at the yards, I would like to know why it does not undertake to save some for the people who pay the cost of running the Government?

Mr. FOSTER. I thoroughly agree with the gentleman from Illinois, and this year has demonstrated beyond doubt that in the District of Columbia, or in any other place throughout the United States, a yard which would sell to the people in the immediate vicinity at reasonable prices, without permitting them to get into the hands of speculators, would be a blessing.

Mr. MADDEN. But the trouble is that the price that is fixed by the Government for coal to be sold to private consumers is about 95 per cent more than the cost of producing the coal. Instead of trying to save to the private individual, who pays the cost of maintaining the Government, the Government itself has fixed a price beyond all reason, and the coal miners and the coal operators are making more money than they have ever made before and more than they ought to be permitted to make. It costs about $1.01 a ton to mine coal in the bituminous coal fields of Illinois, put on the cars, and yet the operators are allowed to sell this coal for over $2 a ton, which is a profit of 100 per cent.

Mr. GORDON. To sell it where?

Mr. MADDEN. At the mine, and at prices away above that. That is the minimum. There is no industry in the United States that ought to be permitted to get rich at the expense of the overburdened taxpayers in a time like this, and that is what the coal people are doing right now.

Mr. FOSTER. I agree with the gentleman, they ought not to be permitted to charge exorbitant prices, but they ought to be compelled to produce coal at a proper price, and this is one way to help start this thing. I hope my colleague will vote for such an arrangement. If the Government can not control the price, there is but one other thing to be done, and that is to take the coal mines of the country and operate them in the interest of the people of the country.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. DENISON. Does the gentleman agree with the statement of his colleague, Mr. MADDEN, that coal can be mined in Illinois for $1.01 a ton?

Mr. FOSTER. I do not believe that.

Mr. MADDEN. The cost sheets of the mine show that.

Mr. FOSTER. The gentleman has not examined them lately, I am sure.

Mr. DOWELL. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. DOWELL. I want to ascertain, if I may, if it is the purpose to present legislation on this question to regulate and control the price of coal purchased by the Government?

Mr. FOSTER. No; this provides that the Government shall purchase its own coal for use in the District.

Mr. DOWELL. Is there to be a provision to compel a department to purchase under this resolution?

Mr. FOSTER. There will be succeeding legislation. If they report the advisability of establishing a coal yard, then legislation will be necessary which would then, I suppose, provide that it should be done.

Mr. DOWELL. But, as I understand it, they are now purchasing at retail, each department paying the price it pleases and doing what it pleases. This will not correct that as I understand it.

Mr. FOSTER. Yes; it will.

Mr. DOWELL. This resolution?

Mr. FOSTER. No.

Mr. DOWELL. It will be necessary to have further legislation?

Mr. FOSTER. Certainly.

Mr. DOWELL. I am asking if it is the purpose to introduce further legislation to follow this resolution up, to fix the price?

Mr. FOSTER. Certainly.

Mr. DOWELL. Is this price to be fixed on the same basis as the price generally to the public, or is it to be for what it is actually produced?

Mr. FOSTER. I can not answer the gentleman on that point.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. GARD. The District of Columbia is a purely governmental reservation, intended for the purposes of the Government. Is it the idea of this committee that there would also be included in this resolution a report as to the advisability or propriety of purchasing coal for those who are residents of this governmental reservation?

Mr. FOSTER. This resolution itself does not provide for that.

Mr. GARD. I understand it does not; but is it in the mind of the committee that the resolution should be so extended as to include that?

Mr. FOSTER. I can say to the gentleman that in my own private opinion—and I am not speaking for the committee—I would welcome the time when opportunity may be afforded to sell to the people of the District of Columbia in an emergency such as we have had this winter.

Mr. GRAHAM of Illinois. Mr. Speaker, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. GRAHAM of Illinois. I presume the object of the resolution is to take care of the coal that is needed by the Government, to establish a place and a means by which the Government can obtain its coal supply? Is not this resolution as it is drawn broader than that? Does it not occur to the gentleman from an inspection of the resolution that it has in mind a report as to plans for a general distribution of coal?

Mr. FOSTER. I think not.

Mr. GRAHAM of Illinois. What does the language "independent establishments" mean?

Mr. FOSTER. That is a well-defined term. "Independent establishments" means such establishments of the Government as the Interstate Commerce Commission or the Federal Trade Commission—all of those establishments not under any executive department of the Government.

Mr. GRAHAM of Illinois. I am merely submitting my judgment of the matter, but I think it ought to be limited.

Mr. FOSTER. I think my colleague is wrong about that. I think that is well understood.

Mr. STAFFORD. Would the gentleman have any objection to inserting before the word "establishments" the word "governmental," so as to correct any ambiguity that exists in the present phraseology? It would then read "independent governmental establishments." And that would remove all doubt as to the purpose of this depot.

Mr. FOSTER. I have not any objection to that if it makes it any plainer, but I do not think it needs it. It is very well defined.

Mr. CANNON. Will the gentleman yield me, say, 10 minutes?

Mr. FOSTER. Mr. Speaker, I yield to the gentleman from Illinois [Mr. CANNON] 10 minutes.

Mr. STAFFORD. Allow me to present a parliamentary inquiry. Mr. Speaker, I would like to present this parliamentary inquiry——

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. So as to obtain a ruling from the Chair, if the gentleman from Illinois will also yield for that purpose. This is Calendar Wednesday. The rule under which we are proceeding provides that not more than two hours of general debate shall be permitted on any measure called up on Calendar Wednesday, and all debate must be confined to the subject matter of the bill. Heretofore, Mr. Speaker, on Calendar Wednesday, when bills on the House Calendar have been considered, it was the practice—though it has been questioned, but never presented to the Chair for a ruling—that there should be two hours of general debate, one hour in favor and, presumably, one hour opposed. In my acquaintance with the House I do not know of any general debate, as such, except on a bill which is on the Union Calendar, where the House resolved itself into the Committee of the Whole House on the state of the Union, or a bill on the Private Calendar, where the House resolved itself into the Committee of the Whole House. When this amendment was first proposed, the purpose of it was to curtail unlimited general debate on bills considered on Calendar Wednesday which were on the Union Calendar, so that the whole time of the proceedings could not be frittered away in general debate. Its very purpose was to try to expedite the consideration of the bills which were considered on Calendar Wednesday.

I submit, Mr. Speaker, though I do not profess to have gone into the details as much as I should have, that on a bill on the House Calendar there can not be any general debate; that the ordinary rules of the House should apply, namely, that the gentleman who has charge of the bill has an hour at his disposal, during which time he can move the previous question, and I wish to call the attention of the Speaker to the fact that whenever bills on the House Calendar have heretofore been considered on Calendar Wednesday, that the practice has been to grant an hour's time of debate in favor and an hour's time of debate in opposition before the gentleman having control of the bill would move the previous question.

The SPEAKER. What point of order does the gentleman make?

Mr. STAFFORD. I am not making a point of order. I am making a parliamentary inquiry, whether in the consideration of this bill there is to be two hours of so-called general debate or whether under the rules of the House the gentleman from Illinois will control the time, so he can move the previous question at any time? Of course, Mr. Speaker, if the Speaker is not prepared to make a ruling that may be adhered to for all time on Calendar Wednesday, I do not wish to press the point, because I believe the gentleman from Illinois will yield time sufficient for the consideration of the bill. However, I thought it advisable to present this matter for the consideration of the Speaker.

The SPEAKER. The Chair would rather defer the matter until next Calendar Wednesday, because he can hunt it up and make a ruling that will stick.

Mr. FOSTER. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has used 12 minutes.

Mr. FOSTER. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, this joint resolution, in my judgment, should not pass. We are in war time. As a war measure we have fuel inspectors, food inspectors, and very properly. As a war measure we have seized the railroads and all other means of transportation on land and on sea. Some time or other the war will end, and I do not believe that a joint resolution of this kind should pass looking toward the legislation that is proposed when the report is received. In the law as it is now it is the duty in normal times for the respective departments to advertise and give all the world in the production of coal a chance to bid and give bond and security for the fulfillment of the contract. So far as I know and believe this law in normal times has been sufficient to get the best service for the least money. This is looking to the establishment of a coal yard. If you have a coal yard and the necessary machinery and purchase the necessary plant and establish it for the purpose of buying coal in the amount of 250,000 tons when the total production of coal in the United States is—how much?

Mr. FOSTER. Last year 675,000,000 tons.

Mr. CANNON. Six hundred and seventy-five million tons. I think we had better proceed as we are now proceeding. It is true that with an exceptional season, under peculiar conditions that I can not now take time to discuss, with railroad transportation exceeding what it ever has been, with a larger gross and a

smaller net, we have a great slump in railway securities and a great destruction in the credit of railways so that the President has, in my judgment, properly as a war power, taken possession of the railroads and other means of transportation. There is an agitation. Why, gentlemen rush into print? We want to lay a foundation now, not to take care of the war, but we want to legislate for a time of peace. I think we had better let this war end and then, free from excitement, let us proceed to enact such legislation as is necessary.

Ah, do you know what a Government coal yard would cost? God knows; I do not know. I expect a quarter of a million. You have got to have your engines, you have got to have all your appointments; and my observation has been that the Government in the payment of its employees does not conduct a particularly economical service.

I want to say—although my friend knows that I am against the resolution, and he has kindly yielded me 10 minutes—he seems to be, from an intimation had, of the opinion that this thing might expand, and that the coal mines, if I understand him properly, in the United States could be permanently seized and that we might, at least in the District of Columbia and presumably elsewhere, proceed to operate mines and furnish 110,000,000 people with coal.

Maybe I am old-fashioned. I expect I am. But competition is the life of trade, and I pray God that in my time, at least, the Government will not, under the pretense or under the excitement of a war period lay the foundation, great or small, to care for the business of the country by the regulation of prices, and so forth, by governmental authority.

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Speaker, I wish I could always agree with my distinguished friend from Illinois [Mr. CANNON] on public questions. Generally I do agree with him. But I see no real objection to the passage of this resolution in its present form. It contemplates an inquiry, and only an inquiry, as to what might be done for the Government only in the District of Columbia. Therefore it can hardly be said to be a Government ownership proposition in the general sense to which the gentleman from Illinois refers. It seems to me it might be a good thing to pass a resolution like this in the present war crisis. It is the war crisis that brought about the high price of coal and the confusion resulting in the taking over of the railroads by the President of the United States, a proposition upon which very few Members of this House would have agreed a year or two ago. But the crisis is here, and it is due to war conditions. And not only is the Government at a disadvantage, but the people of the District of Columbia are suffering. Indeed, if we pass a resolution of this kind and it should result in the erection of a coal-storage yard, it might be made sufficiently large and of such capacity that in another such crisis not only the Government might be served, but the people in distress over coal prices and coal scarcity due to war emergencies might also be served. It might be a good thing even to have the Secretary of the Interior inquire as to a coal bin of the capacity of 500,000 tons, if 250,000 tons is the amount necessary for the actual needs of the Government, and thus give the people who are without coal and freezing in their homes a chance to come in on equal terms with the Government. It would be the humane thing when the ordinary supply methods fail.

An inquiry like this may do some good.

There is ample proof to show at the present time that neither the Government nor the people have taken advantage of their opportunity to obtain coal in due season. They have utilized one method of transportation only. They have used the rails until they have stopped the cars and blocked the tracks, and yet other means of communication, like from Cumberland yonder to the District of Columbia, have gone to waste because of the prejudice against waterways and canals—a helpful and competitive or relief method of transportation.

Mr. MEEKER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. MEEKER. Can the gentleman give us a sort of a percentage or average of reduction in the cost of foods and fuels to the consumers since our bill passed?

Mr. MOORE of Pennsylvania. There has been no reduction in the cost of consumption anywhere. The cost of consumption has steadily gone up, but it has gone up very largely by reason of the fact that the common carriers of the country have had their cars used as storage warehouses instead of distributing agencies which might operate for the relief of the people. And at great construction works now cars that ought to be used for carrying foodstuffs to the people are standing upon the tracks idle, paying demurrage on cargoes of lumber and heavy freight that ought to have been discharged days and weeks ago.

Mr. WINGO. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield.

Mr. WINGO. The gentleman from Missouri asked you to state what reduction, if any, had resulted in prices by reason of the fuel and food control. Can the gentleman state in what manner prices were held down, and what increase there might have been if we had not had that control?

Mr. MOORE of Pennsylvania. The gentleman is aware of the fact that prices have not come down. If the gentleman wants concrete details, I will tell him. We are paying 85 cents a dozen at our house now, in the District of Columbia, for eggs.

Mr. SNYDER. Ninety cents a dozen.

Mr. MOORE of Pennsylvania. And they are going to a dollar.

Mr. WINGO. If you had not had fuel and food control, prices might have gone a great deal higher. Of course, food control does not cause the hens to lay any more rapidly.

Mr. MOORE of Pennsylvania. Nor make the grass grow.

But before my time expires I want to say this, that our present stringency in the coal market in the District of Columbia is due to the fact, as it is in other large cities, that in times of plenty, when we had ample means of transportation, we did not avail ourselves of the supply or of the auxiliary means of transportation. So that when the freeze came and the crisis is on, stress naturally follows.

The SPEAKER. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I will ask the gentleman from Illinois [Mr. FOSTER] if I can have more time?

Mr. FOSTER. I am sorry, but I have promised to yield all of my time.

Mr. Speaker, I yield to my colleague from Illinois, Mr. DENISON.

Mr. DENISON. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Speaker and gentlemen, I am unalterably opposed to this resolution for more than one reason. In the first place, it is an entering wedge to Government ownership, to which I have always been opposed.

The gentleman from Pennsylvania [Mr. MOORE] speaks about the high cost of living and says that eggs are 90 cents a dozen. Do not worry, my friend. The funny man down at the theater the other night said that a chicken was a valuable bird; you could eat it before or after it was hatched. [Laughter.] Do not worry about the price going up, because they are cold-storage eggs anyway.

Mr. MOORE of Pennsylvania. That is certainly consolation to the consumer, anyway.

Mr. FORDNEY. Well, it may develop into a chicken. [Laughter.]

Mr. MOORE of Pennsylvania. There is plenty of time yet.

Mr. FORDNEY. The report of the committee says on page 2 that the Treasury Department last year sent to Congress an estimate of $400,000 to equip those Government coal yards. Everybody knows that conditions are critical all over the country, in shipping especially. We do not give enough consideration to the causes of this condition. In the first place, the Congress of the United States is responsible for legislation that has crippled the railroads of the country. The Interstate Commerce Commission fixes the maximum rates the railroads can charge for hauling freight, and the politicians of Congress have fixed the minimum wage scale on railroads, and the two are so close together that it does not yield a reasonable profit to the railroads to supply the money necessary to purchase equipment, railroad cars, and motive power, and, consequently, with the greatly increased volume of business in this country caused by this war, there are not enough railroad cars and railroad engines in the country to carry the freight to its destination and to provide suitable terminals to take care of that freight.

And let me call your attention to this fact, gentlemen, that prior to the war our exports never exceeded two and one-half billion dollars in value in any one year, and yet in the year 1917 our exports reached the enormous sum of $6,000,000,000. Prior to the war our imports never exceeded $1,825,000,000 in any one year, but in 1917 they reached the enormous sum of $3,000,000,000.

Mr. SLOAN. Mr. Speaker, will the gentleman yield right there?

Mr. FORDNEY. I will.

Mr. SLOAN. How do you get that figure as to imports? You do not get it from the amount of duties paid, do you?

Mr. FORDNEY. You get it from the volume of business reported by the Department of Commerce, my friend, showing the value of imports.

Mr. SLOAN. What does it show about the revenues arising from those enormous imports?

Mr. FORDNEY. I do not wish to advert to that, but the ad valorem rate on our imports last year was 7 per cent—pretty close to free trade. And yet to-day our President recommends universal free trade to the whole world. The Kaiser may speak for the German people, or for himself, but the President does not speak for me when he says the people of the United States are in favor of free trade. [Applause on the Republican side.] I am in favor of that label, "Made in America," not that "Made in Germany." [Applause.]

My friends, we are bordering near to Government ownership. I doubt seriously if the railroads of this country will ever return to private ownership again, and if not, it is a mighty serious question for the people of the United States.

Mr. DENISON. Mr. Speaker, will the gentleman yield for a question?

Mr. FORDNEY. Yes.

Mr. DENISON. The Government owns the different buildings and the different furnished rooms where the coal is consumed in the different departments in the District?

Mr. FORDNEY. Yes.

Mr. DENISON. What objection can the gentleman have to the Government owning a central storage plant and the machinery to handle it?

Mr. FORDNEY. I am not in favor of any kind of Government ownership, because the Government can not do at double the price the things that firms and individuals can do. The Government can go out and buy coal anywhere in the United States, and there is no law or regulation preventing it. Why, then, should we legislate on this matter?

Mr. COX. Mr. Speaker, will the gentleman yield right there?

Mr. FORDNEY. Yes.

Mr. COX. The gentleman is in favor of the Government owning the Panama Canal, is he not?

Mr. FORDNEY. That is a different proposition altogether.

Mr. COX. Yet the Government built it.

Mr. FORDNEY. That is a different proposition altogether, I will say to my friend.

Now, let me answer the gentleman. I made this statement on this floor before. For the year 1913 I have the cost of carrying freight on the railroads in all the principal countries of the world. You can obtain it. Let me call your attention to this fact, and see whether there is any recommendation in it for Government ownership. In the year 1913 the Government of Germany owned 95 per cent of all the railroads in Germany—the only country in the world owning that large percentage of the railroads.

The wage scale in Germany for that year was $7.76 a week on her railroads, and the freight cost was 1.42 cents per ton per mile. The wage scale on the railroads in the United States was $15.56 per week, or double the wage scale in Germany, and the freight carried was seventy-two one-hundredths of a cent per ton per mile. Our wage scale double that of Germany and our freight cost one-half that of Germany. Do you get any recommendation in favor of Government ownership in that, my friend? If so, tell me what it is.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GORDON. Do you recognize that the cost of carriage is very much less where the average haul is two or three times as far?

Mr. FORDNEY. I recognize, my friend, that the population per square mile in Germany is five times that of the United States, and consequently their freight ought to be cheaper than ours. I know we have a longer haul in this country than they have in Germany. The center of population in the United States is just west of Indianapolis. The long haul is from the Pacific coast. The center of population of Germany is around a very thickly populated territory.

Mr. HARDY. Mr. Speaker, will the gentleman yield for a question along that line?

Mr. FORDNEY. Yes; but I have but a limited time.

Mr. HARDY. Does the gentleman realize that the average cost per ton per mile in Germany is made up of high-class freight, and that in Germany the cheap freight goes by water?

Mr. FORDNEY. No; I do not recognize anything of the kind. I recognize that it is made up in Germany just as it is made up here, and not differently at all. I have not got time to discuss that question fully, but I can show it to you, my friend, if necessary.

Mr. HARDY. But that is the fact, nevertheless.

Mr. FORDNEY. There are difficulties to overcome. I am not criticizing the administration. I have stood loyally by this administration since the war began and I am going to continue to do so, and the administration will be entitled to any credit coming out of this war and should have any criticism that belongs to them. I know of a port on the Atlantic coast where to-day there are 800 carloads of hay piled up, and they will not unload it off the cars, because they are waiting for a ship to send that hay abroad, and there is no ship in sight. I know of a special delivery of anchors that were given the right of way as class A freight. Those anchors reached a shipyard on the Atlantic coast, and the keel for the ship on which those anchors are to be used has not yet been laid. Yet those cars must be utilized for shipping anchors, while you and I go cold for the want of coal and of cars in which to ship it. Now, that may be good management. I do not know who is to blame or whether anybody is to blame. I am not finding fault with that; but that is the condition, and that is why there is a shortage of coal cars. Last night I talked with a coal operator from West Virginia, who has at his mine 40,000 tons of coal in stock and can not get a car to ship a ton of it North or East or West, and he is here appealing to this board to get cars to ship his coal. Where are they? You and I who travel over the roads see upon the side tracks of the country thousands of cars which are loaded waiting for some opportunity to unload.

Who is to blame? I do not know. I do not blame anybody. It is a condition that is here, and a serious one, and since the Government has taken over the railroads, a very short time ago, I do not see any change. I hope it is for the better, and let us all hope and do all we can to better these conditions. But I do not believe you better the condition of the people of this country when you resort to Government ownership. In our recent tax bill we aimed to put the taxes upon the incomes of the country, the rich people of the country. I want to know whether or not you believe that is going to work out just as that law was intended? The other day, my good friends, I sent to a meat market in my home town for some steak and paid 60 cents a pound for choice cuts of beefsteak. Who pays for that beef? The consumer. Who pays $7 or $8 for a pair of shoes that you and I used to buy for $4 or $5? The consumer, every time. The manufacturer and the producer must add to their overhead cost and will do so, because every dollar of tax that you put upon an article produced in a factory will be added to the price of the article. You can not tax the rich men of this country without putting a proportionate burden upon the consumer. Every time you add to the cost of production you add to the cost to the consumer. You can not get away from that; and Government ownership, that costs more to do the thing than the individual or the set of individuals can do it for, will add to the burden upon the poor people of this country. Think that over. You can not get away from it my good friends, and the more carefully you study that question the more thoroughly you will be convinced that those conditions are as I have stated. I am opposed to Government ownership of anything—it makes no difference what—except some things that the individual can not do. Therefore, my friends, I hope this resolution will fail. [Applause.]

Mr. STAFFORD. Mr. Speaker, will the gentleman from Illinois yield me some time? I should like to have about 10 or 15 minutes.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that my time be extended 30 minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that his time be extended 30 minutes.

Mr. DENISON. How much time is there for general debate?

The SPEAKER. Two hours from the time it began. The gentleman from Illinois [Mr. FOSTER] has 23 minutes left of his hour. The gentleman asks to have his time extended 30 minutes.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, do I understand that at the expiration of the time of the gentleman from Illinois [Mr. FOSTER] the gentleman from Illinois [Mr. DENISON] or any other gentleman on this side in opposition would be entitled to recognition for one hour?

The SPEAKER. The Chair does not know whether the gentleman from Illinois [Mr. DENISON] represents the opposition or not.

Mr. FOSTER. I understand from the statement of the Speaker a little while ago that the parliamentary question raised will be deferred, and that during the consideration of this resolution we will proceed under the one-hour rule. I have yielded time to those opposed to the bill as well as to those favoring it. With that understanding I have yielded more time to those opposed to the bill than to those for it. Now I ask unanimous consent that my time be extended 30 minutes beyond the hour.

Mr. ROBBINS. It is two hours, is it not?

Mr. FOSTER. No; an hour.

Mr. CANNON. And then there is another hour.
Mr. ROBBINS. Who has the other hour?
Mr. FOSTER. Nobody.
Mr. STAFFORD. Why not ask to have your time extended one hour, and then yield?
Mr. FOSTER. I will yield to my colleague the right to control some of the time.
The SPEAKER. To begin with, each side has an hour. That much is clear. The Speaker is not going to render any opinion on technical points until he has a chance to study them. Now the gentleman from Illinois [Mr. FOSTER] asks that his time be extended 30 minutes.
Mr. FOSTER. Mr. Speaker, I made that request thinking that the Speaker was not going to decide that question now.
The SPEAKER. I am not going to decide it, except this far, that after the gentleman from Illinois gets through with his hour the opposition will have an hour.
Mr. FOSTER. I have already yielded 20 minutes' time to the opposition, and if the gentleman from Illinois [Mr. DENISON] controls the time in opposition, I hope he will yield some time to those who favor the bill, and I think he will.
The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent that his time be extended 30 minutes. Is there objection?
Mr. CANNON. Why not have a gentleman's agreement that whoever is recognized in opposition will yield 20 minutes to my colleague [Mr. FOSTER]?
Mr. FOSTER. That is fair, and I withdraw my request for an extension of time.
Mr. DENISON. I am not opposed to the bill. I am in favor of the bill.
The SPEAKER. The rule is explicit in one thing: That on Calendar Wednesday the general debate is limited to two hours, and that one hour of it shall be controlled by the peope in favor of the bill and the other hour by those opposed. That much is clear.
Mr. DENISON. It is my intention to yield time to those who request it, whether they are for the bill or against it.
The SPEAKER. Does any gentleman want to control the hour in opposition to this bill?
Mr. CANNON. I will ask to control it, but I may or may not use it. If I do control it I will yield 20 minutes to the gentleman from Ilinois.
Mr. STAFFORD. It has been customary for the ranking member of the committee to control the time, even though he was not in favor of the bill, and to yield to those opposing it.
Mr. DENISON. I will yield to anyone who is against the proposition.
Mr. CANNON. Then that is satisfactory to me.
Mr. DENISON. I will yield 20 minutes to the gentleman from Illinois.
The SPEAKER. Then the gentleman from Illinois has 43 minutes.
Mr. FOSTER. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin, [Mr. COOPER].
Mr. COOPER of Wisconsin. Mr. Speaker, I listened a moment ago to the remarks of the gentleman from Michigan [Mr. FORDNEY], in which he gave what he said was a fair comparison between the freight rates on Government-owned railroads in Europe and the rates on privately-owned railroads in this country. And when the gentleman from Texas [Mr. HARDY] interrupted him with questions suggesting that freight rates in Europe on Government-owned roads cover the transportation of more kinds of freight than do freight rates on our corporation-owned roads and cover the transportation also of some articles which are never carried as freight in this country, I heard the gentleman from Michigan deny specifically and absolutely what the gentleman from Texas intimated, and then follow that denial with the statement that freight rates are much lower here than on the Government-owned roads in Germany. Now, I am not going to speak in favor of Government ownership of railroads, but have taken the floor at this time merely to show that the gentleman from Michigan was, as I think, much mistaken in that denial and statement—a statement which is only a repetition of what he has heretofore said on the same subject in debates here.

I have in my hand a book written by Carl Vrooman, published by the Oxford University Press, London, and so forth, the preface bearing date "Oxford, July, 1910." The title of the volume is "American Railway Problems in the Light of European Experience, or Government Regulation versus Government Operation of Railways." Let us see what are here set forth as the facts about rates under Government ownership:

"Undoubtedly, the question which interests the general public most is that of rates. This is not the most important question connected with the railway problem, but it is the one which touches the public most immediately. Any comparison of railway rates between different countries, however, must necessarily be more or less unscientific, owing to the varying conditions under which their lines are run and the different rate schedules which are employed.

"But while no entirely satisfactory comparison of the rates of one country with those of another has been or can be made, at the same time comparisons can be instituted which will prove of very great practical value as making clear certain highly important facts. The most difficult attempt of this sort upon which one can embark is that of making a comparison between the rates of American railways and those of European countries. Take, for example, the case of Prussia. It is extremely difficult to make any comparison between the rates on her State roads and those on our corporation roads, because, first, the general scale of wages is distinctly higher in America than in Germany; secondly, the length of haul for freight in this country is 242 miles, whereas in Prussia it is only 71½ miles, causing the terminal expenses to constitute a much larger per cent of the expense of transportation in Prussia than they do with us; thirdly, most of the heavy and bulky freight materials, such as ores, minerals, fertilizers, timber, etc., in Prussia are carried by water, while with us they are generally carried by rail. Moreover, the cream of the American freight, that part which pays the highest rate, is carried at exorbitant rates by our express companies, whereas in Germany it is counted as freight and helps to raise the general average of the price for carrying a ton of freight a mile; fourthly, in America large quantities of freight are carried for the companies themselves, for which no charge is made, whereas in Germany every ton so carried is actually paid for; fifthly, the German roads carry an immense quantity of mail, including parcels, for which they get no pay, while the American roads receive very high pay for every ounce of mail carried by them.

"Messrs. Hoff and Schwabach, the Prussian commissioners sent to this country a few years ago to study and report on the American railway system, made a careful effort to take into account all of these diverse factors in their comparison instituted between our rates and those of the Prussian State lines. The conclusion which they arrived at, after making allowances for all the factors which have tended to reduce the average price for carrying a ton of freight a mile in this country, was that under similar conditions the average rate in America would be 1.44 cents per ton per mile, while on the Prussian State railways it would be only 0.95 of a cent. In the course of their interesting and valuable discussion of this subject, they say:

"American freight rates are divided into very many grades; they consequently reach and sometimes fall below the level of the German standard rates for long distances; that is to say, for the distances which with us do not come into question for the bulk of the traffic. However, as with us the bulk of the freight movement takes place within distances which, according to American ideas, must be called short, the natural consequence of geographical and economic conditions, it is permissible to say that the goods transported in standard classes, which amount with us to about 35 per cent of the total freight, enjoy in Prussia-Hesse and nearly throughout Germany a lower freight rate than the goods forwarded in America according to the standard classes in force in that country. (The average distance of transportation of all freight amounts with us to 115 kilometers (or 71.5 miles), in America to 390 kilometers (or 242.33 miles). * * *

"If the freight rates for articles in bulk are to be compared with any pretense to correctness it stands to reason that it is necessary to come down to the distances over which goods are actually transported in Germany, and then the aspect is not unfavorable to our conditions after all.

"The Hon. Charles A. Prouty, of the Interstate Commerce Commission, some time ago made an interesting comparison of rates from his home town, Newport, Vt., to Boston, with rates for the same distance in Iowa (where, owing to the activity of their State railway commission, rates are low for this country), and with rates for a similar haul in Prussia, where the rates are lower still.

[Rates in cents per 100 pounds.]

	Newport, Vt., to Boston.	Iowa rate for same distance.	German rate.
Potatoes	19	12½	9.6
Hay	17	11	10½
Butter	46	26	56
Sugar	19	17.1	10.9
Lumber	10½	9½	6.4
Fertilizers	17	9½	8

"Commissioner Prouty further says:

"Last summer a company in which I was interested had occasion to transport considerable quantities of copper wire from Phillipsdale, R. I., to Bradford, Vt., and of dynamos and transformers from Pittsfield, Mass., to the same destination. We paid in less than carloads from

Phillipsdale 32 cents per hundred pounds and from Pittsfield 45 cents per hundred pounds. The corresponding rates in Prussia are 11.08 and 15 cents.

"In the most recent and perhaps most authoritative comparison of Prussian and American railway rates that has yet appeared, Prof. Henry C. Adams, statistician of the Interstate Commerce Commission, after giving a number of exhaustive tables of rates in both countries, says:

"Quite a number of distinct impressions are derived from a study of the above tables. In the first place, it is observed that the Prussian rates are much more regular and uniform than American rates, thus showing that they are not exposed to the influence of temporary changes of commercial conditions or to the passing demands of shippers or localities. The degree of uniformity disclosed indicates that commercial conditions in Prussia are supposed to adjust themselves to railway tariffs rather than railway tariffs to industrial conditions, except it be that the industrial conditions which call for a departure from the rule of uniformity are of a permanent character. Which of these two policies is preferable, and whether stability of railway tariffs, or what railway advocates in this country call elasticity of railway tariffs, is preferable, is again a question of judgment, and for this reason is excluded from further consideration. A second impression left by a study of the above tables is that for a distance not exceeding the average haul on Prussian railways the Prussian rates are lower than the American rates, but that for long hauls the American rates are lower than the Prussian rates.

"A less complex and fairer comparison could be made between the rates of the Prussian State roads and those of the corporation roads of some other European country, such as England or France. In fact, in 1902 such a comparison of the freight rates of Prussia and Great Britain was made by a British 'select committee.' The conclusion arrived at by the committee was that the 'cost of transportation on the German railways, as concerns the Levant and East African tariffs, is only one-third to one-fifth as high for a large number of commodities as the British rate.'"

Mr. ESCH. Mr. Speaker, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. ESCH. My colleague undoubtedly knows that under the German system they produce a large profit, which goes into the treasury?

Mr. COOPER of Wisconsin. Yes.

Mr. ESCH. If that profit were distributed over the rates, it would result in a still greater reduction.

Mr. COOPER of Wisconsin. That is very true, and I am glad to have that interruption by my colleague. I knew the fact he stated, but I had forgotten to mention it. Under similar conditions and a fair comparison based on those conditions the freight rates on the Government-owned railroads in Germany have been cheaper than have freight rates in this country.

Mr. COOPER of Ohio. While the rates are lower, is it not a fact that the wages paid for labor in this country are a great deal higher?

Mr. COOPER of Wisconsin. In the first paragraph which I read from this book, the author says that wages are lower in Germany, but he says that freight rates also are lower there, whereas the gentleman from Michigan said that our wages are higher, but that our freight rates are very much less than they are in Germany. That was his statement, but according to these expert investigators that statement is not in accordance with the facts. I have read some of the literature—undoubtedly the same literature—on which the gentleman from Michigan bases his statement, but I took occasion a few years ago to investigate as to the accuracy of some of the articles written by the author of that literature.

Mr. CANNON. The gentleman quotes as an author Carl Vrooman. Who is Carl Vrooman—is he an American or an Englishman?

Mr. COOPER of Wisconsin. He is an American.

Mr. CANNON. Is he the Assistant Secretary of Agriculture?

Mr. COOPER of Wisconsin. Yes. This book was published in 1910, printed at the University Oxford Press in England.

Mr. CANNON. This was a political campaign document in the campaign of 1910. I do not know, but I think Mr. FORDNEY is as good an authority as Mr. Vrooman.

Mr. COOPER of Wisconsin. If the gentleman from Illinois will permit me, Mr. Vrooman has given the findings of fact made by official Government representatives who came here from Europe and investigated this subject, and also statements from the report of a British select committee appointed to investigate this exact subject. These are not the ex parte statements of an American railroad employee. These are statements of fact from official reports of German and of British investigators, compiled by Mr. Vrooman, who is now in the employ of our Government in its Agricultural Department. I know of no reason to believe that when he wrote this book he was not entirely disinterested. Nor do I know of any reason to believe that he has not told the truth. As I have said, he bases his statement on official reports of German and of British investigators.

There are many more important things than rates to be considered before it is possible to make a wise decision on the great question of Government ownership. That question is not now before us and I am not discussing it nor advocating Government ownership of railways. But this is a time of all times for accuracy of information and truthfulness of statement; and what we ought always to strive to know before discussing problems of statesmanship are the facts upon which alone it is possible to base intelligent opinion. [Applause.]

Mr. DENISON. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, this is a practical question, and not one that involves theory. The Government has provided for the establishment of a central heating, lighting, and power plant, and has appropriated $1,669,000 for that purpose, of which appropriation very little has been used except to lay the foundations on the tract near the Bureau of Printing and Engraving. The location has railroad sidings and water frontage. That plant will furnish heat, light, and power to all of the Government buildings in the territory in the central part of the city, but the House well knows that that power plant will not be in existence for several years, and that even when it is in existence with its railroad sidings, which will enable it to get coal direct from the mines, there will be no governmental facility for supplying heat, light, and power to the private office buildings that are rented by the Government. For instance, the Department of Justice, the Department of Commerce, the Interstate Commerce Commission, and the Department of Labor are housed in buildings that are all privately owned under contracts for a term of years. The Government merely rents the building as it stands and furnishes the heat, light, and power. Some means must be provided even when the central heat, light, and power plant is established to provide heat, light, and power for these privately owned buildings. The question is, Shall we continue under the present method? The present method provides for the purchase of coal at the mines, paying the railroad rate from the mines to the city and then providing for its distribution under separate contracts from the railroad sidings to the respective departments and office buildings. The Treasury Department enters into the contract for all the coal utilized by the Government in all of its activities. That price has varied in the last six months. When the President, through Executive order, first fixed the price of coal it was $2.30 at the mines, and, as I recall, the price was increased subsequently by 50 cents. The Government to-day is paying $2.80 or $2.85 for bituminous coal at the mouth of the mine. It then pays something over a dollar for railroad transportation to Washington, and there are some 10 or 12 private parties who have contracted to haul the coal to the various departments. The charge for haulage varies according to the distance the department is from the railroad siding. The Agricultural Department, I think, pays $1.05 a ton.

The Interior Department in the past year has been experimenting with the hauling of coal from the general railroad siding to that department, and the testimony of the chief clerk is that there has been a marked saving in the cost whereby they have saved sufficient to pay for the 5-ton trucks that are used in transporting coal to the Interior Department.

It is upon the recommendation of the Secretary of the Interior that in this year's Book of Estimates there is included an estimate of $200,000 for this very purpose. It is not an extravagant appropriation when you consider that the Government has appropriated $1,670,000 for the erection of a central light, heat, and power plant. Of that $200,000 it is purposed to expend only $10,000 for the purchase of land, $10,000 for roadways to yards, and $70,000 for coal pockets, trestles, and equipment, and $100,000 for the purchase of 25 trucks, at $4,000 each.

This is a practical question. Shall we continue under the existing system or shall we extend the system which we have already adopted in providing a central heat, light, and power plant for the departments and one for the Capitol, both adjoining the railroads, whereby the Government can go into the market, purchase the quality of coal it desires at the mouth of the mine, pay the freight rate to these yards, and provide the means of conveyance from the central coal yard to the various Government establishments?

That is a practical question. It is not a question of Government ownership; it is merely a question of whether the Government shall provide the proper facilities for doing its own work, that and nothing more.

Mr. FESS. Will the gentleman yield?

Mr. STAFFORD. I will gladly yield to the gentleman from Ohio.

Mr. FESS. In line 10, page 1 of the resolution, what is the comprehension of the term "independent establishments in the District of Columbia and vicinity"? How far does that go?

Mr. STAFFORD. As was stated before, it is rather ambiguous, but the gentleman from Illinois stated that he would have no objection to having an amendment to insert after the word "independent," the word "governmental." In the draft of the estimates, I may say to the gentleman, the ambiguity is removed by the following language:

The Secretary of the Interior is authorized and directed to establish a fuel storage yard or yards, to procure by purchase or lease of necessary land, wharfs, railroad trestles, and sidings required for such yard or yards, and to procure the necessary storage, handling and distributing equipment, including motor trucks, for the storage of fuel for the use of and for delivery to all the executive departments and independent establishments and the District government in the District of Columbia and vicinity.

The following language, "and the District government in the District of Columbia," would eliminate the ambiguity as it exists in the present resolution.

Mr. FOSTER. Let me say to my friend if you limit it to the District of Columbia you leave out some of the governmental establishments.

Mr. STAFFORD. I only suggested to insert the word "governmental" before "establishments."

Mr. FOSTER. The gentlemen, I think, in his service here knows very well what independent establishments mean; that is, establishments like the Interstate Commerce Commission, the Federal Trade Commission, establishments of that kind which are not under the departments.

Mr. STAFFORD. There are good lawyers here like the colleague of the gentleman from Illinois [Mr. GRAHAM], the gentlemen from Ohio [Mr. FESS], who think that perhaps it is ambiguous, and why not remove the ambiguity by inserting the word "governmental," which will not restrict in the least the object of the resolution.

Mr. FOSTER. It is so well established that I think the gentleman agrees with me there is no question about what it means.

Mr. FESS. Can not there be an independent establishment that is not governmental?

Mr. FOSTER. Not under the Government.

Mr. STAFFORD. Now, the only question before the House, as far as this resolution is concerned is whether we shall extend the facility whereby the Government can provide heat, light, and power, not only to the Government buildings until the central heat, light, and power plant is completed, but to the privately owned buildings which the Government is renting, which, as the House knows, houses 50 per cent of all the clerical force in the city. Here we have established recently 2,000,000 feet of floor space on the Mall on the site of the old Pennsylvania Railroad station. We have established a heat, light, and power plant there. Is the Government to be hampered by these peculiar conditions with traffic conditions so that it will have to pay the high rates for the haulage of coal from some points distant——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STAFFORD. I would ask for two minutes more.

Mr. DENISON. I yield two minutes more to the gentleman.

Mr. STAFFORD (continuing). Distant from the department, when the Government could have a central storage yard for fuel, tributary to some siding or tributary to water connection, saving perhaps many thousands of dollars. It is merely a question of economy. I think the resolution should be passed and that the policy should be adopted for a central storage fuel yard to supply coal to the various Government establishments. [Applause.]

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, the members of the Committee on Mines and Mining had no idea when we reported this resolution for a central fuel yard or joint purchasing agency for fuel for use of the Government departments that it would provoke a discussion of as many different questions not related to the subject matter of the resolution as have been discussed here to-day. The discussion has wandered far afield. We have discussed Government ownership, the price of eggs, the congestion of freight, freight rates in Germany, Carl Vrooman, and other things. Now, there is not any element of Government ownership in the resolution. There is no question of freight congestion only in an indirect way, that the plan that it is proposed to investigate would have a tendency to relieve such congestion. Now, all that the resolution does is to authorize the Secretary of the Interior, through the Director of the Bureau of Mines and Mining, to prepare a plan to show the cost of having a joint establishment—for what? For the Government going into the coal business for the general public? No; but a plan by which the coal that is bought for the different departments of the Government here in Washington, each one buying separately now, bidding against each other, may be bought under one purchasing agent and placed in one yard, thereby saving not only in the price—because it is an elementary business proposition that the larger the volume of your purchase the cheaper you can get the stuff by purchase—but also reduce the different clerical expenses of having all these different departments looking after their particular coal bill. That is all there is to it. It does not involve any Government ownershsip of any kind under the sun. It is a proposition to provide a joint purchasing agent for the fuel for the different departments of the Government. That is all there is to it, and I can not for the life of me see where there can be any objection to it, and there is every reason at this time why we should have a plant of this kind. I, for one, would be willing to vote for a plan like that now, but it is thought best to have this resolution and let it be worked out and report a plan so that the details of it can be worked out with reference to the purchase and storage of the fuel supply of the different departments in the city of Washington. That is all there is to the resolution.

Now, a man is naturally inclined to enter into the other and different questions that have been discussed here. I was very much interested in the discussion of some of the questions by the gentleman from Michigan [Mr. FORDNEY]. We all love the gentleman from Michigan; we all admire not only his splendid character but his remarkable abilities as a business man—one of the ablest men in the House. I was struck by one statement that he made that I never expected to hear the gentleman from Michigan make upon this floor, and that is that the ultimate consumer pays the tax. I knew it was true, and had believed it all these years, and had been contending that; but it was the first time I ever heard the gentleman from Michigan make that admission on the floor, and especially after the question of the tariff had been dragged into the discussion by one of his colleagues, the gentleman from Nebraska [Mr. SLOAN].

There was something said about the fuel control. Now, of course, you can never determine just exactly of what benefit the fuel control has been; but this fact stands out, and I think that every man of any intelligence will agree to this, that the fuel-control bill has in a large measure checked the advance of prices that might have occurred in certain commodities. We know there has been a reduction in price of some of the stable commodities—for instance, flour, which is less than it was when the Food Administration took charge of it. I presume the Fuel Administration may have made mistakes, but I am convinced that there has been some good in spite of the mistakes that have been made.

A question came up concerning Carl Vrooman, with reference to his book as to railways in this country and other countries, it being stated that it was a political campaign document. I do not believe it was. Even if it were, it was a statement of facts and not the ex parte statement of Carl Vrooman. And even if it were, I take it that those who know him recognize him as a great American student and statesman, and on a question of this kind his opinion will command the respect of any man who is not blinded by partisan prejudice. He has rendered great public service and his writings are interesting. To my mind he is one of the ablest men we have in public life. And the statements in that book are borne out by facts from every source, regardless of partisanship.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Speaker, I am glad to support this resolution and all measures which tend to modernize the methods of doing business with the Federal Government. We all recognize the fact that the Government, in the increasing number of divisions and activities in the departments, tends to a multiplication of red tape and to an increase of expense, purely by a failure to coordinate and correlate the different departments of the Government and to modernize their methods.

Now, before the Bureau of Mines was created the purchase of coal for the Government departments was on a most extravagant and unbusinesslike scale. They bought the coal by the ton, without regard to its heat units. It was purely a question of the price per ton by competition. Some coal is almost utterly worthless for heating purposes. Some coal is of very high value. It was not until after the Bureau of Mines was created that we had a method of determining on behalf of the Government what the big business man has determined for himself, to wit, the value of the coal according to the heat unit it contains. I have no doubt there are departments still in the Government that are buying coal according to the old plan, without referring the matter to the Bureau of Mines to determine the British thermal unit.

Mr. DENISON. I will state to the gentleman that the committee is going to report a bill that will control that.

Mr. GILLETT. Is it not a fact that all the coal for the departments is bought by the general supply committee?

Mr. BORLAND. I say that I think all the coal is bought by the general supply committee, and I think now it is submitted to the Bureau of Mines for a test; but it may be, and I would not be surprised to find if it were true, that there were some of these independent departments, the District government or elsewhere, that were still buying under the old plan.

Now, this resolution simply provides for an investigation on the part of the Bureau of Mines of the feasibility and cost of providing a Government coal yard for the departments in Washington. That is not a Government-ownership proposition at all, but if it were it would not frighten me on the subject. I have had some experience with this question of the Government furnishing supplies in connection with the Panama Canal. We maintained and were compelled to maintain down there a Government commissary, not only to supply the Government but 37,000 men in the working force of the canal. Otherwise there would have been profiteering, poor supplies, discontent, dissatisfaction, and a decrease in the earning power of the man who was working for the Government, and all of those attendant evils. That Government commissary at Panama fully justified itself, and I challenge any gentleman in this House who knows the facts to say that it did not fully justify its purpose. It was run economically, and men at work on the Panama Canal procured supplies at very reasonable prices. I noticed that in many cases they were paying less for beef on the Panama Canal than I was paying for it for my own household use in Washington or in Kansas City; and the same is true, or ought to be true, in regard to the Government supply of coal.

Now, the gentlemen speak about the congestion of cars. The very purpose of a Government yard is to purchase the Government supply of coal at a time when it can be delivered without congestion on the railroads. The great trouble now is that there is congestion and everybody is ordering supplies at the same time. The great heating plant of this Capitol is living from day to day, taking its coal direct from coal cars as they come into Washington. I think every car of coal that is used by the Government heating plant here must be hauled in the day or the week that it is used. That is one cause of the congestion. Suppose we had a supply on hand, as many great manufacturing concerns have throughout the Middle West—a supply of coal on hand to run the Government for a certain number of months, without the necessity of taking it direct from the coal cars.

My own private opinion of the cause of the shortage of coal at this time is that it is due to the fact that the food and fuel bill was filibustered against for two months last summer after it ought to have passed both Houses of Congress and at a time when the big consumers of coal, who formerly bought by annual contract, ought to have bought their supplies but were unable to do so. When the cold weather came on the big consumer and the small consumer were compelled at the same time to put in their orders, and the result has been that the small consumer, as usual, has not got the best of the situation.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes; I yield to the gentleman.

Mr. CRAMTON. The gentleman is aware of the fact that in many States, even after that bill became a law, it was a matter of one or two months, or perhaps three months, before any State administrator was appointed under it so that anything could be done to carry it into effect?

Mr. BORLAND. Yes. I have no doubt that we were fully two months late in putting that fuel bill into effect, and that is the cause of the present distress.

Mr. CRAMTON. The gentleman evidently did not understand me.

Mr. BORLAND. I understand the gentleman's question. He says that after the bill was passed there was a further delay?

Mr. CRAMTON. Yes.

Mr. BORLAND. I am not excusing that. I say there was a delay before the bill was passed. The Government ought not to take its part in that active competition. It ought to supply itself at a time when coal can be mined and transported for the advantage of the consumers of coal without congesting the small consumers. I am in favor of the bill. [Applause.]

Mr. DENISON. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for five minutes.

Mr. ROBBINS. Mr. Speaker, I wish to oppose this resolution. I seem to be somewhat lonely in my efforts, but, nevertheless, I am sincere.

This resolution proposes two things, and, judging from its title, it proposes to establish a coal yard in the District of Columbia. You would not suspect, from looking at the title, that it proposes anything else. Yet on lines 4 and 5, on page 2, it does suggest that it proposes to make an inquiry into the matter of the purchase and supply of fuel in the District of Columbia.

Now, there are about 26 coal yards in the District of Columbia, as I am informed about this matter. The Government buys all its coal by public advertisement, after bids are submitted showing the quality of the coal required and the British thermal units it must contain. The coal is subjected to investigation and test at the Bureau of Standards before it is accepted or before the Government will accept bids for supplying it. The Government has all the mines of the United States tributary to the Government plants rated as to the quality of the coal produced and whether it is acceptable and comes up to the Government standard for the purpose required.

Mr. BORLAND. That has only been the rule since the creation of the Bureau of Mines.

Mr. ROBBINS. It has been the rule for several years. It is a sufficient answer to say that it has been the rule for some time and for the last two years.

The trouble in the whole situation is not a lack of coal or a lack of labor but a lack of transportation facilities. In 1915 we produced 442,624,426 tons of bituminous coal. In 1916 we produced 502,518,545 tons, and up to the 31st of October, 1917, we produced 454,326,059 tons, or 40,833,075 tons above the amount produced at the same date in 1916. But the question is how to get that coal to market. We have not been able to market it, and the reason why we have not been able to market it is because the Government has interfered with the legitimate means of transportation by giving preferential orders and ordering continuous movement of coal. At one time there were 20,000 cars up at Lake Erie ports waiting to be loaded on the boats for transportation up the Lakes. Movements of that kind have so disorganized the transportation of coal in the United States that we have not been able to get the coal produced to market.

Now, what is the purpose of this resolution in proposing to establish a coal yard in the city of Washington? How is it going to save any expense to the Government or relieve the situation? It is simply asking us to put the Government into competition with 20 or 30 coal yards now in operation here that could and will furnish this coal on competitive bids to the various governmental departments, and it is proposed by this resolution to establish in the District of Columbia coal yards and to enter upon the business of dealing in coal on a wholesale basis.

That, however, is not the real purpose of it at all.

Another thing about this resolution that is wrong is that it does not take into account the fact that if it does propose to establish this coal yard, it also proposes to embark the Government upon an expenditure of a large sum of money. They have already investigated this subject, because we see on page 2 of the committee report the statement that the Treasury Department last year sent to Congress an estimate of $400,000 for establishing a coal yard in the District of Columbia. That is the secret of this thing, and that is what is back of this resolution. There are some people in the city of Washington doubtless who have on hand a piece of property that they want to sell to the Government as a coal yard for $400,000. They want to sell that property to the Government at a big price.

Mr. FOSTER. Mr. Speaker, will the gentleman yield?

Mr. ROBBINS. Certainly.

Mr. FOSTER. Does the gentleman know that the Government now owns property on which this coal yard can be established without buying it?

Mr. ROBBINS. I only know what this committee report states.

Mr. FOSTER. The gentleman is charging that somebody wants to sell some property.

Mr. ROBBINS. Has the Government bought a property?

Mr. FOSTER. No. It owns the property now.

Mr. ROBBINS. Why, then, does the committee that has investigated this subject state that here is a proposition made last year to appropriate $400,000 to establish this coal yard?

Mr. FOSTER. Surely.

Mr. ROBBINS. That is an exorbitant expenditure of money for a coal yard, now that we are at war and will need all our money to fight the Kaiser. A coal yard involves a railroad sid-

ing and some pockets that the Government would put up for the purpose of getting the coal dumped from the cars. It is suggested here that we have rail transportation and water transportation, and that we ought to take and use the Chesapeake & Ohio Canal, which runs from here to Cumberland, that is now dry or probably frozen up and not navigable at this season, and in that case we would have to have a yard on the Chesapeake & Ohio Canal, with equipment of cranes and lifts from the boats to pockets, and another one established somewhere else, along some railroad, entirely differently equipped and at a distance, so that we are not going to conserve the supply or reduce the price by establishing these various coal yards.

Mr. FOSTER. You ought not to involve others by undertaking to say what they are trying to do.

Mr. ROBBINS. I am only saying what this report says, that a proposition of $400,000 was submitted last year by the Treasury Department.

Mr. FOSTER. The report states that the Treasury Department last year sent to Congress an estimate of $400,000 for the establishment of a coal yard.

Mr. ROBBINS. I say that, too.

Mr. FOSTER. Is that all?

Mr. ROBBINS. Therefore I say that if you are going to establish coal yards, as suggested in this report, you are going to spend $400,000 for it.

Mr. FOSTER. I will say to the gentleman that it may take more than that.

Mr. ROBBINS. That is worse yet.

Mr. FOSTER. We can save that in one year.

Mr. ROBBINS. How will you save it?

Mr. FOSTER. On the price of coal as supplied to the District of Columbia and to the Government here.

Mr. ROBBINS. I want to say to the gentleman from Illinois that I know something about the coal business. I was raised in a coal country, up in western Pennsylvania, and the congressional district which I have the honor to represent here produced over 20,000,000 tons of bituminous coal in 1916.

Mr. FOSTER. I know something about it, too, on the side of the people. I know something about the coal business from the side of the consumer of coal.

Mr. ROBBINS. I know it from the side of the consumer and from the side of the producer, both, because I live in a coal country, in western Pennsylvania.

Mr. FOSTER. I live in a coal country. The miners in my district are patriotic, too.

Mr. ROBBINS. I am patriotic, too, and so are the miners of my district; but even patriots can not produce coal when they can not get cars to ship it to market.

Mr. FOSTER. I am not charging the gentleman with any lack of patriotism.

Mr. ROBBINS. Of course you are not. Here is the situation: If the Government is to get this coal as cheap or cheaper than it gets it now it must get it by competitive bids, and it must submit its proposals to the largest number of coal producers. That is the only way in which it can get this coal more cheaply than now. Now, these bids are submitted f. o. b. the tipple in every instance. The Government and every other consumer pays the freight, and pays the same freight; hence if you are going to get this coal more cheaply you will only get it by competitive bidding, and your coal yard is not going to give any solution of that question, because the coal yard simply receives the coal from the coal cars at the dumps, and then you have got to transport the coal from those yards to the points of consumption or the various Government buildings, which are the various Government power plants, and that you do by trucks and wagons. Hence the proposition is one of the cost of trucking, not of coal yards or coal storage.

Mr. DENISON. Does the gentleman think it possible for the Government to save anything by purchasing coal in larger amounts?

Mr. ROBBINS. No; I do not.

Mr. DENISON. Instead of purchasing it in small amounts?

Mr. ROBBINS. No; the difference between one amount and another larger amount is not a factor in most instances, for this reason: If the Government is buying coal it is buying it by 10,000 or 20,000 ton lots, and a coal producer will not make any difference in his bid to supply a consumer in the city of Washington with 10,000 tons or 15,000 tons or 50,000 tons unless it is all to be delivered within a certain specific time. If the delivery is to extend over a season—5,000 tons a month or 1,000 tons a month—there is no difference in the bid, and you would not get it for a cent less per ton if you were to ask for 50,000 tons than for 10,000 tons, because it all goes in to take care of the general output of the mine, and the operator simply gathers up contracts in the East or at the Lakes—taking western Pennsylvania as an example—for his entire tonnage for the year. He gets his price at the mines, and it does not matter how much each consumer takes; that is, outside of a few tons, which would be exceptional and not apply to the Government. Of course, one car of coal would be a different thing. There would be no saving on that. So I am opposed to this resolution, because I do not see how it would save the Government anything, and it will require the expenditure of a large sum of money and commit the Government to the expenditure of much larger sums in the future, at a time when we need all our money to arm, equip, and support our gallant soldiers, who are fighting this war for freedom and human rights. [Applause.]

Mr. DENISON. I yield two minutes to the gentleman from Illinois [Mr. WHEELER].

Mr. WHEELER. Mr. Speaker, while this resolution on the face of it seems to be a very innocent one, because it provides that the Secretary of the Interior shall direct the Bureau of Mines to make an estimate on plans and specifications, of the approximate cost of establishing fuel yards, and all necessary handling of the same, yet if the Secretary of the Interior makes a report to this House and estimates that the building of a dock, and the purchase of trucks for transporting coal to the different departments will cost $500,000, unquestionably this House will pass it. So why throw ourselves wide open for unnecessary appropriations at this time? This Congress has appropriated already at this session about $1,500,000,000, and the estimates of the departments amount to about $14,000,000,000. The taking over of the railroads by the Government will necessitate perhaps an appropriation of $500,000,000, which we will pass within a few days. The urgent deficiency bill, which we will soon pass, will amount to about $1,500,000,000. The sum total that we will appropriate will amount to perhaps, in round numbers, about $18,000,000,000, or within two or three billions of what we appropriated at the last session, and it is not only possible but very probable that we will appropriate more money at this session than we did in the last.

The SPEAKER pro tempore (Mr. KELLY of Pennsylvania). The time of the gentleman has expired.

Mr. DENISON. I yield to the gentleman one minute more.

Mr. WHEELER. We have loaned to the allies now in the neighborhood of $5,000,000,000, and the longer this war continues the more demands they will make upon us for money. And perhaps by next fall the amount will reach $10,000,000,000 or $12,000,000,000. It does seem to me that this Congress instead of trying to appropriate as much money as it can, or instead of laying itself wide open by the passage of bills which would call for immense appropriations, had better economize as much as possible.

Mr. FOSTER. I yield five minutes to the gentleman from Colorado [Mr. KEATING].

Mr. KEATING. Mr. Speaker, I am in favor of the pending resolution. I wish the committee had reported a broader resolution, and provided for a coal yard which would sell coal to all the citizens of the District of Columbia. I believe the sale of coal to citizens is a legitimate activity for any municipal government.

A very interesting experiment along those lines is now being conducted in the city of Denver. Denver is a city of perhaps 250,000 people, not as large as Washington, but in a general way in the same class. Denver was confronted by practically the situation in which the people of Washington now find themselves. The retail dealers put up the price of coal—endeavored to get all that the traffic would bear. That is the general policy among retail dealers over the country. Usually you will find that there is a combination between the retailers by which they maintain prices.

The mayor of the city of Denver decided to go into the coal business. He succeeded in securing contracts with three companies. Under these contracts he secures lump coal for $1.25 a ton less than the price charged by other coal companies to retail dealers. So the mayor makes an initial saving of $1.25 a ton.

In the matter of retailers' profits he has saved between 25 and 50 cents a ton. His net saving to the consumers of Denver on lump coal is about $1.50 a ton at the present time, and he is delivering 800 tons a day.

Mr. ROSE. Is the mayor of Denver able to make such contracts now?

Mr. KEATING. I do not know. The mayor made these contracts last fall. He made the contracts with independent concerns, men who are not in the coal combination; in order to get their product on the market they were ready to make that deal with him. To-day the coal consumers in Denver who

patronize the retail dealers—for there is not enough coal obtained by the city to supply all the people—are paying $1.50 a ton more for their coal than those consumers who are dealing with the city.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. KEATING. Yes.

Mr. GREEN of Iowa. I noticed an item in the Des Moines paper that the mayor has been selling coal for 45 cents less a ton than the local dealers.

Mr. KEATING. I am glad to see that Iowa is following in the footsteps of Colorado. Iowa is always wise in following Colorado's example, but Colorado is doing a little better than Iowa in this instance.

There is a newspaper in Denver—the Denver Post—that has gone into the coal business on the same basis as the mayor. It acquired the output of two coal companies, and it, too, is saving its customers about $1.50 a ton.

So my friends, in my judgment, the establishment of this coal yard will undoubtedly result in a very large saving to the Government. If you were to extend it so as to give the Commissioners of the District of Columbia a municipal coal yard, they could save the people of Washington millions of dollars a year.

I hope the resolution will pass, and I hope that eventually the committee, in its wisdom, will bring in a resolution to give the people of Washington the benefits of municipal ownership in this important matter. [Applause.]

Mr. GARLAND. Will the gentleman yield?

Mr. KEATING. Yes.

Mr. GARLAND. What is the price to the consumer out there in Denver?

Mr. KEATING. In my home city—Pueblo, Colo.—it is $7.25 a ton from the retail dealers. In Denver the city and the Post are selling for from $4.65 to $4.75 a ton. The retailers are charging from $5.95 to $6.45.

Mr. GARLAND. Was it not under such a monopoly that the price of coal was exceedingly high and they could easily take off $1.25 and still have an extraordinary high price?

Mr. KEATING. I do not think Colorado suffers any more from the evils of monopoly than the great State of Pennsylvania, but it is true that Colorado coal companies are pretty well monopolized, and could easily sell lump coal for $1.25 below the price fixed by the national fuel administration.

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. Cox]. How much time have I remaining?

The SPEAKER pro tempore. The gentleman has 16 minutes.

Mr. COX. Mr. Speaker, I am for the resolution. It has been a hard problem for me to settle in my mind for many years in the past in favor or against Government ownership on many things. I must confess that down to this hour, after investigating the subject to some extent for 8 or 10 years, my mind is not yet clear just how far the Government ought to go in Government ownership on various lines.

I had occasion to go down to the Panama Canal in March, 1913, when the big organization was yet in existence. The man at the head of the Government commissary department was from my State, a man whom I knew personally and had known before he went there. I spent one day with him in the Government commissary. I was informed by him—and this was not off-hand information, it was information based on tangible facts—that through the Government commissary furnishing the employees food and clothing and supplies of various kinds they had actually reduced the cost from 25 to 33⅓ per cent from what we were paying in the States and 80 per cent of the food commodities selling there were raised in the States and shipped to Panama.

Mr. FESS. Will the gentleman yield?

Mr. COX. Yes.

Mr. FESS. Does the gentleman think that Government ownership at Panama, a perfect organization and a success there, would be an argument for making it a success throughout the United States?

Mr. COX. I am not prepared to say that it would. But I am prepared to say that there were physical facts presented to me by Mr. Burke from his purchase and sales in that commissary.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. COX. Yes.

Mr. GREEN of Iowa. The Government got the cost of commodities, including the overhead charges?

Mr. COX. They ran in connection with the commissary a laundry, and the laundry itself employed 1,600 persons. The commissary paid for itself all overhead charges, all of its employees, paid for the laundry, and the least amount of money, if I recollect correctly, that it turned into the Treasury of the United States in one year was $26,000. They had up into the small thousands of employees working in the commissary and in the laundry. That was a concrete illustration to me that Government ownership, under strict regulation, at least was not a failure.

I would like to see, as the gentleman from Colorado well expressed it, this resolution widened and broadened. In my opinion the people of this District are held up by the heels and absolutely skinned from the top of their heads to the soles of their feet by the retailers. I have no question on earth about that. Why, take the increase in rents here. An old building erected 30 years ago, which has not been repapered for 10 years—the price of electricity has not gone up, the price of gas has not increased, taxes and insurance have not increased, and yet the rent has increased from 25 to 33 per cent. Ask the owners why, and they say, "Oh, it is because of the war." Ask the employees, the janitors, who are firing the furnaces in these houses if their salaries have been increased as the result of the war. Oh, no. I know janitors to-day in the city of Washington firing furnaces in apartment houses where they have as many as 16 apartments who get $10 a month and live in the basement of the apartment. And yet the rents of these apartments have increased from 25 to 33 per cent in the last two or three years.

And when I came to make up my mind upon the matter I had come to the conclusion that there is no way to break the strangle hold of monopoly except by Government ownership. I am willing at least to go to the extent of trying out Government ownership. I would like to see this resolution broadened, widened, and deepened to give a coal yard here to supply the people of the District of Columbia and cut out all of the intermediate profits of the middleman. Last summer we had for our consideration before the Committee on the Post Office and Post Roads a bill to establish transportation from the city to the country to carry parcel post; in other words, to put the city consumer and the country producer into direct and immediate touch as far as possible. That bill did not go very far; we did not have hold of it many days until the transportation lines, the railroads, and express companies began to raise their copper heads. I entertain no doubt in my own mind that is but the beginning, and I firmly believe that with that beginning, if that service be established leading from the city to the country, we will begin to reduce the cost of living. It is largely a question of profiteering. You go to the groceryman and ask him why there is an increase of this and that, and he will answer it is because of the war, although he may handle a commodity the war has never laid its hands on.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. FOSTER. Mr. Speaker, I want to say just a word. Awhile ago there was some talk about the general supply committee of the Government and what it was doing with reference to the supply of coal. Mr. Jones, chairman of the subcommittee on fuel of the general supply committee, made the following statement in answer to a question by Mr. Moss, a former Member of this House:

> Is it your opinion that the coal is purchased as cheaply as it can be purchased under existing conditions?
>
> Mr. JONES. I think, Mr. Chairman, the Government could no doubt purchase coal a little cheaper if it had a coal yard of its own. I believe it not only could purchase coal cheaper, but the Government officials would feel safer, knowing that they had their coal supply on hand. During this past winter the department officials have been holding their breath, feeling that the supply of coal might run out and that they would not be able to get any more.

I want to call attention to one other thing. The Government operated a building down here beside the Knickerbocker Hotel, which is west of the War Department. The Government was burning anthracite coal and the Knickerbocker was using bituminous, the Government paying $2.40 more for its coal than was the hotel, although the anthracite did not contain as many British thermal units as the bituminous. When the Government took over the hotel it changed the heating plant so as to burn anthracite at $2.40 a ton more than had been formerly paid by the hotel, although getting less heat. I want to say further that the Government in the past has hauled anthracite coal from the Pennsylvania fields to New Mexico, they have hauled anthracite coal to Florida, and they have hauled it out to Fort Logan, Colo., when in Denver people have been using the soft coal to be had in the State of Colorado. That condition has been going on throughout the United States, and in one instance we found where the Government officials had macadamized a road with anthracite coal. There has been all sorts of wastefulness, the throwing away of money, and I think in this instance the Government ought to take some means to establish its own yard where it will be assured of a supply, and at reasonable prices. There is no sense in the Government

hauling anthracite coal, as it does, to the State of Wyoming when Wyoming has a good quality of coal. When the haul has been over a land-grant railroad, they have been buying the coal delivered at the post instead of buying it at the mine and having it delivered.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. MONDELL. I agree with the gentleman that the Government has done some very extraordinary things, but I do not want my friend to charge them with crimes they have not committed. I think among all of the peculiar and extravagant things that the Government departments have done, the hauling of anthracite to Wyoming is perhaps not one of them. I do not recall any anthracite having been hauled to my State, although, as an illustration, the gentleman's suggestion is very good, because some things almost as extravagant have been done.

Mr. FOSTER. I think I can show the gentleman where they have hauled coal from the Pennsylvania region to Cheyenne, Wyo.

Mr. MONDELL. The gentleman may have some information that I have not.

Mr. FOSTER. I am standing for the coal of Wyoming. They have good coal.

Mr. MONDELL. Certainly. We have no need for anthracite in Wyoming.

Mr. GILLETT. Does the gentleman think that these examples of Government extravagance that he cites are good arguments for the Government ownership which the gentleman from Indiana [Mr. Cox] has just advocated?

Mr. FOSTER. I will say to the gentleman that that is the mismanagement that we are trying to correct.

Mr. GILLETT. Is not that inevitable in a government like ours?

Mr. FOSTER. I think not, if it is managed by men who are intelligent.

Mr. GILLETT. Oh, if properly managed; but would it be?

Mr. FESS. Mr. Speaker, I desire to ask the gentleman a question respecting the resolution. On page 2 of the resolution, on lines 3 and 4, there is the language "and the feasibility of consolidating all matters relating to the purchase and supply of fuel." Would not that include transportation lines to Washington bringing the coal?

Mr. FOSTER. I do not think so.

Mr. FESS. It would include the delivery from the yard to the Government establishments?

Mr. FOSTER. The tracks would run into the Government establishments.

Mr. FESS. How does the gentleman discriminate between simply the coal-yard purchase and the supply? That term is used so as to cover all matters that might be involved in establishing the yard and getting this coal.

Mr. FOSTER. Not the matter of transportation.

Mr. FESS. If you control all matters pertaining to it, why would it not include transportation?

Mr. FOSTER. I think the gentleman sees a bogey man.

Mr. FESS. I am a friend of the resolution; I am going to vote for the resolution.

Mr. FOSTER. Then let me say that this is only a resolution to investigate, anyhow——

Mr. FESS. I know.

Mr. FOSTER. And it is not a final resolution that will establish a coal yard.

Mr. FESS. Why not say, "and the feasibility of establishing Government control, of the purchase and supply of fuel," and so forth?

Mr. FOSTER. The only thing is, there may be some other matters that they would like to report to Congress, and this is only a resolution to investigate, and I do not see any harm in it.

Mr. FESS. I am honest in my contention that the words "all matters" would include transportation.

Mr. FOSTER. The gentleman might make more definite language if this were the final resolution to establish a yard.

Mr. McKENZIE. Will the gentleman yield?

Mr. FOSTER. I will.

Mr. McKENZIE. I have not had an opportunity to study this resolution very carefully, but I wish to ask my colleague if one of the purposes of the resolution, in case it is passed, would be to build these sheds that the Government will be required to store the coal in—these particular sheds that the Government owns? Is that one of the purposes of it?

Mr. FOSTER. I expect they would do it; yes.

Mr. McKENZIE. Unless it is so provided in the law does not my colleague fear, from other experiences we have had related by him of shipping coal, for instance, from Wyoming to the Atlantic seaboard and from there to some other places where it was altogether unnecessary, that unless there is some clause in the law compelling the storage of Government coal in the Government sheds that it might be possible that the men who had this law under their hands for administration might rent some of these high-priced buildings in Washington and store the coal there rather than in the Government sheds?

Mr. FOSTER. That is a matter that can be taken up. I think the gentleman also sees a bogie man, too.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. GREEN of Iowa. The gentleman astonished me with his statement of governmental extravagance and incompetence, and I am a little afraid converted me on the other side, but I would like to ask one question in that connection; that is, whether this hauling of coal to western regions where there is already fine coal is still going on on the part of the Government?

Mr. FOSTER. I do not know that I can answer the gentleman. I want to say this: That the Government need not be extravagant. The Government can coordinate its forces, it can stop duplication if it desires to do so, and it can save all this money that has been wasted in the past. Now, that is very easy if we get men hold of it who are business men and know something about it. There is no question but what that can be done. This is no argument for or against Government ownership. It is an argument in favor of supplying the Government itself with coal for all its activities in the District of Columbia.

Mr. DENISON. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, we are the greatest coal-producing nation on earth; in fact, we product within our boundaries, if I recollect rightly, about half of the coal produced in all the world—possibly more. Our coal fields extend from one end of the country to the other. No people in the world are blessed with fuel resources as we are; and yet, in spite of all that, the coal industry, the fuel industry, is rarely in a condition satisfactory to anyone interested in or connected with it, either the producer or the consumer. In the summer the mines are largely idle; in the winter they are run at their utmost capacity. Always there is a shortage somewhere in the winter; always there is some actual suffering for lack of fuel, and that with the greatest coal supply on earth. The conditions we are passing through now differ only from normal conditions in that they are a little worse than usual. The demand is a little greater, the lack of cars is a little more acute, the shortage of fuel more widespread because of an unusually cold spell, but there is nothing strikingly peculiar in the present condition of affairs except that conditions are a little worse than ordinarily; the difference is in degree, not in kind. Some day in this country some genius will arise, let us hope, who will make it his work to bring about a better condition relative to the mining and distribution of coal. Such a man will have a work before him that will be tremendously far-reaching, the beneficial effects of which can scarcely be calculated.

Mr. DENISON. Will my friend, the gentleman, yield?

Mr. MONDELL. Yes.

Mr. DENISON. I was going to make this suggestion: Mr. Giragossian claims that the Garabed would do away with the use of coal. It may be the gentleman thinks Mr. Giragossian may be the genius the gentleman was speaking about?

Mr. MONDELL. Well, I wish Mr. Giragossian and his Garabed well. I only wish I had a little more faith in Mr. Giragossian and his invention. But assuming, for the sake of argument, that the Garabed may not develop as its inventor hopes, we will still have to depend upon coal. This—one of the greatest industries of the Nation—needs a readjustment and reformation more than any other great industry of which I know. We sometimes hear that the miners receive high wages, and at times they do; and yet it is a lamentable fact that even where the wages are highest, where men make the most when they are actually employed, the yearly wage is largely inadequate because of the fact that the employment is not steady.

The SPEAKER. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have five minutes more.

Mr. FOSTER. I have but one minute, and I can not yield to the gentleman.

Mr. DENISON. I yield the gentleman five minutes, if I have that much time to yield.

The SPEAKER. Does the gentleman from Illinois yield a minute?

Mr. FOSTER. No; I do not.

The SPEAKER. What about the other gentleman from Illinois?

Mr. MONDELL. I have not reached my discussion of the resolution.

The SPEAKER. Does the gentleman yield?

Mr. DENISON. I yield to the gentleman five minutes, if I have that much time to yield.

The SPEAKER. The gentleman from Wyoming is recognized for five minutes more.

Mr. FOCHT. Mr. Speaker, I would like to ask the gentleman a question. In your hope of the attainment of proper regulations for the mining and distribution of coal and the distribution of fuel, it is evident, then, from your observation, that you do not attach any serious hope for the ultimate accomplishment of that much-cherished desire, by what is being done by Prof. Garfield?

Mr. MONDELL. I wish Prof. Garfield well, and I hope he will accomplish more good in the future than he has been able to accomplish in the past. [Laughter.] I believe he is making an earnest effort, and I wish him well in his work.

The solution of many of the difficulties surrounding the coal industry in America lies in storage. A great railway engineer was once asked, "What is the most important thing in building a railroad?" He said, "Drainage." "What is the next most important thing?" He said, "Drainage." "What is the all-important thing?" He replied, "Drainage." What is the most important thing in establishing a reasonably satisfactory condition in reference to the coal industry of this country? Storage. As far as coal is concerned, we mostly live from hand to mouth. We buy a ton of coal when the clouds are lowering, when the rain falls and the wind drives, and we expect it to be delivered within five minutes after we telephone our order. There never can be a satisfactory condition in the coal industry of the United States until the American people learn to store coal and to store it to an extent that will make possible the operation of the mines practically the year around. That will be beneficial in a thousand ways. First, it will prevent these winter shortages. It will give the operator a better opportunity to mine and sell his coal at a fair price and for a reasonable profit. It will give the coal miner a fair income, although his daily wage be not as high as under present conditions. It will bring the coal business to a normal, reasonably satisfactory condition.

Here is a proposition, in a small way, it is true, in one place, to start and to enlarge, as far as the Government bureaus here are concerned, the practice of storage. It is proposed that the Government, instead of buying a small amount of coal from time to time through many agencies, storing it in a great many places in small quantities, shall establish a yard or yards where coal purchased in the summer season, when the work of the mines is slack, and when the men need employment, when coal is comparatively cheap, may be stored. We shall then have a supply on hand in the days when there is a congestion of railway traffic, a shortage of cars; when the mines are pressed to their utmost in their production; when it is the most difficult to deliver and the price is highest. Even though the Government did not save a penny by this method of procedure it would be wise to inaugurate the policy proposed; but there will, in my opinion, be a very considerable saving in money.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. MONDELL. I yield to my friend.

Mr. KELLEY of Michigan. I would like to inquire of the gentleman what is the practical reason why the mine operator does not store at the mines? Presumably some financial or other reason?

Mr. MONDELL. It is practically impossible to store in sufficiently great quantities at the mines to remedy the situation. The conditions about the mines are such as to make it difficult. The cost would in many cases be prohibitive. Some kinds of coal can not be safely or satisfactorily stored in the very great quantities that it would be necessary to store at the mines. In the main, storage must be by the individual and by the individual industry all over the country, and I know of no better work that a man can do for his country, I know of no effort that could be put forth that would bring better results, than that of advocating and securing the country over the storage of coal, as is proposed in this bill.

The SPEAKER. The time of the gentleman has expired.

Mr. DENISON. Mr. Speaker, I yield two minutes to the gentleman from Pennsylvania [Mr. GARLAND].

Mr. GARLAND. Mr. Speaker, I think this resolution ought to pass for the reason that it will give, if it is found practical to establish a yard here, information as to the real facts in the coal industry. And that will be satisfactory to those who are not supplying the Government. I do not think it is going to bring a great deal of benefit to the Government in the way of prices, but it is going to educate in the practicability of operating and mining and distribution of coal, just as you have spent millions of dollars for other evidence that you had not at hand.

The last Congress appropriated $11,000,000 for the establishment of an armor-plate plant, and when they finally get that established they will find it will be at a cost of about $30,000,000, and that it costs them double the amount to make a ton of armor plate that they thought it would cost when they first purchased it; that is, if they keep books as to the cost. And we have gone along other avenues to discover facts. In this case we will take coal, for instance. I live in western Pennsylvania. All of western Pennsylvania and part of eastern Ohio is one great coal field, one stratum of coal under another, sometimes as many as three available strata. Every farmer who owns his land owns the coal under it. They are not operating. The trouble is to get the coal out. It is stored all right, but it is stored underneath the ground. They can not get the labor at the prices now being offered for the coal. The farmers would willingly take out coal in winter in order to supply the people if they could do so. And even though that supply is there we are suffering. But labor now at the mines is paid from $5 a day—common labor, out around the mines—to $15 a day in the mines. And even then they can not get the men to do it. That is the situation out there in western Pennsylvania. We are suffering from want of coal while living right in the midst of it. [Applause.]

The SPEAKER. The gentleman from Illinois [Mr. DENISON] has three minutes remaining.

Mr. DENISON. Mr. Speaker, I yield three minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent to speak for five minutes.

The SPEAKER. The gentleman has three minutes, and asks unanimous consent for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. CAMPBELL of Kansas. Mr. Speaker, the business of mining coal is a very practical one. It requires executive ability and the capacity to labor with the hands and brains. Up to this year there has been no difficulty in the United States to any appreciable extent in supplying the demands of the country, the necessary fuel for the operation of the railroads, the manufacturing industries, and the domestic necessities of the country. Some time during the early summer last passed somebody conceived the idea that there could be an improvement upon the methods of producing and distributing coal. The result was that during the months of summer and fall, when every coal mine in the country should have been worked to the limit of its capacity, most of them were idle, waiting to see what the Government was going to permit them to do.

That is the answer to the present shortage of coal in every city and town of the country. In Pittsburg, Kans., surrounded by a great coal field, the miners were ready and anxious to work, but were not permitted to work for three months; those who were distributing coal were not permitted to distribute it. Operators were afraid to operate their mines and pay labor for fear they could not sell the coal at the prices it cost them to produce it.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. In a moment. It took the Government and Prof. Garfield until along in November to arrive at the conclusion that the mines of the country must run to meet the demand for coal. That is the reason why people have suffered and died this winter for want of fuel.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. MONDELL. Is it not also true that there was official discouragement of the purchase and storage of coal?

Mr. CAMPBELL of Kansas. That is one of the things the people were told by those in authority in the Government. "Do not lay in coal. Do not lay up a supply now. We are going to see to it that it will be cheaper when we get the management of it." Instead of getting it cheaper, the people have been obliged to pay more for it than ever before. Why, the people can not get it at any price. People have suffered and died in Washington, in New York, and every section of the country for lack of coal. They could not get the coal. They could have secured coal if the Government had not interfered with the operation of the coal mines early in the fall last year and prevented the production of coal at the time when it should have been produced to supply the necessities of the country.

That is the truth about it. What is the use of talking about coal and hardships and shortage? If you want to get at the reason for the appalling conditions that now exist, go back to last fall and find idle mines and idle miners and idle coal cars for months. There you will find the answer for the present suffering that exists throughout the country. There you

will find the reason for the present high price and the impossibility of getting it at any price.

I have been trying to get coal for three weeks. I will pay $10 a ton, or $15 a ton, or $20 a ton, if I can get it, rather than have my family suffer. I can not get the coal; neither can you. Why? It has not been produced. Why? Because the mines were idle when they should have been operating. Why were they idle? Because Government officials said, "Do not buy your coal in July. We will get it for you cheaper next winter." [Applause.]

Mr. FOSTER. Mr. Speaker, I have an amendment on the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. FOSTER: Page 2, lines 6 and 7, after the word "the," on line 6, strike out the words "first Monday in December, 1917," and insert "first day of April, 1918."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, there were two other amendments sent to the desk.

The SPEAKER. The Clerk will read the next amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 1, line 10, after the word "independent," insert the word "governmental," so that the line will read "and for delivery to all executive departments and independent governmental establishments in the District of Columbia."

Mr. FOSTER. Mr. Speaker, I move the previous question on the amendments and resolution to its final passage.

Mr. FESS. Mr. Speaker, I would like to offer another amendment, on page 2.

Mr. FOSTER. I think we have given sufficient time to it already.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, there is an additional amendment there.

Mr. FOSTER. It has not been offered.

Mr. GARD. It has been offered and is in the hands of the Clerk.

Mr. FESS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FESS. Is not this the stage for offering amendments?

The SPEAKER. Of course it is; but if the motion of the gentleman from Illinois [Mr. FOSTER] prevails, that is the end of the amendments.

Mr. FESS. I do not wish to make a point of no quorum, but I will have to do it if there is no opportunity given to offer amendments here.

Mr. GARD. Mr. Speaker, I sent to the Clerk's desk two amendments, and now call for the reading of the second amendment. Is not now the time to read it?

The SPEAKER. The gentleman must rise in his seat and offer an amendment in order to get it before the House.

Mr. GARD. I transmitted the amendment to the Clerk's desk.

The SPEAKER. The Chair knows; but that is not the way. The way to get an amendment before the House is for some gentleman to rise in his place and offer it.

Mr. FESS. I offer an amendment, Mr. Speaker.

The SPEAKER. The Chair knows; but the gentleman from Illinois [Mr. FOSTER] made a motion for the previous question on the bill and amendments.

Mr. FOSTER. Well, Mr. Speaker, I will withdraw it.

The SPEAKER. Then the Chair recognizes the gentleman from Ohio [Mr. GARD] to offer the amendment he sent up here.

Mr. GARD. I offer the amendment previously sent up, Mr. Speaker.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 2, line 4, after the word "purchase" strike out the words "and supply" and insert the words "storage and distribution."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. FESS. Mr. Speaker, I send to the Speaker's desk an amendment.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. FESS: Page 2, lines 3 and 4, strike out the words "consolidating all matters relating to" and insert the words "establishing control of."

The SPEAKER. The question is on agreeing to the amendment.

Mr. FESS. Mr. Speaker, I am not opposed to this resolution. I am in favor of it. I think it is a wise piece of legislation. But those words that I am striking out are all inclusive. They do not exclude anything. They include everything. I insist that, reading it as it is written, we include transportation lines, bringing coal here to the city, and I am not sure that it would not extend to the operation of mines. It says "all matters relating to the purchase and supply," and if it includes distribution from the yard here to the Government buildings, it will under the same interpretation include the facilities for bringing it here. All the change I have made is that instead of "consolidating all matters relating to" I propose "establishing Government control of."

Then we will have control of the purchase and the supply. It is certainly not an amendment that is offensive to the resolution, but it simply proposes to clarify it so that the commission may have its limits within which to operate. As a friend of the resolution, I hope the amendment will be adopted.

Mr. FOSTER. Mr. Speaker, just a moment. The gentleman from Ohio fails to understand the difference between this resolution which limits this to only inquiry and a report to Congress, and not a resolution to establish a coal yard at this time. It is simply an investigation to determine whether it shall be established, and his amendment limits the right of this Bureau of Mines to find out all the facts.

Mr. FESS. Will the chairman of the committee yield?

Mr. FOSTER. Yes; I yield.

Mr. FESS. Does not the resolution go to the extent of taking in the distributing of the coal from the coal yard to the Government?

Mr. FOSTER. Of course. It would be of no use to have coal in the yard and not be able to distribute it.

Mr. FESS. How can you get coal into the yard unless you bring it there?

Mr. FOSTER. The gentleman wants now to limit the investigation as to the distribution.

Mr. FESS. Oh, no.

Mr. FOSTER. The gentleman wants them to be limited, so that they can do just a few things. This is simply a joint resolution calling for an investigation and report. I move the previous question on the amendment and the joint resolution to the final passage.

The SPEAKER. The gentleman from Illinois moves the previous question on the resolution and the amendment.

The question being taken, on a division (demanded by Mr. FOSTER) there were—ayes 44, noes 20.

Accordingly the previous question was ordered.

The SPEAKER. The question is on the Fess amendment.

The amendment was rejected.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was accordingly read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The question was taken.

The SPEAKER. The ayes appear to have it, the ayes have it, and the joint resolution is passed.

Mr. ROBBINS. Mr. Speaker, I was on my feet seeking recognition. I want to make the point that there is no quorum present.

The SPEAKER. The gentleman has a perfect right to raise the point of no quorum. Does he raise it?

Mr. ROBBINS. Yes; I do.

The SPEAKER. The Chair will count.

Mr. HEFLIN. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEFLIN. The Chair had already announced that the bill was passed.

Mr. ROBBINS. I was addressing the Chair.

The SPEAKER. The Chair thinks the gentleman was in time. [After counting.] Eighty-nine gentlemen present, not a quorum. The Sergeant at Arms will notify absentees, and the Clerk will call the roll.

Mr. LONGWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONGWORTH. Is this a roll call on the passage? There has been no division.

The SPEAKER. Yes; this is a roll call on the passage of the joint resolution.

Mr. LONGWORTH. But there has been no division.

The SPEAKER. The Chair put the question, and really announced that the bill was passed; but the gentleman from Pennsylvania [Mr. ROBBINS] insisted that he was on his feet, and the Chair thinks he was. There is no question that this vote

will be on the passage of the joint resolution. Those in favor of the passage of the joint resolution will, when their names are called, answer yea, those opposed nay, and the Clerk will call the roll.

The question was taken; and there were—yeas 278, nays 39, answered "present" 1, not voting 109, as follows:

YEAS—278.

Alexander	Eagan	Keating	Ramsey
Almon	Eagle	Kehoe	Ramseyer
Anderson	Elliott	Kelley, Mich	Randall
Ashbrook	Elston	Kennedy, R. I.	Reavis
Aswell	Emerson	Kettner	Riordan
Austin	Evans	Key, Ohio	Roberts
Ayres	Fairfield	Kiess, Pa.	Robinson
Bacharach	Farr	Kinkaid	Rodenberg
Baer	Ferris	Kitchin	Rogers
Bankhead	Fess	Knutson	Romjue
Beakes	Fields	Kraus	Rose
Bell	Fisher	La Follette	Rouse
Beshlin	Flood	Langley	Rowe
Black	Foss	Larsen	Rubey
Blackmon	Foster	Lea, Cal.	Rucker
Bland	Francis	Lee, Ga.	Sabath
Blanton	Frear	Lehlbach	Sanders, Ind.
Borland	Freeman	Lenroot	Saunders, Va.
Bowers	French	Linthicum	Schall
Brand	Fuller, Ill.	Little	Scott, Iowa
Britten	Gallagher	Littlepage	Scott, Mich.
Brodbeck	Gallivan	Lobeck	Sells
Browne	Gandy	London	Shackleford
Browning	Gard	Lonergan	Shallenberger
Brumbaugh	Garland	Longworth	Sherwood
Buchanan	Garner	Lufkin	Siegel
Burnett	Garrett, Tenn.	Lundeen	Sisson
Burroughs	Garrett, Tex.	McAndrews	Sloan
Byrnes, S. C.	Glynn	McArthur	Smith, Idaho
Byrns, Tenn.	Godwin, N. C.	McClintic	Smith, C. B.
Caldwell	Good	McCormick	Smith, T. F.
Campbell, Kans.	Goodall	McCulloch	Stafford
Campbell, Pa.	Gordon	McKenzie	Steagall
Candler, Miss.	Graham, Ill.	McLaughlin, Mich.	Stedman
Cantrill	Gray, Ala.	McLaughlin, Pa.	Steenerson
Caraway	Green, Iowa	Magee	Stephens, Miss.
Carew	Greene, Mass.	Maher	Strong
Carter, Mass.	Greene, Vt.	Mansfield	Sumners
Carter, Okla.	Gregg	Mapes	Swift
Chandler, N. Y.	Hadley	Martin	Switzer
Chandler, Okla.	Hamilton, Mich.	Mays	Tague
Church	Hamilton, N. Y.	Miller, Minn.	Taylor, Ark.
Classon	Hamlin	Mondell	Thompson
Coady	Hardy	Moon	Tillman
Collier	Harrison, Miss.	Moores, Ind.	Towner
Connally, Tex.	Harrison, Va.	Morgan	Treadway
Connelly, Kans.	Hastings	Morin	Vinson
Cooper, Wis.	Haugen	Mott	Voigt
Copley	Hayden	Mudd	Volstead
Cox	Heflin	Neely	Waldow
Crago	Helvering	Nicholls, S. C.	Walker
Cramton	Hensley	Nichols, Mich.	Walton
Currie, Mich.	Hicks	Nolan	Ward
Dale, N. Y.	Hilliard	Oldfield	Watkins
Dale, Vt.	Hood	Oliver, Ala.	Watson, Va.
Dallinger	Houston	Oliver, N. Y.	Weaver
Darrow	Howard	Olney	Webb
Davis	Huddleston	Osborne	Welling
Denison	Hull, Iowa	O'Shaunessy	Welty
Dent	Hull, Tenn.	Overstreet	White, Ohio
Denton	Humphreys	Park	Williams
Dickinson	Igoe	Parker, N. Y.	Wilson, La.
Dillon	Jacoway	Peters	Wilson, Tex.
Dixon	James	Pou	Wingo
Dominick	Johnson, Ky.	Pratt	Wise
Doolittle	Jones, Tex.	Purnell	Woodyard
Doughton	Jones, Va.	Quin	Young, N. Dak.
Dowell	Juul	Ragsdale	Young, Tex.
Drane	Kahn	Rainey	
Dyer	Kearns	Raker	

NAYS—39.

Anthony	Hersey	Platt	Thomas
Cannon	Kennedy, Iowa	Robbins	Tilson
Claypool	Lesher	Sanford	Walsh
Dies	McFadden	Shouse	Wason
Ellsworth	McKinley	Slayden	Watson, Pa.
Focht	McLemore	Slemp	Whaley
Gillett	Madden	Snell	Wheeler
Gould	Meeker	Snyder	Wood, Ind.
Gray, N. J.	Merritt	Sterling, Ill.	Woods, Iowa
Heaton	Paige	Temple	

ANSWERED "PRESENT"—1.

Butler

NOT VOTING—109.

Barkley	Dewalt	Graham, Pa.	King
Barnhart	Dill	Griest	Kreider
Booher	Dooling	Hamill	Laguardia
Capstick	Doremus	Haskell	Lazaro
Carlin	Drukker	Hawley	Lever
Cary	Dunn	Hayes	Lunn
Clark, Fla.	Dupré	Heintz	McKeown
Clark, Pa.	Edmonds	Helm	Mann
Cooper, Ohio	Esch	Holland	Mason
Cooper, W. Va.	Estopinal	Hollingsworth	Miller, Wash.
Costello	Fairchild, B. L.	Husted	Montague
Crisp	Fairchild, G. W.	Hutchinson	Moore, Pa.
Crosser	Flynn	Ireland	Nelson
Curry, Cal.	Fordney	Johnson, S. Dak.	Norton
Davidson	Fuller, Mass.	Johnson, Wash.	Overmyer
Decker	Glass	Kelly, Pa.	Padgett
Dempsey	Goodwin, Ark.	Kincheloe	Parker, N. J.
Phelan	Sanders, N. Y.	Stephens, Nebr.	Van Dyke
Polk	Scott, Pa.	Sterling, Pa.	Vare
Porter	Scully	Stevenson	Venable
Powers	Sears	Stiness	Vestal
Price	Sherley	Sullivan	White, Me.
Rankin	Sims	Sweet	Wilson, Ill.
Rayburn	Sinnott	Talbott	Winslow
Reed	Small	Taylor, Colo.	Zihlman
Rowland	Smith, Mich.	Templeton	
Russell	Snook	Timberlake	
Sanders, La.	Steele	Tilkham	

So the joint resolution was passed.

The following pairs were announced:

Until further notice:

Mr. SIMS with Mr. ZIHLMAN.

Mr. TALBOTT with Mr. WINSLOW.

Mr. BARKLEY with Mr. CURRY of California.

Mr. BARNHART with Mr. KREIDER.

Mr. BOOHER with Mr. DRUKKER.

Mr. RAYBURN with Mr. HAYES.

Mr. DOREMUS with Mr. REED.

Mr. GLASS with Mr. BENJAMIN L. FAIRCHILD.

Mr. LAZARO with Mr. GRAHAM of Pennsylvania.

Mr. SCULLY with Mr. MOORE of Pennsylvania.

Mr. DEWALT with Mr. HAWLEY.

Mr. SNOOK with Mr. CLARK of Pennsylvania.

Mr. GOODWIN of Arkansas with Mr. LAGUARDIA.

Mr. SEARS with Mr. DUNN.

Mr. CRISP with Mr. GRIEST.

Mr. MCKEOWN with Mr. STINESS.

Mr. LEVER with Mr. COOPER of Ohio.

Mr. MONTAGUE with Mr. COOPER of West Virginia.

Mr. ESTOPINAL with Mr. MASON.

Mr. DUPRÉ with Mr. GEORGE W. FAIRCHILD.

Mr. LUNN with Mr. MILLER of Washington.

Mr. VENABLE with Mr. DAVIDSON.

Mr. HELM with Mr. SMITH of Michigan.

Mr. STEPHENS of Nebraska with Mr. HEINTZ.

Mr. CARLIN with Mr. SWEET.

Mr. VAN DYKE with Mr. WILSON of Illinois.

Mr. HOLLAND with Mr. CAPSTICK.

Mr. OVERMYER with Mr. NORTON.

Mr. KELLY of Pennsylvania with Mr. FULLER of Massachusetts.

Mr. PADGETT with Mr. JOHNSON of South Dakota.

Mr. KINCHELOE with Mr. ROWLAND.

Mr. SHERLEY with Mr. FORDNEY.

Mr. RUSSELL with Mr. PARKER of New Jersey.

Mr. PHELAN with Mr. SINNOTT.

Mr. CLARK of Florida with Mr. COSTELLO.

Mr. SMALL with Mr. JOHNSON of Washington.

Mr. HAMILL with Mr. ESCH.

Mr. DILL with Mr. HOLLINGSWORTH.

Mr. POLK with Mr. DEMPSEY.

Mr. FLYNN with Mr. HUSTED.

Mr. CROSSER with Mr. POWERS.

Mr. SANDERS of Louisiana with Mr. HASKELL.

Mr. STERLING of Pennsylvania with Mr. EDMONDS.

Mr. DOOLING with Mr. PORTER.

Mr. STEVENSON with Mr. HUTCHINSON.

Mr. DECKER with Mr. SANDERS of New York.

Mr. TAYLOR of Colorado with Miss RANKIN.

Mr. PRICE with Mr. CARY.

Mr. SULLIVAN with Mr. SCOTT of Pennsylvania.

Mr STEELE with Mr. BUTLER.

The result of the vote was then announced as above recorded.

A quorum having appeared, the doors were opened.

On motion of Mr. FOSTER, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

WITHDRAWAL OF PAPERS.

Mr. CAMPBELL of Kansas, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, papers in the case of Samuel T. King (H. R. 9902, 58th Cong.), no adverse report having been made thereon.

RESIGNATION FROM COMMITTEE.

The SPEAKER laid before the House the following communication:

Hon. CHAMP CLARK,
Speaker of the House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Rivers and Harbors Committee.

Respectfully, WILLIAM KETTNER.

The SPEAKER. Has the Committee on Mines and Mining any further bill?

Mr. FOSTER. We have not, Mr. Speaker.

The SPEAKER. The Clerk will proceed with the call of committees.

The Clerk proceeded with the call of committees. When the Committee on Labor was called,

NATIONAL INSURANCE AGAINST UNEMPLOYMENT, ETC.

Mr. KEATING. Mr. Speaker, I desire to call up House joint resolution 189.

The SPEAKER. It seems that there is a special order in reference to these matters. It is as follows:

On motion of Mr. KITCHIN, by unanimous consent,

Ordered, That when bills now on the calendar which are in order on Calendar Wednesday shall have been disposed of the bill H. R. 269 shall be in order on Calendar Wednesday.

Mr. KEATING. I understand that, Mr. Speaker, but the gentleman from Arizona [Mr. HAYDEN], who is interested in the bill referred to in that order, is quite willing to waive his rights at this time in order that the Committee on Labor may present this joint resolution.

Mr. HAYDEN. That statement is correct, Mr. Speaker.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

House joint resolution 189, to provide for a commission to inquire into the advisability of establishing national insurance against unemployment, invalidity, and sickness.

The SPEAKER. This bill is on the Union Calendar and the House automatically resolves itself into Committee of the Whole House on the state of the Union, and the gentleman from Indiana [Mr. COX] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. COX in the chair.

The Clerk read the joint resolution, as follows:

House joint resolution 189.

Resolved, etc., That a commission is hereby created and established, to be known as the Commission on Social Insurance, hereinafter referred to as the commission. The commission shall be composed of five persons, to be appointed by the President of the United States, two of whom shall be employers of labor and two of whom shall be representatives of organized labor, the Secretary of Labor to be the fifth member of the commission and the chairman thereof. It shall be within the power of the Secretary of Labor to select a representative of the Department of Labor to act in his stead in any hearing or investigation in which the Secretary himself may be unable to participate, and said representative shall have full power to act in the name of the Secretary of Labor, but the position of the Secretary of Labor, as the fifth member and as chairman of the commission, shall in no wise be impaired, and in the report, findings, and recommendations of the commission his name and title shall be appended.

SEC. 2. That the members of this commission shall be paid actual traveling and other necessary expenses, and in addition the members of the commission, other than the Secretary of Labor, or his representative appointed by him pursuant to section 1, shall receive a compensation of $15 per diem while actually engaged in the work of the said commission and while going to or returning from such work.

The commission is authorized, as a whole or by subcommittees of the commission duly appointed, to hold sittings and public hearings anywhere in the United States; to send for persons and papers; to administer oaths; to summon and compel the attendance of witnesses and to compel testimony; to employ such secretaries, experts, stenographers, and other assistants as shall be necessary to carry out the purposes for which said commission is created; and to rent such offices, to purchase such stationery and other supplies, and to have such printing and binding done as may be necessary to carry out the purposes for which the commission is created; and to authorize its members or its employees to travel in or outside of the United States on the business of the commission.

SEC. 3. That it shall be the duty of the commission to inquire into the causes of unemployment; to inquire into the subject of systems of insurance, voluntary or obligatory, contributory or noncontributory, now in vogue to meet unemployment, invalidity, and sickness, and to what extent the Government of the United States may aid by establishing a Federal insurance system for the benefit of the wage earners of the United States when in need by reason of involuntary unemployment, whether the unemployment be due to lack of work, to disability arising by reason of sickness, or to the impairment or destruction of earning capacity because of old age. If the commission shall recommend that a Federal insurance system or fund be established by the Government of the United States, it shall prepare and recommend the regulations that would be necessary for the successful administration of a national insurance system or fund, the amount of said fund, and the method of cooperation with existing insurance systems.

SEC. 4. That the commission shall submit, through the President, to Congress a report containing the testimony taken, its findings, and its recommendations on or before the first Monday of December of the year 1918.

SEC. 5. That the sum of $50,000 is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for the use of the commission: *Provided*, That no portion of this money shall be paid except upon the order of said commission signed by the chairman thereof.

Mr. KEATING. Mr. Chairman, the members of the Committee would like to secure a vote on this resolution to-night. Under the rule we have two hours for general debate. The gentleman from Wisconsin [Mr. BROWNE], the ranking minority member on the committee, will, I presume, under the rule, control one half of the time and the other half will be controlled by this side of the House.

This resolution was reported in the last Congress, in practically its present form, by the Committee on Labor. It was a unanimous report, and was made after exhaustive and very interesting hearings. The committee for three or four days listened to gentlemen who may be regarded as experts upon this subject. They represented every shade of political opinion. We had Republicans, Democrats, Socialists, and Progressives. We had actuaries, insurance commissioners, authors of books, and students of social questions. I think the volume containing those hearings is one that should find a place in the library of every student of public affairs. In this Congress the Committee on Labor, by a unanimous vote, made a second favorable report upon the resolution.

Briefly, the resolution provides for the appointment of a commission to investigate the entire subject of social insurance. The commission is to be named by the President of the United States. It is to consist of five members, two of whom are to be employers of labor, two to be representatives of labor, and the fifth to be the Secretary of Labor. The commission is to submit its findings to Congress.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. KEATING. Yes.

Mr. BORLAND. I notice that the type of insurance is confined to unemployment, invalidity, and sickness. Does the word "invalidity" include death, or is death insurance excluded from this scheme? Is it the purpose of the commission to inquire into a system of State insurance for death?

Mr. KEATING. No; that would not come within the scope of the commission's work. The principal object would be insurance against old age, unemployment, and sickness. In Germany they have maternity insurance.

Mr. BORLAND. Invalidity, I suppose, would mean where a man was crippled?

Mr. KEATING. It is not the object to establish a system like the ordinary life insurance business.

Mr. Chairman, the United States has lagged behind other nations in the matter of social insurance. Germany has led in this as she led in rural credits. This country adopted the principal features of the German rural-credit system. That system had spread over Europe and other portions of the world before it was adopted by the United States. England, France, Germany, Austria, and practically every country on the other side of the Atlantic has some form of social insurance. The experts who appeared before our committee were agreed it was not possible to pick out any one of those European systems and apply it in whole to the United States. It was recognized that conditions in this country were so radically unlike conditions found in other countries that it was deemed necessary for us to fashion an American system. So it was considered best as a first step that we should appoint a commission which would devote itself to the study of all the systems now in existence and determine upon a system that was adapted to American needs, providing the commission found that any social insurance system was desirable in this country. The appropriation of $50,000, considering the importance of the subject, is a modest one.

I now yield 15 minutes to the gentleman from New York [Mr. LONDON].

Mr. ROBBINS. Mr. Chairman, before the gentleman takes his seat, will he yield for a question?

Mr. KEATING. Certainly.

Mr. ROBBINS. Does this include anything about the Government establishing a system of old-age insurance?

Mr. KEATING. Oh, yes.

Mr. ROBBINS. That comes under the term "invalidity"?

Mr. KEATING. Yes; that would come under that term.

Mr. LONDON. Mr. Chairman, this resolution which has been unanimously reported by two committees provides for the investigation of a subject which has engrossed the minds of statesmen for nearly 40 years. In the last Congress the resolution came up on suspension day under a rule which permitted only 40 minutes of discussion and which prevented a complete analysis of the merits of the resolution. It required a two-thirds vote. We fell 29 votes short. The hearing to which the gentleman from Colorado [Mr. KEATING] has referred covers 317 pages of testimony of expert opinion, of statistical data, of a bibliography of the subject, and furnishes indisputable evidence of the fact that a great deal of literature has accumulated on the subject; that a great deal of knowledge has already been gathered; that the problem which presents itself to-day is how to assort the information now existing on the subject, how to coordinate the efforts made by students of the subject, and how to adapt social legislation to American conditions. The commissioner of insurance from Illinois, Mr. Potts, in the course of his admirable address before the Committee on Labor, made the following interesting statement. He testified on April 6, 1916, and this is what he said:

When the European war is over and conservation and salvage of humanity is supplanted for human wreckage, then the nations of the world will take rank and be measured by a new standard. The rank and standard will be determined by the nation's attitude toward its

wage earners—its common people—its masses. All those traditional things which give a false rank and a false standard to nations must now give way to the establishment of a true national life and higher human betterment. National and industrial efficiency will correspond with the degree of efficiency of the people of each nation, and an efficient people can not exist in nations neglecting its wage earners—its common people, its masses—and social insurance is the one and only method of bringing to these people that efficiency that all successful and progressive nations must possess. If our Nation is to maintain a ranking position with the other nations, it must base its eligibility to its assumed rank by its actual ability to meet all other nations in national, commercial, and industrial contests, and to survive these tests its people must be as efficient as are contesting nations, and our Nation must begin at once to grant our people such opportunities and benefits as will permit them to bring self-standardization and the highest degree of efficiency.

The subject of social insurance covers unemployment insurance, old-age pensions, and health insurance. There will be a very serious disarrangement of industry with the termination of the present war, and the war is going to end some day. With the inevitable collapse of the industries now serving the needs of war, with the suspension of many a normal industry, the finding of a job will be quite a problem for many a man. Millions of men will return from the camps and from the battle fields to find their positions filled by women. There will be great difficulty in adjusting industry to the changed conditions, and then the evil of unemployment will present itself in its most acute form. The time to take up the preparation for that emergency and a comprehensive study of everything connected with it is now.

We should now accumulate the necessary knowledge, so whatever legislation we may be called on to enact will be based upon knowledge, systematized, sifted, analyzed, and brought up to date. There is a general impression that involuntary unemployment is an occasional or accidental thing. It is not so. Unemployment is inherent in the very system of production which characterizes modern industry. There are industries which from their very nature do not permit of constant employment, such as those which serve the caprices of fashion. It is impossible for a merchant or a manufacturer to predict in advance what demand there will be for a certain style of hat. To-day the women choose a hat that will look like a skull cap and to-morrow determine upon a hat that will look like a telescope. All seasonal industries give employment only part of the time.

The movements of labor incident to the removal of harvests means the shifting of men from place to place. Every new invention, every new machine, the application of a new method of division of labor causes a temporary shifting and disassociation of the man from his job. Every change in the tariff, the loss of a market, or the gain of a new one, a change in international relations causes a shifting of men and the separating of men from their jobs. Why, for that matter, competition among workers for wages can only exist on the basis of the presence of a large number of unemployed, ready to take for a lower wage and under worse conditions the places of those who are employed. So unemployment in its very nature is a part and parcel of the present system, which is no system, but chaos incarnate. It is not an accident, it is not an extraneous affair, but it is inherent and intrinsic, so far as the present system of industry is concerned. Thinking men should study the problem with the seriousness which it deserves. During the discussion of the little bill relating to the coal situation in the District of Columbia the gentleman from Wyoming [Mr. MONDELL] brought out the point that the miners did not work during the summer; that the mines were idle and the miners were idle. If there had been a comprehensive method, if there had been a comprehensive system, if there had been somehow, somewhere, some one who could suggest to the Government what to do, we would have had the mines and miners working during the summer, so there would have been at all times a plentiful supply of coal and there would have been no unemployment in an industry whose product is always needed. In England they adopted some time ago an elastic system of providing public works, so as to increase the opportunity of the unemployed to find work in times of acute distress. Every industrial crisis means unemployment. Do you gentlemen know that the statistics of unemployment of 1910—statistics which were never assorted and published because they were so shocking—showed the presence of such a large number of unemployed that nobody dared publish the facts? Every industrial crisis brings with it hordes of unemployed, nor are these crises accidents. They have been recurring almost regularly every 10 or 15 years.

We had a crisis in 1819, in 1837, in 1857, in 1873, in 1893, in 1907, and 1912, because of the anarchy and chaos in the modern system of production. Goods are manufactured, not because the people need them at that particular moment, but with the object of sale at some time, the manufacturer taking the chance of finding a market at some time and of course taking the chance of finding themselves without customers to purchase their goods.

A permanent solution should be found. The long-tried remedies of soup kitchens, vagrancy, and poor laws are out of date and will not do.

The fact that we are at war should not prevent us from taking up the task. See what Germany has done during the war. In the course of the hearing Mr. Stone brought out the fact that Prussia, following the outbreak of the war, appropriated one and a half million marks, or $375,000, to be spent in combating unemployment through the construction of dikes, the draining of swamps, reforestation, road building, and so forth.

Notwithstanding the extraordinary expenditures called for by the war they found enough wisdom and enough statesmanship to take care of unemployment. If this contest we are now engaged in will not terminate soon, we will have a great deal of unemployment in industries that do not serve the purposes of the war and which are necessarily disarranged. Take the great ladies' garment industry of New York. That industry is to-day in distress because the average worker finds it hard, in view of the rise of cost of food, to spend the necessary amount of money for ladies' garments, and the industry is suffering. There will be a great deal of unemployment in other industries which do not supply absolute necessities.

Mr. GARD. Will the gentleman yield for a question?

Mr. LONDON. With pleasure.

Mr. GARD. Can the gentleman advise the committee relatively what proportion of involuntary unemployment there is at this time?

Mr. LONDON. Oh, what I am looking into is the future——

Mr. GARD. I understand.

Mr. LONDON. I am not so much concerned for the present moment. I assume there is less unemployment, less involuntary unemployment now than at any time in the history of the country.

Mr. GARD. Is there any?

Mr. LONDON. I assume in some branches of industry there necessarily must be. Take an industry which manufactures luxuries, for instance. Whenever there is a crisis or whenever there is a sudden change in industry the first industries to suffer are the industries that supply luxuries. You can not transfer men from an industry of peace to an industry of war without causing some unemployment. It is impossible for a man who is working in an industry requiring but slight physical effort to transfer himself at once and adapt himself at once to another kind of work which requires a great deal of physical exertion.

It all involves a great deal of suffering. I am looking to the future and I speak for the to-morrow, for the day that is to come, of the problems that will be upon us. I have not attempted to present an exhaustive analysis of the subject. All I am trying to do now is to point out the necessity for studying the problem.

The same thing is true about old-age pensions. The idea of an old man, of a man who has been rendering useful service to a community, finding himself at the age of 50 or 60 compelled to resort to charity is a negation of the most elementary principles of morality. You wonder why the German people to-day stand so loyally by a detestable form of government. You wonder why so many social democrats have tolerated a form of government that is dangerous to the German people and dangerous to the world, and they answer that the German Government, as wicked as it is, was clever enough to take care of the old, to take care of the weak, to attempt to take the thunder away from the Socialists in the eighties when they introduced social insurance, when they introduced old-age pensions and pensions for sickness and injury, so that vagrancy and the need for charity have been reduced to the minimum.

I submit that the things that a feudalistic government could do in order to bribe its people so that they might consent to a continuance of it can be done by a free people in order to help build a free, great, and big nation. The appointment of a commission which will approach the subject with sympathy and with a desire to know will help us to understand the problem and to find a solution.

Several States have attempted to create similar commissions. There is such a proposition before the Legislature of Massachusetts, but the problem is in its very nature national. It can not be solved by the subdivision of a county or of a State, or even by a State. Industry does not confine itself to geographical limits. Commerce does not know State lines. Commerce and industry are national and international. The problems of unemployment, of old-age pensions, of health insurance, can not be effectively solved by a subdivision of the American people. They are national problems and of national concern.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEATING. Mr. Chairman, I wish the gentleman from Wisconsin [Mr. BROWNE] would use a little of his time.

Mr. BROWNE. No one has asked for any time on this side.

Mr. KEATING. So far as the Members on this side are concerned, I will ask that the bill be read.

The CHAIRMAN. The Clerk will read the bill for amendment.

Mr. BROWNE. As I understood the gentleman's proposition, it was to close general debate to-day and have the bill go over until next Calendar Wednesday and then have it open to amendment at that time. I therefore yielded up the time on general debate with that understanding.

Mr. KEATING. If that was the understanding, I move that the committee rise.

Mr. THOMAS. Are amendments in order now?

The CHAIRMAN. Not after the motion is made to rise.

The gentleman from Colorado [Mr. KEATING] moves that the committee do now rise.

The motion was agreed to, and the Speaker having resumed the chair, Mr. COX, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House joint resolution 189, to provide for a commission to inquire into the advisability of establishing national insurance against unemployment, invalidity, and sickness, and had come to no resolution thereon.

Mr. LONDON. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made.

The SPEAKER. The gentleman from New York asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 7 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Thursday, January 10, 1918, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a supplemental estimate for clerical assistance required by the United States Public Health Service for that portion of the present fiscal year from February to June (H. Doc. No. 772); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting communication from the Commissioners of the District of Columbia submitting a supplemental estimate of appropriation required by the District of Columbia for the fiscal year 1919 (H. Doc. No. 773); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting communication from the Secretary of the Interior submitting a supplemental estimate of appropriation required by the Bureau of Indian Affairs for the fiscal year 1918 (H. Doc. No. 774); to the Committee on Appropriations and ordered to be printed.

4. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary Ann Ford, daughter of William Boden, deceased, *v.* The United States (H. Doc. No. 775); to the Committee on War Claims and ordered to be printed.

5. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Thomas J. Craycroft *v.* The United States (H. Doc. No. 776); to the Committee on War Claims and ordered to be printed.

6. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Narcissa E. Wade, sister of Berry M. Webb, deceased, *v.* The United States (H. Doc. No. 777); to the Committee on War Claims and ordered to be printed.

7. A letter from the Acting Secretary of Labor, transmitting a detailed statement of the number of documents received and the number distributed by the Department of Labor during the fiscal year 1916 (H. Doc. No. 778); to the Committee on Expenditures in the Department of Labor and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation for the Bureau of War Risk Insurance for the fiscal year 1918 (H. Doc. No. 779); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RUSSELL, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8496) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and to certain widows and dependent children of soldiers and sailors of said war, reported the same with amendment, accompanied by a report (No. 235), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FESS: A bill (H. R. 8489) providing for the erection of a public building for the city of Urbana, Champaign County, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. LUFKIN: A bill (H. R. 8490) to authorize the acquisition of a site and the erection of a Federal building at Salem, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. WALDOW: A bill (H. R. 8491) empowering the President to take possession and assume control of projects for the generation of hydroelectric power from the waters of Niagara River, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DAVIDSON: A bill (H. R. 8492) to increase pensions of certain soldiers and sailors of the Civil War; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 8493) to regulate solicitation of funds for educational, charitable, and philanthropic purposes, and for war aid and war charity; to the Committee on Education.

By Mr. GREGG: A bill (H. R. 8494) for the relief, civilization, and education of the Alabama and Coushatta Indians, located in Polk County, Tex.; to the Committee on Indian Affairs.

By Mr. BANKHEAD: A bill (H. R. 8495) for increased allowance for carriers on rural free delivery mail routes; to the Committee on the Post Office and Post Roads.

By Mr. RUSSELL: A bill (H. R. 8496) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House on the state of the Union.

By Mr. WHITE of Ohio: Resolution (H. Res. 214) to pay to Carl Polling, clerk of the late Hon. E. R. Bathrick, the sum of $166; to the Committee on Accounts.

By Mr. FOSTER: Resolution (H. Res. 215) for consideration of House joint resolution 200; to the Committee on Rules.

By Mr. POU: Resolution (H. Res. 216) to appoint a special committee to consider all bills and resolutions pertaining to the development and utilization of water power; to the Committee on Rules.

By Mr. TREADWAY: Resolution (H. Res. 217) instructing the Clerk of the House to secure a service flag; to the Committee on the Judiciary.

By Mr. HICKS: Resolution (H. Res. 218) providing for an investigation of the Post Office Department in relation to the transmission of mail to our forces abroad; to the Committee on Rules.

By Mr. HUMPHREYS: Resolution (H. Res. 219) authorizing the Doorkeeper to appoint an additional page; to the Committee on Accounts.

By Mr. GRAY of New Jersey: Joint resolution (H. J. Res. 210) for the adoption of an official country service flag by the Government of the United States; to the Committee on the Judiciary.

By Mr. DALLINGER: Joint resolution (H. J. Res. 211) creating a joint committee from the membership of the Senate Committee on Post Offices and Post Roads and the House Committee on the Post Office and Post Roads to investigate the present condition of the Post Office Department and to report to Congress such recommendations as will insure prompt and efficient postal administration in the present emergency; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8497) granting a pension to George F. Bostwick; to the Committee on Pensions.

Also, a bill (H. R. 8498) granting a pension to Crawford Byers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8499) granting a pension to Bert Wassem; to the Committee on Pensions.

Also, a bill (H. R. 8500) granting a pension to Eduard McConnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8501) granting a pension to Minnie E. Lowery; to the Committee on Pensions.

By Mr. BESHLIN: A bill (H. R. 8502) granting a pension to Lucinia Bartholomew; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 8503) granting an increase of pension to Lewellyn L. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8504) granting an increase of pension to George Pugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8505) granting an increase of pension to Stephen K. Lyons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8506) granting an increase of pension to Isaac H. Hull; to the Committee on Invalid Pensions.

By Mr. BROWNE: A bill (H. R. 8507) granting a pension to John Sellers; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 8508) granting a pension to William Thompson; to the Committee on Pensions.

By Mr. CAPSTICK: A bill (H. R. 8509) for the relief of Paul Guenther (Inc.) and Paul Guenther and Olga Guenther; to the Committee on Claims.

By Mr. CRAMTON: A bill (H. R. 8510) granting an increase of pension to Jeremiah Hyatt; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 8511) granting a pension to Mary Ann McMahn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8512) for the relief of William Thomas Winstanley; to the Committee on Military Affairs.

By Mr. DENISON: A bill (H. R. 8513) granting a pension to Eliza Frederick; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 8514) granting a pension to Charles H. Jessee; to the Committee on Pensions.

By Mr. ELLIOTT: A bill (H. R. 8515) granting a pension to Mary E. Beitzell; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 8516) granting an increase of pension to Salathiel Jackson; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 8517) granting a pension to E. Dora Cutler; to the Committee on Pensions.

Also, a bill (H. R. 8518) granting a pension to Lida G. Frantz; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 8519) granting a pension to Martha B. Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8520) granting a pension to John H. Norris; to the Committee on Pensions.

By Mr. KELLY of Pennsylvania: A bill (H. R. 8521) for the relief of J. Homer Reed; to the Committee on Claims.

Also, a bill (H. R. 8522) for the relief of Albert C. Burgess; to the Committee on Claims.

By Mr. KIESS of Pennsylvania: A bill (H. R. 8523) granting an increase of pension to Thomas F. Regan, alias George S. Bennett; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 8524) granting an increase of pension to Harlan Cowgill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8525) granting a pension to James Hall; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 8526) granting an increase of pension to Jarrett E. Burgess; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8527) for the relief of George Miller; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 8528) granting an increase of pension to Phebe Schonhoff; to the Committee on Pensions.

By Mr. OVERMYER: A bill (H. R. 8529) granting a pension to Sophronia Lemmon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8530) granting a pension to George W. Earhart; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 8531) granting a pension to Taylor Hoskins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8532) granting a pension to Joel Petrey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8533) granting a pension to William Sizemore; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 8534) granting a pension to William A. Brown; to the Committee on Pensions.

Also, a bill (H. R. 8535) granting a pension to Charles F. Burton; to the Committee on Pensions.

Also, a bill (H. R. 8536) granting a pension to Clyde A. Klinger; to the Committee on Pensions.

By Mr. RAINEY: A bill (H. R. 8537) granting an increase of pension to David Lemon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8538) granting an increase of pension to Thomas A. Peters; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8539) granting an increase of pension to James Altic; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8540) granting an increase of pension to John H. Bright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8541) granting an increase of pension to Montgomery Z. Sweet; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8542) granting a pension to Margia Alice Raines; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8543) granting a pension to William S. Harrell, alias James Strawther; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8544) granting a pension to Sarah E. Hall; to the Committee on Invalid Pensions.

By Mr. ROWLAND: A bill (H. R. 8545) for the relief of Leonore M. Sorsby; to the Committee on Foreign Affairs.

By Mr. STEDMAN: A bill (H. R. 8546) for the relief of John G. Young; to the Committee on Claims.

Also, a bill (H. R. 8547) for the relief of Levi R. Whitted; to the Committee on Claims.

By Mr. STEPHENS of Mississippi: A bill (H. R. 8548) for the relief of certain pay officers of the United States Navy; to the Committee on Claims.

Also, a bill (H. R. 8549) for the relief of Paymaster Alvin Hovey-King, United States Navy; to the Committee on Claims.

Also, a bill (H. R. 8550) for the relief of Col. Henry L. Newbold; to the Committee on Claims.

By Mr. SWITZER: A bill (H. R. 8551) granting an increase of pension to Frank H. Bruce; to the Committee on Pensions.

Also, a bill (H. R. 8552) granting a pension to William Patterson; to the Committee on Pensions.

By Mr. TALBOTT: A bill (H. R. 8553) granting a pension to John Lippincott; to the Committee on Pensions.

Also, a bill (H. R. 8554) for the relief of William Henry; to the Committee on Claims.

By Mr. TAYLOR of Colorado: A bill (H. R. 8555) granting an increase of pension to Edward Springer; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 8556) granting a pension to I. Lillis Pettit; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 8557) granting a pension to Annie T. La Marche; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolutions of the City Federation of Colorado Springs, Colo.; City Council of Colorado Springs, Colo.; and the Delaware branch of the National Woman's Party, urging the submission of the suffrage amendment; to the Committee on Woman Suffrage.

Also (by request), resolutions of Universal Commandery, No. 476, A. and I. O. K. of M., Sewickley, Pa., favoring the Moore purple cross bill (H. R. 5410) or the Wolcott purple cross bill (S. 2692); to the Committee on Military Affairs.

Also (by request), resolutions of the City Council of Minneapolis, Minn., requesting Congress to pass a law punishing those guilty of impeding or interfering with the United States Government in prosecuting the war; to the Committee on Military Affairs.

Also (by request), resolutions of United Mine Workers of America, pledging the loyalty and support of that organization in carrying on the war, and promising not to strike or stop work unless life or health is at stake; to the Committee on Military Affairs.

By Mr. BROWNE: Petition of 289 residents of Wood County, Wis., favoring the Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. CARY: Petition of the Wisconsin Association Opposed to Woman Suffrage, against passage of the Susan B. Anthony amendment; to the Committee on Woman Suffrage.

Also, petition of the American Society of Equity, relative to Government controlling the railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of the National League of Postmasters of the United States, favoring increase in pay of fourth-class postmasters; to the Committee on the Post Office and Post Roads.

Also, petition of the National Council of Women, favoring passage of the Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. CLARK of Pennsylvania: Petition of George R. Downs and 21 other citizens of Erie, Pa., praying for the enactment of Senate bill 3063, for the repair, preservation, care, and future maintenance of the restored naval brig *Niagara;* to the Committee on Naval Affairs.

By Mr. COADY: Memorial of Bohemian (Czech) and Slovak citizens of Baltimore City, Md., declaring their loyalty to the United States; to the Committee on Military Affairs.

By Mr. DALE of New York: Petition of R. J. Caldwell Co., of New York, favoring woman suffrage; to the Committee on Woman Suffrage.

Also, memorial of the Merchants' Association of New York, against the zone system to second-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. DRUKKER: Memorial of the Passaic County (N. J.) Board of Agriculture, relative to the farm-labor situation in New Jersey; to the Committee on Agriculture.

By Mr. ESCH: Petition of the Vernon County board of supervisors, National Council of Women, favoring woman suffrage; to the Committee on Woman Suffrage.

Also, memorial of the Wisconsin State Council of Defense, relative to Members of Congress from Wisconsin giving their support to the President of the United States; to the Committee on Military Affairs.

Also, petition of the American Society of Equity, favoring Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. FESS: Petitions of various women's organizations in Marysville, Ohio, urging prohibition as a war measure; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petition of the National American Woman Suffrage Association, favoring the adoption of the Federal suffrage amendment; to the Committee on Woman Suffrage.

Also, petition of the National League of Postmasters of the United States, desiring more pay for fourth-class postmasters; to the Committee on the Post Office and Post Roads.

Also, memorial of the National Union American Society of Equity, relative to the railroad situation; to the Committee on Interstate and Foreign Commerce.

Also, petition of the New Jersey Association Opposed to Woman Suffrage, opposing the adoption of the Federal suffrage amendment; to the Committee on Woman Suffrage.

Also, petition of Frank Bogard, of La Salle, Ill., for the relief of rural carriers; to the Committee on the Post Office and Post Roads.

By Mr. HILLIARD: Memorial of Denver Typographical Union, No. 49, urging passage of House bill 1654, granting an increase in pay to post-office clerks and letter carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Laura C. Hollschneider, Isis O. Mackenzie, Hallie S. Lock, Harriett T. Dougherty, Elvina A. Baker, C. H. Pettenger, Mary H. Blakely, Jennie C. McGehe, Una G. Roberts, M. D., Matilda Bowman, Mattie MacNeill, Lina Johnson, Emil Johnson, Cora E. Lind, Emma E. Smith, William S. White, Mrs. Caroline White, Walter C. Beall, Mary A. Wascha, Ida A. Hart, Melissa Ruddett, A. B. Hart, Albert E. Chase, John W. Hart, Mary E. Hughes, Mary Wascha, Terence Hughes, Martin John Suhy, William A. Grund, and Mrs. William A. Grund, all of Denver, Colo., urging the immediate adoption of the national-suffrage amendment; to the Committee on Woman Suffrage.

By Mr. KAHN: Papers to accompany a bill granting a pension to E. Dora Cutler; to the Committee on Invalid Pensions.

Also, petition of the Alaska Fisherman's Union, urging the passage of House bill 5875, for the erection of a general hospital on or near the shores of Bristol Bay, Alaska; to the Committee on the Territories.

Also, resolutions of the Chamber of Commerce of Stockton, Cal.; Chamber of Commerce of Santa Barbara County, Cal.; San Luis Obispo Chamber of Commerce; Chamber of Commerce of San Jose, Cal.; and the Humboldt Chamber of Commerce, Eureka, Cal., indorsing the proposed military highway from Blaine, Wash., to San Diego, Cal., as a means of protection to the Pacific coast; to the Committee on Military Affairs.

By Mr. KIESS of Pennsylvania: Petition of citizens of Lock Haven, Pa., favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. LINTHICUM: Letters and telegrams from 16 citizens of Baltimore, Md., askin,, for the submission of the Federal suffrage amendment; to the Committee on Woman Suffrage.

Also, letters and telegrams from six Baltimore citizens against the suffrage amendment; to the Committee on Woman Suffrage.

Also, memorial from the Maryland Woman Suffrage Association, the Woman Suffrage League of Maryland, and of the Baltimore Yearly Meeting of the Religious Society of Friends, urging favorable vote on the suffrage amendment; to the Committee on Woman Suffrage.

Also, petition of A. R. Katz and the members of the firm of Lyon, Conklin & Co. (Inc.), urging the passage of the Chamberlain universal military training bill; to the Committee on Military Affairs.

Also, petition of the Traffic Club, of Baltimore, Md., favoring the Madden bill, H. R. 1654; to the Committee on the Post Office and Post Roads.

Also, a letter from McCormick & Co., Baltimore, Md., protesting against the reduction of second-class postage rates; to the Committee on the Post Office and Post Roads.

Also, petition of the E. E. Jackson Lumber Co., Baltimore, Md., relative to eight hours a day for all workers; to the Committee on Labor.

Also, petition of S. Nalle Sons, Baltimore, Md., against repeal of the bankruptcy law; to the Committee on the Judiciary.

Also, petition of the Schapiro Waist Co., against the repeal of the bankruptcy law; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of 68 citizens of Hartford County, Conn., in favor of the Susan B. Anthony amendment; to the Committee on Woman Suffrage.

By Mr. LUFKIN: Petitions of citizens of Manchester, Mass., favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. MORGAN: Petition of numerous citizens of Noble County, Okla., praying for an amendment to the Constitution expressing our national acknowledgment of Almighty God; to the Committee on the Judiciary.

By Mr. PRATT: Petition of the New York State Wholesale Bakers' Association, by Mr. F. W. Dawdy, treasurer, Elmira, N. Y., favoring congressional action to fix the price of corn, barley, rye, and oats in the same manner as has been done in fixing the price of wheat; to the Committee on Agriculture.

Also, petition of the New York State Wholesale Bakers' Association, by the Nye Baking Co., of Owego, N. Y., favoring appropriate action to fix the price of corn, barley, rye, and oats in the same manner as has been done in the price of wheat; to the Committee on Agriculture.

By Mr. PRICE: Petition of men and women of Cecil County, Md., favoring the woman-suffrage amendment; to the Committee on Woman Suffrage.

By Mr. SIEGEL: Resolution of the Bronx Board of Trade, New York City, N. Y., protesting against the discontinuance of the pneumatic-mail service for New York City; to the Committee on the Post Office and Post Roads.

By Mr. STEVENSON: Petition of prominent men and women of Lancaster County, S. C., desiring the immediate submission of the Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. STINESS: Petition of sundry citizens of the State of Rhode Island, favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. TINKHAM: Papers to accompany bill granting an increase of pension to Ebenezer H. Spaulding; to the Committee on Invalid Pensions.

By Mr. VESTAL: Petition of rural letter carriers of Madison County, Ind., urging increase in salary, etc.; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the eighth district of Indiana, urging passage of Federal suffrage amendment; to the Committee on Woman Suffrage.

SENATE.

THURSDAY, *January 10, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in the midst of the world's great clamor for justice and freedom we pray that Thou wilt help us first of all to be just to ourselves, that we may hold ourselves to the highest standard, that we may appear before God clear upon Thy book, that our hearts may be right in Thy sight. If we are just to ourselves we know that we can afford to be generous to others. So do Thou mold us according to Thy will and enable us to bring ourselves completely into submission to the Divine will. To this end do Thou bless us and guide us to-day. For Christ's sake. Amen.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McKellar	Smith, S. C.
Bankhead	Harding	McNary,	Smoot
Borah	Hardwick	Martin	Swanson
Calder	Hollis	New	Thomas
Culberson	James	Norris	Thompson
Curtis	Johnson, Cal.	Owen	Tillman
Dillingham	Johnson, S. Dak.	Poindexter	Townsend
Fernald	Jones, Wash.	Sauisbury	Vardaman
Fletcher	Kellogg	Shafroth	Warren
France	Kenyon	Sheppard	Watson
Frelinghuysen	King	Sherman	Williams
Gallinger	Kirby	Smith, Ariz.	
Gerry	Knox	Smith, Ga.	
Gronna	McCumber	Smith, Md.	

Mr. FRELINGHUYSEN. I desire to announce the unavoidable absence of my colleague [Mr. HUGHES] owing to illness.

Mr. VARDAMAN. I desire to announce the absence of the Senator from Missouri [Mr. REED] on business of the Senate. I wish also to announce the absence of the senior Senator from Massachusetts [Mr. LODGE] and the junior Senator from New Mexico [Mr. JONES], who are engaged in committee work.

Mr. WARREN. I wish to state that the Committee on Military Affairs is in session and there are important witnesses being heard.

Mr. GERRY. I desire to announce the unavoidable absence of the Senator from Kentucky [Mr. BECKHAM] on official business.

Mr. McNARY. I wish to announce the unavoidable absence of my colleague [Mr. CHAMBERLAIN] on official business.

Mr. SIMMONS. I desire to announce that my colleague, the Senator from North Carolina [Mr. OVERMAN], is detained from the Senate by illness.

The PRESIDENT pro tempore. Fifty-three Senators have answered to their names. A quorum is present. The Secretary will read the Journal of the proceedings of the preceding day.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 23) authorizing and directing the Secretary of the Interior to make an investigation and report upon the advisability of establishing and maintaining Government fuel yard or yards in the District of Columbia, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. JONES of Washington. Mr. President, I have here a letter from a committee of citizens of Wilkeson, Pierce County, Wash., sending me a petition urging that aliens in this country be either drafted and made to serve in the Army of the United States or else that they be deported.

I ask that the letter may be printed in the RECORD, and also the body of the petition, because these citizens make some very pertinent suggestions and also give illustrations where these aliens have referred slightingly to American citizens and advised them not to go into the Army, and said, "We will take your jobs away and make the money."

There being no objection, the letter and petitions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

WILKESON, PIERCE COUNTY, WASH., *December 15, 1917.*

The Hon. WESLEY L. JONES,
Washington, D. C.

DEAR SIR: Inclosed you will find petition signed by 210 citizens of this town. Wilkeson, as you probably know, is the center of Pierce County's mining district. It has a population of approximately 1,500 and boasts of about 200 voters. What is true of Wilkeson is true of every mining camp in the State of Washington with few exceptions.

We request the privilege of stating a few reasons for this petition:

We have a mixed population, consisting of Austrians, or people of Slavish blood in predominance, Germans, Italians, Finns, Russians, English, Swedes, and nearly every other nationality under the sun excepting Japs, Chinese, and Negroes. Some of these people have lived in the United States 10, 20, and in some cases 30 years, but in all this time they have not had enough interest in the welfare or government of our country to apply for naturalization papers. When you speak of the war they say, "Oh, you can go; I'm not a citizen." Yet when it comes to demanding higher wages and the best in the land—liberty, free speech, and still more liberty—they get it, and the American citizen pays the bill.

When the draft law was passed and the country called for men to bear arms, the best young American manhood responded; the rest claimed exemption—"I'm not a citizen of the United States; I belong to Austria, Italy, or some other country." Why not send them back to that country? The young Americans go; the others stay behind to demand higher wages and free speech, and they are not a bit afraid to tell you about it either—to hoard their money and send it back to the old country when the war is over.

Not very long ago two Austrians received their checks on pay day. They took them to the local bank to be cashed, and the banker counted it out in currency, whereupon they pushed it back and said: "We want gold." On being told that they could not get gold they refused to cash their checks, as currency would not keep very well in cans.

The town of Wilkeson subscribed $1,300 to the first liberty loan; the First Bank of Wilkeson took $1,000 of that amount. On the second liberty-loan drive a committee of citizens endeavored to make a better showing. They raised the magnificent sum of $9,050, exclusive of the bank's subscription. They received the large sums of $50 and $100 from men earning as high as $15 per eight-hour day.

Recently we undertook a Y.-M.-C.-A. drive for the boys in khaki. On entering a local pool hall we asked a group of Austrians to donate something to this cause. One man gave 50 cents, the others refused to give a penny. These men had just returned from a season's fishing in the straits and Alaskan waters, where they had netted from $1,000 to $2,000 each. They have their first papers but merely to enable them to fish. Ninety per cent of them stop right there; the other 10 per cent obtain their full citizenship.

The Government recently arrested in Seattle a man who at one time was president of the miners' local union at Wilkeson, a man who was loud in denouncing this country, a citizen of the British Empire. His arrest followed his connection with the Industrial Workers of the World. He was expelled from the boiler makers' union of Seattle and is now suing them and the Seattle Construction & Dry Dock Co. for damages and loss of work.

All the inhabitants of the town of Wilkeson send their children to our free public schools and use our free public roads, which is a good thing without a doubt, for which they pay not a cent of direct taxes nor share a bit of responsibility.

Recently while circulating the inclosed petition we asked a naturalized Slav to sign. This is what he said: "You bet I will. My countrymen make fun of me for taking out my citizenship papers. They say, 'What is the use of spending $50 to get your papers? If this country needs soldiers of your age, you will have to go. We will stay behind and get good jobs.' You bet I will sign, and I have some friends who will sign, too. We hope it passes and the Government charges each of these countrymen of mine about $10 a month to help win the war." You will notice on the petition how well he kept his word about his friends signing the petition.

These are some of the reasons we have for presenting you the inclosed petition. They may not be the reasons of all the signers of this petition, but we are sure they agree with a large percentage, and the petitions speak for themselves. We hope you may in some way be able to make these people appreciate the free country in which they live and their responsibilities to that country.

Very respectfully, yours,

L. G. MASTERS,
E. A. WESTFALL,
J. A. PYFER,
Committee.

WILKESON, PIERCE COUNTY,
STATE OF WASHINGTON,
December 1, 1917.

To the honorable Congressmen from the State of Washington, Washington, D. C.

GENTLEMEN: We, the undersigned citizens of the United States, residing at Wilkeson, Pierce County, Wash., do respectfully petition the Representatives of the people of the State of Washington to use their influence at the coming session of Congress to have legislation passed compelling people of foreign birth working and residing within our country to make application for naturalization papers after five years' residence within the United States and for full citizenship within a reasonable time thereafter or be deported. And, further, that they be compelled to bear their just part of the taxes and responsibilities necessary to the successful conclusion of the war with the German Empire.

J. J. COREY
(And others).

Mr. JONES of Washington. I also have received a letter from Mr. Charles V. Powell, of Buffalo, N. Y., on the same subject, which I ask to have referred and printed in the RECORD.

There being no objection, the letter was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

721 LAFAYETTE AVENUE,
Buffalo, N. Y., December 24, 1917.

Senator WESLEY L. JONES,
Washington, D. C.

MY DEAR SENATOR: Thank you for your letter of the 18th instant, re my letter on "declarent aliens." Will you kindly consider the following points which are directly connected with this matter. I may state that I am an accountant, a man turned 45 years, British born, thoroughly American from my "shoes up," lived away in outlying section of Rocky Mountains, Colo., also Utah, for nearly 10 years, yet my handling about as auditor prevented my obtaining "final papers." I have a year to elapse; my wife is Swedish-French American, 26 years in this country. We are westerners. I offered myself to British recruiting mission because I was over American age, yet within British age. I failed to pass medical examination and was rejected. I have letter to that effect. No man ever called me slacker and "got away with it."

I tell you all this detail so that you will understand how unfair it would be to force such men as I back to England because we had not obtained our final papers, often not our own fault.

1. Look at "Citizenship" paragraph in the new draft questionnaire. Here the alien has to answer "yes" or "no" to the question, "Is he willing to serve United States Army military service." If "yes" he does not have to answer the following questions, or when and how he entered country, parentage, first papers?

2. Further down the page he is asked would he serve United States Army or army of his old country?

3. Now, Mr. JONES, here clearly is established a choice of service for your alien United States Army or old-country army. This means allied aliens, for nonneutral aliens affect the army question.

4. But, Mr. JONES, we are told that the reciprocal treaties are to be laid before the Senate for ratification. This means exchange of subjects between England and America in particular. Now, your questionnaire give the allied aliens choice of service clearly—"Which army do you prefer?" How do you reconcile the questionnaire choice of service with reciprocal treaties forcing Britishers to their old country's army?

Yours, for America only,

CHARLES V. POWELL,
A very "sore" old Britisher.

The British recruiting mission has established offices in most of our principal cities in anticipation of you gentlemen passing reciprocal treaties to permit Britishers declarent, 18 to 45 years, to be drafted into the British Army. One officer told me that England "would not stand for" anything else. Since when, Mr. JONES, has England acquired the right to dictate the policies of the United States of America?

Mr. GRONNA. Mr. President, I have here a great number of telegrams and letters from citizens of my State, as well as the citizens of other States, urging the passage of Senate bill 3235, the Federal farm-loan bill. I ask that one of the telegrams, from Mr. A. C. Townley, president of the National Nonpartisan League, be printed in the RECORD, and also another telegram, from Mr. Frank P. Cowing, of Maddock, N. Dak., together with a letter from a New England farmer. I ask that those three be printed in the RECORD and that all be noted in the RECORD.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The telegrams and letter are as follows:

ST. PAUL, MINN., *January 8, 1918.*

Senator ASLE J. GRONNA,
Senate Office Building, Washington, D. C.:

Bill appropriating $100,000,000 for Federal farm loan banks has passed House. Will you not use your influence to bring it to an early roll call and vote for its passage? The bill is not all it should be, but it offers some much-needed aid to the farmers, and financial aid is imperative to relieve serious situation. Congress voted huge sums to help shipbuilders, munition makers, and others. The farming industry certainly is entitled to same consideration. Unless farmers get this help the Nation's food producing capacity will be handicapped. This may jeopardize our success in war. The necessity for relief is urgent to the Nation as well as the western and southern farmer. The farmers are watching this bill. All they ask is a square deal. We respectfully request you to support this most meritorious measure.

A. C. TOWNLEY,
President National Nonpartisan League.

MADDOCK, N. DAK., *December 31, 1917.*

Senator A. J. GRONNA,
Washington, D. C.:

Your attention respectfully called to importance of bill to enable Federal land banks to continue business in spite of abnormal conditions due to war and private competition. Large numbers of farmers in this region have applied for loans. If unable to obtain them, will be forced to fall back on former mortgage holders. Any rural-credit work for the future would be badly discredited. It is a critical time to cause financial embarrassment to the farmers. Failure by Congress to make the Federal land banks workable will raise interest rates, discourage farmers, and lower their efficiency. Your support is expected, as usual, by the farmers in your district.

FRANK P. COWING,
Secretary Treasurer Maddock Farm Loan Association, and Secretary Benson County Federation of Farm Clubs.

WESTFORD, MASS., *January 1, 1918.*

HON. ASLE J. GRONNA,
United States Senate, Washington, D. C.

DEAR SIR: I wish to send a word of thanks to you for the support of the Federal farm-loan bonds the other day in the Senate. I am an eastern farmer engaged mostly in the growing of apples. I have a letter to my Senator WEEKS, mailed this morning, wherein I expressed the hope that the limitation put upon the act by his amendment to Senator HOLLIS'S provision for the purchase of the farm-loan bonds, would be amended so that there might be an open door for us during all of 1918, 1919, and the duration of the war.

I outlined to him the peculiarly distressing conditions in which we country people find ourselves by the war and the way in which the governmental activities cripple us.

There is a profound feeling of loyalty in our New England country districts to the Government. We have given our help, our boys, and a lot of hard, unpaid toil this summer to increase food supplies. Yet there is the feeling that there ought to be relief from some of the conditions that are apprehensive to us.

We go into the raw-material markets for our fertilizers. We meet the powder makers. We and they use many of the same materials. We to grow our crops. They to make their explosives. They outbid us. No matter how high it goes, they will go above us.

They simply turn the high cost of raw material into the cost price when they settle with the Government.

We farmers can not do this. We can not get our money back in the open and unsupported market to which we must carry our food products.

In the labor market, powder men and bullet makers, constructors, and shipbuilders are all in the labor market bidding against each other, and all conjointly against the farmer. In this kind of labor competition we have no ghost of show. Not only does this competition make our entry impossible, but the bonuses that are paid to manufacturers and labor make it absolutely prohibitive.

Most all war industries have an open or implied contract with the Government for a guaranteed market, a stipulated price that includes any price for raw materials and labor, and a given bonus for accelerated production.

As farmers and produce growers, we have to do without any of these supports. The isolation of our units makes them handicaps to us in growing war essentials. Still more, lacking bonuses, we have to fight man-made penalties and the penalties nature exacts from us.

As farmers we see these things. There may be no way other just now than this crippling condition that the manufacturers of war material impose upon us. We are loyal to the core under this crippling by the city mills and manufacturers.

All we ask is for a fair chance for our working capital. This means not only our homes and what is dear to us in our domestic life but the continued supply of things to eat, and things to wear. What is more fundamental than food and clothes in this great struggle? Antecedent to bullets and battles, there must be bread. Bread, and always bread.

In the growing of these fundamental foodstuffs, why should next July find the doors of these Federal farm banks closed when we go there with the best collateral God and man ever made to get working capital—closed by the action of an arm of the Government?

It is bad enough to run up against the crippling action of the different activities of Government war work. But, why in the name of all that is intelligently patriotic, should the Senate arm of the Government make impossible for us to exist and work in the economic farm crisis that impinges?

Let me be concretely clear. I have a neighbor who keeps a herd of 38 cows. This milk is carried into Lowell, where it goes to feed a lot of families and their children and babies. He is having a very hard time in getting his fertilizer that he needs in addition to his barnyard manure. He has no help. He milks by electricity. His wife helps in the milk room, besides doing all the household cooking and work. Yesterday morning both were up at 4 o'clock. The thermometer was at 30° below. And an 8-mile drive to Lowell by truck.

This man and his family are doing this work, have their home because they have been able to rent $2,500 at 5 per cent. Mortgage note to be renewed at the expiration of every six months.

Savings banks and private individuals are calling in their mortgage loans. This same farmer will receive notice next June that his mortgage will not be renewed next June. Not at any figure.

The capital that is out in these farm-loan mortgages is finding a greater return in the manufacturing markets and construction, where there are guaranteed markets, guaranteed prices, and heavy bonuses from the Government. From the Government to bankers, millmen, manufacturers, and laborers.

This dairyman, when he goes to the local farm-loan association under the Hollis Rural-Credits Act, will be told that the doors are closed to him. That one part of the Government foresaw these difficulties and consequent hardships and wished to buy these farm-loan bonds so that fresh capital might be furnished to continue this fundamental war work. But that the United States Senate made it impossible to go beyond the fiscal year of June, 1918.

What will he think? How will he feel to see the foreclosure of his industry that is so fundamental to the carrying on of this war for a world democracy? The collateral that lies behind these bonds is better than any mercantile paper. The Government has stood behind the mercantile interests of the country with far less security in tight money markets. The same arm of the Treasury has gone out in helpful, hopeful ways to the purely business men of the country. Why not on much better security and necessity. The way of patriotism lies that we farmers shall not demand the marketing of our farm-loan bonds just now. The liberty bonds must have the right of way.

The logic that makes it necessary to spend some of this liberty loan money for bonuses to stimulate production without its being stipulated in appropriation details makes it more than legitimate to take up these farm-loan bonds.

The bonuses are necessary, we farmers have no doubt. But in themselves they will never return to the Treasury Department.

With the farm-loan bonds it is different. If the Treasury Department takes them up there will be an interest of 4½ per cent flowing back into the Treasury.

If they are taken for 1918, 1919, or whatever period the war may last, there will be this interest return to the Treasury.

When the war is over and liberty bonds cease to hold the market, the farm-loan bonds can be sold by the Treasury Department. It will have a better money return than other money that it has used. It will have its original sum back, with added interest.

Of no other appropriation can this be said. Of no other appropriation can it be as truly said, "Life, and life more abundantly." For many a soldier. Perhaps for the Nation.

I have gone into these details because I must believe there is no Senator in the Senate at Washington, when he sees the personal and economic difficulties in which the farmers of our country work, but will be glad to keep open the doors of our Federal land banks.

The pinch is growing tighter. The threat of loss of home and farm grows more ominous as the war lengthens. The day will come when private greed in its short-sightedness will withdraw all its investments from farm mortgages. Not because they are unsafe but because they can get more in the big, bonused war industries.

If that finds the farm-loan banks closed, because we took no heed of a common obligation, in the purchase of the best underlain bonds in the world, this war will collapse. Millions will then have given their lives in vain and the reality of a democracy fade in an autocracy.

We pray God that we may be spared this calamity.

I wish to thank you again for the loyalty you have shown in this purchase of the farm-loan bonds.

Sincerely, LOUIS H. BUCKSHORN.

Mr. GRONNA presented petitions of the Commercial Club of Bismarck; of C. H. Belknapp, cashier of the First National Bank of McIntosh; of E. N. Bosworth, treasurer of the National Farm Loan Association of Raleigh; of W. A. Priess, secretary-treasurer of the National Farm Loan Association of Garrison; of T. G. Nelson, of Dunn Center; of A. A. Hoffman, president of the Federal Farm Loan Association of Courtenay; of the board of directors of the National Farm Loan Association of Ray; of the National Farm Loan Association of Lisbon; of the Limbercreek National Farm Loan Association, of Rawson; of the National Farm Loan Association of Berthold; of the National Farm Loan Association of Velva; of the National Farm Loan Association of McVille; and of the National Farm Loan Association of Bergen, all in the State of North Dakota, praying for the passage of the so-called administration bill amending the Federal farm-loan act, which were ordered to lie on the table.

Mr. GALLINGER presented the petition of C. J. Kindred, of Grenoble, Pa., and the petition of J. Clarence Davies, of New York City, N. Y., praying for the importation of Chinese farmers into the United States during the war, which were referred to the Committee on Foreign Relations.

He also presented the petition of Charles C. Doten, of Plymouth, Mass., praying for the enactment of legislation to

pension soldiers who served less than 90 days, which was referred to the Committee on Pensions.

Mr. THOMPSON presented a petition of Federal Employees' Local Union No. 49, of Leavenworth, Kans., praying for an increase in the salaries of Government employees, which was referred to the Committee on Appropriations.

Mr. SMITH of South Carolina presented a petition of sundry railway postal clerks of Columbia, Greenville, Sumter, and Walhalla, all in the State of South Carolina, praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Aiken, Lancaster, and Richland Counties, all in the State of South Carolina, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. FERNALD. I present a resolution adopted at a meeting of the Maine branch of the Woman's Party, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Senator BERT M. FERNALD.

DEAR SIR: Resolution adopted at meeting held under auspices of Maine branch of the Woman's Party at Frye Hall on January 5:

"*Resolved*, That this meeting call upon President Wilson and the Democratic administration to give effective support to the national suffrage amendment by making it an administration measure and securing its passage in this session of Congress, at a time when the Government is calling upon the women of the Nation for their indispensable services to assist in bearing the burdens of the war; be it also

"*Resolved*, That this meeting call upon the Congress of the United States to pass at once the Federal suffrage amendment, establishing at home that democracy for which the men of this country have been called to fight abroad; be it further

"*Resolved*, That this resolution be sent to the President; the Vice President; Speaker CHAMP CLARK; Senator THOMAS MARTIN, Democratic leader of the Senate; Hon. CLAUDE KITCHIN, Democratic leader of the House of Representatives; Hon. FREDERICK H. GILLETT, Republican leader; and to our Senators and Representatives."

FLORENCE BROOKS WHITEHOUSE,
Chairman Maine Branch.

Mr. PHELAN presented a petition of Fred Steele Post, No. 70, Department of California and Nevada, Grand Army of the Republic, of San Luis Obispo, Cal., praying that pensions of veterans of the Civil War be made commensurate with the present cost of living, which was referred to the Committee on Appropriations.

He also presented a petition of the Yugoslavs of Oakland, Cal., favoring the declaration of war on Austria and declaring firm allegiance to the United States, which was referred to the Committee on Foreign Relations.

OSAGE INDIAN SCHOOL, OKLAHOMA.

Mr. CURTIS. From the Committee on Indian Affairs I report back favorably with amendments the bill (S. 3223) providing for the continuance of the Osage Indian School, Oklahoma, for a period of 10 years from January 1, 1918, and I submit a report (No. 187) thereon. I ask unanimous consent for the immediate consideration of the bill.

Mr. SMOOT. Let the bill be read.

The PRESIDENT pro tempore. The Secretary will read the bill.

The bill was read, as follows:

Be it enacted, etc., That the third paragraph of section 4 of the act of June 28, 1906 (34 Stat. L., 539), is hereby amended to the extent that the moneys therein provided for support of the Osage boarding school may be used, in the discretion of the Secretary of the Interior, for the same purposes as provided in said paragraph for a further period of not exceeding 10 years from the 1st day of January, 1918: *Provided*, That said moneys may be expended without limitation, except that there shall not be expended more than $300 for annual support and education of any one pupil: *Provided further*, That the foregoing shall also apply to expenditures for the fiscal year ending June 30, 1918.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The first amendment of the committee was, on line 10, page 1, before the word "years," to strike out "ten" and insert "thirteen."

The amendment was agreed to.

The next amendment was, after the word "limitation," in line 12, page 1, to insert the words "and shall include systematic vocational instruction."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill providing for the continuance of the Osage Indian School, Oklahoma, for a period of 13 years from January 1, 1918."

THE COMMITTEE ON THE LIBRARY.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 168, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on the Library, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fifth Congress to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee or any subcommittee thereof may sit during the sessions or recess of the Senate.

CLAIMS OF SIOUX INDIANS.

Mr. JOHNSON of South Dakota. From the Committee on Indian Affairs I report back favorably with an amendment the bill (S. 2052) authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims, and I submit a report (No. 188) thereon. A similar bill passed this body in the last Congress. It has the unanimous recommendation of the committee and of the department, and I ask for its immediate consideration.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill?

Mr. GALLINGER. Let the bill first be read.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That all claims of whatsoever nature which the Sioux Tribe of Indians may have against the United States, which have not heretofore been determined by the Court of Claims, may be submitted to the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, for determination of the amount, if any, due said tribe from the United States under any treaties, agreements, or laws of Congress, or for the misappropriation of any of the funds of said tribe, or for the failure of the United States to pay said tribe any money or other property due; and jurisdiction is hereby conferred upon the Court of Claims, with the right of either party to appeal to the Supreme Court of the United States, to hear and determine all legal and equitable claims, if any, of said tribe against the United States, and to enter judgment thereon.

SEC. 2. That if any claim or claims be submitted to said courts they shall settle the rights therein, both legal and equitable, of each and all the parties thereto notwithstanding lapse of time or statutes of limitation, and any payment which may have been made upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as an offset in such suits or actions, and the United States shall be allowed credit for all sums heretofore paid or expended for the benefit of said tribe or any band thereof. The claim or claims of the tribe or band or bands thereof may be presented separately or jointly by petition, subject, however, to amendment, suit to be filed within five years after the passage of this act; and such action shall make the petitioner or petitioners party plaintiff or plaintiffs and the United States party defendant, and any band or bands of said tribe the court may deem necessary to a final determination of such suit or suits may be joined therein as the court may order. Such petition, which shall be verified by the attorney or attorneys employed by said Sioux Tribe or any bands thereof, shall set forth all the facts on which the claims for recovery are based, and said petition shall be signed by the attorney or attorneys employed, and no other verification shall be necessary. Official letters, papers, documents, and public records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said tribe or bands thereof to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys for said tribe or bands of Indians.

SEC. 3. That upon the final determination of such suit, cause, or action the Court of Claims shall decree such fees as it shall find reasonable to be paid the attorney or attorneys employed therein by said tribe or bands of Indians under contracts negotiated and approved as provided by existing law, and in no case shall the fee decreed by said Court of Claims be in excess of the amounts stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and no attorney shall have a right to represent the said tribe or any band thereof in any suit, cause, or action under the provisions of this act until his contract shall have been approved as herein provided. The fees decreed by the court to the attorney or attorneys of record shall be paid out of any sum or sums recovered in such suits or actions, and no part of such fees shall be taken from any money in the Treasury of the United States belonging to such tribe or bands of Indians in whose behalf the suit is brought unless specifically authorized in the contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior as herein provided: *Provided*, That in no case shall the fees decreed by said court amount to more than 10 per cent of the amount of the judgment recovered in such cause.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The amendment of the committee was, in section 2, page 2, line 21, after the word "tribe," to insert "or any other tribe or band of Indians."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims, and for other purposes."

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 3452) granting an increase of pension to S. S. Hubbell (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 3453) for the relief of Volney M. Curry; and

A bill (S. 3454) for the relief of Calvin S. James; to the Committee on Military Affairs.

A bill (S. 3455) granting a pension to William Washington Poor;

A bill (S. 3456) granting an increase of pension to John M. Stephens; and

A bill (S. 3457) granting an increase of pension to Thomas M. Wilkey; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 3458) providing additional time for the payment of purchase money under homestead entries within the former Colville Indian Reservation, Wash.; to the Committee on Indian Affairs.

A bill (S. 3459) to amend an act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases," approved April 22, 1908; to the Committee on Education and Labor.

A bill (S. 3460) granting a pension to Amy E. Wingreen, now Macomber (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 3461) granting an increase of pension to Samuel W. Presley; to the Committee on Pensions.

By Mr. CALDER:

A joint resolution (S. J. Res. 122) directing the Secretary of the Treasury to permit the entry under bond of certain shipments of distilled spirits; to the Committee on Finance.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 23. Joint resolution authorizing and directing the Secretary of the Interior to make an investigation and report upon the advisability of establishing and maintaining Government fuel yard or yards in the District of Columbia was read twice by its title and referred to the Committee on the District of Columbia.

CONSIDERATION OF TREATIES.

The PRESIDENT pro tempore. Are there further bills or joint resolutions? If not, concurrent and other resolutions are in order. If there be no resolutions, the morning business is closed, and the calendar under Rule VIII is in order.

Mr. BORAH. Mr. President, there is on the table a resolution coming over from yesterday.

The PRESIDENT pro tempore. The order is that when called for such resolutions shall be handed down, which the Chair does at the request of the Senator from Idaho.

The resolution (S. Res. 178) was read, as follows:

Resolved, That the Committee on Rules be, and the same is hereby, directed to prepare a revision of the rules of the Senate relating to the consideration of treaties so as to provide that all treaties hereafter shall be considered in the open executive sessions of the Senate, and, when such revision is so prepared, to report the same to the Senate for its consideration.

Mr. BORAH. The Senator from Iowa [Mr. KENYON] desires to address the Senate this morning, and I ask that the resolution may go over without prejudice to its present position.

The PRESIDENT pro tempore. That order will be taken.

AMENDMENT OF THE FEDERAL FARM-LOAN ACT.

Mr. OWEN. Mr. President, may I not ask, before the Senator from Iowa begins his address, to have the conference report on the bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916, first disposed of? If it will not take any great length of time, I should be glad to have that action taken.

The PRESIDENT pro tempore. The Senator from Oklahoma calls up the conference report heretofore submitted by him on Senate bill 3235, which wil be read.

The Secretary read the report (S. Doc. No. 160), as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.

ROBERT L. OWEN,
HENRY F. HOLLIS,
A. J. GRONNA,
Managers on the part of the Senate.
CARTER GLASS,
MICHAEL F. PHELAN,
EVERIS A. HAYES,
Managers on the part of the House.

Mr. SMOOT. Mr. President, I have not had time to examine this conference report in detail, but I take it from the report as submitted by the Senator from Oklahoma [Mr. OWEN] that the only change made in the bill as it passed the Senate has been to increase the appropriation from $100,000,000 to $200,000,000. I will ask the Senator from Oklahoma if I am correct in that statement?

Mr. OWEN. The provision is that this amount shall extend to July 1, 1919, giving 18 months in which this legislation shall operate instead of six months. The system could hardly get into good running order in so short a time as six months. The language is:

Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years.

The words "such fiscal years" referring to the fiscal years 1918 and 1919.

Mr. SMOOT. In other words, Mr. President, it is proposed to authorize the Secretary of the Treasury to purchase farm-loan mortgage bonds to the amount of $200,000,000.

When the bill was before the Senate, I called attention to the fact that it was simply a beginning of the requests that would be made upon the Treasury of the United States for the purchase of farm-loan mortgage bonds. From information which I have received from different parts of the United States, I am quite sure that the statement I then made was correct. Only yeserday, Mr. President, before the Public Lands Committee, we listened to a plea that as to all homestead entries on public lands of the United States which had been made one year before the passage of an act, which was to be introduced in the Congress yesterday, patents should be granted immediately to the locator. It was specifically stated that the object of the legislation was to secure title to the land, so that their owners could secure money from the Federal Farm Loan Board. Asked as to what amount they expected to receive, the question was not answered, nor do I believe that it could be answered. If it is to be, Mr. President, a universal custom that one class of citizens are to receive patents to the lands which they have homesteaded, all citizens should receive the same consideration.

Instead of this legislation involving an expenditure of $200,000,000, we shall find ourselves in such a position that we shall have to advance a billion dollars for this purpose. Evidently there is a majority of Congress that feels that this policy should be adopted.

Mr. President, if the Government of the United States were in a prosperous financial condition at the present time and its obligations were not growing by leaps and bounds, by billions upon billions of dollars every year, there is no class of legislation, paternal in its nature, that I should prefer to this; but what I am fearful of, Senators, is that our system is going to break down. The demands that are going to be made upon the Treasury of the United States will be such that, even with the immense resources of the United States, our financial system will be loaded beyond all reason and power to meet. I am fearful, Mr. President, that when the people understand this, when they begin to realize what will be required of them by way of direct taxation and also by way of bonded obligations, they will lose confidence in the judgment of the men whom they have sent here to represent them.

I notice that the bill to which I have referred was introduced yesterday in the Senate by the Senator from Montana [Mr. MYERS], and I have litttle doubt that it will pass. I know that all of those who are affected by the proposed legislation have just as much right to expect advances from the Federal Farm Loan Board as those who already have the title to their lands. I was told by one person interested in this legislation that it ought to pass, because while billions are being spent for other purposes, we also can add billions for this purpose just as well as not, and that those desiring the money are entitled to it. It may be, Mr. President, that they are entitled to it just as much as those who are to be beneficiaries of the appropriations covered by the pending legislation; but I know that the day is

coming when a halt will have to be called. I know that we can not go on appropriating and authorizing the expenditure of money as recklessly as has been done in the last 12 months. I am fearful of the result, and I felt that it was my duty to say this much on this occasion. However, in saying it, Mr. President, I do not think that anything will come of it in the way of defeating this conference report. I do it because I think it is a duty I owe to my country.

I am not going to say anything more about the report; I presume it will be adopted; but I do hope and trust that Congress will at least stop and consider where we are drifting and what the result of these appropriations covering untold millions of dollars will be.

Mr. OWEN. Mr. President, I agree with the general idea that we ought to be careful in our expenditures. In this particular case the farm-loan associations have applied altogether for about $200,000,000 in loans. The Farm Loan Board has been able to let out something between $20,000,000 and $30,000,000 of loans. After this system was inaugurated the United States entered into this world war and has had occasion, of course, to call for very large amounts of credits from the country, so that the demands of the Federal Government have made it much more difficult and awkward easily to market farm-loan bonds, although they comprise a very excellent security.

In this case, however, the proposed legislation only authorizes the Secretary of the Treasury, in his discretion, upon the request of the Federal Farm Loan Board, to purchase at par and accrued interest certain portions of the bonds, not to exceed $100,000,000 in any fiscal year. It is not believed that quite so much will be required, but it is necessary when men desire to have the loans made to have available somewhere funds from which these loans can be supplied; otherwise the need of the individual for the loan will be satisfied elsewhere, and the system itself will not operate or function as Congress intended that it should.

Mr. KING. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. I yield.

Mr. KING. I was under the impression that this bill merely authorized the purchase by the Secretary of the Treasury of not to exceed $100,000,000 in all of the bonds.

Mr. OWEN. Well, that was drawn for the current fiscal year, and it was amended so as to provide for the next fiscal year, because the current fiscal year will terminate on June 30 next.

Mr. KING. Do I understand the Senator to mean that this may go on indefinitely?

Mr. OWEN. No; not at all; only for the present fiscal year and the ensuing fiscal year.

Mr. KING. I want to say to the Senator, with his permission, that I have received a large number of letters from various parts of the country objecting to and, indeed, protesting against this legislation. The letters, in the main, are to the effect that the writers and the corporations with which they are identified have loaned and are ready to loan whatever money the farmers may require; that they are being taxed very heavily by the Government in the prosecution of the war, and they think that it is very unfair for the Government to tax them, to take their money, and then to loan their money out to individuals, thus entering into competition with the corporations in loaning money to the farmers of the United States.

If this were to be a permanent policy it seems to me that it would be not only unwise but exceedingly dangerous and would be committing the Government to a line of policy that is not consistent with its functions, and, indeed, is in contravention of the functions of the Federal Government.

I shall vote for the conference report, but I shall do so very reluctantly; and I hope we may have the assurance of the distinguished Senator from Oklahoma that no more legislation of this character will emanate from his committee, at least for some time.

Mr. OWEN. This request, of course, comes from the Farm Loan Board, who have been met with the difficulties which I have pointed out. I do not think it will embarrass the Government in the least, and it will afford a means by which to increase the output of raw materials—cotton, flax, and foodstuffs of all sorts—which are essential, of course, to carrying on this war. It is regarded as essential to stimulate the production of these materials and to carry out the policy which was laid down by the Congress of the United States in adopting the farm-loan banking system.

Of course, I appreciate that the banks and the mortgage companies that have heretofore loaned money to the farmers regard this system with some aversion. That is not unnatural, because lending money to farmers was a profitable business, especially in some parts of the West, where the farmers, because of the difficulty in getting credits, had to pay a very high rate, a rate so high that it really obstructed in a serious way the development of agriculture in the western parts of the country.

Those are the reasons which justify this amendment to the Federal farm-loan act, and I trust the Senate will give it its approval.

Mr. GALLINGER. Mr. President, when this matter was first before the Senate I expressed my dissent from the proposed legislation. Perhaps I was influenced to some extent by the fact that the savings banks of my State are loaning money to farmers at 5 per cent, and want to continue to loan money at that rate. Not a single bond has been taken in the State of New Hampshire, so that our people have no interest whatever in the matter; but it is evident that the Congress feel differently than I do. The House originally passed the bill granting $100,000,000 for two years consecutively. The Senate amended it by making it $100,000,000 for one year. I voted for that, and I regret that the conferees on the part of the Senate have yielded to the House in this matter; but they have done so, and all I can do is to vote against the conference report, which I shall do.

Mr. SMOOT. Mr. President, just a word more.

I learn from the Federal Farm Loan Board that 80 per cent of the applications for loans are for the purpose of paying loans that are already carried by other institutions or private parties. The object is, of course, to get a lower rate of interest than the farmers now are paying. I should like to see the farmers get as low a rate of interest as possible. That being the case, Mr. President, there is no necessity of trying to deceive ourselves by claiming that the advance of this money is going to increase the production of farm products in the country. At least 80 per cent of it is not going to increase production, because all the farmer will do is to receive the money and pay the obligations held against him to-day by some corporation or some individual.

Mr. LODGE. Mr. President, if I may interrupt the Senator from Utah, I suppose the theory is that the Government will never collect either principal or interest. Is not that it?

Mr. SMOOT. That is not the theory of the legislation.

Mr. LODGE. No; not of the legislation, but that is the theory of the farmers?

Mr. SMOOT. Well, I would not say that.

Mr. OWEN. Mr. President, I must enter my protest against that suggestion, because, of course, that is not the theory of anybody.

Mr. LODGE. Does the Senator think that these loans are going to be paid, principal and interest?

Mr. OWEN. Absolutely. The Government could not have a better security than this—not only the individual land, but——

Mr. LODGE. Like the irrigation bonds; they are going to be paid in that way, I suppose.

Mr. OWEN. No; not like the irrigation bonds; very different even from the irrigation bonds. The bond is secured by the individual land; it is secured by a group who have a common interest, and besides that it is secured by the common credit of all of the land banks.

Mr. SMOOT. Mr. President, if they are careful in making the loans, and the property is worth what the mortgage calls for, it is possible that every dollar of it will be collected, if enforced.

Mr. LODGE. If enforced; yes.

Mr. GALLINGER. Will the Senator yield to me?

Mr. SMOOT. Certainly.

Mr. GALLINGER. The Senator knows, however, that an appeal has been made to Congress to let up on the collection of the indebtedness to the Government on the part of parties who have taken advantage of the irrigation law, for which I voted. Does not the Senator think there will be an appeal from the poor farmer, after a while, in this matter?

Mr. SMOOT. All that the Congress has done in that regard has been to make the payments extend over a period of 20 years instead of 10.

Mr. GALLINGER. Yes.

Mr. SMOOT. Of course, at the end of 20 years I can not say what may happen; but I know that under the irrigation projects the advance of the Government is absolutely secure, because it covers irrigated lands, and those lands never will be worth less than they are to-day, and undoubtedly they will increase in value in the future.

Mr. GALLINGER. But does the Senator think that the Government will ever enforce its claim?

Mr. SMOOT. Well, I rather think it will.

Mr. GALLINGER. I am glad the Senator has faith.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. SMOOT. Certainly.

Mr. NORRIS. Has the Senator any doubt that the Government is going to get its money back on these irrigation bonds?

Mr. SMOOT. I think it will, as I expressed myself.

Mr. NORRIS. I think so, too; but the Senator answered as though he thought there might be some doubt about it. Can anybody question that those bonds are going to be paid?

Mr. SMOOT. I know what the Senator from New Hampshire had in mind when he asked the question. I know that some of the organizations have petitioned to be relieved of the obligation.

Mr. GALLINGER. That has been done.

Mr. SMOOT. That has been done.

Mr. NORRIS. But there has not been any relief from any obligation. Nobody has been relieved from the payment of any of those irrigation bonds.

Mr. SMOOT. No one at all.

Mr. NORRIS. I do not think anybody has asked for relief. I have not heard of it.

Mr. SMOOT. I will say to the Senator there have been petitions asking that they be relieved, but Congress has not acted favorably upon those petitions.

Mr. SHERMAN. Mr. President——

Mr. NORRIS. As far as the security is concerned——

Mr. SMOOT. It is unquestionable.

Mr. NORRIS. It seems to me that we could not conceive of better security than those irrigation bonds.

Mr. SMOOT. I wish the security back of the Farm Loan Board bonds were as good as the security back of the irrigation bonds.

Mr. OWEN. If the Senator will permit me there, it is quite as good.

Mr. SMOOT. I will say to the Senator from Oklahoma that I have received reports in some cases already to the effect that the loans are not amply secured.

Mr. OWEN. The reports, I am satisfied, can not be true, because out of $200,000,000 of applications they have only granted about 10 per cent, and the board is very scrupulously careful about it. Besides that, if there were an individual case where by some accident of administration the lands were not quite worth the amount of the loan the mortgage is secured by the combined credit of all the land banks.

Mr. SHERMAN. Mr. President, may I make an inquiry?

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Illinois?

Mr. SMOOT. Certainly.

Mr. SHERMAN. I hail with great satisfaction the announcement as well as the statement made by the Senator from Nebraska and others that all of the irrigation bonds are good. I have a number of constituents holding irrigation bonds in the Southwest that will be greatly pleased with that announcement. They can be had by the Government at much less than par, and I can get hold of them within 48 hours. We paid par for them, but we can not get it.

Mr. SMOOT. I mean the Government reclamation projects, not the irrigation projects that have been started by innumerable companies with the view of selling lands, knowing very well when they began the project that it would not be successful. I will admit that there are a number of those.

Mr. SHERMAN. The Senator, then, is confining himself entirely to the Government reclamation areas?

Mr. SMOOT. Entirely so, and entirely to the $30,000,000 that the Government has advanced for the purpose of building these reclamation projects.

Mr. SHERMAN. If the Senator will permit me, I have had a great deal of correspondence from former residents of the Mississippi Valley who have gone to these reclamation areas, and the conditions are far from ideal on the part of many of the farmers; and either amendments of the law or some changes will be required, or there will be great unrest, to say the least of it.

Mr. LODGE. Yes.

Mr. GRONNA and Mr. POINDEXTER addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator from Utah yield, if to anyone?

Mr. SMOOT. I think the Senator from North Dakota rose first. I yield to him, and then I will gladly yield to the Senator from Washington.

Mr. GRONNA. Mr. President, I simply want to say to the Senator from Illinois that I trust he will not have it understood that the bonds to which he refers are Government bonds or anything that the Government has anything to do with. The bonds to which the Senator from Illinois refers are private bonds, bonds of corporations or individuals, and I do not think that has anything to do with this legislation.

Mr. SHERMAN. Mr. President, I would rather have a farm in the irrigated country covered by some of these private bonds than in anything I have seen that the Government has undertaken to develop.

Mr. GRONNA. I could tell the Senator from Illinois something about these bonds. They are issued——

Mr. SHERMAN. I could tell the Senator from North Dakota a great deal about them, too. I have traveled in that country, and some of my clients have investments there. They would like to have their money back, but it is a glimmering hope. I have chased a great many of those rainbows in my time.

Mr. GRONNA. With the permission of the Senator from Utah, may I ask the Senator from Illinois a question?

Mr. SMOOT. Yes.

Mr. GRONNA. Are the bonds to which the Senator has reference bonds issued by corporations?

Mr. SHERMAN. Yes, sir; but they cover projects in the same territory in which the Government is endeavoring to lift itself over its financial fence by its own bootstraps, and it will meet with the same failure that individual effort does. The Government has no supernatural power of finance.

Mr. POINDEXTER. Mr. President, if the Senator will permit me now——

Mr. SMOOT. I yield to the Senator from Washington.

Mr. POINDEXTER. It is perfectly evident that the Senator from Illinois, if he has ever seen a Government reclamation project, must have passed through it in a very hurried manner, and that he knows nothing whatever about the general condition of affairs on those projects.

Mr. SHERMAN. Mr. President, I know far too much——

Mr. POINDEXTER. I decline to yield, Mr. President, until I get through.

Mr. SHERMAN. All right; I shall be happy to have the Senator yield after the proper interval.

Mr. POINDEXTER. The Senator speaks about the possibility of there being a condition of unrest on some of these projects. I have never seen any place where there was not more or less unrest. There has been a good deal of unrest in the city of Chicago. There has been a good deal of unrest in East St. Louis.

Mr. SHERMAN. And in Seattle.

Mr. POINDEXTER. There has been unrest in a great many parts of the State of Illinois, but we would not necessarily condemn such great States because some of the people are dissatisfied. No more ought you to condemn this great system of reclamation of arid lands, which is a demonstrated success, because some people to whom the Senator has talked have not found conditions to be ideal.

The same circumstances confronted the settlers of the entire West. All the pioneer country of the United States had its periods of hardships and difficulties to contend with; but they have gone on until they have added a good many prosperous and wealthy States to the Union, and wealth and prosperity will undoubtedly flow from the great majority of the Government reclamation projects.

There is just one other word I want to say in connection with my remarks, and that is that in my opinion there is nothing unreasonable in the application of these settlers for the extension of the time of payment of the expenses of the reclamation from 10 years to 20 years. My opinion is that it would be more reasonable, it would be better security, it would be juster to the settlers if the period were 40 years rather than 20 years, with a system of partial payments each year, which in that period of time would enable them to retire the principal as well as pay the interest without hardship.

That has been the experience of other governments which have had reclamation problems to deal with. They have discovered that men going into a new and entirely wild country can not begin making money the first year after they have put water on the land; that a considerable period of time must elapse before they can begin to get returns.

Mr. SHERMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Illinois?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. SHERMAN. The proverbial effort to extract blood out of a turnip is a profoundly profitable occupation compared with the Government effort to get crops out of a large part of the arid Southwest. The trouble is that where individual initiative and industry will not get anything out of the soil, a Government fiat will be equally a failure.

The most of the profitable territory has been occupied by private capital. The Government is now engaged, in the territory named, in an effort to attract, and it will attract, the same character of loans that the rural-credit system will attract. It will be loans that nobody else wants and nobody else will take. That is the kind of loans you are getting now. You can not deceive me on the farm-loan business. I know the territory covered by the applications for farm loans in considerable volume over the whole West and Southwest country; and the margin between cost and investment is so narrow that no conservative investor or bond house would loan the money of any client upon that particular security. The Government, though, being possessed of the endless resources of the taxpayer's pocketbook, can take chances where no sane investment house would do so. Outside of that it is business of that kind that this $100,000,000 is required to finance.

Why, the truth is that the average irrigation system, planned and executed by private undertaking, is successful where the right kind of engineers and people who know the country and have gauged its resources in advance have accurately estimated what kind of development is possible. All of those are successful. The Government has reached a water supply and has covered territory that private capital would not take chances on, or did not have the ability to develop, and has been successful; but it is a mistake to say that all the territories to be developed are good security. What the man in the Southwest and the West wants, what they want in the Mississippi Valley, where they are producing really the meats and the breadstuffs of the world, is not Government coddling. They want you to send them somebody that can help do their work, and on top of that can give them transportation and freight cars to get to market the millions of bushels in the western country that are now rotting in the fields.

Mr. President, commissions have come here, and advices from London have told the American people to eat corn meal, and we are eating it. We know how. It is a healthful diet. We are saving our wheat and our flour for our allies that need it. In one area in my own country, by actual computation, there are more than 10,000,000 bushels of corn still standing in the fields in the shock. There is not a grain elevator in all that magnificent corn belt that can buy a bushel of corn to-day, because they can not sell a bushel of it in the market. They can not get freight cars to reach it. The result is that all this soft corn—and the most of it in the corn belt is more or less frostbitten—is standing there, a prey to inclement weather; and if there should be an early wet spring before this corn is taken out of the husk, literally millions upon millions of bushels of it can be taken to the great centers, where I suppose the criminal grain man lives, and has kilns and drying facilities of all kinds to dry corn of this kind and to put it into food form, and in that way it can be used. But if it stands where it is, with no freight cars, it will rot in the fields, and the farmer in that country next year or the coming spring will not put in the full acreage of corn. That is the natural result.

What the farmer in this country wants is freight cars and hired help. That he has not got, and no measure of this kind will give it to him.

Mr. SMOOT. Now, Mr. President, let us get back to the conference report.

Senators must not be deceived and think for a minute that this $200,000,000 is not going to be used for the purchase of farm-loan bonds. There are applications now to take the whole of it.

In justice to the Federal Farm Loan Board Congress ought to express themselves at an early day by an amendment to the law creating this board specifically stating what the policy shall be hereafter, how far we want to go, and give the members of the Farm Loan Board to understand that they can go just so far and no farther.

Mr. President, in making that statement I know that I echo the sentiment of some of the members of the board. As it is, the board can not differentiate between one application and another unless after an investigation they decide that the security is not good.

Mr. VARDAMAN. May I ask the Senator if they should not be permitted to decide the question as to whether the security is good or bad? Should not the board be permitted to exercise their wise discretion in determining that question?

Mr. SMOOT. They should be.

Mr. VARDAMAN. Do they? Does not the Senator think that after the board employs all of its machinery for gathering information regarding the value of the land upon which the loan is made that it is safe to indulge the presumption that the security is ample to make sure the payment of the loan?

Mr. SMOOT. It is not a question of the payment of the loan that I am discussing now, nor the question whether the security is good. It is a question as to how far we want to go in this line of endeavor. The board do not know. They have applications now for $200,000,000 that they can not meet. The only way to meet them is for the Government of the United States to purchase $200,000,000 of these farm-loan bonds. I have no doubt, I will say to the Senator, that in the next six months there will be another $100,000,000, and within a year perhaps $500,000,000. We might just as well understand that there are about $4,000,000,000 of farm loans in the United States, and, outside of a small district on the eastern coast of our country, the rate of interest runs from perhaps 6 per cent up. Every farmer who is paying 6 per cent for his money and can get it for 5½ per cent from the Government is going to make the application.

In this connection I wish to say, in answer to what the Senator from Oklahoma said, that as far as the banks are concerned—I mean the banks that are in commercial business or in the saving business, and therefore for banking purposes only—in many cases it will be a great advantage to them if the Government of the United States will take the loans off their hands that have been running so long. But where there is a loan agent who makes his money by loaning to farmers, who charges a commission, and secures money probably from some individual somewhere in the United States, all he is interested in is to get his commission, and he naturally objects, but the objection does not come from the regular banks of the country to any great extent.

Mr. VARDAMAN. The sooner the money sharks are put out of business the better for the farmer. The purpose of this act, as I understand it, is to encourage and assist the farmer in the development of his farm and promote the interests of agriculture generally. It is not an investment by the Government—the Government is not making the loan for the interest which it carries, but the loan is made to stimulate the farmer in producing all the things that grow in the ground—to encourage the tiller of the soil, make farm life more attractive, and in that way add to the material wealth of the country, and at the same time strengthen those moral forces which we find always among the sturdy progressive farming population.

The farmer has been the victim of the money changer for all ages and the purpose of this act is to liberate him and make him independent. The borrower is too often the servant of the lender. There is nothing more humiliating and discouraging than debt, and for that reason the Congress enacted this beneficent law that the farmers might be free to use their better judgment—work with hope and enjoy the products of their own toil. It was supposed that it would greatly enlarge his enterprise, and in that way reflect prosperity over the entire country. It seems to me that it is a very proper use of the Government function to render this assistance, if that will be the effect.

Mr. SMOOT. I know that is the claim which is made, and as far as 20 per cent of applications are concerned perhaps that will be the result; but I want to say to the Senator there are applications to borrow money upon property upon which money has already been borrowed at a higher rate of interest as far as 80 per cent of the applications are concerned. All the advantage there is in it would be to allow the farmer to borrow his money at a less rate of interest than he is paying to-day.

Mr. VARDAMAN. The Senator will pardon the further interruption, and permit me to say that the purpose of this law is to afford the farmer an opportunity to get from under the control of the shylock, who by sapping his very industrial life-blood prevents the development of his farm, denies him the comforts of home, and eats up all of his substance by demanding exorbitant interest. If the money which the farmer borrows from the Government at a low rate of interest shall be used for the payment of an outstanding debt upon the land and the improvement of the land and, in addition thereto, stocking his farm with a better breed of cattle, horses, hogs, and so forth, I can not conceive of a better use to which the money could be devoted.

As I have said heretofore that is the purpose of this legislation. As the farm is the substratum upon which all industrial prosperity rests, it is an inscrutable mystery to me how wise statesmen can afford to oppose measures of this character when they ought to know that the very class of people who object to the Government lending money to the farmer depend in the last analysis upon the products of the farm for their own material prosperity.

Mr. SMOOT. Mr. President, I do not want to say anything further in relation to the report at this time, knowing that the report is going to be adopted.

Mr. FLETCHER. Mr. President, some observations have been made apparently with the purpose of discrediting somewhat or causing a lack of confidence in the farm-loan system as provided in the farm-loan act. I think it is wholly unjustified.

This bill is made the excuse for an argument of that kind and for intimations and claims that the system is proving unsatisfactory, and, as stated by some one, that the whole scheme is on the verge of bankruptcy. There is absolutely no foundation for that. The plan and system are working admirably. The system is a magnificent success. If it had not been for the war conditions there never would have been any need for this sort of legislation, and I do not believe now there is any real need for it. My own opinion is that these farm-loan bonds will sell throughout the country as rapidly as the people get acquainted with their merits. They will have to be somewhat pressed perhaps in order that people may be informed of their nature and their character and what they mean. I would guarantee——

Mr. NORRIS. Mr. President——

Mr. FLETCHER. Excuse me one minute, Senator. I would undertake to take the stump in this country from one end of it to the other and let any man on this floor go with me and offer to sell Government bonds, and I will guarantee to sell five times as many farm-loan bonds as he will sell Government securities, at prevailing rates of interest and terms. Now, the situation is one that simply calls for these bonds being placed before the public in a way that the public will know what they are and to have to some extent at least their merits made known.

The first issue of these bonds at 4½ per cent sold at a premium of 1⅛ cents without the slightest difficulty. No other bonds offered in this country except Government bonds have ever sold like these farm-loan bonds. They have sold in the district I know in which my State is located, composed of North and South Carolina, Georgia, and Florida, as promptly as they were offered; the demand for them exceeded the supply; and the requests to-day for them are numerous. There would not be the slightest trouble about selling those bonds down there, and I do not believe there would be trouble anywhere in selling the bonds if they are known to the public and if there were not some reason for not pushing them. I can see what the reason might possibly be. The Treasury is in need of money. They have offered liberty bonds to the public, and the public has taken the liberty bonds very patriotically. They are offering now savings stamps and other governmental securities to the public.

It is possible that the officials in charge of the financial affairs of the Government think it wise not to put in competition with Government securities these farm-loan bonds, thinking that it would be better to have the money which comes in from the sale of Government securities to the extent named in this bill—$100,000,000 for this year and the same next—come out of the Treasury and take up these bonds by the Government. I do not speak as to that with any knowledge or authority. It is just a supposition. It is an absolutely safe, sound, and wise investment of Government money in these bonds. They will draw 4½ per cent interest, or, if they sell them at 5 per cent interest, whatever rate they draw the Government will get.

It is perfectly ridiculous to intimate here that there is any idea or possibility under this law for the farmers who borrowed money to escape the payment of principal and interest precisely as they agreed to do. It would be dishonorable in the first place; but it is utterly impossible. No borrower ever conceived of any such notion. There is not a man who has borrowed money under the farm-loan system who does not propose to pay every dollar of it as it falls due. He will be obliged to pay it, and he understands that.

The people interested in this system are just as anxious to make these securities safe as the people who buy the bonds, because they know the minute the bonds become discredited in any way, or there is the slightest lack of confidence in them, that minute the rate of interest will go up and every man who borrows will have to pay an increased interest, because the bonds can not be sold at the low rate of interest that they may be sold for when it is known that they are absolutely safe. Every man interested in the system is anxious that the bonds should be safe beyond any question and that they should be taken on that basis. The borrowers are composed of members of the National Farm Loan Associations. Each association must have 10 or more members, and the aggregate call for loans must be not less than $20,000 from each association before it is chartered. The property is submitted with each application for a loan. It is examined by a committee appointed by the National Farm Loan Association. An appraisal committee from that association appraises the property. That is checked up by an appraiser chosen by the Farm Loan Board, recommended by the bank of the district. That appraiser passes upon the value of every particle of the security offered for loans; and the law says that no loan can be made exceeding 50 per cent of the actual value of the land and 20 per cent of the actual value of the improvements upon a farm, and the loans must be made to persons who are engaged in agriculture and for the purposes set forth in the act.

There is no need of amending the act. There is no reason for the suggestion of the Senator from Utah [Mr. SMOOT] that Congress ought to outline to the Farm Loan Board to what extent they should make loans and for what purposes. The act is plain and definite upon that point. One of the purposes is to pay off existing liens; another is to improve the farm in order that production may be increased, and so forth. The act is perfectly plain. The Farm Loan Board have only to see that the money is used for the purposes named in the act, and each application before a man is eligible to secure a loan is based upon the provisions of the act and must set forth the purpose for which it is desired. So there is no need of any legislation there.

The only reason that I can see for this legislation is that those who are responsible for the financial affairs of the country feel that it is wiser that the money from Government securities may be used to this extent to purchase these bonds rather than have the bonds offered to the public in competition with Government securities. It is a perfectly safe investment. After the loan is made to an extent not exceeding 50 per cent of the value of the land and 20 per cent of the value of improvements you have the mortgage upon the land, you have the individual responsibility of the borrower, you have the guaranty of his association back of the loan, you have the guaranty of the bank and the guaranty of all the other 11 banks that the bond is safe and the security is sound. There can be nothing more secure than that.

Why, what are Senators thinking about? The capital invested in the farms of this country to-day amounts to $50,000,000,000, according to the latest estimate. The value of the farm products in 1917 was over $21,000,000,000. If that is not a basis for security of any sort, if that does not protect the bondholder where bonds are issued against mortgages on that kind of property, in Heaven's name where are we to find security?

Mr. SHAFROTH. Mr. President, I should like to emphasize, as it were, one thing that I think the Senator from Florida has not emphasized sufficiently. I agree that he has made a very strong presentation of the safety and soundness of these securities, but there is one other factor in it that it seems to me has great strength, and that is the fact that every one of these mortgages is made by the men who form the farmers' association, and then in addition the property itself is held as a security for the bonds that are issued.

Mr. FLETCHER. Precisely.

Mr. SHAFROTH. Then if there is an overvaluation made upon one farm it means that all the other 9 men or 20 men in the association have got their farms hypothecated for the payment of the bonds. Consequently I can not conceive how there can be a loss. My fear at the time the original bill was presented was that the other farmers would not unite to hypothecate their own lands for the payment of every other loan that was executed in the association; but they have done it and they are willing to do it. They have confidence in their associates, and the bondholder does not take any risk whatever.

Mr. FLETCHER. Precisely. I am glad the Senator from Colorado mentioned that. I thought it was included in the statement I was making, but it ought to be made perfectly plain that when these mortgages are sent up to the bank from the various farm-loan associations, having started from the individual borrower, each association not only sends to the farm-loan bank of the district the mortgages from that association, which have the approval not only of the local association but of the appraiser selected by the board and of the bank which has passed upon them, but all those mortgages are put together, we will say $500,000 all told in any district, and against those mortgages these bonds are issued. Those are the bonds in which it is proposed the Treasury may invest $100,000,000 under the bill. It is absolutely safe. They bear the interest that is specified in the bond, and beyond all question it is as sound a security as the Government could have under any circumstances for any money it may have in the Treasury.

Mr. BANKHEAD. I should like to ask the Senator from Florida if the bonds are not exempt from any form of taxation.

Mr. FLETCHER. They are exempt from every form, municipal, county, State, national, income tax—everything except inheritance tax.

Mr. BANKHEAD. I wish to ask a further question. These bonds bear 5½ per cent interest on their face. Would not that be equal to 6½ per cent?

Mr. FLETCHER. I think so. And more than that. The 4½ per cent bonds have sold at a premium of 1⅛ cents, as stated, and I should say that investment is equal to at least an ordinary loan on mortgage at 6 per cent.

Mr. BANKHEAD. In that case, would not the public buy these bonds instead of buying Government bonds which carry a lower rate of interest?

Mr. FLETCHER. That is the very reason I stated in the outset why I could sell more farm-loan bonds than any man on this floor could sell Government securities if the effort were made in that direction. I can see how that might be pressed so far that it would interfere with the revenue coming in from the sale of war scrip and liberty bonds and all that sort of thing, and it would be to the interest of the Government to derive this revenue from other sources and then invest it in these bonds to the extent named here. It is no favor to the farmer.

Mr. BANKHEAD. I quite agree with the Senator from Florida. He is eminently correct.

Mr. FLETCHER. There is no favoritism shown anywhere. There is no discrimination anywhere. This is an absolutely safe and sound proposition for the Government, and I can not see the slightest objection to it.

As I said at the outset, I do not really see the necessity for it. If proper effort were made to sell these bonds, I believe they would be sold. I can fully understand how the applications now mount up to a considerable sum, but I rather commend the Farm Loan Board for taking time to see that every borrower lives up to and complies with the law. In making the system absolutely safe, let them take enough time to do that. There is no need to hurry so fast that chances are taken or risks unnecessarily run. For that reason, up to this time, the amount of actual loans does not perhaps equal what was anticipated; but, in my judgment, that is simply an evidence of the caution and care of the board. Perhaps sometimes there have been unnecessary delays, but it is all the more commendable, so far as they are concerned, that they are exercising such care and caution. I think the conferees on the part of the Senate acted wisely when they receded from the action taken by the Senate and in yielding to the House.

I shall, of course, support the report of the committee of conference.

Mr. KENYON obtained the floor.

Mr. HOLLIS. Mr. President, I know there are several friends of rural credits who would like to speak on this conference report, but I am sure they will forego that pleasure if the Senator from Iowa will merely let us vote on the matter now.

Mr. KENYON. I was going to make my remarks on the conference report; but, of course, if there can be a vote now taken upon it, I shall not do so.

Mr. HOLLIS. I think no other Senator will insist upon speaking on the conference report, and that we can get it out of the way. I ask that we may have a vote.

Mr. KENYON. I want to be accommodating, and if the Senator from New Hampshire will guarantee that there may be a vote I shall yield for that purpose. I am, however, compelled speedily to go to a committee meeting.

Mr. HOLLIS. I think I can guarantee that there will be an immediate vote.

The PRESIDENT pro tempore. The question is on the adoption of the conference report.

The report was agreed to.

PEACE AND THE WORLD WAR.

Mr. KENYON. Mr. President, I am not in the habit of taking up much of the time of the Senate, but in view of the peace propaganda that is now spreading to some extent throughout the world I want to make a few observations about war conditions and about peace.

There has been a sort of monopoly of the Lord and His utterances by the Kaiser; but in reference to the peace which he is now attempting to bring to the world there are some things in the Holy Scriptures, familiar, of course, to all of you, but which I feel at liberty to point out, and which, it seems to me, are very applicable to his situation. The old prophet Isaiah said:

> The way of peace they know not; and there is no judgment in their goings; they have made them crooked paths; whosoever goeth therein shall not know peace. (Isaiah lix, 8.)

And in Romans we find:

> Their throat is an open sepulchre; with their tongues they have used deceit; the poison of asps is under their lips.
> Whose mouth is full of cursing and bitterness.
> Their feet are swift to shed blood.
> Destruction and misery are in their ways.
> And the way of peace have they not known.
> There is no fear of God before their eyes. (Romans ii, 13, 14, 15, 16, 17, 18.)

Another passage in Ezekiel, which I commend to the Kaiser, who is so accustomed to quoting Scripture for his purpose, is this:

> Destruction cometh; and they shall seek peace, and there shall be none. (Ezekiel vii, 25.)

We have just passed through the season of "peace on earth, good will to men." Never before in the history of the world has there been a time when there was so little peace on earth and so much hatred among men.

In the last three and a half years probably 10,000,000 men have been killed in war. Forty million, at least, are now under arms. The war is costing the world $75,000,000 a day, and in a few years the war debts of the world will run into the trillions.

Staggering as these figures are, however, it is not a time for pessimism. Justice, somewhat delayed, is on its way to triumph; ideals are holding their place; and the world can rejoice that out of the turmoil of the past year at least one inspirational event has happened, namely, the capture of Jerusalem from the atrocity-loving Turks, and there is a firm resolve on the part of the civilized world that it shall never be returned to them.

Our Nation has loved peace and hated war. It has looked forward to the time when throughout the world "swords would be beaten into plowshares and spears into pruning hooks." It wanted no quarrel. It was willing that other nations should live and enjoy the best there was in life. It sought no territorial aggrandizement. America was content and happy itself and desired only the same for others.

The great Republic has learned, however, that it does not take two to make a quarrel. One person or one nation, determined and persistent in the determination, can always provoke a quarrel if the other individual or other nation has one spark of red blood within it.

Everyone had a right to disagree as to the wisdom of entering the war before we entered it, and to talk, work, and vote against our participation therein; but since we are in this war, and have undertaken the mightiest task the Republic has ever attempted, the right now does not exist to say or to do a single thing to make more difficult the accomplishment of the national purpose. Most of those who opposed the war, in a spirit of patriotism, I believe, now subscribe to the philosophy of Decatur, "My country—in its dealings with foreign nations may it always be right; but right or wrong, my country!" Our people have come to better understand the great purpose of the war. Many thoughtful men who hesitated long as to the wisdom of our going into the war, who honestly believed that we might have remained out of it, are now thoroughly convinced that they were wrong, and whole-heartedly are determined that the matter shall be fought through to a peace that will make future wars impossible. The time to have kept out of the war was before we go into it. Those who are now trying to help in bringing about a patched-up peace and lend their influence in that direction are weakening the American forces, injuring the country, and interfering with the preparation we must make. We have taken hold of this tremendous job. Are we going to see it to a finish, or are we going to dilly-daily and assist in getting some kind of a peace that will amount to nothing? We had better bear in mind the words of a German statesman who a short time ago, when Germany first became anxious about the United States entering the war, said that the amount of indemnity they would ask from our country would be something like $89,000,000,000. It will cost us more to lose this war than it will cost us to win it. They will need a better collection agency than ever yet has been devised to collect the $89,000,000,000.

Possibly, Mr. President, we could have remained out of this war for a few years; we could have indulged in our easy, money making, and selfish life a little longer; but eventually we would have been presented with the alternative of either going into war or submitting to a vassalage of Germany. Were we ready to give up the Monroe doctrine? If Germany conquered France and England and took a part of Canada, what would we do about the proposition? Were we ready to give up the freedom of the seas? Are the people of this Nation willing to give it up now, to acknowledge the right of Germany to say to us that we could send one boat a week on certain parts of the sea, provided it was painted like a barber's pole? Were we willing to recognize that "while the earth is the Lord's and the fullness thereof," the sea is the Kaiser's? We would sink below a second-rate power were we to give up the freedom of the seas. What would become of our merchants, our manufacturers, our farmers, if one nation were to be permitted to dictate the markets of the world by controlling the seas? And, pray, from whom did Germany secure the right to control the sea?

Thank God—and I have thanked Him more since I have witnessed some of the butchery of the conflict—we came with clean hands into this war. We did not bring on this war. We saw American citizens, women and children, go down in the *Lusitania* to a watery grave without a chance; we saw broken the promises of Germany made as to the future; we beheld the *Sussex* sinking beneath the waters wounded by a villainous

torpedo; plot upon plot was conceived in the office of Bernstorff, the German ambassador; spies invaded our land; Von Zimmermann plotted against us in Mexico and tried to arouse the Mexicans by promises of giving them portions of our country. How much longer could we have stood this reign of intrigue and trickery? Yes; we could have kept out of the war on the same theory that a man can keep out of a quarrel when another comes into his house and slaps and insults his wife. He can run out into the kitchen, crawl through the window and out into the fields, like a craven coward; but that is not the American spirit. We had one alternative presented to us, "fight or run." The American Nation found itself. It was not too proud to fight for righteousness, just as now it is too wise, or ought to be, to make peace until the menace of Prussian militarism is ended.

We did not start the angel of death fiddling over the world, but we are going to have something to say about how and when the war is going to end. We had a distinct American issue, the issue that has been presented so many times, the murdering of our people, the closing to us of the seas. We had the opportunity to fight with the allies helping us or fight the battle alone. So it was a wise choice to fight with the allies. Who can deny this now? I believe the President's course was wise, although he was subjected to such severe criticism for waiting. He kept us out of war as long as he could, but when at last we were compelled to go in he had practically a united Nation behind him.

Out of this war, incidentally, there is going to be a greater respect for American citizenship. You remember the incident of Paul. When they bound Paul he said unto the centurion that stood by him, "Is it lawful for you to scourge a man that is a Roman and uncondemned?" The centurion then went to the chief captain saying, "Take heed what thou doest, for this man is a Roman." And the chief captain was afraid after he knew he was a Roman, because he had bound him. So in the future when any nation attempts to injure an American citizen, wherever he has a right to be, that nation is going to hesitate, for it will be said, "Take heed what thou doest; this man is an American citizen, protected by all the power of the mightiest Nation of the earth."

There is a greater issue, however, than what might be termed merely the American issue. There is a world issue, and we can not divorce ourselves from it. We must be a part of the great world's work whether we will it or not. Destiny places us there. There are to-day, as has been pointed out, two great systems in the world struggling for the mastery—autocracy and democracy. One of these two systems must triumph. Both can not live and flourish. To make the world safe for democracy is only half. We must make the world safe for humanity. And in order to make the world safe for democracy we must do our part to see that the Anglo-Saxon race does not go down. Autocracy has been preparing for this contest for 40 years, while democracy has been sleeping. It takes some time to awaken democracy, but it is now thoroughly awake.

The German people have been taught that Germany is to rule every nation; that the voice of Germany is the voice of God; that God is a German God; that German institutions and the German system must spread over and conquer the world. I saw a poor Belgian, who had been a professor in a college, now a porter around a hotel in London, who said, "We pray to God and the Germans pray to God; and it looks as if God was a German God." The writers and thinkers of Germany have not hesitated to declare with becoming modesty that German rule is essential for the world. This self-constituted partnership, however, between the Kaiser as Emperor of Germany and the Almighty is going to be dissolved, and we are going to help do it.

I have some choice thoughts from German philosophers and writers, which I will not take the time to read, but I will refer to one from Pastor Lehmann. He says:

[Gems of German Thought.]

95. If God is for us, who can be against us? It is enough for us to be a part of God. (On the German God, by Pastor W. Lehmann, quoted in H. A. H., p. 77.)

Another great writer of Germany says:

[Gems of German Thought.]

116. There lurks in our people something of the God consciousness which inspired the Old Testament prophets. Very childlike, indeed, but of far deeper meaning than he could guess was the saying of a little boy to his playmate at the outbreak of the war, "I am not in the least afraid. The good God will help us, for he is German." (K. Engelbrecht, D. D. D. K., p. 45.)

I will ask, Mr. President, to insert in the RECORD other extracts to which I have referred, without taking the time to read them.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The extracts referred to are as follows:

[Gems of German Thought.]

We thank our German Army that it has kept spotless the shield of humanity and chivalry. It is true we believe that every bone of a German soldier, with his heroic heart and immortal soul, is worth more than a cathedral. (Prof. W. Kahl, D. R. S. Z., No. 6, p. 5.)

96. We have become a nation of wrath; we think only of the war. We execute God's almighty will and the edicts of his justice we will fulfill, imbued with holy rage, in vengeance upon the ungodly. God calls us to murderous battles, even if worlds should thereby fall to ruins. We are woven together like the chastening lash of war; we flame aloft like the lightning; like gardens of roses our wounds blossom at the gates of heaven. (F. Philippi, quoted in H. A. H., p. 52.)

101. The German soul is the world's soul. God and Germany belong to one another. (On the German God, by Pastor W. Lehmann, quoted in H. A. H., p. 83.)

142. I look upon it as absolutely the deepest feature of the German character, this passionate love of right, of justice, of morality. This is something which the other nations have not got. (On the German God, by Pastor W. Lehmann, quoted in H. A. H., p. 79.)

185. The German must conquer; and when once he has conquered—to-day or in a hundred years—no duty is more urgent than that of forcing the German language upon the world. (H. S. Chamberlain, K. A., p. 33.)

Mr. KENYON. I stood one evening a little way below San Quentin, near the third line of trenches. It was a Sunday evening. I stood outside in the utter blackness of the night, just about church time in our own country. As far as you could see, the flashes of the great guns were visible, some of them 20 miles away, that you could not hear, others nearer. Rockets were going up from No Man's Land. I had read a book going over on the boat, called "Where Is God?" and as that scene unfolded before me in the blackness of the night, hell-fire literally on black cloth, I could not help repeating that question, "Where is God, that lets a thing like this go on?"

Germany, in her opinion, is in partnership with the Almighty. This system that she has developed is not one of advanced civilization, as we have been taught in the past; it is merely a system of the beast.

Germany is attempting to terrorize the world. She does not understand the spirit of the British or the American people. They know a "bluff" when they see it, because each one has tried it on the other so many times, and they are not frightened by bluff. Terrorism does not dismay them, especially when their cause is just. Can it be possible that the thinking people of Germany, if there are any thinking people left, believe that their conduct can bring about peace? Do they believe that the wild vaporings of the Kaiser as to the mailed fist are going to frighten anybody? They have left a reign of terror through Belgium and northern France; but Belgium, with only a little territory left, amounting to two or three counties, is not dismayed, nor is France.

A leading Frenchman said to me when we were talking about the Germans and their victory in Italy, "Better give up Venice"—it looked then as if they would take it—"better give up Rome, give up Venice; better give up everything but liberty." You can not conquer such a people.

I am glad, Mr. President, that in this great contest to make this whole world a safe place for ordinary individuals to live in we can help France. All of us, I think, feel pretty deeply on that subject. We go back to the time when France looked upon us as a little struggling Nation in the great family of nations, trying to struggle into the light. We needed help. They came. People stood at the old Liberty Hall at Philadelphia and watched Rochambeau as he went by with his troops to Yorktown. Lafayette came, willing to give up his life for this country. France cast its bread upon the waters a hundred years ago. Now, almost wrecked, bleeding at every pore, the great Republic comes none too soon.

The Rainbow Regiment happened to land in France—portions of it—at ports that can not be mentioned because of the censorship. I happened to see, a day or two afterwards, a gentleman who saw the landing. He said: "These boats waited for a day or so at the harbor; then they drew up to the dock, lined with boys in the American uniform," and that is a great sight. I saw myself three transports come in loaded down with those boys in the American uniform. "The people had assembled in this town. They all knew Americans were coming, and as the boats came up, one after the other," he said, "a band somewhere started playing the Marseillaise." He noticed a little girl with her mother on the dock trying to talk and her mother trying to explain, and he heard the words "Americaner, Americaner." Finally the little girl comprehended it, and she turned and put her arms around her mother, and, in French, uttered these English words: "Oh, Mother, they have come to save us!"

It is a great thing, Mr. President, to have part in saving a nation like France. I do not mean by that to have any part in getting back any territory to France. I do not believe we are carrying on war for that purpose; but, as a part of saving

civilization, we are saving those poor people of France, and they look up to us as a poor, weak sister to a great, strong brother coming to save her. When this war is over, I have said before and I reiterate it, I hope this great, rich Nation will say to poor, bleeding France: "Keep all of the money we have loaned you. We ask not for the return of a single dollar."

I had occasion a short time ago to go through northern France. Wreckage and ruin were everywhere—inconceivable ruin. Herculaneum and Pompeii were never more ruined than some of these cities of France. Having done this, no wonder the Kaiser is willing to move out! No wonder he is willing to have peace! Count Von Hertling's terms, if I read them right the other day, were that, as to northern France, it was to be subject to the self-determination of the people there. Let the people of northern France determine whether they want to stay with France, with their men practically killed off, with the German intrigues and the German treachery and the German money that can come in there! Any hand that ever signed a peace treaty for this country that did not demand the restoration of northern France ought to be palsied by the Almighty.

On the remaining walls of the buildings of many of these towns are written the words, "Nicht argern; nurwendurn" ("Rage not; only wonder"). Cathedrals have been destroyed everywhere, and on the walls of some of them are written, "With the love of your enemies." They destroy the cathedrals and then wire to the noble troops: "On with God!"

In the case of the old cathedral at Albert, with the statue of the Madonna and the child Jesus—a beautiful cathedral before this war—even the Madonna was not sacred. It has been shelled until the figure of the Madonna reaches out at right angles, holding over the stricken town the little figure of the child Jesus. Yes; "on with God!"

I want to put in the RECORD another one of those choice gems of thought in that connection, by Prof. Kolb:

> We thank our German Army, that has kept spotless the shield of humanity and chivalry. It is true that we believe that every bone of a German soldier, with his heroic heart and immortal soul, is worth more than a cathedral.

Count von Hertling recently said in a speech that Germany was saving Europe from America. Saving it—what mockery! I do not want to indulge in any recitation of horrors or atrocities. I think there have been brought to this country stories of atrocities that are tremendously exaggerated, but the truth is enough. Matters that are subject to absolute proof are enough. Saving Europe from America—yes!

They have placed women and children before their soldiers in charges against the French troops. That is not a matter of dispute. They have shelled the Red Cross hospitals. That is a matter I am ready to prove. They have killed the wounded after the battles. Germany has lost its soul. Could a nation that had a soul permit such things to go on? It has no honor. It has broken every treaty made and every provision of The Hague conferences. It has observed no chivalry in the freemasonry of arms. It has killed prisoners, poisoned wells, carried girls away for worse than death. It has treated women as beasts. Along the highways of France you will see the fruit trees cut down. You will see in the little peasants' yards, what there is left of them, rose bushes destroyed—pure vandalism, with no military purpose. You will be told: "We are coming to a town now; you had better get out." You get out of your automobile and inquire: "Where is the town?" "This is the town"—nothing but cellar holes; absolute wreck and ruin. All that is left of one town, Fricourt, is a little board marked "Fricourt."

Rather than have the things come to our country that have been dealt out by the Huns to Belgium and northern France, rather than have the women of our country treated as those women have been treated, we had better die, every man of us; and we will die, every one of us, if we are men, before permitting it.

One man alone is responsible. He can sit in his splendor, with his entire family around him. None of his sons have gone down in battle. True, indeed, was the response of the Belgian woman to a German soldier chiding her about their lost country when she said, "I would rather have a king who has lost his country than an emperor who has lost his soul." It is not the Germany of the old days, of Schubert's Symphony, of Liszt, of Schiller, of Beethoven, of Goethe. It is the Germany of lust and murder.

Do we wonder at any cruelty when we know that the Kaiser, through his boyhood days and young manhood, despised his own mother?

What can be expected from a man who despises his mother? It is that same spirit that has permeated Germany—the spirit of the Kaiser addressing his troops embarking for China, when he said: "When you come in touch with the enemy, give no quarter; take no prisoners. A thousand years ago the Huns, under their king, Attila, made themselves a name which still lives in tradition. Do you likewise. Strike home, so that for a thousand years to come no Chinaman dare look askance at Germany."

This is the man who now wants peace, but wants his kind of peace. Will America nibble at his bait?

What a horrible heritage Germany is handing down to her posterity, if there be any posterity left! If one were asked to give his judgment as to the worst thing that Germany has done in the war, what could he say?

He who loved art and sculpture might answer: "The destruction of such magnificent cathedrals as Rheims, Arras, and others, shows the vandalism of the Hun."

Another would say: "Where could you find a worse atrocity than the bombing of Red Cross hospitals?"

Another would reply: "Ah, yes; that is infamous, but what do you say to the torpedoing of hospital ships, sending poor, suffering men, struggling even then for their lives, down to the depths, without a chance to escape?"

Another would say the worst thing that has been done was dropping bombs on defenseless women and children.

Others would protest that the taking of women and girls from Belgium and northern France, compelling them to work against their own country, and subjecting them to every kind of infamy, could not be exceeded in cruelty.

Another would say that the shelling of boats on which people were trying to escape from torpedoed ships reached the heights of infamy; and so the list would go on.

Among all the damning cruelties that have been inflicted by the Huns it would be difficult to pick the worst, but the all-dominating fact is that the very making and bringing about of this war is the worst fact in connection with it. It did not come spontaneously. It was not started to protect any rights. It came about through a system of intrigue practiced throughout the world, through a training of the German people that their mission was to subdue others, and that no one had a right to live without their consent. We are engaged now in teaching them that the people of the world propose to live without their aid or consent.

Germany and Austria are in a conspiracy against freedom. We have declared war against Austria, and it is well. Germany is assisting Turkey. No nation can be a partner of Turkey without being an accessory to Turkey's infamous crimes. We ought to declare war against Turkey unless there be some good reason otherwise.

America's part in this great contest can not be overestimated. The allies are counting upon us for tremendous things. The great problem of transportation is, of course, the most difficult for us, but it is a problem that we will solve. We talk of sending soldiers by the million, and we will; but we must realize the difficulties of this problem. We will solve it much sooner if all ambitions and wranglings are laid aside upon the part of those who have charge of the construction of our ships.

Ships, ships, and more ships is the cry of the hour. Our duty is to hasten. The Russian situation has added to our responsibilities. France is calling loudly to us for help. The saddest words this Nation can ever write, if it fails in this emergency by reason of delay will be the words, "too late." There are no sadder words in language. When the Savior in the Garden of Gethsemane asked His disciples to watch with Him and they went to sleep and, coming back again and again to them, the Savior said: "Sleep on now; it is too late." May no historian write those words as an epitaph for the great Republic. England was almost too late. Had it not been for the magnificent inspiration, courage, and wise statesmanship of one man she would have been too late. That man stands as the most beloved man among the continental allies, the Premier of England, Lloyd-George.

Peculiarly are the various forces correlated in this war. Infantry can do nothing without artillery, artillery but little without airships, airships do nothing unless they are transported across the sea. The peculiar relationship of artillery and airships is illustrated by an incident near Vimy Ridge.

Infantry can not be used without artillery. Artillery in this war is of but little use without the aeroplane. The great guns shelling day and night accomplish a purpose of course. The continual hammering destroys the morale of the opposition troops. The allies are putting over into the Boches, as they call them, at least five shells to one the other way. This would indicate that the allies are superior in artillery. But there is the aeroplane. When I heard this discussion about aeroplanes blinding Germany I did not attach the same im-

portance to them that I did when I saw them floating above trenches, going over and making sketches of enemy positions and wirelessing back to the gunners. I might relate a little incident as illustrating that. At a certain place a great gun was under the hill and had to shoot up the hill and over to a German battery, possibly 4 miles away. The aeroplane hovered high. At the first shot of this great gun under the hill where they could not see the enemy the airship wirelessed back "100 kilometers too far." At the next shot "50 kilometers short." The next shot landed squarely on the battery. That would not have been accomplished possibly in hundreds of shots without the aeroplane. So I come back from witnessing some of those performances firm in my belief that with the artillery and the aeroplane we must win this war. The more aeroplanes we get the better, and the sooner we get them there to blind Germany the better. Ten thousand aeroplanes starting from behind the lines on a trip to Berlin would come mighty near nailing the Stars and Stripes on the flagpole of the Kaiser.

When you travel the ocean nowadays you realize that tremendous problem regarding ships. That includes destroyers, and I pause to say that we have done marvelous work with our destroyers. The captain of one of the great ocean liners told me that within three days after the American destroyers arrived it was noticeable in the submarine campaign.

Nobody can say we have not done anything in this war, because the record of our destroyers is a proud record. They are beautiful little instruments of the sea. They especially appear beautiful when you have been five or six days wondering what the submarine zone is going to look like, and you find them aside your boat some morning four or five hundred miles out from the Irish coast. They bob up and down, with the waves going over them. Those boys never sit down. At a meal they eat out of their hands. They are some of the unnamed and unknown heroes of this war, and they seem to have a new way of doing this. Instead of circling around as the British destroyers and the French destroyers, when they see a submarine they go right straight for it. There are chances in that; oh, yes; but they are swift enough and skillful enough almost to dodge the submarine, and the submarine has learned it. The American boys on these destroyers have put the fear of God into the commanders of the submarines. Let us increase the destroyers until wherever there is a submarine the destroyers will be after them and the sea will be rid of the most hellish of satanic devices pressed to completion by the devil's chief of staff, commonly known as the Kaiser.

In this era of criticism I pause here to remark that no criticism has been made of our Navy. Lloyd-George a few days ago congratulated our Nation on the splendid work of our Navy. Let no one say we have done nothing in this war. We helped to destroy the submarine. Our Navy is doing some of the most essential work of the war. All honor to the boys of the American Navy, to the work of Admiral Sims, and to the splendidly efficient Secretary of the Navy, Josephus Daniels.

Our boys over there are doing splendid work. If we can not go over and fight, let us insist that they shall have everything reasonably necessary to their comfort. Heroes, all of them! Let it never be said that the great Republic does not care for the wives and children left behind, and may it never be that those boys over there when they shall come home, as most of them will, will ever be in want.

Now, I want to say something about this. It will not suit some of my friends. I have observed in the papers criticism of the drunkenness of the American soldiers and comment as to certain diseases. As to those diseases I want to say that they are less than a fraction of 1 per cent—less than the statistics would show of any large city in this country. As to the drunkenness, I am as good a prohibitionist. I claim, as anybody in this country. I am commonly and usually denounced as a crank on that subject. I hate the liquor business. I will hit it every time I get a chance. But I want to say to my prohibitionist friends, "Don't father the stories of drunkenness among our boys across the sea." I have seen church publications for which I have great respect setting this matter forth. It is not so. You may find here and there a drunken man in the Army, just as you might a number of years ago in the Senate. That does not condemn the whole institution.

I want to say to you, my prohibition friends, we prohibitionists have a job on our hands. It is the important job of getting constitutional prohibition in this country, getting the amendment ratified by the States. That is job enough for us. That is going to keep us busy. When we do that we have done a tremendous work along the lines of ending the liquor business. But for this war let us not make it harder for the men in command over there by accusing our American boys of drunkenness. There is a man over there, the head of affairs, who is a temperate man, a God-fearing, a clean man, a fighter from the word "go," no blower, no grandstander, just an ordinary, thrifty fighter—Gen. Pershing. He can look after that question better than you and I can here in comfortable chairs. Gen. Pershing does not want a drunken army. Gen. Pershing does not want a diseased army. Gen. Pershing is just as much interested in the cause of our Army and in the great fight we are in as you and I. Now, let us quit this and leave that matter to Pershing. I hope that is not treason to the prohibition cause, but if it is they will have to make the best of it.

These boys are there for serious fighting purposes. Up Vimy Ridge the Canadians went and took it in two hours of tremendous fighting. It is interesting to know that 9,000 American boys went up the hill with them, storming the German lines, and one of the first flags to be planted on Vimy Ridge was the Stars and Stripes, carried by a lean, lank Texan.

While the Russian situation is not to our wish, let us be charitable with the Russian people. They have done great work in the past. They saved the west line. Let us be thankful for what Russia has done and prepare all the more to take her place in this contest. We must bring to the western front 2,000,000 men and have a million in reserve. We must do it as quickly as possible. We must cut the red tape, stop quarreling over the kind of guns and like things, and carry this thing through on business principles. Is it not possible for each individual in this country to quit thinking about what some one else should do and resolve to do everything he can do? It is not enough to do our bit. We must do our best. Is it not possible for each individual in this country to think about his Nation and get rid of every element of selfishness? There is too much grandstanding and limelighting; too much telling what everyone else should do; too much patriotic posing, and not enough of sacrifice.

There is no reason for gloom. It took Great Britain two years to get on a firm war basis. We need not be discouraged. The British and French will hold the line until we can come; but come we must with all reasonable speed that we can summon. If our men are not there, properly armed, they will be a liability instead of an asset. Never again will this Nation be found in such condition of unpreparedness, and one of the best preparations for future trouble will be universal military training.

They are sacrificing over there. What are we doing over here? The people of Great Britain and France have gone to the limit of sacrifice. Have we even reached the point of feeling it? We need not worry about the spirit of our people. It is right.

The women in England and France are in the munitions factories, they are in every kind of factory, hundreds of thousands of them also car conductors, truck drivers, motor-bus drivers. They have earned, it is conceded over there by their conduct during the war, the right to participate fully in the franchise, and I hope that right is coming to them here.

We need not worry, however, about the spirit of our people. We must think of what they are doing and the condition they are in. I think I rode 15 miles along the battle field of the Somme with graves on each side. Up the hill at Verdun a great cemetery was so full of graves of the French that they had to add an addition to it, and on the Marne, where the German soldier is sleeping side by side with the French soldier, there are palms over the French graves, so there is just a great sea of palms. Those people have made the supreme test.

The patriotism of one section of the country is no greater than the patriotism of the other. We are united solidly for this contest. We are ready for sacrifice and will meet the test. Let us love this country as we would our mother. And what sacrifices we would make for our mother! Men of the East and of the West, of the North and the South, are brothers in patriotism.

Patriotism does not consist in attending banquets with seven or eight courses to argue the food conservation question. Nor is it particularly evidenced by rising when the orchestra plays the Star-Spangled Banner and then rushing to the telegraph office and wiring Members of Congress, "For God's sake, not to increase the taxes on those things that affect us." We must search our souls in this country. We must quit thinking about ourselves; about what our neighbor is doing. We must cease criticizing others unless we are doing more than we think they should. We must think in terms of war; marshal our industries; marshal the spirits of our people not to expect profits; nor desire to grow rich during the war.

It is not enough to do our bit. That is, I think, an unfortunate expression. It is not enough to do our bit, but to do our best.

America is responding splendidly; the great Red Cross movement glorifying the womanhood of our country, the Young Men's

Christian Association, the Knights of Columbus, bring the little touch of home to the boys over there. And on the liberty loan the whole country has responded nobly and will continue so to do. Our business for the next year or two is war, and we will have to bend every energy of our being; every particle of our thought to that task. Let side issues wait. We will learn the lesson of thrift and economy. Congress should set the example.

In this same feeling of sacrifice I refer to a bill I introduced here for which I have received the usual customary denunciation of being a demagogue, a bill to reduce the salaries of Members of Congress. I do not know that it will pass. I am not here to argue that every Member of this body and the other body is not illy paid; but regardless of that, in this era of scrimping and sacrifice, what an example it would be to the people of this country if Congress would voluntarily during the war put its salary back to where it was before it was raised the last time. Oh, yes; we have lots of duties, of course, and we have children to educate, and all these things, and we can not live on our salary; that is the talk. Go across the water and see what they are living on. Members of the House of Commons receive $2,000 a year. We could do it if we would. It would be a great thing for this country. We have our meatless days and our wheatless days and sweetless days, and I hope "porkless" days in legislation.

Patriotism is awake in the land. It may not all be of the shouting kind; but ofttimes the deep, quiet patriotism is more lasting. We have shown it in every crisis in which our country was involved.

To-day the grandsons of the men who fought with Sherman and the grandsons of the men who fought with Lee are fighting under the Stars and Stripes, side by side with the tricolors of France, for the freedom of the people of the world.

Out of this war will come great things to our people. We will have no hyphenated Americanism in this country. Those in our country enjoying the blessings of American liberty, who are continually trying to harass the Government, who seem to like some other country better than this, had better go to that country just as quickly as they possibly can. If not voluntarily, be assisted there. It is not a time for partisanship nor politics and, may I say, it is no time for inefficiency in any departments of our Government. I wish in this spirit of nonpartisanship that pervades our country to-day we could have a coalition Cabinet, made up of the strongest men of the Nation. What enthusiasm it would bring to the people of this country if we had a coalition Cabinet, with Elihu Root and Theodore Roosevelt members thereof; if in some of the missions abroad the services could be utilized of such a great American as William Howard Taft. It is not injurious to the war that we have criticism. Honest criticism is helpful; honest criticism will help in winning the war; criticism helps bring out inefficiency, and inefficiency wherever it may be—in the heads of bureaus, in Congress, or in the Cabinet—must go, and the sooner it goes the better.

There is one thought that we should get into the German skulls—and it may take a surgical operation to do it—the thought that after the war the civilized nations of the world will not trade with Germany.

I had a State senator from my State down here. He had a pencil, which he was carrying, marked "Made in Germany." He cut off that part before he went to bed that night, but said he got to thinking about it, so in the night he got up and threw the pencil out of the window. That is the way the world is going to feel if this thing keeps up.

Who will buy German goods after the war? Who wants anything in their homes made by the same hands that have shot poor little children and women of Belgium; hands that have bayoneted women and carried away as relics parts of women's breasts? Who wants any utensils made by those who have carried women and children into exile; who have blown up the homes of the people in northern France; who have sent women and children down into the seas with the hellish torpedo and submarine; who have shelled boats in which people were trying to escape from their devilish work; who have let drop the murderous bomb upon hospitals where men were already living in pain; who have blotted out from the sky, contrary to all edicts of warfare, poor men and their families. Who wants anything made by the outlaw? Let her take her products to hell. That is the only place she should find a market. She has been such an ally of the devil that he might assist her. Let Germany know that the world knows her word can not be believed; that her treaties are nothing. She knows she can have no virile national life without commerce, and the civilized world will refuse to have any dealings with her when the war is over.

There is much talk in the world about peace. Yes; everyone would want an honorable peace. We are fighting for a permanent peace. Everyone would want the slaughter to stop. The world is weary of war. But how can there be peace? Can you sit down and work out a peace problem with a mad dog? Do you desire to sit down at a table and formulate peace plans with one who has been engaged in killing members of your family? You may say that while your family has been killed, and while death is the penalty for murder, it will cost the life of a sheriff or two to take the man. Hence it would be better to sit down and enter into peace terms. No red-blooded man would say it. When the Kaiser takes his bloody hands off of Belgium and France it will be time enough to consider peace. The Kaiser is a multimurderer and a murderer in the first degree. The punishment for murder in the first degree everywhere is death. A million deaths would not atone for what he has done, but one is all that can be administered to him.

In traveling over the sea and witnessing the deadly submarine peril a few weeks ago, I could not help wishing that the Kaiser might be compelled to traverse the sea in an unprotected boat with submarines shooting at him every now and then along his course.

In the ruined towns of France I could not help wishing that the great palaces of the Kaiser might be blown up in like fashion.

In witnessing an air raid on London I could not keep from my heart the desire that the Kaiser might be placed where the bombs from the infernal machines could drop around him.

When I saw the trenches and the brave boys in the wet and cold standing through the night, I wished the Kaiser might be compelled to stand for days and nights in those trenches with the shells and the hand grenades and the machine guns popping at him.

If there is no hell, there ought to be one. It has been suggested that the Kaiser be turned over to a jury of the civilized world under an indictment for millions of murders, rapes without number, and let the jury of the civilized world pass on his cause before talking about peace. What would be the use of any Hague conferences in the future? What would be the sense of making any treaties? Do you want to sit down with the Turkish partner of the Kaiser, their hands dripping with the blood of the Christian people of Armenia, and talk about a righteous peace? Do we want peace by neglecting duty? Far be it from us. As a Scotch second lieutenant said to me near one of the battle fields, "Of course, we do not like this. We would like to go home, but we will fight this thing through, and the Kaiser has no more chance of whipping us than a celluloid cat has to catch an asbestos rat in hell." Good spirit those boys have. Peace, yes, but not with the Hohenzollern. When they abdicate we can talk peace with the German people. This Nation must be very careful as to the great propaganda now being started by Germany throughout the world to create a sentiment in every country favorable to the peace terms promulgated by Germany, which would, in fact, be a German peace. This is another gold brick. Let us beware.

In my humble judgment, nothing could assist Germany more than this present peace talk, and the talk likewise that Germany is exhausted. Peace is alluring, of course; no one wants to stand against it; everyone wants peace; but what use is an unavailing peace, and what would it amount to now? A mere expedient, requiring going over the ground again in a few years unless Germany should submit to disarmament. There can be no lasting peace without disarmament. Will Germany submit to disarmament unless Great Britain submits to giving up its navy? Does anyone believe that Great Britain will be willing to give up its navy? But the day must come when there shall be disarmament throughout the world if we are to have peace.

Analyze the terms of the attempted treaty to be made with the Russians. If Russia falls into this trap and accepts the peace terms, Germany will be stronger than she ever has been before in her sphere of influence. Russia is learning the lesson of German duplicity. No one can talk peace with a person not on the square, nor with a nation likewise. Germany is not on the square. In dealing with tricksters, beware. Germany is the greatest trickster of all the ages. Let us not be gassed at this time with peace talk. It is an alluring but asphyxiating gas for us. This is a time for resolution; for nerve; for firmness; a time to have our eyes open and our ears open as to the tremendous propaganda with which Germany is attempting to spread peace talk throughout the world.

We started out, so we were informed by high authority, to end the Hohenzollern reign, in order that the world might have permanent peace; that is our purpose. Let us plow that furrow straight to the end and not be diverted from it; let us not become wearied before we have started. Lloyd-George defined Great Britain's terms a few days ago, and the President later, with great clearness, has declared our terms. I do not believe, speaking only for myself, that our people would be willing to wage a great war across the sea merely in order that Alsace

and Lorraine might be returned to France; but we need not cavil about that, because that is merely incidental to the main purpose. Our purpose is well defined—to end the menace of Prussian militarism. If out of that shall come Alsace and Lorraine to France, we will rejoice, but we are not fighting for that. Different allies may have different objects, and hence fight together without binding each to the particular object of the other. Our present business is clear—to help win this war; and all of these incidental questions can then be settled.

In conclusion, Mr. President, I want to say that we have a peace in our country. It is "that peace that passeth all understanding." It is a peace amid the roar of the cannon and the bursting of the shells. It is the peace that comes from the lasting conscience of America. It is a peace of mind, a peace of righteousness, a peace that comes to us because we know we are fighting to save worth-while civilization, for a civilization based on justice and not on greed, with that peace of mind which the military powers of Germany can not understand we war on.

America knows now why it is in this war. Our country knows that democracy can not be safe in America if autocracy succeeds in Europe. We learned in 1861 that this Nation could not be half slave and half free, and so we know to-day that the world can not be half cruelly autocratic and half humanely democratic. We know that righteousness and not ruthlessness must rule the world. There is a deep, set purpose in the hearts of our people to fulfill every obligation to the great duty that God has placed upon us. Loyalty, sacrifice, efficiency will win this war. In this contest of the allies and the United States, which the historian will regard as the most unselfish of all times on our part, to preserve the freedom of men and women throughout the universe, we rejoice to believe that there is no East, no West, no North, no South; a united people under one flag, marching on to the music of humanity; a people undeceived and unbeguiled by false peace moves born of German intrigue; a people determined that when peace comes it shall be a permanent peace; a people with vision enough to know that a peace now, without the destruction of the Prussian military machine, means simply getting ready for another terrific war. This people, devoted to peace, with the highest ideals of humanity, with the most unselfish purposes, knowing that no permanent peace can come by any arrangement with the present ruling class of Germany, fight on with determination and with their faces fully to the light.

Mr. THOMPSON. Mr. President, before the Senator takes his seat I should like to ask him a question for information. Before doing so I wish simply to state that the Senator has made a very able, interesting, and instructive address, and one which, I am sure, has been enjoyed by his colleagues, as it will be appreciated by the country. The Senator has personally visited the front, as I understand, and in his address he has stated that in one gallant charge in a battle which I think took place before the declaration of war between this country and Germany——

Mr. KENYON. Just after that.

Mr. THOMPSON. There were 9,000 Americans who participated. Did the Senator learn, or can he tell us, without giving any confidential information, as to the number of Americans who had volunteered prior to that time for service with the allies and also the number who have gone to the front since that time?

Mr. KENYON. The Senator asks me two questions. I can not give the exact information in reply to the first question, and hence I rather dislike to answer it. The general understanding is that somewhere between 40,000 and 50,000 American boys were with the troops of the allies before we declared war. The number of our troops now in France I have heard estimated by very competent authority, but would prefer that the Senator secure that information from the War Department.

During the delivery of Mr. KENYON's speech,

The PRESIDENT pro tempore. The Senator from Iowa will suspend a moment. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A joint resolution (S. J. Res. 101) to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of print paper at a fair price and by insuring a supply and equitable distribution at fair prices to the industries of the United States.

Mr. SMITH of Arizona. I ask that the unfinished business be laid aside until the Senator from Iowa finishes his address, when I shall call up the joint resolution.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Iowa will proceed.

After the conclusion of Mr. KENYON's speech,

Mr. OWEN. Mr. President, the appeal of the Senator from Iowa [Mr. KENYON] that America should do her utmost in this war, of course, will be appreciated and responded to by every loyal man. I have myself believed—and I wish to call the attention of the Senate to it—that, as a means of coercing Germany, we ought to take concrete, direct, positive steps to organize all of the world against Germany—the financial powers of the world and the commercial powers of the world, as well as the naval and military forces of the world. It would be entirely possible for the United States, through proper representations and through proper missions sent to the Republics of South America, to bring every one of those Republics into this gigantic conflict for democracy. We ought to organize the world together, so that the combined powers of the world that are against the German militaristic policy should serve notice upon the German people, who are backing the Kaiser in this war, that the whole world are defensively and offensively organized to establish liberty and justice and to fight the Hohenzollern ambition to rule the world by force to the death. To let the German people know the truth if they can be made to see it, and, if not, to enforce the rights of nations by the material, industrial, commercial, and military powers of an organized world. The psychology of this upon the German people now, I believe, would have a substantial effect in bringing about a realization in that country what the possibilities for harm may be if the German people continue to uphold the Kaiser in the making of this wicked, unwarranted, prearranged war, which has no purpose except the glorification and extension of the powers of his own dynasty.

SUPPLY OF PRINT PAPER.

Mr. SMITH of Arizona. I ask that the unfinished business be laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 101) to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of print paper at a fair price and by insuring a supply and equitable distribution at fair prices to the industries of the United States.

Mr. SMOOT. Mr. President, I desire to ask the Senator from Arizona if he will not allow the joint resolution to be laid aside to-day? There are three examinations going on now by committees of the Senate. There are two Members of the Senate who desire to speak on this measure who are in attendance on those committees. They expected to speak between the hours of 12 o'clock and 2 o'clock to-day, while the committee stood in recess, but they had to leave even before the close of the splendid address of the Senator from Iowa [Mr. KENYON]. Inasmuch as an executive session is desired now, I will ask the Senator if he will not allow the Senate to go into executive session? I know of no other business that is to come up to-morrow, so we can take up the Senator's measure in the morning hour, and then go on with it for the full day.

Mr. SMITH of Arizona. Mr. President, it is almost impossible for me to resist a reasonable appeal, or any appeal, from the Senator from Utah. My desire to secure early action on this measure is, as I have heretofore suggested, largely personal. I have the joint resolution under charge. If I could leave it to other hands, I would not press it to a vote at any particular time; but I feel that it is necessary for me to get away from Washington, and I will have to get away as quickly as I possibly can.

Mr. SMOOT. I think I am safe in saying to the Senator that the joint resolution will pass before the end of the week.

Mr. SMITH of Arizona. If I could be certain that I could get this joint resolution through——

Mr. KING. Mr. President——

Mr. SMITH of Arizona. I want to make a statement before the colleague of the Senator from Utah [Mr. SMOOT] modifies what he has stated. If I could obtain a vote on the joint resolution, or if I could to-day obtain unanimous consent for a final disposition of the measure, I would be glad to yield for an executive session. Of course, an agreement to vote on the joint resolution would involve the adoption or the voting down of the amendments which I have suggested. The amendments, as Senators know without my telling, have been suggested very largely on my own initiative, because in many particulars I have thought the joint resolution had gone further in the direction of seizure of property or the products of property than it ought to go, and, accordingly, the amendments I have offered have been due to an effort on my part, after consultation with the one man on the Federal Trade Board who knew more about the subject than I or anybody else, to liberalize the measure to the point of making no seizure, and

probably none would be made under the amendments I have proposed.

Mr. SMOOT. I desire to say to the Senator that I do not think there is going to be any particular discussion upon the amendments the Senator has offered. The remarks that were to be made were to be made upon the joint resolution itself.

Mr. SMITH of Arizona. On the principle of the joint resolution.

Mr. SMOOT. Yes; on the principle of the joint resolution. I do not want now to have the Senators who desire to speak called from the committees on which they are in attendance. The Senator realizes the urgent necessity of those hearings coming to a close as soon as possible.

Mr. SMITH of Arizona. I appreciate that very fully. I should like to ask the leader of the majority, my friend, the Senator from Virginia, if he knows of any probability of this joint resolution being displaced by any other important matters in the Senate?

Mr. MARTIN. I am very sure that there will be no attempt to displace the joint resolution.

Mr. SMOOT. I will say to the Senator that I will vote with him at any time against any proposition to displace it as the unfinished business.

Mr. SMITH of Arizona. That is perfectly satisfactory to me. I yield for a motion for an executive session, with the understanding that the joint resolution remains the unfinished business.

EXECUTIVE SESSION.

Mr. MARTIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 2 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 11, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 10, 1918.

COMMISSIONER OF THE DISTRICT OF COLUMBIA.

Louis Brownlow, of the District of Columbia, to be a Commissioner for the District of Columbia for a term of three years. A reappointment; term expires January 21, 1918.

AUDITOR FOR THE INTERIOR DEPARTMENT.

David C. Reay, of Morgantown, W. Va., to be Auditor for the Interior Department, in place of Oscar A. Price, resigned.

REGISTER OF THE LAND OFFICE.

John T. Cogan, of Sioux Falls, S. Dak., to be register of the land office at Pierre, S. Dak., vice John E. Kelley, term expired.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 10, 1918.

RECEIVER OF PUBLIC MONEYS.

H. Clay Sharkey, to be receiver of public moneys at Jackson, Miss.

REGISTER OF THE LAND OFFICE.

William F. Cummins, to be register of the land office at Jackson, Miss.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

The following-named captains to be rear admirals:
Thomas W. Kinkaid,
William S. Smith,
Spencer S. Wood,
Joseph L. Jayne,
Charles W. Dyson,
Clarence S. Williams, and
John D. McDonald.

The following-named commanders to be captains:
Clark D. Stearns,
Robert K. Crank,
Henry B. Price,
Stephen V. Graham,
William P. Scott,
Joseph M. Reeves,
Roscoe C. Moody,
Frank Lyon,
John McC. Luby,
Hutch I. Cone,
Robert W. McNeely,
George E. Gelm,
Frank H. Brumby,
James P. Morton,
George L. P. Stone,
Harris Laning,
Franklin D. Karns,
David W. Todd,
John V. Klemann,
Henry V. Butler,
Walter R. Gherardi,
James J. Raby,
William H. Standley, and
Kenneth M. Bennett.

The following-named lieutenant commanders to be commanders:
Hilary Williams,
Fletcher L. Sheffield,
Louis Shane,
Henry C. Dinger,
Walter G. Roper,
Allen Buchanan,
Richard D. White,
Hollis T. Winston,
Frederick R. Naile,
Emil P. Svarz,
Herbert C. Cocke,
William V. Tomb,
Bayard T. Bulmer,
Lewis Coxe,
Robert T. Menner,
Benjamin G. Barthalow,
Merlyn G. Cook,
Wallace Bertholf,
Frank McCommon,
Theodore A. Kittinger,
Guy Whitlock,
Jesse B. Gay,
Levin J. Wallace,
James O. Richardson,
James P. Murdock,
David A. Weaver,
Neil Nichols,
Otto C. Dowling,
Charles W. Early,
Wilson Brown, jr.,
Robert Henderson,
Edward C. S. Parker,
Joseph O. Fisher,
William T. Conn, jr.,
John H. Blackburn,
Frank B. Freyer,
Carlos Bean,
Roscoe C. Davis,
William D. Puleston,
Charles W. Densmore,
David Lyons,
Joseph F. Daniels,
Gaston DeP. Johnstone,
Frank Rorschach,
Stephen C. Rowan,
Walter S. Anderson,
Henry D. Cooke,
Samuel M. Robinson,
William W. Smyth,
Ralston S. Holmes,
Francis J. Cleary,
Fred H. Poteet,
William J. Giles,
Ralph A. Koch,
Lamar R. Leahy,
Milton S. Davis,
Charles C. Moses, and
Sam C. Loomis.

The following-named lieutenants to be lieutenant commanders:
Charles C. Ross,
Howard M. Lammers,
Archer M. R. Allen, and
Francis J. Comerford.

The following-named officers to be ensigns:
Eugene L. Richardson,
Bennie C. Phillips,
James D. Rorabaugh,
Loar Mansbach,
William Pollock,
Fred J. Pope,
Louis M. Palmer,

George H. Wheeler,
Alexander S. Neilson,
George H. Cooley, and
Elias Q. Horton.
Lieut. Commander Ward K. Wortman to be a commander.
Lieut. Commander Frank D. Berrien to be a commander.
Lieut. Herbert B. Riebe to be a lieutenant commander.
Lieut. (Junior Grade) Herman E. Welte to be a lieutenant.
The following-named medical directors to be medical directors with rank of rear admiral:
Edward R. Sitt and
George H. Barber.
Asst. Surg. William W. Hargrave to be a passed assistant surgeon.
Commander Luke McNamee to be a captain.
The following-named lieutenant commanders to be commanders:
William R. Sayles, jr.,
Kenneth G. Castleman,
Ward K. Wortman,
Frank D. Berrien,
Charles R. Train,
William P. Cronan,
Hugo W. Osterhaus,
Charles P. Huff, and
Byron A. Long.
The following-named lieutenants to be lieutenant commanders:
A. Beall, jr.,
William A. Hall,
Herbert B. Riebe,
John P. Miller,
Owen Bartlett,
Edward S. Moses,
John F. Connor,
William H. Booth,
Edwin B. Woodworth,
James P. Olding,
Walter W. Lorshbough,
Douglas L. Howard,
Pierre L. Wilson,
Stuart W. Cake,
Archibald G. Stirling,
John T. G. Stapler,
Lesley B. Anderson,
John S. McCain,
Matthias E. Manly,
Ronan C. Grady,
Reuben L. Walker, and
Alexander Sharp, jr.
The following-named lieutenants (junior grade) to be lieutenants:
Zachary Lansdowne,
Herbert R. A. Borchardt, and
Archibald McGlasson.
The following-named officers to be ensigns:
Howard W. Kitchin,
Walter S. Gallagher,
William W. Cole,
Karl E. F. Sorensen,
Jeremiah K. Cronin,
Allen J. Gahagan,
Bruce M. Parmenter,
Benjamin F. Schmidt,
James W. Lennon,
Frank S. Miller,
Arthur Boileau,
William A. Tattersall,
William J. Russell,
Benjamin F. Blume,
Robert J. Ford,
William J. Poland,
Haden H. Phares,
John P. Conraddi,
Thomas Fertner,
James Moran,
Ellis H. Roach,
Emil H. Petri,
Olaf J. Dahl,
Ralph F. Streitz,
Warren W. Wesley,
Stephen J. Drellishak,
August Skolasky,
Edwin F. Bilson,
Werner E. Follin,
James J. Morgan,
Frederick Bense,
Carl E. Nelson,
Carter E. Parker,
Charles M. May,
Walter H. Thomas,
Frederick G. Lemke,
Lester M. Harvey,
Edmund F. Sale,
Adolf J. Hofman,
Edward L. Moyer,
Edward Eger,
Thomas C. Ryan,
William Johnson,
Otto H. H. Strack,
John Erikson, jr.,
Dellworth Ballard,
Harlie H. Brown,
Garrison Payne,
Emmett M. Wanner,
Walter H. Stuart,
Leo E. Orvis,
Harold Bye,
Harold E. Fosdick,
Nels E. Smith,
Archie O. Mundale,
Mauritz M. Nelson,
John C. Hicks,
Orie H. Small,
Charles W. Heuckler,
William B. Anderson,
Henry Quinton,
William P. Crowley,
Harvey C. Brown,
Louis M. Bliler,
Joe S. Wierzbowski,
Robin Southern,
George V. Allen,
Elmer A. Posey,
Edmond T. Coon,
John F. McConalogue,
George H. Turner,
Joseph K. Konieczny,
Frederick A. Ruf,
Christian V. Pedersen,
Thomas M. Arrowsmith,
Henry Eismann,
William R. Giddens,
Walter E. Sharon,
Ernest C. Marheineke,
Herman G. Mecklenburg,
John D. Cornell,
Earle S. Nason, and
Lawrence Crilley.
The following-named enlisted men to be ensigns:
Carl I. Ostrom,
Robert DeBellefeuille,
James Williams,
John H. Burke,
William H. Newman,
George E. Comstock,
George Enes,
Ralph M. Jeffries,
Fred P. Brown,
Frank L. McLellan,
Thomas E. Orr,
Frederick L. Rose,
Harry L. Thompson,
William A. Blazo,
Harry E. Adams,
John D. Lennon,
Herbert G. Haynes,
Edward V. Brown,
Harry L. Ritchie,
William M. Price,
William A. Reynolds,
Roy E. Hall,
Leslie K. Orr,
Leon W. Thomas,
Horatio S. Ford,
Frank Mogridge,
George W. Haynes,
Chub J. Smith,
Charles Braun, jr.,
John R. Rayhart,

John J. Dabbs,
Clyde Morrison,
Ira A. White,
Joseph A. Curzon,
John F. Warris,
Elmer B. Robinson,
Emil Roeller,
Emerson B. Manlay,
Albert L. Bishop,
Edward D. Berry,
Walker P. Rodman,
Stephen W. Burton,
William Kuskey,
James S. Cuff,
John L. Wilson,
George L. H. Dolan,
Paul E. Current,
Luther Foust,
Theodore R. Raderick,
Ernest N. Varnado,
Edgard J. Thonnesen,
Alfred G. Lewis,
John E. Shaw,
George W. Pounder,
Willie L. De Camp,
Thomas O. Kirby,
Carl A. Stevens,
Elijah E. Tompkins,
Walter J. Thomas,
Svend J. Skou,
Abe Toretsky,
Harry B. Lough,
Loring McCormick,
Thomas C. Macklin,
William A. Gordon,
Oswald T. Schubert,
John W. Scanlin,
Carlton C. Tipping,
Cullie C. Manning,
Frank R. Williams,
Jacob Schnell,
Leonard E. Bray,
James D. Rodgers,
James B. O'Reilly,
Emil G. B. Wandt,
Anthony P. Sauerwein,
Ray W. Marsh,
Warren C. Carr,
Harold L. Arnold,
Clarence E. Owens,
John J. Audett,
Harold J. Gordon, and
Stanley Kazmarek.

The following-named surgeons to be medical inspectors:
Frederick L. Benton,
Royall R. Richardson, and
Jacob Stepp.

The following-named passed assistant surgeons to be surgeons:
James M. Minter,
Spencer L. Higgins, and
Renier J. Straeten.

Asst. Surg. Henry C. Johnston to be an assistant surgeon.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons:
Lawrence K. McCafferty,
Stephen R. Mills,
James A. Brown,
Albert N. Champion,
Alvin L. Mills,
Millard F. Hudson,
Isaac Dellar,
Carlton L. Andrus,
Floyd G. Tindall,
Harold E. Ragle,
Lawrence T. Hopkins,
Esdras J. Lanois, and
George A. Alden.

Thomas White to be a dental surgeon.

Naval Constructor William G. Du Bose to be a naval constructor with rank of captain.

The following-named naval constructors to be naval constructors with rank of commander:
James Reed, jr., and
Edwin G. Kintner.

Lieut. William H. Booth to be a lieutenant commander.

Ensign Boleslaw L. Dombrowski to be a lieutenant (junior grade).

Ensign Alexander S. Neilson to be an ensign.

Ensign Henry K. McHarg to be an ensign.

The following-named officers of the National Naval Volunteers to be ensigns:
Henry C. McIlvaine, jr.,
Henry S. Austin,
J. Walker Eaton,
James F. Cooper,
Milton M. Fisher,
Joseph C. M. Small,
Albert L. King, and
Frank J. McManamon.

The following-named surgeons to be medical inspectors:
Charles N. Fiske,
Charles G. Smith,
Robert A. Bachmann, and
Howard F. Strine.

The following-named passed assistant surgeons to be surgeons:
Frank H. Stibbens,
Reynolds Hayden,
Edward V. Valz,
Montgomery A. Stuart, and
Rudolph I. Longabaugh.

Ensign David A. Smith to be an ensign.

Surg. Herbert M. Tolfree to be a medical inspector.

Passed Asst. Surg. Frank X. Koltes to be a surgeon.

Pay Clerk George W. Armstrong to be a chief pay clerk.

The following-named citizens of the United States to be assistant civil engineers:
Raymond V. Miller,
Willard A. Pollard, jr.,
John J. Manning,
William M. Angas,
Vernon R. Dunlap,
Lewis B. Combs,
Valentine J. McManus,
Arthur L. Nelson,
George W. Horsley,
Hugo C. Fischer,
Fritz C. Nyland,
Emil Praeger,
Lewis Thornburg,
Ira P. Griffen,
Lewis N. Moeller,
Harold W. Johnson,
Henry H. Overesch, jr.,
Charles R. Johnson,
Carl F. Fritch,
Frank F. Addicks,
Carl H. Cotter,
Andrew G. Bisset,
Henry Brinkmeyer, jr.,
Robert L. McLellan,
Louis B. Hyde,
John B. McTigue,
Charles D. Riddle,
Theron A. Hartung,
Herbert S. Bear, and
Arthur C. Eberhard.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 10, 1918.*

The House met at 11 o'clock a. m.

Rev. William A. Sunday, evangelist, offered the following prayer:

Almighty God, our Heavenly Father, we thank Thee and rejoice that through faith in Thee and Thy word this Government was built upon that foundation. We thank Thee that the compact signed in the cabin of the *Mayflower* by our ancestors was for democracy, liberty, freedom, and the right to worship Thee according to the dictates of our own conscience. We thank Thee that as a Nation we have the courage to proclaim to the world our continued belief in Thee by stamping on our coins the inscription "In God we trust." We thank Thee that we are Americans and live beneath the protecting folds of the Stars and Stripes. We thank Thee that Thou canst look over the battlements of glory on our land and see that there is not one stain on any star or stripe in Old Glory. We thank Thee for our happy homes. We thank Thee for our wives and little

ones. We thank Thee for the fruitful trees and bountiful harvests. We thank Thee that as a Nation we have never gone to bed hungry nor scraped the bottom of our flour barrel, and we pray Thy continued mercy and blessing upon us. We pray Thee that Thou wilt forgive our transgressions and blot out all our iniquities.

Thou knowest, O Lord, that we are in a life-and-death struggle with one of the most infamous, vile, greedy, avaricious, bloodthirsty, sensual, and vicious nations that has ever disgraced the pages of history. Thou knowest that Germany has drawn from the eyes of mankind enough tears to make another sea; that she has drawn blood enough to redden every wave upon that sea; that she has drawn enough groans and shrieks from the hearts of men, women, and children to make another mountain. We pray Thee that Thou wilt make bare Thy mighty arm and beat back that great pack of hungry, wolfish Huns, whose fangs drip with blood and gore. We pray Thee that the stars in their courses and the winds and waves may fight against them.

We pray Thee that Thou wilt bless our beloved President and give him strength of mind and body and courage of heart for his arduous duties in these sorrow-laden, staggering days. We pray Thee to bless the Secretary of State, the Secretary of War, and the Secretary of the Navy; and bless, we pray Thee, the Naval Strategy Board. Bless, we pray Thee, Lord, the generals at the head of our Army. Bless the boys across the sea, "somewhere in France," and bless those protecting our transports, loaded to the water's edge with men and provisions. Bless our boys at home who are in the cantonments. Bless, we pray Thee, the Senate and House of Representatives, and give them wisdom and strength, for they seem to have come into the kingdom for such a time as this. And Lord, may every man, woman, and child, from Maine to California and from Minnesota to Louisiana, stand up to the last ditch and be glad and willing to suffer and endure until final victory shall come. Bless our allies, and may victory be ours. And in Thy own time and in Thy own way we pray Thee that Thou wilt release the white-winged dove of peace until Thou shalt dispel the storm clouds that hang lowering over this sin-cursed, blood-soaked, and sorrowing world; and when it is all over we will uncover our heads and lift our faces to the heavens and sing with a new meaning—

My country, 'tis of thee,
Sweet land of liberty,
Of thee I sing.

And the praise shall be to Thee forever, through Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION FROM A COMMITTEE.

The SPEAKER. The Chair lays before the House a resignation from a committee, which the Clerk will read.

The Clerk read as follows:

JANUARY 10, 1918.

Hon. CHAMP CLARK,
Speaker of the House, Capitol.

DEAR MR. CLARK: Having been appointed a member of the Committee on Interstate and Foreign Commerce, I beg to submit my resignation from the other committees of which I have been a member, namely, Elections No. 2, Industrial Arts and Expositions, Reform of Civil Service, and Roads, under the exclusive rule governing such cases.

Yours, very sincerely,

J. Y. SANDERS.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

WITHDRAWAL OF PAPERS.

Mr. RIORDAN, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Henry Metz, H. R. 14040, no adverse report having been made thereon.

Mr. MCARTHUR, by unanimous consent, was given leave to withdraw from the files of the House papers in the cases of Eda M. McCammon, H. R. 18641, and Mary J. Davis, H. R. 19580, of the Sixty-fourth Congress, no adverse report having been made thereon.

WITHDRAWAL OF A RESOLUTION.

Mr. EMERSON rose.

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. EMERSON. Mr. Speaker, at the first session of the Sixty-fifth Congress, at the request of the chairman of the Military Committee of the Mayor's Advisory War Committee of Cleveland, Ohio, I introduced House joint resolution 122. I have been requested to withdraw that resolution. It is in relation to the service flag. I ask unanimous consent to withdraw that resolution.

The SPEAKER. It does not have to have unanimous consent. It is withdrawn.

The Chair wants to admonish the galleries that they are here by courtesy of the House. They are not here to help conduct the business of the House, and it is against the rules for them to show any signs of assent or dissent by applause or otherwise. If I catch anybody violating that rule, I will clear the part of the gallery where they are. [Applause.]

WOMAN SUFFRAGE.

Mr. FOSTER. Mr. Speaker, by direction of the Committee on Rules I present a privileged report.

The SPEAKER. The Clerk will read it.

The Clerk read as follows:

House resolution 215 (H. Rept. 236).

Resolved, That immediately upon the adoption of this resolution the House shall proceed to the consideration of House joint resolution 200. There shall be not exceeding four hours' general debate, to be divided between those favoring and those opposing the resolution, but such general debate shall be concluded at not later than 5 o'clock p. m. At the conclusion of such general debate the resolution shall be considered for amendment under the five-minute rule. Whereupon the previous question shall be considered as ordered on the resolution and all amendments thereto to final passage, without any intervening motion, except one motion to recommit: *Provided*, That all debate shall be confined to the subject matter of the resolution.

Mr. CLARK of Florida rose.

The SPEAKER. For what purpose does the gentleman from Florida rise?

Mr. CLARK of Florida. There was some confusion in the Hall while the resolution was being read and I did not hear how many hours were given to general debate.

The SPEAKER. Four.

Mr. FOSTER. The gentleman from Kansas [Mr. CAMPBELL], the ranking minority member of the committee, I take it, is in favor of the resolution now before the House?

Mr. CAMPBELL of Kansas. Mr. Speaker, I simply want to submit to the gentleman from Illinois a suggestion that we might agree upon time upon the rule. Has the gentleman from Illinois any suggestion as to that?

Mr. FOSTER. I would suggest that we agree upon one hour's time on the rule.

Mr. CAMPBELL of Kansas. That is agreeable to me.

Mr. SAUNDERS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. SAUNDERS of Virginia. Can we not agree to adopt the rule without debate and let the time that would be devoted to the discussion on the rule go to the general discussion of the proposition before the body? In other words, my suggestion is this, amplified a little: That we have no roll calls in connection with the adoption of the rule or the previous question. Let it be agreed that the rule shall be adopted and that the previous question shall be ordered, and the time saved in that connection could then be devoted to the discussion and added to the time of general debate.

Mr. CAMPBELL of Kansas. I think, Mr. Speaker, that a roll call may be avoided, but the suggestion that there be no discussion on the rule comes after some arrangements have already been made with respect to the discussion. That will largely revolve around the main question, rather than on the merits of the rule.

Mr. SAUNDERS of Virginia. Could not that time be utilized in the discussion of the main question? It would more appropriately come in in connection with the discussion of the main question.

Mr. FOSTER. Mr. Speaker, I think the gentleman from Virginia will recognize that it is the custom on the rule to discuss the merits of the proposition.

Mr. SAUNDERS of Virginia. That is the reason I suggest that we add that to the general debate, and consolidate the debate upon the main proposition.

Mr. FOSTER. So that whatever time would be given to the discussion of the rule shall be given to the discussion of the main proposition. I suggest that there would be no practical difference.

Mr. GILLETT. May I ask the gentleman a question?

Mr. FOSTER. Yes.

Mr. GILLETT. I notice that the rule does not fix any time for voting. That, of course, leaves it in the power of those in control of the measure to close debate under the five-minute rule at any time.

Mr. FOSTER. That is true.

Mr. GILLETT. May I ask what the program is—how much time you intend to devote to the five-minute rule; whether you intend to have a vote to-day; and if so, at what time?

Mr. FOSTER. The intention is to have a vote before the House adjourns to-day, and I will say that when the resolution comes before the House I am unable to say as to what time the debate under the five-minute rule will be closed, but I apprehend that the gentleman who may be in charge of this resolution will give sufficient time for the offering of amendments under the five-minute rule.

Mr. GILLETT. Genuine amendments?

Mr. FOSTER. Oh, I think so.

Mr. GILLETT. I suppose it follows that any time wasted now in roll calls would either postpone the time of voting or would take so much from the debate.

Mr. FOSTER. It will.

Mr. GILLETT. So it will be better not to have any roll calls?

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that debate upon the rule be limited to one hour, and that at the end of that time the previous question shall be considered as ordered, and that the time be controlled—if satisfactory to the gentleman from Kansas [Mr. CAMPBELL]—one-half by myself and one-half by the gentleman from Tennessee [Mr. GARRETT], who is opposed to the rule.

Mr. CAMPBELL of Kansas. That was not the suggestion made in the committee.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent that debate on this rule be confined to one hour, half the time to be controlled by himself and the other half controlled by the gentleman from Tennessee [Mr. GARRETT], and that at the close of the hour's debate the previous question shall be considered as ordered on the rule.

Mr. LENROOT. Mr. Speaker, I did not quite catch how the time was to be controlled.

Mr. FOSTER. My suggestion was that the gentleman from Tennessee [Mr. GARRETT] who is opposed to the rule, be permitted to control one-half the time.

Mr. LENROOT. And the gentleman from Illinois [Mr. FOSTER] half and the gentleman from Kansas [Mr. CAMPBELL] the other half of the time for the resolution? Is that the suggestion?

Mr. FOSTER. No; not of my own time.

Mr. CAMPBELL of Kansas. I could not consent to that.

Mr. LENROOT. Reserving the right to object, if I may call the attention of the gentleman from Illinois [Mr. FOSTER] to the informal understanding in the committee, it was that he should control one-half the time, dividing it equally on his side between those for and against, and that the gentleman from Kansas [Mr. CAMPBELL] control one-half, dividing it equally upon this side between those for and against.

Mr. FOSTER. I will state to the gentleman from Wisconsin that that is satisfactory as far as I am concerned.

Mr. GARRETT of Tennessee. That was not my understanding.

Mr. GARNER. That does not give the opposition any chance.

Mr. GARRETT of Tennessee. My understanding was that we were to have the control of the time in our own right.

Mr. GARNER. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Illinois [Mr. FOSTER] whether or not he proposes to let the gentleman from Tennessee control the time in opposition to the resolution?

Mr. FOSTER. That was what I first proposed.

Mr. GARNER. Does the gentleman from Kansas [Mr. CAMPBELL] propose to yield half his time to those in opposition?

Mr. CAMPBELL of Kansas. That, of course, is my purpose.

Mr. GARNER. If so, who is to control that time?

Mr. CAMPBELL of Kansas. When it comes to the resolution, I assume that the tentative suggestion made yesterday will be carried out—that Miss RANKIN will control for the majority and that Mr. MEEKER will control for the minority, the opposition here. Upon the rule, any gentleman opposing the rule on this side of the House may have half of my time.

Mr. LENROOT. May I suggest that there is a distinction between the Democratic members of the Committee on Rules and the Republican members, in this, that all of the Republican members are for this proposition. [Applause.]

Mr. FOSTER. Mr. Speaker, my impression is——

Mr. CLARK of Florida. Reserving the right to object, I should like to ask the gentleman from Illinois if he thinks, and if the Rules Committee think, that four hours are ample time for the House of Representatives to discuss a great constitutional question like this?

SEVERAL MEMBERS. Oh, yes!

Mr. FOSTER. Mr. Speaker, in answer to the gentleman from Florida, I believe that two-thirds of this House have made up their minds to adopt this resolution [applause], and I see no occasion for discussing it a great length of time.

Mr. CLARK of Florida. Mr. Speaker, that may be true; but posterity has a right to know why this great fundamental change was made at this time.

Mr. GARRETT of Texas. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Texas demands the regular order.

Mr. CLARK of Florida. I want to make one more request. Do I understand that the gentleman's request for unanimous consent goes to the extent of ordering the previous question on the rule, so as to cut out the offering of amendment to the rule?

Mr. FOSTER. It does.

Mr. CLARK of Florida. Then I object.

The SPEAKER. The gentleman from Florida objects.

Mr. FOSTER. I move the previous question on the resolution.

The SPEAKER. The gentleman moves the previous question on the resolution.

The question was taken, and the Speaker announced that the ayes appeared to have it.

A MEMBER. Division!

The SPEAKER. A gentleman can not sit in his seat and demand a division.

Mr. FOSTER. Mr. Speaker, the resolution before the House providing for the consideration of House joint resolution 200 simply provides that there shall be four hours general debate, but that these four hours shall expire not later than 5 o'clock p. m. to-day. If it extends beyond that time, if the four hours have not been occupied, then it will close at 5 o'clock. I have no doubt the resolution will be adopted, and I reserve the balance of my time.

Mr. GARRETT of Tennessee. Mr. Speaker, I believe I am entitled to 20 minutes.

Mr. CAMPBELL of Kansas. How do I understand the time to be divided?

The SPEAKER. The rule of the House provides for 40 minutes' debate, 20 minutes for and 20 minutes against.

Mr. CAMPBELL of Kansas. That would deny this side of the House any time on the rule.

The SPEAKER. The Chair thinks not.

Mr. CAMPBELL of Kansas. If the gentleman from Illinois [Mr. FOSTER] controls the time for the rule and the gentleman from Tennessee [Mr. GARRETT] controls the time against it, this side of the House is without time.

Mr. SHERLEY. If the gentleman will yield, I suggest a way that it can be solved. I understand the gentleman from Massachusetts, the minority leader, is opposed to the resolution, and 20 minutes' time can be given to him to yield to Members who are opposed to the resolution.

Mr. CAMPBELL of Kansas. May I ask if the gentleman from Illinois [Mr. FOSTER] will yield some of his time to this side of the House?

Mr. FOSTER. Certainly I will; I had made promises for more time, but I will see that that side gets an equal division of the time.

Mr. CAMPBELL of Kansas. Will the gentleman yield 10 minutes to this side?

Mr. FOSTER. Yes.

Mr. GARRETT of Tennessee. Mr. Speaker, I understand that it is settled now that I have 20 minutes under my control. Is that correct?

Mr. GREENE of Massachusetts. I do not understand that the proposition was that the gentleman from Tennessee should have 20 minutes.

Mr. GARRETT of Tennessee. I am entitled to it under the general rule.

The SPEAKER. The Chair will state that this does not go by political lines. The rule of the House is that there shall be 40 minutes' debate allowed on a rule where the previous question is ordered without debate, 20 minutes to the proponents of the proposition and 20 minutes to the opponents of it. Now, the gentleman from Tennessee was the first Member that arose to oppose the rule, and the gentleman will proceed.

Mr. GARRETT of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER of New Jersey. Mr. Speaker, I deprecate bringing a constitutional question of this sort before this House, especially at this time, when all of our energies ought to be given to carrying on the war. This is not a war measure. It is said that it has been regarded as such in England, and that suffrage has been granted in rather limited form to the women

of England as a war measure. It is a sufficient answer to say that there is now no suffrage whatever in England; that Parliament by successive resolutions has refused to allow any general election for four successive years and has extended their own term of office, because they did not want to go into an election in England at the present time, and certainly not into one into which an enlarged electorate is brought, unhinging the whole foundation of government.

I will not debate the question as to whether in a time of war women are the best judges of policy. That great student of human nature, William Shakespeare, in the play of Macbeth makes Lady Macbeth eager for deeds of blood until they are committed and war is begun, and then just as eager that it may be stopped, while the man, as man should be, is slow to enter into a quarrel, but, being in, knows that he must so bear himself that his opponents may beware of him.

Mr. Speaker, I maintain that certain rights are reserved by the Constitution to each individual State, and that one of these is the right to determine what its electorate shall be. [Applause.]

I deny the moral right at any rate of any State to enforce an electorate upon another State. There was a seeming exception to that principle after the Civil War. There is now no such necessity as seemed to be upon the States then. It is a fundamental right of the locality to determine its own electorate. It is one that may have to be determined as to cities. There are now parts of some cities in which the janitors cast the vote and the clerks who live in the tenements cast the vote, while those most interested in the hundreds of millions invested there have no control over the business affairs of the town. The electorate is the foundation of local free government. It must often be determined by the local conditions as to what is the right thing to do, but it is certainly wrong in time of war, when our whole energies should be devoted to measures to carry on the war, that there should be thrown into every State a discussion on any such subject as this. It was wrong as to the amendment as to national prohibition, and it is wrong as to this, and I oppose the passage of this rule.

Mr. FOSTER. Mr. Speaker, I yield 10 minutes to the gentleman from Kansas [Mr. CAMPBELL]. Before he uses it I yield five minutes to the gentleman from Kentucky [Mr. CANTRILL].

Mr. CANTRILL. Mr. Speaker, in the presidential campaign of 1916 I was Democratic campaign chairman for the State of Kentucky. For five long months, day and night, I gave the best that was in me, physically and mentally, and cheerfully gave several thousand dollars of my individual funds for Democratic success in my State. On the night of the election I was full of hope and eager for results. I was deeply grateful that Kentucky rolled up her biggest majority in 30 years for the Democratic ticket. When the returns began from the great States of the North and East my heart sank within me. State after State in the North and East, which we Democrats were sure of, rolled in big Republican majorities, and, as the night grew, these majorities against us grew until it seemed that all hope was lost. Nearly every big Democratic newspaper in the country, except the Courier Journal, conceded Judge Hughes' election after all of the man suffrage States of the North and East had reported their returns. Not, until the early morning hours came, was there a single ray of hope for Democratic success. Then there came a report from the West showing a Democratic victory, then another and another until our hopes began to brighten. State after State from the Golden West, where woman suffrage prevailed, sent in cheering victories for Woodrow Wilson and Democratic policies. When all seemed lost, the tide was turned from defeat to victory, and every Democratic heart sent up a prayer of thanksgiving and praise for the woman suffrage States of the great West. It was on the morning following the election that I resolved, as a Democrat, that I would take advantage of the first opportunity to show my appreciation of the women's vote of the West. That opportunity for the first time presents itself to-day, and I will return, in part, my obligation as a Democrat, by voting in favor of the woman-suffrage amendment now before the House. I would feel myself an ingrate if I did otherwise.

Woodrow Wilson, the President of the greatest Republic on earth, and the spokesman of the world for humanity and liberty, speaks to the nations of the earth because the women of the West by their ballot so decreed; CHAMP CLARK, one of the greatest champions of the rights of the people, presides over this House because the voters of woman suffrage States joined hands with the Southern States in support of Democratic policies. The Democratic Party of the Nation controls the legislation of our country in the Senate and in this House, and upon our country depends the safety and happiness of the world. Our party has taken this position of world leadership for civilization and Christianity because the woman-suffrage States of the West by their votes made it possible. This being true, then right and justice demand that those of us on the Democratic side of the House should stand by those States which have stood by us.

In taking this position I find myself in good Democratic company. Many of our most distinguished leaders in all parts of the country have declared in favor of the woman-suffrage amendment; nearly all of the members of the President's Cabinet have declared for it; the great Speaker of this House favors the amendment; the President of the United States is in favor of this Congress now sending the woman-suffrage amendment to the States for ratification.

It was my privilege yesterday afternoon to be one of a committee of 12 to ask the President for advice and counsel on this important measure. [Prolonged laughter.] Mr. Speaker, in answer to the sentiment expressed by part of the House, I desire to say that at no time and upon no occasion am I ever ashamed to confer with Woodrow Wilson upon any important question [applause], and that part of the House that has jeered that statement, before it adjourns to-day, will follow absolutely the advice which he gave this committee yesterday afternoon. [Applause and laughter.] After conference with the President yesterday afternoon he wrote with his own hands the words which I now read to you and each member of the committee was authorized by the President to give full publicity to the following: "The committee found that the President had not felt at liberty to volunteer his advice to Members of Congress in this important matter, but when we sought his advice [laughter on the Republican side] he very frankly and earnestly advised us to vote for the amendment as an act of right and justice to the women of the country and of the world." Now, you gentlemen on that side of the House can jeer that statement, if you want to do it.

Mr. MOORE of Pennsylvania rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. To ask if the gentleman will yield in order that I may ask him whether the President wrote that with his own hand?

Mr. CANTRILL. He certainly did write it with his own hand, I will state for the information of the gentleman. To my Democratic brethren who have made these Halls ring with their eloquence in their pleas to stand by the President, I will say that now is your chance to stand by the President and vote for this amendment "as an act of right and justice to the women of the country and the world."

Mr. RAGSDALE. Mr. Speaker, will the gentleman yield?

Mr. CANTRILL. I decline to yield. Do you wish to do that which is right and just toward the women of your own country? If so, follow the President's advice and vote for this amendment. It will not do to follow the President in this great crisis in the world's history on those matters only which are popular in your own districts. The true test is to stand by him, even though your own vote is unpopular at home. The acid test for a Member of Congress is for him to stand for right and justice, even if misunderstood at home at first. In the end, right and justice will prevail everywhere.

This terrible war has made it necessary for the Congress to do many things which it would not have considered for a moment before the declaration of war. No one thing connected with the war is of more importance at this time than meeting the reasonable demand of millions of patriotic and Christian women of the Nation that the amendment for woman suffrage be submitted to the States. An affirmative vote to-day does not commit one to woman suffrage in the State in which one lives, but it is simply a vote to permit your State to say, through its legislature, if your State favors woman suffrage. Eighteen States of the Union, with 184 electoral votes, have already given women presidential suffrage, and several other States in addition recognize the right of women to vote in other matters. The question has reached such magnitude that it is deserving of being submitted to the States for final settlement. One of the chief arguments used by the opponents of woman suffrage is that women are unable to bear arms in war, but the fact stares us in the face that when the men who are bearing arms in France had a chance to vote on the question of woman suffrage they voted 2 to 1 in favor of the proposition.

If the men who are daily risking their lives in defense of our Nation in the trenches are willing to trust the women to vote as to their welfare, surely those who are fighting the war behind mahogany desks can trust the women of the land with the ballot. Gen. Pershing says, "This war is being fought by women; it is women who suffer and lend courage to us; women

are the ones who will deserve honor for their aid in establishing democracy." No one asks for the passage of the Federal suffrage amendment as a pretty compliment to womanhood. It is urged as a vital, sound, tremendous step in putting every ounce of power that can be marshaled behind our country in its time of need. However bitterly in the past I might have opposed woman suffrage, in the face of the statements from Gen. Pershing, our great military leader in Europe, and of the statement from the President, Commander in Chief of our Army and Navy, I would cheerfully support the woman suffrage amendment now. As the President states, it is a question of right and justice to the women of the country and of the world. The American Congress at this critical time must do those things which are just and right toward all mankind. Every single one of our great allies have given or are about to give suffrage to the women of their countries. We must do the same for the women of America, because this country, above all others, boasts of liberty and justice. What becomes of our boasted democracy when we deny to half our population the right to participate in the affairs of government? No man on the floor of this House will dare say that the women of America are not as patriotic as are our men. As Gen. Pershing says, they are the ones who suffer most. Justice demands that those who suffer most for the Nation should have at least some recompense for their suffering. The least reward that can be given them is to say that they should have a voice in the affairs of the Nation which takes away from them their fathers, brothers, sons, and husbands to bleed and die that democracy might live.

What answer can we give to the nations of the earth when we send millions of our men, the very flower of our manhood, to fight for democracy and then at home deny the very fundamentals of democracy to millions of our own women? What answer can we give when we spend billions of our wealth that the world may be free and then at home tax millions of our own women without giving them the right to vote on questions of taxation? What answer can we give when we give our all for freedom of foreign countries and keep in political slavery our own women? No, Mr. Speaker, right and justice will not permit us to do these things. The war in Europe is for the freedom of mankind in the centuries to come. This amendment here to-day is for the freedom of American women, which freedom has too long been denied to them. Let the American Congress catch the spirit of the times; let the lawmakers of the Nation catch the spirit of the men in the trenches who are upholding our laws with the bayonet; let the Members of Congress join the Speaker of this House and the President of our Republic in justice for American womanhood. Right, justice, liberty, and democracy have always been, and will always be, safe in the tender care of American womanhood. From this day on, let the men and women of America be equal and united, citizens all, for the common good of our beloved Nation and for the welfare of all mankind.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. CANTRILL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, for the present I object.

Mr. GARRETT of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. MOON].

Mr. MOON. Mr. Speaker, before addressing myself briefly to the question, I ask unanimous consent to revise and extend the remarks I may make.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. WALSH. Mr. Speaker, for the present I shall object.

The SPEAKER. The gentleman from Massachusetts objects.

Mr. MOON. Mr. Speaker, I suspected as much. That is about all the gentleman from Massachusetts is capable of doing. I shall say then what I have to say in the time granted and to be granted to me.

Mr. FIELDS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. FIELDS. I ask unanimous consent that all gentlemen be permitted to extend their remarks in the RECORD upon this question.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that all gentlemen shall have five legislative days in which to extend their remarks on woman suffrage. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

Mr. MOON. Mr. Speaker, I hope this does not come out of my time.

The SPEAKER. It does not.

Mr. MOON. Mr. Speaker, a few hours for debate upon a question that will add 14,000,000 of voters to the electorate of the United States is a want of consideration of one of the most important questions ever presented to this House. The time ought to be extended for this debate or gentlemen ought at least to be permitted to express their views in the RECORD.

For the gratification of those most excellent women and men who desire the passage of the pending woman's suffrage amendment to the United States Constitution I would be much pleased to vote to submit it for ratification to the States, but my sense of duty and my loyalty to the platform of the national Democracy and to the principles of my party and obedience to the will of an overwhelming majority of the people I represent forbids that I do so. It is not because I have any opposition to women exercising the right of franchise that I cast a negative vote on this amendment, but because of the manner in which it is sought to be obtained. A restrictive amendment upon the rights and the liberties of the people of a State attached to the Federal Constitution can not be desired by any person who has given careful thought to our system of government and the basis upon which local rights and liberty rests.

There are various reasons assigned why the amendment should be passed and many why it should not be passed. There are many people who believe in the right of women to exercise suffrage who can not, so long as they represent the will of the majority of the people and oppose the destruction of the rights of States, consent to the granting of suffrage by Federal amendment. Some contend that the mingling of women in politics would purify the electorate and make the Government safer and better. They may be correct. Others contend that such conduct would render women less modest and therefore less worthy of the respect of men, and at last produce a race wanting in that delicate refinement and feeling of sentiment that comes from the tender and confiding life of a pure woman, unstained with the gross and sinister methods of political life. This may possibly be true. It is most likely true that both ideas present a remote contingency and can not be of much value in the practical determination of the question.

Logically, no man can deny that a woman is entitled to all the rights and privileges, including the right of suffrage, that men enjoy; nor has man the moral right to determine whether it is best for women to exercise the right to vote or not. Women should be permitted to determine for themselves that which they think is best for them. For men to determine that women ought not to vote is to destroy the equal justice to which the sexes are entitled. The power, aside from the moral right, however, to make men and women equal at the ballot box under existing law rests with the qualified voters. The qualified voters are men, and women therefore have no voice under the Constitution and law as it exists in securing their own enfranchisement. It therefore becomes the duty of men under our dual system of government to determine the manner in which it shall be done, if they conclude it shall be done at all. There are two methods by which women may be entitled to equal political rights with men. One is by amendment to the Federal Constitution, the other is by amendment by each State to its constitution or by its law if permitted under the State constitution to grant suffrage to women. A large number of the States have already granted suffrage to women. They have exercised their political power and sovereignty in the matter and determined in the interest of the rights of women. Other States might be of the opinion that it is not proper to grant this power to women. The proposed Federal amendment, if passed, would deprive the State of its legal right to determine its electorate. It may be said that the amendments that have already been passed to the Federal Constitution that are restrictive of the rights of States do also pro tanto deprive the State of sovereign power. That, so far as it goes, is true, but it affords no reason why the State should be further deprived of sovereignty, nor are the powers of which the States are deprived under the Federal Constitution essential to the maintenance of local self-government. The enumerated powers of the Federal Government under the Constitution are those powers which are essential to the transaction of the greater functions of government that are national in their nature. They do not restrict the States in the most vital function that enables them to maintain local self-government. When you deprive a State of the right to say who its electors are or place restrictions upon the State in determining the qualifications of its electors, you strike down absolutely and unconditionally the life of its sovereignty. The power that names the voter is the sovereign and the only sovereign. The man who assumes that there should be further restriction upon the right of the State understands not the principles of free

government or the foundation upon which American liberty must rest. [Applause.]

There is no necessity for placing this sovereign power in the hands of the Federal Government. It ought to remain in the control of the States where it is, and a restriction upon it in any way or modification of the State's rights is a practical destruction of the power. I do not object to women voting if they get the right to vote exactly as men get their right to vote—by virtue of the State constitutions where they live. There is no reason why women should have the right to vote in any other way. The thoughtless advocate of suffrage does not appreciate that one method preserves the rights of the States and the other destroys it. They say that it makes but little difference how women get the right to vote, so they get it. A right obtained in the wrong way does more wrong than can be done in any other way. If women must have suffrage, let them have it by the acts of their neighbors and friends and fellow citizens of the States in which they live. If a State is not willing to give it to them, let them abide the hour until it is willing, for in no other way can local self-government exist. The destruction of the sovereignty of States is more fatal to liberty than the denial of votes to women. The concentration of all power at Washington must and will ultimately undermine our institutions. We have gone too far in that direction already.

The contention that it is difficult in some States to amend the constitution affords no reason for subverting their constitution by a Federal amendment which will coerce them into submission to a mere policy against what they think is their interests.

Again, the advocates of the Federal amendment say to you, "Why, the Constitution prohibits the denial of the right of suffrage to any person by reason of race, color, or previous condition of servitude. Are you not therefore willing to give to the white women of the country the same rights that the negro man has?" Of course this is a mere ad hominem argument, just like a good woman always uses. The negro man does not get affirmatively his right to vote by the fifteenth amendment. But that amendment is a restriction on the liberty of the State and its sovereign power in the selection of its electors. It should not have been passed. The fact that this wrong was done does not justify the perpetration of another wrong along the same line. Then, too, this amendment was passed at the close of a long and bloody war, when the real South had no voice in the Government. Many of the States of the South that were forced to vote for this amendment voted at a time when a majority of its best citizens were disfranchised and had no voice in the local government of the States. It is the only amendment to the Federal Constitution that was coerced. I have no objection to the colored man voting, but this privilege should have come from the States.

Again, with a good deal of complacency some of the advocates of the Federal amendment say that gentlemen who voted to submit for ratification to the States the prohibition amendment must upon the same ground vote to submit the suffrage amendment. The weakness of this suggestion ought to be apparent even to anyone, conditions being different. A man who voted to submit the prohibition amendment in obedience to the will of the majority of the people of the district or State he represented did right, because the highest principle involved in representative government is obedience to the will of the majority of the people as understood by their representative. The representative must comply with the will of the majority as he understands it, or, if he be an honorable man and can not do so, he must resign his commission. The people of the States whose representatives voted to submit the prohibition amendment did so in obedience to the overwhelming will of the people. Those who voted in the negative, if in obedience to the will of their constituents, also voted right.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. GARRETT of Tennessee. Mr. Speaker, I yield three minutes more to the gentleman.

Mr. MOON. So it follows that whether a representative believes in a proposition or not personally he must in his representative capacity carry out the will of the people. If I believed that the majority of the people of my State or my district desire that I should vote to submit the suffrage amendment for ratification to the States I should do so, yielding to their will, regretting and condemning their judgment. This is the people's Government and they have a right to control it. In my opinion, the restrictions by the Federal Constitution are already too great upon the people of the States. We must seriously doubt the wisdom of any further extension of Federal power and authority. Already that power is overwhelming. The Constitution itself is pregnant with the seeds of imperialism. Its dormant and undeveloped powers, if exercised by an ambitious tyrant, are sufficient to make us an imperial Republic rather than a representative government. No man knows the extent to which power may be granted by the Congress to the Executive or how far judicial construction will extend existing powers of Government. It is not wise to further deprive the people of local self-government. I shall not discuss those extraordinary powers now being exercised pending the war in which we are engaged. The necessity of the situation has perhaps justified the extension of power that the Congress has granted to the Executive. Just a little more of Federalization of States' rights and and the power of the people over their local affairs forever ends.

When men deride the rights of States and of the people for local self-government and seek to bury them in an arbitrary policy to be fixed in the National Constitution, where only principles should find a place, they betray an absence of the knowledge of the principles on which a representative government rests. A monarchy with single power is just the same as a Republic of sovereign States for such people. They are honest, but see no difference. Some of the most intelligent men think that if any proposition can secure the vote of two-thirds of Congress for submission and three-fourths of the States should ratify it under the Constitution nothing more is desired. By this method the President might be given the power to name the officers of a State. This would be an infringement of State rights, but it would be proper in the minds of those who favor centralized power and think that amendments should be made to the Constitution to enforce a mere policy. While this may be an extreme case, it is no less to be considered than the slow processes that have been going on for years in taking away all power of the people locally in the States by centralizing that power at Washington. Power diffused among the people may prove at all times effective. No republic is as stable and powerful as a monarchy. But it is free. The power over vast territory like that of the United States, with millions of people, centralized at Washington, controlling the things that ought to be controlled alone by local power, will be an inevitable source of tyranny. I believe in the full exercise of Federal power under the Constitution, but oppose its extension unless absolutely necessary for the national defense and in the full exercise of the rights of the States. We must look beyond the mere language of an amendment to the conditions in the various sections of our country and the effect on the people in passing an amendment to the Constitution.

It has been insisted that the real purpose of this amendment is the basis for political legislation that will ultimately deprive the Southern States of representation in part in Congress and their force in national affairs. This may be and probably is true. It could occur if Congress should force all persons to vote under penalties. For Tennessee to grant suffrage to her women would be no material harm to the State, but to deprive her of the right by Federal amendment to do so or to force her to do so would be to deprive her of her sovereign power. Some of the Southern States are in a different attitude from Tennessee and Kentucky and other border States which have but a small colored population. In those Southern States where the colored population outnumbers the white to double the number of ignorant voters by giving the colored woman the right to vote would produce a condition that would be absolutely intolerable. We owe something to the wishes and the sentiments of the people of our sister States struggling to maintain law and order and white supremacy, and if suffrage can be given to the women State by State, as the States will it, and the errors and injustice as to some of the States could be avoided which a Federal amendment would produce, it would seem the part of wisdom to do so.

We are engaged now in a great foreign war. It is not the proper time to change the whole electoral system. It is not the time to consider amendments to the organic law. When the German Empire shall have been overthrown and peace given to the world, it will be time enough to urge this question as a part of the policy of our country. Patriotism, in my judgment, forbids the injection of this issue into national politics at this time. This is not the hour for any honest American or patriotic man to press this issue upon the people. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. MOON. Mr. Speaker, I place in the RECORD a portion of the minority report and an editorial from the Baltimore Sun:

[From minority report.]

One of the very ablest of living Republicans, the Hon. Elihu Root, of New York, whose great learning and knowledge of the Constitution entitles any utterance of his to most careful consideration, has said:

"There is nothing more essentially and vitally local to a community than the way in which it shall select the officers who are to govern it. Any external power which can control that can control the local gov-

ernment. Nothing is more clear in the Constitution under which our Union was formed than that this is a matter of purely local concern."

Former President William H. Taft, in discussing this question, said:

"If in any of the States now acting on the question I were called upon to vote, I would vote against giving the suffrage, because I think to force it on an unwilling or indifferent majority is to add to the electorate an element that will not improve its governing capacity."

Thomas Jefferson, author of the Declaration of Independence and patron saint of Democracy, thus expressed his opinion of women mingling in political strife:

"All the world is now politically mad. Men, women, and children talk nothing else, and you know that naturally they talk much, loud, and long. Society is spoiled by it. But our good ladies, I trust, are too wise to wrinkle their foreheads with politics. * * * American women have the good sense to value domestic happiness above all other and to cultivate it beyond all other."

Former President Grover Cleveland, the first Democratic President after the Civil War, gave utterance to his conviction on this subject in the following language:

"I am willing to admit that it was only after a more thorough appreciation of what female suffrage really means that I became fully convinced that its inauguration would vastly increase the unhappy imperfections and shortcomings of our present man-voting suffrage. Its especial susceptibility to bad leadership and other hurtful influences would constitute it another menacing condition to those which already vex and disturb the deliberate and intelligent expression of the popular will."

Our present President, Woodrow Wilson, never exemplified his great qualities of statesmanship more clearly than when with reference to woman suffrage he said in the New York Times October 7, 1915:

"I believe that it should be settled by the States and not by the National Government."

Again, in a letter to Jane Jefferson Club, of Denver, Colo., October 7, 1916, he gave expression to this statement:

"Both the great political parties have in their recent platform favored the extension of suffrage to women through State action."

The President at various times has discussed the question of suffrage fully and at length, and always with the wisdom which he brings to the discussion of any question. In his textbook, State and Federal Governments of the United States, he announces the following indisputable truths:

"The suffrage in particular is a privilege which each State may grant upon terms of its own choosing, provided only that those terms be not inconsistent with a republican form of government.

"All the powers of the General Government are plainly such as affect interests which it would be impossible to regulate harmoniously by any scheme of separate State action, and only such; all other powers whatever remain with the States. With them rests the regulation of the suffrage.

"Federal law does not determine who shall vote for Members of the House of Representatives. The Constitution provides, simply, that all those persons in each State who are qualified under the constitution and laws of the State to vote for members of the larger of the two houses of the State legislature may vote also for Members of the House of Representatives of the United States. The franchise is regulated, therefore, entirely by State law."

In conclusion we desire to say that we stand with the views expressed by the President on this question of woman suffrage when, on December 23, 1914, he declared: "I still believe that it is a matter to be fought out in the individual States." This sentiment the President has since then on more than one occasion in effect reaffirmed.

Respectfully submitted.

E. W. SAUNDERS.
JACOB E. MEEKER.
FRANK CLARK.

[From the Baltimore Sun.]

SELLING THEIR BIRTHRIGHT FOR A MESS OF POTTAGE.

Southern Members of Congress and southern leadership in Congress have been the subjects of bitter criticism for months in many northern and New England newspapers which are in sympathy with President Wilson and which can generally be counted on to support the Democratic Party in presidential elections. While criticism of some southern leaders has been justified by their obstinate attitude with regard to conscription at the outset of the war and by the narrow and sectional spirit which they have manifested with regard to principles of war taxation, the Sun has been strongly inclined to resent the disposition to include all southern Members in this category and to regard a few as representative of the whole.

But in view of the reported change in the attitude of many southern Congressmen toward the suffrage amendment, and the motive unblushingly avowed for that change, we are compelled to believe that the South will have reason to join with the North and East in their scornful appraisement of the average Congressman from the Southern States. In Monday's Sun Representative JAMES C. CANTRILL, from the once proud State of Kentucky, was quoted as follows:

"The fact that the Congress is now almost evenly divided between the Democratic and Republican Parties," he says, "should force the Democratic Members from the South to give heed to the situation. This statement is based on the supposition that each Democrat is looking to the welfare of his party in the Nation and that he will not be governed by local conditions in his own district. The Democratic Party is now in control of all branches of the Federal Government. Almost every committee assignment, so far as the chairmanships are concerned, is held by southern Democrats, who thus far practically dictate the legislation of the Nation. We have this control, as everyone knows, because the woman-suffrage States in the last presidential election voted almost solidly for Democratic electors and candidates. For the Democratic Party in Congress to vote against the States that gave them this power would, in my opinion, be political suicide. For the southern Democrats in Congress to say to the millions of patriotic women of the Nation that suffrage shall not be given them would bring down upon our heads such condemnation from the suffrage States that we would be driven from power."

Mr. CANTRILL assumes that the women voters of the West decided the presidential election. Whether that be true or not—and it is open to dispute—Mr. CANTRILL deliberately proposes to his southern colleagues to trade the South's birthright of local self-government for a mess of political pottage. Committee chairmanships, in his view, it would seem, are more important than "local conditions" in the Southern States. And he thinks a Democratic majority in Congress is more essential than the protection of the South from negro domination. In a word, the new code proposed to southern Members is a code of political expediency and job-holding and not the old southern code of honor.

The proposition represents the practical abandonment of a policy which has been considered vital to prosperity and good government in the South. She is being betrayed in the house of her friends. As Judge HARRISON, of Virginia, points out, the adoption of this amendment will again force the people of the South "to face the hateful conditions which have prevailed in many parts" of that and other Southern States in the past. The conditions will, indeed, be more "hateful" and more menacing than before, because a new element will be added to the electorate, "deadlier than the male."

This southern desertion to suffrage is insincere and dishonest, and it will reap the reward of insincerity and dishonesty. The southern Members are hitching up to partners who have no respect for their race prejudices, no sympathy with southern feeling, and who will throw them overboard at the first opportunity. We trust the people of the South will put on their blacklist forever men who think committee chairmanships are things of greater value than the maintenance of white supremacy in their section. This is the plain issue that these strange southern representatives have raised.

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] is recognized for 10 minutes.

Mr. CAMPBELL of Kansas. Mr. Speaker, will the Chair call it to my attention when I have used five minutes? Mr. Speaker, the man who does not know that to-day witnesses the dawn of a new era in the progress of civilization of mankind fails to comprehend what is passing in the world. Old things are passing away and we are coming into new and greater things. We are about to vitalize and make real the old theory that Governments derive their just powers from the consent of the governed. That theory has been the hope of mankind through the centuries. We are about to make that theory a glorious reality for the women of America. [Applause.] The new day that is now dawning will witness a leveling up of mankind throughout the world. It will witness the granting of all the powers of government by the governed throughout the world. Why, then, in our own glorious Republic should one-half of the intelligent people be denied by any State the right to participate in the Government they love and support? The resolution under consideration denies the right of any State to enact a law that will deny any citizen the right of voting because of sex. It is not an affirmative grant, as assumed by the gentleman from Tennessee [Mr. MOON]. It is the removal of an implied inhibition on the right of women to vote.

Mr. Speaker, it has been said that women should not be granted the right of suffrage because they can not bear arms. The women of the world to-day have given to every battle front and to fighting ships on every sea the fighting men who are fighting the battles of this epoch-making war [applause], and the women of the world are the inspiration to those men on every battle front. And more, they are doing as much for the success of this war in America and throughout the allied countries as are the men behind the lines. They are doing every kind of work to-day that men are doing behind the lines—manufacturing arms, munition, clothing, and so forth—doing every manner of work. At this very moment in these galleries the women who are listening to this discussion are working for the soldiers. Not a man to-day in these galleries is doing anything except idly listening to what is going on. The women are doing something for the comfort of the soldiers on the battle fields and in the trenches and on the fighting ships. [Applause.] The gentleman from Tennessee [Mr. MOON] said that this resolution should not be agreed to or considered at a time when the Nation is engaged in an awful war. There never was a more propitious time for this Nation, that entered this war to secure for those who are governed the right to have a voice in the Governments under which they live than at this hour for America to grant the right of suffrage to the noble women of the Republic. If it is right for America to participate in this war in behalf of the consent of the governed in other lands, it can not be denied that Congress should go as far as it can go to grant the right of suffrage to all the women of the United States. I am for the resolution. [Applause.]

The SPEAKER. The gentleman has used five minutes.

Mr. GARRETT of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GREENE].

Mr. GREENE of Massachusetts. Mr. Speaker, the question before this House is adoption of a rule. I object to the adoption of the rule with such extreme haste. The gentleman who has just preceded me has many times spoken in this House, and spoken very strongly, against bringing in a rule and adopting it with a provision for only 40 minutes for debate, 20 minutes for each side. Here is an important matter which is brought up for consideration. The question of an amendment to the Constitution of the United States is, to my mind, a very much different proposition than the presenting for consideration and enactment into law of a measure which might be a proposition of only minor importance. But in my opinion a constitutional amendment, which vitally affects the entire country, should have more mature consideration. I shall not argue as to the privilege of any man in this House or any man in the country

or any woman in the country to have the right to their own views on the question of the adoption of this amendment, which the arbitrary action of the Committee on Rules forces us to discuss and consider. I do say for myself I believe it is literally wrong for Members to stand here and talk about the adoption of a rule and then begin to use as an argument for the proposition that we follow the rule if adopted, and then propose to limit the debate in which 435 Members of this House ought to have the privilege of participation when less than 300 minutes are granted for debate.

We are here to consider the question of the advisability of the adoption of this rule with such a limited debate. Now, I have been a Member of this House for nearly 20 years and I have seen rules brought in here from time to time with very limited time allowed for debate on the question of the rule. I have seen gentlemen on the other side of the House, when the Republicans were in the majority, pound us as hard as they could, because we brought in a rule providing for a limited debate on a simple proposition, and they solemnly and vigorously protested that when the Democracy came into power there would be no such arbitrary rules presented. But if you will examine the RECORD I think you will find that very many more drastic rules have been brought into this body during the limited time the Democracy has been in power than was ever done by the Republican Party when we were in power during the long term of our service.

I oppose this rule because I believe it is wrong to take up a constitutional question and to act on it with such limited debate. Even when the rule is adopted, we shall have so little time for debate that the question can hardly be brought to a decent consideration. Now, I have rarely voted for a rule in this House. I do not believe in bringing matters up in that way. I do not believe that this rule is necessary. We have a very limited calendar, and there would have been ample opportunity to bring up this proposition, and have it properly considered, before the time when the congressional session will be brought to a close, because we are going to be in session for a great many months, and there is no reason in the world for this House to bring up and force its immediate consideration such a drastic rule. I am opposed to the rule on that ground. When it comes to the question of the adoption or the passage of the resolution, if I can get a little time, I shall talk briefly on that proposition; but I am speaking now on the question of this drastic rule, brought in by unanimous vote of the committee, and putting such a limited debate on an amendment to the Constitution.

I am not a lawyer, but I am one who has read the Constitution a great many times. A very few Members of this House, I fear, have read it, but I have read it many times, and there have been just 17 amendments adopted since the original Constitution was framed by the master minds whom God had inspired in the cabin of the Mayflower to formulate the Constitution of the Plymouth Colony which was made the basis of the Constitution of Massachusetts and subsequently resulted in the establishment of the Constitution of the United States under which we now live. The thirteenth, fourteenth, and fifteenth amendments were passed by this body and were concurred in by the Senate. That is, the men from the South could not obtain representation in this House and return to the home of their fathers unless they voted for the acceptance of these amendments which were intended for the protection of the slave whose freedom was provided as the result of the Civil War. They voted for these amendments because they wanted figuratively to get back to the fleshpots of Egypt. They did not want to stay out in the cold any longer. They had been whipped in the war and wanted to get back, and they were willing to adopt any amendment in order to get back home once more. But it is to their everlasting discredit that they have ignored these amendments ever since. They are here now with the privileges their successors now enjoy.

I still strongly desire to state that I think the rule is wrong and ought not to be adopted, and I shall vote against it because I do not believe in it and I wish to reserve my individual rights.

I append a brief reference to some reasons why I shall vote against this amendment. There are many other reasons which might also be referred to, but I deem these I have presented sufficient to justify my actions.

Since the second session of the Sixty-fifth Congress opened I have met several women suffragists from the State of Massachusetts. I have immediately propounded to them this one question: "Do you approve or disapprove of the suffrage banners in front of the White House with the following words emblazoned thereon, namely, 'Kaiser Wilson, what will you do for woman suffrage?'" The banners with these words inscribed thereon were flaunted many days during the last session of the Sixty-fifth Congress. The day the Russian visitors called on President Wilson they were especially offensive. The answer in nearly every case to my inquiry was, "I glory in that demonstration." President Wilson, while not my choice for President, is the Commander in Chief of our Army and Navy, and this action in time of war was insulting to him and to the Nation in the terrible struggle in which we are now engaged and were then endeavoring to make successful. Besides, the response to my question was very offensive, and I immediately ordered these suffrage advocates from my office.

I have watched the suffrage movement at close range. I am very much opposed to the efforts made at the Capitol and elsewhere in the propaganda having for its purpose the adoption of the suffrage amendment. Large sums of money have been contributed, and have been and are to be expended, to bring about the adoption of said amendment. This method is objectionable and is corrupting in its nature. Threats have been uttered to me by suffragists that they would be present in my district and oppose my reelection next year. I am not disturbed by this threat. But I respectfully beg leave to state that I can not perform my duty as a Member of the House of Representatives in accordance with my oath of office by supporting this amendment, and I shall record my vote against it.

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman from Tennessee [Mr. GARRETT] use some of his time?

Mr. GARRETT of Tennessee. I have only two minutes remaining. There will be only one other speech.

Mr. FOSTER. I have three minutes remaining, and will grant it to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Then I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, when the resolution similar to this was before the House three years ago I opposed it. I opposed it upon two grounds. I opposed it as a matter of principle, on the ground that Congress ought not to submit constitutional amendments unless it was reasonably probable that, if submitted, the amendments would be adopted in the near future. Three years have gone by and that condition is changed. That argument no longer applies, and I think that nearly everyone will agree that if this amendment be adopted during this session of Congress it will be ratified by a sufficient number of the States within less than five years. [Applause.]

Another ground that I then took was that if submitted by the States the people directly vote upon the question, whereas if submitted by the Federal Government the legislatures themselves act upon it. But it was a matter of some humiliation to me, within a very few weeks after the House considered that resolution, to find that my own State legislature had refused to permit the people of my State to vote upon the question of woman suffrage. And so I have been compelled to change my mind upon that question. Therefore I am heartily supporting this amendment to-day. [Applause.]

Mr. Speaker, there should be no partisanship in the consideration of this resolution; and yet I must congratulate the Republican side of the House that because of the fact that an overwhelming majority of them will vote for this resolution to-day they have compelled the President of the United States to change his mind upon this proposition. [Applause on the Republican side.]

Mr. GORDON. Mr. Speaker——

Mr. LENROOT. I can not yield.

Mr. Speaker, I am hopeful from that fact that as time goes on the President may in some other matters be susceptible to Republican influence occasionally. [Applause on the Republican side.] Mr. Speaker, there should be no sectionalism in the consideration of this resolution to-day, and yet we might as well squarely face the fact that if this resolution does not this afternoon secure the necessary two-thirds vote it will be due to one section of this country and to Democratic votes—the solid South. From a Republican standpoint, from a partisan standpoint, it would be an advantage to Republicans to be able to go before the people in the next election and say that this resolution was defeated by southern Democrats. But, Mr. Speaker, I hope that you will not give us Republicans that opportunity. I hope there will not be a solid South upon this proposition.

Mr. CALDWELL. Will the gentleman yield?

Mr. LENROOT. I shall have to decline to yield.

You gentlemen of the South, how often you have stood on this floor and decried sectionalism! I have agreed with you. Let us not have sectionalism upon this proposition to-day. No other section of the country stands as you have stood upon this proposition, and, as I said a few moments ago, if this resolution is defeated to-day the country will understand whom to

hold responsible—one section of the country, controlling a portion of the Democratic Party.

Mr. Speaker, I yield back the balance of my time. [Applause.]

The SPEAKER. The gentleman yields back one minute.

Mr. GARRETT of Tennessee. Mr. Speaker, there will be only one other speech. Has the gentleman from Kansas exhausted all his time?

The SPEAKER. Except one minute. Does he desire to use that?

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield it back to the gentleman from Illinois [Mr. FOSTER].

The SPEAKER. That gives the gentleman from Illinois [Mr. FOSTER] four minutes.

Mr. GARRETT of Tennessee. I yield two minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Speaker, the gentleman from Wisconsin [Mr. LENROOT], who has just taken his seat, and who refused to yield, gives as a reason for voting for this joint resolution that the legislature of his own State refused to permit the people to vote on the question of woman suffrage. Here is the logic of his argument, namely, that because the legislature of his own State refused to allow the women to vote he is going to vote for a joint resolution that deprives the people of every State of this Union of the privilege of voting upon it. [Applause.] That is the logic of his argument. He made a good speech against this proposition three years ago. [Laughter.] Now he has changed his mind.

Mr. LENROOT. Others have.

Mr. GORDON. Gentlemen, this proposition involves treason to the principle of representative government, and is a gross violation of the national platform of the Republican and Democratic Parties adopted in the last campaign. [Applause.] Mr. Hughes bolted the platform before election, and he got his for it. [Laughter.] He lost the State of Ohio because he repudiated his party platform on the question of the right of the States to control the granting of suffrage.

Mr. MADDEN. What will happen to Mr. Wilson? [Laughter.]

Mr. GORDON. Mr. Wilson is not running for office now.

A MEMBER. He has kept us out of war. [Laughter.]

Mr. GORDON. Any man in this House, whether Democrat or Republican, who votes for this resolution, and who did not in the campaign in 1916 publicly repudiate that plank in his platform, is guilty of bad faith with his constituents, every single one. The Republican platform declared that the question of suffrage is one that should be determined by the people of the States. Now, because in some of the most important States the people themselves have voted down this proposition, you propose to force it upon them by a constitutional amendment through Congress and the legislatures of other States. I say this is an outrage, and every decent man—Democrat or Republican—who votes for this resolution ought to blush for his vote. [Laughter and applause.]

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] is recognized for four minutes.

Mr. FOSTER. Mr. Speaker, I yield the balance of my time to the gentleman from Pennsylvania [Mr. KELLY].

The SPEAKER. The gentleman from Pennsylvania is recognized for four minutes.

Mr. KELLY of Pennsylvania. Mr. Speaker and gentlemen of the House, the gentleman from Ohio [Mr. GORDON] is mistaken when he says that those who favor equal suffrage by their votes to-day will blush for their action. By a large majority this afternoon this House will go on record as favoring a fundamental principle of government by the people, and those who blush for their attitude will be those who vote against it. [Applause.]

The gentleman seemingly does not recognize the fact that we are living in a new world and that old conditions will not return again.

> New conditions teach new duties;
> Time makes ancient good uncouth;
> They must upward still and onward
> Who would keep abreast of truth.
> Lo! before us gleam her campfires;
> We ourselves must pilgrims be;
> Launch our Mayflower and steer boldly
> O'er the wild, tempestuous sea,
> Nor attempt the future's portals
> With the past's blood-rusted key.

America is in a new epoch since last April, and we must meet conditions as they exist to-day. The gentleman from New Jersey [Mr. PARKER] states that this is not the time for action on this great question. His argument is reiterated by the gentleman from Tennessee [Mr. MOON]. Gentlemen of the House, this is the time above all others. If America does not act now she will be a laggard instead of a leader in this great movement for the democracy for which liberty-loving nations are battling around the world.

Even in the midst of the welter of war the allied nations, the neutrals, and even the central powers are pledging equal suffrage to their peoples. At this very moment the question is pending in the British Parliament, in the Chamber of Deputies of France, and the legislative body of Italy. The heroic King of Belgium has promised that one of the first acts after his Kingdom is restored will be to see that women are enfranchised as a reward for the valiant service they have rendered in time of disaster.

These nations, even in the shadow of the Prussian mailed fist, have thought this great task of liberation worthy of consideration and action. Surely America can not rightfully take the position that this question should be delayed indefinitely.

Even in the German Reichstag, in Bohemia, and in Hungary the right of equal suffrage has been discussed, and in some instances that right has been pledged. Surely America will not allow the exponents of autocracy to lead the way in this advance of democracy. Now is the appointed time for action. Let the oldest and greatest democracy in the world lead this movement instead of straggling in the rear.

But, Mr. Speaker, Congress should also adopt this amendment now because there is a Nation-wide compelling demand from the people that this fundamental question be submitted to them for settlement. The Rules Committee, the Judiciary Committee, and the Woman Suffrage Committee have all held hearings at which were represented millions of American citizens, all asking action on this amendment. From every town and hamlet and city have come petitions urging that at least Congress give the people the right to act upon equal suffrage. Already more than one-fourth of the membership of this House and of the Senate come from States where women vote.

There have been 29 State elections held where this question was an issue. In these elections the total vote of men voting in favor of granting the franchise to women was 4,703,371. These were elections at which only male voters cast their ballots. While the number is increased by the fact that a second election was held in two States, still it is a conservative estimate, counting the women voters and those who favor it in States where no election has been held, that there are to-day at least 7,000,000 American voters who would go to the polls and vote that this amendment should be submitted to the States for decision. Whenever there is such a demand as that this House has no right to refuse to submit any question to the people. Putting aside the merits of the question itself and how individual Members feel about equal suffrage, the fact remains that it is the duty of Congress to refer this question or any question to the States when demanded by such a large proportion of the American electorate and citizenship.

Mr. Speaker, there must also be considered the fact that this amendment is essential to the equality of rights upon which this Government stands. Women to-day in many States help to elect a President and to choose a national administration. Women in other States are absolutely disfranchised, a situation which is manifestly unjust and unfair.

But still worse, the women voters in equal-suffrage States have no protection at all when they change their residence into other States. An amendment to the National Constitution, the recognition that America is a Nation and not a collection of States, is essential if there is to be "Equal rights to all, special privileges to none."

Congress should pass this amendment now, because this Nation needs as never before the votes of its women. It will add to the molding force that element of citizenship which naturally looks to the common welfare in time of peace. The evils in society are regarded as hostile forces by women, for they see their effects upon the home. The problems of bad housing, unwholesome food, conservation of life and health, commercialized vice, evil working conditions, all need the remedial hand of the home maker.

But if that is true in time of peace, it is doubly true in time of war. America needs the help of its womanhood as never before. The problems of this armed conflict include the problems of food, clothing, nursing, thrift, conservation, and others which are much more in woman's line than in man's. Every call sent out by the Nation to the women has been answered with enthusiastic devotion. Their work has been one of the splendid things of the past year, but I maintain that all these efforts would be vastly more effective if with them went the power to express patriotism, devotion, and convictions in the place where they count most after all—in the voting booth on the day of election.

Let us release the energy which has been expended by necessity in the effort to secure an undoubted right and turn it into

the channels of activities which will make surer the conquest of democracy over autocracy. When we remember that more girls are graduated every year from high schools and colleges than boys; when we remember that only one-fortieth of the inmates of our jails and penitentiaries are women, we must see that this step of liberation will mean an addition to the educated, moral, law-abiding electorate which is needed now and in the trying days which lie ahead.

Mr. Speaker, one of the guiding maxims of Napoleon was "A clear pathway for merit." He told his army that every soldier carried in his knapsack the baton of a marshal of France. Because this idea was the exact opposite of the Bourbon idea and because Napoleon's career itself showed that his poverty, low birth, and other handicaps did not act as a bar against ability and genius, the people of France followed the Little Corporal as the very personification of the spirit of their new nation.

America to-day must have a clear pathway for merit. At a dreadful cost in blood and treasure she wrote into the fabric of this Nation that neither color nor race nor previous condition of servitude should bar entrance to that pathway.

To-day, by orderly, peaceable methods outlined in the organic law of the land, we have the opportunity to say that the pathway for merit shall not be barred on account of sex.

That is the issue, for it is a fraudulent affront to argue that the vote will not be used wisely by women. Every observer of actual conditions has testified that the effect of women on political conditions has been elevating. But even if that were not assured, still suffrage is fairly due the women of America, and the debt should be paid. No honest man who owes another $10 refuses to pay his debt because he feels that perhaps the money will not be wisely spent. The ballot is a debt owed the womanhood of America, and now is the time to pay the debt.

Mr. Speaker, the people demand the submission of this amendment to them. The nations of the world are preparing to enfranchise their own women, and America must not prove recreant. The Nation needs the votes of its women in peace and in war. This amendment is the only way to secure a national solution for a national question. I sincerely hope and believe that this amendment will be adopted by a two-thirds majority, and that this Congress will nobly measure up to its responsibility and its opportunity. [Applause.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired. All time has expired. The question is on agreeing to the resolution.

Mr. SAUNDERS of Virginia. Mr. Speaker, one moment. Those of us who are opposed to the resolution have not interposed any sort of delay by way of votes or demands for roll calls, by which we have saved a good deal of time. I ask unanimous consent of all of the Members of the House that the time that would otherwise be taken in roll calls be added to the general debate. It would be about an hour. I ask unanimous consent to amend the report of the Committee on Rules by inserting "five" where "four" occurs, the effect of which will be to give five hours of debate in this body instead of four hours. I think that is a reasonable request, because, as I said, we have not interposed a moment's delay.

The SPEAKER. The gentleman from Virginia asks unanimous consent that, in consideration of not calling for the yeas and nays, the time it would take be added to the general debate.

Mr. FOSTER. With the understanding that we conclude this matter to-day?

Mr. SAUNDERS of Virginia. Oh, yes; certainly, so far as I am concerned.

Mr. FOSTER. Reserving the right to object, Mr. Speaker, let me ask the gentleman from Virginia if he would not be willing to fix the time, which may be a little later than 5 o'clock?

Mr. SAUNDERS of Virginia. So far as I am concerned, I am agreed.

Mr. FOSTER. Let me say to the gentleman from Virginia that if we can fix it at 5 o'clock, I have no objection. I ask to amend by fixing it not later than 5 o'clock.

The SPEAKER. That is the time that the rule fixes.

Mr. FOSTER. I understand that; but it also provides that not exceeding four hours of general debate shall be had, and in any event it shall not go beyond 5 o'clock. I ask that general debate shall not run later than 5 o'clock.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the rule shall be so amended that debate shall close at 5 o'clock. Is there objection? [After a pause.] The Chair hears none. The question now is on the passage of the rule as amended.

The question was taken, and the resolution was agreed to.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States extending the right of suffrage to women.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

"Article —.

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. Congress shall have power, by appropriate legislation, to enforce the provisions of this article."

The SPEAKER. The Chair desires to ask those in the management of this debate if the Chair understands the situation correctly. The Chair's understanding is that the four following Members shall each control one-quarter of the time: The gentleman from California [Mr. RAKER], the lady from Montana [Miss RANKIN], the gentleman from Virginia [Mr. SAUNDERS], and the gentleman from Missouri [Mr. MEEKER]. Is that correct?

Mr. RAKER. That is the understanding, Mr. Speaker.

Mr. CLARK of Florida. And amendments will be in order after debate is closed?

The SPEAKER. Yes.

Mr. SAUNDERS of Virginia. That gives to each one of the four Members an hour and a quarter.

The SPEAKER. It gives to each one one-quarter of the time, whatever there is. The gentleman from California is recognized.

Mr. RAKER. Mr. Speaker, before proceeding I ask unanimous consent that all Members who speak on the resolution be given the privilege of revising and extending their remarks.

Mr. NORTON. That is included in the rule.

The SPEAKER. No; there is no such provision in the rule.

Mr. NORTON. It is in the rule that I have in my hand.

The SPEAKER. The gentleman has the wrong rule. The gentleman from California asks unanimous consent that all gentlemen have five legislative days in which to print remarks in the RECORD. Is there objection?

Mr. SHERLEY. Mr. Speaker, that was not the request of the gentleman from California.

Mr. RAKER. I intended to make that request after I got consent to my first request.

The SPEAKER. The gentleman from California asks unanimous consent that all Members speaking on the resolution may have leave to revise and extend their remarks. Is there objection?

Mr. STAFFORD. Reserving the right to object, I wish to have that qualified so that those who do extend their remarks will not have leave to incorporate telegrams or letters, but that it shall be their own speech.

The SPEAKER. Is the gentleman objecting?

Mr. STAFFORD. I am, without that qualification.

The SPEAKER. Does the gentleman from California adopt that qualification?

Mr. RAKER. I do, under the circumstances.

Mr. McARTHUR. Reserving the right to object, I would like to ask the gentleman how many days we will have?

The SPEAKER. From now until the close of the session, under a general leave of that sort.

Mr. GARRETT of Tennessee. Is that broad enough to include those who have already spoken?

Mr. RAKER. I intend that it shall.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that all Members have five legislative days in which to extend remarks upon this resolution.

The SPEAKER. The gentleman from California asks unanimous consent that all Members have five legislative days in which to extend remarks on the resolution. Is there objection?

Mr. MEEKER. Reserving the right to object, I think the same stipulation should be made that there shall not be telegrams and letters included.

The SPEAKER. Does the gentleman from California accept the qualification?

Mr. RAKER. I do.

Mr. SHERLEY. Mr. Speaker, personally I had intended to object, because I think it is a bad practice to make the RECORD show what does not happen; but there have been so many individual requests for time that I do not desire to punish anybody, and therefore I shall not object.

Mr. WALSH. Will the gentleman from California yield?

Mr. RAKER. Yes.

Mr. WALSH. I desire to inquire if it would interfere with the gentleman's plan in any way if he permitted the lady from Montana [Miss RANKIN] to open the debate on this resolution?

Mr. BAKER. Mr. Speaker, I reserve the balance of my time, and will permit the lady from Montana to open the debate under the circumstances. [Applause.]

Miss RANKIN. Mr. Speaker, we are facing to-day a question of political evolution. International circumstances have forced this question to an issue. Our country is in a state of war. The Nation has had a terrible shock. The result has been a sudden change in our national consciousness. The things we have for years been taking for granted are suddenly assuming a new significance for us.

We as a Nation were born in a land of unparalleled resources, of vast acreage of fertile soil, of minerals, of coal, oil, gas, of timber, and water power. The combinations in which these resources were found, together with our great natural highways, gave us opportunities for development which no other nation could boast. And we had people, people in whose veins ran the blood of all nations, people imbued with the buoyancy of youth, fearless, and with the will and energy to make their dreams of freedom come true.

Without restraint we drew upon the stored treasure of the past. We spent recklessly, and we wasted our natural resources and our human energy with youthful abandon.

And then came the world war, and with its coming our carefree attitude was suddenly replaced by a new seriousness. To-day we are mobilizing all our resources for the ideals of democracy. We are taking stock of our available energy. And we are finding that with all our past wastefulness we still have limitless resources upon which we can count. We have men—men for the Army, for the Navy, for the air; men for the industries, the mines, the fields; men for the Government. And the national leaders are now reaching out and drawing men of talent, picking those with the best minds, with expert knowledge, and with broad perspective to aid in war work.

But something is still lacking in the completeness of our national effort. With all our abundance of coal, with our great stretches of idle, fertile land, babies are dying from cold and hunger; soldiers have died for lack of a woolen shirt.

Might it not be that the men who have spent their lives thinking in terms of commercial profit find it hard to adjust themselves to thinking in terms of human needs? Might it not be that a great force that has always been thinking in terms of human needs, and that always will think in terms of human needs, has not been mobilized? Is it not possible that the women of the country have something of value to give the Nation at this time?

It would be strange indeed if the women of this country through all these years had not developed an intelligence, a feeling, a spiritual force peculiar to themselves, which they hold in readiness to give to the world. It would be strange if the influence of women through direct participation in the political struggles, through which all social and industrial development proceeds, would not lend a certain virility, a certain influx of new strength and understanding and sympathy and ability to the exhausting effort we are now making to meet the problem before us.

For 70 years the women leaders of this country have been asking the Government to recognize this possibility. Every great woman who stands out in our history—Susan B. Anthony, Elizabeth Cady Stanton, Clara Barton, Mary Livermore, Harriet Beecher Stowe, Frances Willard, Lucy Stone, Jane Addams, Ella Flagg Young, Alice Stone Blackwell, Anna Howard Shaw, Mrs. Catt—all have asked the Government to permit women to serve more effectively the national welfare. All have felt that the energy, the thought, and the suffering that was spent in trying to obtain permission to serve directly should as quickly as possible be turned to the actual service. And in the meantime they did all they could indirectly. They learned to read and to know each other. They became interested in each others' problems, for they found them to be heir own problems. As they were the stabilizing influence in the home and kept the family unity, so they have become a great possible stabilizing influence in society, asking now to help keep the unity of the Nation to its highest standard of service.

They have stood back of the men. They have pioneered with them, rejoiced with them over their successes, and, when they failed, encouraged them and helped them to begin again. The women have done all that they were allowed to do, all that the men planned for them to do. But through all their work they have pleaded for the political machinery which would enable them to do more.

To-day as never before the Nation needs its women—needs the work of their hands and their hearts and their minds. Their energy must be utilized in the most effective service they can give. Are we now going to refuse these women the opportunity to serve in the face of their plea—in the face of the Nation's great need? Are you gentlemen representing the South, you who have struggled with your negro problem for half a century, going to retaliate after 50 years for the injustice you believe was done you so long ago? Have you not learned in your struggle for adjustment in the South to be broad and fair and open-minded in dealing with another franchise problem that concerns the whole Nation?

The women of the South have stood by you through every trial. They have backed you in every struggle, and they gave themselves and all they held most dear for the cause for which their men laid down their lives. Now they are asking to help you again in a big, broad, national way. Are you going to deny them the equipment with which to help you effectively simply because the enfranchisement of a child-race 50 years ago brought you a problem you were powerless to handle?

There are more white women of voting age in the South to-day than there are negro men and women together. Are you going to say to these thoughtful women: "After 50 years we have been unable to accomplish more than a temporary adjustment of our problem; and now we refuse to let you disturb us, even to help us"? Dare you say that in the face of our tremendous national crisis—in the face of problems too great to rest upon the old doctrines of our youth, but demanding the action of a Nation united in spirit and using all its power?

These are heroic times, and they call for the strength and the courage and the dignity to think and act in national terms. We thought in national terms when we restricted activities by the prohibition amendment a few weeks ago. Why can we not now think in national terms and extend opportunities?

Our President emphasized the great nationalizing process our country is undergoing when he took over the railroads of the country to meet this crisis. The food and fuel problems must soon be solved by nationalization. We are working and thinking to-day not as separate States but as a Nation. We must discuss public affairs not as Montanans or New Yorkers or Floridians but as Americans, taking always a national perspective and looking toward the welfare of the entire country.

We have made the protection of our child workers a national question. We declared war not State by State but by Federal action. We mobilized and equipped our Army not State by State but through Congress. Shall our women, our home defense, be our only fighters in the struggle for democracy who shall be denied Federal action? It is time for our old political doctrines to give way to the new visions, the new aspects of national and international relations which have come to us already since the war began.

For we have had new visions; we have been aroused to a new way of looking at things. Our President, with his wisdom and astuteness, has helped us to penetrate new problems, to analyze situations, to make fine distinctions. He startled us by urging us to distinguish between the German Government and the German people. We who have been steeped in democratic ideals since the days when our forefathers signed the Declaration of Independence find it difficult to think of government as something separate from the people.

Yet, as we learn to make this distinction for Germany, will not our minds revert to our own situation and be puzzled? How can people in other countries who are trying to grasp our plan of democracy avoid stumbling over our logic when we deny the first steps in democracy to our women? May they not see a distinction between the Government of the United States and the women of the United States?

Deep down in the hearts of the American people is a living faith in democracy. Sometimes it is not expressed in the most effective way. Sometimes it seems almost forgotten. But when the test comes we find it still there, groping and aspiring, and helping men and women to understand each other and their common need. It is our national religion, and it prompts in us the desire for that measure of justice which is based on equal opportunity, equal protection, equal freedom for all. In our hearts we know that this desire can be realized only when "those who submit to authority have a voice in their own government," whether that government be political, industrial, or social.

To-day there are men and women in every field of endeavor who are bending all their energies toward a realization of this dream of universal justice. They believe that we are waging a war for democracy. The farmer who knows the elements of democracy becomes something of an idealist when he contemplates the possibility of feeding the world during this crisis. The woman who knits all day to keep from thinking of the sacrifice she is making wonders what this democracy is which

she is denied and for which she is asked to give. The miner is dreaming his dreams of industrial democracy as he goes about 2,000 feet underground, bringing forth from the rock precious metals to help in the prosecution of this war.

The girl who works in the Treasury no longer works until she is married. She knows now that she will work on and on and on. The war has taken from her opportunities for the joys that young girls look forward to. Cheerfully and willingly she makes her sacrifice. And she will pay to the very end in order that the future need not find women paying again for the same cause.

The boys at the front know something of the democracy for which they are fighting. These courageous lads who are paying with their lives testified to the sincerity of their fight when they sent home their ballots in the New York election, and voted two to one in favor of woman suffrage and democracy at home. [Applause.]

These are the people of the Nation. These are the fiber and sinew of war—the mother, the farmer, the miner, the industrial worker, the soldier. These are the people who are giving their all for the cause of democracy. These are the people who are resting their faith in the Congress of the United States because they believe that Congress knows what democracy means. These people will not fight in vain.

Can we afford to allow these men and women to doubt for a single instant the sincerity of our protestations of democracy? How shall we answer their challenge, gentlemen; how shall we explain to them the meaning of democracy if the same Congress that voted for war to make the world safe for democracy refuses to give this small measure of democracy to the women of our country? [Prolonged applause.]

Mr. RAKER. Mr. Speaker, I respectfully request the Members of the House that I be permitted to proceed without interruption, and I will beg the Chair to advise me when I have consumed 10 minutes. This proposed amendment should be passed "as an act of right and justice" to the women of America.

To my mind, this is one of the most important questions that has been presented to the Congress since I have been a Member, one that has far more wide-reaching effect upon the people of the country, in so far as what the country stands for and what we stand for, than any other question since the writing of the Declaration of Independence and the adoption of our Constitution. There are 20,000,000 of American women in this country who are of age and entitled to vote, and they simply ask that you extend to them the same right that has been extended to the men of the country. The present amendment does not seek to make any change in that respect; it does not make the change that the opponents claim it does. It does not fix the qualifications. The fact is that her sex, for which she is not responsible, has been the basis for a denial to women of the privilege of participating in this Government. The same qualifications that exist in the States for men, giving them the right to vote, will apply to women. At present when she goes to register or to the polls to vote she is denied that right because she is a female and not a male. There is not one of the qualifications provided in the several States that she can not meet. There is no qualification provided for in any of the State constitutions or their laws that every American citizen can not meet. He must be 21 years of age and a resident of the State, and so forth, and only a few States fix limitations on account of property, and we are truly sorry for that. We provide that those under 21 years of age, because of their want of knowledge of the condition of affairs, shall not vote; that the insane and idiots and those convicted of crime shall not vote. Suffrage is extended to every man in the United States except under the conditions named, and the woman simply asks now that she be given the same right as the man.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. RAKER. Not at present, if the gentleman will pardon me. This is unquestionably a war measure——

Mr. MADDEN. I was trying to get some explanation about some matters in the report that I do not quite understand.

Mr. RAKER. I will yield for a question then.

Mr. MADDEN. I notice on the first page of the report written by the gentleman the names of a number of gentlemen and of the lady who have introduced resolutions with respect to suffrage, and on the second page I notice the gentleman from California says that Mr. TAYLOR of Colorado has been a true and loyal advocate of this measure and is one of the pioneers in this work, but he does not say anything about what the others have done. What has that to do with this question?

Mr. RAKER. Nothing, only I like to give credit to whom credit is due.

Mr. MADDEN. I thought maybe they were all entitled to equal credit.

Mr. RAKER. I try to give them all credit.

This is a war measure, unquestionably. The American women of this country are doing the same as the men. In the factory, in the field, in the shop, in fact, in every field of endeavor where aid and assistance could be given to the Government in its mighty struggle for democracy this has been demonstrated. In foreign countries the women are necessary to wage the war, so that the supply of munitions and other things to carry it on may be kept up. In justice to the women of America we say that they should be given the right to vote in this country and thereby become actual and living factors in its affairs and activities.

Mr. MEEKER. Mr. Speaker, will the gentleman yield?

Mr. RAKER. I can not yield for more than a moment. I yield to my colleague on the committee for a question.

Mr. MEEKER. Does the gentleman realize that a very large majority of the women who are doing actual war work do not want this vote?

Mr. RAKER. No; it is just the contrary. [Applause.]

Mr. MEEKER. It is not the contrary.

Mr. RAKER. I want to call the attention of the House to the fact that in Canada, where many hundreds of thousands of their men have gone to the front, the Canadian Government realized the need of the support of its patriotic women. Five Provinces of Canada have granted provincial suffrage. The Canadian Parliament realized and recognized that these women must have the power of the vote, and in September of this year granted the Federal franchise to women, which gave the vote to a million and a half of them, and those loyal Canadian women, with the loyal Canadian men, joined in support of the Canadian Union Government. When the question of conscription was up and to carry on the war, the women by their vote helped to win it. It has been recognized by the premier and the other leading men of Canada that if it had not been for the loyal women's vote in Canada the result might have been disastrous or serious to Canada. In the same way in England, where they have been in this struggle for three years, Parliament has seen fit and proper to give enough time to this question to consider it, and it has passed the House of Commons by vote of 7 to 1, and has gone to the House of Lords, where within the next two weeks they expect to pass it, and it will then receive the King's signature. The women of Australia have stood loyally and patriotically by their Government in this war. They have voted for conscription, they have voted for war, because this is a war for democracy, in which the women are as much interested as the men. And while our men at the front are unable to participate, they have by their vote in the New York election demonstrated how they feel upon this question. When the soldier vote came back it was 2 to 1 for woman suffrage, because they know that mother, wife, and sister at the polls will do everything in their power to uphold the hands of their Government in the way of lives, money, and until, if need be, the last sacrifice has been made, although we hope it will not be needed, to win this war for democracy.

I want to recall to my Republican friends this fact, and I want to say to you, my Republican friends, that your action on this matter is ideal, although it followed hours, and even days, after the declaration of the President. You deserve credit for the position you have taken.

Mr. DENISON. Will the gentleman yield?

Mr. RAKER. I yield for a question.

Mr. DENISON. It was known by the committee that went to see the President that the Republicans were going to take this matter up and pass it in caucus, was it not?

Mr. RAKER. I want to say to my Republican friends upon this question that I have been in conference with the President for over three years upon this question, and that over three weeks ago I went to him for his advice and to ask him how the matter stood. He told me the same then as he told the committee yesterday afternoon; and I leave it to the members of that committee if this was not his own language. He said: "Raker knew, but he knew how to keep his advice and counsel until the proper time." [Applause.]

Now, to my Democratic friends I want to say this: The Speaker of this House, the chairmen of the committees of this House, and the officers who constitute the organization of this House hold their positions to-day as the result of the votes of women. Without the votes of the Democratic Members from California, the Speaker would not be in the Chair. These Democratic Members from California would not have been elected without the votes of the women of California. Every man who holds a chairmanship of a committee owes it to the woman vote of the West. And I want to say further to the Members on the Democratic side that the returns indicated two

hours before we closed our polls in the West that the President was defeated——

Mr. WILLIAMS. Will the gentleman yield?

Mr. RAKER. Just a moment. But when the final vote was taken the women, realizing what had been done and where the President stood, voted to the last minute for President Wilson. They realized that the Democratic Party had stood for certain things; that they had revised the rules of the House, provided for the election of United States Senators by direct vote of the people, established the postal-savings bank act, Philippine independence, the Porto Rican bill, the child-labor bill, the antitrust law, revision of the tariff downward, the anti-injunction bill, labor legislation, eight-hour law for railroad employees, Alaska railroad, Alaska coal-leasing law, public-land legislation, irrigation-extension act, Federal farm-loan law, Mine Bureau legislation, Department of Labor, and many other progressive and liberal laws demanded by the people.

The SPEAKER pro tempore. The Chair desires to notify the gentleman that he has used 10 minutes.

Mr. KEARNS. How did the women of California find out and learn where the President stood on this thing just before election last fall? Nobody else seemed to know it.

Mr. RAKER. They knew it.

Mr. KEARNS. How did they find it out?

Mr. RAKER. I will take a minute or two——

Mr. KEARNS. I wish the gentleman would.

Mr. RAKER. The President went home and registered. The President went home and voted for woman suffrage.

Mr. KEARNS. He said he believed in it for the several States——

Mr. RAKER. One moment—and the people of California and the women of the West realized that a man who performs and does acts is better than a man who promises and never does. [Applause.] Therefore they voted for the man whom they believed would carry out the principles for which they stood.

Mr. KEARNS. That is the only information they had upon the subject, is it?

Mr. WILLIAMS. Is it not a fact they voted for him because he kept us out of war? Will the gentleman yield?

Mr. RAKER. I can not yield.

Mr. WILLIAMS. Just for a question.

Mr. RAKER. I can not yield. Again I want to appeal to my Democratic friends. Lying on this table here are hundreds of telegrams from the loyal women of the South. From every organization and association these women are appealing to Congress that they be recognized as are the men of this country in regard to the right to vote. They say that the negro question is a camouflage, and that they can well take care of it. There are over 8,788,000 white women in the South and 4,000,000 colored. You will have over 4,000,000 more white women than you will have colored. The total negro population is 8,294,274, and white women outnumber both negro males and females by nearly half a million. Therefore, from every conceivable point this resolution should pass. Here are telegrams open for your inspection which show that tens of thousands of loyal women of the South in every Southern State are writing, demanding, and pleading that they be given the right to participate in the affairs of their Government.

Woman suffrage is no longer a controversial question; it is an established fact in nearly half the territory of our country. Wyoming in 1869 led the way and New York in 1917 carried the question "over the top." No one denies that the coming of woman suffrage over the entire country is inevitable. The experiments already tried over a succession of many years have proved certain incontrovertible facts. (1) When the opportunity offers women vote in about the same proportion to their numbers as men. (2) Their vote has wrought no mysterious unfeminizing influence upon them, as the world once feared, nor caused neglect of children, home, or husbands. (3) It has not overturned political parties, nor the social order, nor in any way proved an abnormal or discordant influence. (4) On the contrary, by strengthening the demand for good laws governing home conditions and care of children mothers have been enabled to do their work in the world to better effect. Their influence upon politics and society in general has been a positive and not a negative force. The opinions of the men and women of the suffrage States are practically unanimous on these points.

With the overwhelming testimony on the one hand that woman suffrage in practice is a success and the unanswerable argument for the justice of woman suffrage on the other, there is nothing for a fair-minded American to do but to recognize the fact that woman suffrage is a sound principle in theory and in practice.

With woman suffrage established as a sound principle, the only question remaining is, How shall it be written into the law of the land?

All political parties are pledged to woman suffrage by the planks of their 1916 platforms. Some construe the planks of the Democratic and Republican Parties to mean suffrage for women by amendment of State constitutions only; but the planks of neither party stipulate that there shall be no Federal action. While they declare for suffrage by State action, they do not declare against suffrage by Federal action.

Since the adoption of those platforms circumstances and opinions have radically changed under the quickened impulse toward democracy brought about largely by the war. The reversal of opinion in New York is indicative of the change of view of the whole country.

To carry into effect this change of opinion by State action is clearly impossible at this time. The process is slow and the provisions of many State constitutions practically prohibit amendment. To cling to that plan of procedure longer is, therefore, to repudiate real democracy in the Nation for a method not applicable to present conditions nor responsive to the present demand.

Meanwhile woman suffrage has made amazing progress in foreign lands. In every belligerent country the services of the women in the munition factories, the railways, the shipyards, the offices of administration, have first amazed men and then filled them with admiration and gratitude. The expressions have been numerous among the chiefs of the war departments in Great Britain and France that the successes so far attained would have been impossible without the aid of women. The most conspicuous change of front is that of Mr. Asquith, long premier of Great Britain and an implacable enemy of woman suffrage. Said he:

> Short of actually bearing arms in the field, there is hardly a service which has contributed or is contributing to the maintenance of our cause in which women have not been at least as active and as efficient as men, and wherever we turn we see them doing, with zeal and success and without any detriment to the prerogatives of their sex, work which three years ago would have been regarded as falling exclusively within the province of men. This is not a merely sentimental argument, though it appeals to our feelings as well as our judgment. But what I confess moves me still more in this matter is the problem of reconstruction when the war is over. The questions which will then necessarily arise in regard to women's labor and women's functions and activities in the new ordering of things—for, do not doubt it, the old order will be changed—the questions in regard to which I, for my part, feel it impossible, consistently either with justice or with expediency, to withhold from women the power and the right of making their voice directly heard.

The greater respect for the claims of women to a share in government which the war has brought the world around has resulted in remarkable actual gains.

SUFFRAGE ADVANCE IN FOREIGN COUNTRIES, 1917.

Great Britain: Premier Lloyd-George on behalf of the Liberal Party has pledged the parliamentary vote to British women (all other electoral rights were extended long ago), and by a vote of 7 to 1 the measure passed the House of Commons in June. It is expected that the bill will be through the House of Lords and receive the King's signature before the middle of February. Lloyd-George said, "To give the women no voice would be an outrage; it would be unjust, inequitable. That is why the woman question has become largely a war question."

Canada: Five Provinces within the last two years have extended full suffrage to women by acts of their legislatures, and in September a bill was passed by the Dominion Parliament giving the parliamentary vote to all women who are mothers, wives, widows, sisters, or daughters of soldiers, making the parliamentary vote practically universal, except for those of alien-enemy birth naturalized since 1902. Premier Robert Borden has pledged full suffrage.

In Mexico, in November, 1917, the State of Guanajuato conferred the privilege of suffrage in all municipal matters upon women of reputable character.

In France a suffrage commission appointed by the Chamber of Deputies has brought in a favorable report on woman suffrage, declaring that women should have the vote "first of all as an act of delayed justice and secondly as a move dictated by public interests." The measure is now pending.

Bohemia: The city of Prague has appointed a commission with instructions to bring in a new plan of franchise for the city, including woman suffrage.

Hungary: The city of Budapest unanimously demanded of the Hungarian Parliament suffrage for men and for women, and the minister of justice has pledged the party in power to grant the petition.

Italy: The premier of Italy, on behalf of the majority party, has pledged municipal suffrage for women.

Sweden: All the Scandinavian countries, except Sweden—that is, Finland, Norway, Denmark, and Iceland—have universal suffrage for both men and women. The King of Sweden has recommended full suffrage for women of that country, where

they have long enjoyed municipal suffrage, and the Premier of the Liberal Party now in power has pledged his party to grant it.

Belgium: The King of Belgium has said that if ever his kingdom is restored to him one of his first acts will be to see that the women are enfranchised as a reward for the wonderful service they have rendered to their country in its time of stress.

Germany: Woman suffrage was recently proposed in the Imperial Reichstag as a reward for the war service of the women and was debated.

While other nations are fighting for their very lives in the world war for democracy, they have found time to take steps toward its establishment at home. Yet those nations are supposed to be more conservative than ours, and most of them are pledged to institutions that are more or less monarchial rather than democratic.

The Congress of the United States has not acted upon this question; it can pass the question on to the States. That is the purpose of this proposed amendment. For the Congress of the supposedly most democratic country in the world to refuse to take this action, to block the progress of democracy at home while professing to fight for it abroad, would be so high handed a performance as to fill the world with suspicions of our purposes in the war. To deny the States the opportunity to establish woman suffrage if they wish to do so is an act of autocratic injustice which would certainly be misunderstood abroad and would deeply incense the millions of women who are voters as well as the millions more who are petitioning for the vote. The opinions of millions of men and women are expressed in an editorial of the Los Angeles Times of December 24, 1917:

The women of the States where equal suffrage now prevails have fully justified their claim to the ballot. The game of politics is played more cleanly and occupies a higher plane than before women were permitted to vote; and the part which the women of America have taken in the war crisis proves incontestably that they are qualified both mentally and temperamentally to assist in the direction of the destinies of the Nation. To oppose longer the right of equal suffrage is simply to play the rôle of illogical obstructionist.

The West wants the opportunity of ratifying the Federal suffrage amendment and thus to stop delay in the establishment of this measure of democratic justice. Gov. Lister, of Washington, calls attention to the fact that the legislature of that State by joint memorial asked Congress to submit the amendment, and that the State is ready to ratify it. Gov. Stewart, of Montana, wires, "I hope the Federal amendment will pass. Montana is for woman suffrage."

The governor of Wyoming wires, "After 40 years' experience with woman suffrage Wyoming enthusiastically and unqualifiedly recommends the adoption by the Nation of the Federal woman-suffrage amendment."

Gov. Gunter, of Colorado, wires, "Woman suffrage has been beneficial to Colorado and I recommend the extension to the women of the Nation."

Gov. Capper, of Kansas, wires, "Woman suffrage has been an unqualified success in Kansas. I hope Congress will pass the Federal suffrage amendment and give the woman of the Nation the right to vote, a right which should never have been denied them."

Gov. Boyle says Nevada's people "want to see suffrage established Nation wide as part of Federal Constitution."

"Idaho is in favor of national enfranchisement of our women. It is in favor of the Federal suffrage amendment, woman suffrage having worked in Idaho so satisfactorily that we believe its benefits should be Nation wide," wires Gov. Alexander.

Oregon's governor, James Withycombe, wires that he is a strong advocate of the Federal suffrage amendment.

"The Utah Legislature, by unanimous vote, recommended the adoption of an amendment to the National Constitution granting woman suffrage. I heartily concur in this recommendation and feel that such an amendment will be favorably acted upon by Congress," reads the telegram signed by Gov. Simon Bamberger.

"The people of Arizona have already ratified an amendment to the State constitution giving full suffrage to both sexes alike. I regard such ratification as an index to the manner in which the people of this State would receive a Federal amendment providing for universal suffrage," wires Gov. W. P. Hunt.

Gov. Whitman, of New York, says: "I believe that the proposed Federal amendment providing for equal suffrage should be passed, and I believe, too, in the event of its passage that it will be ratified by at least three-fourths of the States. The State of New York by an overwhelming majority has given the vote to its women, and I think that it is the wish of our people that our Representatives in Congress should support this measure."

The Legislature of California in session in 1917, both houses concurring, unanimously passed a joint resolution, which reads as follows:

Assembly joint resolution 22, relative to urging Congress to submit to the legislatures of the States for their ratification an amendment to the United States Constitution granting women the right to vote.

Whereas the women of the United States are being called upon to share the burden and sacrifice incidental to the present national crisis; and Whereas they are patriotically responding to that call: Be it

Resolved, That denial of the right of women to vote in any part of the Nation on equal terms with the men is an injustice; and be it further

Resolved by the assembly (the senate concurring therein), That we do urge upon Congress the submission to the legislatures of the States for their ratification an amendment to the United States Constitution granting women the right to vote.

In other words, the people who have seen woman suffrage in operation, who know what it is and how it works, recommend it whole-heartedly to the rest of the country, and those who are blocking its progress are those who do not know what it is nor how it works but are governed by preconceived notions emanating from traditional prejudice.

The fact that the soldier vote of New York went 2 to 1 for suffrage should not be forgotten. These men, or those of them who come back, will be our Congressmen, our governors, and so forth, a few years hence. To vote with them on this question now is not to be regarded by them later as bigots and obstructionists.

It should be remembered the suffrage amendment is only a referendum. Those who vote for it are not committed to woman suffrage; they are merely committed to the proposition that they are willing to grant the States an opportunity to act. Those who vote against it are obstructing this movement which has already so far succeeded that 10,000,000 women of voting age live under woman-suffrage laws.

In 1916, 91 electoral votes were controlled jointly by men and women, and it was commonly admitted that women in the Western States played an important rôle in deciding the election. During the year 1917 the number of electoral votes cast by equal-suffrage States grew from 91 to 193. These voting women, as well as the millions of nonvoting petitioners, are certain to be deeply incensed if the same Congress which referred prohibition to the States refuses equally fair treatment to woman suffrage.

It must be borne in mind that it was the Nation, not the States, which declared war, conscripted men, voted a necessarily huge war tax, and has taken over the control of food and fuel. It is the Nation which has appealed to women to take the places of men, to give their money, their labor, their sons. All these things which but a few months ago seemed impossible have happened, and the Nation is engaged in the greatest war of its history—a war for democracy.

This crisis of our Nation calls for bolder action than would have been necessary a year ago. We can not consistently profess to lead in a war for democracy and be the last nation to establish it at home. Nor can we claim that the Nation is fighting for democracy abroad and leave the States to demonstrate our understanding of democracy at home. The loyal votes of women who would vote in the places of absent men are a national concern. The war has made woman suffrage a national question. The Congress should treat it as such.

The Congressmen who called on him to ask his advice were advised very frankly and earnestly by President Wilson to vote for the amendment "as an act of right and justice to the women of the country and of the world."

The women of America will be grateful to President Wilson for his advice and consequent great assistance in their cause, and the Members of the House can well afford to follow such advice.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman has used 13 minutes.

Mr. SAUNDERS of Virginia. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. GORDON].

Mr. MEEKER. Mr. Speaker, I also yield the gentleman five minutes.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for eight minutes.

Mr. GORDON. Mr. Speaker, House joint resolution No. 200 is entitled "Proposing an amendment to the Constitution of the United States extending the right of suffrage to women," and provides for an amendment to the Constitution of the United States which prohibits the several States from refusing to permit women to vote in any and all elections.

Section 2 of this resolution provides: "Congress shall have power, by appropriate legislation, to enforce the provisions of

this article." Here the authority is conferred to enable the Government of the United States to take charge of every election held in the most remote precinct of every State in this Union, and to override and nullify every constitutional provision and statute in each of the States of this Union enacted to protect the purity and sanctity of the ballot. All these constitutional provisions and legislative enactments in each of the States are subordinated, subverted, and submerged to the will of the Federal Government by the terms of this proposed amendment. We are told that this revolutionary proposition must be engrafted upon the organic law of this Nation, because the people in different States of this Union have voted down proposed amendments to their State constitutions, conferring the right to vote upon women in those Commonwealths. The only reasons which can be assigned for proposing this amendment are: (1) The qualifications of voters are defined in the constitutions of the several States, and any change proposed therein must be submitted to a vote of the qualified electors. (2) By submitting this proposed amendment to the legislatures of the several States, instead of to constitutional conventions called for the purpose of passing upon it, the purpose to prevent even an indirect expression of the people on the amendment is apparent. The advocates of this amendment have a legal opinion from their counsel to the effect that even in those States which have constitutional provisions authorizing a referendum upon all legislation, a referendum can not be invoked upon the action of a State legislature in ratifying this amendment. The real underlying motive, then, for this proposed amendment is to override the action of the people of a number of the States, at the polls, by an appeal to Congress and the legislatures of other States.

This joint resolution is a naked and impudent repudiation of both the letter and spirit of the last national platforms adopted by the two leading political parties in this Nation, and every man on this floor, elected as a Democrat or Republican, who did not in the last campaign openly repudiate the platform of his party on this question is guilty of an act of bad faith in voting for this joint resolution. The Democratic national platform adopted at St. Louis, June 16, 1916, reads on suffrage as follows:

> We recommend the extension of the franchise to the women of the country by the States upon the same terms as to men.

Here is a plain and unequivocal recognition of the right of each State to control the question of suffrage in accordance with the wishes of the people of the several individual States. The Republican national platform adopted at Chicago on June 10, 1916, deals with this proposed joint resolution in the following terms:

> The Republican Party, reaffirming its faith in Government of the people, by the people, for the people, as a measure of justice to one-half the adult people of the country, favors the extension of suffrage to women, but recognizes the right of each State to settle this question for itself.

If this language is not a plain, unequivocal, and emphatic recognition of the right of each State to settle and determine the question of woman suffrage for itself, then there are no words in the English language that would fairly express that purpose. Any Congressman on the floor of this House elected as a Democrat or a Republican who did not in the campaign in which he was last a candidate publicly repudiate this plank in his party's platform is morally bound to vote against this joint resolution. There is not in the Constitution or laws of the United States a single restriction, limitation, or obstruction to prevent, hinder, or delay the adoption of woman suffrage by any State in this Union. If any such obstruction existed, I would vote to remove it. Because the suffrage leaders in some of the large States of this Union have not been able to convince a majority of the electors of those States that woman suffrage ought to be adopted, or that even a majority of the women in those States favor it, these women rush down here to Washington and ask the Congress of the United States, by a species of legislative force and violence embodied in this joint resolution, to override and nullify the action of their own State by the aid of the legislatures of other States and their Representatives in Congress. Permit me to call attention to the history of my own State upon this question. In 1912 we held a constitutional convention in Ohio, which promulgated and submitted to a vote of the people of the State certain amendments, one of which authorized women to vote at all elections. It was defeated. In 1914 this same amendment was again submitted, and in the largest vote ever cast in the State up to that time this amendment was again voted down by a majority of 182,905 votes. These elections would seem to have established the fact that, whatever the sentiment in other States of the Union, the people of Ohio, both men and women, were opposed to granting the women of that State the right to vote. In the spring of 1917 a bill was introduced in the legislature of our State to confer upon women the authority to vote for and thereby join in the appointment of presidential electors. The broad power conferred upon the States by the Federal Constitution would seem to warrant the selection of presidential electors in any manner that the legislatures of the States might deem wise. This language is as follows:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of [presidential] electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

Standing alone, this language of the Federal Constitution would seem to permit the legislatures of the several States to authorize the red-headed women alone in those States to appoint presidential electors, but the framers of the Ohio constitution concluded it would not be wise to leave such broad powers in the general assembly of our State, so a provision was inserted in our State constitution adopted in 1851 that "No person shall be appointed or elected to any office in this State who is not an elector," and in the same instrument the term "elector" is defined as "male white citizens 21 years old." The authority conferred by the legislatures of the several States to join in the appointment of presidential electors, either at elections or in any other way, is unquestionably an office which is defined as "a special duty, trust, charge, or position conferred by an exercise of governmental authority and for a public purpose." A majority of each branch of the legislature of Ohio yielded to the clamor and importunities of the same men and women who are in Washington now attempting to force woman suffrage on the State of Ohio by a Federal constitutional amendment and passed the measure authorizing women to vote for presidential electors. A referendum upon this measure was invoked by the constitutional number of electors of our State, and at the November election in 1917 this Reynolds bill authorizing women to join with men in the appointment of presidential electors in Ohio was defeated by 146,120 majority. This most recent action of the electors of Ohio, of course, furnishes, from the standpoint of these militant suffragists, an additional argument why this constitutional amendment ought to be adopted, because it seems to demonstrate the failure to procure woman suffrage in Ohio with the consent of the people of that State.

In addition to the pending joint resolution and others of similar tenor and effect, the gentleman from California [Mr. RAKER] and the gentleman from Idaho [Mr. FRENCH] have introduced bills entitled, "A bill to protect the rights of women citizens of the United States to register and vote for Senators of the United States and for Members of the House of Representatives," and then these bills attempt to confer by legislative enactment of Congress authority upon the women of all the States of this Union to vote for United States Senators and Members of the United States House of Representatives. These bills were recently referred to the Committee on Woman Suffrage of the House, and, being desirous of learning what it was the purpose of this committee to do with these bills, I called upon the lady from Montana [Miss RANKIN] after the bills had been referred to her committee and asked her what the committee proposed to do with them. She replied in substance that the action of the committee on these bills would depend upon the action of the House on the joint resolution now pending.

In other words, if the Congress of the United States refuses to pass this joint resolution to amend the Constitution, this Committee on Woman Suffrage proposes to pass one of these bills in violation of the Constitution as a measure of reprisal against the Congress and people of the United States.

We are threatened by these militant suffragettes with a direct and lawless invasion by the Congress of the United States of the rights of those States which have refused to confer upon their women the privilege of voting. This attitude on the part of some of the suffrage Members of this House is on an exact equality with the acts of these women militants who have spent the last summer and fall, while they were not in the District jail or workhouse, in coaxing, teasing, and nagging the President of the United States for the purpose of inducing him by coercion to club Congress into adopting this joint resolution. [Cries of "They got it!"] Last Saturday one of these suffrage crusaders declared before the Woman Suffrage Committee of the House that unless Congress enacts this pending joint resolution they intend to renew their seige of the White House and keep it up until the occupant surrenders to them. They forget the admonition which one of their orators gave to the chairman of the Woman Suffrage Committee [Mr. RAKER]: To see the

President in behalf of this joint resolution, and if he was for it to advertise that fact, but that if he declared against it to tell him it is none of his official business, anyway. [Laughter.] This same militant Amazon from Iowa in this same speech declared that the only way they could get woman suffrage in Iowa was through the action of Congress and the State legislatures by constitutional amendment, because the qualifications of electors in Iowa are defined by the constitution, and the people of that State had voted down a woman's suffrage amendment and the legislature could not reverse the action of the people at the polls. She explained that the people of Iowa had also voted down State-wide prohibition, but that the legislature enacted it. What the State of Iowa needs worse than anything else is a lot of first-class political funerals among their Members of Congress and State legislature. [Laughter.] The people of Iowa ought to change their minds on the subject of prohibition and woman suffrage or change their representatives in Congress and in the legislature of their State. [Laughter.]

Now, the President of the United States has no more to do officially with the adoption of a joint resolution providing for a constitutional amendment than has Carrie Chapman Catt. The action of these militants in besieging the President's official residence with pikes and banners for the purpose of procuring the adoption of this joint resolution is not only an insult to Senators and Congressmen, who are the only United States officials charged with any duty or responsibility in the matter, but it is a reflection upon the President himself, who repeatedly declared before his last election, and which was declared in the platform upon which he was reelected, to be a question for each State to decide for itself. Mr. Wilson did not, like his opponent, repudiate the platform upon which he was running for President in 1916, and having been reelected upon a platform which recognized the right of each State to control the question of suffrage for itself. I say it is an insult for any man or woman to ask or expect the President to use his influence with Congressmen and Senators to induce them to violate the platforms upon which they were elected.

It is only a few years ago that the resounding voice of a presidential candidate was heard throughout the land, propounding the inquiry, "Shall the people rule?" This same man has been in Washington during the present session of Congress, urging Members to prevent the people of their States from ruling on the question of prohibition and woman's suffrage by forcing these policies on them by constitutional amendment through Congress and the State legislatures of other States. Nothing in the Constitution or laws of the United States prevents a single State in the Union from granting suffrage to its women, and if there is any obstacle in the constitution or laws of any State a majority of the people of that State can remove it. This joint resolution ought to be entitled: "A bill to take from the people of the States control over an important matter and vest it in the legislatures of three-fourths of the States." It ought to be defeated, and I hope and believe it will be, here or elsewhere.

In a recent decision by the Supreme Court of Indiana, adjudging null and void an act of the State legislature attempting to authorize women to vote for certain candidates for office, the court said:

> The right of suffrage is not a natural or inherent right, but a political privilege, and it is held only by those on whom it is bestowed, either by virtue of express constitutional grant or through authorized legislative provision. The question is primarily one for the consideration of the people in their capacity as creators of the constitution, and is never one for the consideration of the legislature, except in so far as that instrument clearly sanctions an extension of the elective franchise or permits a regulation of its mode of exercise.

The lady from Montana [Miss RANKIN] has introduced a joint resolution in this House recognizing the right of Ireland to home rule and political independence, but she is unwilling to permit the people of Ohio to have home rule in their domestic affairs, but by her voice and vote as a Member of this House is attempting to deprive them of it. The people of my State have always sympathized with the desire of the people of Ireland for home rule, but we demand it for Ohio and for every other State in this Union as a matter of right. These vociferous advocates of home rule for foreign nations and peoples ought to apply their principles to their own people, for home rule, like charity, ought to begin at home.

Mr. Speaker, there is very much more involved in this joint resolution than the principle, bad as it is, of coercing the people of a number of States into granting to women the privilege of voting at elections. The exercise of this power involves the assertion of the right by constitutional amendment to overturn, alter, amend, and repeal the taxation laws, the school laws, the statutes of descent and distribution of real and personal property, and numberless other local laws and institutions which were deeply rooted in such old States as Virginia and Massachusetts many years before the Federal Government was organized. To protect the States from the possible invasion of these rights by the Federal Government the tenth amendment was adopted concurrently with the Constitution itself, by which it was solemnly asserted that—

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

This amendment was designed and intended to declare and define the relations between the States and Federal Government, and it was only because their relative rights and powers were so designated and generally understood that a Union was agreed upon. If any considerable number of people, prior to the adoption of the Federal Constitution, had asserted the right and power of three-fourths of the States to usurp by constitutional amendment jurisdiction and control over purely local matters, the Constitution would never have been ratified by the requisite number of States. The right to vote is a privilege, coupled with a duty and responsibility, which in free States is vested in those of its citizens who may be trusted to exercise it wisely for the general welfare; it is not, as so many of our militant friends so vociferously assert, a right inherent in the citizen like the right to life, liberty, and property. If a voter sells his vote, the law condemns him to penal servitude in the penitentiary for the betrayal of a public trust reposed in him by his fellow citizens to be exercised solely for their benefit, in accordance with his best judgment, which it is unlawful for him to delegate to another. Our woman-suffrage friends, who contend so glibly that all human beings have an inherent and inalienable right to vote and that they have been deprived of this "right" by "man-made" laws, are, of course, driven to the extremity of conceding the same "right" to all other human beings, hence we hear the most fantastic arguments adduced in support of laws permitting parents to vote their children, guardians of imbeciles and lunatics their wards, and mothers their babes in arms, and so forth.

I would not vote to deprive any woman of the voting privilege she now enjoys by the action of her own State, but Members of Congress before voting for this joint resolution ought to weigh and consider all the consequences involved in such action. You are invading the jurisdiction of many States against the protest of their own citizens upon a matter of local or State concern and upon a subject concerning which you can not claim any special or superior knowledge. What do Members of Congress know about the qualifications of citizens, men or women, in remote States, to exercise the elective franchise? They know still less about the state of public sentiment where no election on the subject has been held.

In the States of Alabama, Arkansas, Indiana, Kansas, Michigan, Missouri, Nebraska, South Dakota, and Texas aliens are permitted to vote after having declared their intention to become American citizens and after having been residents of the States the required time, usually six months; and, therefore, we have the anomalous situation of hundreds of thousands of alien enemies in these States voting at all elections. Although final naturalization will be refused to them during the period of the war, they are excluded by law from military service, from suing in the courts, and some of them are confined in internment camps. If this joint resolution shall be adopted by Congress and approved by the legislatures of three-fourths of the States, the practical effect of it will be to place the ballot in the hands of many thousands more of alien enemies who are under the disabilities above described.

In the summer of 1915 I attended a luncheon of the Ohio Woman's Suffrage Association and occupied a seat next to the president, who has held that office for 13 years continuously. She is one of the best educated and most accomplished women in our State. I asked her if she believed that since woman's suffrage had been rejected in Ohio by more than 180,000 majority, I, as a Representative from that State, ought to go to Washington and attempt to force it on them by Federal amendment. She answered, "No." I asked her further if she did not believe that whenever a majority of the women in Ohio desired to vote, the men would grant them that privilege. She answered, "Yes." And yet this lady is now here in Washington with an opinion of her lawyers to the effect that if this joint resolution passes and the legislature of our State ratifies this amendment, such action can not be submitted to a vote of the people under the initiative and referendum provision of our State Constitution, and she is urging that Congress enact this joint resolution. Because childish and imbecile arguments are adduced in favor of a proposition, does not prove that it is wrong or unwise, but it raises an implication that sound reasons

are lacking. We are told that because the men of the Nation are being mobilized in training camps and rushed to Europe to defend the rights of this Nation, the women ought to be rushed into the voting booths to take their places there. The logic of this argument is that because the men are required to defend with arms in their hands the rights of our people under international law, the women ought, with their well-known pacifist tendencies, to be armed with the ballot in order that they may vote for a treaty of peace, dictated by the Hohenzollerns and the Hapsburgs. I have been told that by voting against this resolution I am showing disrespect to the memory of my mother. The only suggestion my mother ever made to me on the subject of woman's suffrage was that she hoped I would not aid in forcing this additional duty and responsibility upon the mothers of this land, because it would add enormously to the already too large number of ignorant and incompetent voters. Do not be misled into believing that the shrill and strident voice of the militant suffragette is the voice of the people or the voice of God.

When Elijah stood upon the mountain top listening for the voice of the Lord, we are told in Holy Writ that the Lord was not in the wind. He was not in the earthquake. He was not in the fire, but in the still, small voice which followed these convulsions of nature. If the Members of this House will heed the "still small voice" of reason, justice, and common sense and permit their votes to be controlled by their conscientious convictions of public duty, they will defeat this joint resolution. [Applause.]

Miss RANKIN. Mr. Speaker, I yield three minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Speaker, I am still "standing with the President," or, in other words, the President this morning is standing with me. [Applause.]

Last night the President met his party in conference and advised them to vote to-day for woman suffrage as "an act of right and justice to the women of the country and of the world." At the same hour the Republican Members of this House were also in conference and voted by a large majority to stand by that part of the plank in the last Republican national platform which said:

> The Republican Party, reaffirming its faith in government of the people, by the people, for the people, as a measure of justice to one-half the adult people of the country, favors the extension of the suffrage to women.

Woman has conquered. She has met every test and answered every argument, and now demands from this Congress simple justice. It is justice long delayed. The greatest logician that ever lived was John Stuart Mill. His wonderful work on logic is the textbook of every great college in the world. Fifty years ago he wrote a wonderful book on "The Subjection of Woman." In that book he carefully considered every possible argument for and against woman suffrage. He gave to that consideration calm, cold, and merciless logic, and he arrived at the following conclusions:

> The legal subordination of one sex to the other is wrong in itself, and now one of the chief hindrances to human improvement; it ought to be replaced by a principle of perfect equality, admitting no power or privilege on the one side nor disability on the other.
>
> To have a voice in choosing those by whom one is governed is a means of self-protection due to everyone. Under whatever conditions and within whatever limits men are admitted to the suffrage there is not a shadow of justification for not admitting women under the same.

Mill has never been answered. He never will be answered. All the arguments of logic and reason have for the last half century been settled in favor of the enfranchisement of women.

But there were those who said "Mill's logic is all right, but he stands for a theory in government that has never been put to practice. Experience will show that women should not have the ballot," and since that time we have had fully demonstrated the argument from experience.

Forty-nine years ago Wyoming gave to her women equal suffrage, and year by year since then State after State of the great western world has enfranchised her women until 11 States, side by side, have full suffrage and 18 States to-day have presidential suffrage. Never one of these States has for a moment thought of returning to the old way. Never a legislature has resubmitted the question to the voters. The women of these States have never asked to be again returned to slavery. Representatives from these States are sitting to-day in this Congress. They are a fine body of men, intelligent, patriotic, and honest. They are the equal of any of the other States in the Union, and every one of these Representatives will tell you that they are proud of the suffrage given to their women; that experience has shown the wisdom of the act; that nothing would induce them to return to the time when the ballot was given only to the male voters. This argument from experience is conclusive; it can not be answered by the absurd claim that evil would result from now placing the ballot in the hands of American women.

But there are those to-day in this House who invoke the old, discarded doctrine of State rights and say that woman suffrage has no place in the Constitution; that it should be settled by the States. Every one of these arguments could have been more forcefully invoked against all the 17 amendments to our national Constitution, and with a great deal more reason and logic than against the present amendment now before Congress.

Another says you had an election down in Maine last September, and your State defeated woman suffrage. Why should you here on the floor of Congress after that advocate the passage of this amendment? I answer that the election in Maine settled nothing, but only proves the inability of a State to settle this matter by submitting it to the voters at a special election.

In the last State election in my State for governor there were cast over 150,000 votes. At this special election for woman suffrage only 78,000 voted. In other words, 92,000 male voters of my State were afflicted with political indifference and did not go to the ballot box. Of the one-third who voted, the majority were induced to vote against woman suffrage by false testimony and an appeal to their prejudices. Before that election all over my State, at the leading hotels the political leaders of both parties were given banquets by those opposed to woman suffrage, and somebody paid the bills. I do not know who, and at those banquets there was provided a speaker, who was advertised to come from one of the suffrage States of the West, an unknown, smooth of tongue and polished of manner, who claimed to the banqueters that he lived in a State that had given the ballot to women and that the people of his State were disgusted and dissatisfied with their act enfranchising the women; that experience had shown that the women did not want the ballot; that they did not vote at the elections; that a great many evils had grown up by giving the ballot to women, and so forth, and under the influence of a good dinner these men accepted the ex parte testimony of this unknown and were induced to go to the ballot box and give a verdict on such false testimony, when every governor of these States and every Representative and Senator and every public man of any note and influence was eager to give the lie to such statements. And while these dinners were being served hired speakers from out the State were going from place to place in the country towns appealing to the patriotic impulses of the people to stand by the President and against picketing at the White House, and claiming that if the ballot was given to the women of Maine the pickets at the White House would continue during the war, and these appeals to prejudice caused a sufficient number to defeat woman suffrage. Such arguments could not prevail in our legislature. Such witnesses would never be tolerated there. After the election in Maine, New York State met these arguments, exposed their falseness, and from an adverse verdict of over 200,000 two years ago New York voted in favor of woman suffrage by a majority of over 90,000.

A few days before the New York election that approved suffrage the New York Tribune published as a matter of news the following:

> WOMEN WHO NEED THE VOTE PLEAD FOR EQUAL SUFFRAGE—LAUNDRY, KITCHEN, AND SWEATSHOP WORKERS, POORLY CLAD, FACE 10,000 MEN IN UNION SQUARE AND SHOW WHY THEY SHOULD HAVE FRANCHISE.
>
> Up from the laundries and the kitchens, from the sweatshops and the factories, the working women came yesterday to plead with the men of New York for the vote. Much has been said of the need of the ballot to remedy conditions for the working women, but usually the working woman has had to keep on working and let some one else do the talking for her. Yesterday she came herself.
>
> Pale, undersized, meanly clad, the women who need the vote climbed a rickety ladder leading to a platform erected on the north side of Union Square and faced a crowd of 10,000 men. Then in a series of "living pictures," they told the story of woman's place in the industrial world.

Down in Maine both political parties indorsed suffrage in their platforms, and then never lifted a finger at the election to put it into the constitution. In New York State both political parties indorsed not only woman suffrage in convention but worked and voted for it on the day of election, and they won. Maine's legislature is ready to-day to indorse this amendment, but she is not satisfied with this special election which settled nothing.

As a Representative from Maine, I am unwilling that the great States of New York and Illinois should double their voting population while Maine is shorn of her power. The suffrage States to-day control 163 electoral votes for President. What influence will Maine and other nonsuffrage States in New England have in the next presidential campaign if their women remain unfranchised?

Thomas B. Reed, of my State, ex-Speaker of this House, who submitted every argument to the court of common sense, said of woman suffrage:

> If suffrage be right, if it be true that no man has a claim to govern any other man, except to the extent that the other man has a right to govern him, then there can be no discussion of the question of

woman suffrage. No reason on earth can be given by those who claim suffrage as a right of manhood which does not make it a right of womanhood also.

The late Senator George F. Hoar, of Massachusetts, said:

We have driven our leading opponents from one position to another until there is not a thoughtful opponent of woman suffrage to be found who is not obliged to deny the doctrine which is affirmed in our Declaration of Independence.

The late Hon. John D. Long, ex-governor of Massachusetts and Secretary of the Navy, put the argument for woman suffrage in a nutshell when he said:

I have never heard an argument against woman suffrage that was not an insult against the intelligence of a 10-year-old boy. If one man or woman wants to exercise the right to vote, what earthly reason is there for denying it because other men and women do not wish to exercise it?

If I desire to breathe the fresh air of Heaven, shall I not cross my threshold because the rest of the family group prefer the stale atmosphere indoors? When the Government extends the principle of voting to a citizen it says to him, "We do not compel you to appear at the polls; we simply give you the liberty to vote or not to vote, as you desire. You may express your consent or your protest against conditions, and you may help make civilization if you wish." On the other hand, when the Government refuses the privilege, it says, "We compel you to remain away from the ballot box. Whether you wish to vote or not, you shall not. We will impose upon you any laws which we see fit, and you shall have no official authority to protest or to consent."

Human ingenuity can not suggest a single distinction between the sexes so far as the right of voting is concerned. They are equally intelligent so far as the intelligence to vote is concerned. They are equally competent to judge of the merits of measures and the comparative merits of candidates: * * * If it is a right, why should it be denied? When yet in the history of the world has it been found that what is right is inexpedient?

The New York World, of October 28 last, said:

The case for woman suffrage rests upon a fundamental principle of democracy, the right of the governed to have a voice in their government. Women have the same kind of a stake in government that men have. In modern civilization there is practically no sheltered woman who lives apart from her times. She may exist in the fiction of novelists and in the fiction of the common law, and there may be an instance now and then of complete feminine isolation from the current of events, just as there are men and women who live in monasteries and convents; but the Government affects most of us in the same way regardless of sex, and civilization that compels women to be wage earners has destroyed the last argument against their voting.

And so one by one, every argument either from reason, logic, or experience has been decided in favor of woman, and here to-day on this floor everyone admits that if this amendment is submitted by Congress it will be adopted by the States. Here to-day everyone admits that there is no argument against woman suffrage and we only differ as to methods, as to whether woman suffrage shall be given by a Federal amendment or be delayed and defeated by special elections in the several States.

The American woman stands before us to-day with every argument in her favor and she demands of us only justice.

It has been well said that "There is something grander than benevolence, more august than charity. It is justice," and that "justice delayed is justice denied."

The Sacred Record gives us an apt example of justice denied:

Then said Pilate unto Him, * * * "knowest Thou not that I have power to crucify Thee, and have power to release Thee?"

Pilate therefore went forth again, and saith unto them, "Behold, I bring Him forth to you that ye may know that I find no fault in Him."

When Pilate saw that he could prevail nothing, but that rather a tumult was made, he took water and washed his hands before the multitude, saying, "I am innocent of the blood of this Just Person; see ye to it."

And Pilate gave sentence that it should be as they required.

And when he had scourged Jesus he delivered him to be crucified.

It is not up to the President. The responsibility can not be shifted to our political party or to the revival of State rights. The Members of this Congress have the responsibility and the power. We, too, can say to the women of this country as Pilate said of old, "Knowest thou not that I have power to crucify thee and power to release thee?"

We must meet this responsibility. We can not deny women justice and then wash our hands in the waters of State rights.

Woman does not ask you for praise; she does not demand flattery. She begs of you not to ridicule her further, but to let her have in the battle of life the same weapons of defense that you possess; to let her stand and work by your side, your equal, your companion in the battle of life. She asks only and simply justice.

For all mankind one Christ has sighed
Upon the cross; but hourly
Is every woman crucified!

O sons of mothers, shall the pain
Of all childbearing be in vain?
Shall we drive nails, to wound her thus,
Into the hands that fondled us?

In this Capitol sits the greatest court and most august judicial tribunal in the world—the Supreme Court of the United States. One of the greatest minds that ever graced that tribunal was the late Justice Brewer, of this city. Shortly before his death he reviewed woman suffrage from the standpoint of the judge. He submitted her case to the judicial mind. He reviewed all the arguments for and against her and summed up the case in her favor in the following eloquent language:

Female suffrage will come; woman's broader education, her increasing familiarity with business and public affairs, will lead to it; and why not?

The chief reply is the home. God forbid that it should be jeopardized. But female suffrage will not debase the home or lessen its power and influence. On the other hand, it will introduce a refining and uplifting power into our political life.

Union in effort is the growing lesson of the times. Our first parents, guilty of a mutual sin, were, according to the allegory in Genesis, driven out of Eden, that garden which gave men all things to live with and nothing to live for. Hand in hand they went out of Eden; hand in hand they must enter the new paradise, grander and nobler than the pristine Eden, because wrought out of the thorn-growing earth by their united labors.

This is the case for woman suffrage. I submit that it meets every argument; that it justifies the affirmative action of every Representative; that it calls for our votes in favor of this amendment as an act of justice to woman. We can not vote against woman suffrage and go out into the world and meet the eyes of women when we have denied them justice. How can I go down Pennsylvania Avenue to my home and meet the 10,000 women who, early in the morning, throng our streets on their way to do the work of the men in the departments, in the shops, and in the industries when I have denied them justice? How can I meet the eyes of the women in the munition factories and in the homes who are fighting the battle for life and bread to keep the home fires burning while the men are at war? Three-fourths of the teachers in our public schools are women. How can I meet them after I have denied them the ballot? Ten million women are out in the ranks of industry, loyally supporting the country, doing all the work that men could do to preserve our institutions and our flag and give democracy to the world. If I cross the ocean and go upon the present battle fields, there I will find the Red Cross women in the hospitals, in the ambulances, thousands on the battle fields, risking their lives standing by man's side in this great world war. I can not vote against her and meet those silent patient eyes when I have denied her justice; and so to-day I stand—

For equal rights,
For human weal,
For nobler aim,
For laws that heal
The wounds of tyrants.

Mr. MOORE of Pennsylvania. Mr. Speaker, when the woman-suffrage amendment was before the House, January 12, 1915, I stated my position as follows:

Mr. Speaker, woman suffrage is another of the questions which the younger States of the Union are passing up for acceptance to the older and more populous States. The Legislature of Pennsylvania has partially indicated its purpose to submit this question to a vote of the people of the State. Thus far, apart from the preliminary step taken by the legislature, we have had no real expression from the body of the people of the State upon the subject, and we can not have until further action is taken by the legislature. It is therefore impossible at this time to say definitely whether Pennsylvania approves of the wisdom or desirability of woman suffrage. We are not assured that a majority of the women themselves desire it. Some of them oppose it bitterly upon the ground that it will tend to degrade rather than exalt the womanhood of the State. Women who hold this view contend that in America no such social or legal inequalities as are said to prevail in England and other European countries exist. There is also a considerable feeling amongst the women opposed to suffrage that the high place which American women now hold in the esteem of manly men may be prejudicially affected by forcing upon all women, regardless of their domestic relations, the responsibility that would be imposed by the voting power. While I recognize the "right" of mothers, wives, and single women, if they so desire, to inject themselves into the maelstrom of politics, even though the exercise of that "right" may tend to lessen the sacred preference which is already accorded to them by all true Americans, I do not believe I am authorized as a Representative to impose such responsibilities upon them now, nor until at least a majority of the people of Pennsylvania have indicated that such a course shall be pursued. I shall therefore vote against the resolution.

It will be recalled that the amendment was defeated in the House. Subsequently the question of woman suffrage, under an act of the legislature, was submitted to the people of Pennsylvania, and the amendment there was defeated by a majority of more than 55,000. In the third Pennsylvania district, which I represent, the majority against suffrage was overwhelming. Every one of the 11 wards gave a majority against. Without again discussing the merits of the proposition, and leaving open the question of right or wrong, or the further equally important question as to whether a majority of the women themselves desire suffrage, I do not feel warranted in ignoring the officially expressed sentiment of the voters of the district I represent. This was substantially the position I assumed when the question was before the House in January, 1915, before the vote had been taken in Pennsylvania.

Mr. MEEKER. Mr. Speaker, I yield eight minutes to the gentleman from Ohio [Mr. KEARNS].

Mr. KEARNS. Mr. Speaker, when I cast my vote against this resolution I shall have to stifle my personal inclinations, be-

cause if you were to ask me why the women in the United States, wherever they may live, should not vote, I would probably be unable to assign to you a sufficient reason, but there are several impelling reasons why I am not going to support this joint resolution. The first reason is because before I could get my name on the official ballot to be voted for as a Representative in Congress at the primaries I had to sign this declaration, as did every Republican Member of this House from the State of Ohio, as well as every Democratic Member from that State. It seems to me that we soon forget the pledges that we take, and this pledge was indeed a solemn one, because each one of us from Ohio, Democrats and Republicans alike, had to go before a notary public and sign it. I am not one of those who look upon this statutory obligation as "a mere scrap of paper":

I further declare that if nominated and elected I will qualify as such Representative and that I will support and abide by the principles enumerated by the Republican Party (or the Democratic Party, as the case may be) in its national platform and in its platform in the State adopted or to be adopted during the present year.

That declaration of candidacy was signed in the presence of an officer authorized by law to take acknowledgments, as solemn a declaration as a man can take, that if nominated and elected he would support each plank of the party platform to be adopted at the party convention. Men in this House from the State of Ohio seemingly have forgotten the pledge that they so solemnly took some 60 days before the primary election of 1916. That plank of the Republican platform read as follows:

The Republican Party, reaffirming its faith in government of the people, by the people, for the people, as a measure of justice to one-half the adult people of the country, favors the extension of the suffrage to women, but recognizes the right of each State to settle this question for itself.

And the Democratic as follows:

We recommend the extension of the franchise to the women of the country by the States upon the same terms as to men.

Mr. MEEKER. Will the gentleman yield? Is that a pledge or an oath?

Mr. KEARNS. It is a declaration made before an officer authorized to administer an oath. It is not sworn to, but I take it that gentlemen, when they go through the solemnity of going before such an officer and declaring that they will abide by the principles of the party as laid down in the National and State conventions, are not soon going to forget that. That is one of the great reasons why, as I stated in the beginning, I am compelled to stifle my own personal opinion on this great subject and vote against this resolution.

Mr. MEEKER. It is understood by the State that it is made upon a man's honor?

Mr. KEARNS. It is made not only upon his honor but he must reduce it to writing. He must sign in the presence of a notary public or other officer.

I know there are a great many good, loyal, and patriotic women in the State of Ohio who are able to cast just as intelligent a vote as can any Member of this body, but our party platform is against it, and until that barrier is raised I propose to remember the pledge that I have made, and I am going to vote against woman suffrage in this House until the party leaders in convention assembled relieve me of this obligation that I have taken. That I know will be soon. Both parties will, in the future, adopt national suffrage.

Three times the State in which I live has voted upon this subject. Each time I have voted in favor of woman suffrage, but as a Member of this body I can not do it, because my party has declared that it is a State issue and not a Federal issue. They have declared against this resolution. And so did the great Democratic Party at about the same time declare against it.

There is another reason why I am against this resolution. At the November election this fall in Ohio, we had a referendum on the question of woman suffrage. The question of suffrage lost in the State by a majority of about 145,000. In my district the majority against giving the vote to women lost in every county by overwhelming majorities. This, I take it, was a mandate to me as to what I should do here to-day. I am one of those who firmly believe that every man ought to represent the feelings and opinions of his constituency when he is advised what that opinion is. This may be old-fashioned, but I can not help but think that a Member of Congress ought to be guided, in part at least, by the judgment of his constituency when he knows absolutely what that judgment is. I can readily understand where a question may come up on the instant and the people at home have not the time or the opportunity to form a well-defined opinion on a subject that may be in this House. In that case I think it is well for the Representative to be guided by his own judgment. But this is a question that has been before the people of every State in the Union for many years. Men and women have had the opportunity to study the question from every angle, and in my State and in my district the mature judgment of the men is against this proposition, and I will have to be guided by their opinions as expressed at the last election. I know this will be very disappointing to a great many very fine ladies in the sixth district of Ohio for whose judgment and opinions I entertain the highest regard. But the law of my State is such, together with the expression of the voters at the recent election, as to estop me from doing otherwise.

I shall have to vote against this amendment.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KEARNS. I wanted to say about the women of California, that they have the right to vote——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KEARNS. Mr. Wilson has declared against it——

The SPEAKER pro tempore. The gentleman from Ohio is out of order. The gentleman's time has expired.

Mr. KEARNS. I beg your pardon. [Laughter.]

Mr. FERRIS. Mr. Speaker, I do not approve of or believe in picketing the White House, the National Capitol, or any other station to bring about votes for women. I do not approve of wild militancy, hunger strikes, and efforts of that sort. I do not approve of the course of those women that throw themselves in front of horses, become agitators, lay off their womanly qualities in their efforts to secure votes. I do not approve of anything unwomanly anywhere, any time, and my course to-day in supporting this suffrage amendment is not guided by such conduct on the part of a very few women here or elsewhere. [Applause.]

NO DANGER OF NEGRO DOMINATION IN THE SOUTH OR PETTICOAT DOMINATION IN THE NORTH.

Friends of mine in this House have doubts and forebodings as to the advisability of giving women the right to vote, fearful of negro domination in the South and petticoat domination in the North. I entertain no such fears.

Mr. RAGSDALE. Will the gentleman yield?

Mr. FERRIS. I can not yield in the short time allotted.

If there were in fact danger of negro domination or if this amendment would contribute to it I, too, would feel apprehensive, for I have no disposition to inflict on that great southern country legislation that is obnoxious to them, offensive to them, or anything for which there is no adequate solution. But I pause and ask them now what is the answer to the question that the same educational test that now prevents the ignorant male voter, both white and black, from exercising the right of suffrage will at the same time deny the ignorant female voter the right? What is the answer to the question that the same poll-tax law that now largely prevents the ignorant male from voting will likewise prevent the ignorant female from voting? What is the answer to the statement that for every negro woman so enfranchised there will be hundreds and thousands of intelligent white women enfranchised? I can not share the doubts and forebodings of my friends from the North or South who are to-day opposing suffrage. I can not think either their doubts or their fears are well founded. [Applause.]

MINORITY OF GOOD WOMEN WHO OPPOSE SHOULD NOT OBSTRUCT MAJORITY OF GOOD WOMEN WHO DESIRE TO BE ENFRANCHISED.

We are told by the opponents of suffrage that there are many thousands of good women in the country who do not care to exercise the right to vote and are in fact opposed to giving the franchise to women. I do not deny this statement, but I answer it by saying that in my opinion there are but a small per cent of the 14,000,000 women affected by this amendment that are really and in fact opposed to granting suffrage. I also assert that they have no good or sufficient right to stand in the way of the major portion of the good women of the country who earnestly hope and pray that this right may be given to them. I answer it further by saying that if this amendment is passed to-day and later becomes the law and full franchise to women is given, it is not mandatory. No woman is compelled to exercise the right. It is merely a privilege which she may exercise or let alone at her option, at her pleasure, in her own way. How can this offend those who do not favor it—naught but pure selfishness would prompt one to deny to others a right they themselves did not desire.

NATIONAL PLATFORMS OF 1916 COMMITTED TO EQUAL SUFFRAGE FOR MEN AND WOMEN.

Much has been said here to-day regarding party platforms. The opponents of suffrage have said that the vote for this amendment was a betrayal of the party platform. The proponents of suffrage have said that to oppose it was a betrayal of party platform. This brings the provision of the platform into close scrutiny. My answer to this controversy is that each of the four political platforms in the 1916 election, judging them by

any fair interpretation, provide emphatically for equal suffrage. Of course, a technical reading of them provides it is to be accomplished in a certain way, but, after all, I repeat a fair reading of these platforms can not but convince any fair-minded man that the four national political parties of this country are already well and unequivocally committed to equal suffrage for men and women. I shall not present all of these platforms but will content myself in presenting the 1916 Democratic platform under which Woodrow Wilson was triumphantly elected President of the United States. It is as follows:

We recommend the extension of the franchise to the women of the country by the States upon the same terms as to men.

This provision of the Democratic platform is short—to the point—it answers all quibbles, all debates, all technical reasoning in connection with the proposition as to whether or not the Democratic Party is committed to suffrage.

CONFERRING OF SUFFRAGE ON WOMAN WILL NOT DEGRADE HER—WILL STRENGTHEN AND ENNOBLE HER.

I hear others during the course of this debate say that to confer the right of suffrage upon woman is but to degrade and debase her, but I deny any and all such arguments and assert them to be both fallacious and untrue. In the State of Wyoming suffrage has prevailed for almost a half century. I deny that the women are debased or mannish in Wyoming or that the men are mollycoddles. In the neighboring State of Colorado, where suffrage has been the accepted doctrine for many years, it has neither degraded the women nor feminized the men but it has strengthened and helped both sexes. It is true throughout the 18 States that have suffrage. [Applause.]

OPPONENTS JEER SUFFRAGE TO-DAY, BUT THEY FIRST JEERED ELECTION OF SENATORS BY POPULAR VOTE—THEY FIRST JEERED PROHIBITION AND OTHER REFORMS.

Opponents of equal suffrage to-day shrug their shoulders and jeer at the thought of enfranchising 14,000,000 American women. I can remember when the talk of election of Senators by a popular vote brought jeers from many of these same gentlemen—it brings no jeers to-day.

I can well remember when the subject of rural routes brought jeers through the newspapers of the country, brought jeers through the CONGRESSIONAL RECORD, brought jeers from the Members of Congress—it brings no jeers to-day. I can remember when the question of prohibition brought jeers—like the rest, it brings no jeers to-day. Woman suffrage to-day and in this debate has brought jeers from the opponents, but it, like the rest, will bring no jeers on the coming morrow, for the enfranchisement and gentling influences that come with responsibility of 14,000,000 women will and can not long be the subject of jeers by thoughtful people anywhere or at any time. [Applause.]

SUFFRAGE NOT MANDATORY—THOSE IN FAVOR OF IT MAY ENJOY IT—THOSE OPPOSED TO IT MAY LET IT ALONE.

We are told to-day by the opponents of suffrage that many women of the land will not exercise the right to vote even if it be given them, and in that they tell the truth. In my own State some 40,000 male voters each year fail to exercise the right. Still none will be so bold as to say because a few fail to exercise the right that it shall even be denied them, much less the denial of the right to those male electors who do desire to vote.

NO ADEQUATE ANSWER TO THE QUESTION—IF A GOOD WOMAN DESIRES TO VOTE, SHE SHOULD BE GIVEN THE RIGHT.

To me there is no answer to the question that if a good woman desires to vote, why should she not be given the right to do so? This question has not been answered in this debate to-day. It has not been answered in preceding debates. It will not be answered in succeeding debates, for there is no just and adequate answer to the question that if a good woman desires the right to vote it should be given to her. [Applause.]

SUFFRAGE A GREAT NATIONAL QUESTION—IT WILL NEVER BE SETTLED UNTIL IT IS SETTLED RIGHT.

No, Mr. Speaker, this question to-day is a great national issue—one involving the rights of our mothers, our wives, our daughters, our women. It will never be settled until it is settled right. Most of them have asked it with upturned face, feeling that it would benefit them, would help them, ennoble them, and strengthen them. It is ours to give or withhold. For me and mine, I am in favor of giving it to them ungrudgingly, first, because I believe it is right; second, because I can find no sound or satisfying argument, logic, or reason that would justify a course in opposition to it; third, in substance, in truth, and in fact, the four great political platforms of the last election promised equal suffrage to women as to men. True, they did not promise specifically by this particular avenue of a constitutional amendment, but in answering platforms made in haste I shall answer to the substance and not to the detail, believing as firmly as that I live that I am doing my duty as a citizen and as a Congressman, not only to womanhood and manhood but to mankind. [Applause.]

Miss RANKIN. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Speaker, I was somewhat surprised at the remarks of the distinguished gentleman from Ohio [Mr. GORDON]. He read the Republican platform on this suffrage question and argued that we Republicans are violating it, but he failed to read the Democratic platform on the same question, which his own party's President has just violated. Moreover, he did not tell you, as he should have done, if he wished to be fair to us, that the President has time and again argued against the Federal amendment when delegations called on him about the matter, as well as on other occasions, and has uniformly said that it is a State and not a national question, and that he was in favor of leaving it for the States to settle, and yet we are informed by the gentleman from Kentucky [Mr. CANTRILL] to-day that the President has changed front upon the question, abandoning the platform upon which he was elected, and now says this resolution proposing to submit to the States the question of a suffrage amendment to the Federal Constitution ought to be adopted as a matter of right and justice to the women of the country. It is passing strange, Mr. Speaker, that the President should so suddenly change his mind on this proposition. I will not say that he changed it because he foresaw the passage of the resolution or that he realized that this side of the House was going to vote almost unanimously for it and tried to beat us to it, but it certainly is a rather funny proceeding. I am glad he has done this, especially if it will help to pass the resolution; but I do not think it becomes the gentleman from Ohio, under the circumstances, to criticize us for favoring this resolution, notwithstanding the language in our last national platform. It is simply another case of the pot calling the kettle black, a rôle which the gentleman always seems delighted to play. The other gentleman from Ohio, my Republican colleague, Mr. KEARNS, says that he does not think that he could give a good reason for voting against the resolution, and that he is going against his personal inclination, but that he feels bound by a declaration which he made before a notary public when he was a candidate and which binds him to vote that way. The trouble about my friend is that he made a mistake in thus obligating himself to vote against his judgment and conscience. [Laughter.]

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Kentucky yield to the gentleman from Ohio?

Mr. LANGLEY. No; I can not yield. My time is too short. If the law of Ohio compelled him to do that, as I infer to be the case, before he could come to Congress, then the fault is not his, but with the State of Ohio for passing such a foolish law. We do not pass such laws as that in Kentucky. [Laughter.]

I do not wish to be understood, however, as blaming the gentleman for standing by the wishes of his constituents on this or any other question, because, as I have frequently said on this floor, a Representative ought to represent the wishes of the people who sent him here or resign. My position on that point has been time and again confirmed since I have been a Member of this body by the vote on a number of measures that I recall. As a rule, Members representing a large foreign-born constituency have always voted against restrictive measures, and Members from wet districts usually vote wet, and vice versa. I am finding no fault with them for that, but I can not quite understand why it is that, as a rule, Members who are from wet districts are against this resolution, unless it be that they are afraid of the ballots of the women on that question. I do not say this as applicable to all, of course, but there seems to be a striking preponderance.

Gentlemen complain about this effort to force woman suffrage upon the States that do not want it, and about ignoring the wishes of that class of women in the country who do not ask for the ballot and do not desire it, and yet we are proceeding in the exact manner which the founders of the Republic themselves provided in the Constitution for its amendment, so that this argument is in effect a criticism of the only method of amendment to that instrument which was provided for us. What harm can it do the women who do not want to vote if we give the ballot to those who do want to vote? It might as well be contended that it is wrong to let some men vote because others never go to the polls. There has been a good deal of talk along these lines, but I have yet to hear a single sensible, logical reason why a democracy should deny to any patriotic citizen, with intelligence enough to vote and the desire to vote, the right to do so. Some gentlemen have contended that the founders of our Republic were against woman suffrage. I am not prepared to concede that this is a correct statement of their position, but

even if it is, I firmly believe that if they were living to-day and had the privilege of voting on this resolution, they would vote for it in view of the changed conditions that now exist. Surely, if Woodrow Wilson can change his mind overnight and get by with it, Washington and Jefferson ought to be pardoned if they were to change their minds in a hundred years.

Judging from some of the arguments that have been presented here and elsewhere against this resolution, I suspect that some gentlemen have a conception of woman's sphere that is on a par with that expressed by a certain southern bachelor poet of more or less local fame, who in a spirit of poetic fervor exclaimed:

Woman, woman, thou art divine!
Oh, that I had one I might call mine,
To soothe me in my worstest woes
And cook my dinner and wash my clothes.

[Laughter.]

My distinguished friend and colleague [Mr. CANTRILL], whose political sagacity and wise foresight are everywhere recognized, has warned his Democratic associates from the Southland that if they vote against this resolution they are likely to lose their grip upon the legislative machinery of this body. That is, indeed, a consummation devoutly to be wished for. [Laughter.] If I may be permitted to digress enough to indulge in a political prophecy, I wish to say that, in my judgment, that consummation is already a foregone conclusion. [Applause on the Republican side.] But, however that may be, I am so anxious to see this resolution adopted that I hope you southern Democrats will follow my colleague's advice, and I for one am willing for my party to take its chances in the future upon other issues.

Much has been said pro and con about "picketing"—that rather dramatic chapter in the history of this great movement. It is not my purpose to speak either in criticism or commendation of that; but if it be true—I do not say that it is, because I do not know—but if it be true, as has been alleged, that certain promises were made, as a result of which a great campaign was won, and those promises were not kept, I wonder whether in that silent, peaceful protest that was against this broken faith there can be found sufficient warrant for the indignities which the so-called "pickets" suffered; and when in passing up and down the Avenue I frequently witnessed cultured, intellectual women arrested and dragged off to prison because of their method of giving publicity to what they believed to be the truth I will confess that the question sometimes arose in my mind whether when the impartial history of this great struggle has been written their names may not be placed upon the roll of martyrs to the cause to which they were consecrating their lives in the manner that they deemed most effective.

Mr. Speaker, ever since I entered the halls of the General Assembly of Kentucky, which was more years ago than I care to acknowledge here [laughter], and became the author of the first bill introduced in that body to give married women the right to hold a separate estate; indeed, ever since as a university law student, I studied the history and scope of the bondage in which the canons of the English common law held women, I have had an abiding faith that this measure of justice would, in the fullness of time, be meted out to the women of America. I earnestly hope and believe that, so far as the House of Representatives is concerned, this will go down in history as the epochal day on which that was done.

Mr. Speaker, this is woman's era, and her plea for suffrage is as resistless as the tides of the sea. It required the problems developed by this war, and a practical demonstration of woman's usefulness in their solution, to prove that their enfranchisement is essential if governments instituted by men are to be perpetuated. And the errors and sufferings that have already occurred emphasize the expediency and justice of placing in the hands of the mothers of America the power of the ballot that they may have a real voice in shaping the course and destiny of the Republic, especially on questions like those with which we are now confronted, for who are more entitled than they are to have that voice? However much the balance of us may suffer as a result of war, it does not compare to what they suffer. Theirs is the unspeakable anguish, the unending sorrow. [Applause.]

Mr. Speaker, the history of civilization shows that wherever the influence of true womanhood has touched the affairs of the world it has exalted them; that wherever that influence has been exerted, whether in spiritual or material affairs, it has lifted mankind to a higher plane of usefulness and honor. The world would be a barren waste without woman's ennobling influence and the wheels of progress will move faster, as they have already done, as the sphere of her activity is widened. Give all of them the ballot and we will have better laws, better government, better men, and a brighter and a better world. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired.

Mr. SAUNDERS of Virginia. Mr. Speaker, I yield 20 minutes to the gentleman from Florida [Mr. CLARK].

The SPEAKER pro tempore. The gentleman from Florida is recognized for 20 minutes.

Mr. CLARK of Florida. Mr. Speaker and gentlemen of the House, this resolution proposes to submit to the States of the Union for ratification or rejection an amendment to the Constitution of the United States conferring upon women the privilege to vote.

It is erroneous to say that it is a proposal to submit the matter to the people of the different States and thus allow them to say whether they want the Constitution so amended, because the people will not be permitted to vote on the question at all. Under this proposed submission the legislatures of three-fourths of the States, without the people having a voice therein, can fasten this amendment on the Constitution and make it a part of the supreme law of the land. But in answer to this I apprehend the advocates of this measure will say that the people will vote on the question because they will elect the members of the legislatures which will ratify or reject the amendment. This is not the fact in all cases, Mr. Speaker. In some of the States legislators already elected, and elected without any reference to this question, will vote to ratify or reject this amendment if this Congress submits it in its present form. Take my own State, for instance: If this amendment is submitted this year, our legislature, which convenes in April of next year, will pass on the question of ratification, and men composing one-half of the senate in that legislature were elected in 1916 and without the slightest reference to this proposed amendment. Would this be giving the people of Florida an opportunity to express their views on this very important question? In view of this condition, which also exists in other States, advocates of this measure should not talk so flippantly of submitting the question "to the people."

But, Mr. Speaker, even if every member of every State legislature should be elected after this resolution should pass Congress, you would not get from the action of the legislatures a real expression of the people's will, because of the fact that so many issues, local and otherwise, enter into a campaign for the election of State legislatures that it would be impossible to state with certainty on what particular issue a member was elected. There is only one way provided by the Constitution to get with any certainty the will of the people relative to an amendment to that instrument, and that is to provide for conventions in the different States for the express purpose of passing on the proposed amendment. When the proper time arrives I propose to offer an amendment providing the convention method, so that delegates may be elected by the people, instructed either for or against ratification after full, free, and fair discussion of the same, and I sincerely trust I shall have the active support of the advocates of votes for women, who are so loud in their demands for fair play, and who are so long in professions of loyalty to the principle that the "people should rule."

Mr. Speaker, I want to talk a minute or two about the constitutional aspect of this proposition, and I know that when I mention that gentlemen are going to say, "Yes; you voted to submit the amendment on the prohibition question and you are estopped from raising that question here." But not so. They are different. There is no analogy between them, so far as the power of Congress is concerned. There is absolutely no analogy at all between them. The Constitution of the United States recognizes and leaves in the States themselves the right to fix the qualifications of voters, but the Constitution of the United States gives to the Congress the power to tax the manufacture and sale of intoxicating liquors, and if one legal principle in this country has been settled beyond all question it is the principle that the power to tax carries with it the power to destroy or to prohibit, if you please. Therefore the Congress had the right to submit an amendment to the States prohibiting the manufacture and sale of liquor because they had the right to destroy the manufacture and sale of it.

Our suffragette friends demand the ballot as a "right," and in all their literature and public addresses they refer to women as being "disfranchised." They are absolutely wrong in both of these propositions. Suffrage for either man or woman is not a "right" but is simply a privilege, to be conferred or withheld at the pleasure of the State. The Supreme Court of the United States, the highest judicial tribunal in all the world, has so repeatedly declared this principle that it does seem as though

even the suffragettes would cease to designate suffrage as a "right." Neither are women disfranchised. To say that a person is "disfranchised" is to imply that they were once enfranchised and that the franchise has been taken from them. Women never were enfranchised, and therefore they are to-day as they always have been—simply unfranchised—and the question should be considered free from any idea that women have been deprived of something which they formerly possessed, and therefore that an injustice is to be righted. Several weighty considerations should enter into a determination of the pending proposition, but I shall not have the time to discuss them all, and shall, therefore, content myself by calling attention to a few which I regard as the most important.

My position is that the bestowal of the privilege of exercising the franchise will be extremely detrimental to both the country at large and to women as a class, and I believe I can convince any reasonable and unbiased person that I am right.

Both of these propositions may be considered together, because anything which is detrimental to the country is detrimental to women, and anything which is detrimental to women is detrimental to the country. If women are to take an active part in the politics of the country and in managing the Government, they must undoubtedly neglect some of the duties now imposed upon them by nature and by society. It occurs to me that this proposition is absolutely unassailable, for the simple reason that the multitudinous duties of such great importance now imposed upon the good women of the land constitute a burden entirely sufficient for them to carry. To add to the burden already placed on them would not only be an injustice, but would so increase their responsibilities as necessarily to result in the neglect of some of them, and thus the country would suffer loss. In order for a people to reach their highest development along all lines which make for the good of the whole, duties and responsibilities must be divided among the classes in such manner as to impose upon each class those duties and responsibilities for which it is best suited. In no other way can the highest degree of efficiency be reached, and "the greatest good to the greatest number" secured. Women as a class, while the intellectual equals of men, and frequently their superiors, are peculiarly fitted for those duties and responsibilities which pertain to the home and home life. Gentle, loving, tender, and true, it is their province to guide the children into paths which lead to the higher, better, and nobler life. Their duty to plant in the young mind the seeds of virtue, courage, and honor, and nurture them until they, with strength of character fully matured, are prepared to assume the burdens and responsibilities of life. Can there be in all the world a higher, nobler, more holy duty than that of guiding the thought, molding the character, and shaping the destiny of the youth of the land? There is no truer declaration than that "The hand that rocks the cradle rules the nation," and it is as true to-day as when first uttered. To confer on woman the right of suffrage is to lower her from her proud estate, and, as for me, I shall never consent that she shall be taken from the high pedestal which, since the dawn of civilization, she has so fittingly occupied with the common consent of all mankind.

I now desire to invite your attention for a few moments to a consideration of the question as to whether under our form of government the Congress, under the only power it has—the power delegated by the States—should undertake to submit an amendment of this character. I know that when I shall touch upon this subject I shall be met with the contention that those who supported the resolution proposing an amendment to the Constitution which provided for the prohibition of the liquor traffic in the States are estopped from opposing this resolution on the ground that it is an interference with the rights of the States. Mr. Speaker, I assert and believe I can convince the unbiased mind that there is absolutely no inconsistency in the two positions; I believe I can differentiate them so clearly that "the wayfaring man though he be a fool need not err therein."

The manufacture and sale of intoxicating liquors are two acts which have always been under the ban of the law among civilized, enlightened people, as is evidenced by the fact that heavy licenses and other restrictions have always been attached to such manufacture and sale.

It has always been known and freely admitted that intoxicating liquors are detrimental both to the health and the morals of the people, and the regulation and suppression of the manufacture and sale of such articles comes squarely within the police powers of the Nation. The traffic in intoxicating liquors, either directly or indirectly, is responsible for a large portion of the crimes which fill our jails and penitentiaries, and is the largest contributor of inmates for our public almshouses. It is no interference with the domestic affairs of a State for the Nation to reach forth her strong arm to stem a flood of crime which threatens the very existence of the Government itself; it is no invasion of State rights for the Federal Government with its mightier power to step in the breach and protect the health of the people against the attack of a deadly disease; it is no usurpation of State jurisdiction for the central power to exert its authority in suppressing an evil which threatens to retard Christianity, destroy morality, and put in jeopardy the happiness, prosperity, and liberty of generations yet unborn.

The liquor traffic is an evil which threatens to undermine the manhood of America, wreck our institutions, and eventually destroy the Republic itself, and to argue that the national authority has no power to deal with a question of this character is to admit that the Federal Government is utterly impotent and powerless to protect itself. Dealing with a national peril such as is the traffic in intoxicating liquors is entirely different from and bears no analogy to the question of who shall constitute the electorate in the different States of the Union.

Article I, section 8, paragraph 1, of the Constitution of the United States provides that—

> The Congress shall have power to levy and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defense and general welfare of the United States, but all duties, imposts, and excises shall be uniform throughout the United States.

In this clause two powers are conferred on the Congress, under either of which there is ample authority to warrant the prohibition of the liquor traffic in the States by the Federal Government without doing violence to the principle of State rights. Under the power to provide for the "general welfare of the United States" the Congress is amply justified in submitting an amendment proposing to prohibit the manufacture and sale of intoxicating liquors in the several States of the Union. In view of the sorrow, misery, pain, poverty, and death which have followed in the wake of this traffic for so many years in every section of the Republic, where is the man who will seriously contend that its prohibition is not an effort to "provide for the general welfare of the United States"?

The other power contained in the paragraph of the Constitution which I have quoted, and under which I claim the Congress has ample authority to submit to the States an amendment to the Constitution providing for the prohibition of the manufacture and sale of intoxicating liquors, is the "power to lay and collect taxes, duties, imposts and excises," and so forth. No one, I presume, will have the hardihood to deny the constitutional power of Congress to "lay and collect taxes" on the manufacture and sale of intoxicating liquors at any place within the United States, although such place may be within the borders of a particular State. Such taxes on both the manufacture and sale have been levied and collected practically ever since the organization and establishment of the Government itself, and, so far as I am advised, the right so to do has never been seriously questioned.

If any legal principle is so firmly established in this country as to be absolutely beyond the pale of debate, it is the proposition that the right to tax carries with it the right to destroy, or to prohibit, if you please. This, it seems to me, Mr. Speaker, is so clear that no room is left for argument. The States delegated to the United States the right to tax the manufacture of intoxicating liquors, and by that same grant of authority delegated the right to destroy or to prohibit such manufacture. The States delegated to the United States the right to tax the sale of intoxicating liquors, and by that same grant of authority delegated the right to destroy or to prohibit such sale. The Congress of the United States, under this delegated power, for very many years was content simply to tax the manufacture and sale of intoxicating liquors, but finally decided that in the interest of the "general welfare" it was necessary to resort to the ultimate delegated power—the power to destroy—and submitted to the States what we know as the "prohibition amendment." Believing that I have demonstrated beyond question that the submission to the States of the "prohibition amendment" by Congress is not an invasion of the reserved rights of the States, I desire briefly to call attention to what I consider a most flagrant attempt to deprive the States of the Union of one of their most sacred and exclusive rights—the right to deal with the privilege of suffrage.

In the first place, Mr. Speaker, suffrage is not a right which is inherent in any person, no matter of what race, color, sex, or station in life. It is a privilege conferred by the State, of which the person may be deprived at the will of the State. No person, therefore, has a natural right to vote, and can only exercise the privilege of voting after the State in legal manner has conferred that privilege. When the free and independent States on this continent, in order, as they said, "to form a more perfect Union," entered into the agreement to establish the United States of America, they, through their accredited representa-

tives, agreed upon a Constitution which was afterwards ratified by the States and became effective, and to-day the compact of union between these States contains a full and complete statement of all the power given to the Government of the United States. The Federal Government is a government of delegated powers, and these powers were delegated to it by the several States, and it has power and authority from no other source. The Constitution provides specifically that "all powers not herein enumerated and hereby delegated to the United States are hereby reserved to the several States or to the people thereof," and therefore it is clear that the Federal Government can legally exercise no power unless the same is delegated to it by the Constitution in express language or by necessary implication.

If this proposition be sound—and I apprehend no one with any regard for his own reputation as a lawyer will dispute it—then let us examine the Constitution with reference to suffrage. Is the power to prescribe the qualifications of electors delegated to the United States in express language or by necessary implication? Is the authority to say who shall vote or who shall not vote in elections granted to the Federal Government either expressly or by inference? There is not one line in the Constitution which even hints at the grant of any such power to the Federal Government, but, on the contrary, the power to prescribe the qualifications of electors is reserved to the States exclusively. Article 1, section 2, paragraph 1, of the Constitution of the United States is as follows:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The seventeenth amendment of the Constitution, which relates to the election of United States Senators, contains exactly the same language with reference to electors in the various States. This language of the Constitution referring to the election of Representatives in Congress is the only place in that document where the qualifications of voters is even mentioned, and in this it will be seen that the framers of the instrument simply declared that "electors of Representatives in Congress should have the same qualifications as electors of the members of the most numerous branch of the legislatures of the respective States," leaving, of course, the power to define those qualifications exclusively to the different States, where that power had always been lodged.

It will also be noticed that in dealing with the election of United States Senators and presidential electors the whole matter was left where the makers of the Constitution found it, viz, within the jurisdiction and power of the States.

The fourteenth and fifteenth amendments to the Constitution do not in any wise conflict with my position. By those amendments Congress is not given the power to regulate the suffrage or to prescribe the qualifications of voters in the different States, but it is simply given the power to reduce the representation of a State if that State shall in the exercise of its exclusive power deny to a certain class the right to vote.

In effect the Constitution declares to each State that such State has the sole power to deal with the question of suffrage, and to declare who are qualified voters within its borders, and to exclude all from the polls who do not come within the prescribed class, but claims the right if a particular class of male citizens over 21 years of age are denied the right to vote "except for participation in rebellion, or other crime" to reduce the representation in Congress of each State "in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State." This amendment was adopted when partisan sectional feeling was at its highest tide in this country; and does anyone doubt that if the men who composed the Congress which submitted it had for one moment believed that they had the right they would not have submitted a resolution giving to Congress the absolute power to prescribe the qualifications of voters in the several States? I am convinced that if the right had even been doubtful in the minds of the statesmen of that day Congress would have been given full and complete power to deal with the whole question of suffrage in the States.

Mr. Speaker, not only is the right and power to prescribe the qualifications of electors expressly reserved to the several States of the Union, and therefore not delegated to the United States, but the several States have for more than a century and a quarter exercised this power, with the full knowledge, acquiescence, and I believe I am justified in saying with the distinct approval of the Federal Government. During all these years different qualifications for electors have existed in the different States, and the Government of the United States, knowing that the regulation of the suffrage was not within its powers, has never sought to interfere with the qualifications of the voters as prescribed in any of the States. The right to regulate the suffrage is the most important, the most sacred, the most vital of all the rights reserved to the individual States in the agreement for the Union of States, and I solemnly warn gentlemen that when they as the representatives of their people consent to give up this greatest of all the rights of a State they obliterate State lines and crucify local self-government. Gentlemen may attempt to satisfy or still their consciences with the reflection that, after all, it is simply a proposition to allow the people a chance to vote on the question; but, my friends, this is a proposal to reverse the order of nature, to repeal the law of God, to ruthlessly set aside the matured judgment of the "Fathers of the Republic," to ignore and trample underfoot the wisdom and experience of the ages, and to sacrifice upon the altar of an unnatural and inexplicable aspiration the priceless heritage of local self-government.

What of the stand of the two leading political parties on this question of conferring suffrage on women by constitutional amendment? Neither a Republican nor a Democrat in this House can square his vote for this resolution with the last utterance of his party. One or both of these parties in the future may declare for the pending proposition, but they not only have not yet so declared but, on the contrary, have, in effect, declared against it. The platform of the Republican Party in 1916 declared as follows on the subject of woman suffrage:

The Republican Party, reaffirming its faith in government of the people, by the people, for the people, as a measure of justice to one-half the adult people of the country, favors the extension of the suffrage to women, but recognizes the right of each State to settle this question for itself.

The platform of the Democratic Party in 1916 declared as follows on the subject of woman suffrage:

We recommend the extension of the franchise to the women of the country by the States upon the same terms as to men.

Thus it is seen that neither of the two great political parties in its last official utterance declared for woman suffrage by amendment to the Constitution of the United States. In fact, to all intents and purposes, both parties declared against it, because they said, in effect, that the question of woman suffrage was a question for the several States to consider and determine, and therefore it follows that no Republican and no Democrat upon this floor can vote for this resolution and be absolutely loyal to his party platform. Your party platform says, in effect, that Congress has no jurisdiction to submit this resolution; that the subject matter is exclusively within the control of the States and should be determined by the people of the respective States. Can you claim to be a party man, loyal to your party platform, if you, while that platform declaration is still in force, by your vote say that Congress has jurisdiction to submit this resolution; that the subject matter is not exclusively within the control of the States and should not be determined by the people of the respective States?

Console yourselves, as you may, with all sorts of specious reasoning, the fact remains that a vote for this resolution is in direct conflict with the platform declarations of both the Republican and Democratic Parties. The only political parties which, in 1916, declared for woman suffrage by an amendment to the Constitution of the United States were the Socialist and Progressive Parties, and the passage of this resolution will be a victory for socialism in America. Democrats and Republicans on the floor of the American Congress, ignoring and deserting their own party declarations of faith and embracing, sustaining, and supporting one of the main planks in the platform of the Socialist Party is, indeed, something new in American policy, and demonstrates in the language of the Rev. Jasper that "the sun do move."

Neither Democrats nor Republicans can justify a vote for this resolution on the ground that it is a party principle or policy.

I was pained to notice in the press a few days ago, Mr. Speaker, what purported to be an interview with a prominent Southern Democrat, in which he was reported as warning Southern Democratic Congressmen that if they voted anything like solidly or in large numbers against this resolution they would be in grave danger of losing chairmanships of committees in this House; that the advocates of woman suffrage in the coming elections would defeat every Democratic candidate for Congress possible; and that this would give the next House to the Republicans. I sincerely trust this eminent gentleman, whom I esteem most highly, has been misquoted. He certainly could not have meant what the language attributed to him implies. If the language of that alleged interview means anything, it means that Democratic Members of Congress should sacrifice their views on a great constitutional question in order that they may continue to hold chairmanships of committees in this body. Mr. Speaker, when I became a Member of this body, I took an

oath to "uphold and defend the Constitution of the United States."

That oath meant that I should "uphold and defend" it according to my best judgment, weak and feeble as it might be, and not according to the judgment and opinion of anyone else, no matter how strong and powerful that some one else might be, and so help me God, I intend to adhere to the spirit and the letter of that oath so long as I am a Member of this great body. No Member of this House can justify in the court of conscience abandonment of honest conviction because of political disaster to his own fortunes. No Member of this House can stand acquit of official perfidy, if he slaughters deliberate, conscientious opinion on the altar of party supremacy. It were better for our country, yea, ten thousand times better, that no Democrat should ever again hold a chairmanship of a committee in this House, than that one Democrat should resort to the ignoble expedient of bartering his own convictions on a great public question for the hope that his party may retain power. As a Democrat, I am anxious for my party to continue in control of this Government. Since we came into control of all the branches of the Government under the leadership of Woodrow Wilson, the mightiest figure in all the world to-day, we have met successfully every condition, and demonstrated our capacity and fitness to properly manage the affairs of this great Republic; but, sir, as intensely anxious as I am to retain the reins of Government, I do not hesitate to say that I would rather see the Democratic Party deserve success than to see it succeed by abandoning the solid, stable rock of principle for the shifting sands of expediency. I have heard it said that the Republicans are going to vote for this resolution almost solidly, and that it would be good politics for the Democrats to line up solidly for it also, else the Republicans would get credit for its passage, if it should pass, and the Democrats would be swept from power in the next election. I do not believe it. I have found, during my 13 years of service in this House, that the average Republican Member is just about as loyal to his convictions as is the average Democratic Member, and about as unlikely to sell those convictions for "a mess of pottage." Even if I believed that every Republican upon this floor intended to repudiate the platform of his party on this question, I can not see wherein that would justify a Democrat in repudiating the solemn pronouncement of his own party, and I warn members of both organizations that no permanent good can come to any political party whose members will sacrifice an important principle of the organization for the hope of "a little brief authority." Such a course of conduct will surely earn for the political party which pursues it the lasting contempt of the great body of the American people.

It might be well, Mr. Speaker, in considering this question, to examine the views of some of those great thinkers of the world who have advocated woman suffrage, and who after more mature deliberation, or who, after observing its effect when put in operation, have changed their minds on the subject. John Bright in 1867 voted for woman suffrage, but after he had an opportunity to think and study the question more fully, as his final, deliberate judgment, said:

> I do not believe that women suffer by not being represented in Parliament, and I do not believe it would be an advantage to them if they were so represented.

Herbert Spencer was at one time a strong advocate of woman suffrage, but on fuller investigation renounced that position, stating that he had formerly argued the matter "from the point of view of a general principle of individual rights," but, he said, he found that this could not be sustained, as he "discovers mental and emotional differences between the sexes which disqualify women for the burdens of government and the exercise of its functions."

The Revolutionary fathers of the Commonwealth of Massachusetts, in the convention at Newburyport, in 1778, discussed the whole question of suffrage with reference to women and declined to confer the franchise upon them, saying:

> Women, whatever age they are of, are also [not to have the suffrage] as not having a sufficiently acquired discretion—but not from a deficiency in their mental powers—but from the natural tenderness and delicacy of their minds, their retired modes of life, and various domestic duties. These concurring, prevents that promiscuous intercourse with the world which is necessary to qualify them for electors.

Bishop John H. Vincent, the founder of Chautauqua, and strong advocate of higher education of women, once favored suffrage for women, but, like most of the stronger thinkers, upon thorough study and full investigation of the question in all its bearings, came to the conclusion that he was wrong, and thus gave expression to his changed views:

> When about 30 years of age I accepted for a time the doctrine of woman suffrage and publicly defended it. Years of wide and careful observation have convinced me that the demand for woman suffrage in America is without foundation in equity, and, if successful, must prove harmful to American society.
>
> I find some worthy women defending it, but the majority of our best women, especially our most intelligent, domestic, and godly mothers neither ask for nor desire it. The instinct of motherhood is against it. The basal conviction of our best manhood is against it. The movement is at root a protest against the representative relations and functions by virtue of which each sex depends upon and is exalted by the other. This theory and policy tending to the subversion of the natural and divine order, must make man less a man, and woman less a woman.
>
> A distinguished woman advocate of this suffrage movement says: "We need the ballot to protect us against men." When one sex is thus compelled to protect itself against the other the foundations of society are already crumbling. Woman now makes man what he is. She controls him as a babe, boy, manly son, brother, lover, husband, father. Her influence is enormous. If she use it wisely she needs no additional power. If she abuse her opportunity she deserves no additional responsibility. Her womanly weight, now without measure, will be limited to the value of a single ballot, and her control over from two to five additional votes forfeited.
>
> The curse of America to-day is the dominated partisan vote—the vote of ignorance and superstition. Shall we help matters by doubling this dangerous mass? Free from the direct complications and passions of the political arena, the best women may exert a conservative and moral influence over men as voters. Force her into the same mad atmosphere, and both man and woman must inevitably suffer incalculable loss. We know what woman can be in the "commune," in "riots," and on the "rostrum."
>
> Woman can, through the votes of men, have every right to which she is entitled. All she has man has gladly given her. It is his glory to represent her. To rob him of this right is to weaken both. He and she are just now in danger through his mistaken courtesy.

These are the testimonials of men who have made up their judgments not only after diligent study of the whole question in all of its bearings but men who originally were favorable to woman suffrage, and who were forced to change their views by the force of unanswerable logic. They are men who have earned their high places in the world of thinkers and students, and whose opinions are entitled to great respect. I commend their words to those among us who seemingly, with only a superficial examination, would plunge our beloved country into the maelstrom of interminable trouble, which must inevitably be produced by the engrafting of this amendment on the Constitution of the United States.

To-day woman stands the uncrowned queen in the hearts of all right-thinking American men; to her as rightful sovereign we render the homage of protection, respect, and love, and may the guiding hand of an all-wise Providence stretch forth in this hour of peril to save her from a change of relation which must bring in its train discontent, sorrow, and pain.

But we are told that this resolution should be passed as a "war measure," but just why it should be denominated as a war measure I have been utterly unable to understand. How could this legislation possibly aid us in the war in which we are now engaged? Do these good women, if given the privilege to vote, intend to shoulder arms and go to the front? I have heard of no such declaration of that intention on their part. If I knew that was their purpose, then I should oppose it more strenuously, if that were possible, because I am old-fashioned enough to believe that men, and men only, should fight the battles of their country. Women take up arms only after the men have become yelping coyotes and skulking cowards, and, I thank God, America has not as yet become Russianized. In what way then can woman suffrage help us win the war? If it could help us at all we could not avail ourselves of the assistance, because the war will undoubtedly have ended long before the proposed amendment could possibly become a part of the Constitution, and thus this claim of its proponents vanishes into thin air.

But, Mr. Speaker, the passage of this resolution will affect the war situation, but not in the helpful way claimed for it by its supporters. The President has said in effect that to win this war we must think together, speak together, and act together. In other words, that the American people must be harmonious and act as a unit if we are to be successful in this great world-wide conflict, and in the face of that statement of our great President it is seriously proposed to pass this resolution and start a riot of dissension, turmoil, and strife in every one of the 48 States of the American Union. Can you imagine any one thing which would be more productive of ill feeling and bitterness than to launch a campaign in every one of the 48 States of the Union to determine if woman suffrage should become a part of and guaranteed by the Constitution of the United States? Political parties and candidates for public office would be stirred up over the prospect of these millions of new voters being added to the registration lists, particularly with reference to their party alignment, and instead of presenting to our enemies an unbroken and harmonious front this great Republic in the very midst of the most terrible and devastating war of all time will exhibit to the world such a spectacle of domestic disorder and internecine strife as will inevitably dishearten our allies, strengthen the hopes and courage of our enemies, and weaken us in the opinion of all the world. If

such a contest should ever be desirable, surely it is not desirable at a time like this, when we are engaged in a death struggle with the mighty forces of autocracy, on the issue of which depends the very life of democracy among men. The "picketing" of the White House and of Congress has given us some little idea of the methods which may be expected if this question is submitted to the legislatures of the different States for ratification or rejection. Pass this resolution, and not only will the Nation in time of war be plunged into turmoil, disorder, and bitterness by heated political meetings and inflamatory articles in the press, but the legislature of every State in the Union will be "picketed," governors will be besieged and harassed, legislators will be cajoled and threatened, and thousands of homes throughout the land where contentment now reigns supreme will be converted into a perfect bedlam of unseemly debate and bitter political disputation. It will not do to say that these things will not occur.

They have occurred in England, and in our own country right in our midst, and in practically every other country where the question has been raised. Mr. Speaker, the three things which will raise more disturbance, create more discord, separate more families, and raise more Cain generally than any other things on this earth is a county-site election, a church dispute, and a woman-suffrage campaign.

In the hearings before the committee it will be found that one of the leaders among the suffragettes declared that they wanted the ballot for "protection," and when asked against whom she desired "protection" she promptly and frankly replied "men." My God, has it come to pass in America that the women of the land need to be protected from the men? I do not live in a State where such a condition exists, and I am profoundly thankful for it.

If women desire and are to have the ballot to protect themselves from men and man-made laws, if they are to be placed upon an exact equality with men in administering the affairs of government, so that they may in future protect themselves, then they may expect no special protection of the law beyond what is accorded to men, and they should ask for the repeal of those laws which apply to them now by reason of being under the coverture of marriage.

No more when charged with crime can she be heard to plead coercion on the part of the husband; no more when marital troubles come can she go into the courts of the country and so easily secure the payment of her counsel's fees in divorce proceedings, alimony for herself pending the litigation, and permanent alimony in the final decree for the support of herself and children. In other words, she can not exercise the rights of a man and at the same time claim the privileges of a woman. The two are entirely incompatible, and she must relinquish the one or the other. If she relinquishes the privileges of a woman and secures the rights of a man, then, in my judgment, we shall soon see woman becoming more manly and man becoming more womanly. God forbid. It is said that "nature abhors a vacuum," and I want to say that about the nearest approach to a vacuum that I know anything about is a manly woman or a womanly man.

I come to the platform again. I was amused at my friend from Oklahoma, Mr. FERRIS, who wants us to stand with the President. God knows I want to stand with him. I am a Democrat, and I want to follow the leader of my party, and I am a pretty good lightning-change artist myself sometimes [laughter]; but God knows I can not keep up with this performance. [Laughter.] Why, the President wrote a book away back yonder. He said this:

> The suffrage in particular is a privilege which each State may grant upon terms of its own choosing, provided only that those terms be not inconsistent with a republican form of government.

He said again:

> All the powers of the General Government are plainly such as affect interests which it would be impossible to regulate harmoniously by any scheme of separate State action, and only such; all other powers whatever remain with the States. With them rests the regulation of the suffrage.

That is what the President said. Again he said:

> Federal law does not determine who shall vote for Members of the House of Representatives. The Constitution provides simply that all those persons in each State who are qualified under the Constitution and laws of the State to vote for Members of the larger of the two houses of the State legislature may vote also for Members of the House of Representatives of the United States. The franchise is regulated therefore entirely by State law.

Mr. SLOAN. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Florida. No; I have not the time. Now that is not all that the President has said.

Mr. SLOAN. Does not the statute of limitations intervene?

Mr. CLARK of Florida. In a letter or in an interview with the New York Times on October 7, 1915, the President, referring to woman suffrage said:

> I believe that it should be settled by the States and not by the National Government.

He never rose to a higher plane of statesmanship than when he uttered that sentence. Again, on October 7, 1916, the President expressed himself in a letter to the Jane Jefferson Club, of Denver, Colo.:

> Both the great political parties have in their recent platforms favored the extension of suffrage to women through State action.

Not only that, but my friend from Oklahoma [Mr. FERRIS] construes the Democratic platform to mean that we should pass this resolution. I want to say that your leader and mine did not so construe it. I want to tell you that Mrs. Catt, the leader of the suffragettes, denounced the President after the Democratic convention for "playing fast and loose" on this question, and Mrs. Catt also delivered the utterance that some people may claim that that plank in the Democratic platform was in favor of a Federal amendment, but she did not believe anything of the sort; and she was right.

Ah, gentlemen, you can not get around it. Both political parties in their last official utterance have put themselves on record, and that is the law of the Democratic Party and that is the law of the Republican Party to-day. No President has a right to repeal the law of his party. No leader of any party has a right to do that; and both of those parties declared emphatically for woman suffrage, it is true, but through the regular legal channels of State action. That is where they both planted themselves.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. CLARK of Florida. I can not yield. No specious reasoning can avoid that. It is reported in the Washington Post this morning about that meeting that these gentlemen had down at the White House—I do not vouch for its truth—that the President said something else:

> Members of Congress who participated in the conference said the President told them he still believed that the proper and orderly way of dealing with the question was to permit each State to take its own action.

Did he say that? If he did, it is in keeping with what he has said heretofore. And I want to say something else. This paper also quotes my friend from California——

Mr. MEEKER. Will the gentleman yield?

Mr. CLARK of Florida. For just a second.

Mr. MEEKER. Will the gentleman from California say whether the President said that or not? Let us have it straight.

Mr. CLARK of Florida. I have not time to yield for that. He can answer that in his own time. I do not want it taken out of my time. But I want to say something else. You gentlemen can answer that. This paper says that—

> Representative RAKER, chairman of the Suffrage Committee, jubilantly predicted last night that the necessary two-thirds would be exceeded by 15 or 20 votes—

Counting on the weight of the President's influence to swing doubtful Democrats.

Mr. BENJAMIN L. FAIRCHILD. And the headlines in the morning papers.

Mr. CLARK of Florida. To swing doubtful Democrats! Is there a man upon this floor worth his salt, or to be considered for a moment in connection with the high office of a Representative, who will change his convictions on a constitutional question because the President seems willing to change his position? I do not believe there is such a man, nor do I believe that our great President would have respect for one who did. The President has a right to change his views on this or any other question, and I claim the right as a Representative on this floor to stand by my own convictions and change my views only when convinced of error in the forum of my own judgment. In a matter of party policy I might be willing to waive my own views to coincide with the superior wisdom of my great leader, but not in a matter involving a constitutional question, which I am to determine for myself under my oath of office.

I want to say, in conclusion, that if I had no other objection to woman suffrage, I should oppose it because, in my humble judgment, the conferring of the franchise on woman will tend to disrupt the family, which is the unit of society, and when you disrupt the family you destroy the home, which in America is the foundation stone of the Republic. Nothing can convince me that a thing which is not only liable, but almost certain, to create discord in the families of men can ever prove beneficial to this country. If this resolution should pass and the proposed amendment should be ratified by three-fourths of the States of the Union, then we would find a condition where the wife would

either blindly follow the husband in the casting of her vote or she would disagree with his views and have her vote counted in opposition to his. If the former is to be the case, then it occurs to me that all will agree that this would be an entirely superfluous and useless piece of legislation, as the only result would be to practically double the number of votes cast without changing in the slightest the political complexion of the State or the Nation, but adding largely to the expense of holding our elections. If the latter should be the case, then we would find the husband and wife constantly engaged in political disputation, which would grow warmer, more heated, and more acrimonious as the campaign advanced, until finally a veritable conflagration of domestic infelicity would be kindled, consuming the marital tie, destroying the home, and sending the children, to all intents and purposes, orphans out on the cold charity of the world to become charges on the State. It may be said that this picture is overdrawn, but, sir, it is not. Man and wife to live happily together must be in harmony. They must think alike, act alike, have the same ideals of life, and look forward with like vision to the happy consummation "beyond the vale." Anything which will disturb this harmony will tend to disrupt the union, and there is nothing known among men so disturbing in its character and so productive of dissension, ill temper, and bitterness of feeling as is partisan political discussion unless it be factional political discussion.

God knows that factional politics, when confined to two wings of the same political party, is bad enough, but when you get factional politics limited to husband and wife, oh, what a spectacle will be presented, my countrymen. Disagreement will supplant concord; discord will take the place of harmony; home will be neglected for the political rostrum; household duties will be left unperformed while political rallies are attended; children will be left without the guiding hand of mother while she goes valiantly forth to save the Nation; respect of wife for husband will give way for contempt, and love will vanish while hate ascends the throne.

But, say some, "You are speaking only of the women who are married; what of those who are not married?" Mr. Speaker, I am speaking of those who are married, and I think this question ought to be settled with relation to its effect upon the married women of the land, because that is the relation which nature intended for them. The unmarried woman who has passed marriageable age is the exception to her class, and no general law should ever be passed to fit the exceptions to the class upon which it is intended to operate. I am quite sure this is a principle of legislation so sound and so universally accepted that no one will be found to question it. The Creator of us all intended that men and women should mate—one woman for one man is the law of God, and the law of all enlightened Christian people everywhere. It is not only in accord with the law of nature for men and women to marry, but it is also in accord with that law for them to establish homes and rear children. I dare say there is not a girl throughout this broad land who does not expect at some time in the future to marry, have a home, rear children, and be supremely happy in her own little world. Why, then, should we make a general law to fit the case or suit the convenience or cater to the whim of a few exceptions to the general class of women? I confidently believe that a great majority of the women of America do not want the burden of suffrage placed upon them.

If they do, why is it that the suffragists never make a proposition to leave the question to a vote of the women of the State or the Nation? If this were done in a primary or by some other method, and the suffragists came here with proof that a majority of the women of the country really desired to assume this burden, they would at least be in position to speak with authority as representing their sex. But, Mr. Speaker, before I will believe that the American woman, contented and happy in the love of her husband and children, desires to exchange her proud estate for the poor privilege of dragging her skirts through the mud and mire of partisan politics I must have indisputable proof. I know that it is quite out of fashion in some circles to speak of man's protection of woman and her dependence upon him. I know that in some quarters there has grown up out of the progressive civilization of our time a tendency to ridicule and sneer at every reference to the finer and more tender emotions of humanity, and this tendency to ridicule reached its climax when a suffragette leader some time ago sneeringly referred to the Association of Women Opposed to Woman Suffrage as "the Home, Mother, and Heaven Party." I thank God for "the Home, Mother, and Heaven Party." If she had only added one more word and made it the "Home, Mother, Wife, and Heaven Party" it would have been complete, and she would have linked together the four sweetest words in all the language. These four—home, mother, wife, and heaven—are the corner stones of our governmental structure, and if either be destroyed, the Republic will crumble to decay and self-government among men will pass from the earth. Ridicule it, if you please; sneer at it, if you will; but I shall never cease to reverence and love the sweet, womanly wife and mother who, in the fear of God and with queenly dignity, presides over an American home. Hers is the proudest place in the economy of the universe. Talk about rights, about influence, about power—all mankind is at her feet, and she wields a scepter more powerful than that of any king or potentate, the scepter of wifely fidelity and motherly love. [Applause.]

Mr. RAKER. I yield seven minutes to the gentleman from Texas [Mr. BLANTON], a member of the committee.

Mr. BLANTON. Mr. Speaker, if every Member of this House could have heard the splendid speeches of Mrs. Maud Wood Park, of Massachusetts, and Mrs. Carrie Chapman Catt, of New York, and of the other splendid women who appeared before our committee, there would be nothing left to say on the adoption of this amendment. I have racked my brain to discover some new point or idea on this question, but, so very ingenious and comprehensive were their arguments, I must, indeed, be careful if I avoid repetition. I take it that every Member in this House may be classified into one of two groups, and two only; first, those who are in favor of women voting, and, second, those who are against women voting. You can make all the excuses imaginable, and attempt to satisfy your consciences with this or that reason for denying to woman a God-given right inherent with citizenship, to enjoy equally with men the privilege of voting; and you can say what you please about dodging this question behind the proposition of State rights, but, after all, when the excuses and reasons are stripped down there is nothing left but a blunt unwillingness to let women vote.

When my southern colleague says that he is against it because of State rights, when you pin him down to the crucial question you will find out that he is unwilling for women to have the vote at all, even though acquired through the State method, and that generally and every other way he is against the proposition of women voting in this country. The first group that I have mentioned are willing to admit women are a part and parcel of the people of this Nation, and that when the Constitution of the United States says "the people of the United States" that term embraces women as well as men. The second group believe that the Constitution of the United States was ordained and established for "men only," and, with teeth clenched and eyes shut, are still manfully asserting that such expression "the people of the United States" is of the masculine gender and applies and relates only to him who each evening hangs his hat in the hall after he enters the front door of his castle.

So far as State rights are concerned, if this amendment sought to take away from any State the right of fixing the qualifications of its voters, I would be against it first, last, and all the time, but such it does not. With the exception of the question of sex, it does not affect one single qualification that any State has now or may desire to impose, and all such qualifications will remain the same as now until changed by State action. No State, however, should prescribe a qualification which it would be absolutely impossible for an honorable, intelligent, high-minded, and high-principled citizen ever to acquire. Why, so far as this bugaboo negro question is concerned, your Constitution has already fixed the right of negro women in this country. Show me a State to-day that has suffrage in its constitution and I will show you a State which now can not regulate the question entirely, for it could not let white women vote without also enfranchising the negro women. Let the legislature of that State attempt to-day to restrict the vote to white women, and what would happen? Why, it would be unlawful under the fifteenth amendment to the Constitution. You could not do it, because the Supreme Court would hold that if you attempted to give the suffrage to the white women of this country, under the terms of the fifteenth amendment, you must likewise give it to negro women. Hence, so far as the color question is concerned, the Constitution has already fixed that, and what we seek now, merely, is to fix the sex question, a matter for which God alone is responsible, and over which the particular individual, unfortunately born a female, has no control. After this amendment has been proposed by Congress and ratified by the States and becomes the constitutional law of the land, States will still prescribe all qualifications—age, residence, registering, procuring poll-tax receipts, reading and writing, and so forth.

My friends, I want to say to my Texas colleagues that my district has already spoken in no uncertain terms on this question.

It is my honor to represent the biggest district in the United States, a district that embraces 58 counties, some of them about 100 miles across, north and south, such as Pecos, Reeves, El

Paso, Brewster, and Presidio, and which district, east and west, is 556 miles, a distance over twice as far as from this Capitol to New York. In that district there is a greater territory than in six of the smaller States. In that district there are 400,000 people.

In the last campaign I ran against a man who had been an honored Member of this body for 14 years. In my platform I made an issue upon national woman suffrage in favor of it, and he was against it. I had joint debates with him in that district. My district elected me by an overwhelming majority, and thus spoke for national woman suffrage. [Applause.] If my friends from Texas believe that the Texas people are not in favor of this question, let them just try it once and fail to put the issue in their platform, and let their opponents espouse it and make it an issue in their districts, and you will see how they will act. I shudder to think of the consequences, for the Democrats of Texas have not forgotten what democracy and our Government owes to the western suffrage States and to the good women of the West, and particularly to the loyal mothers in America. I take it that so far as my territory is concerned, which in area embraces nearly one-fourth of the whole State, the Texas people have already spoken.

I am not surprised at my friends on the Republican side of the House who criticize the President of the United States. They are on the outside looking in, and he is on the inside looking out; but I am surprised that a Democrat from Florida should make the kind of an argument that he has made upon the floor of this House, when to-day he enjoys his standing in the organization of this Congress and his chairmanship of the committee by reason of the fact that the President won a reelection because he was willing at all times to derive his power from the people he governed and to do justice to all and at all times, and hence gained a Democratic victory in the last campaign. [Applause.]

Mr. CLARK of Florida. Will the gentleman yield?

Mr. BLANTON. Had I the time I would, gladly. I wish I had the time so that every benighted Member of this body opposing this resolution could ask me a question, as it would be a pleasure for me to enlighten him; but my time is limited and I can not yield.

My friend from Florida did ont emphasize that particular part of the article which the President wrote in his book when he said it should be left to the States to fix the terms; he said also that they should fix those terms so long as they were not against a republican form of government. If you deny the 14,000,000 white women of this country the right to vote, you are interfering with a republican form of government. [Applause.]

When the President of the United States says, "I get my power, not from God above, like an autocratic German Kaiser, but I get my power from the people of the United States, the people whom I govern," is it anything strange that a President who represents a Republic like that should say that it would be unjust to deny to the women of this country the right to express their voice in the affairs of their Government? [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MEEKER. Mr. Speaker, I yield 12 minutes to the gentleman from New Jersey [Mr. GRAY].

Mr. GRAY of New Jersey. Mr. Speaker, the United States of America is a party to the great war not only to save the world for democracy but to protect its own homes and firesides from the wolves of Prussia. We abhor the German philosophy that might makes right; but, on the other hand, we know that right without might means the triumph of wrong. The future of our Nation and of civilization itself is at stake. We have become the deciding factor in the situation. If we win the war or do our part in winning the war, it will be by the exercise of physical force; and that physical force is vested in the manhood of the Nation. A nation is just so strong as its men are strong. A nation will endure just so long as its men are virile. History, physiology, and psychology all show that giving woman equal political rights with man makes ultimately for the deterioration of manhood. It is therefore not only because I want our country to win this war but because I want our Nation to possess the male virility necessary to guarantee its future existence that I am opposed to the pending amendment.

Our country entered into this war by the votes of the male Members of Congress. If we win the war or do our part in winning the war, it will be done primarily by the physical force of the male men of the Nation. The majority of the women of the Nation may be for war or they may not be for war. We can not afford to take the chance that they are not for war and give them the vote. We are determined to win this war, no matter what it may cost us in men and in treasure, and we should not stand for the introduction of any uncertain domestic element into the proposition. That high priest of pacifism, William Jennings Bryan, said that woman should have the vote, and that then the question of war should be submitted to a national referendum. That sole female representative of woman suffrage in the House, Miss JEANNETTE RANKIN, admitted, not from judgment but from her woman's heart, that while she loved her country, she could not vote for war. This war may last a year or it may last 10 years. At all events, it is not impossible that it will last long enough to see this proposed amendment adopted by three-fourths of the States and made part of the organic law of the land. With the war still on, how would you like to see a majority of the membership of Congress made up of women? And that in the face of the fact that this is a war to the death, a war of extermination, a war of annihilation, a war to be fought to the finish by strong men, courageous men, red-blooded men, virile men, men who can watch their life-blood flow without whimpering. This is no issue to be decided by woman's fears and tears and emotions; this is an issue to be decided by the real, manly men of America. And that is another reason why I am opposed to the pending amendment.

The advocates of woman suffrage point to the heroic part the women of France and England have played in the war and the splendid part the women of America are playing in the war as a reason why woman should be given the vote. Do they mean to suggest that if the women of America are not given the vote, they will be less loyal to the cause? Do they mean to insinuate that the womanhood of America is so base as that? Why, real womanhood has always stood behind real manhood. Woman has, from the very institution of family life, been man's second-line of defense. I have said that the United States was in this war not only to save the world for democracy but to protect its own homes and firesides. The two objects are one; they go together. And the women of America, in gladly sending their men forth to fight for democracy, know that their men are fighting for their women as well; fighting to save them from the barbaric savageries of German soldiers; fighting to keep the United States of America a safe place for them and their children and their children's children to live in for all time to come. Are the great mass of the loyal women of America who have sent and are sending their husbands and brothers and sweethearts forth to battle caring whether they, the women, shall be given the vote or not? Not—if you are honest in your observation—not so that you could notice it.

It must follow, as a logical sequence of the German philosophy that might makes right, that war and not peace is the normal condition of society. We, however, to whom the German philosophy is abhorrent, take the view that war is an inversion of the normal condition, that it is disorder, insanity, chaos, or, as Gen. Sherman expressed it, it "is hell." If our women find it necessary to work in the munition factories and to plow the fields, as the women in France and England have been obliged to do, it will not be because they prefer to do that kind of work, but because they are willing to do it to back up their men at the battle front. If our women find it necessary to do this kind of work, it will not be because their men elect it, but because their men are willing to yield to the exigencies of the situation, much as the idea is revolting to them. Therefore, again it must follow as a logical sequence that if in this abnormal condition brought on by war, if, in the inverted state of things in which society finds itself by reason of war, woman should be given the vote because of the part she is taking in war, then, by the same token, when conditions go back to the normal and peace once more hovers over the land, the vote should be taken away from her.

Suppose the United States should be engaged in this war as long as England and France and Germany already have been, and had lost as many men as they have lost, what do you suppose the principal industry in the United States would be after the war was over? I will tell you. It would be the having and the rearing of children. And that would be woman's mission, the maternalistic inclinations of many modern men to the contrary notwithstanding. And if, after the war is over, the economic condition of woman shall so nearly equal that of man that she shall be entitled to the vote, if for every man working in the factory and the field there shall be a woman so engaged, then, I want to tell you, your social structure will have gone to smash, and your family, as the unit of society, will have gone to smash. If, after the war is over, woman is not free to have children, to establish and reestablish and maintain the home, without any thought of political equality with man, but with a firm reliance upon man as her God-given protector and champion, then you will have to confess that your civilization is a failure and that God and nature both have erred in their scheme of things. And that is another reason why I am opposed to the pending amendment.

I have used the war argument against woman suffrage because I deem it to be the most immediate and convincing at this time. But I am opposed to woman suffrage on a more fundamental basis, and it is this: That "God created man in his own image, in the image of God created He him; male and female created He them. And God blessed them; and God said unto them, Be fruitful, and multiply, and replenish the earth, and subdue it." Male and female created He them; and while they so remain they will not only be fruitful and replenish the earth, but they will subdue it. But when the sexes coalesce, when the masculine becomes effeminized and the feminine becomes masculinized, they will do neither. And the inevitable, the ultimate result of giving woman equal political rights with man will be the coalescing, the deterioration of the sexes. Even now we have a powerful element in the woman suffrage movement represented by the feminists who demand that if they submit to the inconvenience of having children the State shall support those children. Even now it is a sorry commentary on the male sex, a sorry augury for the future, that they are willing to yield up their natural dominion as men to the unnatural dominion of women. I am not thinking of the immediate effect of the enactment of woman suffrage; it will be merely to complicate and make more expensive our elections. I am not thinking of political expediency, for my actions and utterances here to-day may spell my political finish. But I am thinking of the future of society and the race. You men who are going to vote for the amendment may lay the flattering unction to your souls that you are getting away with something that will mean your reelection. Well, have your reelection. But allow me to predict that when you are dead and gone, and your political achievements have long since been forgotten, the historians of the future will describe this day, if you pass this amendment, as the day that marked the beginning of the decay of the great American Republic. And it is because I think more of the future of the country than I do of my own future that I am opposed to this amendment. [Applause.]

Mr. RAKER. Mr. Speaker, I yield five minutes to the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR of Colorado. Mr. Speaker, I notice on the front page of one of the leading dailies of this country a large headline which reads as follows: "Freedom of the world is U. S. aim." Similar headlines have appeared on the front pages of the press throughout this country the past two days. Of course, they refer to the President's historical speech, in which he outlines the aims of America and the allies in this world war. The President has several times, and again on yesterday, stated what every thoughtful American begins to realize, that hereafter America must and will assume not only an important but a leading place in all the international affairs of the world. Never again in our history will our country pursue the policy of exclusion, or refrain as we have heretofore, from interfering, if necessary, with the international affairs of the world. If "the freedom of the world" is the aim of our country, if we are to be leaders in liberalizing the human race, if that is to be the policy and the aim of every loyal American, I can not conceive of how any patriotic citizen, who loves his country and respects the rights of common humanity, can vote against a proposition intended simply to accord those rights to the good women of our country. There never was a time in the history of the world when the women, not only of this country, but of every other country, have demonstrated so overwhelmingly their right to this recognition as at the present time. In fact to deny them the right, especially in America, of a participation in the affairs of our country at this time would be a most colossal act of injustice. The eyes of the whole civilized world are centered on our action here to-day. This vote is one of the most important and far-reaching that has ever been, or ever will be, cast in this House, and I can not believe that in view of the hopes and prayers of the women of the world, and the eloquent and forcible appeal of the President of the United States to pass this amendment, "As an act of right and justice to the women of the country and of the world," that one-third of this great body will vote against it. This is not a local or even a national matter. This is an international and a world-wide proposition. It affects all of the other nations as well as our own, and as much, if not more, than any act of Congress during this war. It is the test of our good faith and of our preaching of liberty and justice to all humanity. Within the next three years the women of the entire British Empire; in fact, of all the English-speaking people of the world, outside of the United States, will be granted the right of suffrage, and it would be a colossal blunder as well as an unspeakable outrage if the United States shall fall behind the rest of the civilized world in granting this plain and simple act of justice to our good women.

I have been an advocate of woman suffrage for over 30 years. Colorado was the second State in the Union to adopt woman suffrage. The women of my State have been voting now for nearly 25 years. Our women are entitled to the lion's share of the credit for redeeming the State of Colorado from being one of the most "wild and woolly" of the West to one of the most orderly and best-governed States in the Union. While I have not recently examined the statistics, I feel reasonably confident in saying that Colorado spends more money per capita on both her schools and her roads and has a smaller percentage of crime than any other State in this Union. If the question of woman suffrage were submitted to the voters in Colorado to-day, there is not 1 per cent of the voting population who would vote against it. During the nearly 25 years that women have been voting and holding office in Colorado there has never been a defalcation or any dishonest act committed by any of the over 10,000 women who have held public office in my State, and no record equal to that has ever been made by an equal number of men from the time the world began to this hour.

But, Mr. Speaker, time will not permit a discussion of this great subject. I can only say that I confidently believe this amendment will pass this House to-day. But whether it does or does not, a few men can not block the wheels of progress or prevent the evolution of the human race or the final triumph of justice and right, and those who oppose this measure to-day will see the triumph of it within the next two years, and they will have occasion to sorely regret its opposition at this time. The women of this country are going to be given this right for the reason, first, that it is absolutely just, and for the further reason that wherever women have been given this right throughout the civilized world they have wisely exercised it, and their influence has been unqualifiedly beneficial. [Applause.]

Miss RANKIN. Mr. Speaker, I yield three minutes to the gentleman from New Jersey [Mr. LEHLBACH].

Mr. LEHLBACH. Mr. Speaker, woman suffrage in America is inevitable.

Political status flows out of and is supplemental to social and economic status. The belief prevalent in certain circles that the former is the means of achieving the latter is not based upon the experiences of the human race. The history of civilization teaches us that political equality can not permanently be withheld from a class or a division within a people which approximates social equality and economic independence; furthermore, attempts to bestow political equality upon such classes as are socially and economically dependent upon the rest of the population have universally failed. In the past the restriction of the right of suffrage to the male population was not contrary to democratic philosophy, because under the old order of civilization women derived their social status from their men and were economically dependent upon them.

For the past half century a change in this regard has been taking place in the social structure, particularly in the last generation. The old conception of the place of woman in the scheme of existence was that she was the member of a household, which was ruled by a male head; that her place in the world was determined by the place held by this head; and that he was responsible for her economically. Among many this conception still obtains as a theory, and is still to an extent recognized in the law, but in reality has been substantially modified. The mass of women in this country are no longer entirely and solely dependent upon the men for their support and maintenance. In a large majority of American households girls are prepared for and enter gainful occupations, just as the boys. On the farms their labor within the sphere allotted them contributes to the common support, just as that of the sons. In the marriage relation the wife is no longer under such domination of her husband as he might exercise over an older child. She retains control of her own property, and her liberty of action in ordinary affairs is unchallenged. The restrictions of old conventions that limited her social activities no longer obtain. These strides toward social and economic independence do not result from the demands of women for them, but flow from industrial conditions.

This status by women having been achieved, participation in political affairs is a necessary corollary. The opponents of woman suffrage are not in reality opposing the giving of the vote, but are protesting against and are trying to deny the existence of the present order of things that makes the granting of the vote logical and necessary. I deeply sympathize with those who regret the passing of the old ideal, wherein the activities of womankind are bounded entirely by the home, brightening the life of her husband, guarding and rearing her children, while she enjoys the love, support, and protection of her mate.

But in solving public questions we must square our actions with realities and not with fond delusions. Woman suffrage, then, is inevitable. Under normal conditions we might well allow it to become universal in the country after protracted struggles through a long period of years and by piecemeal.

Now we are at war. The entire energy of the Nation and its resources need be utilized to achieve the victory. For this reason I deem it wise that this controversy be ended as speedily as possible, and in the only way in which it sooner or later necessarily will be settled. Consequently I shall vote to submit this amendment to the States for ratification. [Applause.]

Miss RANKIN. Mr. Speaker, I yield three minutes to the gentleman from Indiana [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Speaker and Members of the House of Representatives, a little more than 400 years ago Columbus discovered America. Before that page of American history was written he was compelled to seek the advice and assistance of a woman. From that day until the present day the noble women of America have done their part in times of peace and times of war to make this grand country what it is to-day. For that reason I am in favor of this resolution, and I am in favor of granting suffrage to the women all over America.

I believe that the time has come when the efforts of the noble women of this country are going to be crowned, and that they have arrived at the brow of the hill from which they can see Jerusalem and the temple walls. [Applause.]

I come from a State that, I am proud to say, whose delegation in Congress is practically unanimous on this proposition of woman suffrage. It is a divided State politically, but I desire to state in justice to the Members of Congress from that State that I believe the opinions of none of them have been changed by the miraculous conversion of the President to this cause. I have no criticism of the President coming out for woman suffrage. I am glad that he is standing with me on that proposition, and I hope that his conversion will be like that of St. Paul, and that he will become a master worker in the vineyards of the Lord for this proposition. [Applause.]

I can say but little in the two or three minutes allotted to me on a question like this. It has been suggested that 38 or 39 men who made the Constitution of the United States possessed all the wisdom of the earth. I will grant that these men were noble, that they were wise, but you must remember that at the time these men made the Constitution none of them had ever seen a cook stove, none had seen a telephone, a telegraph, an automobile, or any of the modern things which we have in this day. They were all right in legislation and in the making of constitutions for their time, but we are living in a progressive age, and, while the politicians may stand still, very often these great questions get beyond them, which this seems to have done. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SAUNDERS of Virginia. Mr. Speaker, I yield four minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. MEEKER. Mr. President, I yield three minutes to the gentleman from North Carolina, Mr. SMALL.

The SPEAKER pro tempore (Mr. RANDALL). The gentleman from North Carolina is recognized for seven minutes.

Mr. SMALL. I shall not attempt to discuss the merits of woman suffrage, although it is obviously a debatable proposition. There are sharp differences of opinion entertained by intelligent citizens throughout the country, and even in those States which have granted suffrage to women it is still an experiment in government.

Even if one were in favor of equal suffrage, he should be opposed to securing it by the method of constitutional amendment. My objections to the method are fundamental. This amendment is to prohibit the States from denying to women the right to vote. In its results it commands the States to grant the franchise to women. Under our scheme of government this is an unwarranted and dangerous invasion of a fundamental right of the States. In our governmental structure there are two independent units of governmental power. The Federal Government has jurisdiction of all national and external affairs. The States have jurisdiction of all local and internal affairs. With the State rests exclusively the right of local self-government. Such of these rights as were left with the States by the framers of the Constitution, and which clearly and unreservedly are comprehended as matters of local self-government, can not be impaired without serious injury to our form of government.

The extension of the franchise and the regulation of the right of voting at elections was by the Constitution left with each State, and, except as modified by the fifteenth amendment, it still remains unchallenged within the jurisdiction of the States. It has been the opinion of those who formed this Government and of every reputable student of the Constitution that the right of the States to control elections should not be disturbed. This was clearly expressed by Jefferson and Hamilton. However much these constructive minds may have differed about the interpretation of the powers granted to the Federal Government, they both agreed as to the importance of maintaining unimpaired in the States all the essential rights of local government. This position has been ably affirmed by such distinguished writers on the Constitution as Judge Story, Judge Cooley, Mr. Pomeroy, and John Randolph Tucker.

We are therefore squarely confronted with the query whether, as the representatives of the people and the defenders of the Constitution, we shall depart from this settled and well-defined principle of government. I do not feel free to make that departure. My judgment and my civic conscience constrain me to stand by the form of government under which for more than a century we have maintained liberty, promoted civilization, and become the acknowledged premier among all the republics of the world.

Under Article I, section 2, of the Constitution it is provided that the House of Representatives shall be chosen by the people of the several States, "and the electors of each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." This means that the Members of this House are elected by those citizens whom each State has declared are entitled to vote for members of the most numerous branch of their State legislatures.

This provision was in the original Constitution and this interpretation has never been questioned. It was so satisfactory that when, within this decade, we adopted the seventeenth amendment providing for the election of Senators by the people of the several States it was provided in substantially identical language that Members of the Senate should be elected by voters having "the qualifications required for the most numerous branch of the State legislature." Subject to the provision in Article IV, section 4, of the Constitution that "the United States shall guarantee to every State in this Union a republican form of government," the States have continuously exercised the power to regulate the right of voting at elections. If it could be expressed with propriety, it might be said that those who seek to change this fundamental principle exhibit an ignorance and disregard of the history and structure of our Government.

It may be profitable to examine some of the reasons assigned in behalf of this amendment. It would be superfluous to refer to those noisy and sentimental men and women who declare that they favor equal suffrage and therefore favor this amendment. Their innocence of any knowledge of our Government would be ludicrous if the results were not so serious. They have a feeling that they are in favor of equal suffrage, and they follow the procession of that class of people who appeal to the Federal Government in behalf of every kind of reform.

The advocates of this amendment point to the action of Great Britain and other countries in extending the suffrage to women, and conclude that the United States should do likewise. They forget that what Great Britain may do is, under our form of government, denied to the United States, but rests with the several States. They might the more consistently contend that whereas 12 of the States of the Union have adopted suffrage that the remaining 36 States should likewise extend the suffrage to women.

These advocates further contend that by the constitutions of most of the States suffrage is denied to women, and they plead the length of time which would be consumed in inducing these States to amend their constitutions as an argument in favor of forbidding these States to deny women the right to vote. If this amendment can be submitted and ratified, it will unquestionably be the most expeditious method of overriding the will of the States and depriving them of an essential power; but such expeditious method would dangerously weaken the capacity of the States to manage their local affairs and would undoubtedly centralize power in the National Government. We are a confederated Union, which has grown to be a giant in power and influence, but that Union is composed of many States, and the Union has grown strong through the States. Any impairment of the independence or the rights of the States to manage their internal affairs will, by reflex action, weaken the strength of the Union.

The advocates of this amendment have attempted to inject this issue into the political parties. They have threatened to defeat for reelection members of the opposition, although such threats in the past have not materialized. They have attempted to secure the support of the Democratic and Republican Parties and induce rivalry between them by threats of reprisal against each.

This is no party question, and such efforts will be futile. It almost equals in intelligence the scheme of that delectable and inane group of women who picketed the White House on the theory that the President could grant them the right to vote. Some of these demonstrative advocates of suffrage are evidently

imitating the tactics of another class of moralists and Constitution tinkerers of the Anti-Saloon League, who regard the Constitution as an elastic instrument which Members of Congress may seek to amend at the instance of any numerous body of citizens. They insist that if the people in large numbers wish to secure a reform and are unwilling to wait upon the States, that it is the duty of Members to submit such amendments. They say that any representative number of citizens have the right to demand the submission of an amendment in the nature of a referendum to the legislatures of the States, regardless of the nature of the amendment or whether it violates the fundamental principle of government.

If the confederated union was the unit of local government, and it was consistent with our political structure for the Federal Government to attempt to fix the qualifications of the franchise throughout the country, then it would be in order in this forum to argue the merits of equal suffrage and its adaptation to the country, but neither of these propositions are correct, and therefore the desirability of equal suffrage has no place in this discussion.

I have stated that with the exception of the fifteenth amendment the power of each State to regulate the right of voting at elections had never been challenged. That amendment prohibited any State from denying the right to vote to any citizen on account of race or color. I shall not attempt to question the motives of those who advocated that amendment. It was a direct aftermath of the great Civil War. But I will venture a brief and frank discussion of its merits. This amendment, followed by the efforts to enforce it, created the horrible era of reconstruction in the Southern States. There were racial conflicts. Industrial and educational progress was arrested. Not until Federal troops were withdrawn and the Southern States were left to work out their own local government were peace and sectional unity restored. As an academic and ethical proposition the fifteenth amendment could not be condemned, but it is a political fact that it violated a fundamental principle of local self-government. The people of every State are jealous of this right. It is no more peculiar to North Carolina or Louisiana than it is to Ohio or Massachusetts. To force equal suffrage upon an unwilling State will not be tantamount to the peaceful and undisputed enjoyment of this privilege. I ask Representatives if, in the face of the one experiment which we have made in interfering with the right of each State to control the exercise of the franchise, we should be willing to repeat that unhappy experiment? I submit the question not alone to Representatives of the South but to intelligent and conscientious students of government from every State in the Union.

The proposition substantially resolves itself into this question, Shall we maintain the dual form of government instituted by the fathers and embodied in the Constitution, which has been characterized as the greatest political handiwork of man? Shall we continue to limit the power of the Federal Government to purely external affairs and to the exercise of those powers which are essentially national? Shall we preserve in the States unrestricted jurisdiction over those subjects which are internal and which have always been recognized as inherently embraced among the rights of local self-government? If we intend to change our form of government, if we intend to centralize the administration of local affairs in the Federal Government, and if we intend to make the States mere subdivisions and dependencies of the Central Government, we may be justified in submitting this amendment, but not otherwise. My duty seems clear, and I shall vote against the submission of the amendment. [Applause.]

Mr. MEEKER. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. LUFKIN].

Mr. LUFKIN. Mr. Speaker, I am absolutely opposed to the passage of this amendment at this time. I could offer many excuses for this opposition, but they would not appeal to me as good reasons. I could cite, for example, the fact that in a State-wide campaign in Massachusetts two years ago universal suffrage was defeated by over 133,000 votes, or I could cite as a more personal reason that in my own congressional district in that election universal suffrage was defeated by nearly 10,000 votes, or about two to one. Moreover, I am not opposed to the amendment because I believe that the women of this country are not intelligent enough to vote. A trial of the system in many of the States of the Union has proven the fallacy of this argument.

My opposition to the passage of this resolution is based solely and entirely on the fact that in my opinion this is no time to be trying an experiment of such tremendous magnitude as the granting of the franchise to millions and millions of new voters. These are decidedly abnormal times. The management of this great war is, to my mind, pretty much a one-man job, and, so far as I am concerned, until peace is finally declared, I should prefer to restrict the suffrage of the country rather than to increase it. This especially applies to the State of Massachusetts, which I have the honor in part to represent. Our State is so fortunate, or so unfortunate, according to one's viewpoint, as to have annual elections of all State and of a great many of the municipal officers. The result is that we have a State-wide primary every September, a State-wide election every November, municipal elections in the cities every December, and municipal elections in the towns in March. That seems to me to be quite enough politics for one community to undertake in one year, with war work and the horrors that go with it on all sides of us. Two years ago we had a State-wide campaign for woman suffrage in Massachusetts, lasting from early spring until November. I venture to say that there was not a street corner in any city or town of our great Commonwealth which was not entertained at least once a week during those eight months with orators on one side or the other of the suffrage cause. The campaign was conducted intelligently and energetically by both sides. It was perhaps interesting and educational at that time, but to-day the people's minds are on other questions. Our officials, both State and National, are striving with but one point in view, namely, to fight this war successfully and to bring it to the earliest possible end. With such conditions around us, I do not desire to see Massachusetts obliged to go through an eight months' campaign for the adoption of the suffrage amendment this summer, and, if it fails, to have a repetition next year, the year after, and perhaps for a number of additional years, until it is finally adopted. That, Mr. Speaker, is the sole reason why I believe the introduction of such a vastly important economic question at the present time is ill timed, is unnecessary, and that is the sole reason why I shall vote against it and why I hope it will be defeated by this House. [Applause.]

Miss RANKIN. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. POWERS].

Mr. POWERS. Mr. Speaker, I shall vote for this joint resolution proposing an amendment to the Constitution of the United States extending the right of suffrage to women. In so doing I am not voting either for or against woman suffrage. I am simply voting to give the people of my State, along with the people of every other State in this Union, the right, if they desire to exercise it, of amending the Constitution of the United States in the only way in which it can be amended.

I am not afraid to trust the States. They made the Constitution and reserved to themselves the right to amend it when two-thirds of both Houses of Congress deemed it necessary that an amendment be submitted.

Aside from the merits or demerits of woman suffrage, the question for me now to decide is, Shall I, by my vote, help to give the States the right and opportunity of amending their own joint Constitution—the Constitution of the United States—or shall I help to deprive them of that revered privilege and sovereign right?

This joint resolution will have to be ratified by three-fourths of the States before it can become effective. If three-fourths of the States do not want to adopt it, then no harm can possibly follow its submission to them. If three-fourths of the States do want to adopt it, I submit that it is our bounden duty to submit it to them for that purpose, because that is the only way in which they can exercise their sovereign right of changing their joint Constitution.

In the States of Wyoming, Colorado, Idaho, Utah, Washington, California, Arizona, Kansas, Oregon, Montana, Nevada, New York, and in the Territory of Alaska, men and women now vote upon equal terms.

In the States of Illinois, North Dakota, Rhode Island, Michigan, and Nebraska women now have the right to vote for the President and Vice President of the United States, or rather their electors. This shows how the right of suffrage to women is regarded in many of the States of this Union. There are thousands of intelligent and earnest women in every other State in this Nation, who believe and feel that the right of suffrage should be extended to them through Federal amendment. I shall not by my vote here to-day attempt to deny three-fourths of the States from according women this privilege if they deem it wise to do so. [Applause.]

Miss RANKIN. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, as is well known, the State of Massachusetts voted on the suffrage referendum in the election of 1915. A very large vote was cast against suffrage. The first district, which I represent, voted nearly 2 to 1, or by

a majority of 8,939, against it. In view of these facts a person in my position who supports the amendment to-day is entitled to an opportunity to express his reasons.

This I will do in a very brief manner. First, I voted in the Sixty-third Congress for the amendment, and I also cast my ballot for it as a voter in the election in Massachusetts. Secondly, I have frequently explained to the suffrage and anti-suffrage supporters at home my attitude upon the question. It is this: It does not seem logical to me that one sex should have the power to deny the right of suffrage to the other.

I have invariably told my friends that if the women by their own conduct and knowledge of public affairs and by an expression of the majority of their own sex showed their desire to exercise the right of franchise, I, for one, was willing and glad to assist them in procuring it. It is for this reason that I shall vote contrary to the expressed opinion of the male voters of my district and the State of Massachusetts on the question. [Applause.]

In response to a question at the hearing before the Massachusetts delegation, an advocate of suffrage remarked that the women of Massachusetts would gladly have a referendum given to them and would abide by the results. In my opinion, suffrage would win on such a vote at the present time.

It further seems to me that the conduct of the women in the prosecution of the war offers still another argument for suffrage at this time. The women of the country have arisen to their full duty and have proven themselves worthy of being the mothers of the fighting force of this Nation. Many of their boys are overseas and many more are going. If these young men were asked in whose hands they would leave their right of franchise, there would be a unanimous response in favor of leaving the question with their mothers, wives, and sisters. [Applause.] It is nearly 15 years since I first saw active efforts on the part of suffragettes, and, while the militants made mistakes then and while they have made mistakes here in Washington during the past two years, I am convinced that the majority of the women of this country have become capable of properly making use of the franchise, both through education and study of the affairs of government.

Certainly I credit the women of Massachusetts and the women of the first congressional district as possessing as much if not more knowledge and intelligence as their fellow women of the country and as being as capable as others of exercising the right of franchise.

In view of these facts as applied directly to my own case and my own district, I shall vote to-day to refer the amendment to the States. [Applause.]

Mr. RAKER. Mr. Speaker, I yield three minutes to the gentleman from Utah [Mr. MAYS].

Mr. MAYS. Mr. Speaker, as I listened to the gentleman from Florida [Mr. CLARK] I almost imagined that he was trying to impeach the President of the United States, but a little further on in his speech he showed that he himself had not been standing squarely on the platform of the Democratic Party. He blamed the President for recommending this method of securing suffrage for women, which the Democratic platform clearly stands for, and then himself said that he was not for suffrage; that he thought it would disrupt the home; that it would destroy the families of this country, showing he was opposed to suffrage when he stood upon the platform or pretended to stand upon the platform of the Democratic Party. He is now receiving emoluments and honors by virtue of the fact that he stood on that platform upon which he had no right to stand, according to his own confession.

The gentleman from Tennessee [Mr. MOON] worked himself into a fever heat about State rights, saying that he would not consent that Tennessee should have forced upon it a suffrage question against its will. Yet I see by the RECORD that the gentleman from Tennessee himself voted to force upon my State, against its will, the seventeenth amendment to the Constitution of the United States. My State expressly objected to that amendment, expressly repudiated the amendment, and never did ratify it. Yet the gentleman voted to impose that amendment relating to a suffrage question upon the State of Utah against its consent. The question is, Did the gentleman from Tennessee infringe upon the rights of my State? I do not think so, because when Utah consented to join this Union it came in under the Constitution, and it admitted the right of three-fourths of the States of the Union, in a regularly orderly way, to change the fundamental law of the land. The rights of the State of Utah were not infringed upon and neither will the rights of the State of Tennessee be if we adopt this amendment against its consent.

The gentleman from Ohio [Mr. GORDON] became emphatic in saying that this repudiated the Constitution, that it took away local self-government. Yet the gentleman from Ohio [Mr. GORDON] voted upon my State of Utah this same seventeenth amendment against its will, and he also voted for the child-labor law, putting into the Federal statute a law that no State had a right to say whether it wanted to have child labor or not and regulate its own customs in that regard.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. MAYS. Yes.

Mr. GORDON. The child-labor law does not interfere with any State in reference to its child-labor laws. It is enacted under an express provision of the Federal Constitution to regulate commerce between the States.

Mr. MAYS. If the gentleman thinks that and acts accordingly he will go to jail some of these days. [Laughter.] The gentleman from Ohio knows very well that the interstate-commerce clause was used simply as a vehicle to control the child-labor laws in this country. Some one on our committee asked the distinguished ex-Senator from Texas, who was appearing before us, if he would grant to women the right to vote at all, and he said, "No; except in a sewing society or in a purely woman's association." That is the kind of man you will line up with—who would not be in favor of letting women vote on school matters, taxation, problems on municipal affairs, or anything "except in a sewing society." He is 40 years behind the times. [Applause.]

Mr. FESS. At least.

Mr. MAYS. He spoke at length of southern chivalry. I thought of what Edmund Burke said when the lords of England were trying to force upon this country taxation without representation, saying that their dignity was tied to it. He said:

> My lords, I do not know how it happened, but this dignity of yours is a terrible incumbrance upon you, because it has of late been ever at war with your interests, your equity, and every idea of your public policy.

And that is true of the southern chivalry. It is a terrible incumbrance upon them. What the women want is not chivalry and reverence, as the president of the national association said before our committee, but they would rather have the vote to protect themselves than the chivalry and reverence that these men so graciously hand out to them while denying justice. [Applause.]

Mr. Speaker, the resolution proposes the following amendment to the Federal Constitution:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.
>
> SEC. 2. That Congress shall have power to enforce this article by appropriate legislation.

It will be observed that the proposed amendment undertakes to deal with the rights of citizens of the United States. The proposed amendment has been introduced into every Congress for 40 years. It will continue to be introduced into every Congress for twice 40 years more unless favorable action is taken. Some thought that it was killed when defeated three years ago. Others knew that ceaseless persuasion and vigorous agitation would continue until justice was done to one-half the people of the country. I have scanned those debates of three years ago in the CONGRESSIONAL RECORD and noticed that many fine speeches were made. The then majority leader, arguing against the resolution, stated that the right to vote was not really a right at all but a high privilege. Of course, he was obliged to take that position; otherwise he would be discovered in the attitude of arguing that a right of a citizen of the United States should be denied. He could not be placed in that attitude, especially when such citizen had committed no crime, was entirely law abiding, was not a lunatic or an imbecile, or even illiterate. He therefore elaborated upon the theory that to vote is a privilege. The Constitution of the United States, in Article XV, section 1, calls it a right, but suppose the learned gentleman were a higher authority than the Constitution, suppose it is a "privilege," would he discriminate against citizens of the United States in the matter of granting privileges when each is a supporter of the Government, a contributor to its financial necessities, and each of equal intelligence and of good moral character?

Suppose by some political miracle the women of his State or of his country should gain control of affairs political and should conclude to withhold the "high privilege" of voting from the gentleman, would he not protest and complain with great vigor and most persistently that an undemocratic régime was depriving him of his inherent rights? A little of his own medicine might be the best remedy for the affliction from which he suffered.

The gentleman from North Carolina [Mr. WEBB] made upon that occasion an elaborate argument. He may make it again to-day. He was for woman; he eulogized his chivalrous regard

for her. He could yield to no man in his extravagant esteem. He followed this statement by asking this pertinent question:

If women are to demand and receive equal privileges at the polls, in the workshops, and in every walk of life, then why should men be longer required to support the wife?

Apparently, he would deny women equal privileges, not only at the polls, but in the workshops and in every walk of life. They are there, and they are there to stay. They are in the countingrooms, in the factories, in the business houses, in the schoolroom, in the churches, in the workshops; they are helping to win the war; they are in every walk of life, laboring as effectively as man. Millions of them are not being supported by any man, but instead are helping, in many cases, to hold families together. Would this chivalrous gentleman deny them equal privileges, even in these walks of life? His question would so indicate. He asks why should men support the wife? That is a manly suggestion! He knows that in the economy of the household there is a division of labor; that neither husband nor wife can be said to support the other, if each does his or her duty. Both contribute patient labor and infinite care of equal importance. Man does not buy the right of suffrage, or any other inherent right of a woman, by his alleged support of her.

The best part of the gentleman's speech was his quotation from Dr. Shaw, as follows:

The reason men are enfranchised is that, as citizens, they have a stake in the Government. The reason women should be enfranchised is because, as citizens, they have a stake in the Government. That's all there is to the question of woman suffrage.

Dr. Shaw was right. A woman is a stockholder in a corporation. She has her investment in the enterprise; she is assessed for its development; she pays for her stock in good and legal tender. What crowd of male autocrats would say she should have no vote in the stockholders' meeting? Yet that is what the gentleman from North Carolina would say if he were a fellow stockholder.

The gentleman from Texas [Mr. DIES] exclaimed in his speech:

We are told by our suffrage-seeking sisters that in dealing with this question we should put chivalry aside. "Why, Mr. Speaker," he exclaimed, "that is unthinkable and impossible. Men without chivalry would be masculine monsters!"

Would true chivalry deprive a woman of even a high privilege? He said further:

Because some women want the ballot will not justify us in thrusting it upon those who do not want it.

Would a gentleman, even though unboastful of his chivalry, withhold the franchise from women who have a stake in the Government and want a part in its management because, perchance, there were women who would not exercise the right.

The gentleman from Florida [Mr. CLARK], now a member of the suffrage committee, then quoted with his approval the arch woman hater of biblical times:

As in the churches of the saints, let women keep silence in the churches, for it is not permitted of them to speak, but let them be in subjection. If they would learn anything, let them ask their husbands at home.

No wonder they were ignorant in those days.

Further—

Wives be in subjection unto your husband, as unto the Lord.

Again—

Let a woman learn in quietness with all subjection, but I permit not a woman to teach nor to have dominion over man but to be in quietness.

The gentleman from Florida would not permit a woman even to teach! Where would go our school system? Would not let her have a voice in church! Where would go our churches? Compel her to remain in subjection! He would bring back the days of slavery, merely changing the color of the subjects.

The gentleman from Wisconsin [Mr. STAFFORD] said it would infringe upon our sacred theory of federal union of self-governing States. Yet he supported and voted for the child-labor law, denying to those States the prerogative of governing their children and of enforcing their own regulations as to child labor.

Also, the gentleman from Texas [Mr. HENRY], who seemed to lead the debate on the rule that day, after saying it was the most important question before the House in 40 years, said each State should be left free to individually control all questions relating to suffrage, still the gentleman voted for a constitutional amendment providing for the direct election of United States Senators. He loudly proclaimed that he would not have the General Government interfering with the State in matters of suffrage, yet he voted to force upon my State against its expressed will his solution of this suffrage question. I am glad he did so, because Utah was then afflicted with a reactionary government as obnoxious as ever impeded the progress of a commonwealth. Through the help of the women voters of that State, they have relegated that régime to oblivion. Did the gentleman infringe upon the rights of my State? I think not, because in voluntarily becoming a member of the Union my State recognized the constitutional right of a three-fourths majority to amend the Constitution. Shall one State assist in forcing what it considers a good thing upon unyielding States and then be permitted to invoke the time-worn doctrine of States' rights to prevent the majority from amending the fundamental law in the perfectly regular and constitutional manner?

Another gentleman from Texas [Mr. HARDY], who with keen-edged logic always cuts close to the heart of a subject, made in his speech on that occasion this significant statement:

I shall leave out all question of State rights. My respect for the phrase and logic has in the last few weeks largely diminished. I have found that largely every man of either side can use, or professes to, the doctrine of State rights to favor his contention.

The gentleman from Arkansas, who favored the prohibition amendment but has opposed this resolution and some others, cleverly elaborated this point the other day, and demonstrated from the record that the statement made by the gentleman from Texas, just quoted, was entirely correct.

The gentleman from Pennsylvania [Mr. MOORE] expressed uncertainty as to whether a majority of his people favored equal suffrage. He thought many women opposed it bitterly upon the ground that it will tend to degrade rather than exalt the womanhood of the State. He said:

There was also a fear among women that manly men would not love and esteem them if the responsibility of voting should be thrust upon them.

That is surely a weighty argument, worthy of the distinguished gentleman; but can not he believe the evidence and accept the assurance of nearly half the States of the Union?

The gentleman from Alabama, Dr. Abercrombie, spoke against the resolution but uttered this impressive sentence:

One of the most hopeful results of the spread of education and democracy is that which reveals itself in the gradual emancipation of woman.

He felt bound, however, by some caucus action with which, fortunately, we are not handicapped to-day.

The gentleman from Ohio, Mr. Bowdle, who appeared to be the humorist of the House in his day and time, said in his speech that his wife and sister both wanted to vote, but he did not think it safe for man's sacred prerogatives to permit them to do it. He could trust them to teach his schools, train his children, to run his church, but not to vote. He would let them pay taxes, but would deny them representation. He made the unique argument that it was on account of their ignorance, and said he had formed his opinion by taking account on a street car, on seven trips, of the number of men and women reading the newspaper; also by consulting a Jewish newsboy on Pennsylvania Avenue. This was high authority, but he forgot that statistics show women quite as intelligent as men, though they may not read the sporting page of the morning papers quite so generally. They read in the home, they attend lectures, they hear speeches, they attend political meetings, in this House they listen attentively to debates from the galleries, and are quite the equals of man in all the pursuits of life which they wish to enter. This gentleman, as well as a gentleman from Nebraska, Mr. SLOAN, wanted the question left to the women themselves, but the gentleman from Nebraska said there should be no dissenting voice. He wanted to govern by unanimous consent. He would permit a feeble minority to deprive the majority of women of the franchise.

The gentleman from Alabama [Mr. HEFLIN], who always utters extravagant praise but denies simple justice to what he terms the divine feminine, wanted the subject left to each State and expressed the fear that the negro women might enter politics. In this he took counsel of his fear instead of his chivalry. Surely rendering justice to their women will not disable the Southern people from handling their peculiar problems. Regulations may, of course, be imposed. I have a table here which purports to show the number of negro men and women in each of 11 southern States. In all but 2 of the 11 the white women outnumber both negro men and women. This being true, it is sufficient to say that the white women, if they are of the same spirit as the white women of my section, will far outvote the colored women. If not, they should cheerfully submit for a while to negro domination. Of such submission, however, I believe there is not a particle of danger.

In this connection I am reminded that many benevolent lovers of the negro race, who admire them from a distance, from States like Massachusetts and others, have precipitated sectional arguments of much bitterness by insisting that negroes in the South be allowed to vote without restriction, while they and other States denied the right of their women to vote. It occurred to me then, and I think now that when a white woman pays her taxes, helps support the Government, takes care of her

home, looks after the education and welfare of her children, attends to her duties faithfully and modestly, as a teacher, as a doctor, as a minister, she is almost as good as a negro and her rights should receive some of the generous and benevolent attention which these philanthropists extend to the negro race.

The gentleman from Wisconsin [Mr. LENROOT] made a peculiar argument that day. He opposed the resolution solely because he thought it would not pass, although voicing his belief in the eternal verity of the principle. What reform would ever be effected under his plan? The world admires and always will admire the man who is willing to stand alone and go down to defeat for what he believes to be right. Such men and women are the pioneers of progress.

The gentleman from Kentucky [Mr. FIELDS] spoke that day against the resolution. He repudiated, however, two of the arguments of his fellow opponents. He said in part:

> I believe that if they were given the ballot and should exercise it that they would maintain on the political field and in the booth that high standard of womanhood which characterizes their everyday life in their home and the social circle and that this standard would be maintained by all good women.

That is the type of chivalry to be admired, rather than the sort which pretends to worship, but will refuse to treat justly. Along the same line spoke the gentleman from Indiana, who opposed the resolution, but who said:

> I do not believe, as gentlemen seem to believe, that women are unqualified for the right of franchise. On the contrary, I believe that they are qualified for it, and would use it to good advantage. I do not believe, as some believe, that to exercise the franchise would pull them down into the dirty mire of politics. On the contrary, if we have dirty politics they would cleanse the same and elevate the standard.

This gentleman voted against the resolution, because of the defeat of his proposed amendment, submitting the question to conventions instead of to legislatures. In that memorable debate we observed that gentlemen depended upon the following arguments to justify their opposition:

First. That suffrage was not a right, but a privilege.

Second. That there would be danger of negro domination in the South.

Third. That women did not want it.

Fourth. That they could vote through their husbands (8,000,000 have no husbands).

Fifth. That it would pollute the womanhood of the country.

Sixth. That it would infringe on the constitutional rights of the State.

Seventh. That it could best be secured through State action.

Probably the most important reason of all against the reform was not mentioned, namely, that women, if voting, would be dangerously unfriendly to the liquor traffic. It may be that friends of the saloon should vote against the resolution to-day, unless their love of justice and fair play is greater than their love of the institution called the saloon. On December 17, a day which will always be memorable in the history of legislation, we passed a resolution submitting the prohibition amendment. If this equal suffrage resolution should pass and should precede the other in adoption, undoubtedly the vote of the women would assist in carrying the necessary number of States for the prohibition amendment. If prohibition carries first, opposition to equal suffrage will evaporate. The striking similarity between the list of negative votes on both subjects is evidence of this fear. I observe that only 21 gentlemen voted for woman suffrage three years ago who voted against the prohibition amendment on December 17 last, while 104 voted against both amendments. This is significant, indeed. I note in the RECORD an interesting incident in the House in the debate on suffrage three years ago. The gentleman from Ohio [Mr. GORDON] interrupting the gentleman from Michigan, said his State had defeated woman suffrage by 182,000 majority.

The gentleman from Michigan replied that Michigan had also defeated woman suffrage, but that the liquor interests had stolen the election. There was such confusion and cheering in the galleries that the Speaker had to make such vigorous efforts to preserve order that the gentleman from Michigan thought he was being called off the floor. The Speaker explained, and threatened to clear the galleries. One of the gentlemen, Mr. SABATH, voted for equal suffrage, though opposing prohibition. He believed it to be righteous that he should vote for suffrage, and incidentally his State had gone for suffrage and the women were voting out there; so, in fact, had practically all the States from whence came those who acted so strangely as to vote for suffrage while opposing prohibition. That was the reason given the other day by the eloquent gentleman from New York [Mr. CHANDLER]. So it happens that men's opinions are civilized by the practical operations of equal suffrage wherever it is adopted. Some say that pro-Germans and pacifists are back of this movement. This movement was full fledged before anyone heard the name pro-German or pacifist. The efficient work that friends of equal suffrage are rendering in the death grapple with autocracy brands the assertion as vile and slanderous. It should be noted that the soldiers at the front voted 2 to 1 for suffrage.

Some say to-day that they are ashamed of the action of the militants in picketing the White House and the Capitol. So are we all; but we should be more ashamed of the unreasonable stubbornness on the part of men who refuse them the justice they have so long and patiently asked. Every reform has the overzealous, but it would be a narrow-gauged statesmanship which would let such incidents decide the action to take.

By reviewing the arguments against this reform we find that most all are sufficiently refuted by speakers on the same side. Some charge that women are not intelligent enough. A gentleman on the same side of the question repudiated the statement. Some say that the standard of womanhood would be lowered. Others on the same side emphatically deny it. Some say it would be an infringement upon State rights. Others on the same side of the question assert that this is only a convenient contention. The opponents have disproved their own arguments which are entitled to any weight, excepting perhaps the contention that the reform can best be secured by State action. There are serious obstacles in the way of State action. It might be far into the distant future before the constitution of some States, with men only voting, could be changed in this regard. In the meantime unjust discriminations would prevail. Citizens of the United States removing to and owning property in such State would suffer the injustice of taxation without representation.

Equal suffrage has been tried in many of the States in the Union and is adopted in most of the really civilized nations of the world. Wherever tried and adopted the effect is uniformly wholesome. No nation has taken a step backward. No State has ever abolished it. Every Representative here to-day from a State civilized and progressive enough to render justice to one-half the citizenship will vote for this resolution.

Miss RANKIN. Mr. Speaker, I yield four minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Speaker, I have endeavored in this Congress, to the best of my ability and judgment, to so speak and vote as to give the greatest aid possible in upholding the honor and the dignity of the United States. I have endeavored first to decide whether or not the proposition presented was right and just, and, second, whether it would aid in the successful carrying on of the present war. In arriving at the decision as what best to do I have been governed in a large measure by the recommendations of the President, recognizing as I do that he is the responsible head of the Government of the United States and the Commander in Chief of the Army and of the Navy. So far I have not taken any position during this Congress contrary to his recommendations. [Applause.] I believe thoroughly and earnestly it is right, just, and proper to give the vote to the women of America. [Applause.] I believe, Mr. Speaker, that it will aid in this great war to give this recognition at this time to the American women. I believe it will help in every way in showing to them that the burdens and great sacrifices they are making, and which are equal to the men who are engaged in this war, are appreciated fully by the Congress. The great State of Missouri, which I have the honor, in part, to represent here, has not yet given an opportunity to women to vote upon any proposition, but I am in favor of giving it to them now.

I did my best to bring this about in the past and voted to give that right to the women of Missouri whenever the opportunity presented itself. When the roll is called to-day in this House that patriotic State will not only be for woman suffrage by a big majority but every vote cast here by the membership of this House, with the exception of one, will be in favor of the enfranchisement of the women of America. [Applause.] The great city of St. Louis, which I have the honor in part to represent, through the Republican Party organization of that city some weeks ago took action and unanimously indorsed the Susan B. Anthony amendment. [Applause.] The mayor of our city, a Republican, serving now going on six years, has officially time and again spoken in favor of this amendment and there is every evidence that the people in my city want to give this right and this opportunity to women because it is just. The women of Missouri ask this privilege and I, as one of their representatives here, endeavoring to represent them as well as the male sex, am ready to give it to them and hope the time may soon come when the necessary three-fourths of the States will ratify this amendment, which we ought and I believe will submit, so far as this House is concerned, to the States to-day. And, Mr. Speaker, if there were more evidences

needed of the desire of the people to have this done, if there were more evidences that it is right and just, and if there were more evidences that it is a war measure in truth and in fact, I could state them here to-day. I need only call attention to the lady from Montana sitting in this House and say to you that this is one of the very best evidences that we should give the right of suffrage to the women of America. [Applause.] I would be glad to see more of them come if they came as capable and well able to help the people as she. I am willing to let down the bars of opportunity for the women of America to do their part in government and in the management of this great war. Franchise to them will help in State and municipal government as well as from a national standpoint. Mr. Speaker, there should be no sectionalism in this question. The women of America are patriotic and worthy in all sections, and we should all vote for this resolution. [Applause.]

Mr. Speaker, as a member of the Committee on the Judiciary when that committee had charge of the woman-suffrage resolution I voted to return favorably the Susan B. Anthony amendment. I also filed minority views touching the resolution (H. J. Res. 1), and which views are as follows:

The Federal amendment for woman suffrage should be passed by the Sixty-fifth Congress for the following reasons:

1. It is fundamentally just. The principle on which the American Government was established—that governments derive their just powers from the consent of the governed—demands it.

That woman is industrially and legally an individual and not a mere family factor in the social system is no longer a matter of argument. Logic demands that she be a political entity as well.

2. The justice of the principle of woman suffrage has already been admitted in 12 States. Half a century ago it was proved that a democracy can not exist half slave and half free economically. It is clear it can not continue to do so politically. Recently Mr. Root has said "the world can not be half democratic and half autocratic. It must be all democratic or all Prussian. There can be no compromise." No more can one country be half democratic and half autocratic; part of its States ruled by the voice of all the people, the rest ruled by an autocracy of sex.

3. Woman suffrage is inevitable. It is plainly written in the signs of the times. The only question is when and how.

Women and men throughout the United States—and the civilized world generally, for that matter—have come to understand that real democracy must recognize the political freedom of women as well as men. Opposition still blocking their enfranchisement comes mainly from two classes of people: (1) Those whose private interests are best served by the status quo, and (2) those whose minds are inherently reactionary. It is folly to oppose longer a measure so imminent. New York ought to point the trend of the times to even the blindest.

Moreover there is a peculiar fitness in Congress adjusting the grievances of women, for Congress and the legislatures are the nearest approach to representation that voteless women have, since their Members are apportioned among the several States on the basis of population and not on the number of voters.

4. The time for national action has come.

Educational propaganda as a means of extending the suffrage through the States has done its work. The College Suffrage League, which has been active for many years, held its last meeting in Washington on December 15, 1917, "because its work is finished." It set out to convert the women in the colleges to suffrage for women. It now finds college women so generally suffragists that there is nothing for the league to do. This fact is tremendously significant. What is true of the colleges is true outside. It means that the chief business of suffrage organizations is no longer educational, that there is no longer such need to convert large numbers of men and women to the faith. It must therefore become political; that is, to induce the few in power to grant the demands of the many. Briefly, woman suffrage is no longer a subject for educational propaganda but for political pressure.

The passage of the Federal amendment would conserve the time and energy and money, not to mention the good will, spent in State campaigning, and divert it to war service.

5. Never was there a time so fitted to passing this measure as now. Never was there a measure so suited to the times.

"We are fighting for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own government," said President Wilson, defining our position in this world war. What better pledge of the sincerity of the purpose of the Government than to give to the women of the United States a voice in their Government—when they with the men of their country are giving all they have to make this principle safe throughout the world.

To insure democracy at home in the one concrete case before the country is to strengthen confidence in the Government's declaration of the purpose of the war—democracy. It will dissipate the fears of thousands of working men and women that the war to establish the principle of democracy throughout the world does not always mean its application at home. It will make for devotion and singleness of purpose in the prosecution of the supreme task of the moment—the world war.

The reaction of the passage of this bill on the minds of the people will be salutary—the people who are far away from the operations of cabinets, commissioners, and generals, but who are close to the realities of life, to the sufferings and sacrifices of the war, who get their opinions through vague and contradictory news reports, may at times grow suspicious and disheartened.

They understand facts where they are confused by words and argument. Pass the Federal amendment enfranchising the women and there will be no confusion in the mind of anyone about the intention of the Government, however slow it sometimes works out. Devotion and singleness of purpose will be strengthened immeasurably throughout the whole United States. The Federal amendment is a war measure of the most definite sort.

6. To limit the time allowed the several States for ratification of the amendment is to trip up justice by technicalities.

When Congress has once indorsed the principle involved in the extension of the franchise to women it will defeat its own ends if it limits the legislatures in their procedure.

Mr. SAUNDERS of Virginia. Mr. Speaker, I yield four minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, a few weeks ago, at my home in Texas, I was discussing the woman-suffrage movement and this proposed amendment with an eminent lawyer, who told me that he was a supporter of the movement, and that if the Legislature of the State of Texas would submit an amendment to its constitution to confer upon the women of that State the right to vote he would support it; that he would go upon the stump and advocate it before the people; but that if he were a Member of the Congress of the United States and this amendment came forward for consideration and came to a vote he would oppose it as one of the inexcusable invasions of the constitutional, fundamental, necessary rights of the States, if they are to exist.

It is entirely fit, Mr. Speaker, when the few remaining dignities of the States are being destroyed, that it should be done with shouts of laughter and cries of "Vote! Vote!" Gag rules are historically associated with assaults on the liberties of free States, central or federated, big or little. That practically no time is allowed for the debate of a revolutionary change in the Constitution is not surprising, for that also is associated with an invasion of the rights of States.

It will be recorded when the history of Jeffersonian-Jacksonian democracy, so soon to die, comes to be written that the first, although not the only, voice raised here to-day for the preservation of the right of the States of the Federal Union to control their own electorate was that of Mr. PARKER of New Jersey, a Republican, who is, however, so thoroughly grounded in Americanism that he refuses to be stampeded by political exigency to commit the crime.

Everybody knows, so far as the question of suffrage for women is concerned, that there is no reason for this amendment. The right for women to vote is being granted State by State, and so rapidly that it seems probable that it will be given them in the regular constitutional way much sooner than was expected.

Mr. Speaker, I forbear to say that in my opinion it will bring an era of emotional legislation when it does come.

Mr. Speaker, of Democrats who take national platforms as their guide to political votes in this House I ask, Where is the platform authority for a vote in support of this amendment? It can not be found. In fact, every time a Democratic platform has spoken on the question at all it has specifically and plainly condemned any such violation of the existing constitutional rights of the States as written in the charter of our liberties.

Very few, if any, Members of this House were elected to propose or support an amendment of any sort to the Constitution. We all took the oath to support the Constitution as it is, and before doing so radical a thing as this the whole question should be submitted to the people. Let it be referred to them. Go to the people themselves for orders in so vital a matter as this. I hope no man who calls himself a Democrat or American is afraid of such a referendum.

Mr. Speaker, in the New York World of this morning there was an editorial which, in the main, discusses the amendment to the Constitution recently agreed to in this House. It was referring to the precipitate action of the State of Mississippi, which, it said, it had the unquestioned right to take, but which it may deeply regret hereafter. I ask attention to the concluding paragraphs of that editorial:

We make these comparisons as a basis for the statement that in the matter of a constitutional amendment well calculated to destroy home rule, the States acting as units, the one vote of Mississippi has the same power as that of New York, with a population of 10,000,000 and a male representation at the ballot box as great as the entire population of the southern Commonwealth, which makes haste to inflict upon its neighbors an odious centralization of power wholly subversive of personal rights.

Mississippi, of course, has accepted for itself the policy of prohibition, its right being unquestioned. In rushing with breakneck speed to fasten the system undemocratically upon the country at large, it assumes a leadership which we believe it will have reason to regret. If the other States of the South would retain the political power they now possess, they will not follow an example so inviting to reprisal at the North.

I ask the Democrats from the South who do not want to see their representation in this body reduced to take that thought home with them. At present it is a cloud no larger than a man's hand, but behind it a storm threatens, and when it breaks, as very likely it will, the South will be the sufferer.

Mr. MEEKER. Mr. Speaker, I yield six minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, supporters of this proposed constitutional amendment commit themselves for all time to a nationalistic form of government as opposed to the dual form of government as founded by the framers of the Constitution. Nothng is more fundamental in our national polity than that

suffrage is a matter for the States. That has been recognized as recently as 1914, in a decision rendered by not only a jurist but a statesman, the Chief Justice of the Supreme Court of the United States, when in construing the suffrage law of Oklahoma and passing upon the construction of the fifteenth amendment, that relates to suffrage, in the case of Guinn *v.* United States (238 U. S. Supreme Court Reports, p. 364), he used this language. I invite the special attention of those Democrats who still believe in the State-rights theory of government and of those few Republicans who believe in it—and I class myself as one of those who believe in that principle and who has, since I entered this Congress, tried to consistently adhere to that policy. I believe it is the best policy for the welfare of this country to recognize and follow the policy of leaving to the States that which pertains to the internal affairs of the States. He uses this language:

Beyond doubt the amendment—

Referring to the fifteenth amendment—

does not take away from the State governments, in a general sense, the power over suffrage which has belonged to those governments from the beginning, and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and organization of both governments rests would be without support, and both the authority of the Nation and the State would fall to the ground.

I follow that political statement of principle—not of policy—but of the principle of government that was enunciated from the Supreme Bench of the United States. He believed it not as a matter of expediency, but in harmony with our form of government, that it was for the best interests of the States to control their suffrage affairs. I am unwilling for the West, for the Northwest, or for any section of the country to foist their views as to suffrage upon an unwilling section, whether it be the South, the East, or the Northeast.

In my own State, in a vote had in November, 1912, nearly two-thirds of the electors of that State registered themselves as in opposition to suffrage. Only 14 of the 71 counties registered themselves in favor of suffrage, and yet because in the legislature two years afterwards, in their august judgment they saw fit not to submit again the question of suffrage to the voters of my State, because they had only so recently had an opportunity to express their views, my distinguished colleague, Mr. LENROOT, says that he opposed this proposition two years ago because the sentiment was not ripe for suffrage and because it did not leave it to the vote of the people, and he wishes to change his position, because the legislature of the State followed the very policy which he had enunciated as the reason for opposing this provision three years ago. [Applause.]

You gentlemen from Illinois who commit yourselves to-day in favor of this national amendment would take away the right from your legislature to limit the extent of the franchise as it has done to the extent of presidential electors and Congressmen. You from Maine who are going to vote in favor of suffrage to-day would take away from your people the right to determine that question for themselves, and by your vote would indicate that you view their attitude at the polls in opposition to suffrage with disapproval.

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. No; I can not yield. You gentlemen from Iowa will register your disapproval of the vote of the people recently on the prohibition question when they protested against making permanent law by constitutional amendment what the legislature had favored as against allowing the people of the State at any time to change its policy when once this amendment is adopted.

We have given suffrage to a limited extent a trial in the State of Wisconsin. The people of Wisconsin have the right in their sovereign capacity to say how far that suffrage shall be exercised. You who favor this proposal want to put upon the States for all time to come an amendment which will deprive them of all opportunity of determining hereafter what shall be their policy, whether it would work out well or ill.

So far as suffrage is concerned, if suffrage is going to be exercised at all, it should be exercised not by a small fraction of a class but by all the class; and you should not force an unwilling fraction of American voters to have to go to the polls to counteract the action of another fraction of woman voters, and possibly a very small fraction, who wish to go to the polls and register their votes. If you once pass this measure and force suffrage upon unwilling States, they are deprived of the right of ever changing their form of government, so far as suffrage is concerned. I urge you earnestly to adhere to the old and fundamental principle of State rights, so far as the government of internal affairs is concerned. [Applause.]

Mr. RAKER. Mr. Speaker, I yield three minutes to the gentleman from Indiana [Mr. Cox].

The SPEAKER. The gentleman from Indiana is recognized for three minutes.

Mr. COX. Mr. Speaker, the proposed amendment, if it passes Congress and is thereafter ratified by three-fourths of the States, will constitute the eighteenth amendment to the Constitution of the United States.

The fathers of the Constitution soon after its adoption quickly recognized that it ought to be amended in many particulars. In less than 10 years after the organization of the Government 11 amendments were added to it. I imagine that the debates for and against those amendments would reveal substantially the same argument made here to-day for and against the proposed mendment.

I imagine that those amendments were not adopted by Congress without a struggle, although they are known to-day as our "bill of rights." At the time of the organization of our Government we did not have universal manhood suffrage in the thirteen original States. In many, if not all, of those States property voted instead of men. This condition continued for more than a quarter of a century, but during the period of the early development of our constitutional form of government the common man, the poor man, the man without property, said "I, too, desire the right to vote." This argument and determination on the part of all mankind to be free and to be given the right to vote could not be held down or smothered into silence. It burst forth about 1825, and thereafter the right to vote, so far as manhood suffrage is concerned, was not denied to men by the new incoming States of the Union, but all were armed with the ballot without regard to property qualifications.

The right of women to vote is not a new question in our country. It had its origin nearly three-quarters of a century ago, but the last two decades has witnessed a determination on the part of women to be free, to be armed with the ballot, to have a voice in the maintenance of her country, and to in all things be recognized as a citizen should be recognized. One of the beauties of our form of government is the fact that we can amend the Constitution of the United States. It is not an ironclad, unamendable instrument, but an instrument that can be amended by the people along lines set forth in the Constitution. [Applause.] One of the beauties of our form of government is that we are not governed to-day by a military autocracy such as governs the German Empire with which we are now at war. [Applause.]

Many able Members have argued to-day that it is wrong to force on a State a proposition which it does not like. This argument does not appeal to me. It is unsound, illogical, and can not be based upon constitutional foundations. Within the last five or six years the Constitution has been amended in two instances.

One of these amendments enabled Congress to enact an income-tax law, and I imagine that some of the States of the Union, particularly the great State of New York, which pays from one-third to one-half of the income tax, was not overenthused for this amendment. The fathers plainly provided in the Constitution the way and manner in which Senators should be elected, and yet the sentiment in the country became overwhelming for an amendment to the Constitution so as to give the people a direct vote for and against a candidate to the United States Senate, and Congress finally yielded to this nation-wide demand.

Will anyone rise in his seat and declare that our present mode of electing Senators by popular vote has been a failure? Some have argued that voting is a right. Others contend it is a mere privilege. No one yet in this argument has undertaken to draw a clear distinction between a right and privilege. If voting is a right, why deny it to women? If it be a privilege, why give the privilege exclusively to men and deny it to women? Why not treat them both alike? As both sexes are amenable to the laws of the country, why not equally arm them with the ballot? Why not put both men and women on the same footing and let both of them work out their common ideals of government together. I care not whether it be regarded as a right or a privilege, the results are what we are aiming at, and the result aimed at is universal man and womanhood suffrage.

No harm has ever befallen any government based upon universal suffrage of its people. We proudly boast that our Government rests upon the consent of the governed, and the only way those governed can wield their consent is by their ballot, and while making this boast we are denying suffrage to fully one-half of our citizens; not only denying them the right to suffrage but making them amenable to the laws of both State and Nation upon the same ground, upon the same terms, and with the same penalties as men. To hold an individual responsible to a law that he or she had no voice in making amounts to

a complete denial of justice, and to hold women responsible to law without a voice in its enactment is equivalent to denying them a voice in the affairs of their country.

No harm ever befell our Government as a result of universal manhood suffrage. Women are as patriotic as men. Women are just as capable and intelligent as men, and armed with the ballot there is no more danger of them betraying the ideals of our Nation than there is in men.

Some vainly attempted to bolster up a false argument against woman suffrage by saying that this was an inopportune time to grant them this privilege, because of the world-wide war in which our Nation finds itself. "Sufficient unto the day is the evil thereof." This is the propitious time, the golden time, the time of all times to arm women with the ballot. War falls heaviest on women, the wives and mothers who must bear the solemn responsibility of loss of boys and husbands, and why should they not be given a voice when the smoke of battle has cleared away and the many world-wide and far-reaching social questions that will forge themselves to the front then affecting their husbands and their sons as well as themselves? Women are as patriotic as men; yea, in the main more so. Examine the court records since we have declared war against Germany. How many convictions of women do you find for violation of any statute for treason or uttering seditious statements? My memory only recalls one, Emma Goldman, an anarchist of international fame. I do not recall the conviction of a single patriotic American woman since we declared war against Germany, not one, while the court records disclose the convictions of hundreds if not thousands of men for violation of some penal code designed to protect our country in time of war.

You will find no slackers among the patriotic women. The slackers are the men and not the women. In every village, town, city, and community you find patriotic women in Red Cross sewing rooms exerting their very utmost to help win the war, while you find millions of wise men sitting around in stores, hotels, barrooms, and barber shops telling how the war could be won and criticizing the way and manner it is being conducted. Women are criticizing by acts of kindness and deeds of mercy, through actual hard work in the Red Cross. Men are wisely and gravely criticizing by word of mouth and doing nothing.

When the final chapter of this war is written the angel of mercy through the Red Cross will stand well to the forefront of having done her duty.

She has never been denied the right to vote on the ground of her inability to make out an intelligent ballot. She has been denied upon the ground of her sex. Woman has had to fight her way upward from the first rung of the ladder to whatever position she occupies to-day. Nothing has been given or granted to her by man except she won it in the open field of competition. And to-day she is competing with man anywhere and everywhere where brain power counts. Our colleges and our universities are filled with brainy women lecturing on subjects side by side with man, but she is denied a right which he enjoys—the right to cast a sovereign ballot.

In my State the vilest man that walks the highways, fresh from the jails and penitentiaries, with a pistol in one pocket and a pint of whisky in the other, if not disqualified by the court, can on election day go to the booth, deposit his ballot, which in the last analysis has the same weight in the final count as the President of the United States or the Chief Justice of the Supreme Court, and yet a woman like Ella Wheeler Wilcox, whose poetry and song has brightened every home in civilization, is denied the right to vote solely because she wears a dress. An absolute mockery upon our institutions, a complete denial of justice to the noble, patriotic women of our Nation.

The immortal Lincoln, as such I name him, because he belongs to the immortals, once said, "All I am, all I ever expect to be, I owe to my mother." The matchless Garfield, the beloved McKinley, our three martyred Presidents, all stricken in a moment, in the twinkling of an eye, without a moment's warning, in the heyday of their lives, by an assassin armed with the ballot, and yet the mothers of these great men, who gave them birth, taught them high ideals of life, and made them mountain peaks among the men of the earth, were denied the right to vote. The fight is on. It will never down until the victory is won. The women are eternally right in their request and in their demand, and right was never known to recede. Crushed to earth to-day, it will rise sevenfold stronger to-morrow. Defeat their proposition to-day, and it will rise stronger to-morrow. Its strength lies in its absolute equality of justice and right. I hope the amendment will carry overwhelmingly in the House and in the Senate, and then I trust that the patriotic people of the 48 States will quickly and promptly ratify it, so as to give the women the right to universal suffrage. [Applause.]

Mr. RAKER. I yield three minutes to the gentleman from Illinois [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Speaker, it must seem strange to many who know what is going on in the world, "the New World in which we now live," to note the opposition that is so apparent here and in certain other sections against giving women the right to vote. If the suffrage question were as prominent in those sections alluded to as prohibition, many Members of this House would assume a very different attitude here to-day.

What the women are demanding of this body is simple justice. All this talk about defeating woman suffrage is nonsense. This House can not defeat it. Suffrage is here now and here to stay, and, borrowing an expression of the President from his message on Tuesday last, "This happy fact is now clear to the view of every public man whose thoughts do not linger in an age that is dead and gone."

As I have said, woman suffrage is here now, and is here to stay, and what we should concern ourselves about from now on is how we can best get along with it. It has already elected one President, because in California the women vote—"Oh, you California"—and, take it from me, the women will elect more Presidents hereafter, and possibly defeat some of the very wise politicians in the near future who are opposed to this resolution.

Woman now governs one of the greatest institutions in the land—the home—where her help and advice bring happiness and contentment. It seems strange and unfair that she should be deprived longer of a voice in our Government. Women are already helping to bear war's heavy burdens and the country depends on them as well as on men. They are willingly giving their loved ones to aid us to preserve liberty and civilization, and this great Republic can not longer deny them the right of suffrage. Fair play, decency, and justice demand for women equal rights. I shall vote for the joint resolution. [Applause.]

Mr. MONDELL. Mr. Speaker, on behalf of Miss RANKIN I yield five minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Speaker, there seems to be some exception taken to this legislation proposed, because of the manner of its proposal. The women, in seeking for suffrage, have adopted the policy universally employed by those who advocated amendments heretofore; and yet their opponents come here and say to these women, "You are taking an unfair advantage of us. You should go at it in some other way, the constitutional method is disadvantageous to us." Gentlemen of the House, I take it that when we address women seeking the right to vote, it is a mighty poor time for a man to plead the baby act. Let them have the same chance men have had. If, as the gentleman from Florida suggests, there is a better way to test public opinion, why do they not invoke it?

When woman first appeared on the pages of profane history, man dragged her in by the hair, and for centuries she was nothing but a slave. Then man reached the conclusion that she was an angel, and every novel in our youth told us of some young fellow who told his girl that she should never soil her lily-white hands with work; but the last chapter, as a rule, showed her taking in washing to support an orphan asylum for a drunkard's home, the children of a man sleeping somewhere in a drunkard's grave. It seems to me, gentlemen, that it is time for us to learn that woman is neither a slave nor an angel, but a human being, entitled to be treated with ordinary, common sense in the adjustment of human affairs, and that is why she is asking for the ballot.

In the good old days when there was a home for every woman a woman's place was at home; but the complications of modern society which have arisen because of the many developments of manufacturing, social, mercantile, and agricultural life have forced women out of the homes and into an absolutely essential struggle for existence. Society is much more than sex relation. There are more women working in the House Office Building than there are men. There are more women toiling in the shops and stores of this city than men. The factories are thronged with troops of those whose place is at home. Gentlemen reason in the terms and under the imaginary conditions that obtained in England a thousand years ago—all gone, like a dream, never to return. Every man of us all regrets the day when all this terrific demand upon human effort became necessary to the existence of the human race, but you can not force women into this struggle with their hands tied. She is a human being caught in the swelling tide of life and struggling for a foothold. You must treat her as such. You must give them the same power and the same opportunity that you give to men when you compel them to battle for existence on the same plane with men.

They have done most of the work, furnished most of the loyalty, devotion, and unselfishness and half the brains of the human race for 6,000 years. When they wish to be heard in the councils of society, you say to them, "Ah, you can not fight." This is unworthy of any man that can fight. They supply different elements to the constituency of society. The child bearer has as many rights as the soldier. They are equally important, and if our race has improved after all the struggles and battles of the ages the time has come for this great Republic to declare that fact. That will give us a mightier Nation, a more resplendent civilization, more ideal homes, and men and women who shall go forward—

To that richer life, where beauty
Walks hand in hand with duty.

John James Ingalls, for years the foremost man in the Senate of the United States, was a vigorous opponent of woman suffrage. He was accustomed to say, "In the last analysis government is force." During the recent hearings before the Woman Suffrage Committee of this House another famous Senator, Joseph W. Bailey, advanced the same theory, charging that woman should not vote because she could not do military service. There has been much persiflage and camouflage and rhetoric and prejudice sounded out as against woman suffrage, but the only argument advanced is that woman should not vote because she can not fight. The trouble with it is that it is simply a recurrence to prehistoric and antediluvian conditions under which our race fought its way out of the woods and into society.

Zobier Pasha, still living, I think, in the Sudan, was the greatest slave king Africa ever saw. From a black adventurer in the African forest he rose to be the chieftain of an empire that extended for a thousand miles in every direction. He gave to me the key to his success when he stated he began his career after the first step by buying slaves for soldiers, not for servants. With evident appreciation of the importance of his idea he said to me in his native Arabic, "I discovered that the man who can carry a spear is the master of him that must carry a burden." He spoke for Rameses and David, for Genghis Khan and Tamerlane, for Frederick the Great and Bonaparte, for Achilles and Romulus and all their mighty predecessors who led mankind to fight its way from chaos and its dangers to civilization and its opportunities. He divulged the theory that was the secret of primeval leadership.

But the debaters have forgotten that force is only useful when directed by intelligence, the master. They have confused the means and the end. The voice is the voice of a Senator and a statesman, but the hand is the hand of a Cæsar and a conqueror. If brute strength is the dominating authority of government and civilization, then Moses and Manu, Confucius and Buddha, Socrates and Jesus have lived and died in vain. For generations our mothers were merchandise and beasts of burden, but now the highest watermark for the tide of civilization is one where her loftiest privileges are registered. I challenge the authority of force and appeal to you for the rule of reason. The test of capacity to administer government is not the amount of brute strength which might be furnished by an animal. The only proper method of deciding upon the value of citizenship is the possession of brains. When reason and force work together on equal terms we will have a Christian civilization.

They say a woman can not fight. Why should she? Every boy that marches to battle is hers. The loftiest, most useful, most essential duty of citizenship is not that of the soldier, but it is that of the child bearer. She can not fight? Why should she? The mother furnishes every recruit, inspires every hero. Every man on this floor came into the world at the peril of his mother's life. "Greater love hath no man than this, that he lay down his life for his friend." Every time a soldier is born a mother goes down into the valley of the shadow of death. Shall she have no voice in the disposition of those for whom she risked her life? What man is there here that claims he has a better right to be heard than the mother who bore him? "Is thy servant a dog, that he shall do this thing?"

The New York soldiers voted to give their mothers the ballot. Who are we in Congress that shall deny our mothers and theirs that privilege? Arms and armaments are society's chiefest menace. When both sexes are heard public opinion will reflect both the strength and the sweetness of humankind. That society is the most powerful, that government is founded upon the most solid basis which employs in its legislation and administration the most intelligence, and that means every intelligent mind of mature age within its borders. [Applause.]

Mr. MONDELL. I yield two minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Speaker, I avail myself of the limited time at my disposal to pay a simple, sincere, and deserved tribute to the fair Member of this House [Miss RANKIN] who so well and faithfully represents the State of Montana, and who is in fact the real leader and invincible champion of the just cause of our noble women in the American Congress. In all fairness, she well deserves the chief credit for the victory which I hope will be achieved here to-day for human rights, for equal justice, for the blessings of liberty, for the freedom and enfranchisement of one-half of 100,000,000 Americans. The highest, best, and strongest evidence that woman suffrage is a success has been established in this House by the enviable record made by our colleague from Montana, who has won the respect, confidence, and admiration of the Members and officials of this House, from our honored and impartial Speaker down. During my service in this House, covering a period of nine years, the greatest ovation given a Member on opening a debate was accorded to the Member from Montana this morning. It was not so much an indorsement of the subject she championed, as it was a just tribute to an able, popular, and successful woman, who has made good as an honored Member of the American Congress. Well may Montana, the women of this Nation, the Congress, and the American people, regardless of politics, be proud of Representative JEANNETTE RANKIN. [Applause.]

Mr. RAKER. Will the gentleman from Virginia use some of his time now?

Mr. SAUNDERS of Virginia. Mr. Speaker, I will use some of my time. I yield three minutes to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Speaker, like the gentleman from Ohio [Mr. KEARNS], the Members from South Carolina are required to take an oath to stand on the platform of the party, State and National; and when the platform of my party in South Carolina was being formed the president of the Woman's Suffrage Association of South Carolina made her speech, in which she said, "I desire that you instruct your delegation to the national convention to vote for a suffrage plank in the national platform, but against a Federal amendment." That was the request made of our convention by the suffrage association of South Carolina. The convention saw fit not to go that far, and declined even to instruct its delegation to vote for a suffrage plank, and, in fact, voted against allowing it to have anything to do with the suffrage business in the national convention, but instructed the legislature that the matter be submitted to the people by proper act or resolution at the next general election. That legislature is now in session, and we are entitled to assume that it will follow the instructions given. So far as I am concerned, I helped to make that action. I am in favor of the State of South Carolina giving suffrage to women. But we consider that the platform and pledge is something more than a scrap of paper, and I remind you to-day that we are at war because this Nation has raised the banner that a contract and pledge between nations is something that must be respected and can not be discarded as a scrap of paper. If that is so, why should we as a party repudiate our platform and our instructions from the people of our State?

Something has been said about the control of this House passing from the Democratic Party and the South. We are a good deal more concerned in the South in controlling and arranging our own affairs than we are in controlling the chairmanships and Speakership of this House and the small amount of patronage of the gang of politicians that are coming to Congress merely for the loaves and fishes. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. SAUNDERS of Virginia. Mr. Speaker, I yield four minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Speaker, the national Democratic platform adopted at the St. Louis convention June, 1916, says upon the subject of woman suffrage:

We recommend the extension of the franchise to the women of the country by the States upon the same terms as to men.

Mr. Speaker, the merits of the question of woman suffrage are not here up for consideration. The method of obtaining votes for women is the only question that we are to consider here to-day. I say frankly that when the women of my State want the ballot I am willing for them to have it, and when they do want it they will get it; but the women of my State do not want this Federal suffrage amendment forced upon our State. The women of my State are convinced that it is wisest and best for the State of Alabama to retain its right and power to handle the suffrage question.

I want to remind some gentlemen on that side—and I do not know from the way some of you talk whether the white people

of the South have your sympathy or not—but I want to remind you gentlemen in the North that we have a problem in the South that you do not have, and we feel that we know best how to handle that problem. The civilization of the white race in the South is involved in this matter of the ballot. We are working out this question of suffrage wisely and to the best interests of both races, and we ask you, our white brethren and sisters of the other sections of the country, to let us continue to work out this question as the builders of the Republic intended it should be worked out. The States now have that right, and no State ought to surrender it or have it taken from it. There is no necessity or justice to warrant such action by Congress. All the States in this Union that have given suffrage to their women gave it to them through the power now belonging to the States. But gentlemen now, strange to say, want to take this power away from the States and surrender it to the Federal Government. Why, gentlemen, God Almighty will not do for an individual what the individual can do for himself, and surely a sovereign State ought not to call upon the Federal Government to do that which the State can do for itself.

Mr. Speaker, the State can now, and some States have already, granted votes to women. Suffrage is growing all over the country. Let it continue in the old safe and sensible course, but do not, gentlemen, I beg you, strip the States of this vital power and thus contribute to the centralization of power which injures the State and endangers the life of the Nation. Leave to each sovereign State the right to work out this question as it deems wisest and best. You are not hurt by leaving this question for settlement by each State in its sovereign capacity, and it is infinitely better for us in the South to leave this power with the State. Have you no consideration or sympathy for the people of the South? We have grave questions that you do not have. It was this power of the State that gave us relief from carpetbagger and negro rule in reconstruction days, and gentlemen of the House I am ready to stand or fall in the attempt to preserve this power to my State. [Applause.]

Mr. RAKER. Mr. Speaker, I yield five minutes to the gentlemen from Missouri [Mr. DECKER].

Mr. DECKER. Mr. Speaker and gentlemen of the House, I, too, like the gentleman from Alabama [Mr. HEFLIN], who has just spoken, am a Democrat. And I am as proud of my democracy as he is of his. I am that kind of a Democrat that believes in State rights, that believes in the right of the State to exercise every right which by the Constitution has not been conferred upon the Federal Government. And one of the most important of State rights is that fundamental right of the three-quarters of the States of the American Union to amend that Constitution. [Applause.]

They talk of Thomas Jefferson, of Virginia, and of Mr. Madison and George Washington and those great statesmen from the South to whom we owe so much in this great land. Think you, my friends, that any of these men would ever have permitted the imperial State of Virginia to join in a union in which there could be no amendment to the fundamental constitution of that union? Mr. Jefferson had his views on suffrage and so did Mr. Madison and Mr. Washington, but they never stated in any place I have read that their opinions would not change in a hundred years if they were to live so long. In the great State of Virginia at the time these statesmen made the Constitution they had a qualification for property suffrage. Do you think if Thomas Jefferson were living to-day he would stand for that kind of a doctrine? In those good old days the women did not go to school like the boys; that is, they did not study mathematics; they did not learn how to weigh the stars or analyze the sun. They studied music and penmanship and dancing and the cultural things of life, but since those old days we have thrown wide the gates of higher education, and the women have entered in. This is not only a question, my friend from the South, of the right of women to vote. It is a greater question. It is the denial by a solemn resolution here of the right of men like you and me to limit the sphere of any woman or human being that God has made. [Applause.] Who are you and who am I—yes, who was Thomas Jefferson, that he should say what was the proper sphere of the mother who gave me life?

The gentleman from Alabama [Mr. HEFLIN] is always chivalric. No man can vie with him in his tribute to woman. He reminds me somewhat, however, of the man at the banquet in New York City. He and his friends had prospered during the year, and they indulged in a banquet, where they ate and drank until the small hours of the morning. Before the affair was closed one of the gentlemen rose and said:

Mr. Toastmaster, as we sat here around this table spread with the good things of life, all we could eat and all we could drink, my heart went out to the poor people of New York City, the women who have not enough clothing, the children who have not shoes to wear nor books with which to go to school, and I move you, Mr. Toastmaster, that we now rise and give three cheers for the poor.

[Prolonged laughter.]

My first recollection of the gentleman from Alabama [Mr. HEFLIN]—and he is my personal friend, as you all know—was his resolution for the observance of mother's day in this country—a mother's day—and he pays the women tribute.

He tells us how wise they are, how they can help in time of war. The gentleman ought not to forget, however, what they are worth in time of peace. The gentleman is willing to pay them all of these tributes and all of these compliments, but, unfortunately, he is like the man at the banquet in New York. When it comes to giving them a vital thing—the ballot—he is willing to stand up and give three cheers for the women of the country. [Laughter.]

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. RAKER. Mr. Speaker, I yield the gentleman one minute more.

Mr. DECKER. Mr. Speaker, I stand for something higher. My lot in life may not have been cast along the pleasant lines of that of the gentleman from Alabama. I loved my mother as much as he loved his, but I have not forgotten the pioneer days—how my mother, with my dear father, who has passed away, crossed the prairie, as "of old our fathers crossed the sea, to make the West, as they the East, the homestead of the free." It was my mother who heard the coyotes howl upon the plains; it was my mother who, when the hot winds blew and the grasshoppers came, said, "No, Jim, we will not go back to Ohio; we will stick it out." My mother always did her part not only in time of war but also in time of peace. Some gentlemen seem to think that women's sacrifice in time of war is the great reason women should have the right to vote. In time of war I dare to stand in the Halls of Congress and give you a higher reason why women should have a right to vote. It is this. Women suffer the agonies of hell in time of war, and I demand that women shall have an equal right with men to say when war shall come. [Applause.]

Miss RANKIN. Mr. Speaker, I yield four minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, not many hours ago I left an interesting group of Members who had been discussing this resolution, and reaching my room, unable to dismiss all I had heard, decided to ask time enough to pay this brief tribute to that portion of our population who are not yet included in the American electorate:

It was she who entered the valley and passed under the shadows to give motherhood to humanity. It was she who, through the lonely night and anxious day, waited and watched the ebb and flow of hope and despair as the childhood of the world was guarded and guided by her hand. It was she who taught us to take our first step, to answer to our many childish wants, to lisp our simple prayers. It was she who supplied us the things that would help and withheld from us the things that would hurt. It was she who commended our virtues and condemned our vices. It was her heart that warmly loved, and her hand that gently chided the wayward child throughout the years of tender teens. It was her mother love that was transfused into a nobility of character that proved a safe anchorage in the hour of temptation. It was her steadying hand that led the youth step by step through the unsettled and unsettling period of adolescence, when, if ever, wise council should prevail. It was the memory of her pleading which won the pledge of devotion that stayed the impulse of passion and appetite when absent from home and homelike environment. It was her voice of admonition to which response was open when the call of country was first heard; her heroic sacrifice which buoyed up hope when the command to advance was given; her tender touch which smoothed the fevered brow when the agonies of war filled the earth with the dying and the dead; and her mother heart which suffered greatest agony when war's ravages submerged humanity in its own blood. It was she who clung to the faith that wars will cease, and a better way in the Providence of God must be found.

To her we owe the uplifting and refining influences of our race. To her we are in debt for a higher standard of life, both individual and social, as well as political. To her our churches point to a deeper faith in things spiritual. To her our schools go for the keenest devotion to the training of childhood, for a stronger manhood, and a sweeter womanhood. To her our institutions must look for a firmer grip upon the humanities. On her we must depend for a better state in our political life.

As wife and mother she will always be the queen of the home. As a power of personality she will ever be the guiding influence

in our schools. As a spiritual force she will continue to be the chief reliance of the church. As a member of society she will become more and more the determining factor in the betterments of social and industrial conditions. As a citizen she will exert an abiding and a salutary influence upon the political life of a people.

Her nature readily responds to the humanitarian calls of the times. What the masculine character refuses to heed, she, more sensitive to duty, will answer with less hesitancy and without becoming any less a woman. No man, no woman, ever lowered a standard by performing a duty.

Woman, God's noblest creation, man's better counterpart, humanity's perennial hope, the world's object most to be admired and loved! The past has not been kind to her. Much of the world's woe is recorded in her prayers and her tears; much of humanity's burdens has been borne on her frail shoulders; much of history's tragedies, which we all would fain forget, is written in the agonies of womankind throughout the world.

But a better day has dawned. She who was first to reach and last to leave the sepulcher of Him who brought a new life has generations ago come into a new inheritance step by step until to-day she marches by the side of her brother almost his equal in the rivalry of life. America, the first great Republic, the most powerful representative democracy of all history, is now about to decide whether by our organic law, the Constitution, we shall remove the last barrier which denies her equality with her brother. From whatever angle the issue may be viewed, my duty, as I see it, is clear. I will not assume a superior intelligence over her who has in a thousand ways proved her equal with her brother. I will not, simply because I have the power, withhold from her a right which she can claim with equal force that I may monopolize it. I will not deny her a privilege which I demand for myself. I will not refuse her entrance to a field of duty in which her abilities peculiarly qualify her to exert an ever-widening influence against prevalent evils and on behalf of the good of humanity. I shall, so far as in me lies, remove every barrier against her right and privilege, and shall open wide the door of opportunity to her performance of public duty by placing in her hands America's most effective weapon, the ballot, democracy's instrument of command. [Applause.]

Mr. MEEKER. Mr. Speaker, I yield five minutes to the gentleman from New Jersey [Mr. RAMSEY].

Mr. RAMSEY. Mr. Speaker and gentlemen of the House, without in any way giving expression to whether I favor or do not favor the right of women to vote, I desire at this time to give my reasons briefly why I shall vote against this proposed constitutional amendment. The reasons are, first, because each State has, under the Constitution, the right to regulate the qualifications of its electors, and I do not believe that a matter of this character should be disturbed by a constitutional provision. Many States have justly exercised the right accorded them by the Federal Constitution and have given to women the right to vote, against which I have no objection. Second, the State which I have the honor, as a Member in Congress, to represent, in 1915, by a legislative enactment, permitted the people of that State to vote upon this question. There was no organized opposition to it, but it was defeated by more than 51,000 majority. Third, I believe this to be a very inopportune time to present this matter before the people. We are engaged in a great war and I do not think the great political agitation which would necessarily result from the adoption of this resolution should be carried on throughout the various States at this time. Fourth, of all the letters and requests and demands made by the people of our State, at least by 20 to 1 the representative women of the State of New Jersey are opposed to this proposed constitutional amendment. Among the letters from people who are opposed to it are one from Mrs. Preston, who was formerly the wife of ex-President Cleveland, and Mrs. Garrett A. Hobart, widow of former Vice President Hobart.

With the permission of the House I shall insert the following letter from J. Gresham Machin, a professor in Princeton Seminary, who writes to me as follows, and whose thoughts and expressions have my approval:

PRINCETON SEMINARY,
Princeton, N. J., January 8, 1918.

Hon. JOHN R. RAMSEY,
House of Representatives, Washington, D. C.

DEAR SIR: In urging you to vote against the Susan B. Anthony amendment I am not animated chiefly by a spirit of opposition to woman suffrage in general, though personally I am not yet convinced that it is just or wise. Even if I were an ardent advocate of woman suffrage I should still be strongly opposed to the present amendment, which seems to me to run directly contrary to the manner in which important constitutional changes ought to be made. The step once taken can scarcely be reversed. Is a time like this the time to give careful consideration to such irrevocable and far-reaching changes? If the suffrage leaders had the slightest inkling of what true patriotism means, they would cease all divisive agitation until the present war is over.

Furthermore, I can not for the life of me see why the suffrage issue should not be left to the individual States. The chief argument for Federal action in many concerns of government as against State action is that often Federal action alone is effective. Such an argument might plausibly be urged, for example, in the case of the prohibition amendment. But it does not apply at all to the suffrage issue. Every State can choose the kind of suffrage it desires and make its choice effective, quite independent of the choice of any other State. And conditions in the various States differ so widely that the forcing of suffrage upon the women of some States may be an offensive piece of tyranny.

Do the people of New Jersey want woman suffrage? The vote of 1915 was a sufficient answer. Do the voters of the United States want woman suffrage? No one can doubt for a moment that a referendum on the subject in the whole country would give an overwhelming majority for the negative. Do the women of the country want woman suffrage? There is no clear evidence of it as yet, and if the present amendment is passed there never will be evidence.

In short, the present amendment represents an attempt to avoid a popular vote (which could be overwhelmingly negative) on an exceedingly momentous question. The suffrage leaders are absolutely unscrupulous in their choice of means. All fairness, all true democracy, all united effort in the present war are abandoned ruthlessly in the interest of an ill-timed and unintelligent feminism. Do such leaders really represent the women of this country? For my part I do not believe it for a moment.

Sincerely, yours,
J. GRESHAM MACHIN.

Mr. MEEKER. Mr. Speaker, I yield four minutes to the gentleman from Texas [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Speaker, the proposition before the House is not one for amending an existing article in the Constitution of the United States but to add an entirely new article upon a subject that, to my mind, is entirely unnecessary. Under the Constitution of the United States no amendment is necessary to grant the right of suffrage to women. They have that right under the existing Constitution, the same as the men have that right. Then the only purpose of this amendment, the only purpose it can possibly serve, will be to compel or coerce some State to do that which it does not want to do. Now, there has been a time in this country when that word "coercion" did not sound very sweetly upon the ears of a large number of our people and, to my mind, the word is just as obnoxious to-day as it ever was to anyone. I do not believe that any State should be coerced or compelled to do that which its people do not want upon a question pertaining exclusively to its own affairs. Of course, I can not speak for all of the States, but in my State, by the way, one of the largest States of the Union, the women had the right to vote there for many years and never exercised it. Not until the adoption of what is known as the "Terrell election law" were the women of Texas excluded from the right, and yet not a woman of that State ever went to the ballot box to cast her vote. Why should Texas be compelled to force this question of suffrage upon them when perhaps a very large majority of the women of that State do not want to exercise it?

But we hear it urged as a war measure. Some gentlemen have referred to the action taken by some of the countries of Europe engaged in the war, claiming that those countries have granted the right of suffrage as a war measure, yet they do not tell us that under the laws of those countries they have no general elections until after the war closes. Now, we have no such provision as that in our law. Our elections will go on whether the war does or not. My judgment is that this amendment can not serve any purpose to assist this country in winning the war. In all probability the war will have been brought to a successful termination long before the amendment could possibly be acted upon by the several States.

Mr. Speaker, the claim that is being made for this as a measure for winning the war is far-fetched, indeed; but I desire to add that the patriotic women of this country are already doing a great and noble work, indeed, to help us win this terrible war, and if we now force this question of suffrage upon them in all the States it will be to detract from instead of adding to their efficiency in this respect. The great work they are now doing for the Red Cross and various other channels is worth a thousand times more from a war standpoint than the political agitation that will follow the adoption of this resolution. Political agitation by either men or women at this time can not be made to serve a good purpose from a war standpoint. What we most need is a country united in our purpose, and to give its entire time and attention to those matters that are necessary in placing and equipping an efficient army in the field, and to furnish the necessary supplies and munitions for ourselves and our allies.

But the claim has been made that the women elected the President, and because the President received the electoral votes of a number of the States where the women exercised the franchise the proposition is that all the States shall now be compelled by Federal command to grant the right or privilege of voting to the women of all the States. Whether this claim that the women elected the President be true or not, I can not say, nor can anyone else speak with authority upon that question. The ballots, I presume, were cast and counted secretly, as the law

provides, and that no election officer had authority to violate the secrets of the ballot box. We do know, however, that in the State of Illinois, the only State in which a ballot was taken by men and women voters separately, and in which State perhaps as many women voted as in all the other suffrage States combined, that State cast an unusually large majority for Mr. Hughes, the Republican candidate. The election records there also show that the ballots of the women voters were cast against the President in about the same proportion as were the ballots of the men voters.

Furthermore, it is a well-known fact that a large majority of the leading female politicians of the suffrage States were open and avowed supporters of Mr. Hughes, the candidate of the Republican Party, he being the only candidate at that time to express himself in favor of the amendment which we now have under consideration. I, myself, have talked with a number of intelligent women who took part in that campaign in those States, who have invariably told me that they took an active part in opposition to the reelection of the President on account of his failure to openly espouse their cause. If the women voters of those States were guided by their eloquent advocates in casting their ballots, it is very evident to my mind that the reelection of the President is due more to the men than to the women voters of the Northwest. Furthermore, Mr. Speaker, it has been announced in this debate by some of the leaders on the Republican side that the representatives of that great party in this House are standing almost a unit for the adoption of this measure, and that the next national platform of the Republican Party will declare in favor of woman suffrage by Federal amendment. If it is true that the women were the cause of the defeat of Mr. Hughes in the late campaign, the fact that the leaders of that party are now so anxious to reward them for the accomplishment of that end is the best evidence of the fact that their candidate was in no sense of the word the popular idol of that party.

Mr. Speaker, we hear a great deal upon the question of State rights, and many refer to that phase of the question in an ironical manner. Much literature and propaganda has been sent out in which that question has been referred to as of trivial consequence, and those adhering to it are referred to as having lived in a past age and not up with the progress of events. It is true, Mr. Speaker, that some people do not lay as much stress upon this question of State rights as others do. I, for one, have a great reverence and admiration for the highest principle upon which this Republic was founded. Mr. Jefferson, the author of the Declaration of Independence and founder of the Democratic Party, the man to whom, above all others, we are most indebted for the admirable system of government and laws that have been handed down to us, was the former advocate of this question of State rights. The whole theory of our Government rested upon it as the very name of this country, the "United States," will verify. This is also accentuated by the manner in which that document is to be amended, all amendments being required to be submitted to the several States for ratification instead of to the country at large. There is nothing clearer to my mind than that this manner provided for amending the Constitution was the highest recognition of the States in their joint and several capacities.

I will quote a few sentences from Mr. Jefferson, which I will ask my colleagues upon the Democratic side to consider. In a letter to Mr. Madison in 1786 he wrote as follows:

> The politics of Europe render it indispensably necessary that, with respect to everything external, we be one nation only, firmly hooped together. Internal government is what each State should keep to itself.

In a letter to Edward Carrington in 1787 he said:

> My general plan would be to make the States one as to everything connected with foreign nations, and several as to everything purely domestic.

Writing to Archibald Stuart in 1791, he made use of the following language:

> I wish to preserve the line drawn by the Federal Constitution between the general and particular governments as it stands at present, and to take every prudent means of preventing either from stepping over it. * * * It is easy to foresee from the nature of things that the encroachments of the State government will tend to an excess of liberty which will correct itself, while those of the General Government will tend to monarchy, which will fortify itself from day to day instead of working its own cure, as all experience shows. I would rather be exposed to the inconveniences attending too much liberty than those attending too small a degree of it.

In 1798, writing to Peregrine Fitzhugh, he complained, even in that day, that too little respect was given to the rights of the several States. In this letter he used the following language:

> I do not think it for the interest of the General Government itself, and still less for the Union at large, that the State governments should be so little respected as they have been. However, I dare say that in time all these, as well as their central government, like the planets revolving around their common sun, acted and acting upon according to their respective weights and distances, will produce that beautiful equilibrium on which our Constitution is founded and which I believe it will exhibit to the world in a degree of perfection, unexampled, but in the planetary system itself.

It seems that Mr. Jefferson never abandoned the doctrine of State rights, but even as late as the year 1811, in writing to Mr. Tracy, he still adhered to his former views. He said:

> But the true barriers of our liberty in this country are our State governments; and the wisest conservative power ever contrived by man is that of which our Revolution and present government found us possessed. Seventeen distinct States, amalgamated into one as to their foreign concerns, but single and independent as to their internal administration, regularly organized, with a legislature and governor, resting on the choice of the people, and enlightened by a free press, can never be so fascinated by the arts of one man as to submit voluntarily to his usurpation.

In the State which I have the honor in part to represent we have a constitutional provision for the payment of a poll tax of $1.75 as a prerequisite to voting. The adoption of this amendment would compel us in Texas to require the payment of this tax by each woman in the State, whether she wanted to exercise the right of franchise or not. The tax would be assessed against her upon the tax roll of each county, and default in payment would be equivalent to a judgment against her property. Not only that, but many of the counties of that great State have adopted special road laws requiring those who are defaulters in the payment of poll taxes to satisfy the same by hard labor upon the public roads in the same manner as misdemeanor convicts are required to labor. Under this amendment we could not be permitted to make a distinction in this respect as to the female voters. They would, of course, be compelled to stand in the same category of the male voters, and the people of that State would be compelled, by the actions of this Congress and by the legislatures of other States, to heap these indignities upon the good women of that State until such time as they could revise and amend their constitution and laws.

In addition to this democratic question of the right of the States to settle these issues for themselves, I will call attention to the fact that the platform upon which every Democratic Member of this body was elected contained the following declaration:

> We recommend the extension of the franchise to the women of the country by the States upon the same terms as to men.

Let every Member of this body who claims to be a Democrat and who was elected upon that platform now cast his vote for this amendment, which prescribes the qualifications for a voter in the election of all State and county officers in his State, not even excepting the constable of Hog Wallow precinct, reconcile his action with the expressed instructions of his party if he can do so. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MEEKER. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. GARD].

Mr. SAUNDERS of Virginia. Mr. Speaker, I also yield the gentleman three minutes.

Mr. GARD. Mr. Speaker, very much to my regret there seemed in the early part of this debate to be an inclination to turn the consideration of this most important question into a matter of partisan advantage, for I am of those who believe that amendments to the Federal Constitution should be considered in a sense of the highest dignity and by the best thought of the body before which such proposed articles of amendment are pending.

I do not believe that the great foundation wall of the Constitution upon which is builded the superstructure of laws affecting rights of collected States in a united nation should lightly be changed by amendment.

Illustrative of my argument, as I shall seek to develop it, I wish to say in my home State of Ohio, as an elector of that State, I have twice voted to extend suffrage to the women of that State.

To me it has always seemed that the ideal American electorate should be composed of the intelligent men and women of the country.

This may be far away in actual consummation, but I believe the continuance of this Republic depends upon the intelligence of the people within its boundaries.

I would go so far as to say that those coming into our country should successfully pass an intelligence test, and I distinguish between "education" and "intelligence" and mean the power to reason and understand that which is best for American institutions.

I do not favor the general possession of property qualification but insist upon the qualification of ability to understand the tenets of American citizenship.

Then, too, I would have the law say to native born and foreign born alike that the privilege of suffrage for either man or woman

should always be limited to those who are loyal to the United States of America and who have its interests at heart. [Applause.]

In the struggle for this ideal American electorate one ever true and loyal to this Government and capable of understanding and reasoning that which is best in principle and in policy, we must realize that we face long and continuous processes of education, training, and experience in the determination of the best selectives.

It is because I believe that an orderly process at present obtains under the Constitution for the procuring of the best electorate within the States that I contend this resolution proposing an additional article of amendment to the Constitution should not be adopted.

The real meaning and effect of the passage of this resolution and its subsequent ratification by the required number of State legislatures will be to prevent the States of this Nation from amending in this respect their own constitutions.

This is a most radical and elementary departure from the principles of that Constitution under whose benign protection the United States has achieved the highest place among all the nations of the world.

Section 2 of Article I of the Constitution of the United States provides:

> And the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Article X of Articles, in addition to and amendments of the Constitution of the United States, provides:

> The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States, respectively, or to the people.

In all the debates upon the Constitution there never was any contention that the Federal Government, in which was centralized the power of governing all the States, should regulate voting within the States.

To do this, it seems to me, takes from the States an essential element of their very being and removes one of the very strongest reasons for statehood.

The method prescribed by the above constitutional limitations have been followed in all the States of the United States which up to this time have granted the extension of suffrage to women and has likewise been pursued in those instances where such extension of suffrage has been refused; and the recognition of the right of individual States to fix the qualifications of the electors within State boundaries as conceded by the framers of the Constitution has remained unchallenged to this day, save as to the statutory exception concerning aliens and the fifteenth amendment.

As to the wisdom of granting suffrage to women or continuing to withhold it from them, many and various reasons are given, which I do not think here necessary to enumerate or analyze, for, as I have said, I favor it under unquestioned present power of procedure.

During the excitement naturally incident to a state of war some have proposed the granting of suffrage to women as a "reward."

We, as a legislative body, seeking to protect and continue the national life at this time, pass laws to make our power more terrible that the great war in which we are engaged may be brought to a successful and early conclusion, but this proposed article of amendment is a measure for times of peace—not war.

There is no question but that the women of this country rank as high in patriotism as its men, and I prefer to think that the splendid service of the American women in this war emergency, by which they from every part of this broad land are contributing their labor and time to the manufacture of necessities in health and in illness for those of our men who at home or on foreign field fight for a continuation of that great democracy which has given its protection under the law to American men, women, and children is done in a fine realization of their patriotic duty.

That American homes and American women may forever remain free and continue under the rule of a representative democracy American men are preparing even for the most complete sacrifice and American women are sustaining them by a spirit splendid to see.

From the time Betsy Ross sewed the stars upon our first flag until this very present moment our women have done this work, and have nobly done it, and they are doing it now, I am sure, without hope of "reward," proud only that they are American citizens and assisting their country as they best can.

Nor do I think that after the war women will take the place of men, for in the reconstruction of commercial and industrial affairs it will be soon made manifest that while a woman can in emergency do a certain work, as a regular thing she should not have it to do, and certain other work she finds it always physically impossible to do.

There is much that she has done and will continue to do even better than man, and in the homes, in the schools and colleges, in the arts, the professions, mercantile life, and even some of the very light industries, she has worked with excellent result.

We hope that conditions now abnormal may be soon made normal, and we know the readjustment must inevitably be worked out wisely and sanely and with a recognized regard for the qualifications of both women and men for particular work.

That qualification of electors reserved for the wisdom of the States "has been left to the good people of each Commonwealth to enlarge the class of voters from time to time as the ideas of popular sovereignty obtained more force."

The very vital thing which leads me to vote against this proposed amendment and to have voted against an amendment passed by Congress denominated the national prohibition amendment is that to do otherwise would be to destroy the very essential elements for the creation and maintenance of States, to wit, the selection of qualifications of electors and the right of local self-government, and to set up over these a centralized government so wide and so diverse that it must in the end break again into parts of its own weight, and in the meantime fail to carry out good government, for "it is not by the consolidation or concentration of powers but by their distribution that good government is effected." [Applause.]

Miss RANKIN. Mr. Speaker, I yield three minutes to the gentleman from North Dakota [Mr. NORTON].

Mr. NORTON. Mr. Speaker, the man who to-day votes against this resolution is a man who dwells in the past. He is a man who is asleep to the great events that are taking place in the world to-day. He is a man who slumbers in an age of narrow selfishness and conservatism. He is a man who is inoculated with an indefensible perversity against all progress and advancement. He is a man who is insensible to the great needs of humanity in this hour of civilization's greatest trial and greatest danger. In the debate on this resolution that has been had to-day not a single argument that will long last or bear the scrutiny of time has been made in opposition to the passage of this resolution. The chief arguments that have been made against the adoption of this resolution have been based upon opinions expressed by distinguished scholars and statesmen now living and by others who long since have passed to the great beyond, who were either entirely opposed to woman suffrage or who were opposed to the adoption of national woman suffrage through an amendment to the Federal Constitution.

Almost in every case where the opinions of distinguished men now living have been quoted on the subject these men hold different opinions to-day and are in favor of woman suffrage and of its adoption by all the States through an amendment to the Federal Constitution. I, as one who is ineffably proud of the great men who have emblazoned the history of our glorious country by their splendid deeds and noble characters, have too high regard and too much respect for the memory of George Washington, Thomas Jefferson, Andrew Jackson, and James Madison to entertain for a moment any doubt but that if these men were living to-day they would give loyal, generous, and full-hearted support to this resolution. The argument contained in the minority report from the Committee on Woman Suffrage against the adoption of this resolution is based mainly upon quotations from President Wilson. The conclusion reached by this report is, because President Wilson during the last national campaign and in other years gone by repeatedly in his writing and in his public addresses declared himself opposed to this method of adopting national woman suffrage, by means of an amendment to the Federal Constitution, this resolution, forsooth, should not be adopted. But, as has been evidenced in reference to other important civic questions, as to this the opinions of President Wilson are neither infallible nor immutable.

I do not believe that the President should be so severely arraigned and criticized as he has been to-day for having yesterday afternoon by means of his self-arranged newspaper publicity, gotten aboard the band wagon of national woman suffrage by amendment to the Federal Constitution, which, so evident to him at that time, was being carried on to certain victory by an overwhelming majority of Republican votes. He should not be so roundly condemned if he suddenly decided that he did not wish to be left far behind with the minority on this great question. He should not be censured because he may have a new idea once in a while.

While we are spreading democracy throughout the nations across the seas let us spread more of it among our own good people at home. Irrespective of what their condition may have

been in years gone by, to-day the women of this Nation possess in equal measure with the men of the Nation all the elements of education, intelligence, and character which go to make up good citizenship. Let us, then, in the spirit of true democracy, in the spirit of justice and equality, pass this resolution, so that the quickest means may be provided to give to the women of this Nation the full right of suffrage, which has so long been unfairly and unjustly denied to them. [Applause.]

Mr. MEEKER. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has 20 minutes.

Mr. MEEKER. Mr. Speaker and gentlemen of the House, in the introduction to my remarks I intend to read what everybody is to-day trying to forget, and following that I shall ask that the Clerk read my letter to the Republican city committee in St. Louis, in which they ask that I vote for this amendment. I am going to read the plank from the Republican platform of 1916, and there has not been a man on the Republican side to-day who has denied that that plank was against this proposition. There will not be a man to go back to his constituents, who violates this pledge, but what must give as an explanation political expediency.

Mr. CHANDLER of New York. Will the gentleman yield?

Mr. MEEKER. Not now.

The Republican Party, reaffirming its faith in the government of the people, by the people, and for the people as a measure of justice to one-half of the adult people of the country, favors the extension of suffrage to women—

I happen to remember that when the Senator from Massachusetts read that plank at the Republican convention he stopped right there, and there was great applause from the suffragists. When they had finished the applause the Senator finished the plank—

but recognizing the right of each State—

Not of the States, but of each State—

to settle this question for itself.

There was no further applause from the Federal suffragists. The Republicans did what the Democrats failed to do. The Republicans specified that it as a party recognized the right of each State—and that means New York and Ohio and Michigan and individual units, and not the States collectively—of each unit, including every last State of this Union. No man can now or hereafter repudiate that plank in the platform and go to the people of his country and say that he kept the faith of that campaign. I now ask that my letter to the Republican city committee be read.

The SPEAKER. Without objection, it will be read.

There was no objection.

The Clerk read as follows:

DECEMBER 14, 1917.

Mr. JOHN SCHMOLL,
Chairman Republican Central Committee,
St. Louis, Mo.

MY DEAR MR. SCHMOLL: The petition of the Republican city central committee, in which Representatives and Senators of Missouri are requested to vote for a Federal suffrage amendment resolution, which is now before Congress, has come to me, bearing your signature as chairman of the Republican city central committee.

In reply I must say that I feel in honor bound to vote against the resolution. I deem myself so bound because of the following facts:

1. In the campaign of 1914, both prior to the primaries and prior to the election, I stated publicly that I would consider the vote of the tenth district on the suffrage question as instructions as to how I should vote should the question come up in Congress. The tenth district went overwhelmingly against woman suffrage. As I remember, there was but one ward in the city and two precincts in St. Louis County that indorsed woman suffrage.

2. The national Republican platform of 1916, upon which I was elected, was for leaving the question of woman suffrage to the individual States. I again stated my position and said that I stood squarely on the national platform on that question.

3. I believe that there is no more vicious practice than that of legislative candidates violating their public pledges, unless some emergency may arise which will make it apparent to every fair-minded man that an immediate change of front is justified. I do not believe such an emergency now exists in this particular instance. As I have said repeatedly, I am against all domestic agitators while we are at war with a foreign foe.

Should, at a coming election, the tenth district vote favorably to woman suffrage, I would consider that as an instruction for me to so vote here, and I would so vote. But, in casting that vote, I would state that it was against my best judgment as to the welfare of the women of our country and of the Government, and that I voted thus solely because of the majority vote in the tenth district.

I trust this makes my position absolutely clear. I believe I express the feelings and desires of an overwhelming majority of the quiet home women of my district when I voice my protest against dragging them into politics. It is true, they are not as insistent as are the proponents of suffrage, nevertheless, I believe the wishes of these women are as genuine and are as worthy of consideration as are those of their suffragette sisters.

Sincerely,

JACOB E. MEEKER.

Mr. MEEKER. Mr. Speaker, I have been very much interested, and I will not use any stronger term, to-day, when men have stood on the floor of this House and talked about what the women of this country are doing in this war, and saying that they should be given the ballot because they are doing it. I have yet to hear one man on this floor say one word voicing the protests of the women who, instead of standing in front of the White House with banners have been making sweaters for the boys and who do not want this suffrage. It seems that the woman with the hatchet is the one that attracts attention to-day, while the woman with the needle is forgotten in this discussion.

I want to say to my friend from Missouri who was talking some time ago about his mother, and his tribute was a beautiful tribute, that I happen to have a mother, as most of us have, and incidentally I think we all have fathers, although a father does not count for much any more. My mother has forgotten more political history than he ever knew, and she knows more about the American Government and American political economy than he has ever shown symptoms of knowing, and for the good of mankind as well as the country she is opposed to women getting into politics.

This talk that you Members are putting up here about the women of the United States wanting suffrage is not a fact. Take your own State of New York when on the 8th of January a telegram came from your own State capital at Albany as follows:

[Telegram from Albany, N. Y., Jan. 8, 1917.]

Miss MINNIE BRONSON, *Secretary,*
Washington, D. C.:

Three hundred antis met at Hotel Ten Eyck this afternoon, Miss Henrietta Church presiding. Were addressed by Mrs. Henry Preston White. Telegrams were read from 19 State auxiliaries indorsing resubmission. Resolutions unanimously adopted by the Albany branch and delegates for resubmission. The appointment of various committees—legislative and publicity and organization—with headquarters at Albany. The New York Legislature does not meet until Wednesday evening.

HENRIETTA CHURCH.

Mr. CHANDLER of New York. Will the gentleman yield?

Mr. MEEKER. No; I will not yield. I want you to think of another thing when you talk about the political advantage of women voting. There were two candidates for the Presidency last year, and the gentleman from New York, Mr. Hughes, favored a Federal suffrage amendment; and yet every suffrage State voted against it. [Laughter and applause.] The gentleman who is now in the White House passed out the word that he kept us out of war, and if he had depended on the suffrage States Germany would be here now. It was a pacifist vote.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. MEEKER. I do not yield. That is trickery in argument. If there was ever a chance given for the women to stand by the man who was for Federal suffrage, it was in the Federal suffrage States last year on the Hughes-Wilson vote, and the man who came out for Federal suffrage was beaten unmercifully in the State of California to the tune of three hundred and so many thousand that we never could count it—we just gave it up. Now, you men come up and tell me that the women of this country want this. When you talk of mothers, are the quiet mothers of this country who to-day, instead of saying if we do not get suffrage we will not help win the war, but who are knitting at home for the Red Cross, and sending their work to the boys—are they not mothers just the same as these women in the parade? Are they to be forgotten or ignored?

I ask you, what agitation, forgetful of reason, in the last seven months has been carried on in this country? The spectacle in front of the White House during these months has been a disgrace to the Nation, but it has met the applause of a large part of the suffragists. During all this time those 61 women were breaking into jail, where they got common treatment with others, and then did not want equality of treatment. They came out and have been lionized, while those hundreds of thousands of women who, when the men on the floor of this House voted for war, were willing to believe in the virile judgment of the men who so voted, and who since that hour have with their toil and their sorrow stood behind the boys that are to the front, seem to have been forgotten.

Instead of parading the streets of the Capital, insulting the Executive when he had his guests here from abroad, they have kept on with their work. Gentlemen, let me give you just one thought in closing. There is an old character in Bible history into whose charge one day was given a prisoner of war. After awhile his general came to him and found the prisoner gone. When he asked the man who had lost the prisoner why he was gone, the man replied: "While I was busy hither and thither, lo, he was gone." This Congress has spent more time, and this Congress has been bothered more since the war was declared by the nagging, by the agitation of domestic questions that will not whip the Kaiser in a million years, than we have

in settling our minds to the one gigantic problem of holding this Nation together until victory is ours. Whatever it may be that tends to draw the attention of the American people from this herculean task, a task the like of which this Nation has never before undertaken, a task that will call for the resources of all the money and all the blood and life of the whole Nation. Here we are, still pottering around over these questions that have nothing to do with this war. While we are here now, talking these things, the boys at the front in France are not bothering their heads nor wondering what we will do on prohibition or woman suffrage, or any other domestic problem. They say, "Won't you come on and hustle the game up for us." The conduct of this campaign, as you well know, as in every other domestic question, means the taking of money and time and strength and thought and energy away from our great task.

If ever there was a time when this Nation should say with all of its soul and all of its being, "This one thing I do, forgetting the things that are behind, pressing forward to the prize of the high calling," it is now. This Nation in this hour of trial should lay aside and repudiate every domestic question that tends to divide and distract the attention of the people here at home. [Applause.] You talk to me about England granting suffrage. England is close enough to the battle field to say, "After the war, but not now." You quote the King of Belgium, and the King of Belgium says, "After the war, but not now." You quote all these stories of France, but France says, "After the war, but not now." Our suffragettes in this country are the only group anywhere who say, "We first; the war next." The American Government as yet is practically playing at this war program. Every relative I have who is old enough and physically fit is in uniform somewhere between here and France, and the only boy that I have will soon be gone if the war lasts. And yet we men to-day on the floor of this House, for the second time since war has been declared, are getting ready to throw a bone of contention amongst the people of our own country, to disturb and to distract their thoughts and energy. We hear the call of the Red Cross and of all organizations for money with which to win this war. We ought to be willing to answer that call. Shame on the men on the floor of this House who voted for this war and then found time to take weeks of vacations and go fishing, forgetting the work we might have done while the boys are over yonder. We are talking to-day and working in terms of human blood, and it is the blood of the sons of America. Whatever may come out of this vote I pray to the God of all nations that when it does come it will be forgotten in an hour afterwards, and that we will devote our undivided attention to taking care of the lives of the boys who are at the front. [Applause.]

Mr. RAKER. I yield five minutes to the gentleman from Colorado [Mr. KEATING].

Mr. KEATING. Mr. Speaker, the gentleman from Missouri [Mr. MEEKER] has just made a fervid plea to you to defeat this amendment because its submission will interfere with the winning of the war. The President of the United States, charged with the prosecution of the war, sends you word to pass the amendment in order to aid in winning the war. [Applause.] It is for the membership of this House to decide now whether, on the important question of winning the war, they will follow the leadership of Mr. MEEKER, of St. Louis, or Woodrow Wilson, President of the United States. [Applause.] For my part, I am willing to take it for granted that the Commander in Chief of the Army and Navy of this country knows what he is about.

The gentleman has intimated that the women who are here to-day pleading for justice, pleading for democracy here at home, have fallen short in the performance of their patriotic duties. I would ask you where did Newton Baker, Secretary of War and president of the Council of National Defense, turn for assistance when he needed woman's help? Did he turn to the organization known as the Antis? No, my friends; he went to the National Woman Suffrage Association. [Applause.] And to-day at the head of the woman's branch of the Council of National Defense, placed there by your Secretary of War, is Anna Howard Shaw, the honored leader of this movement. [Applause.]

And when your Secretary of the Treasury desired to float the great issue of liberty bonds, where did he turn in order to secure the assistance of the women of this country? Did he go to those who were petitioning Congress to deny women the right to vote because they did not want to vote themselves? Not at all, my friends. He turned to Carrie Chapman Catt; turned to the women who lead the National Woman Suffrage Association.

And did these women fail to respond? Why, my friends, we have the testimony of the Secretary of War himself; we have the testimony of the Secretary of the Treasury himself—that not only did they respond but that they were in large measure responsible for the success of those great enterprises. My friends, upon this issue I prefer to follow the leadership and to accept the advice of the Secretary of War and the Secretary of the Treasury rather than follow the leadership of the gentleman from St. Louis. [Applause.]

Mr. Speaker, I favor woman suffrage because I believe in democracy—the old-fashioned kind of democracy—the kind the fathers of the Republic wrote into the Declaration of Independence when they gave mankind the "American idea," that "governments derive their just powers from the consent of the governed"; the kind for which ten million men are fighting, freezing, and dying in the trenches, from the North Sea to the Adriatic; the kind for which we are pouring out our treasure and for which we are preparing to shed the best blood of America.

Surely, my friends, if we are willing to make these supreme sacrifices in order that Englishmen and Frenchmen, Germans and Austrians, Russians and Serbians may have democracy we will not deprive millions of our own citizens of the same precious gift.

I hold that every human being, unless a convict or an imbecile, has an inherent, God-given right to a voice in his or her government.

Colorado has had equal suffrage for a quarter of a century and our women are not Amazons and our men are not mollycoddles.

They told us women would not vote, but our official records show that women vote in about the same proportion as men.

They told us the women of the underworld would go to the polls while the wives and mothers remained at home. Experience has proven that the reverse is true. The percentage of women voting in the downtown precincts of the large cities in suffrage States is very much smaller than in the residential sections.

They told us that the American polling booth was too vile a place for a respectable woman to enter. The women of the suffrage States replied by taking the polling booths out of the back rooms of saloons and placing them in schoolhouses and churches.

They told us that equal suffrage would disrupt the home, but the court records of Colorado show that in 24 years not one divorce has been granted because of political differences.

They told us that under equal suffrage the women would combine and take all the offices away from the men, thus compelling many worthy patriots to earn an honest living. Again experience has confounded the prophets. Many women have held high office in suffrage States, but the men continue to hold down 80 per cent of the jobs. And here is an interesting fact: Occasionally—only occasionally—we have been compelled to arraign a male official at the bar of justice charged with criminal misconduct, but no female officeholder has ever been investigated by a grand jury.

Of course, the people of the suffrage States are not unanimous in their support of woman suffrage. There is opposition. Ask the saloon keeper who put him out of business and he will answer, with a curse, "The women."

Ask the gambler who stopped the roulette wheel and closed the faro bank and he will tell you, "The women."

Ask the political boss why his power is disappearing and he will tell you, "Those confounded women insist on scratching their ballots."

Equal suffrage by Federal amendment may be delayed, but it can not be defeated.

In the next presidential campaign both great political parties will be compelled to indorse the proposition.

No Republican can be elected without the vote of the States where women are enfranchised. No Democrat can be defeated if he can secure those votes.

Fortunately for us the Republicans wabbled on this issue in the last campaign. If they had indorsed the Federal amendment, Charles E. Hughes might have succeeded Woodrow Wilson as President of the United States.

They will not repeat the blunder, and if the Democratic Party is to continue to rule this country it must display a willingness and capacity to meet this issue.

The greatest living Missourian, CHAMP CLARK, of Bowling Green, once said: "Two things are coming as surely as death and taxes: One is prohibition and the other is woman suffrage."

A few weeks ago Congress submitted the prohibition amendment. Now let us fulfill the remainder of the prophecy by casting a two-thirds vote for the suffrage amendment.

The SPEAKER. The time of the gentleman has expired.

Mr. RAKER. Mr. Speaker, I yield eight minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Speaker, I feel that my duty as a Massachusetts Congressman calls upon me for something more than merely recording my vote on the referendum that will place the woman-suffrage amendment to our Constitution before the legislature of my State. Merely to vote in favor of referring this question to the Massachusetts Legislature might leave a doubt as to my views on the merits of the question itself, and I now address myself to the fundamental rights, privileges, and duties of the women of America, as I see them reflected in the mirror of Massachusetts history.

To my mind woman suffrage—equal rights under the law—is sound Massachusetts doctrine. It was in Worcester, Mass., over a half century ago that the first woman suffrage convention in the world was held. The call for that convention was signed by Lucy Stone, Lucretia Mott, William Lloyd Garrison, Wendell Phillips, and Ralph Waldo Emerson—an array of intellectuals whose thoughts are now spread upon the pages of the world's history. It was at that convention that Phillips, at the zenith of his powers in epigrammatic statement, speaking on democracy said: "The granting of suffrage to women is the corner stone."

Since then we have seen the great progress of the movement, State after State, nation after nation coming into line. Always some opposition to meet, but never a step backward. Woman suffrage has always held its ground. It has never been on the defensive. The efforts of the antisuffrage forces have failed to stop the movement. The suffrage bugle has never sounded retreat.

Mr. Speaker, while it is true that the great States of the West have taken the lead in granting equal suffrage to their women citizens, I maintain that the inspiration came from the State where the first blows for liberty were struck. When Dr. Anna Howard Shaw made her masterly argument before the Suffrage Committee a few days ago she was voicing the views of a Massachusetts coeducationalist. Her collegiate degree, her degree in medicine and in theology, were granted by Massachusetts institutions. Her first pastorate as America's first woman preacher was in a little town on Cape Cod. She has preached Massachusetts doctrine all over the world. What question is too big for Dr. Shaw to discuss or to vote upon?

When Julia Ward Howe, of Boston, penned the Battle Hymn of the Republic, that sent its patriotic thrill through the Nation in an hour of national stress, she was committed to the side of equal suffrage. Who to-day would dare question the right of Julia Ward Howe to vote on any question involving the welfare of our people?

Twenty-five years ago, when I was a member of the Massachusetts Legislature, a sweet-faced little woman appeared before legislative committees on many occasions. That woman was Lucy Stone Blackwell, known throughout the English-speaking world as "the guiding star of the woman-suffrage movement." Although her life was given over to suffrage, her voice was heard on any and all matters affecting child labor, women in factories, and on educational, humane, progressive legislation of all kinds. I have yet to recall a measure which she advocated or indorsed that has not since been written into the statute laws of my State except that of full suffrage to women.

The life of Lucy Stone was as inspired as that of Joan of Arc. Born in the little farming town of West Brookfield, she yearned for an education, and while quite young put the matter before her father. Faced with the problem of educating his sons, the father was compelled to turn down her appeal. "Women don't need an education," was the way he expressed it, "and boys do need one. I can't afford to do anything beyond the district school for you." But the young girl persisted and finally prevailed upon her father to let her go to college if she earned the money herself.

"I would be glad to have you go to college, Lucy, on your own money, but there isn't a college that will take women."

"Oh, yes, there is," answered the young girl. "Out in Oberlin, Ohio, they allow women to get a degree."

It was the only college in America at that time that would accept women for degrees. So Lucy Stone taught school and made shoes by hand and picked berries for preserving and saved her money to go away out to a little Ohio college for the education that her brilliant mind craved. She did not go there on the Twentieth Century Limited, seated in a parlor car, with a limousine to meet her at the station. Oh, no! The young woman of whom I am speaking went there in a slow steamer, over the Great Lakes, and when she was told that a stateroom would cost her a dollar she decided to sleep on deck to save the money. Think of it—one of the world's greatest teachers sleeping under the stars to save a dollar in order to get the education that she later gave so freely to the causes which she loved. No "gold-coast" dormitory for Lucy Stone! Only the cheapest room at Oberlin was hers. And there she spent four years—washing clothes, mending dresses, tutoring—doing anything that an honest young girl could do in order that she might pay the bills for her education.

When graduation day drew near and the coveted degree was in sight, she wrote a brilliant essay on civil government and submitted it to the faculty. It was highly commended, but the president explained that while Oberlin granted degrees to women they "could not allow them to speak in public, and Lucy Stone must allow some member of the faculty to read her essay at the graduation exercises." But the Lucy Stone of four years ago had changed. She was going ahead. Looking the president of Oberlin proudly in the eye, she said, "I am from Massachusetts, the home of liberty. If I can not read my essay in public, then nobody will read it for me." And she graduated with her essay unread.

The world moves and with it the suffrage movement. Years later, when Oberlin College had reached its fiftieth anniversary and the faculty wanted to observe, in a fitting way, the first half century of Oberlin's achievements, they met and asked each other, "Who of all our graduates will we select to deliver the leading address on this anniversary?" And the answer came, "Why, there is only one choice. Lucy Stone is our greatest graduate. She stands up like a mountain peak among the public speakers of America."

So Lucy Stone, of Massachusetts, went out to Oberlin, where once they would not let her speak because it was not the right thing for women to speak in public, and delivered the "address of the day" to celebrate the fiftieth anniversary of the founding of her alma mater.

And in this brief sketch of the life of Lucy Stone we can trace the onward progress of the equal suffrage movement. Women have advanced themselves. Their appeal for recognition has been won along the lines of greatest resistance. They have earned their place.

In my district in Massachusetts lives Alice Stone Blackwell, the daughter of Lucy Stone. Like her illustrious mother, she has devoted her entire lifetime to the cause of suffrage, and in answer to the specious argument advanced by the opponents of woman suffrage that women are not able to comprehend the questions that voters must face I offer in Alice Stone Blackwell one of the most brilliant writers on governmental affairs that this country has ever produced.

I am in favor of full suffrage for the women of my State because it is only fair to suppose that Massachusetts women are as much entitled to vote on all matters as are the women of New York State, which is just across the line from Massachusetts. I favor the Federal amendment because it equalizes the voting privilege of women and handles this great democratic question better than if it were left to each State to decide. The idea of a woman in a suffrage State moving into a nonsuffrage State and being disfranchised is settled only by Federal amendment.

A great Persian philosopher once said, "Dogs bark, but the caravan moves on." I think it is time to stop the barking of the antisuffrage dogs in this country, once and for all. Democracy can not live, half free and half female. [Applause.] Let the autocracy of sex pass into the discards along with the autocracy of divine right of kings that is now making its last stand before the forces of true democracy in the trenches "over there" in France. [Long-continued applause.]

At this point Mr. MANN entered the Hall and was greeted with applause.

The SPEAKER. I am certain we are all glad to have Brother MANN back with us. [Applause.]

Miss RANKIN. Mr. Speaker, I yield one-half minute to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I shall use the 30 seconds granted to me to say, as the Representative of the original woman suffrage State, the Representative of the State in which women have voted for 49 years, the Commonwealth of Wyoming, that this is a great and a glorious day, the day that shall see the adoption of the resolution for the submission of a Federal woman suffrage amendment. [Applause.]

Miss RANKIN. Mr. Speaker, I yield four and one-half minutes to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Speaker and gentlemen of the House, a good deal of time has been taken in determining whether or not suffrage is a right or a privilege. From my own standpoint I look upon it more as an obligation and a duty than as either a right or a privilege. It is more a question of expediency, in my judgment, than it is a question of right.

We say to the lad of less than 21 years of age, "You are not entitled to vote, because it is unsafe from the standpoint of the

Government that one of immature mind should have a voice in the affairs of State." We say to one of infirm mind, "It is unwise to permit you to participate in governmental affairs." It is always determined from the viewpoint of the Government and not from the desire or the viewpoint of the individual. I have long, long since reached the conclusion that woman had reached that high mental estate which made it an imperative duty on the part of the Republic to give her the opportunity of making her contribution to the Nation by giving her the right of suffrage. [Applause.]

The statement has been made on the floor here that she should not be given this right because she can not bear arms. When did a physical essential become a determining qualification for mental activity? Some of the greatest statesmen in this Nation, some of the most useful men in public life to-day, are men who by reason of physical misfortune can not be soldiers, and yet no one would advocate that the right of suffrage be taken from such individual.

The gentleman from Missouri [Mr. MEEKER] says that she is a pacifist, that she was responsible for the election of the President, inspired as she was by the desire to keep out of war. My friends, when did the love of peace and the abhorrence of war become a crime? [Applause.]

If you are going to deprive one of the right of voting because he loves peace, you would deprive the President of the United States of that right, who for three years with infinite patience endured humiliation and injury in the effort to preserve the peace of 100,000,000 people. You would deprive a majority of the electorate of the United States, for they, by their vote, gave notice that they desired a continuation of peace. Such a test should not be made, as one's opinion as to a governmental policy can not determine one's right to vote. But it would be an emotional government if she participated, says the gentleman from Virginia [Mr. SAUNDERS]—a pacifist government—for woman is opposed to war. Gentlemen of the House, based on my own observation, let me give you this advice: Never determine one's courage by his eagerness to get into a fight. [Applause.] A safer test is to wait and see how he fights after he gets in. Judged by that qualification, what is the attitude of the ladies of America to-day? The mistresses of a million homes in the United States are conserving food to help the country. Nurses are on the front in the hospitals and in the cantonments. I have noticed on the boats, on the railway trains, on the street cars, on the streets, in the crowded galleries of this Chamber this afternoon, the loving, "praying hands" of American womanhood knitting garments to protect the soldiers. [Applause.] That is how they are fighting, now we are in.

The SPEAKER. The time of the gentleman has expired.

Mr. RAKER. Mr. Speaker, I yield to the gentleman from Washington [Mr. DILL].

Mr. DILL. Mr. Speaker, I desire to add my support to the cause of woman suffrage to-day. In two campaigns a crowd of suffragettes—the same crowd that have been picketing the White House—have tried to defeat me, and in both campaigns the women voters have rallied to my support. I mention this because those who have picketed the White House not only do not represent the women voters of the great West but are absolutely unrepresentative of voting women. I have just returned from the West; and I speak with the authority of the women of my district when I say that they unreservedly condemn these pickets in their actions. But the fact that a few misguided women have conducted themselves as they have must not be allowed to hinder or delay the passage of this amendment.

The women of America should be allowed to vote as a matter of plain justice. If a woman does not desire to vote, she will not be compelled to vote. But, if a woman does desire to vote, why should she not be permitted to do so? The people are made up of men and women. All of them have an equal right to life, liberty, and the pursuit of happiness. If a woman violates the law, what man goes to jail for her or pays her fine? If she owns property, who pays her taxes? If she is sued and judgment is secured against her, who pays the judgment? A woman in this country can buy or sell, sue or be sued, own and convey property—in fact, she can do practically everything that a man can do except vote.

Why can not women vote? Simply because they are the one great part of the population to whom the franchise has not yet been granted. The history of the extension of the right to vote among free peoples is interesting and suggestive. Originally only the king could vote. Later a few of his lords were given the power to vote. A little later the clergy secured that right. Then the landowners were granted the franchise. Here in the United States we swept away the property qualification and established manhood suffrage. Now we propose to extend this right to women. [Applause.]

All of this talk that suffrage will destroy the home has been answered a million times by the home-loving women who live in the West, where women exercise that right already. Gentlemen need not fear that women will neglect or destroy the home because women created the home. The home does not depend upon government but is the foundation of government.

The progress of mankind is measured by the progress of the women. In the state of savagery it was woman who provided for and protected her young while her cave-dwelling consort roamed the forest or engaged in battle. I have read that woman built the first human habitation and discovered how to start a fire. It was woman who first learned to prepare skins of animals for protection from the elements, and tamed and domesticated the dog and horse and cow. She was a servant and a slave and did these things because of the human instinct to lessen her labor and better the condition of herself and her children.

The distinctive feature of our time is the emancipation and individualism of woman. To-day she is the peer of man, not only in intelligence but in privileges and powers as well. With these privileges and powers are coming a new realization of the kind of dangers that beset herself, her husband, her home, and her children. She is learning that her assailants are no longer in the open, but that they lurk and hide in the results and products of social injustice and industrial greed. She can see that they exist because of laws and the absence of laws. She has found from bitter experience that sickness and death are concealed in impure food which is bought for pure, and in insanitary tenement houses of our great cities in which so many are compelled to live. In other words, she is coming to know that if she is to protect herself and the race she has borne from the assailants that beset and destroy she must be able to control the reservoir in which the water of life is collected as well as the faucet from which it is drawn. That is why all over this broad land of ours there is going up an irresistible demand for woman suffrage.

This theory that the man provides and the woman is sheltered is a living lie, as millions upon millions of women wage earners are proving every day. Sometimes a man provides and sometimes he does not. Sometimes it is the woman who must provide, not only for herself but for her children also. Never was that so true as it is to-day with America at war and millions of men being sent to the battle fronts and millions more to go. Let us remember that "Hunger knows no sex, want knows no sex, necessity knows no sex, law knows no sex, property knows no sex; only the ballot box knows sex."

But the ballot box once knew rank. It once knew income and money and title. The onward march of democracy has swept away all these paraphernalia of privilege and the disability of sex now must go. In the years to come the present reasons advanced against woman suffrage will seem as reactionary and as senseless as the reasons once advanced against the extension of manhood suffrage now seem. [Applause.]

Mr. RAKER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. RAKER. I yield five minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. SAUNDERS of Virginia. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Virginia rise?

Mr. SAUNDERS of Virginia. To see what has become of my time.

The SPEAKER. It has gone.

Mr. SAUNDERS of Virginia. How did the gentleman get it? I have been trying to get recognition. I had three minutes left.

The SPEAKER. I know the gentleman would have three minutes left if it was not for the clock.

Mr. SAUNDERS of Virginia. I understand.

Mr. RAKER. There are 19 minutes that I have not used.

The SPEAKER. Now, what does the gentleman from Virginia [Mr. SAUNDERS] want?

Mr. SAUNDERS of Virginia. I just wanted my time. [Laughter.]

The SPEAKER. Of course, anybody who has ever observed things very closely here knows that in one of these long debates some time is lost. It is utterly impossible to stop a gentleman who is in the middle of a sentence. When he is rapped down he goes on and finishes the sentence. This rule provides that the debate goes on until 5 o'clock.

Mr. BARKLEY. Mr. Speaker, I shall support this resolution for several reasons, all of which I can not in the short time at my disposal enumerate. Many Members have hesitated upon this question because of the fear that it interfered with the rights of the States to fix the qualifications of voters. However,

it occurs to me that this is a confusion resulting from a misinterpretation of the amendment itself.

It does not disturb any qualifications already or hereafter fixed by the States except as to the matter of sex. All educational, property, or other qualifications as fixed by the States will remain as they are now, unless changed by the States themselves. This amendment simply says to the States or to the Federal Government, "You may not deny to a woman the right to vote simply because she is a woman."

There is no question of the right of the Federal Government to deal with the question of suffrage. The framers of the Constitution dealt with it in framing that instrument, afterwards adopted by the States. It so happens that they dealt with it by adopting those qualifications which were fixed by the States. But they might have dealt with it by fixing any other standard which they thought wise. The fact that they dealt with it in that way makes certain their power to have dealt with it in any other way, and makes certain the power and right of the National Government to deal with it in this way by submitting this amendment to the States to determine whether the people still desire the States to have exclusive jurisdiction in this matter. There can be no question that the people have the right to change their Constitution if they desire. The only chance they have at it is by the submission of amendments by Congress. I believe the States have a right to pass upon this amendment, and thus believing, I shall vote to submit it to them. [Applause.]

Already in 18 States women have the right to vote for Members of Congress and for President of the United States. These are in a sense national offices, because they deal with national conditions and policies. It seems to me an anomaly in political science and economy that the women of 18 States may have a voice in the election of a President of all the people of the Nation, and therefore may determine who he shall be, without the women in the other 30 States having any voice whatever in the selection of the Chief Executive of the land. If we could, for illustration, imagine the disqualification of all the men in the country for any reason we would have a situation where the voters of 18 States would choose the Government for themselves and the other 30, without giving the latter or any portion of them any voice in the result. Therefore, considering the present situation in all the States, we must admit that the women in 18 of them have the balance of power and may say who shall govern all the men and all the women in all the States. This condition leads me to believe that the States of the Union have a right to determine whether the Constitution shall be amended so as to give the women of the other States an equal voice with those already enfranchised in determining the policy of their Government, as well as its character and personnel. They have the right to say whether they will do it by Federal amendment. But they can not do it unless the amendment is submitted to them. I therefore believe it my duty to vote to submit this amendment to the States in the interest of that theory of democracy in whose behalf we have become the leaders of the world. [Applause.]

Mr. BARKLEY. Has the time expired?

The SPEAKER. Yes. It is 5 o'clock. The Clerk will read the resolution for amendment. All gentlemen will take their seats. All gentlemen will refrain from conversation, and likewise the people in the galleries.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

Mr. MOORES of Indiana. Mr. Speaker——

Mr. SAUNDERS of Virginia rose.

Mr. MOORES of Indiana. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

Mr. SAUNDERS of Virginia. Mr. Speaker, as a member of the committee, I was seeking recognition on this section.

The SPEAKER. The gentleman from Indiana got recognition. The Chair did not see the gentleman from Virginia.

Mr. SAUNDERS of Virginia. I was trying to get recognition.

The SPEAKER. The Chair would have been glad to recognize the gentleman. The Clerk will report the amendment offered by the gentleman from Indiana [Mr. MOORES].

The Clerk read as follows:

Amendment offered by Mr. MOORES of Indiana: After the word "to," in line 4, strike out the words "the legislatures of"; and after the word "ratified," in line 6, strike out the words "by three-fourths of said legislatures" and insert in lieu thereof the following: "by conventions duly called by authority of law in three-fourths of the several States."

The SPEAKER. The gentleman from Indiana [Mr. MOORES] is recognized for five minutes.

Mr. MOORES of Indiana. Mr. Speaker, by Article V of the Constitution it is provided that the Constitution may be amended by the submission, by a two-thirds vote, of a resolution for its amendment to either the legislatures or conventions of the States. Article V provides for amendments and provides for their alternative submission either to the legislatures or to conventions of the several States. An adoption or ratification by three-fourths of the States, either by convention or the legislatures, will be a ratification as fixed by the resolution of submission.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. MOORES of Indiana. Certainly.

Mr. BARKLEY. I would like to have the gentleman explain what he means by authority of law. Would it be within the power of the legislature to fix a law that would call this convention, or would Congress have the right to do it?

Mr. MOORES of Indiana. The legislature would have the right.

Mr. BARKLEY. Suppose the legislature provided no law for calling this convention. Then there could be no convention.

Mr. MOORES of Indiana. Congress could supplement it by a provision calling for conventions in the States refusing to call conventions. There is no question about that as a matter of law.

Mr. BARKLEY. Does the gentleman think that Congress in submitting the amendment ought to leave any possibility of confusion like that to arise in the future?

Mr. MOORES of Indiana. I do not think it would create any confusion or any possibility of confusion. I do not believe there is a general assembly in the Union that would refuse to submit this resolution to its people in a call for a convention.

Mr. Speaker, I am not speaking in any spirit of hostility to this constitutional amendment. A change in the fundamental law of the United States at any time is a most serious question, and should have serious, earnest, and faithful consideration at the hands of the people. At this time, when another proposition for constitutional amendment has been submitted to the legislatures for adoption, I do not want to have so important a question as this, involving, as it does, the change of our whole electoral system, submitted to our legislatures to become involved in dealing in crookedness, in possible rascality, in getting votes from people who are not for it and in losing votes of people who are for it by a trade. It is not right that we should throw the Constitution of the United States into a pot to be scrambled for by the people. It is not right that this amendment, going to the very foundation of our Government, should be either passed or defeated by a deal, should be passed in one State possibly by a deal with the opponents of prohibition and in an adjoining State by a deal with those who are for prohibition. It should not be involved with railroad legislation. It should not be involved in a multiplicity of contentions. The convention idea is the true and the only true referendum. An amendment to the Constitution should go to the people for consideration upon its own merits and should not be tied up and bundled up and hampered with a thousand other measures which occupy the brief time of a legislature's session.

Mr. RAKER. Mr. Speaker——

SEVERAL MEMBERS. Vote! Vote!

The SPEAKER. Gentlemen do not expedite the business of the House by yelling "Vote!" They delay it.

Mr. RAKER. I ask unanimous consent that all debate on the amendment close in two minutes.

Mr. SHERLEY. I object.

Mr. RAKER. I move that all debate be now closed on this amendment.

The SPEAKER. The gentleman moves that all debate on this amendment be now closed.

The motion was agreed to.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry. I want to know whether the rule does not permit five minutes to speak in opposition to the amendment.

The SPEAKER. Why, yes; unless debate is closed. It is entirely in the hands of the House. The question is on agreeing to the Moores amendment.

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. MOORES of Indiana. Mr. Speaker, I call for the yeas and nays. I had the floor, and I call for the yeas and nays.

The SPEAKER. The gentleman has that right. Nobody is trying to deprive him of the right. Those in favor of taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] Sixty-two gentlemen have arisen in the affirmative. A sufficient number——

SEVERAL MEMBERS. The other side.

The SPEAKER. The other side is called for. Those opposed to taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] Two hundred and thirty-three Members have risen in the negative. It requires one-fifth. A sufficient number have seconded the demand for the yeas and nays, and the Clerk will call the roll.

The question was taken; and there were—yeas 131, nays 273, not voting 21, as follows:

YEAS—131.

Almon	Freeman	Lufkin	Sherley
Ashbrook	Gard	McLemore	Sisson
Aswell	Garner	Mansfield	Slayden
Bacharach	Garrett, Tenn.	Martin	Small
Bankhead	Gillett	Meeker	Snook
Bell	Gordon	Merritt	Stafford
Black	Gould	Miller, Minn.	Steagall
Blackmon	Gray, Ala.	Montague	Stedman
Brand	Gray, N. J.	Moon	Steele
Browning	Greene, Mass.	Moore, Pa.	Stephens, Miss.
Buchanan	Greene, Vt.	Moores, Ind.	Stevenson
Burnett	Gregg	Nicholls, S. C.	Sumners
Byrnes, S. C.	Hardy	Oliver, Ala.	Switzer
Candler, Miss.	Harrison, Miss.	Olney	Tague
Cannon	Harrison, Va.	Overmyer	Talbott
Carew	Heflin	Overstreet	Tinkham
Carlin	Helm	Paige	Venable
Clark, Fla.	Houston	Park	Vinson
Classon	Howard	Parker, N. J.	Voigt
Claypool	Hull, Iowa	Platt	Walker
Coady	Hull, Tenn.	Polk	Walsh
Collier	Jones, Va.	Pou	Ward
Connally, Tex.	Kehoe	Price	Watkins
Crisp	Key, Ohio	Quin	Watson, Pa.
Dent	Kincheloe	Ragsdale	Webb
Dewalt	Kitchin	Ramsey	Whaley
Dies	Larsen	Rayburn	White, Ohio
Dominick	Lazaro	Riordan	Wilson, La.
Doughton	Lee, Ga.	Robinson	Winslow
Dupré	Lesher	Rouse	Wise
Eagle	Lever	Sanders, La.	Wood, Ind.
Estopinal	Lonergan	Sanders, N. Y.	Young, Tex.
Focht	Longworth	Saunders, Va.	

NAYS—273.

Alexander	Ellsworth	Kahn	Raker
Anderson	Elston	Kearns	Ramseyer
Anthony	Emerson	Keating	Randall
Austin	Esch	Kelley, Mich.	Rankin
Ayres	Evans	Kelly, Pa.	Reavis
Baer	Fairchild, B. L.	Kennedy, Iowa	Robbins
Barkley	Fairfield	Kennedy, R. I.	Roberts
Barnhart	Farr	Kettner	Rodenberg
Beakes	Ferris	Kiess, Pa.	Rogers
Beshlin	Fess	King	Romjue
Bland	Fields	Kinkaid	Rose
Blanton	Fisher	Knutson	Rowe
Booher	Flood	Kraus	Rowland
Borland	Flynn	Kreider	Rubey
Bowers	Fordney	La Follette	Rucker
Britten	Foss	Langley	Russell
Brodbeck	Foster	Lea, Cal.	Sabath
Browne	Francis	Lehlbach	Sanders, Ind.
Brumbaugh	Frear	Lenroot	Sanford
Burroughs	French	Linthicum	Schall
Butler	Fuller, Ill.	Little	Scott, Iowa
Byrns, Tenn.	Fuller, Mass.	Littlepage	Scott, Mich.
Caldwell	Gallagher	Lobeck	Scott, Pa.
Campbell, Kans.	Gallivan	London	Scully
Campbell, Pa.	Gandy	Lundeen	Sears
Cantrill	Garland	Lunn	Sells
Caraway	Garrett, Tex.	McAndrews	Shackleford
Carter, Mass.	Glass	McArthur	Shallenberger
Carter, Okla.	Glynn	McClintic	Sherwood
Chandler, N. Y.	Godwin, N. C.	McCormick	Shouse
Chandler, Okla.	Good	McCulloch	Siegel
Church	Goodall	McFadden	Sims
Clark, Pa.	Goodwin, Ark.	McKenzie	Sinnott
Connelly, Kans.	Graham, Ill.	McKeown	Siemp
Cooper, Ohio	Green, Iowa	McKinley	Sloan
Cooper, Wis.	Griest	McLaughlin, Mich.	Smith, Mich.
Copley	Hadley	McLaughlin, Pa.	Smith, C. B.
Costello	Hamill	Madden	Smith, T. F.
Cox	Hamilton, Mich.	Magee	Snell
Crago	Hamilton, N. Y.	Maher	Snyder
Cramton	Hamlin	Mapes	Steenerson
Crosser	Haskell	Mason	Stephens, Nebr.
Currie, Mich.	Hastings	Mays	Sterling, Ill.
Dale, N. Y.	Haugen	Mondell	Sterling, Pa.
Dale, Vt.	Hawley	Morgan	Stiness
Dallinger	Hayden	Morin	Strong
Darrow	Hayes	Mott	Sullivan
Davidson	Heaton	Mudd	Sweet
Davis	Helvering	Neely	Swift
Decker	Hensley	Nelson	Taylor, Ark.
Dempsey	Hersey	Nichols, Mich.	Taylor, Colo.
Denison	Hicks	Nolan	Temple
Denton	Hilliard	Norton	Templeton
Dickinson	Hollingsworth	Oldfield	Thomas
Dill	Huddleston	Oliver, N. Y.	Thompson
Dillon	Humphreys	Osborne	Tillman
Dixon	Husted	O'Shaunessy	Tilson
Dooling	Hutchinson	Parker, N. Y.	Timberlake
Doolittle	Igoe	Peters	Towner
Dowell	Jacoway	Phelan	Treadway
Drane	James	Porter	Van Dyke
Dyer	Johnson, Ky.	Powers	Vare
Eagan	Johnson, Wash.	Pratt	Vestal
Edmonds	Jones, Tex.	Purnell	Volstead
Elliott	Juul	Rainey	Waldow
Walton	Welling	Williams	Woodyard
Wason	Welty	Wilson, Ill.	Young, N. Dak.
Watson, Va.	Wheeler	Wilson, Tex.	Zihlman
Weaver	White, Me.	Wingo	

NOT VOTING—21.

Capstick	Dunn	Ireland	Reed
Cary	Fairchild, G. W.	Johnson, S. Dak.	Smith, Idaho
Cooper, W. Va.	Graham, Pa.	LaGuardia	Woods, Iowa
Curry, Cal.	Heintz	Mann	
Doremus	Holland	Miller, Wash.	
Drukker	Hood	Padgett	

So the amendment was rejected.

The result of the vote was then announced as above recorded.

Mr. SAUNDERS of Virginia. Mr. Speaker, I move to strike out the last word. I desire to have read in my time the paper which I send to the desk.

The Clerk read as follows:

Hon. ALBERT F. POLK,
House of Representatives, Washington, D. C.

DEAR SIR: Understanding that the vote upon the amendment to the Constitution providing for woman suffrage throughout the United States is to be submitted to the House of Representatives on January 10, we, the undersigned, desire, as citizens of Delaware and of the United States, to protest through you against the adoption of such an amendment. We believe that the people of this State of both sexes are overwhelmingly opposed to this momentous and basic change in the structure of our Federal Government, and that, if finally adopted, it would do wanton violence to those principles of local self-government in the several States which have so long been held sacred in our dual scheme of government.

In this view it is unimportant whether our individual opinion be for or against woman suffrage. Nothing that so vitally concerns the political and social well-being of a State as the proposed fundamental change in the seat of political power should be arbitrarily imposed upon the people of any State without their consent, and we can not but consider the initiation of such a change by the vote of the two Houses of Congress as an abuse of the power conferred upon them by the Constitution.

From the very beginning and during the long period of our national existence it has been held as a cardinal principle not only by the framers of the Constitution but continuously by the intelligent public opinion of the country, without distinction of party, that suggestion by Congress of change in the organic law of the Union should only be made with extreme caution and in response to a well-recognized emergency requiring the same. The few amendments ingrafted upon the Constitution during this long period (for the first 10 amendments were almost contemporaneous with the adoption of the Constitution itself) testify to this fact, and most of them, including the fifteenth, grew out of the emergencies created by the Civil War. The historical circumstances were exceptional and the exigencies overwhelming. They were the outcome of a social and political revolution and seemed to the actors in that bloody drama necessary to safeguard civilization itself.

No such emergency now exists. No grievances on the part of the women of the country cry out for redress so drastic and so dangerous to State autonomy. There is only a desire of a portion of the women of the country to share in political power, and its propaganda is comparatively of recent growth. There is no compelling reason for imposing it by constitutional edict on the whole country and invading so important a province of local self-government.

There is nothing in the manner in which the States have dealt with this question to justify the impatience of the protagonists of woman suffrage. On the contrary, they have reason to be satisfied with the progress made of their cause by the somewhat slow but considerate action of the peoples of the several States. In the face of all this it seems to us absurd to say that there is any such exigent demand as would justify this momentous change in our organic law. Every uncalled for amendment to that law weakens its stability and encourages the recurrent frequency of such demands.

Yours, respectfully,

Geo. Gray, Thomas F. Bayard, S. D. Townsend, George A. Elliott, Alexis I. du Pont, H. H. Ward, W. W. Laird, Henry P. Scott, D. W. Corbit, John P. Nields, David T. Marvel, T. W. Wilson.

Mr. SAUNDERS of Virginia. Mr. Speaker, I desire to withdraw the pro forma amendment and simply say that this protest was presented in behalf of Judge Gray, a distinguished citizen of Delaware, and many other distinguished citizens of the same State.

Mr. GARD. Mr. Speaker, I offer the following amendment to go in as section 3.

Mr. RAKER. But section 2 has not been read.

The SPEAKER. The Clerk will read section 2.

The Clerk read as follows:

SEC. 2. Congress shall have power, by appropriate legislation, to enforce the provisions of this article.

The SPEAKER. The Clerk will read the amendment offered by the gentleman from Ohio [Mr. GARD].

The Clerk read as follows:

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States as provided in the Constitution within seven years from the date of the submission hereof to the States by the Congress.

Mr. GARD. Mr. Speaker, I merely desire to call the attention of the House to the fact that the language used in the new section 3 as offered by me is the identical language contained in the article of amendment adopted on December 10, having been passed in so far as everything except the time is concerned by the Senate of an amendment by the House adding one additional year, accepted by the Senate. So that it is the exact language

which this House voted for and which the Senate ratified in connection with the so-called prohibition amendment.

Mr. DUPRÉ. Will the gentleman yield?

Mr. GARD. Yes.

Mr. DUPRÉ. Does it contain the other provision that the amendment shall not be effective until one year after the ratification?

Mr. GARD. It does not.

Mr. DUPRÉ. Does not the gentleman want to include that?

Mr. GARD. It is not here included.

Mr. RUCKER. Will the gentleman yield?

Mr. GARD. Yes.

Mr. RUCKER. If the amendment is adopted, would the gentleman vote for the resolution?

Mr. GARD. For the resolution in its entirety? I am frank to say that I could not support the resolution. I made a speech to that end. I am offering this with the purpose of perfecting the bill because it seems to me and to many other gentlemen that it is both idle and unwise, to use the words of another, to send an article of amendment out before the people without any time fixed when it shall be returned.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. GARD. I can not yield. It has been said in the history of this Republic that there is one so-called amendment which has been wandering around the country for over a hundred years, and surely it should be the policy of this legislative body to impose on every constitutional amendment a time limit. There should be something in the law or in the article of amendment, rather, which shall make it compulsory to be acted upon within a certain time. As I have said, this is exactly the language which the House accepted, with the addition of one year, which was ratified by the Senate. It is to my mind and to the mind of many others a most important and necessary addition to any article of amendment.

The SPEAKER. The question is on the amendment offered by the gentleman from Ohio.

Mr. FRENCH. Mr. Speaker, I am opposed to the amendment, and I want to say a few words upon it.

Mr. RAKER. Mr. Speaker, before the gentleman from Idaho begins, I ask unanimous consent that debate on this amendment and all amendments to the resolution close in five minutes.

The SPEAKER. The gentleman from California asks unanimous consent that debate on this amendment and all other amendments close in five minutes. Is there objection.

Mr. GARRETT of Tennessee. I object to that.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that debate upon this amendment close in five minutes.

The SPEAKER. The gentleman from California asks unanimous consent that all debate on this amendment close in five minutes. Is there objection?

There was no objection.

Mr. FRENCH. Mr. Speaker, I am opposed to the Gard amendment. I am in favor of the resolution as it has been reported from the committee. I am opposed to this particular amendment, because it can do no good and may prolong the fight looking to the granting of suffrage. One of the reasons why I am in favor of the amendment to the Constitution as it is proposed is because of the difficulties in the several States in amending their constitutions. Here is a proposition that if it shall prevail, will make it necessary that a sufficient number of the States ratify the amendment within a period of seven years. If they fail then, this question must be submitted to the States again. Here is a question that is virile. It will not be pending for a hundred years and then forgotten, as the amendment to which the gentleman from Ohio referred. Here is a question that if it shall not prevail within seven years will be submitted again by another Congress, and the work of ratification will have to be done over again in the several States. Because of that I urge it as the part of wisdom to omit the time limit in its entirety.

Gentlemen, seven years is a short time in the life of a State and in the life of our Nation. If we are to have a time limit it should be not less than 20 years. Why, the Legislature of Alabama meets in regular session in four-year intervals. In Vermont the constitution can be amended not oftener than once in 10 years. Other States have time limits of 4, 5, or 6 years. Again, I say a period of 7 years is a short time in the history of our country. This amendment may not be ratified within 7 years, but in my judgment it will be ratified within a time that is altogether reasonable.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman yield.

Mr. FRENCH. Yes.

Mr. CLARK of Florida. The gentleman voted for the prohibition amendment, did he not?

Mr. FRENCH. Yes; I voted for the resolution in spite of the fact that it had attached to it this particular provision.

Mr. CLARK of Florida. How can the gentleman differentiate between the two?

Mr. FRENCH. I would vote for this resolution with the time limit upon it, but I prefer to vote for it without any limit as to time.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BLANTON. I want to ask the gentleman if it is not a fact that the amendment tacked onto the prohibition amendment was put there by enemies of the prohibition cause?

Mr. FRENCH. I have no doubt of it.

Mr. BLANTON. And this is attempted by enemies of this cause?

Mr. FRENCH. Undoubtedly; and it was admitted by the gentleman who offered it that, even if his amendment should pass, he will not support the resolution.

But let me ask you to consider for a few minutes another phase of the situation. In my judgment, one of the strongest reasons why we should pass the resolution granting suffrage to women is because of the harsh and sometimes unworkable conditions imposed in State constitutions that have to do with their amendment. Gentlemen, in spite of overwhelming majorities and unquestioned sentiment, it is well-nigh impossible for many State constitutions to be amended. Ought we not to adopt a simpler means, and ought we not to provide a reasonable time within which action may be had?

In examining the question I shall merely refer to the States where by constitutional amendment suffrage has not been granted.

Take the State of Illinois. No one familiar with the situation doubts that the people of Illinois are overwhelmingly in favor of woman suffrage. Then, why do they not amend their constitution?

Let us see. The legislature meets biennially, and let us suppose that a legislature favorable to suffrage will be elected. Now, suffrage is not the only thing that the people of Illinois are in favor of. Suppose they want to pass a prohibition amendment. Suppose the people favor State ownership of certain public utilities that can only be acquired by constitutional amendment. The opponents of suffrage can join with the friends of the public utilities amendment and force a vote upon it. The vote is forced before action can be had on the suffrage amendment; and, once passed, its passage defeats the suffrage amendment. And why? Why, because only one constutional amendment can be placed before the people at a time. Remember the legislature meets only once in two years.

Remember, again, that a two-thirds vote of the legislatures is required to pass the amendment, and that it must be ratified by a majority of the people voting at the election. And so your suffrage amendment may not even come before the people. Suppose at the next legislature prohibition has right of way, then the suffrage amendment is again postponed. Well, Illinois is not the only State so hampered. In Kentucky all the legislature would need to do would be to submit two constitutional amendments to crowd out suffrage, and in Arkansas only three.

But let us go further. Suppose South Carolina favors suffrage overwhelmingly. Well, the legislature meets annually. But the suffrage amendment must pass by a two-thirds vote of both houses; then it must be submitted to the people and receive a majority of the votes of the people voting for representatives. Then with this ratification has the suffrage amendment passed? Not at all. The whole question must go to the next legislature and there it must pass by a two-thirds vote of both houses. In Mississippi it is even worse, for the legislature, although on the second vote a majority may ratify the amendment, meets quadrennially and not every year, as is the case in South Carolina.

In Connecticut, Massachusetts, Tennessee, and Vermont the amendment, aside from being ratified by the people, must run the gantlet of two separate legislatures, and pass them both by at least a two-thirds vote of one or both houses in at least one of the sessions.

In Indiana, Iowa, New Jersey, North Dakota, Pennsylvania, Rhode Island, Virginia, and Wisconsin the amendment must not only be ratified by the people but must pass two separate legislatures by majority votes. In Rhode Island the people to the extent of three-fifths of all voting at the election must vote for the amendment. Remember, too, that all of the States in this group, excepting New Jersey and Rhode Island, have biennial sessions of their legislatures.

But let us examine a few more features. By the laws of Congress admitting immigrants to our shores, and by the laws of our States, not by constitutional amendment, we have endowed with suffrage thousands upon thousands of people who do not

know the meaning of the word, or who have criminal records, or who, barely escaping the doors of penitentiaries, are dragging society downward. We have endowed these, I say, with suffrage by simple statutes.

Yet the mothers of our land, women who teach our children, and from whom we all have learned the purest lessons of social conduct, the loftiest ideals of duty to society, to government, to God; the women of our land, cultured, educated, refined, toiling by the side of man, sacrificing in measure that man himself can not ask; the women of our land, I say, must attain their simple right to participate in government, not by acts of legislatures or of Congress but by constitutional amendment.

To attain suffrage in Alabama, Florida, Kentucky, Maryland, North Carolina, and Ohio, the legislatures by a three-fifths vote of both houses must pass amendments to their constitutions. In Alabama and Kentucky the amendment must then be ratified by the people; in Alabama by a majority of all votes cast at the election; and in Kentucky by a majority voting on the amendment. In Georgia, Illinois, Louisiana, Maine, Michigan, Mississippi, South Carolina, Texas, and West Virginia a two-thirds vote of both houses is necessary, while in Illinois, Mississippi, and South Carolina the people must ratify the amendment.

But not only are constitutions difficult to amend as a rule, requiring overwhelming votes of State legislatures, but many of our States require such majorities when submitted to the people for ratification as to make amendment next to impossible. When candidates aspire to office it is not required that for any one to be elected he shall receive a majority vote of all persons voting at the election. Plurality counts, and the person is elected who receives the greatest number of votes. Yet in at least the 10 States of Alabama, Arkansas, Indiana, Illinois, Minnesota, Mississippi, Nebraska, Oklahoma, Rhode Island, and Tennessee the amendment must be carried, not by a majority of votes for or against the amendment, but, in most of those States, by a majority of all persons voting at the election; in Rhode Island by three-fifths of those voting, and in Indiana, if we are to accept as correct what I believe is the latest interpretation of the constitution of the State by its supreme court, a majority of all the people of the State who are eligible to vote. Do you not see that in these States the man who is too ignorant to vote, or who is too indifferent, may have the same influence as the thoughtful man—the patriotic citizen who has earnestly and well pondered over the merits of a constitutional amendment?

But there are other limitations still. In Illinois when a proposed amendment to the Constitution has been defeated it can not be submitted again until after a period of four years.

In Kentucky, New Jersey, and Pennsylvania not until after five years. In Tennessee an amendment may not be submitted a second time till after 6 years, and in Vermont not until 10 years shall have passed.

Now, let us see how the women would go about amending the constitution of New Mexico. Here is a State in which no educational test may be imposed. Here is a State in which the vote of the ignorant peon or the illiterate immigrant counts for as much as the vote of the farmer, the miner, the business man, or man following a profession. Yet to pass the suffrage amendment it would need to be carried through both houses of the legislature by a three-fourths vote. That is not all. It would need to be ratified by three-fourths of the electors of the State participating. But that is not all. It would need to be ratified by two-thirds of the electors of each and every county of the State.

Let me ask those who talk of democracy, who talk of the rule of the people, how long it would take to attain suffrage in New Mexico? Why, 99 per cent of the people of New Mexico might be in favor of woman suffrage, but if in one single county one man more than one-third of the voters of the county voted against suffrage the amendment would fail to pass.

But some one says, Why not hold constitutional conventions in the several States and in that way make new constitutions? Gentlemen, in all States where conventions may be held heavy expense must be incurred and many problems besides suffrage would be opened to discussion that people have regarded as fixed and stable for many years. Why impose that burden, and why tie suffrage up with a multitude of other problems that would prevent a fair consideration, problems, maybe, that of their own dead weight would defeat the ratification of a proposed constitution containing full suffrage grants? Remember, too, that in at least 12 of our States there is no provision by which constitutional conventions may be held, and that in still another—Maryland—20 years must elapse after the holding of a constitutional convention before another such convention may be assembled.

Mr. Speaker, what I have said is not new. The State constitutions themselves tell the story, and it has been admirably worked out by Prof. W. F. Dodd in his Revision and Amendment of State Constitutions, and worked out in brief detail by Mary Sumner Boyd in her pamphlet entitled, "State Constitutional Obstructions." But the condition to which I have referred constitutes, in my opinion, a most powerful argument in favor of submitting the whole question to the several States in the way of a proposed Federal amendment to our National Constitution. It is well known that the opponents of woman suffrage are urging the sovereignty of the States in this great question. They apparently do not want the question voted upon when a fair vote and a clean decision may be attained. They want the advantage of archaic machinery. They want cumbersome methods of amending constitutions to supplement their lack of argument. They are like the gladiator who says, "I will enter the arena but the hands of my opponent must be tied behind his back."

Mr. Speaker, in conclusion may I say this: The women of our land as part of our people are called upon to bear their responsibility in every walk of life. How nobly they bear that responsibility may well be the subject of the mightiest epic. More I need not say, only that to them, without question and without asking, should be accorded full measure of suffrage. I believe they will honor suffrage in exercising its responsibilities; but even this is beside the mark. Were it necessary for woman to begin at the lowest rung of the ladder and climb up, were it necessary for her to go through the pangs of birth of responsible citizenship, as the people of Russia are asked to do at this hour, then, still it would be our duty to endow her to the extent that is in our power with the means of full participation in the affairs of state.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Ohio [Mr. GARD].

The question was taken.

Mr. GARD. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 158, nays 247, not voting 22, as follows:

YEAS—158.

Almon	Focht	Lonergan	Sisson
Ashbrook	Freeman	Longworth	Slayden
Aswell	Gallivan	Lufkin	Small
Bacharach	Gard	McLaughlin, Pa.	Snook
Bankhead	Garland	McLemore	Stafford
Bell	Garner	Mansfield	Steagall
Black	Garrett, Tenn.	Martin	Steadman
Blackmon	Gillett	Mecker	Steele
Brand	Glass	Merritt	Stephens, Miss.
Browning	Godwin, N. C.	Moon	Stephens, Nebr.
Buchanan	Gordon	Moore, Pa.	Stevenson
Burnett	Gould	Moores, Ind.	Sumners
Byrnes, S. C.	Gray, Ala.	Morin	Switzer
Byrns, Tenn.	Gray, N. J.	Mudd	Tague
Candler, Miss.	Greene, Mass.	Nicholls, S. C.	Talbott
Cannon	Greene, Vt.	Nichols, Mich.	Thomas
Carew	Gregg	Oliver, Ala.	Tilson
Carlin	Hardy	Olney	Tinkham
Clark, Fla.	Harrison, Miss.	Overmyer	Venable
Classon	Heaton	Overstreet	Vinson
Claypool	Heflin	Paige	Voigt
Coady	Helm	Park	Walker
Collier	Houston	Parker, N. J.	Walsh
Connally, Tex.	Howard	Platt	Ward
Crago	Hull, Iowa	Polk	Watkins
Crisp	Hull, Tenn.	Pou	Watson, Pa.
Dallinger	Humphreys	Price	Watson, Va.
Davidson	Igoe	Quin	Webb
Denison	Jones, Va.	Ragsdale	Welty
Dewalt	Kearns	Ramsey	Whaley
Dies	Kehoe	Rayburn	White, Ohio
Dominick	Key, Ohio	Riordan	Wilson, La.
Doremus	Kincheloe	Robinson	Wilson, Tex.
Doughton	Kitchin	Rouse	Winslow
Eagle	Kreider	Sabath	Wise
Edmonds	Larsen	Sanders, La.	Wood, Ind
Esch	Lazaro	Saunders, Va.	Woods, Iowa
Estopinal	Lee, Ga.	Sears	Young, Tex.
Fairchild, B. L.	Lesher	Sherley	
Flood	Lever	Sherwood	

NAYS—247.

Alexander	Brumbaugh	Costello	Dowell
Anderson	Burroughs	Cox	Drane
Anthony	Butler	Cramton	Dyer
Austin	Caldwell	Crosser	Eagan
Ayres	Campbell, Kans.	Currie, Mich.	Elliott
Baer	Campbell, Pa.	Dale, N. Y.	Ellsworth
Barkley	Cantrill	Dale, Vt.	Elston
Barnhart	Caraway	Darrow	Emerson
Beakes	Carter, Mass.	Davis	Evans
Beshlin	Carter, Okla.	Decker	Fairfield
Bland	Chandler, N. Y.	Dempsey	Farr
Blanton	Chandler, Okla.	Denton	Ferris
Booher	Church	Dickinson	Fess
Borland	Clark, Pa.	Dill	Fields
Bowers	Connelly, Kans.	Dillon	Fisher
Britten	Cooper, Ohio	Dixon	Flynn
Brodbeck	Cooper, Wis.	Dooling	Fordney
Browne	Copley	Doolittle	Foss

Foster
Francis
Frear
French
Fuller, Ill.
Fuller, Mass.
Gallagher
Gandy
Garrett, Tex.
Glynn
Good
Goodall
Goodwin, Ark.
Graham, Ill.
Green, Iowa
Griest
Hadley
Hamill
Hamilton, Mich.
Hamilton, N. Y.
Hamlin
Harrison, Va.
Haskell
Hastings
Haugen
Hawley
Hayden
Hayes
Helvering
Hensley
Hersey
Hicks
Hilliard
Hollingsworth
Huddleston
Husted
Hutchinson
Jacoway
James
Johnson, Ky.
Johnson, Wash.
Jones, Tex.
Juul
Kahn
Keating
Kelley, Mich.
Kelly, Pa.
Kennedy, Iowa
Kennedy, R. I.
Kettner
Kiess, Pa.
King
Kinkaid
Knutson
Kraus
La Follette
Langley
Lea, Cal.
Lehlbach
Lenroot
Linthicum
Little
Littlepage
Lobeck
London
Lundeen
Lunn
McAndrews
McArthur
McClintic
McCormick
McCulloch
McFadden
McKenzie
McKeown
McKinley
McLaughlin, Mich.
Madden
Magee
Maher
Mann
Mapes
Mason
Mays
Miller, Minn.
Mondell
Montague
Morgan
Mott
Neely
Nelson
Nolan
Norton
Oldfield
Oliver, N. Y.
Osborne
O'Shaunessy
Parker, N. Y.
Peters
Phelan
Porter
Powers
Pratt
Purnell
Rainey
Raker
Ramseyer
Randall
Rankin
Reavis
Robbins
Roberts
Rodenberg
Rogers
Romjue
Rose
Rowe
Rubey
Rucker
Russell
Sanders, Ind.
Sanford
Schall
Scott, Iowa
Scott, Mich.
Scott, Pa.
Scully
Sells
Shackleford
Shallenberger
Shouse
Siegel
Sims
Sinnott
Slemp
Sloan
Smith, Idaho
Smith, Mich.
Smith, C. B.
Smith, T. F.
Snell
Snyder
Steenerson
Sterling, Ill.
Sterling, Pa.
Stiness
Strong
Sullivan
Sweet
Swift
Taylor, Ark.
Taylor, Colo.
Temple
Thompson
Tillman
Timberlake
Towner
Treadway
Van Dyke
Vare
Vestal
Volstead
Waldow
Walton
Wason
Weaver
Welling
Wheeler
White, Me.
Williams
Wilson, Ill.
Wingo
Woodyard
Young, N. Dak.
Zihlman

NOT VOTING—22.

Capstick
Cary
Cooper, W. Va.
Curry, Cal.
Dent
Drukker
Dunn
Dupré
Fairchild, G. W.
Graham, Pa.
Heintz
Holland
Hood
Ireland
Johnson, S. Dak.
LaGuardia
Miller, Wash.
Padgett
Reed
Rowland
Sanders, N. Y.
Templeton

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. SAUNDERS of Virginia. Mr. Speaker, I move to strike out section 2.

The SPEAKER. The gentleman from Virginia moves to strike out section 2.

Mr. LENROOT. Mr. Speaker, I make the point of order that that is not in order. We passed section 2, and a new section has been offered and voted upon.

The SPEAKER. The point of order is sustained.

Mr. RAKER. Mr. Speaker, I ask for a vote on the joint resolution.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

Mr. CLARK of Florida. Mr. Speaker, I demand the yeas and nays on the passage of the joint resolution.

The SPEAKER. The Chair has not announced that the time has come for that.

The question is on agreeing to the joint resolution.

Mr. RAKER. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Florida [Mr. CLARK] and the gentleman from California [Mr. RAKER] ask for the yeas and nays.

Mr. BUTLER. The Constitution requires this, anyway.

The SPEAKER. The Clerk will call the roll.

The question was taken; and there were—yeas 274, nays 136, not voting 17, as follows:

YEAS—274.

Alexander
Anderson
Anthony
Austin
Ayres
Bacharach
Baer
Barkley
Barnhart
Beakes
Beshlin
Bland
Blanton
Booher
Borland
Bowers
Britten
Brodbeck
Browne
Brumbaugh
Burroughs
Butler
Byrns, Tenn.
Caldwell
Campbell, Kans.
Campbell, Pa.
Cannon
Cantrill
Caraway
Carew
Carter, Mass.
Carter, Okla.
Chandler, N. Y.
Chandler, Okla.
Church
Clark, Pa.
Classon
Connally, Tex.
Connelly, Kans.
Cooper, Ohio
Cooper, Wis.
Copley
Costello
Cox
Cramton
Crosser
Currie, Mich.
Dale, N. Y.
Dale, Vt.
Darrow
Davidson
Davis
Decker
Dempsey
Denison
Denton
Dickinson
Dill
Dillon
Dixon
Dooling
Doolittle
Dowell
Drane
Dyer
Eagan
Edmonds
Elliott
Ellsworth
Elston
Emerson
Esch
Evans
Fairchild, B. L.
Fairfield
Farr
Ferris
Fess
Fields
Fisher
Flynn
Fordney
Foss
Foster
Francis
Frear
Freeman
French
Fuller, Ill.
Fuller, Mass.
Gallagher
Gallivan
Gandy
Garrett, Tex.
Glynn
Good
Goodall
Goodwin, Ark.
Graham, Ill.
Green, Iowa
Gregg
Griest
Hadley
Hamill
Hamilton, Mich.
Hamilton, N. Y.
Hamlin
Haskell
Hastings
Haugen
Hawley
Hayden
Hayes
Helvering
Hensley
Hersey
Hicks
Hilliard
Hollingsworth
Husted
Hutchinson
Igoe
Jacoway
James
Johnson, Ky.
Johnson, Wash.
Jones, Tex.
Juul
Kahn
Keating
Kelley, Mich.
Kelly, Pa.
Kennedy, Iowa
Kennedy, R. I.
Kettner
Kiess, Pa.
King
Kinkaid
Knutson
Kraus
La Follette
Langley
Lea, Cal.
Lehlbach
Lenroot
Linthicum
Little
Littlepage
Lobeck
London
Lundeen
Lunn
McAndrews
McArthur
McClintic
McCormick
McCulloch
McFadden
McKenzie
McKeown
McKinley
McLaughlin, Mich.
Madden
Magee
Maher
Mann
Mapes
Mason
Mays
Merritt
Miller, Minn.
Mondell
Moores, Ind.
Morgan
Mott
Neely
Nelson
Nichols, Mich.
Nolan
Norton
Oldfield
Oliver, N. Y.
Osborne
O'Shaunessy
Parker, N. Y.
Peters
Phelan
Platt
Porter
Powers
Pratt
Purnell
Rainey
Raker
Ramseyer
Randall
Rankin
Reavis
Robbins
Roberts
Rodenberg
Rogers
Romjue
Rose
Rowe
Rowland
Rubey
Rucker
Russell
Sabath
Sanders, Ind.
Sanford
Schall
Scott, Iowa
Scott, Mich.
Scott, Pa.
Scully
Sears
Sells
Shackleford
Shallenberger
Sherwood
Shouse
Siegel
Sims
Sinnott
Slemp
Sloan
Smith, Idaho
Smith, Mich.
Smith, C. B.
Smith, T. F.
Snell
Snyder
Steenerson
Stephens, Nebr.
Sterling, Ill.
Sterling, Pa.
Stiness
Strong
Sullivan
Sumners
Sweet
Swift
Taylor, Ark.
Taylor, Colo.
Temple
Templeton
Thomas
Thompson
Tillman
Timberlake
Towner
Treadway
Van Dyke
Vare
Vestal
Volstead
Waldow
Walton
Ward
Wason
Weaver
Welling
Wheeler
White, Me.
Williams
Wilson, Ill.
Wingo
Wood, Ind.
Woods, Iowa
Woodyard
Young, N. Dak.
Zihlman

NAYS—136.

Almon
Ashbrook
Aswell
Bankhead
Bell
Black
Blackmon
Brand
Browning
Buchanan
Burnett
Byrnes, S. C.
Candler, Miss.
Carlin
Clark, Fla.
Claypool
Coady
Collier
Crago
Crisp
Dallinger
Dent
Dewalt
Dies
Dominick
Doremus
Doughton
Dupré
Eagle
Estopinal
Flood
Focht
Gard
Garland
Garner
Garrett, Tenn.
Gillett
Glass
Godwin, N. C.
Gordon
Gould
Gray, Ala.
Gray, N. J.
Greene, Mass.
Greene, Vt.
Hardy
Harrison, Miss.
Harrison, Va.
Heaton
Heflin
Helm
Houston
Howard
Huddleston
Hull, Iowa
Hull, Tenn.
Humphreys
Jones, Va.
Kearns
Kehoe
Key, Ohio
Kincheloe
Kitchin
Kreider
Larsen
Lazaro
Lee, Ga.
Lesher
Lever
Lonergan
Longworth
Lufkin
McLaughlin, Pa.
McLemore
Mansfield
Martin
Meeker
Montague
Moon
Moore, Pa.
Morin
Mudd
Nicholls, S. C.
Oliver, Ala.
Olney
Overmyer
Overstreet
Paige
Park
Parker, N. J.
Polk
Pou
Price
Quin
Ragsdale
Ramsey
Rayburn
Riordan
Robinson
Rouse
Sanders, La.
Sanders, N. Y.
Saunders, Va.
Sherley
Sisson
Slayden
Small
Snook
Stafford
Steagall
Stedman
Steele
Stephens, Miss.
Stevenson
Switzer
Tague
Talbott
Tilson
Tinkham
Venable
Vinson
Voigt
Walker
Walsh
Watkins
Watson, Pa.
Watson, Va.
Webb
Welty
Whaley
White, Ohio
Wilson, La.
Wilson, Tex.
Winslow
Wise
Young, Tex.

NOT VOTING—17.

Capstick
Cary
Cooper, W. Va.
Curry, Cal.
Drukker
Dunn
Fairchild, G. W.
Graham, Pa.
Heintz
Holland
Hood
Ireland
Johnson, S. Dak.
LaGuardia
Miller, Wash.
Padgett
Reed

So (two-thirds having voted in the affirmative) the joint resolution was passed.

The Clerk announced the following pairs:

Mr. GEORGE W. FAIRCHILD and Mr. REED (for) with Mr. DUNN (against).

Mr. IRELAND and Mr. LAGUARDIA (for) with Mr. PADGETT (against).

Mr. CURRY of California and Mr. MILLER of Washington (for) with Mr. HOLLAND (against).

Mr. JOHNSON of South Dakota (for) with Mr. COOPER of West Virginia (against).

Mr. GRAY of New Jersey. Mr. Speaker, my colleague Mr. DRUKKER, of New Jersey, absent on account of illness, had he been present would have voted "nay."

Mr. MADDEN. Mr. Speaker, my colleague, Mr. IRELAND, is absent on account of being in a railroad wreck. If he had been present, he would have voted "yea."

Mr. DOMINICK. Mr. Speaker, I desire to vote "nay."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. DOMINICK. Yes; I vote "nay."

Mr. AUSTIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUSTIN. Does not the gentleman have to answer the question that he was in the Hall listening when his name was called?

The SPEAKER. Yes.

Mr. AUSTIN. I ask that the question be put to him in that shape.

Mr. DOMINICK. Mr. Speaker, as I understand it, the gentleman has made some inquiry as to my vote. I would state that I was in the Hall when the second roll call was called, and my name was not called at the proper time when it should have been called.

Mr. AUSTIN. I heard the gentleman's name called, Mr. Speaker. I ask that this question be put to him: "Was he listening at the time his name was called?"

Mr. DOMINICK. I was sitting by Congressman LEVER at the time, and I was listening, and my name was not called, the gentleman's statement to the contrary notwithstanding.

Mr. AUSTIN. I say his name was called. I heard it.

Mr. STAFFORD. Mr. Speaker, he qualifies.

The SPEAKER. Gentlemen will all keep still until the Speaker can rule. The gentleman brings himself within the rule. [Applause.]

Mr. RUSSELL. Mr. Speaker, I desire to vote "aye."

The SPEAKER. Was the gentleman in the Hall listening?

Mr. RUSSELL. I was. I thought I voted on the first roll call. It may be that I am not recorded.

The SPEAKER. The Clerk will look and see. The gentleman is not recorded.

Mr. RUSSELL. I was in the Hall.

The SPEAKER. Does the gentleman state that he was in the Hall listening when his name was called and failed to hear it, or does he state that he voted?

Mr. RUSSELL. I thought I voted on the first roll call.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. RUSSELL, and he voted "aye."

Mr. SAUNDERS of Virginia. Mr. Speaker, I ask for a recapitulation of this vote. It is exceedingly close.

The SPEAKER. The gentleman from Virginia demands a recapitulation of the vote, and the Clerk will recapitulate it.

Mr. LANGLEY. Mr. Speaker, is that a matter of right for any Member to demand it?

The SPEAKER. It is a matter of right. It has been fought out here a number of times. It is in the discretion of the Speaker, but nevertheless and notwithstanding when any man demands a recapitulation he ought to have it.

Mr. AUSTIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUSTIN. Will the gentlemen have the right to change their votes on recapitulation or cast their votes according to the original roll call?

The SPEAKER. It will simply be as the lists show. Members will please be seated. There is no sense in recapitulating the vote unless Members can hear.

The Clerk recapitulated the vote.

Mr. CARLIN. Mr. Speaker, how was my name called?

The SPEAKER. Mr. CARLIN voted in the negative.

The result was announced as above recorded.

Mr. RAKER. Mr. Speaker, I move to reconsider the vote and to lay that motion on the table.

The SPEAKER. Without objection, that will be done.

Mr. GARRETT of Tennessee. I object, Mr. Speaker.

Mr. RAKER. I make the motion, Mr. Speaker, to reconsider the vote and to lay that motion on the table.

Mr. GARRETT of Tennessee. The gentleman can not make that motion. The gentleman can move to reconsider, but he can not move to lay on the table.

The SPEAKER. The Chair did not understand the point of order made by the gentleman from Tennessee [Mr. GARRETT]. The gentleman from California [Mr. RAKER] moves to reconsider——

Mr. RAKER. And lay that motion on the table.

Mr. GARRETT of Tennessee. No.

The SPEAKER. You can not.

Mr. FOSTER. I move to lay that motion on the table.

The SPEAKER. The gentleman from Illinois moves to lay the motion to reconsider on the table. The question is on agreeing to that motion.

The motion was agreed to.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 12 minutes p. m.) the House adjourned until to-morrow, Friday, January 11, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting statement showing the number of employees of the Bureau of Engraving and Printing whose compensation is paid from "Compensation of employees" as carried in the sundry civil bill, but detailed for duty in connection with clerical work of the bureau (H. Doc. No. 780); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Navy, transmitting tentative draft of a bill for the relief of certain pay officers of the United States Navy (H. Doc. No. 781); to the Committee on Claims and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting certain estimates, for inclusion in the urgent deficiency appropriation bill, for post office and courthouse at Harrisburg, Pa., and bridge at Nogales, Ariz. (H. Doc. No. 782); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Interior, transmitting report of expenditures by the Alaskan Engineering Commission from its appropriation for "Construction and operation of railroads in Alaska" to October 31, 1917 (H. Doc. No. 783); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DOOLITTLE: A bill (H. R. 8558) providing increased pensions for honorably discharged persons in the military or naval service of the United States during the Civil War; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 8559) to increase the membership of the visiting committee of the Bureau of Standards from 5 to 10 members; to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 8560) to amend an act entitled "An act to increase the pensions of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War," approved April 19, 1908, and for other purposes; to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 8561) for the relief of certain homestead and desert-land entrymen; to the Committee on Public Lands.

By Mr. CARY: A bill (H. R. 8562) to increase the compensation of bookbinders in the Government Printing Office; to the Committee on Printing.

By Mr. SULZER: A bill (H. R. 8563) to amend the homestead laws in its application to Alaska, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 8564) to provide for the abolition of the 80-rod reserved shore spaces between claims on shore waters in Alaska; to the Committee on the Public Lands.

By Mr. COX: A bill (H. R. 8565) providing for the licensing of owners of privately owned automobiles run and operated by hired chauffeurs, fixing penalties, etc.; to the Committee on the Judiciary.

By Mr. VARE: A bill (H. R. 8566) authorizing and directing the Secretary of the Navy to erect at the entrance to the Philadelphia Navy Yard a suitable gateway and accompanying buildings; to the Committee on Appropriations.

By Mr. SWIFT: A bill (H. R. 8624) extending the time for the filing of income-tax returns; to the Committee on Ways and Means.

By Mr. BURNETT: Joint resolution (H. J. Res. 212) authorizing the readmission to the United States of resident aliens applying therefor after having been enlisted or conscripted for

the military service of the United States or of one of the nations cobelligerents of the United States; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8567) granting an increase of pension to Lewis F. Aunspaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8568) granting an increase of pension to Alexander Bumpus; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8569) granting a pension to Catherine Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8570) granting a pension to Martin Randles; to the Committee on Invalid Pensions.

By Mr. BACHARACH: A bill (H. R. 8571) granting a pension to Clem Bolan; to the Committee on Pensions.

By Mr. BOOHER: A bill (H. R. 8572) granting a pension to Franklin A. Peters; to the Committee on Pensions.

By Mr. CALDWELL: A bill (H. R. 8573) granting an increase of pension to Catharine M. Cunningham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8574) granting a pension to Helen Larsen; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 8575) granting an increase of pension to John Whitney; to the Committee on Invalid Pensions.

By Mr. DECKER: A bill (H. R. 8576) granting a pension to Margaret Mitchell; to the Committee on Invalid Pensions.

By Mr. FAIRFIELD: A bill (H. R. 8577) for the relief of Sarah J. Ireland; to the Committee on Claims.

By Mr. FERRIS: A bill (H. R. 8578) granting a pension to William Leishing; to the Committee on Pensions.

By Mr. FLOOD: A bill (H. R. 8579) granting a pension to Emma K. Brockman; to the Committee on Pensions.

By Mr. FOSS: A bill (H. R. 8580) granting a pension to Robert Leigh Morris; to the Committee on Pensions.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 8581) granting an increase of pension to Charles Stackhouse; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 8582) granting a pension to Peter McLaughlin; to the Committee on Pensions.

Also, a bill (H. R. 8583) granting a pension to Henry R. Riner; to the Committee on Pensions.

Also, a bill (H. R. 8584) granting a pension to Mary E. Mott; to the Committee on Pensions.

By Mr. HAMLIN: A bill (H. R. 8585) granting a pension to Eugene V. Wagner; to the Committee on Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 8586) granting a pension to Joseph L. McLean; to the Committee on Pensions.

Also, a bill (H. R. 8587) granting a pension to S. C. Broden; to the Committee on Pensions.

Also, a bill (H. R. 8588) granting a pension to William Daugherty; to the Committee on Pensions.

By Mr. LEA of California: A bill (H. R. 8589) granting a pension to Genevra M. Lamb; to the Committee on Pensions.

By Mr. LONGWORTH: A bill (H. R. 8590) granting an increase of pension to William Schneider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8591) granting an increase of pension to William C. Runyan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8592) granting a pension to Dalbert Gray; to the Committee on Pensions.

By Mr. PRATT: A bill (H. R. 8593) granting an increase of pension to Joshua Westbrook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8594) granting a pension to Cornelius J. Ryan; to the Committee on Pensions.

Also, a bill (H. R. 8595) to correct the military record of Eli F. Westfall; to the Committee on Military Affairs.

By Mr. ROBBINS: A bill (H. R. 8596) granting a pension to Nicholas Long; to the Committee on Pensions.

By Mr. ROSE: A bill (H. R. 8597) granting an increase of pension to Albert Cunningham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8598) granting an increase of pension to Albert Cunningham; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 8599) granting an increase of pension to William Way; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8600) granting a pension to Calvin H. Klapp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8601) granting a pension to August Lehn; to the Committee on Pensions.

By Mr. SCOTT of Iowa: A bill (H. R. 8602) granting an increase of pension to James Mohan; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 8603) granting a pension to Arthur D. Warden; to the Committee on Pensions.

Also, a bill (H. R. 8604) granting a pension to Lucy C. Range; to the Committee on Pensions.

Also, a bill (H. R. 8605) granting a pension to John Alford; to the Committee on Pensions.

By Mr. SHALLENBERGER: A bill (H. R. 8606) granting a pension to Burton Cure; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 8607) granting an increase of pension to George H. Richardson; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Mississippi: A bill (H. R. 8608) to credit the accounts of certain officers of the Engineer Department; to the Committee on Claims.

Also, a bill (H. R. 8609) providing for the payment of certain claims arising under the Engineer Department for services, losses, damages, etc.; to the Committee on Claims.

By Mr. SWITZER: A bill (H. R. 8610) granting a pension to Elizabeth Messer; to the Committee on Pensions.

By Mr. TAYLOR of Arkansas: A bill (H. R. 8611) for the relief of the heirs of Lot Quinn, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8612) for the relief of S. Reamey; to the Committee on War Claims.

Also, a bill (H. R. 8613) for the relief of Jennie Bell Cox, Robert Isaac Clegg, and Thomas Neel Clegg, children and only heirs of Thomas Watts Clegg, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8614) for the relief of the heirs of Abraham Elrod; to the Committee on War Claims.

Also, a bill (H. R. 8615) for the relief of the heirs of Nathan Pumphrey; to the Committee on War Claims.

Also, a bill (H. R. 8616) for the relief of the legal representatives of Jennie Hunter, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8617) for the relief of the legal representatives of Stephen Courtney, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8618) for the relief of Mrs. M. A. Hibbard; to the Committee on War Claims.

Also, a bill (H. R. 8619) for the relief of the legal representatives of Archer Hays, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8620) for the relief of the legal representatives of J. H. Moseby, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8621) granting a pension to G. W. Granberry, sr.; to the Committee on Pensions.

By Mr. TINKHAM: A bill (H. R. 8622) granting an increase of pension to Ebenezer F. Spaulding; to the Committee on Invalid Pensions.

By Mr. SWIFT: A bill (H. R. 8623) for the relief of Henry Schmidt; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of Ada L. James, and of the Milwaukee Federated Trades Council, representing 30,000 trade unionists, urging the submission of the Federal suffrage amendment; to the Committee on Woman Suffrage.

Also, a resolution of the Wisconsin Teachers' Association (7,000 strong), urging Congress to submit and secure the passage of the Susan B. Anthony amendment; to the Committee on Woman Suffrage.

By Mr. CLARK of Pennsylvania: Petition of citizens of Erie County, Pa., favoring Federal suffrage; to the Committee on Woman Suffrage.

By Mr. ELSTON: Memorial of Hayward Veterans' League, Hayward, Cal., indorsing increase in pension allowance to veterans of the Civil War; to the Committee on Invalid Pensions.

By Mr. FESS: Evidence to accompany House bill 3591, granting an increase of pension to Matthew Stamets; to the Committee on Invalid Pensions.

Also, petition of sundry citizens of Springfield, Ohio, favoring passage of House bill 5410, the purple cross bill; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Petitions of the Nineteenth Century Club, of Oak Park, Ill., and the De Kalb (Ill.) Woman's Club, favoring the Federal suffrage amendment; to the Committee on Woman Suffrage.

Also, memorial of the National Council of Women, United States of America, favoring the Federal suffrage amendment; to the Committee on Woman Suffrage.

Also, memorial of the Delaware Association Opposed to Woman Suffrage, against the adoption of the Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. GOOD: Petition of citizens of Marshall County, Iowa, in favor of equal suffrage; to the Committee on Woman Suffrage.

By Mr. HASTINGS: Memorial of the Civil War revenue cotton-tax claimants; to the Committee on War Claims.

By Mr. HAYES: Resolutions of Fred Steele Post, No. 70, San Luis Obispo, Cal.; of Sheridan-Dix Post, No. 7, San Jose, Cal.; of R. L. McCook Post, No. 26, Grand Army of the Republic, Watsonville, Cal.; and of E. O. C. Ord Post, No. 82, Los Gatos, Cal., all urging an increase of pensions to all Civil War veterans; to the Committee on Invalid Pensions.

By Mr. HILLIARD: Telegram from Womans' Council of Defense for Colorado, by Mary Turner Pope, its corresponding secretary, urging the adoption of the national suffrage amendment; to the Committee on Woman Suffrage.

Also, petition of Margaret Long, Mr. and Mrs. W. H. Huff, Mr. and Mrs. R. F. Feagans, Mr. and Mrs. H. B. Dinwiddie, Mr. and Mrs. S. B. Strong, Mr. and Mrs. W. N. Vaile, Col. and Mrs. Edward Verdeckberg, Mr. and Mrs. Ready Kehehan, Mrs. Mary Montgomery, Rabbi W. S. Friedman, Mrs. Ray David, Mrs. E. W. Burris, Mrs. Mildred L. Thomas, Mrs. C. S. Keys, Lewis Searing, Lucia Hadley, Mrs. Lizzie Forrester, Mrs. Frances Walden, Mr. and Mrs. W. H. Malone, Mabel C. Haynes, Mrs. George Miller, George E. Nightingale, Frank E. Shephard, Ida Hands, Augusta Rothwell, Mr. and Mrs. George Campion, Mr. and Mrs. A. A. Boyd, Mrs. Fred Kerns, Mrs. Mattie O. Peoler, Mabel Forrester, Leilia Kinney, John W. Watson, J. G. Scott, Dora Phelps, Beull Jean Gale, Mrs. Agnes Bishop, Mrs. Florence Mack, Mrs. Dewey Bailey, Sen. Agnes C. Riddle, W. W. Torrence, Frank Kratke, Helen T. Miller, Eleanor Lawney, Margaret Conway, Fannie Dore, Florence Green, Kate Russell, John L. Russell, Annie Raglan Randall, Mr. and Mrs. J. J. Flint, Ira Dunklee, Nona L. Broiks, Ida J. Booth, Mrs. R. W. Speer, E. L. Doyce, Clarence Hawkins, Samuel D. Nicholson, Mr. and Mrs. W. A. Bennett, Laura C. Holtschneider, Clara Mosser, Charles E. Tibbits, Mr. and Mrs. J. Nolan, Mr. and Mrs. Charles H. Leckenby, Mrs. Gertrude Lee, Alice B. Clark, Mrs. J. H. Teller, Mr. and Mrs. Cecil Rothwell, Theodosia B. Raines, Mr. and Mrs. W. W. Barnett, and Mr. and Mrs. Chalmers Hadley, all of Denver, Colo., favoring the submission of the suffrage amendment by this session of Congress; to the Committee on Woman Suffrage.

By Mr. KENNEDY of Rhode Island: Petition of J. E. C. Colt, of Bristol, R. I., urging passage of Federal amendment for woman suffrage; to the Committee on Woman Suffrage.

Also, petition of Mary B. Anthony, Elizabeth G. Hale, E. B. Hale, Ruth A. Haskell, Frank Cale, E. C. Hodge, Alice A. Daggett, Martha B. Willson, Harriet I. Roworth, Katherine Johnson, Lucia K. Whitman, Louise C. Wheaton, Katherine H. Austin, Amey L. Wilson, Mary Schofield, Mrs. Anne L. Willson, Mary E. Carpenter, all of Providence, in the State of Rhode Island, favoring passage of Federal amendment for woman suffrage; to the Committee on Woman Suffrage.

Also, petition of Woman's branch of the Socialist Party of Rhode Island, favoring passage of Federal amendment for woman suffrage; to the Committee on Woman Suffrage.

Also, petition of Mary S. Packard, of Centerdale, R. I., favoring passage of Federal amendment for woman suffrage; to the Committee on Woman Suffrage.

Also, resolution of Smithfield (R. I.) Equal Suffrage League, urging passage of Federal amendment for woman suffrage; to the Committee on Woman Suffrage.

Also, petition of J. F. Archibald, of Providence, R. I., urging passage of Federal amendment for woman suffrage; to the Committee on Woman Suffrage.

Also, petition of the Woman's Christian Temperance Union of Rhode Island, favoring passage of Federal amendment for woman suffrage; to the Committee on Woman Suffrage.

By Mr. LINTHICUM: Letters and telegrams from 18 men and women of Maryland, urging a favorable vote on the Federal suffrage amendment; to the Committee on Woman Suffrage.

Also, letters and telegrams from four men and women of the State of Maryland, protesting against the suffrage amendment; to the Committee on Woman Suffrage.

Also, petition of Guy M. Eytings, requesting support for the Chamberlain bill for universal military training; to the Committee on Military Affairs.

By Mr. LUNDEEN: Petition of a group of college alumnæ, by Mrs. Bertha C. Moeller, secretary of the Woman's Party of Minnesota, urging the passage of the Susan B. Anthony amendment; to the Committee on the Judiciary.

Also, resolution of the City Council of Minneapolis, Minn., requesting Congress to enact a law providing for the punishment of those found guilty of impeding or interfering with the United States Government in the prosecution of the war; to the Committee on Military Affairs.

Also, petition of Electric Short Line Railway Co., D. E. K. Hunter, general manager, Minneapolis, Minn., urging governmental action for the relief of intrastate railroads; to the Committee on Interstate Commerce.

By Mr. MAHER: Resolutions of the Bronx Board of Trade and of the Board of Aldermen of the City of New York, protesting against the discontinuance of the pneumatic-tube mail service in that city; to the Committee on the Post Office and Post Roads.

Also, resolutions of the American Federation of Labor, protesting against the excessive rates for second-class matter in the war-revenue law, and recommending that the law be amended by eliminating that section; to the Committee on the Post Office and Public Roads.

By Mr. O'SHAUNESSY: Petition of E. B. Hale and 16 other citizens of Providence, R. I., favoring the Federal suffrage amendment; to the Committee on Woman Suffrage.

Also, a resolution by the Newport County Equal Suffrage League, urging a vote in favor of the suffrage amendment; to the Committee on Woman Suffrage.

By Mr. STEENERSON: Petition of the Towle Maple Products Co., St. Paul, Minn., urging bill for the payment of Federal taxes in installments; to the Committee on Ways and Means.

Also, petition of George N. Morgan Post, No. 4, Department of Minnesota, Grand Army of the Republic, Minneapolis, Minn., favoring bill increasing pensions of old soldiers; to the Committee on Invalid Pensions.

By Mr. TILSON: Petition of sundry citizens of New Haven County, Conn., favoring the submission of the Federal suffrage amendment to the States; to the Committee on Woman Suffrage.

Also, a petition of Ellen Strong Bartlett and others, protesting against the adoption of the woman-suffrage amendment; to the Committee on Woman Suffrage.

By Mr. TIMBERLAKE: Resolutions of the City Council of Colorado Springs, Colo., favoring the suffrage amendment; to the Committee on Woman Suffrage.

Also, resolution of the City Federation, representing 300 women of Colorado Springs, Colo., favoring the Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. WATSON of Virginia: Petition of sundry citizens of Mecklenburg County, Va., in favor of the woman suffrage constitutional amendment; to the Committee on Woman Suffrage.

Also, petition of sundry citizens of Petersburg, Va., favoring the Federal suffrage amendment; to the Committee on Woman Suffrage.

SENATE.

FRIDAY, *January 11, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we bless Thee for the assurance of Thy presence with us as a nation and Thy guidance—an assurance that keeps us calm under provocation such as never before tried a nation in the history of the world. We pray that Thou wilt still abide with us with the constant ministry of Thy Spirit, and while our spirits are unconquerable and we move forward in the midst of the conflict of the world yet may there be calm and peace in our hearts because of our oneness of life and purpose with Thee. Guide us this day in the discharge of our duties. For Christ's sake. Amen.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States extending the right of suffrage to women, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. JAMES. I present a resolution adopted unanimously by the Kentucky Senate approving the course pursued by President Wilson and the administration in attempting to stamp out autocracy and to use every effort to conserve that the men of this Nation now in the trenches can be protected while fighting for the cause of democracy. I ask that the resolution be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution is as follows:

SENATE COMMENDS WILSON—RESOLUTION INTRODUCED BY JAY W. HARLAN ADOPTED UNANIMOUSLY.

FRANKFORT, KY., *January 8.*

Patriotism was the keynote of the opening session of the Kentucky Senate this afternoon and each mention of the great conflict in which this country is engaged with the European allies was received with profound respect by the members of the body and those who filled the gallery. By a unanimous vote of the entire membership the senate went on record, approving the course pursued by President Woodrow Wilson and the Democratic administration in attempting to stamp out autocracy and to use every effort to conserve that the men of this Nation now in the trenches can be protected while fighting for the cause of democracy.

The resolution commending the President was offered by Jay W. Harlan, of Boyle County, and was adopted by a rising vote. Following is the resolution in full:

"Whereas our Nation has championed the cause of justice, humanity, and democracy, and we have taken up arms in defense of the priceless heritage won for and devised to us by our forefathers: Now, therefore, be it

"*Resolved by the Senate of the General Assembly of the Commonwealth of Kentucky, in session assembled:*

"First. That we most highly commend our beloved and esteemed President, Woodrow Wilson, and his administration for their wise and patriotic decisions and actions in handling the many perplexing problems that have arisen since their incumbency pertaining to our national integrity and interest; that we assure him and them that no true American can deny the justice of our national position in the present conflict between democracy and autocracy, humanity and barbarism, liberty and oppression; that we assure the President, his administration, and the Nation that we heartily indorse and will unqualifiedly support our present international position in this conflict.

"Second. That we make the welfare of our Nation the guiding motive in this present session, sacrificing all individual ambitions, political or factional prejudices, and will work and cooperate solely for the good of our Nation and State.

"Third. That we do now call upon every citizen of this Commonwealth to comply with all requests and suggestions made by our national administration in order to conserve our resources and strengthen our position.

"Fourth. That we unqualifiedly and severely condemn any whose action or desire is contrary to the interest of our common cause, and call upon all true Kentuckians to see that such a disloyal resident is awarded his just deserts.

"Fifth. That we do now express to the men of our State and Nation, who have already sacrified all to take up arms in the defense of our country and the principles of democracy, humanity, and justice, our highest admiration and respect.

"Sixth. That a copy of these resolutions be spread upon the journal of this senate; that a copy be furnished to the President of the United States; and a copy to the press."

Mr. JAMES. I have received petitions signed by a large number of citizens of Montgomery County and Allen County, in the State of Kentucky, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, in order that the women of the United States may become the political equals of those of Great Britain, Australia, New Zealand, Canada, and the Scandinavian countries. I ask that the petitions be received and lie on the table, the joint resolution having been reported from the committee and is now on the calendar.

The PRESIDENT pro tempore. The petitions will lie on the table.

Mr. NELSON presented a petition of Appomatox Post, No. 72, Grand Army of the Republic, Department of Minnesota, of Minneapolis, Minn., and a petition of McIntyre Post, Grand Army of the Republic, Department of Minnesota, of Austin, Minn., praying for an increase in the pensions of veterans of the Civil War, which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Wadena County, Minn., and a petition of sundry citizens of Hennepin County, Minn., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a resolution adopted by the Commercial Club of West Duluth, Minn., favoring Federal control of prices of all cereals used as food during the period of the war, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the City Council of Minneapolis, Minn., favoring the enactment of legislation providing for the punishment of those found guilty of interfering with the Government in the prosecution of the war, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by the congregations of sundry churches of Brownsdale, Minn., favoring prohibition during the war and pledging loyalty to the country, which was ordered to lie on the table.

Mr. SHERMAN. I present resolutions adopted at a mass meeting of Lithuanians, held in the city of Chicago, Ill., which I ask to have printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Hon. LAWRENCE Y. SHERMAN,
United States Senate:

During the mass meeting of the Lithuanian people in Chicago, Ill., held January 1, 1918, under the auspices of the Lithuanian national fund, after the addresses made by Dr. J. J. Bielskis, Lithuanian representative at Washington, D. C.; Rev. Vaicunas, rector of St. George's Parish; Rev. Kemesis and Mr. Zoldakas, editors of the Lithuanian Daily Draugas, the following resolutions were adopted:

"Whereas the aggression and outrages of the autocracy against liberty of the people forced the United States to take arms to defend the peoples' rights on land and sea;

"Whereas the United States, being morally, physically, and materially one of the most powerful countries, is able of accomplishing great things in this undertaking;

"Whereas during this war small nations in Europe have suffered the most and some of the countries have been entirely devastated by ruthless militarism;

"Whereas Lithuania, on the eastern battle front, has for three years served as a battle field, having contributed also half a million of her sons for the allied armies, taking thereby an active part in the war for liberty and justice;

"Whereas the much appreciated words of President Wilson in the recent note to Russia, and also the proclaimed principle of nationalities by the allies, assure restoration of political liberty to the smaller nations;

"Whereas the claims of the nations could be considered as just only when they are presented to the peace congress by the authorized representatives of those nations: Therefore be it

"*Resolved*, That we, the Lithuanians of the State of Illinois, having migrated from our native land of Lithuania to this land of liberty, and ever pledging our loyalty to this, our adopted country, sincerely believing in and living up to the principles of the United States of America, being nevertheless in sympathy with our brethren in Lithuania bearing the heavy yoke of autocracy:

"1. We appeal to the Congress of the United States, through the representatives of our State, that the Congress of the United States, in discussing peace terms, include the demand for the restoration of the political independence of Lithuania.

"2. That the Government of the United States support the rights of all nations participating or affected in this war, be they large or small.

"3. That these rights can only be satisfactorily supported by considering just claims when presented by the representatives of such nations.

"4. We earnestly pray and implore the representatives of our State in the Senate and House of Representatives of the United States Congress to bring to pass the above measure.

"Be it further

"*Resolved*, That Dr. J. J. Bielskis be, and he hereby is, empowered and instructed to present a copy of these resolutions to the representatives of the State of Illinois in the Senate and House of Representatives of the United States Congress at Washington, D. C."

MATHEW E. ZOLDAKAS, *President.*
VINCENT W. RUTKAUSKAS, *Secretary.*

Subscribed and sworn before me, Charles Z. Urnich, notary public, of Cook County, Ill., this 2d day of January, 1918.

[SEAL.] CHARLES Z. URNICH, *Notary Public.*

Mr. RANSDELL presented a petition of Ouachita Parish, Louisiana Council of Defense, relative to the public utterances of the Senator from Wisconsin, Hon. ROBERT M. LA FOLLETTE, which was referred to the Committee on Privileges and Elections.

Mr. PHELAN presented a memorial of the Trades and Labor Council of Vallejo, Cal., remonstrating against the proposed importation of Chinese or Japanese coolie laborers into California, which was referred to the Committee on Immigration.

He also presented a petition of the California Federation of Women's Clubs, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. JOHNSON of South Dakota. I present resolutions adopted at a meeting of the Suffrage Club of Mitchell, S. Dak., which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

Resolutions adopted at meeting of Mitchell Suffrage Club, December 3, 1917.

Resolved, That this meeting ask President Wilson and the Democratic administration to support the Susan B. Anthony amendment by making it an administration measure and securing its passage this session of Congress, when the Government is calling upon the women of the Nation to assist in bearing the burdens of war. Be it also

Resolved, That this meeting call upon Congress to pass at once the Federal suffrage amendment, establishing at home that democracy for which the men of this country have been called to fight abroad. Be it also

Resolved, That copies of this resolution be sent to the President; the Vice President; Speaker CHAMP CLARK; Senator THOMAS MARTIN, Democratic leader of the Senate; Hon. CLAUDE KITCHIN, Democratic leader of the House of Representatives; Hon. FREDERICK H. GILLETT, Republican leader; and to our Senators and Representatives.

(Signed) Mrs. MYRA P. WELLER,
Mrs. BESSIE BISHOP,
Mrs. O. E. CASSEM,
Mrs. ELLEN GREGORY,
Officers Mitchell Suffrage Club.

PROPOSED RAILROAD LEGISLATION.

Mr. FRELINGHUYSEN. I send to the desk a telegram, addressed to the Vice President, which has been handed to me and which I desire to have read.

The PRESIDENT pro tempore. Without objection, the Secretary will read it.

The Secretary read the telegram, as follows:

TRENTON, N. J., *January 7, 1918.*

Hon. THOMAS R. MARSHALL:

As president of Council of States on Taxation, I respectfully draw your attention to the importance that any congressional action re governmental railroad control does not interfere with existing methods or privileges of individual States and local units of taxation on railroads, property or receipts, at the present time. This, in many States, constitutes a large portion of State revenue, and to amend in any form would greatly embarrass many States, necessitating new methods of taxation, which at this time would be most burdensome and unfortunate.

WALTER E. EDGE, *Governor.*

Mr. SMITH of Georgia. Mr. President, in connection with the communication just read, I desire to ask that the bill introduced by the Senator from South Carolina [Mr. SMITH] upon this subject be printed in full in the RECORD. I know it was his purpose to ask that that be done, but it seems not to have been printed. There is a desire from all over the United States for copies of the bill, and I think printing in the RECORD would afford the best opportunity for general familiarity with it, and it will also make it easy for us to telegraph inquirers who desire to see it that by turning to a certain number of the CONGRESSIONAL RECORD they can find it.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The bill, introduced by Mr. SMITH of South Carolina January 4, 1918, is as follows:

A bill (S. 3385) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes.

Be it enacted, etc., That the President, having in a time of war taken over the possession, use, and control (called herein Federal control) of certain systems of transportation (called herein carriers) is hereby authorized to agree with and to guarantee to any such carrier that during the period of such Federal control it shall receive as its just compensation an income at an annual rate equivalent as nearly as may be to its average net railway operating income for the three years ending June 30, 1917 (called herein standard return); said net railway operating income for the purposes of this act shall, as to carriers making returns to the Interstate Commerce Commission, be computed from such returns, excluding, however, debits and credits arising from the accounts called in the monthly returns leased road rents and miscellaneous rents: *Provided, however*, That no Federal taxes in excess of taxes assessed during the year ending June 30, 1917, shall be charged against revenue in computing such standard return. Any net railway operating income in excess of such standard return shall be the property of the United States. The amount of such standard return as accruing during said period of three years shall be determined by the Interstate Commerce Commission, and the certificate of said commission as to the amount of said net railway operating income shall, for the purpose of such agreement and guaranty, be taken as final and conclusive.

During the period of such Federal control adequate depreciation and maintenance of the properties of the carriers shall be included as a part of the operating expenses or provided through a reserve fund, in accordance with such principles and rules as shall be determined by the President.

SEC. 2. That if no such agreement is made, the President may nevertheless pay or cause to be paid to any carrier while under Federal control an amount not exceeding 90 per cent of such standard return, remitting such carrier to its legal rights in the Court of Claims for any balance claimed; and any amount thereafter found due above the amount paid shall bear interest at the rate of 6 per cent per annum; and any excess amount paid hereunder shall be recoverable by the United States, with interest at the rate of 6 per cent per annum.

SEC. 3. That any claim for just compensation not adjusted as provided in section 1 shall be submitted to a board of three auditors appointed by the Interstate Commerce Commission, members of which and of the official force thereof being eligible for service as such auditors, but without additional compensation therefor. Said auditors shall give a full hearing to such carrier and to the United States and shall report to the President the amount due such carrier as just compensation; a sum not exceeding the amount so reported may be agreed upon by the President and such carrier. Failing such an agreement, either the United States or such carrier may file a petition in the Court of Claims for the purpose of final ascertainment of the amount of such just compensation, and in the proceedings in said court the report of said auditors shall be prima facie evidence of the facts therein stated. The just compensation of any carrier under Federal control not making returns to the Interstate Commerce Commission shall be determined in accordance with the provisions of this section.

SEC. 4. That the return of any carrier shall be increased by an amount reckoned at a rate per centum to be fixed by the President upon the cost of any additions and improvements made while under Federal control with the approval of the President to the property of any carrier and paid for by such carrier from its own capital or surplus; and by an amount equal to the rate accruing to the United States upon any advances made to such carrier for the cost of such additions and improvements as provided in section 6 hereof.

SEC. 5. That no carrier while under Federal control shall, without the prior approval of the President, declare or pay any dividend in excess of its regular rate of dividends during the three years ending June 30, 1917: *Provided, however*, That such carriers as have paid no regular dividends or no dividends during said period, may, with the prior approval of the President, pay dividends at such rate as the President may determine.

SEC. 6. That the sum of $500,000,000 is hereby appropriated out of the Public Treasury from any funds not otherwise appropriated, which, together with any funds available from any excess earnings of said carriers, may be used by the President as a revolving fund for the purpose of paying the expenses of the Federal control, and any deficit of any carrier below such standard or ascertained return, and to provide terminals, improvements, engines, rolling stock, and other necessary equipment, such terminals, improvements, and equipment to be used and accounted for as the President may direct, and to be disposed of as Congress may hereafter by law provide.

The President may also, on or in connection with the property of any carrier, make or order any carrier to make any additions and improvements necessary or desirable for war purposes or in the public interest. He may from said revolving fund advance to such carrier all or any part of the expense of such additions and improvements so ordered and constructed by such carrier or by the President, such advances to be charged against such carrier and to bear interest at such rate and be payable on such terms as may be determined by the President, to the end that the United States may be fully reimbursed for any sums so advanced.

Any loss claimed to accrue to any carrier by reason of any such additions or improvements so ordered and constructed may be determined by agreement between the President and such carrier; failing such agreement the amount of such loss shall be ascertained as provided in section 3 hereof.

From said revolving fund the President may expend such an amount as he may deem necessary or desirable for the purchase, construction, or utilization, and operation of boats, barges, tugs, and other transportation facilities on the inland and coastwise waterways, and may in the acquisition, operation, and use of such facilities create or employ such agencies and enter into such contracts and agreements as he shall deem in the public interest.

SEC. 7. That for the purpose of providing funds requisite for maturing obligations or for other legal and proper expenditures, or for reorganizing railroads in receivership, carriers may, during the period of Federal control, issue such bonds, notes, equipment trust certificates, stock and other forms of securities, secured or unsecured by mortgage, as the President may approve as consistent with the public interest. The President may purchase for the United States all or any part of such securities at prices not exceeding par, and may sell such securities whenever in his judgment it is desirable at prices not less than the cost thereof; any sums available from the revolving fund provided in section 6 may be used for such purchases.

SEC. 8. That the President may execute any of the powers herein and heretofore granted him with relation to Federal control through such agencies as he may determine, and may fix the reasonable compensation for the performance of services in connection therewith; and may utilize the personnel and facilities of the Interstate Commerce Commission and call upon members of such commission, or any of its employees, or employees of any department of the Government for such services as he may deem expedient. No such Federal official or employee shall receive any additional compensation for such services.

SEC. 9. That the President is hereby authorized while carriers are under Federal control, to direct that the Federal workmen's compensation act of September, 1916, shall be extended so as to apply to carrier employees, on such terms and conditions as will

give due consideration to remedies available under State compensation laws or otherwise.

SEC. 10. That nothing herein contained shall be construed as modifying or restricting the powers heretofore conferred upon the President to take possession and assume control of any or all systems of transportation; and the President, in addition to the powers conferred by this act, shall have, and is hereby given, such other and further powers necessary or appropriate to give effect to the powers herein and heretofore conferred.

SEC. 11. That carriers while under Federal control shall, in so far as is not inconsistent therewith, or with the provisions of this act, or any other act applicable to such Federal control, or with any order of the President, be subject to all laws and liabilities as common carriers; and suits may be brought by and against such carriers and judgments rendered as now provided by law: *Provided, however*, That except with the written assent of the President no attachment shall be levied by mesne process or on execution on or against any of the property used by any such carrier in the performance of its duties as a common carrier.

SEC. 12. That every person or corporation, whether carrier or shipper, or any receiver, trustee, lessee, agent, or person acting for or employed by a carrier or shipper, or other person, who shall knowingly violate or fail to observe any of the provisions of this act, or shall knowingly interfere with or impede the possession, use, operation, or control of any railroad property, railroad, or transportation system hitherto or hereafter taken over by the President, or shall violate any of the provisions of any order or regulation made in pursuance of this act, or of any other act concerning such possession, use, operation, or control, shall be guilty of a misdemeanor, and shall, upon conviction, be punished by a fine of not more than $5,000, or, if a person, by imprisonment for not more than two years, or both. Each independent transaction constituting a violation of, or a failure to observe, any of the provisions of this act, or any order entered in pursuance hereof, shall constitute a separate offense. For the taking or conversion to his own use or the embezzlement of money or property derived from or used in connection with the possession, use, or operation of said railroads or transportation systems, the criminal statutes of the United States, as well as the criminal statutes of the various States where applicable, shall apply to all officers, agents, and employees engaged in said railroad and transportation service while the same is under Federal control, to the same extent as to persons employed in the regular service of the United States. Prosecutions for violations of this act or of any order entered hereunder, shall be in the district courts of the United States, under the direction of the Attorney General, in accordance with the procedure for the collection and imposing of fines and penalties now existing in said courts.

SEC. 13. That the Federal control of transportation systems herein and heretofore provided for shall continue for and during the period of the war and until Congress shall thereafter order otherwise.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS:

A bill (S. 3462) to amend an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Finance.

By Mr. FERNALD:

A bill (S. 3463) granting an increase of pension to Chester S. Pease (with accompanying papers);

A bill (S. 3464) granting an increase of pension to Joseph E. Gammon (with accompanying papers);

A bill (S. 3465) granting an increase of pension to Granville Fernald (with accompanying papers); and

A bill (S. 3466) granting a pension to Cora W. Merryman (with accompanying papers); to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 3467) to carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of the estate of Samuel N. White, deceased; to the Committee on Claims.

By Mr. PHELAN:

A bill (S. 3468) granting an increase of pension to Sarah E. Holton (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 3469) to amend an act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," approved August 10, 1917, to the Committee on Agriculture and Forestry.

NAVAL OIL SUPPLY.

Mr. SWANSON. I introduce a bill to further provide for the common defense and general welfare of the United States with respect to the production, use, and conservation of oil and gas in naval petroleum reserves, and for other purposes, and I ask unanimous consent that it be referred to the Committee on Naval Affairs.

Mr. SMOOT. I object to the bill being referred to the Committee on Naval Affairs, and suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum is suggested, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Harding	McKellar	Smith, Ga.
Beckham	Hardwick	McLean	Smith, Md.
Borah	Hitchcock	McNary	Smoot
Calder	James	Martin	Stone
Culberson	Johnson, Cal.	Nelson	Sutherland
Curtis	Johnson, S. Dak.	New	Swanson
Fernald	Jones, Wash.	Norris	Thomas
Fletcher	Kenyon	Poindexter	Tillman
Frelinghuysen	King	Robinson	Townsend
Gallinger	Knox	Saulsbury	Trammell
Gerry	La Follette	Shafroth	Vardaman
Gronna	Lewis	Sheppard	Williams
Hale	McCumber	Smith, Ariz.	Wolcott

Mr. HITCHCOCK. I desire to state that the Senator from Oregon [Mr. CHAMBERLAIN] is unavoidably detained from the Chamber on official business.

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

Mr. FRELINGHUYSEN. I desire to state that my colleague [Mr. HUGHES] is unavoidably absent owing to illness.

Mr. LEWIS. I wish to announce that the Senator from Kansas [Mr. THOMPSON] is detained on important public business.

Mr. MCKELLAR. I desire to announce that my colleague, the senior Senator from Tennessee [Mr. SHIELDS], is detained on account of illness.

The PRESIDENT pro tempore. Fifty-two Senators have answered to their names. There is a quorum present.

Mr. SWANSON. I have made a motion that the bill I introduce be referred to the Committee on Naval Affairs. It is a bill to permit the Government to operate for oil the naval reserve lands that have been set aside for that purpose. I will state in this connection that the lands were withdrawn from public entry and taken out of the public domain.

Mr. THOMAS. Mr. President, a parliamentary inquiry. Has the bill been read to the Senate?

The PRESIDENT pro tempore. It has been introduced by the Senator from Virginia and a motion made to refer it to the Committee on Naval Affairs.

Mr. THOMAS. When it is reported at the desk I desire to object under the rule to its consideration to-day.

The PRESIDENT pro tempore. The question is on the motion to refer it to the committee.

Mr. SWANSON. I make that motion.

Mr. THOMAS. Under Rule XIV—

> Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for one day.

My reason for making the objection is that when we adjourned yesterday it was understood that two arguments, or perhaps three, would be offered upon the unfinished business to-day, provided that the chairman of the Committee on Printing would consent to its withdrawal at that time. This motion is going to involve a great deal of controversy, and if it comes on to-day it will be impossible to carry out the understanding with regard to the proceeding upon the pending business. Therefore, under Rule XIV, I object to its introduction to-day and ask that it go over.

Mr. SWANSON. It must go over under the rule, if objection is made.

The PRESIDENT pro tempore. The bill will go over for one day.

Mr. SMOOT. I ask that the bill be printed and lie on the table.

Mr. SWANSON. I make the request that it be printed and come up to-morrow.

Mr. TILLMAN. Printed in the RECORD?

The PRESIDENT pro tempore. The Chair wishes to know whether the request is that the bill be printed in the RECORD.

Mr. SWANSON. I did not make that request.

The PRESIDENT pro tempore. Without objection, the bill will be printed and lie on the table.

Mr. SMITH of Arizona. Do I understand that there was a request that the bill be printed in the RECORD?

The PRESIDENT pro tempore. There was none.

Mr. SMITH of Arizona. There would be no use to print it in the RECORD.

THE PHILIPPINE SCOUTS.

Mr. OWEN submitted an amendment intended to be proposed by him to the bill (S. 2933) for the relief of the Philippine Scouts, which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Military Affairs.

THE COMMITTEE ON POST OFFICES AND POST ROADS.

Mr. BANKHEAD submitted the following resolution (S. Res. 180), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Post Offices and Post Roads, or any subcommittee thereof, be authorized during the Sixty-fifth Congress to send for books and papers, to administer oaths, and to employ a stenographer, at a price not to exceed $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before the said committee; that the committee may sit during the sessions or recesses of the Senate; and the expense thereof shall be paid out of the contingent fund of the Senate.

THE PRESIDENT'S PEACE POLICY.

Mr. LEWIS. Mr. President, I tender a resolution and ask that it be read and lie on the table after reading, not to be referred.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 181), as follows:

Whereas the Senators of the United States Senate, anxious for a just peace between the contending nations now at war in Europe, and also for peace between the United States and the world, and particularly between the United States and the German Empire; and

Whereas the Senate is advised as to the terms which have been stated and expressed to the Congress of the United States by the President of the United States, upon which the United States recommends peace: Now, therefore, be it

Resolved, That for the purpose of aiding the peace of all belligerents the Senate approves the course of the President of the United States in presenting with definiteness and in detail the terms upon which peace could be had; and

Resolved further, That the Senate approves the statement of the President as presented by him in his message to Congress of January 8, 1918; and

Resolved further, That the Senate will cooperate with the President in every way consistent with its duty to the public to obtain the acceptance of the terms presented by the President, or such other terms as will serve the objects set forth by the President, as will bring peace consistent with the welfare of the United States and justice to the contending parties.

Mr. LEWIS. I ask that the resolution for the present lie on the table.

The PRESIDENT pro tempore. That action will be taken.

CONSIDERATION OF TREATIES.

Mr. BORAH. I ask that Senate resolution 178, coming over from yesterday, be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. BORAH on the 9th instant, as follows:

Resolved, That the Committee on Rules be, and the same is hereby, directed to prepare a revision of the rules of the Senate relating to the consideration of treaties so as to provide that all treaties hereafter shall be considered in the open executive sessions of the Senate, and, when such revision is so prepared, to report the same to the Senate for its consideration.

Mr. BORAH. Mr. President, I have no desire to discuss this matter; particularly, I have no desire to discuss the merits of the proposed change in the rules. The Senator from Georgia [Mr. SMITH], however, has raised a point of order upon which, if he desires to press it, I may have something to say.

Mr. STONE. What is the point of order?

Mr. BORAH. The point of order was that I had not proceeded to amend the rules in accordance with the rules; that I should have given notice, and so forth. My contention is that this procedure does not come under the provision of the Senate rules at all; but I do not know whether or not the Senator desires to press the point of order.

Mr. SMITH of Georgia. Mr. President, I did not formally make the point of order; I suggested the point of order after objection had been made to the immediate consideration of the resolution, and it went over.

I myself do not believe that the Senator has followed the mode provided by the rules for amending the rules. I think that Rule XL clearly contemplates a written notice pointing out the rule to be changed and specifying the exact change that is to be made, which must lie over a day. Then I think the rule contemplates the formal presentation from the floor of the proposed changes. It is, however, true that the Senate has had this subject up several times. It has been ruled by the Senate that the presentation of an amendment to the rules without notice, if it lie over a day, is a compliance with the rule; it has also been held by the Senate that such a course was not a compliance with the rule.

My real objection, not so much to this particular resolution, but generally, is that I should vastly prefer that a Senator who wanted something done should himself prepare it than that he should by resolution call upon a committee on which I am serving to prepare it for him.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Idaho?

Mr. SMITH of Georgia. I do.

Mr. BORAH. I shall be very glad if this resolution goes to the committee to prepare what I consider ought to be the revision of the rule, and submit it to the committee for its consideration and report. I will take upon myself, as I am the mover of the resolution, to do the work, and I hope that when it is done it will be satisfactory to the committee.

Mr. SMITH of Georgia. Well, the committee, no doubt, could report favorably or unfavorably upon it.

Mr. BORAH. Yes.

Mr. SMITH of Georgia. I do not understand that the resolution commits the committee as to what report it shall make upon the subject, but that it only requires the committee to prepare an amendment to the rules for the Senator from Idaho. It provides that the Rules Committee shall prepare an amendment to the rules along the lines that he desires to be considered and to report it to the Senate, favorably or unfavorably. I know the Senator from Idaho can prepare it certainly as well as can the committee, and I do not understand why he failed himself to prepare and present it in the usual way. With this statement, so far as I am concerned, I do not object.

Mr. GALLINGER. Mr. President, I do not agree with the Senator from Georgia that under this resolution the committee can report it unfavorably. The committee is "directed to prepare a revision of the rules of the Senate relating to the consideration of treaties, so as to provide that all treaties hereafter shall be considered in open executive sessions of the Senate, and when such revision is so prepared, to report the same to the Senate for its consideration."

Mr. SMITH of Georgia. The resolution does not say "report it favorably."

Mr. GALLINGER. It does not.

Mr. SMITH of Georgia. We can prepare it and present it with an unfavorable report.

Mr. GALLINGER. I differ from the Senator in that, because, to my mind, it is a specific direction to the committee to prepare a certain thing and to report it to the Senate. If it is to be reported adversely, it is not providing for a change of the rules of the Senate so as to have treaties considered in open executive session at all. I really think, as first suggested by the Senator from Georgia, that the Senator from Idaho, who is greatly interested in this matter, should himself prepare whatever he has in mind and submit it to the committee for its consideration, or ask for its immediate consideration by the Senate. I very likely would not agree favorably to report a resolution providing that all treaties should be considered in open executive session, and yet I am commanded by this resolution to agree with other members of the committee to make such a report. I think the resolution is unfortunately worded.

Mr. BORAH. Mr. President, this resolution does not, in my judgment, with all respect to the Senator's opinion, do anything of the kind. It was specifically drawn so as not to do anything of that kind. I desire to bring before the Senate a report of the committee revising the rules, without asking for a commitment from the committee as to whether it was favorable or unfavorable. I specifically state that after the report is made providing for these changes that it is to be reported to the Senate for its consideration. I do not understand at all that that would necessitate the Senator from New Hampshire coinciding with my view of the matter in order to make this revision and report it.

Mr. GALLINGER. Mr. President, I still hold to that view, and I move to refer the resolution to the Committee on Rules for its consideration.

Mr. STONE. Mr. President, just a word. I suppose, of course, that this resolution will go to the Committee on Rules——

Mr. GALLINGER. Certainly.

Mr. STONE. As it concerns a rule for the government of the body. But it also concerns, in a very serious and far-reaching way, the diplomatic relations between this country and other countries as related to treaties. I am not clear how to get at it, but I believe whenever the Committee on Rules reports, if it reports a rule of this general kind suggested, I shall move that in some way it be referred to the Committee on

Foreign Relations for consideration there and a report upon the wisdom or expediency of the change in the rules so as to provide for the consideration of all treaties in the open sessions of the Senate.

I wish merely to make the suggestion that it seems to me, in a matter of such grave consequence, which involves such a wide departure from the course that has been followed in our whole history, it at least in some way ought to have the authoritative consideration of the Committee on Foreign Relations.

Mr. BORAH. Mr. President, when the committee reports back the provision, the Senator would doubtless move to refer it to the Committee on Foreign Relations, and I do not know that I would object to have it so considered before final action by the Senate. What I desire now is to get a report before the Senate for its consideration. Whether to adopt it or refer it to the Foreign Relations Committee will be determined at that time.

Mr. GALLINGER. Mr. President, if the Senator will permit me, if this resolution goes to the Committee on Rules, as similar resolutions usually do, the committee will then take it up and make a report on the resolution. There is no doubt that we will get a report one way or another. I think it ought to go to the committee, and I think the Senator ought to agree to that.

Mr. BORAH. I am sending it to the committee, Mr. President.

Mr. GALLINGER. Oh, no; the Senator is sending it to the committee with directions.

Mr. BORAH. The Senator does not move to strike out anything in the resolution, does he?

Mr. GALLINGER. No; but I want the committee to consider the resolution in its present form, without any direction on the part of the Senate.

Mr. BORAH. Mr. President, I desire to submit to a ruling of the Chair upon the point of order, if any has been made.

The PRESIDENT pro tempore. There has been no point of order made, according to the understanding of the Chair.

Mr. BORAH. Then I ask for the adoption of the resolution.

The PRESIDENT pro tempore. The question is on the motion of the Senator from New Hampshire [Mr. GALLINGER] to refer the pending resolution to the Committee on Rules.

Mr. BORAH. Now, Mr. President, a parliamentary inquiry. Suppose the resolution is referred to the Committee on Rules, what will be the difference in its status than if it were adopted by the Senate directing the committee to report?

Mr. KENYON. It would be buried.

Mr. SMITH of Arizona. The committee might use its discretion in regard to its action.

Mr. GALLINGER. It would not go to the committee with a direction; it would go there for its consideration.

Mr. BORAH. If that is the program, I suggest the absence of a quorum, and I call for a vote.

The PRESIDENT pro tempore. The Secretary will call the roll, the absence of a quorum being suggested.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	Nelson	Smoot
Beckham	Jones, N. Mex.	New	Stone
Borah	Jones, Wash.	Norris	Swanson
Calder	Kenyon	Phelan	Thomas
Culberson	King	Poindexter	Tillman
Curtis	Kirby	Ransdell	Townsend
Fernald	Knox	Robinson	Trammell
France	La Follette	Saulsbury	Underwood
Gallinger	Lewis	Shafroth	Vardaman
Gerry	McCumber	Sheppard	Warren
Hale	McKellar	Sherman	Watson
Harding	McLean	Simmons	Williams
Hardwick	McNary	Smith, Ariz.	Wolcott
James	Martin	Smith, Ga.	
Johnson, Cal.	Myers	Smith, S. C.	

Mr. McKELLAR. I desire to announce that my colleague, the senior Senator from Tennessee [Mr. SHIELDS], is detained on account of illness.

Mr. LEWIS. I wish to announce that the Senator from Ohio [Mr. POMERENE] is detained on official business.

Mr. TOWNSEND. I desire to announce the absence of my colleague [Mr. SMITH of Michigan] and his pair with the junior Senator from Missouri [Mr. REED]. I ask that this announcement may stand for the day.

Mr. MYERS. I wish to announce that my colleague [Mr. WALSH] is still necessarily detained from the Senate by illness.

The PRESIDENT pro tempore. Fifty-eight Senators have answered to their names. There is a quorum present.

Mr. SMITH of South Carolina. I ask unanimous consent that the members of the Interstate Commerce Committee be allowed to sit in committee during the sessions of the Senate.

Mr. GALLINGER. There is another matter before the Senate now.

The PRESIDENT pro tempore. The request of the Senator from South Carolina is for unanimous consent. Is there objection?

Mr. GALLINGER. I object until the pending matter is disposed of.

The PRESIDENT pro tempore. Objection is made. The question is on the motion of the Senator from New Hampshire.

Mr. GALLINGER. I withdraw my motion, and submit the amendment which I send to the desk as a substitute for the resolution submitted by the Senator from Idaho. I feel assured there will be no objection on the part of the Senator himself to the proposed substitute.

The PRESIDENT pro tempore. The Secretary will state the amendment submitted by the Senator from New Hampshire as a substitute for the resolution of the Senator from Idaho.

The SECRETARY. In lieu of the resolution submitted by Mr. BORAH, Mr. GALLINGER submits the following:

Resolved, That the Committee on Rules be, and the same is hereby, directed to consider the advisability of preparing a revision of the rules of the Senate relating to the consideration of treaties, with a view to providing that all treaties hereafter shall be considered in the open executive sessions of the Senate, report to be made to the Senate at an early day.

The PRESIDENT pro tempore. Does the Chair understand that the mover of the resolution accepts the substitute?

Mr. BORAH. I think I shall, Mr. President.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from New Hampshire as a substitute for the original resolution.

The amendment was agreed to.

The resolution as amended was agreed to.

THE COMMITTEE ON INTERSTATE COMMERCE.

Mr. SMITH of South Carolina. I ask unanimous consent that the members of the Interstate Commerce Committee may be permitted to sit during the sessions of the Senate.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the request is granted.

COST OF OFFICERS' UNIFORMS.

Mr. JONES of Washington. Mr. President, before the morning business is closed I desire to refer for a moment to the bill which I introduced a few days ago providing that the uniforms of officers of the Army should be furnished to them by the Government. I have a letter from the Secretary of War in answer to one which I wrote December 26 relating to this matter, in which he says:

> Army regulations provide for sales only when supplies are not required for issue to enlisted men, and it has been necessary to apply these regulations very rigidly, owing to the present difficulty of procuring clothing and equipage for enlisted men. Sales of clothing and equipage supplies to officers have therefore been temporarily suspended.
>
> A board of officers of which Gen. Baker is president is now considering this question with a view to establishment of purchases either through post exchanges or cooperative stores.

Mr. President, I do not claim to know very much about this matter, but it does occur to me that the simple, proper, and direct course for the Government to take would be to put itself in a position where it can take all this material that is available. Apparently, there is an abundance of material in private establishments for furnishing these uniforms. The Government can commandeer that and take it, and if the Government would arrange to deal with the wholesale manufacturers of these goods it would have on hand all the time ample supplies to furnish the officers with the goods at wholesale or cost prices, just as it furnishes the goods for the private soldiers.

Mr. NORRIS. Mr. President, will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. JONES of Washington. Yes.

Mr. NORRIS. Since the Senator has studied this matter, I should like to know his judgment about this point: Is it necessary to have additional legislation in order to give the Quartermaster Department of the Army authority to commandeer this stuff and to sell it at cost to the officers the same as it does to the private soldiers?

Mr. JONES of Washington. I doubt if it is necessary, but I will say to the Senator that I have not investigated that feature of the matter very fully. I have understood that the officers were required to buy all their uniforms.

Mr. NORRIS. I know they are.

Mr. JONES of Washington. But I see here, according to this letter of the Secretary, that apparently they have a regulation under which the officers can purchase uniforms from the Government, but that that has been suspended because of the inability of the department to get supplies. Now, if they need any authority to commandeer this stuff they ought to have it.

Mr. NORRIS. Then what does the suspension of this order mean? I take it, from the very fact that they have suspended

an order that seems to have given them the authority to supply uniforms to these officers, that they must have the authority under existing law.

Mr. JONES of Washington. They may have the authority to supply it, but not the authority to commandeer the stocks.

Mr. NORRIS. Oh!

Mr. JONES of Washington. I judge from the suspension of this regulation that they have not the authority to commandeer the stock and get control of it; so, not being able to supply both officers and men, they have suspended that regulation.

Mr. NORRIS. How do they get the men's clothing?

Mr. JONES of Washington. We make an appropriation directly for the supply for the private soldiers. I do not think we do for the officers. I think that is what we ought to do, however.

Mr. NORRIS. That may explain it; but if that is true probably the only thing necessary is for us to make an appropriation.

Mr. JONES of Washington. An ample appropriation—I think so.

Mr. WARREN rose.

Mr. JONES of Washington. The Senator from Wyoming probably can give us the facts more accurately.

Mr. WARREN. Mr. President, may I ask the Senator from Washington if there is any complaint on the part of the officers themselves in regard to this matter?

Mr. JONES of Washington. Oh, yes. I made some statements on that subject here the other day about the outrageous prices they are having to pay for their uniforms.

Mr. WARREN. I did not hear them.

Mr. JONES of Washington. I will say that this morning I got a letter from an officer stating that he had to pay $18 or $20 for a pair of breeches.

Mr. WARREN. There never has been any particular attention paid by the Government to the purchase of clothing and equipment by the officers, provided the uniforms were according to regulations, because that is their own matter; but the Government has usually held itself in readiness to sell to officers or men any of the equipment that it had at cost, or perhaps cost, plus a small margin to cover contingencies.

Mr. NORRIS. They have not been doing that lately.

Mr. WARREN. That may be, while they are furnishing the men, because in the case of the enlisted men clothing is a part of their compensation. The Government is under obligation to furnish that.

Mr. NORRIS. Yes; I understand that.

Mr. WARREN. The officers, on the other hand, take their own responsibility as to clothing, and always have done so; and very seldom in this part of the country have they bought of the Government. They usually buy directly from the different tailors, as civilians do.

Mr. NORRIS. As I understand, it is necessary for these officers to buy from private parties if the Government will not sell to them.

Mr. JONES of Washington. That is shown by the letter from the Secretary.

Mr. NORRIS. That is shown not only by the letter but by many other complaints.

Mr. WARREN. It does not require any new legislation, unless the Senator expects the Government to furnish free the uniforms to the officers. I saw some notice in the paper of the introduction of a bill on that subject. That, of course, would require legislation; but in my judgment no legislation is necessary about selling them the material, and I think there will be no hesitancy about selling it just as soon as this particular crisis is past, when they once get the private soldiers uniformed.

Mr. NORRIS. By that time the officers also will have purchased all their uniforms and that will not be of much value to them.

Mr. JONES of Washington. No; the profiteers will have gotten their profit.

Mr. NORRIS. The profiteers will have reaped all the benefit and supplied them with the clothing.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. JONES of Washington. I yield.

Mr. SMOOT. Mr. President, I think there will be very few officers who, after examining the cloth that is furnished by our Government now for overcoats for the soldiers, will ask to have the privilege of buying that class of cloth. I consider it a very, very poor product and I do not believe many officers are going to buy that kind of cloth. I have noticed that the overcoats for officers are made of cloth that must have come from some different mill, or, if from the same mill, that is made entirely differently from the cloth that is made into overcoats worn by private soldiers. The officers' cloth is worth twice as much as that worn by the privates. It is made of the very finest of wool. It is finished as the overcoats used to be finished, whereas the overcoating that is worn by the privates—and I have examined many of them—is loaded with shoddy just as much as it is possible to load a thread and make it so that it will hold to be woven into cloth.

Mr. JONES of Washington. Does the Senator think that ought to be permitted?

Mr. SMOOT. That can not be regulated by law. The only thing I am calling attention to is that regardless of any law we pass now, I do not believe that the officers of the United States would buy that kind of cloth for an overcoat.

Mr. JONES of Washington. There is a provision in the bill I have introduced that the quality of these uniforms shall be prescribed by the department, and that the quality for all officers of the same rank shall be exactly the same. I would not permit an officer of the Army to have any say about the character of the uniform that he shall wear. We should direct that every officer of the same rank shall wear the same sort of uniform, just as we require privates to wear the same sort of uniform. Let us prescribe what the uniform of a colonel shall be, what the uniform of a major shall be, what the uniform of brigadier shall be, and not have it so that because one officer is wealthy he can have a uniform of a certain quality and of a certain peculiar fitness while the man who does not happen to be in the ranks of the millionaires must be satisfied, although he has the same rank, with a different kind of uniform. I take it that we can require that by law, and that the Secretary of War can prescribe regulations under which these uniforms can be properly provided.

Mr. WARREN. Now, Mr. President, will the Senator permit me to interrupt him?

Mr. JONES of Washington. Yes.

Mr. WARREN. The uniform regulations already provide the kind of uniforms the officers shall wear. If they want to get all-wool cloth, or cloth that contains perhaps 10 per cent of reworked wool, undoubtedly they can do that; but as to the cut, color, and style, the law, or rather the regulations, provide what that shall be. The officers, however, have the purchases to make themselves, and if they choose they can have all wool in the goods instead of the regulation material.

Speaking of the kind of uniforms that the enlisted men wear, the evidence that is being taken in another place shows exactly the make. The standard when the war broke out permitted a small percentage of cotton in the cloth, the balance to be of virgin wool. It was found that that did not have the warmth necessary for the cold country. Of course, cotton does not give the warmth that wool does, and so it was changed to have, say, 20 per cent reworked wool and 80 per cent virgin wool. As the stress of obtaining the right kind of wool for these uniforms was on, which requires the quarter-blood grade and possibly three-eighths grade at times, they changed the standard to, I think, as much as 35 or 40 per cent reworked wool, and the balance virgin wool; so it is all wool, although part of it is reworked.

Mr. CURTIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Kansas?

Mr. JONES of Washington. I do.

Mr. CURTIS. I want to ask the Senator if he means, by "reworked wool," shoddy?

Mr. WARREN. It means the cuttings from the making of suits, and so forth. All of the off-fall is the reworked wool. Of course, we all use the name "shoddy" as applying to that as well as to other classes of material, but shoddy proper, which meets the opprobrium of everyone, is quite a different substance. It is that which has been reworked, and again and again reworked, and ground up, and so forth.

Mr. CURTIS. Mr. President, if the Senator will permit me further——

Mr. JONES of Washington. Yes.

Mr. CURTIS. I have not attended the hearings to which the Senator refers, but I have read accounts of them in the newspapers, and I understand that the admission was made before the committee that shoddy was substituted for the cotton, and later on that a further reduction of the wool was made, so that the proportions are now 50 per cent wool and 50 per cent shoddy. I for one think it is an outrage that our soldiers should be clothed in that way.

Mr. WARREN. I do not believe there has been quite that percentage of shoddy. I agree with the Senator that all-virgin wool should be what we finally aim at. I should prefer to see the clothing all wool, and perhaps that will soon be brought about.

Mr. CURTIS. That is what should be brought about.

Mr. WARREN. But in the haste of supplying a million men the use of shoddy or reworked wool has crept in, and, of course, we submit to it for the time being; but undoubtedly it must have been and is the intention, and undoubtedly it will be brought about—it certainly will if the committee that is hearing this testimony has anything to do about it—that the clothing eventually will be all wool.

Mr. POINDEXTER. Mr. President, will the Senator allow me a question?

Mr. JONES of Washington. I yield to my colleague.

Mr. POINDEXTER. The Senator from Wyoming comes from the sheep country and is a member of the Committee on Military Affairs. Is it true, as reported in the papers, that the Secretary of War testified before that committee that some time last spring, after our declaration of war, the Western Wool Growers' Association offered to sell their entire wool output to the Government at such a price as the Government might fix, and that the Secretary of War testified that no action was taken on that offer, but that it was referred to some one, and from that person to some one else, and he did not know what was finally done about it? Is that correct?

Mr. WARREN. Not exactly that way. Since the Senator has asked the question, I will say——

Mr. POINDEXTER. I should like to add that the reason I ask the question is on account of the debate here this morning as to whether or not there is enough wool in the country to make uniforms for the soldiers and for the officers. I am very much in sympathy with the bill which has been introduced by my colleague; but if there is a shortage of wool, necessitating the use of reworked wool, or even of shoddy, which some of the subcommittees of the Council of National Defense have resorted to, we can readily understand why that would be the case if the offer of the wool people of the country was ignored when they offered to sell wool to the Government at such a price as the Government might fix.

Mr. WARREN. On the 2d or 3d day of April last the wool trade of Boston offered the Government one-half of the wool that they had on hand at the market price of that date, they believing—which was perfectly apparent to everybody—that wool must rise. That offer was considered to some extent by the Government, but there was nothing shown in the evidence as to just what action, if any, was taken on it. Later, about July, the offer was again made, and the representatives of the wool trade came over here, and they were referred to the committee on purchases, and to the particular branch of the committee that had charge of the purchases of raw material; and the answer was given at that time that there was no law for it. In the first instance, I think, the answer was that there had been no appropriation made for it.

A little later on, or about that time, representatives, not of the associated woolgrowers altogether but of those that have their headquarters in Chicago and have their large warehouses there, sent a committee here, and it met the purchase of raw materials committee, which was presided over by Mr. Baruch, and offered the wool committee its wool at any price that the Government would make, taking into consideration, of course, the then market price. The same answer was given them; but about that time, or soon afterwards—the appropriations having in the meantime become effective—the Government decided that it could buy wool, and the Navy started in first to buy it, and later the Army; so that is the story of that.

A telegram from Mr. Hagenbarth, who is the president of the National Wool Growers' Association, received within a week, gave the quantity of available wool of the world, as the association was informed, and made the statement that there was enough to provide all wools, and that it was unnecessary to use substitutes; that there was enough to provide the Army with a certain number of pounds per annum per man, which was considered the necessary equipment. But, of course, that statement did not provide for the civilian market, nor did it state what would be the fact, that to use certain grades of that wool, the finer grades, would be more expensive; but he maintained that there was enough wool in the country to clothe every soldier so far with all-woolen goods.

Mr. JONES of Washington. Mr. President, I have been led to wonder whether or not the fact that we happen to have so much cloth for so many officers of the Army, and that their being supplied rests very largely with the private concerns of the country, has not had a good deal to do with the fact that a good deal of shoddy is being used for the private soldiers? Is it not partly due to the fact that they have been using wool to make these fine uniform cloths for the officers?

Mr. WARREN. Mr. President, there is nothing in that. The proportion of that is entirely too small. They may be taking advantage in the price, but the wool used in the officers' clothes would have a very slight effect upon the vast amount which is used for private soldiers. I do not believe there is anything in that.

Mr. GALLINGER. Mr. President, will the Senator yield to me for a moment?

Mr. JONES of Washington. I yield.

Mr. GALLINGER. I have not followed this matter very closely; but in conversation with a member of the Committee on Military Affairs last evening he presented some very startling facts as developed in the hearings of the last two or three days on this question of shoddy. His statements certainly surprised me very greatly, and if there is not great haste required in the consideration of this matter I think the Senator might well have that testimony transcribed, if it has not been printed, for the information of the Senate. I will say to the Senator frankly that the statements made by that member of the committee will, I think, astonish every Member of this body if they are presented to him.

Mr. WARREN. I will say that that evidence was given in extenso, and is only being printed confidentially for the committee, and I think it is not in type yet; but it covers every angle and every line of the making of the cloth and the production of clothing. Very little has been testified about the wool growing of the world, of course, because that was not called out. The balance of it is very elaborate.

Mr. JONES of Washington. I want to ask the Senator if he considers that information that ought to be kept confidential?

Mr. WARREN. I think it is not the intention to keep it confidential.

Mr. JONES of Washington. I thought the Senator said that it was being printed in confidence.

Mr. WARREN. It is, from day to day, because there are some matters that very likely the committee will think it is better to strike out, but nothing of this kind; only matters regarding our relations with other countries, and so forth.

Mr. JONES of Washington. Oh, yes; certainly.

Mr. WARREN. But I think it is the intention to have it all printed. That is my idea of it.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Idaho?

Mr. JONES of Washington. I yield to the Senator.

Mr. BORAH. Without assuming to criticize the committee at all, the Members of the Senate outside of the committee are very anxious to get some of these reports. The presumption is that the facts stated in some of them may crystallize at some time or other into some kind of legislation in regard to these different matters. I presume there is very good reason for not hastening the printing of these hearings, but it is a great inconvenience to Members of the Senate who desire to keep in touch with the situation not to be able to have these hearings. I should like the Senator from Wyoming to carry to the committee the suggestion that we are very anxious to get them before we actually come to the consideration of those matters which grow out of the investigation, that some one ought to be put to work to revise them, if any are to be eliminated, so that that which is to be published may be published.

Mr. WARREN. I think that will follow. It looks now as if the committee is nearly closing the investigation, and as witnesses are revising their remarks, as they are doing right along, I think that will be very easily and soon accomplished.

Mr. JONES of Washington. I wish to suggest to the Senator from Wyoming, and through him to the committee, that if the hearing is prolonged all matters that are not considered confidential ought to be printed from day to day. That course is being pursued by the Committee on Commerce that is investigating the work of the Shipping Board and the Emergency Fleet Corporation; matters that are not considered confidential are printed within a day or two after the hearing is had.

I wish also to say that the suggestion of the Senator from Wyoming as to the very small proportionate part of wool needed for officers' uniforms compared with that of privates confirms me in my belief that they ought to be furnished by the Government and that the Government can very well do it along with the facilities and means that it has for furnishing private soldiers with their uniforms.

Mr. NELSON. Will the Senator yield to me for a moment?

Mr. JONES of Washington. Certainly.

Mr. NELSON. I wish to suggest to the Senator what is undoubtedly one of the reasons why the price of officers' uniforms has gone up. I understand that upward of 2,000 commissions have been issued to officers in the Quartermaster Department. Those officers are still at large and it takes a good deal to supply them with uniforms. That undoubtedly raises the market price of officers' uniforms.

Mr. JONES of Washington. I have here a statement that I received. As a general rule I pay no attention to an anonymous communication, but sometimes they state facts that can be very easily verified, and give information that may be of importance. It contains some very interesting statements which I desire to read. It purports to come from a wholesale manufacturer of cloth for uniforms. His business is in New York and he gives some very interesting information with reference to the procedure in the city of New York under which officers there can get their uniforms much more cheaply than they do elsewhere. He says:

My attention has been called to an article in to-day's issue of the Daily News-Record, of New York, quoting you to the effect that officers are being overcharged for equipment by retailers, and particularly mentioning uniforms. As my firm is one of the leading manufacturers of the country making hand-tailored uniforms for officers, as well as clothing for civilian wear, for distribution through the retail trade, I am in position to know something regarding this matter that may be of interest to you and helpful in solving this problem.

That officers are being overcharged in many cases by retailers can not be denied, but in my opinion the question will by no means be solved when the Government undertakes to manufacture them, and for the following reasons:

With few exceptions, officers will not wear the grade of uniforms that are being made by the Government.

My bill takes care of that phase of the matter and requires officers to wear the uniforms prescribed by the regulations issued by the Secretary of War.

They require and insist upon high-grade fabrics, such as pure worsted serges, whipcords, etc., and they demand high-grade linings, such as alpaca, serge, or silk.

Some officers may do that, and the very fact that they do demand these things may compel officers who are not really able to buy them to try to do the same. It certainly is not conducive to a proper spirit in the Army for officers to be wearing one quality of uniform and officers of the same rank being forced by their means to wear a poorer quality or else be compelled to go beyond their means to keep up with officers in the same rank who are better able to pay for their uniforms.

They also demand a hand-tailored suit, as this is the only process of making and finishing which will produce the fit and style they want. Officers are, for the most part, men who have worn the finer grades of civilian clothes—

I leave the rest of that paragraph—

It seems to me that the quartermaster depot of New York is handling this question in a very practical way. I am informed that they are supplying to all officers who call at the depot a list of names of some 20 or 30 manufacturers of officers' equipment, and have requested these manufacturers to supply them with a price list and to deliver equipment to officers individually and collect the wholesale price from the officers, thus saving the officers the retailers' expense of doing business plus the profit. As the expense of retailers vary from 20 to 30 per cent and their ideas of profit from 25 to 40 per cent, you can readily see the saving that the New York depot is effecting for these officers who call there for equipment.

I have been present on several occasions when officers called for uniforms, presenting this list from the New York depot, and have heard their expressions of surprise at the very large savings effected in the purchase of a blouse and breeches. Uniforms of fine quality of pure wool serge are thus obtained for $24 to $33. Prices varying according to the weight, linings, etc. In this case officers make their own alterations where necessary, just as they would have to do were they supplied by the Quartermaster Department.

These are the same uniforms being retailed throughout the country at $37.50 to $55 (in some cases as high as $65). These retail prices are beyond the control of manufacturers, as you can readily understand. May I suggest that it might be advisable for the Government to require all manufacturers of officers' equipment to file their price lists with the various depot quartermasters and to supply officers as they are now being supplied through the New York depot, or by mail.

Manufacturers would, as a patriotic duty, I am sure, be glad to render this service to the Government, although their prices are based on quantity production and handling, and it entails some extra expense to handle single garments.

If this request came from the depot quartermasters there could be no complaint on the part of the retailer to the manufacturer. Manufacturers are—

Here is rather a significant suggestion:

Manufacturers are reluctant to offer their goods to officers for fear of the loss of the retailers' trade. From observation I should say that very few officers know of this arrangement at the New York depot, as only those who call there are given this list of manufacturers.

Of course a plan followed something like that may be of benefit to the officers in localities where they have these manufactories, but there are a great many places in the country where officers must get their uniforms where these manufacturing establishments are not located. It is very significant that the wholesale manufacturers of cloth to be made into uniforms for officers of the country are afraid of disposing of it to officers individually, because of their fear of losing the trade of retailers, who seem to want to prey upon the patriotism of the men of the country who have offered their lives in its defense.

I ask that this communication may be referred to the Committee on Military Affairs, and I hope that something more than an investigation will be had with reference to the matter. It ought not to take very long to determine something as to what would be a wise course to take in regard to it. We are going to have to call for thousands more of officers from the homes of the country, and prompt and definite action should be taken by the committee if any legislation is necessary, and if no further legislation is necessary the department ought to adopt a definite and clear course and do it promptly.

The PRESIDENT pro tempore. Without objection, the communication will be referred to the Committee on Military Affairs. The morning business is closed.

SUPPLY OF PRINT PAPER.

Mr. SMITH of Arizona. I ask that Senate joint resolution 101, the unfinished business, be laid before the Senate and proceeded with.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 101) to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of paper at a fair price, and by insuring a supply and equitable distribution at fair prices to the industries of the United States.

Mr. SMITH of Arizona. Mr. President, the pending question is on the amendment offered by me, which I will say I submitted after conference with the Trade Commission. I should like to have a vote upon the pending question unless some Senator desires to be heard.

Mr. HARDING. I do not think it is necessary, Mr. President, for one who makes his livelihood in the newspaper business to disavow any selfish ends in taking for the moment the news-print manufacturing side of the pending question, nor do I think it is necessary to say that circumstances are rather lacking in the inspiration one ought to have to speak on a subject of the importance of this question, but I am resolved to say a few things, in my mind, for my own conscience sake, whether I influence any vote on the pending question or not.

I venture to make these remarks because as a small publisher I have been brought in contact with the news-print problem from which the publishers of the country have suffered notably during the last year. The cost of news print is not the only mounting expense in the newspaper publication business of these days. Congress has some knowledge that it has attempted, rather ineffectually I will admit, to add to the cost of newspapers and newspaper distribution. Everything that enters into the cost account of a newspaper office has mounted up. Notably the manufacture of printer's rollers, a very essential thing in the operation of a press, and without which no newspaper could be published, has more than doubled. The metal necessary for the operation of the linotype machine, without which no modern newspaper can be published, and the metals employed in the stereotyping department of any newspaper of any considerable importance have essentially doubled in price. There was some reference made day before yesterday to the cost of ink, which most publishers are ready to testify as essential, having doubled in price. Metal type, brass rules, all the requisites of a mechanical department, have mounted up astonishingly, and yet quite in accord with the mounting price of everything else in a business era of extravagant expenditure.

I do not know how anybody, whatever his personal prejudices may be, can expect a normal cost on anything when the Government has doubled, tripled, and quadrupled its expenditures, and we are living in a perfect saturnalia of extravagance and outlay. Not only have these things in the newspaper world advanced in cost but labor has advanced, not as it reasonably ought in comparison with other things, but in accordance with increases that have been acceptable to the unions throughout the land. Then, there is the question of fuel, of power, and the innumerable things that enter into the cost of the production of a newspaper.

In passing it will be appropriate to the immediate subject under consideration to state—and I suppose it has been called to the attention of the distinguished chairman who has the joint resolution in charge—that paper generally which is uninfluenced by the so-called Paper Trust, job printing and book paper and writing paper, which are quite without the domination of the combinations which have offended in the news-print world, have gone up from 50 to 100 per cent in cost and are entering into the making of the current prices in the printing world. All these things have come to the publisher and to the printer.

I think it is fair to say that in most instances the cost has been passed along. The large newspaper publisher, the publisher of the daily paper, in many instances, has doubled his circulation price. I think the rural publisher has not added so much to the cost of his subscription rate. In many cases the increased cost has been partially compensated, if not altogether so, in an increased toll on the advertiser. The advertising

world has been familiar with the general advance in prices, and it is worth while saying that the business men, who are the larger advertisers, have been big enough to accept the situation and accept the added burden. I think it is too much to say that the increased cost has been handed along in every instance or completely covered, but there has been a fair adjustment of it, notwithstanding the extremely enormous addition to the cost of publishing in 1917.

I think a newspaper man who knows the business, who has the qualities of making a success, would very much prefer in the end to adjust his own affairs. I make bold to say at this time that I do not want the United States Government to furnish me my print paper. I want to emphasize the fact that as a Republican publisher in this era I do not want to subject myself to a Government control of my paper supply. I am not saying this in any ugly temper, but it is a fact that there is the tightest "little old" censorship of the press on in this country to-day that ever existed in the world. I voted for it and I suspect it is necessary, and I am willing to submit to it; but I am not going to be a publisher, while I can help it, and submit to the censorship on one hand and invite the Government control of my newspaper supply on the other. When I am obliged to do that I am going to join the party in power, which never forgets its partisan aspirations, no matter how much those of us on this side of the Chamber have been willing to submerge ours for the country's good. But that is quite apart from my immediate thought.

I know something about the news-print manufacturing business. I hope it is not necessary for me to say that I have neither an interest in it nor sympathy with the robbing methods that were employed by a great many large news-print manufacturers who took advantage of the war situation in this country last year, but as a buyer of news print I have experienced the varying market for a goodly number of years.

It may interest the Senator from Arizona to know that prior to the outbreak of the Spanish-American War, when we were suffering from alleged "high" prices incident to the economic policy in existence at that time, when there were ample news-print mills to meet the American demand, even so small a publisher as the company in which I am interested was able to buy its news print at $1.65 a hundred pounds. Suddenly the Spanish-American War created a great demand for news print. It is very easy to understand that war in itself brings no new emergency to the newspaper world, but the interest in war events makes an unusual demand for the perfectly useless extra editions of the papers. News-print prices in 1898 jumped from $1.65 a hundred to $3 and $4 without the slightest suggestion of a combination on the part of any of the manufacturers. It jumped because the suddenly increased demand created a panic on the part of those who were not covered in their supply by contracts, and they were obliged to enter the open or spot market and get their supply of paper at any price they could. So that sort of a situation advanced the price of news-print paper in 1898 to 3 and 4 cents per pound for the publisher whose supply had not been previously arranged for, and that sort of a market prevailed more or less until approximately a year after the war was ended. A very similar situation developed in 1917; it began in 1916.

There had previously been mounting costs in the production of news-print paper. I wonder if Senators have ever stopped to think that news-print paper is made principally from the spruce tree? We have almost denuded the American forests of spruce. One may go into Maine these days and travel over hundreds of miles where the forests have been denuded and the land, fortunately, turned into the culture of potatoes. We are getting our spruce nowadays, in the main, from Canada. Any man who has taken sufficient interest to go into the question of raw materials knows that unless we start a systematic reforestation of the spruce lands and cultivate spruce specifically for the production of paper we are going to have a famine in the original raw material which is necessary to the manufacture of news-print paper.

If it is not too much of a diversion at this point, I should like to say that the United States Government could do a far greater service for the newspapers of this country if it would give its attention to finding a substitute for the spruce trees than would be done by the passage of this legislation. One objection I have to paralyzing the production of news-print paper by Federal control is that it is going to hinder the application of American genius and American determination to find a basic source of supply for the manufacture of news-print paper. Do you suppose for a moment that any genius, that any student of this problem is going to bend his energies to such a development if he contemplates Government control of his industry? I do not. So news-print paper has been advancing in price continually because of the menace of a disappearing supply of raw material.

Quite apart from that, and properly I want to say, the cost of news-print paper was increased very largely in the last three or four years by a complete change of the labor situation. Five years ago there was scarcely a news-print paper factory in the United States that was not operating under what we call two shifts of 12 hours each. The manufacturers were persuaded by the working forces in their plants to adopt an 8-hour day and to change from two shifts of 12 hours each to three shifts of 8 hours each. It does not require very much knowledge of arithmetic to understand how much that added at one jump to the expense of paper production.

So, then, for two reasons we have had a mounting cost in the manufacture of news-print paper. As to the third reason, I am reluctant to enter into a discussion of that, because I would not for anything in the world offend the genial Senator from Arizona [Mr. SMITH], and I am not going to be foolish enough to attempt to interest anybody in the discussion of the political and economic side of this question; but it is a fact that the newspaper publication business in this country has far outstripped news-print paper production. That requires considerable discussion to get at the various reasons involved, but two principal reasons will offer the explanation. One was the perfection and the cheapening of the typesetting machines. Rural publishers who 20 years ago were content to send a little daily paper to press with five columns of news matter, which they had themselves set, now produce from 40 to 50 columns at little more outlay in the mechanical department; and with the improvement of the reading side of the paper they have added to their advertising account.

Papers which formerly were content to issue 8 pages now issue 16 pages. If one picks up a metropolitan paper, with which he will be familiar if he resorts to his memory, he will find that the publication which used to convey its advertising, its news, and its comments in 8, 12, or 16 pages now goes to press daily with 16, 24, 28, or 32 pages, while on Sunday—well, the average Sunday publication is so enormous that it baffles a reasonable description. All this consumes paper, and production in this country has not kept apace.

The newspaper men who might view an economic situation with a business eye would resolve to meet it with diminution of consumption. I think it is a pretty fair proposition that if there is an inadequate supply of anything in the world, if you will diminish the consumption you will adjust the situation; and the boys in the newspaper gallery can tell their publications, if they want to, that I said that there is not a newspaper in the United States of America that could not reduce its consumption of paper without taking anything away from its readers; but it has become the fashion in these United States to turn to the Government in every hour of grievance, and that is why I am talking for the moment in opposition to this joint resolution.

However, before I take up that phase of the question—meanwhile expressing my gratitude to the half dozen Senators who are good enough to sit here—I want to express a selfish reason for opposing this resolution. Perhaps some Senators will be interested in the news-print controversy. I think I know it. I do not think there is a news-print trust. I will say to the Senator from Arizona. At any rate, I never in my 30 years' experience as a publisher bought of the trust. I do know that there was a combination of large manufacturers last year, or the year before, to fix the price of news-print paper and the trade conditions under which it was sold. I think they violated the law; I think they ought to have been prosecuted; I think they ought to be brought to repentance; and I am glad there were efforts made in that direction. I quite agree with the Senator from Arizona that they robbed thousands of publishers of this country unreasonably and in an unforgivable manner. I think it is fair to say, however, in that connection—and I say it solely through a spirit of fairness—that the biggest robbers in the United States were not in the combination but were the men outside of it, who took advantage of the situation while proclaiming their independence. That is one of the inevitable things, however.

Mr. SMITH of Arizona. That condition will run along with a combination always.

Mr. HARDING. But this enormous robbery was made possible in 1917 by a perfect panic in the newspaper world incident to the increased demand for news print, and, without drifting into a discussion, which we will differ upon at the proper time, we have increased enormously our American consumption without keeping up our American production. Then when the strain came there was a panic to secure news-print supplies, and prices to those of the small publishing world who were not covered by

contracts were immediately advanced in some cases to an enormous figure; and it was not infrequently the case that some of us who had only informal contracts found ourselves immediately obliged to go into the "spot market" and pay according to the figure prevailing at that time. Not only that, but it is fair to say that the panic in the newspaper market was so marked and so acute and the demand was so far in excess of the supply that many a publisher who was supposedly protected by a contract found himself driven to every extremity to get a sufficient supply of paper.

I think I heard the Senator from Arizona say the other day that the big and favored publishers were able to get all that they wanted, while the little publisher here and there was robbed enormously.

Mr. SMITH of Arizona. "All they needed," I think I said.

Mr. HARDING. Well, "all they needed." I will accept the correction. The Senator is not well informed on that subject. I know many large publishers in this country whose supply of paper was amply covered by the most exacting contracts who were obliged to enter the open market and buy "spot" paper at 6 and 6½ cents a pound when their contracts provided that they should have paper at 2.10 cents a pound. That was not an uncommon experience. There are various explanations for it—mainly because the United States publishing world was in a perfect panic about the shortage of the news-print supply.

I will not say that the combination which was called to the bar of justice did not have something to do with that situation, because it undoubtedly did; but the Federal Trade Commission, either late in 1916 or early in 1917, contemplating an intolerable situation in this country, called in the representatives of the larger makers of news print and began an investigation of the situation, which long before the threat of prosecution by the Department of Justice, terminated in an arrangement whereby the large purchasers, the car-lot purchasers, of news print in rolls were to be supplied at the mills of this country at 2½ cents per pound. I think any newspaper man in the United States who is fair, who contemplates the diminishing spruce forests in this country and the increased cost of production, will agree that 2½ cents per pound is a fair price for news print, however much he might wish to buy it for less. The agreement was made with the manufacturers that they would turn their contracts over to the Federal Trade Commission and, no matter how much anyone was paying beyond that, he should have his supply as apportioned by the commission at the 2½-cent rate at the mill. There were other rates adjusted to that basic price for the small consumer.

That was a very happy arrangement, and I think the newspapers of the country were glad to applaud the making of it; but before it became effective the Department of Justice availed itself of the information which had been brought out in the investigation and secured indictments against a combination of a half-dozen or more large producers in this country. That, of course, disturbed the amity of the situation. I think I violate no confidence when I say that a number of publishers in this country, including some representatives of the publishing world from Capitol Hill, went before the Trade Commission and sought to have a suspension of the criminal prosecution because the thing accomplished under the friendly arrangement was of infinitely greater advantage to the publishing world than any punishment which could be meted out. Without criticizing—perhaps one can not justly criticize the Department of Justice—the department went on with its prosecution. That upset the friendly arrangement, and throughout 1917 every man sought paper to the best advantage he could and got it where he could. Of course, much of the output had already been covered by contracts, which nothing but a friendly arrangement could abrogate, and the little publisher, who has no more important business than that which I am interested in at home, found himself assessed anywhere from ten to twenty thousand dollars because of the increased cost of paper in 1917.

Having failed in relief because of the threat of prosecution the Federal Trade Commission very properly, I think, sought again to renew a friendly arrangement for the handling of the print supply of this country; and negotiations reached such a stage that the Department of Justice, on the recommendation of the Trade Commission, agreed to accept pleas of noncontention—nolo contendere, I think you lawyers call it—and the imposition of nominal fines which should end the criminal litigation, and the news-print producers of the country should enter into a voluntary arrangement with the Trade Commission as to fixing the price of paper. That arrangement was made. If I correctly understood the Senator from Arizona in his remarks the other day, he said that it was made, but that they were now trying to get away from it. Am I correct?

Mr. SMITH of Arizona. I said I thought I saw evidences of an effort to get away from it by a recent combination of the same men.

Mr. HARDING. That clears the situation and is in conformity with the information which I have.

Mr. SMITH of Arizona. I should like to suggest to the Senator just at this point, merely explanatory of the Federal Trade Commission taking any hand at all in the matter, that the Senate itself started the investigation by a resolution directing the Federal Trade Commission to inquire into the price of this paper, and to make such recommendations as they saw fit.

Mr. HARDING. Yes; that is all quite true. This new arrangement—and I should like to have this very select company know about this——

Mr. GALLINGER. Mr. President, would it disturb the Senator if he yielded to me for the purpose of getting him a larger company?

Mr. HARDING. No; I would not wish that.

Mr. GALLINGER. The Senator would not wish it?

Mr. HARDING. No; I am very particular. I rather relish the thought that at a time like this, when the American Republic is headed straight for a condition of State socialism, when we are seemingly doing everything in the world possible to paralyze individual initiative, when we are taking the Government of this Republic from the hands of the people and putting the people in the hands of the Government, when we are "hellbent" to the very condition that led Germany to bring on the war to save her from herself, and we have before us a measure so vital as this, relating to Government control of private industry, the Senate is so employed that there are six or seven of us present to discuss this great, vital problem!

Mr. President, I am not taking this extreme paucity of attention as a personal defect of mine, because it is characteristic of all the discussion that has been going on upon the floor of the Senate pertaining to these tremendously important questions; and I can hope for no great satisfaction, except that in the end I shall have put my warning into the records of this body, and the Nation that ultimately comes to repentance can read.

However, getting back to the problem in its practical phase, the Federal Trade Commission made an arrangement with the news-print producers of this country that beginning January 1, 1918, they would supply paper in rolls, carload lots, at the mill, at the basic price of 3 cents per pound, for a period of three months. I may say that that will save the average medium-sized publisher, if continued throughout the year, a sufficient cost on his paper product to pay a dividend on his capital. The arrangement further provided that after an experimental period of three months' control by the Trade Commission, a readjustment of price should be made after an ascertainment by the commission of the cost of production. Nobody disputes the arrangement. Nobody has proposed to abandon that arrangement; but the Senator from Arizona says he thinks he sees signs of trying to get away from it. I can tell you what the signs are; but, mark you, I hold no brief for the paper manufacturers. The signs are that the print-paper producers are gathering their forces to show what the cost of production is, and the newspaper men have been foolish enough to express the apprehension that the print manufacturers are going to produce a larger cost figure than anyone has been willing previously to believe. I want to say in this connection that if the Federal Trade Commission is so utterly incompetent, so utterly unworthy to pass upon a presentation of cost figures, then I do not want such an incompetent body to have control of the distribution of the print supply of this country.

Mr. SMITH of Arizona. Mr. President, will the Senator permit me right there?

Mr. HARDING. Certainly.

Mr. SMITH of Arizona. There will be no need of a Federal Trade Commission or anybody else to settle what the cost of print paper is if you will permit the same processes and the same morality to carry on the business of fixing what the cost is. There is no necessity for this investigation if you are limited to what they say, and if they combine now, as they did before, when they advertised to the world that they were going to raise the cost of paper, and notified each one of the manufacturers to make an extravagant return of costs so that they would be justified in increasing the price.

To answer further along the line of what the Senator has suggested as to this agreement, the agreement did fix the price of paper in rolls, carload lots, at the mill, at the price quoted.

Mr. HARDING. If the Senator wants to make an answer to my statement, I much prefer that he shall do so later.

Mr. SMITH of Arizona. I am not doing that. I am suggesting that the Senator did not do me justice in saying that I was

contending against that and had nothing but a fear of a combination. That did not apply to the cut paper. It did not apply to any particle of paper except that in carload lots at the mill. If this joint resolution had nothing else to do except to attend to that, the Senator would not find me here advocating it.

Mr. HARDING. The Senator is mistaken. The agreement does apply to cut paper, but it does not provide for the same price for it, and here is the reason for that: I happen to have, in my capacity as a news-print buyer, a copy of the agreement made by the Federal Trade Commission with the manufacturers of this country, and I know what it contains. It does provide for a higher price for the cut paper, because there is more expense involved in preparing that paper for the market. The roll buyer gets his paper from the machine, turned out in the roll, and the moment it is wrapped it is ready for the car, for shipment. The buyer of cut paper must have that paper put through the process of cutting, packing, and counting into reams, which is a very different proposition; and the price is all accurately adjusted in this contract between the commission and the producer. I happen to have two contracts in my possession, though they are not before me just at this moment, which fix the agreement between the manufacturers and the Federal Trade Commission as the basis of our trade; and now I am going to utter my selfish reason for opposing this measure.

I do not want the United States Government to come in and again upset a friendly arrangement, with the result of increasing the cost of news-print paper to the consumers of this country. That is precisely what the prosecution did last year, though I am not attempting to criticize that action. The prosecution that was undertaken last year cost the newspaper publishers of this country not less than $5,000,000.

The Senator from Arizona misses one of the very essential points in this discussion. One news-print mill can produce paper at a cent a pound. I understand that there is one that produces it at a little less than a cent a pound. Another will produce it at a cent and a half a pound, and there may be scores of them that can not produce news print nowadays at less than 3 cents a pound. That is easy to explain. One large concern owns its own spruce forests, and it has an abundant supply of the raw material which it turns into sulphite pulp itself. It probably does it where it has an abundance of water power and cheap production. Another mill may be more or less antiquated. It may be four, five, or six hundred miles from the spruce forests. It may have no water power except during certain portions of the year, and in order to carry out its contracts for delivery it must grind and roll paper at certain seasons of the year with steam power.

You do not want any arrangement in this country, when there is a shortage of supply, that will cut out even the antiquated producer. That is where the Government made a very serious mistake in trying to control the fuel situation of the country. I voted for it, and I am glad we attempted to control the fuel situation, because that concerned the great masses of our people, and dealt in a large part with the distress of the people and the paralysis of necessary activities in this country. But the news-print situation does not involve such a question as that; and when the price of coal was fixed in this country the Fuel Administrator took no cognizance of the scalper, of the little producer who had gone in and added his thousands of tons of coal to the supply of this country, because prices were so high that he could profit through his crude processes. The price fixing shut him off, and immediately our supply was diminished by that much, when we ought really, for the country's good, to have had a variation in prices that would have permitted the little producer to continue his activities.

As a consumer of news-print paper anxious to see a sufficient supply to adjust the market in this country, I do not want a price that is going to shut down the mill that is producing by old-time methods. I do not want to shut down the mill that must buy its pulp from the pulp producer or its sulphite from the sulphite producer or must turn to steam power when its water supply fails. The only real way to adjust a price in the United States of America in time of peace or in time of war is to encourage a supply equal to the demand; and the trouble with this country is that we are trying to do these things by the artificial process of Government control, and it will prove the most miserable failure that was ever attempted by any civilized people.

I have said these things so far, Mr. President and the faithful, from the selfish viewpoint of the newspaper publisher. Now, let us for a moment ask ourselves where we are drifting.

Mr. President, I have voted for a good many measures in the last five months that were repugnant to my conception of governmental ideals. I have accepted the program of the administration almost without question, because I love my country far more than any political party; and I have assumed that the Executive, with complete knowledge of the situation, with facts I do not possess, knew infinitely better than I could hope to know what was required. I have been following along patriotically and blindly, accepting the call for legislation that has been proposed in the name of a war emergency. But I am resisting the passage of this measure because there is not a stretch of the imagination anywhere that will make this one a war-emergency measure.

The news-print situation is serious, to be sure, but a shortage would not seriously interfere with the Government's conduct of the war, because the most embarrassed agency in furthering the success of the Government in the war just now is the press of this country. It is true that we have not paralyzed it. The press, in the main, is loyal and wants to be helpful, but if you are going to conserve expenditure, if you are going to apply the Government-control policy, why not abandon the news associations that are spending their millions? Why not abolish the scores of special correspondents who are here at the expense of their publishers? Why not eliminate competition between newspapers in any given city and have one Government agency of publicity under the direction of Mr. Creel, of the department of publicity, and just tell the American people what the Government thinks it ought to know? Seriously, I tell you, we are on the verge now of being a people subject to the Government.

Mr. President, if you want to know the drift, there may be one illuminating fact. It is estimated that in the last 15 years the Government forces in Washington have increased by far more than 100 per cent. Suppose the population of the United States increased 1 per cent a year—you can make it larger if you like—then the population of this country will be increased 15 per cent in 15 years. So we are adding to the Federal forces engaged in Government work more than six times the addition to the population of the country. That applies only to the Federal Government, and we have only fairly begun in the establishment of bureaucracy in this land. Now, go a little further. We have followed the same inclination to put the people in the hands of the Government, rather than the Government in the hands of the people, except when we made a very miserable attempt at reformation, to which the Senator from Illinois [Mr. SHERMAN] referred the other day, in our primary system, to which is to be added the privilege of suffrage soon to come. In the States we have more than doubled the Government bureaus and Government agents controlling private affairs, and it does not end in the States. You can follow it to the municipality. In my State, where we have a basic limitation to the municipal tax rate, every great municipality in that State is facing a deficit in its financial affairs, and you can not raise money enough under the limitations to pay the expenses of municipal government. Where are we drifting?

Mr. SHERMAN. Will the Senator allow me to state, in order to fortify his statement, that the same condition prevails in the municipalities of Illinois. Nearly all the taxes are levied under delegated powers and limitations of the constitution and the statutes of the State.

Mr. HARDING. I have no doubt that that is the case. It is the tendency throughout the country.

I am not sure, Mr. President, where I want to place the blame. When the German Kaiser decided to make war for the world's domination he cast a solvent into our present-day civilization that has put us in a very fluid state, and I am frank to say to the Members of the Senate who honor me with their hearing that I am a lot more concerned about the aftermath of the war than I am of the winning of it. Senators, if you go on adding to governmental control, and that is all this joint resolution is whatever else may be said about it, I want to hear from the genius who can offer a way to get back to normal conditions. I do not think we ever will. I think the sociological conditions of the past under which this American Republic was made, what we boast it to be, will never be reestablished. I am a good deal like the optimist who testified yesterday before the Senate Committee on Commerce. I am willing to take my chances in accordance with whatever conditions there are, with the sanction of the Government. But while I am willing to take my chances, and while I recognize the utter hopelessness of restoring the conditions of individualism under which we achieved as we have, nevertheless I think I should be remiss in my conscientious service as a public official if I did not cry out against a tendency which will ultimately put the bolsheviki in control of the United States.

Senators, I must allude to the Government assuming control of transportation, which would never have been necessary for a moment if we had allowed the railway managers of this

country to do what the Government will now do on its own account. May I digress for a moment? There is nothing very pressing.

Mr. SMITH of Arizona. Nothing that I know of.

Mr. HARDING. In all, we have been very unthinking, and so unreasonable, so demagogic, if I may use the word, in dealing with the railroad problem. Out in my State, when I was a member of the general assembly, I remember voting for a statute forbidding State lines paralleling, and in natural competition from ever entering into any combination or amalgamation. When we found ourselves out in Ohio distressed by the fuel situation, as every section of the country did, the railroad managers of two parallel lines from the coal fields to the Lakes, both single-track roads, seeing the difficulty of handling the congested traffic over single-track lines, and at one time having had sufficiently intimate and friendly relations to have contemplated a merger, suggested that they would take from the coal fields to the Lakes the loaded trains over one line, keeping them constantly moving in one direction, and they would take the empty trains of cars back to the mines over the other line, keeping them moving in one direction, and thereby adding notably to the efficiency of the service.

But what happened? Our old statute in Ohio forbidding pooling or joint operation or any friendly cooperation was called to the attention of the courts and that helpful contribution to efficiency in an emergency was halted by the courts of the State of Ohio.

Of course, under Government control you eliminate those things. It is a pity that we could not have eliminated them long ago. Now we shall have Government control, probably, founded on the investigation and conclusions of some of the most eminent railroad talent in the United States, after six or eight months of careful, studious work in trying to solve this difficult situation, and if it proves a success, then the achievement wrought through the suspension of the laws of this country will be used as an argument for Government control of the railway system of the land.

If you are going to control the railroads, and if you are going to control the fuel supply and the food supply in this country, it is not at all abnormal to reach out and take control of the paper supply. The next logical step, if the advertisers or the subscribers of this country have a grievance about prices, is for Government control of the press, and we have more or less of that already, without the financial obligations that go with public business.

Where are we drifting? I listened the other day to the Senator from Illinois [Mr. SHERMAN] with very deep interest in his tribute to the individualism which brought about the development of this country. I want to supplement what he said and go on record as saying now that notwithstanding many of the plausible theories of the socialistic doctrines which are being applied in this country just now, and some of them may be helpful—and, so far as the promotion of brotherhood is concerned, I cordially agree—I make the prediction that the socialistic tendency of this country to-day will prove to be the Nation's paralysis. It will stop every development. It will hinder every initiative essential to the progress of the people in the making of a great nation.

I hope, Senators, while we find ourselves brought to the test on a little measure relating to news-print control in this country when there is not any essential call for it, there will be enough Members of this body to assert their convictions and say, "No; we are not going to do these things that are not necessary to the winning of the war."

If it were necessary to paralyze America to save us from Germany I would vote for that paralysis. I remember some of my colleagues in this body criticized me rather severely some months ago when I ventured to say in a rather informal way that I believed a dictator was necessary to the winning of the war. Whether I was wise in saying it or not, you now have the dictator, and I think we are going to win the war. We must; we will. But listen, Senators. Let us not hamper ourselves for the trial to come in the recovery after the war. Let us not put the manufacture of paper, let us not put the manufacture of wearing apparel, let us not put the manufacture of the thousand and one things that are not directly related to the war in the hands of Government control in order to increase the tremendous population which has turned Washington from a normal, easy-going Capital into an over-crowded mining camp, where we have not only the adventurers and those who sell for war but the profiteerers who are seeking fat places in Government service.

Mr. President, I had not expected to talk to this hour on this subject. I do not know that I have said to the Members of the Senate the things that I wanted to convey to them. But business is one thing and politics is another, and I am convinced that they do not always satisfactorily mix. I do not want to find myself supplicating a Washington bureau for a supply of news print with which to issue the publication for which I am the sponsor. I do not want to put into the hands of the President of the United States, even though he be as the Senator from Iowa [Mr. KENYON] said yesterday, "the most popular and worshipped man in the world to-day," the power to say, "No; Harding's Marion Star does not get any newspaper supply until everybody else is cared for." I do not want to make it possible for the President of the United States or any agency of the President of the United States to punish in its news supply any newspaper in this land. Let us be content with what the Postmaster General can do to us. You have not thought of all these things; there are too many others that have been given consideration.

So, Senators, I admonish you who have honored me with your hearing, let us call it to the attention of others in this body who are unable to be here, either because of their engagements or who are unwilling to be here; and let us ask them to halt this tendency until the necessity is proven for such radical action.

I submit that the Senator from Arizona has not made a very strong case, because the newspapers of this country are going to be more injured than helped by the passage of this joint resolution. You can never bring paper down to anything like the normal price until you have encouraged a sufficient production in this country, or encourage a production for import, to meet the demand. I warn you now, you will never increase the production under Government regulation and control. If you want to put the Government into the manufacture, then you are only adding one more nail into the great casket in which you are going to bury the Republic that we boast of and put in its place a socialistic order that will be the land of paralysis and hopelessness for all time to come.

Mr. SMITH of Arizona. Mr. President, I am not surprised at all at the sentiments expressed by the Senator from Ohio [Mr. HARDING], but I am somewhat surprised at the mistaken historical facts which he brings out in reference to the price of print paper. He gives as an illustration the great increase of print-paper cost at the time of the Spanish-American War. I have before me a compilation made by Mr. Tuttle, former treasurer of the New York Tribune, for the period of many years, and then of the International Paper Co., who gives the following as the price of paper during the years named.

Beginning with 1860, it was 8 cents a pound. During the Civil War it reached 22 cents, and it was not before 1874 that it got below 12 cents. In 1889 it was 3 cents, and in 1896 it had reached 2.25 cents, and in 1897, 1898, 1899, 1900, and 1901, clear through all the reconstructive industries, if you please, if any had ever been dislocated during the Spanish-American War, in those years afterwards this same paper we are talking about to-day sold for 1.8 cents a pound. That answers the congested condition that the Senator spoke of in the present war time. Now, taking the present war, in 1913 all this paper sold at 2.25 cents. So in 1910, 1911, 1912, 1913. In 1914 the paper sold at 2.15 cents, in 1915 at 2.15 cents, in 1916 at 2.15 cents. That is where the combination of which I have spoken began and where the Senate, after its operations, passed a resolution giving to the Trade Commission the power to investigate and make a report to Congress. Through the investigation of that commission the facts were found as I have set forth in the report on this joint resolution, and a good deal more will be found if the Senator will refer to the report of the commission that I had not the time nor the inclination to print in full in the report on the pending joint resolution. So the Senator's statement is not true. They are selling independent paper in New York at 2.5 cents, and never asked any more.

Yet it is a very easy matter for the gentlemen running a great business to manipulate it in this way. As I said before, it is not in any sense immoral. It is the result of the tendency of human trade. If I have advantages, I want to keep them as long as I can keep outside of any indication or suspicion of any moral turpitude about it. So the men feel who have the right and essential advantage in the distribution of this paper and in the purchase of it. I ask my friend what cares he for the price of paper? If the price is going high, he can absolutely kill all competition. If it is 10 cents a pound, they will quit the business.

The resolution looks to controlling the price of paper and keeping it at a fair price, and a fair price is to be found by the Trade Commission. Every item of cost that the Senator spoke of will be justly and fairly estimated by any sensible board in ascertaining the cost of production. If they find that

the men who are manufacturing it can not make any profit under 4 cents I have not any doubt, neither has any man here a doubt they would recommend a profit sufficient to pay all that these men ought to receive in time of war and furnish what I consider and what any thoughtful man who will give his attention to it must consider an extremely vital element, if you please, in the conduct of the war itself.

I am paying the newspapers no particular tribute, but with few exceptions these newspapers, whatever their politics, have stood behind this Government in the awful struggle through which it is now marching. Without their aid what would you have done with your liberty loans? What would you have done when you made an appeal for a conscription law, if you please? What would you have done in every great effort that is so essential to ending the war successfully if it had not been for the universal support that the press of the country gave to the great measures which we were considering?

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER (Mr. MCNARY in the chair). Does the Senator from Arizona yield to the Senator from New Hampshire?

Mr. SMITH of Arizona. I yield to the Senator.

Mr. GALLINGER. I will ask the Senator what would have become of the newspapers of the country if they had opposed the liberty loan or the conscription law. What would have happened to them?

Mr. SMITH of Arizona. I do not know.

Mr. GALLINGER. I know.

Mr. SMITH of Arizona. I do not know what might have happened to them. A good many of them did it.

Mr. GALLINGER. Their subscribers would have repudiated them.

Mr. SMITH of Arizona. A good many that did it are still running.

Mr. GALLINGER. Not many of them who opposed the liberty loan? I do not know of any.

Mr. SMITH of Arizona. I notice that none of them suffered very materially afterwards. But I should like to know what would become of them if you are going to charge them under a combination 8 cents a pound.

Mr. GALLINGER. Nobody proposes that.

Mr. SMITH of Arizona. If in this trouble they are entitled to any sort of consideration nobody should trespass on their rights. These men have made a profit of 29 per cent after deducting taxes and everything else. Do you tell me that they themselves are not ready to submit to a profit say of 10 per cent, or whatever is necessary, that the paper may be sold to those needing it, and to the United States Government as well as any other applicant for it at a fair and reasonable price?

I am not going to stand here and debate now what is going to happen after the war, the seizure of railroads, and all that. I only protest against that argument being used and arousing all the prejudices that can be excited for the purpose of hurting this particular measure. It is an ingenious way of argument to say that something is going to happen, and here is a bill going along the same line, less hurtful, it is true, but if we pass it the newpapers can never be printed again without governmental supervision.

Mr. WATSON. May I ask the Senator is it not true that on two occasions press censorship was sought here and voted down by a majority, and is not this the rankest form of press censorship that it is possible to be set up in the United States?

Mr. SMITH of Arizona. Emphatically and absolutely there is not one vestige of fact in the suggestion. You can not find an editorial to that effect in any paper in the country. I have three or four thousand editorials on the very question of censorship. There is no protest from a single one of them on that ground. Read the report of the committee on the joint resolution and you will see how much the newspapers fear censorship.

Mr. STONE. I should like to inquire in what way the joint resolution, if enacted into a statute, could be made or would be made an instrumentality of censoring the newspapers of the country?

Mr. SMITH of Arizona. I do not know, unless they want to claim that inasmuch as you have the power of distribution the parties having the power would say, "We do not like the color of your hair or the cut of your jib, or something you have said in the newspapers, and therefore we, the great commission for the sole purpose of being absolutely fair in the world, will say that newspaper shall stop." That is not the commission suggested by the Senator from New Hampshire. If it attempted anything like that, the vote has already been shown in this body, and not only that, but from the inspiration that warms the hearts of every one of us we know that the commission itself would not stand for five minutes in the respect of the world if it attempted to do these little prejudicial damages to people who did not happen to speak according to their particular wishes. It is ridiculous to talk about it and to belittle this question to such a degree as that.

Mr. STONE obtained the floor.

Mr. SMITH of Arizona. Mr. President, in connection with the remarks I made before the Senator from Missouri took the floor I ask unanimous consent to have printed, rather than to read it, an editorial on the question of the control of print paper coming from the Editor and Publisher, of New York, on January 5. It is very largely an expression of the views which I entertain. I have indicated by marks on the paper what I should like to have appear in the RECORD at the end of my speech.

The PRESIDING OFFICER (Mr. KING in the chair). Is there objection?

Mr. GALLINGER. What is the request, Mr. President?

Mr. SMITH of Arizona. My request is, because my throat is in bad condition, that instead of reading it there may be printed in the RECORD an editorial on the very questions which we are now discussing.

Mr. GALLINGER. From what paper?

Mr. SMITH of Arizona. From the New York Editor and Publisher, a paper about 45 or 50 years old, I think.

Mr. GALLINGER. Mr. President, while I am, as a rule, opposed to loading down the RECORD with newspaper editorials and articles of various kinds, which practice we have carried to an alarming extent, I can not object to this editorial going into the RECORD.

Mr. SMITH of Arizona. The Senator from New Hampshire knows full well that he and I equally agree as to that, and I commend his course in regard to it; but I have never heard the question raised, when a Senator on the floor has asked that a particular matter be incorporated in his remarks, as to permitting it to be done.

Mr. GALLINGER. I have no objection, Mr. President.

The PRESIDING OFFICER. The Chair hears no objection, and the editorial will be printed, as requested.

The editorial referred to is as follows:

[From the Editor and Publisher, Jan. 5, 1918.]

FEDERAL CONTROL.

We have Government control of the railroads, and the skies have not fallen nor has the social fabric been shattered. In a commonwealth—of which a republic is the best example—sovereignty is vested in the people and delegated by them to chosen executives. In normal times the exercise of authority over the people, in whom it is primarily vested and from whose collective will it must proceed, is attended, happily, with as little interference with individual freedom as is compatible with the communal interest.

In war times, when the national purpose is unified and the national needs paramount, individual interests are subject to the merciless test of "the common good."

The immediate task of the Nation, to which all individual interests must contribute, is the winning of the war. That the railroads may become an effective part of the fighting machinery of the Nation, their direction has been placed in the hands of one man. That the commodities essential to the life of the people and for the conduct of the war may have preference in shipment, priority orders are formulated. The necessities are given right of way.

Some timorous people profess to see great danger in the present internal policies of the Government—in the adoption of Federal control of the vital business interests of the country. Jealous of any menace to individual rights, these people see in this drastic action an attack upon the sacred citadel. It is a mistaken alarm. The ship of state is steaming steadily and stoutly in stormy seas, and its navigating officers seek first to conserve the safety of the ship, and must not permit that purpose to be disregarded in order to cater to the comfort whims of the passengers.

In view of the larger adoption of the policy of Federal control, the opponents of such control of the news-print industry sound a feeble and unconvincing note of protest. As a matter of fact and as a conclusion based upon common sense, Federal control of the news-print industry is now necessary—necessary alike to the sellers and to the users of that commodity.

With control vested in the Federal Trade Commission, as the pending Smith resolution provides, the publishers of the country will have at Washington a governmental agency committed to the task of supervising the distribution of news print. The publisher whose supply may be held up through freight congestion would then be able, through the intervention of the Trade Commission, to have his shipment hurried to him in ample time to meet his urgent needs. Under present conditions, with the railroads committed to priority orders in freight handling—some of these orders perhaps not of the wisest—the publisher whose carload of paper is sidetracked somewhere has small chance of speeding up its journey. The Trade Commission, armed with authority, could quickly unravel these shipping tangles. Convinced, as the commissioners are, that the publication of newspapers is a war need of the primal sort, they would see to it that no newspaper should face suspension through a lack of news print.

The distribution of news print under war conditions can not be managed properly under any plan short of Federal control. That the Congress should hesitate to establish such control is due, in large part, to the lethargy of publishers in the matter. If every user of news print should see to it that his Representative at Washington is fully informed of the conditions existing and of the urgent need of Government control, the Smith resolution would meet with little opposition.

Mr. STONE. Mr. President, under the present law the Postmaster General is clothed with sufficient power to shut news-

papers out of the mail when they do not speak in accordance with the judgment of departmental officials. Now, there is a censorship, but here is a bill which proposes merely to prevent undue extortion by a certain class of producers upon a certain class of consumers. To say that if that power is granted the governmental agencies would undertake to control distribution or to direct distribution in a way to inflict punishment, so to speak, upon a given newspaper or upon a number of newspapers seems impossible.

Mr. WATSON. May I interrupt the Senator? Does he agree that if the Federal Trade Commission sought to use the power in that way that under the terms and provisions of this joint resolution they have the power and that they could do it?

Mr. STONE. I doubt it. I do not think so. I do not think that the Federal Trade Commission would be given the power under the terms of the joint resolution to deny to me, one publisher, the right to have my supplies in a wholly different and to me a hurtful way from that in which like supplies would be furnished to the Senator from Indiana, if he were conducting a publication similar to mine. That would be such a gross abuse of power that I think the courts could be appealed to to remedy it, and I do not believe it would ever be attempted.

Mr. SMOOT. However, the joint resolution authorizes it.

Mr. STONE. If the joint resolution authorizes any such thing as that, which I do not believe——

Mr. SMOOT. That is what it does.

Mr. STONE. The Senator from Utah so construes it, I assume; but I do not. If, however, it does, by a line or a change of word or two, any such power as that, if it is sought to confer it, could be withdrawn from the provisions of the joint resolution. There is no need of being hypercritical about this joint resolution. If such power as that indicated by the Senator from Indiana [Mr. WATSON] and the Senator from Utah [Mr. SMOOT] is written in the language of the joint resolution, it can be easily rectified; but, Mr. President, I do not think we ought to be hunting mere excuses here and there to throttle this measure. Let us settle it upon its broad merits.

Mr. HARDWICK. Mr. President, I do not care to discuss this proposition at any considerable length. I have made plain to the Senate the ground of my opposition to it. It is putting the Government into a private business wholly unrelated to and entirely disconnected with the real prosecution of this war. There is no reason for it, from the standpoint of giving relief to the newspaper publishers, because it has not been many months since the Post Office Department submitted proof to the Senate showing that every penny of the increased expense to which these publications have been put as to print paper, in most cases at least, has been passed on to the public, usually through the advertising rates.

It is inconceivable to my mind that the ordinary criminal laws and the great volume of trust laws that we have are not efficient to relieve the situation, if there is a combination in restraint of trade or operating in violation of law. Unless we are prepared to admit that our system of trust regulation and suppression, and of criminal prosecution for violations of the laws against restraint of trade or combinations in restraint of trade, have utterly failed, there is no justification whatever for this measure.

It seems to me, Mr. President, as if day by day, and in one transaction after another, in many important particulars we are absolutely departing from the great structural principles on which this Government rests. We have built up a centralized Federal power in this Government, and in matters wholly unrelated to the prosecution of this war, that would have amazed Alexander Hamilton, and that exceed the wildest dream that he ever dreamed; and Democrats still professing the Democratic faith have done it. We have surrendered in many important and essential features the principle, not only fundamentally Democratic, but fundamentally American, of local self-government. We did it when we passed the child-labor law, undertaking to regulate the hours and terms and conditions on which labor may be employed in every State of the Union; we did it when we abandoned the ancient, historic, democratic, yea, American, position on the liquor question, and said that the Government of the United States, acting nationally, should control that question, instead of each locality asserting its own will with respect to it.

It is proposed now to do it, not only with respect to such little measures as the one proposed by the Senator from Arizona [Mr. SMITH], but with respect to the suffrage question. The right of each State to fix and determine for itself the qualifications of its electors is one of the fundamental propositions that underlie and support local self-government, if not the one most fundamental of them all.

In that connection, I want to read the thoughtful words of the greatest Democratic newspapers in the North. I agree with them in part, at least. I believe, however, that the application of the memorial address printed this morning in the New York World is broader than a mere party application. The dirge that ought to be sung is not only the death of Democratic ideals and Democratic principles, but of American ideals and American principles. The editorial is entitled "In memoriam," and it reads as follows:

The World's famous question, "Shall the Democratic Party die?" has been answered. The historical Democratic Party is dead.

We do not mean that the Democratic organization has ceased to exist. We do not mean that there are no more Democrats. Nor do we mean that the Democratic Party is dead in the sense that the Federalist Party is dead, or the Whig Party is dead, or the Greenback Party is dead, or the Populist Party is dead. What has died is the Democratic Party of Jefferson and Jackson and Tilden. The principles of government which they enunciated and advocated have been obliterated. What slavery and secession and silver were unable to accomplish has been brought about by prohibition and woman suffrage.

The deathblow to Jeffersonian Democracy was delivered by the Democratic Senators and Representatives from the South and West under the leadership of William J. Bryan, who carried through the prohibition amendment. The coup de grâce was administered by Woodrow Wilson, President of the United States, in indorsing the Federal suffrage amendment to the Constitution.

The kind of government for which the Jeffersonian Democracy successfully battled for more than a century has been repudiated. Centralization is now invited, not repelled. State rights have been assassinated in the ancient citadel of State rights. The charter of local self-government has become a scrap of paper. The way is now open for the obliteration of the States in all their essential functions and the erection of a central government more powerful than anything of which Alexander Hamilton dared to dream.

To-day there are no fundamental differences of principle between Democrats and Republicans. The two parties are interchangeable so far as any vital profession of faith is concerned. Republicans claim to be better business men than Democrats, and hence quicker and slicker in grabbing a dollar; Democrats claim to be more honest and simple-minded than Republicans. Republicans bitterly resent the fact that the Democrats are in possession of the Federal Government. Democrats resent with equal bitterness the disgusting ambition of the Republicans to get back into power. It is not of such stuff that great parties are formed or great issues are vitalized.

Perhaps it was all inevitable. Perhaps it was ordained that a time would come when an impatient people would deliberately throw away as too cumbersome the old system of checks and balances that the fathers provided in framing the Constitution and give over the minority to the tyranny of the majority until a new system could be created in the light of better experience. It is difficult to quarrel with events, however much we may regret them, but dangerous to ignore them.

A great revolution has suddenly come about in the Government of the United States. Strangely enough, it has come about during the Presidency of one of the greatest Democrats in all history—

So says the New York World—

whose leadership is hardly less commanding in Europe than at home—a leadership which in many respects holds out hope of democracy in civilization. Yet under that leadership the institutions of the United States have been permanently changed without a word of protest from him in one instance and with his active assistance in the other. The clock can not be turned back. Yet we may wonder if the President is so keenly absorbed in the processes of anarchy in Russia as to be oblivious to what is happening to our own institutions.

It is possible that out of the stress and circumstance of this world war will come a new Democratic Party in the United States—a Wilsonian democracy in place of a Jeffersonian democracy. But can it find means of restoring the balance and provide new methods for insuring that organized self-control without which all free government is bound to sink to the present level of Russia or is forced to establish an elective autocracy as a means of self-preservation? We shall see what we shall see.

Of the two instruments by which the old Jeffersonian democracy succeeded in committing suicide the most dangerous weapon, of course, is prohibition. Suffrage by Federal amendment, in spite of its perversion of the original theory of American institutions, is at least an extension of human freedom. It is not, like prohibition, an absolute suffocation of individual rights and personal liberties at the mandate of three-fourths of the legislatures. The suffrage amendment may result in as many complications and misfortunes as the fourteenth and fifteenth amendments produced, but we can say of it that ipso facto it invades no man's home, nor does it prescribe what he may eat or what he may drink or how he shall order his life.

At the same time the two amendments taken together, the one championed by southern Democrats still giving a lip service to the old party faith, and the other indorsed by the President who deliberately abandoned an issue on which he was reelected in 1916, are as completely at variance with all the fundamental purposes of the old democracy as those purposes were at variance with federalism.

The World has never been able to regard change and progress as synonymous, and it can not do so in this instance. Nor can we believe that the advantages of the political expediency which have dictated official Democratic policy in regard to these issues are adequate compensation for the utter sacrifice of principles which had given to the Democratic Party the longest continuous history of any political party in the world.

Possibly we are too apprehensive about the future, but a change of so radical a character may well be considered apprehensively. Each generation must work out its own salvation, and it is not wholly beyond the nature of things that out of the ashes of the old Democratic Party will spring a new democracy more vigorous and more insistent than ever upon these elementary rights without the continuous assertion of which free institutions have never succeeded in maintaining themselves. That remains to be seen.

The World is no prophet of disaster. In paying a respectful tribute to the dead it implies no reproach to the living. But the record is the record.

So speaks the greatest Democratic newspaper of the Nation this morning in its leading editorial. If it be not considered treason in these momentous and stirring times to express my agreement, I want to say that, in part at least, I agree with

this editorial. The ancient party of my faith, the party of Jefferson, of Jackson, of Tilden, and of Cleveland, is no more. If there is a Democrat alive to-day in the Senate or out of it or anywhere in this Republic who can show me a single principle to which it has proven its fidelity, I would like to have him stand up and name it.

I do not think our Republican friends are in much, if any better, position; but I know that the Democratic faith that I learned at my mother's knee and that I have cherished all my life is not respected or followed here. Local self-government! Is it the corner stone of the Democratic faith? If so, wherein have you kept the covenant? A low tariff, for revenue only! I can demonstrate to any audience, in this body or out of it, that in many instances we have proven false to that profession of faith. Opposition to federalism, to strong centralized power! When did we cease to believe in it? We certainly have long since ceased to practice such opposition.

Mr. President, I must confess that at times I almost despair of the Republic when I see one autocratic power piled upon the top of another unnecessarily and without a word of protest or of challenge. I realize that when we are engaged in a war the Executive ought to be given every power that is necessary for its adequate prosecution, and no man would be quicker to bestow that power than would I; but this movement did not begin with this war; it is not related to this war; it is totally disconnected with this war. When it is all over and the war is won, I hope the people of America will get back some few of their liberties; but, so far as I am concerned, unless some one can show to me the absolute and direct connection of measures of this sort with the war itself and with its actual and direct prosecution, I am disposed to keep a few of my liberties instead of surrendering them all. I know we will have those that we do not surrender, but I am not certain whether we will get back those that we do surrender and, if we ever do get them back, when we will get them back.

This is no war measure in any sense, in any shape, form, or fashion. If you want to pass it because you are willing to concede that Jefferson's old idea that the least governed people are the best governed people, that the idea under which we have all operated, the idea that individual initiative and individual enterprise could run the private business and the private industry of this country, regulated by law and controlled by law, and when they violate the laws against combinations and trusts prosecuted and punished by law—I say, if you want to concede that all that has failed and you want to set up a socialistic government, strongly centralized, with its powers here in Washington increased until the powers of the present Executive exceed those ever conferred upon or ever wielded by even the most despotic and autocratic of the Caesars, and in matters wholly unrelated to and entirely disconnected with this war, then, of course, we will know what we are facing and what we are about to embrace.

Mr. President, I know not what course other Senators may adopt—I care, of course, very vitally—but so far as I am concerned, I wish to put the Senate and the country on notice here and now, on this measure and on all others, that I propose, so far as I can, to see that this Government remains a Government of coordinated powers; I propose to do all in my power to prevent the building up of despotic and democratic and unnecessary power and authority in the hands of any one man, be he termed President or what not.

The Constitution itself confers on the Chief Executive ample power, plenary power, for the prosecution of the war, and I have no objection to giving him all the power that any Executive ought to have for the prosecution of the war, but, Senators, I warn you, do not on that account and for that reason, because we are in this war, let pass every sort of measure that may come in here labeled a war measure seeking to give to the Executive this power and that power and the other power during the war, in that way building up an executive authority the like of which was never seen in a free country—an executive authority so great that if we do not finally check this movement the country can not long remain free.

Mr. THOMAS. Mr. President, if there were any prospect of an immediate vote upon this measure, I should not detain the Senate by discussing it. From intimations which have been expressed, however, I infer that a vote to-day will be practically out of the question, and consequently I do not feel that I am trespassing upon the time of the Senate in suggesting some reasons which will impel me to support the resolution.

In 1916 we created what is known as the Federal Trade Commission, and armed it with certain powers and responsibilities, by a bill which was the subject of very extensive and elaborate discussion in both Houses. I was unable to lend it the sanction of my approval, because I could not perceive how the commission under its provisions would be able to rectify the abuses at which it was aimed. I felt that it should go much further or that we should not assume to legislate upon the subject at all.

I am neither a prophet nor the son of a prophet, yet I think it is fair to assert that the operations of the commission since the enactment of the law have not been entirely satisfactory or successful. That may be due to the personnel of the commission quite as much as to the powers which the bill conferred upon them. As to that, I make no comment; I do not know. From the report of the committee upon this joint resolution, however, and assuming its correctness, it appears that the commission's efforts to control the evil at which this joint resolution is aimed have been unsuccessful. Upon page 6 of that report appears an extract from the report of the commission regarding the news-print situation, which recites that—

> The efforts of the commission to restore competitive conditions in the news-print industry expeditiously and to arbitrate and effectively project a fair price for news-print paper have failed.

That is a confession either that the commission is not equal to the duty which has been imposed upon it, or that the law imposing that duty is so defective as to make the object sought to be attained beyond the power of the commission. But, however that may be, the commission is upon record that as to this particular difficulty its efforts to remove it have failed. The report recites, in some degree, what those efforts have been, for one of the conclusions reached between the commission and the combination was the fixing of a certain maximum price for its product, shortly after which some members of the combination withdrew from the arbitration, and as a consequence the arrangement proposed was ineffective.

Now, what are the conditions confronting the country and which provoke this joint resolution? Briefly stated, they are that a certain number of manufacturers of a very important and highly essential commodity have formed a combination, including manufacturers whose output embraces practically 80 per cent of the product, whose purpose it is to dominate that particular business, and to make successful competition impossible. The outline of the agreement is set forth on page 7 of the report, and that I assume to have been the basis of the indictment afterwards presented against a very considerable number of those executing it which indictment has been followed by what the lawyers call a nolo contendere, which does not involve an admission of guilt upon the one hand, but requires the infliction of a penalty upon the other.

This agreement is "to refrain from competing with each other in the matter of securing new customers for their paper; to refrain from competing with each other as to the quality of the paper to be sold; to refrain from competing with each other as to the delivery of and furnishing storage for paper sold but not delivered; to refrain from competing with each other as to the terms of credit, rate of interest on open accounts, dates of beginning and ending of contracts, the methods of making sales of paper through salesmen, dealers, and jobbers, the payment of return freight on the cores upon which their paper is wrapped, the payment of charges for cartage, and allowance of claims for waste or damaged paper; to engage in simultaneous representations to the public, to their customers, and to each other of the alleged increased cost of manufacture and of the alleged shortage of news-print paper, and to manufacture insufficient quantities of such paper with the object of concertedly working for materially higher prices; to cooperate in discouraging the erection of new mills or the installation of new machines for the manufacture of news print; to cooperate in preventing new concerns from competing with them by transferring orders and contracts for paper to new concerns on condition that such new companies should not compete with them; to furnish from time to time to the News Print Manufacturers' Association at No. 18 East Forty-first Street, New York City, for the information of the defendants, full and complete information concerning contracts with their customers and the quantity of the paper manufactured, carried in stock, or sold by them; also, the capacity of their various plans, and other details of their business."

It appears, in addition to this agreement, or as a part of it, that the country was partitioned out between and among these manufacturers, each having his own set of customers with whom the others would in no wise interfere, in that way still further strengthening the monopoly inevitably resulting from these drastic covenants.

Mr. President, I am unable to imagine anything which could be added to this agreement which would make it a more complete, searching, and far-reaching combination in restraint of trade than appears from the language cited. It was evidently made with much deliberation, and with the full and complete knowledge of all of the conditions connected with the print

paper trade. Unless all human experience is at fault, the purpose of the combination was to enhance the price of the product to the consumer by compelling him to purchase from one customer, and from one customer only, because under such an agreement competition was out of the question.

It may be, Mr. President, that the day of competition is over. It may be that those who contend that competition is wasteful, and productive of anything but benefit as an ultimate result, are correct. But in view of the fact that Congress has not so determined, but, upon the contrary, has enacted legislation penalizing such combinations in the interest of fair competition, the question for this purpose is foreclosed. The law has been written, and it must and ought to speak for itself; and that law has placed the ban not only of disapproval but of criminality upon such a combination as this, and upon all similar combinations against which the Federal Trade Commission is confessedly powerless, and regarding which indictments are lightly set aside upon pleas of nolo contendere, followed by fines so infinitely out of all proportion to the enormous amount of profit resulting from these agreements as to justify, perhaps, the suggestion of the Senator from Georgia [Mr. HARDWICK] that the courts of the country, as well as this commission, are inadequate to deal with the evil.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Georgia?

Mr. THOMAS. Certainly.

Mr. HARDWICK. I asked that question. I did not make it in the form of a suggestion.

Mr. THOMAS. I stand corrected. I refer to the inquiry of the Senator, and not his suggestion.

Mr. HARDWICK. Does the Senator think, because the law fails in one particular in its administration, that that is an indictment of the law itself, or of the courts generally?

Mr. THOMAS. I do not.

Mr. HARDWICK. Why can we not enforce the law against these people?

Mr. THOMAS. I think, however, that if the law fails in one direction and then fails in another direction, so that it becomes valueless, it is the duty of the lawmaker to see to it that the purpose expressed in it be made effective by laws strengthening and confirming those already in existence, but of demonstrated ineffectiveness.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator yield further?

Mr. THOMAS. Certainly.

Mr. HARDWICK. The laws to which the Senator refers were laws against combinations in restraint of trade, commonly called trusts?

Mr. THOMAS. Yes.

Mr. HARDWICK. Now, because those laws are not enforced by some particular court or in some particular instance is that a reason, according to the Senator's way of looking at things, for abandoning the system, and saying that the system is inadequate?

Mr. THOMAS. If there were but one failure, no; but if, through series of years, the laws, through the operations of the courts, their constructions——

Mr. SMITH of Arizona. And delays.

Mr. THOMAS (continuing). And delays, prove inadequate for the purpose, in consequence of which the interests affected may in some instances be brought to the verge of ruin and in others across the verge, then I think further legislation is essential; and I think that if ever there was a case about which there seems to be no dispute as to its facts it is the case with which this joint resolution proposes to deal.

Mr. HARDWICK. Mr. President, I should like to understand that. Will the Senator explain to me why that is true? Is it because some particular district court will not enforce the law?

Mr. THOMAS. It is because the Trade Commission has confessed its inability to deal with it.

Mr. HARDWICK. Well, that would not be very important.

Mr. THOMAS. It is also because, up to this time, the courts have failed to deal with it properly and effectively. That is why I make the statement. It may be an inadequate reason; doubtless it is, in the judgment of my distinguished friend from Georgia; but to my mind it is convincing. If there were no war pending, and this situation addressed itself to my judgment in times of peace, accompanied by this sort of a report, and the Committee on Printing saw fit to offer such a joint resolution, I think I would support it, not because it presents the best remedy in the world, not because it is desirable, but because it seems to be the one essential step which the Government must take, if it is taken at all, to remedy the evil, since the power does not exist elsewhere, and which, in my judgment, it ought to take, in view of the fact that we have heretofore assumed charge of the general trust question, and to legislate nationally regarding it.

Mr. HARDWICK. Mr. President, does it bother the Senator for me to interrupt him?

Mr. THOMAS. Not at all, although my voice is not in as good condition as I would like.

Mr. HARDWICK. I will not interrupt the Senator if he prefers not to be interrupted.

Mr. THOMAS. It is all right; I am perfectly willing to be.

Mr. HARDWICK. Would the Senator, then, applying that principle, be willing to abandon the laws against trusts and combinations in every line of industry and of business where some court or several courts have failed to administer them according to his ideas?

Mr. THOMAS. That is a very pertinent question.

Mr. HARDWICK. That is what it means, I think.

Mr. THOMAS. In every instance like the one under consideration that is brought to our attention; yes. I do not know that we should go hunting for them; but where they are brought, as this is brought, to our attention, and where the record is so one-sided as this seems to be, that is our relief or we have none.

Mr. HARDWICK. Mr. President——

Mr. THOMAS. I yield.

Mr. HARDWICK. Applying the same line of reasoning, then, to the Standard Oil Co. case or the American Tobacco Co. case, or any one of the cases where this has happened, where a dissolution was decreed by the courts and such a reorganization was effected by the corporation or corporations involved that in the opinion of many people the dissolution decree did not amount to very much, would the Senator then be in favor of Government ownership and operation in those fields?

Mr. THOMAS. The dissolution of the Standard Oil Co. and of the American Tobacco Co. resulted merely in a transformation of the companies and the continuation of their businesses ostensibly by separate concerns, but I imagine really by the same general control. In each of those instances the law, although applied, failed to accomplish the object desired. With regard to the Standard Oil Co., however, it has relieved the producing end of the oil business from that monopoly which previously existed. But I will say to the Senator that whenever it shall appear to the Congress, as it appears in this case, that either of those companies or any other companies controlling a large majority of the business make an agreement like this, we should treat the situation just as we propose to treat this, unless it be possible to suggest something equally effective, which up to this time the genius of man does not seem to have discovered.

Mr. HARDWICK. Mr. President, if the Senator will yield again, why is not the enforcement of the statute laws, as written, better?

Mr. THOMAS. If the statute laws as written—and I speak now of the antitrust acts rather than of the Federal Trade Commission act, which I do not think that we should have adopted in its present form—can be enforced so as to produce the result desired; yes. They never have been, however, and even in cases where they have been successfully applied the resultant has been merely a change of appearances while the substance of the thing sought to be destroyed has continued.

Perhaps it might be well, if it could be done by legislative enactment, to place concerns like these in the hands of a receiver until they shall conform to the requirements of the law as written and conduct their business in a lawful manner; but we can not appoint receivers by legislation. That is a judicial act; and while I do not intend to reflect upon the courts, I may be pardoned for expressing some skepticism with regard to their general attempted enforcements of this and kindred legislation. I do not in the slightest degree impugn their integrity in calling attention to the fact that with the refined constructions and exceptions and differences and distinctions with which all of the decisions upon these antitrust laws fairly bristle no man knows what he can do nor what he should refrain from doing, the law to-day being in a greater state of unsettlement than it was when judicial construction first began.

Mr. President, I do not believe in governmental control or in Government ownership per se. I am satisfied that private operation of business of all kinds, except it be with regard to public utilities, is eminently preferable to governmental control or interference. I think everyone will agree to that. But I believe in Government control in certain instances, of which this is one, when it appears to be the last alternative, without the exercise of which the evil complained of may be aggravated

instead of diminished, until those who are its victims shall be stripped of all their possessions.

My friend the distinguished Senator from Illinois [Mr. SHERMAN] the other day deprecated the constantly growing tendency of all interests and of all individuals to appeal to Congress and the General Government for relief against recurring evils of which they complain, whereas two or three generations ago, under the then prevailing spirit and genius and individualism, each man depended largely upon his own resources to work out his own salvation. Unfortunately, that is true; and in that tendency my friend the Senator from Georgia can find the germ of that departure from State rights which he deplores so earnestly and so mournfully. The States, for the most part, have lost their rights because they preferred to surrender them to the General Government in consideration of that Government's bearing the financial burden of their exercise.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Illinois?

Mr. THOMAS. I do.

Mr. LEWIS. Does not the Senator think that those privileges have been too often surrendered for financial favors and benefits?

Mr. THOMAS. That is exactly what I say. With the editorial read by the Senator from Georgia a few moments ago I have no quarrel, except that the condition which the editor of that paper bewails is not a condition created by the adoption of the prohibition resolution or by the passage yesterday in the House of Representatives of the suffrage resolution. Those were merely its latest manifestations. It has been going on constantly for the last generation. The States have not expressly, perhaps not intentionally, but have constantly shifted their rights, their duties, and their obligations from themselves to the General Government in exchange for appropriations. I recall that it was the proudest boast of one of the Senator's most distinguished predecessors on this floor that during his long career in the House and the Senate he never asked for or received a dollar of appropriation for the benefit of his State. But that was long, long ago. The Senator who pursues such a policy now would retain his seat not longer than the expiration of his term.

Mr. HARDWICK. Mr. President——

Mr. THOMAS. I yield.

Mr. HARDWICK. I think the Senator's statement is inaccurate, with due respect.

Mr. THOMAS. Well, it may be. I am not infallible.

Mr. HARDWICK. I do not think the Senator can instance a single case in which the States have voluntarily surrendered rights for appropriations—not of the South, at least; not Georgia, I know.

Mr. THOMAS. Mr. President, it is the duty of the States to build their own roads and to improve their own water highways, except in instances where navigation—actual navigation, not navigability—is involved. The States, North and South, have long ago shifted that burden—not only shifted it but imposed it—upon the Treasury of the United States, until to-day the old doctrine that the States or the riparian proprietors were the owners of the waters of the streams, and certainly of nonnavigable streams, and of the beds thereof, has disappeared.

Mr. HARDWICK. I beg the Senator's pardon.

Mr. THOMAS. Such are the decisions of the Supreme Court of the United States.

Mr. HARDWICK. No; it has not disappeared there, either.

Mr. THOMAS. The Senator is mistaken, and I think if he will examine the question as carefully as I have had occasion to do he will find that I am right. A citizen of my State can not secure the granting of a permit to divert water for irrigation in a nonnavigable stream without the permission of the Secretary of War, who must determine whether such diversion in any way impairs the navigability of the stream of which it is a tributary.

Mr. HARDWICK. If the Senator will pardon me, that is a very different question from the proposition to which the Senator was alluding.

Mr. THOMAS. Oh, no; that is the legitimate outcome of it.

Mr. HARDWICK. I do not think so at all. That is navigability only. The ownership question has not been determined by the courts.

Mr. THOMAS. The ownership has been asserted and sustained by the Supreme Court in many cases growing out of the insistence by the State upon its right to dispose of, or of its citizens to own, the power generated by the water of these navigable streams, which has nothing whatever to do with navigability. The same is true of the public roads. Ninety per cent of the matters involved in our agricultural bills for which appropriations are asked and received are peculiarly within, and ought to be within, State jurisdiction. But inasmuch as the Government makes appropriations for them it follows as a matter of course that the rights have been shifted, until they are no longer recognized as a part and parcel of the rights of the States.

Why, Mr. President, in these days a great calamity can not occur in any of the States involving the destruction of property or loss of life, but that an appeal is instantly made to the General Government for financial and other relief, which is granted as a matter of course, but which should not form the subject of appropriations from the Federal Treasury under the old doctrine of State rights. We have progressed, and we are progressing, and we will progress until every right of the States—and there are not many left—will, in all probability, be absorbed by the General Government in exchange for fat appropriations from the Public Treasury.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Georgia?

Mr. THOMAS. I do.

Mr. HARDWICK. I hate to disturb the Senator, but I do not like to have him make a statement of that sort without my correcting it.

Mr. THOMAS. My remarks, of course, do not bind the Senator.

Mr. HARDWICK. Oh, no; not at all. The Senator is usually very accurate in his statements, and as a general proposition he is accurate about this, but I want to take this occasion to call attention to the fact that recently one of the great cities of my State was almost totally destroyed by fire. It did not ask for one cent's aid of any sort from the Federal Government, and it is one of the boasts of the people that they did not do it, although they were almost ruined. I refer to the city of Augusta. So that the Senator can not make a general indictment of the kind he is making, which may be applicable to some of the States, without my insisting that the State of Georgia is an exception to it.

Mr. THOMAS. Well, Mr. President, one swallow does not make a summer.

Mr. HARDWICK. But the Senator started out to establish a proposition on which he has cited nothing; namely, that the States themselves have voluntarily renounced their rights and duties in order to get these appropriations.

Mr. THOMAS. Well, of course, that is a difference of contention between the Senator and myself. He does not think so, I do.

Mr. HARDWICK. I can not think of an instance where the States themselves have asked for these things. The Senator speaks of the change about internal improvements. The States themselves did not ask for that to be done. The people determined that here in Congress through their representatives.

Mr. THOMAS. The States are represented in Congress by Senators and by Representatives. They presumably voice, and I think they generally voice, the wishes of their constituents; and a general principle or a general condition once established, the fact that in one or two instances, or in the case of one or two States, there have not been observable the things to which I referred does not, I think, militate against the general proposition. Ever since the end of the war between the States this country has been marching constantly, and sometimes with accelerated speed, toward centralized government. The things to which the Senator referred as indicating that fact—the child-labor legislation, the legislation of similar import which from time to time has been adopted by this body, and I occupied and still occupy the same position with regard to the child-labor law that my friend from Georgia does—all are in my judgment the legitimate outgrowth of the original tendencies of the States to avoid the financial obligations which the exercise of their original duties involved. The assumption of these powers by the General Government has been sustained by the decisions of the courts of last resort, which in all probability will sustain the constitutionality of the law to which he and I have just referred.

These are the prevailing conditions, Mr. President; and I think that future historians will regard them as the outgrowth of the necessities which have arisen from our expanding population, from the multiplication of our business activities, and from the general progress of society from one stage of political and industrial activity to another.

I think it has been inevitable from the foundation of this Government that ultimately the General Government would absorb many functions of the States hitherto regarded as attributes of their sovereignty. The other day the Supreme Court of the United States, in what is popularly known as the Utah power case, determined that the States in which the public domain still exists were powerless to legislate concerning or to interfere with any policy of the General Government regard-

ing that domain. It has gone so far, although it has not said so in exact words, as to deny the existence of the sovereign power of eminent domain with regard to the public lands in the States, a power which Mr. Calhoun, as I stated the other day, very truly declared to be one of the inseparable attributes of sovereignty.

I do not expect, Mr. President, in the short time I have to live, to see any change, unless it be one of accelerated progress in the centralizing tendencies of the Government through congressional legislation and judicial construction.

Mr. President, just another reflection with regard to this bill and for the present I am through. My support of the joint resolution is dictated by the belief and by the conviction that without it the unfortunate condition outlined in the report will be aggravated. I have no particular love for the newspaper fraternity, particularly some of them in my section of the country, but justice is justice, whether it be applied to one class in a community or to another. They are all entitled to the same treatment under the law. Newspaper print is an essential to our general everyday life. To my mind, the dissemination of news is quite as important as the dissemination of food. That which interferes with it, especially in war times, may rise to the dignity of a national calamity.

That, however, is not the only interest which this combination injures or at which it is aimed. It is aimed at all those who have use for its product, and that virtually comprises the entire country, the men and women and children composing that aggregate community which we call the United States.

It seems to me, therefore, Mr. President, to be of sufficient importance, considered as a national question, to demand, after this investigation and failure of the Trade Commission, the due consideration of the Congress of the United States. The joint resolution, therefore, is one which is designed to supplement the power of the Trade Commission by extending it so far as to enable it, if the President shall so determine, to supervise, control, and regulate the production and distribution of print paper and mechanical and chemical pulp. It is the taking of a long step forward, and the pertinent inquiry has been made as to whether the same conditions do not justify similar action in other directions. I think they do.

Mr. President, I believe the Food Commission should have been armed at the outset with the power not only to determine the prices of the necessities of life to the producer, but also the retail prices to the consumer. We know that at the present time a large proportion of the public are taking advantage of the war, and of the scarcity in the necessities of life which the war has produced, to make large sums of money and prodigious profits out of the everyday requirements of the citizen. That is true all over the United States and it is eminently true in the District of Columbia. This center of the Nation is inhabited by the most avaricious, the most grasping, and the most unscrupulous set of business buccaneers that can be found anywhere on the face of the globe.

Take the matter of rent, of groceries, of fuel, of all the things which minister not only to the comfort but to the actualities of existence, and the faces of not only the poor but the well-to-do and the rich are being ground more and more as the days pass; and Congress, which is the common council of the District of Columbia, has so far done nothing to check or control it.

I wish we could extend this resolution so as to include those evils, rectify them, do away with them if possible. Of course, under existing law nothing can be done, but is there anyone here who denies that it ought to be done?

The only proposal so far made is to meet it by increasing the compensation of Government officials. That is merely using the Government officials as a conduit to convey more money of the Treasury into the hands of the modern purveyors in this city particularly, as well as all over the country. My prediction now is that unless we legislate along analogous lines to meet this difficulty any increases in salary will simply be followed by a corresponding increase in the cost of the necessities of life. We recall that in 1909 Congress placed an added duty of 10 cents a box upon lemons and oranges at the behest of the growers of California. The President had hardly approved the act until the railroad companies increased their freight rate just enough to absorb that 10 cents tariff increase. That is what has been done here and what will be done until we shall interfere in earnest.

I am actuated, Mr. President, let me say in conclusion, by no sort of feeling, of which I am conscious, of prejudice against or animosity to the people who will be affected by this resolution. They are doing what a great many others are doing, and we are very apt, all of us, to justify wrongdoing by referring to the fact that the practice is common, that others do it, and therefore we are justified in following their example.

I am not advocating this measure through any animosity toward the so-called capitalistic class. I do not believe this is a capitalistic war. The charge is an infamous slander or else it is made in total ignorance of the facts. The wealth of this country has responded to the needs of the Nation, both in its contributions of money and of men, to a degree that commands my sincere admiration and entitles it to the grateful thanks of the Republic. But, of course, there are exceptions in all cases, and among these exceptions are these profiteers, whose monstrous conduct has made it necessary for the Government to bring forward this resolution, which I hope will be passed.

Mr. SMITH of Arizona. Mr. President, I ask the unanimous consent of the Senate to the following agreement, fixing a time for a final vote on the joint resolution. I understand that under the rule a quorum has to be present, and therefore I shall ask after the reading of the proposed agreement that the roll be called.

The PRESIDING OFFICER. The Senator from Arizona submits a proposed unanimous-consent agreement, which will be read.

The Secretary read as follows:

UNANIMOUS-CONSENT AGREEMENT.

It is agreed by unanimous consent that at not later than 5 o'clock p. m. on the calendar day of Tuesday, January 15, 1918, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon S. J. Res. 101, a joint resolution to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of print paper at a fair price, etc., through the regular parliamentary stages to its final disposition; and that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the joint resolution or more than once or longer than 10 minutes upon any amendment offered thereto.

The PRESIDING OFFICER. In order to present the proposed agreement for consideration by the Senate a quorum will be necessary. The Secretary will call the roll.

Mr. LEWIS. Mr. President, at this juncture let me inform the Senate of the absence of Senators who are members of the Interstate Commerce Committee, the Committee on Manufactures, and the Committee on Military Affairs, caused by the fact that each of those committees now have investigations before them calling for the attendance of the members of the committees.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	Norris	Swanson
Chamberlain	Jones, N. Mex.	Owen	Thomas
Fernald	Jones, Wash.	Phelan	Tillman
France	Kenyon	Pittman	Trammell
Frelinghuysen	King	Poindexter	Vardaman
Gallinger	Kirby	Ransdell	Wadsworth
Gerry	Lewis	Reed	Warren
Hale	Lodge	Shafroth	Weeks
Harding	McCumber	Sheppard	Williams
Hardwick	McNary	Sherman	Wolcott
Hitchcock	Martin	Smith, Ariz.	
James	Nelson	Smith, Md.	
Johnson, Cal.	New	Smoot	

Mr. LEWIS. In making the announcement I neglected to do the justice to the Committee on Commerce to state that their members are also absent, caused by an investigation pending before that committee.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum of the Senate is present.

Mr. SMITH of Arizona. I ask that the proposed unanimous-consent agreement may be again read.

The PRESIDING OFFICER. The Secretary will read it.

The Secretary read as follows:

UNANIMOUS-CONSENT AGREEMENT.

It is agreed by unanimous consent that at not later than 5 o'clock p. m. on the calendar day of Tuesday, January 15, 1918, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon S. J. Res. 101, a joint resolution to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of paper at a fair price and by insuring a supply and equitable distribution at fair prices to the industries of the United States through the regular parliamentary stages to its final disposition; and that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the joint resolution or more than once or longer than 10 minutes upon any amendment offered thereto.

The PRESIDING OFFICER. Is there objection to the proposed agreement submitted by the Senator from Arizona?

Mr. REED. I ask the Senator from Arizona if the joint resolution can not be printed with all the amendments so that it will be before us in the morning?

Mr. SMITH of Arizona. The joint resolution has been printed and all the amendments that have been offered have been printed, so that it is now before the Senate in just the form the Senator desires. It is the desire of Senators that we may vote upon the joint resolution on Tuesday in order that the Senate may

recess over to-morrow. That will give Monday and Tuesday for the consideration of the measure, extending not later than 5 o'clock on Tuesday.

Mr. REED. I have been absent on committee work, and I have not been here since the joint resolution has been printed, but I understand it has been amended in many respects.

Mr. SMITH of Arizona. No vote has been taken on any amendment. All the amendments that have been offered have been printed.

Mr. JONES of Washington. Mr. President, I would not have any objection to the limitation of debate beginning at 2 o'clock on Tuesday and to a vote being taken on that calendar day, but we had a unanimous-consent agreement here just a few days ago similar to this one, and when 5 o'clock came there were a great many very important amendments presented and not a word of debate or explanation could be heard upon them.

Mr. SMITH of Arizona. What was the cause of that?

Mr. JONES of Washington. It was simply because the time between 2 o'clock and 5 o'clock was taken up with the consideration of other amendments, and when the hour of 5 o'clock arrived a lot of amendments that had not been discussed or explained or anything of the sort were presented. I do not believe the Senate ought to put itself in that sort of a position. I would be perfectly willing that on Tuesday next after 2 o'clock the debate should be limited to 10 minutes, and that we shall vote on the calendar day. In that way we would not reach a time when amendments would be offered without any opportunity to explain them.

Mr. SMITH of Arizona. I have no objection to that modification.

The PRESIDING OFFICER. The Secretary will state the modification proposed by the Senator from Washington.

Mr. SMITH of Arizona. That instead of 5 o'clock the vote shall be taken on that calendar day?

Mr. SMOOT. On the calendar day of Tuesday.

Mr. GALLINGER. Some time during the day.

The PRESIDING OFFICER. The agreement will be read as modified.

The Secretary read as follows:

UNANIMOUS-CONSENT AGREEMENT.

It is agreed by unanimous consent that on the calendar day of Tuesday, January 15, 1918, the Senate will proceed to vote upon any amendment that may be pending, any amendment that may be offered, and upon Senate joint resolution 101, a joint resolution to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of paper at a fair price and by insuring a supply and equitable distribution at fair prices to the industries of the United States through the regular parliamentary stages to its final disposition; and that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the joint resolution or more than once or longer than 10 minutes upon any amendment offered thereto.

Mr. LODGE. I should like to ask the Senator from Arizona if he would not be willing to make it Wednesday instead of Tuesday. Some of us are tied down with committee work.

Mr. SMITH of Arizona. I will agree to make it any day in the week that will suit Senators.

The PRESIDING OFFICER. The proposed modification will be stated.

The Secretary read as follows:

It is agreed, by unanimous consent, that on Wednesday, January 16——

Mr. LODGE. I withdraw the request.

The PRESIDING OFFICER. The suggested modification is withdrawn.

Mr. STONE. I ask if Senators will not agree that after 2 o'clock on Tuesday debate shall be limited to 10 minutes on the joint resolution and the amendments pending and offered up to 5 o'clock, and that thereafter a vote on the final passage of the joint resolution shall be taken during the calendar day.

Mr. SMOOT. The hour of 5 o'clock has been eliminated.

Mr. STONE. Let the proposed agreement be read again.

The PRESIDING OFFICER. The Secretary will read the agreement as it now stands modified.

The Secretary read as follows:

It is agreed, by unanimous consent, that on the calendar day of Tuesday, January 15, 1918, the Senate will proceed to vote upon any amendment that may be pending, any amendment that may be offered, and upon S. J. Res. 101, a joint resolution to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of paper at a fair price and by insuring a supply and equitable distribution at fair prices to the industries of the United States, through the regular parliamentary stages to its final disposition; and that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the joint resolution or more than once or longer than 10 minutes upon any amendment offered thereto.

Mr. STONE. The point I have in mind is that we shall vote on the calendar day of January 15, and that after 2 o'clock on that day there shall be no debate by any Senator exceeding 10 minutes, and so forth. There is no limitation whatsoever placed in the order as read as to the time when there may be a final vote upon the bill.

Mr. GALLINGER. During that day.

Mr. SMOOT. At 12 o'clock at night the day ends.

Mr. SMITH of Arizona. We are to vote on that calendar day.

Mr. SMOOT. Not the legislative day, but the calendar day.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and it is entered into.

EXECUTIVE SESSION.

Mr. SWANSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916.

ADJOURNMENT TO MONDAY.

Mr. MARTIN. I move that the Senate adjourn until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock p. m.) the Senate adjourned until Monday, January 14, 1918, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate January 11, 1918.

APPOINTMENT IN THE NAVY.

Paymaster Christian J. Peoples to be a pay director in the Navy with the rank of rear admiral from the first day of July, 1917.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 11, 1918.

CHIEF OF BUREAU OF YARDS AND DOCKS.

Civil Engineer Charles W. Parks, United States Navy, to be Chief of the Bureau of Yards and Docks, in the Department of the Navy, with the rank of rear admiral for a term of four years.

RECEIVERS OF PUBLIC MONEYS.

George I. Smith to be receiver of public moneys at Portland, Oreg.

Richard R. Turner to be receiver of public moneys at Roseburg, Oreg.

James P. Folger to be receiver of public moneys at Evanston, Wyo.

REGISTERS OF THE LAND OFFICE.

Mrs. Mary Wolfe Dargin to be register of the land office at Denver, Colo.

Alex Nisbet to be register of the land office at Evanston, Wyo.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 11, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who hast compassed the pathway of our life from the beginning, we thank Thee that Thy Providence abides through every change, which has given to us our homes, and all that makes them dear; our Government, with its glorious institutions.

May the memory of those who died that it might live, inspire us to loyalty, deepen our patriotism, that it may abide through all time, and be a blessing to untold generations yet to come.

Let Thy blessing descend upon these Representatives of the people. Give to them patience, courage, wisdom, that they may adjust all questions which may present themselves, to Thy will; and all praise and gratitude be Thine, through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

WATER-POWER COMMITTEE.

Mr. POU. Mr. Speaker, by direction of the Committee on Rules I present the following privileged report, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 216.

Resolved, That the Speaker of the House be, and he is hereby, authorized and directed to appoint a special committee of 18 members to whom all bills and resolutions hereafter introduced during the Sixty-fifth Congress pertaining to the development or utilization of water power shall be referred (notwithstanding any general rule of the House to the contrary), except, however, bills and resolutions of which the Committee on Foreign Affairs has jurisdiction under the general rules of the House.

Resolved further, That the Committee on Interstate and Foreign Commerce be, and it is hereby, discharged from further consideration of H. R. 3808, H. R. 7695, H. R. 4504, H. R. 8005, and S. 1419, and said bills are hereby referred to the special committee herein provided for; that the Committee on Public Lands is discharged from further consideration of H. R. 7227, and the same is hereby referred to the special committee aforesaid; that the chairman of said special committee be, and he is hereby, empowered to appoint a clerk subject to its approval.

Mr. SANFORD. Mr. Speaker, I make the point of order against the resolution upon the ground that this committee has no privilege to report a resolution providing for the appointment of a clerk. The Committee on Rules has no special privilege to report any such resolution. At the conclusion of the resolution which has just been read appears the following:

that the chairman of said special committee be, and he is hereby, empowered to appoint a clerk subject to its approval.

Mr. POU. The resolution does not provide for any appropriation.

Mr. SANFORD. The Committee on Rules has certain privileges to report resolutions, but among those privileges is not the privilege to provide for the appointment of a clerk to a committee. Section 56 of Rule XI:

The following-named committees shall have leave to report at any time on the matters herein stated, viz: The Committee on Rules, on rules, joint rules, and order of business.

It seems to me too plain for argument that the matter of this resolution does not come within that privilege.

Mr. POU. Mr. Speaker, on the contrary, it seems to me that it is too plain for argument that the point of the gentleman from New York is not well taken. The provision in the resolution which has just been reported does not provide for any appropriation. It is a controverted point, at least among some of the best parliamentarians of the House, as to whether or not it would destroy the privileged character of a resolution if it did carry an appropriation, but the Committee on Rules was particular in drafting the resolution in respect to the wording not to incorporate any provision that carried an appropriation.

The SPEAKER. What does the gentleman say about the point that is made by the gentleman from New York that the Committee on Rules is not authorized to bring in a rule about a clerk?

Mr. POU. My reply to that is I do not think it is well taken. A clerk is a necessary and essential part in the make-up of a committee, a part of the necessary machinery of a committee.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. POU. Yes.

Mr. GARRETT of Tennessee. The general rules of the House provide that each regular standing committee shall have a clerk. This is a special order. There is nothing unusual about this. Every resolution in all the years that has been brought in providing for special committees of investigation has always carried a provision that the committee should have the right to select such clerical aid as it might need. At times the resolution has provided that the committee might employ lawyers. It has never been held that that destroys the privileged character of the resolution. It has been held, however, that if the resolution carries an appropriation it destroys the privileged character of it.

Mr. POU. It would be an anomalous situation if the Committee on Rules had the power to bring in a report creating a committee and yet did not have authority to provide machinery for the necessary work of that committee.

Mr. TOWNER. Mr. Speaker, of course primarily I think the question is a question of privilege; that is, as to whether or not the Committee on Rules has a right to report this as a privileged rule. The provision with regard to the privilege character of reports from the Committee on Rules is that the Committee on Rules shall have the right to report at any time—

on rules, joint rules, and order of business.

That denominates the privileged character of the rule. It does not denominate the character of the rule, but its privileged character. This is sought to be brought before the House at this time as a privileged rule—that is, with the right to report it at any time—but it is neither a rule nor is it a joint rule, nor does it refer to the order of business. It is constructive; it reports a new rule. It reports something that will require further action of the House. It seems to me that it is quite clear that it can not be within the things that are denominated as privileged, and that the committee has no right to bring in this rule at this time.

Mr. LENROOT. Mr. Speaker, as the gentleman from Iowa [Mr. TOWNER] has just said, this is a new rule; that is what it amounts to. I call the attention of the Chair to section 666 of the General Rules of the House, page 291:

The chairman shall appoint the clerk or clerks or other employees of his committee, subject to its approval, who shall be paid at the public expense, the House having first provided therefor.

The rules of the House do deal with the matter of a clerk. Under the rules of the House, the House must first provide for a clerk before the chairman can appoint one. It seems to me that it would be competent to change the rule in that particular, and it would not destroy the privilege if a rule were introduced changing the rule in that particular and permitting the chairman to appoint.

Mr. CRAMTON. Mr. Speaker, I find in the compilation of forms, section 931, in the House Manual, for "resolutions providing for investigations" that the form includes the statement that "the expenses incurred shall be paid upon vouchers approved by the chairman," and so forth, out of certain funds. The note with reference to it states that "the provision for payment of expenses out of the contingent fund is more properly made the subject of a separate resolution, which should be considered by the Committee on Accounts, while the portion ordering the investigation is considered by the Committee on Rules. But frequently the Committee on Rules reports on both propositions, although their report in such a case is necessarily subject to a point of order."

The gentleman from Tennessee, it seems to me, was urging this matter of privilege by reason of the fact that necessarily expenditures must be made by such a special committee, and among other expenses would be a clerk. This quotation makes it clear, so far as it may be authority, that general authority for expenditures would not be permitted in a resolution from the Rules Committee if objection were made. If the authorization for general expenditure would not be in order, it seems only reasonable that the expenditure for a clerk could not be authorized by the Rules Committee without making this resolution subject to a point of order.

The SPEAKER. Where is the gentleman reading from?

Mr. CRAMTON. Page 447 of the House Manual, in connection with the form of resolution providing for an investigation.

Mr. STAFFORD. Mr. Speaker, if the contention of the gentleman or the members of the Committee on Rules is correct, then they would have the right in this connection to authorize the appointment not only of a clerk but an assistant clerk or any number of secretarial force for that committee they desired.

Mr. SANFORD. Including janitors?

Mr. STAFFORD. Including janitors and messengers; and yet we know that even at this session of Congress, when the gentleman from North Carolina [Mr. POU] introduced a resolution providing for the appointment of an additional clerk as an assistant to his committee, it was referred to the Committee on Accounts. If his committee had had the right under the rules of the House to appoint a clerk, it would have had the right necessarily to appoint every other kind of official that the committee saw fit to recommend; but under the rules of the House, as interpreted by the Chair and the practice of this House, that privilege has always belonged to the Committee on Accounts. I cite to you, Mr. Speaker, the authority found in Hinds' Precedents, paragraph 4534. Of course, the authority referred to by the gentleman from Tennessee [Mr. GARRETT], that the chairman appoint the clerk, is not inconsistent with the position taken by the gentleman from New York [Mr. SANFORD], that the original authority of appointment vests in the Committee on Accounts. After the Committee on Accounts gives the authority for the appointment of the clerk, then, necessarily, the operating effect of the rule, that the chairman shall appoint, begins. Now, referring to paragraph 4534 of Hinds' Precedents:

An annual clerkship of a committee is authorized by a resolution reported by the Committee on Accounts and agreed to by the House.

That is the heading as framed by Mr. Hinds.

On August 23, 1888, Mr. M. M. Boothman, of Ohio, from the Committee on Accounts, presented for the action of the House this resolution:

"*Resolved*, That the Committee on the Merchant Marine and Fisheries be allowed an annual clerk, to be paid out of the contingent funds of the House, until March 3, 1889, at the rate of $2,000 per annum; and the Committee on Appropriations is hereby instructed to make provision for such clerk at the said rate of $2,000 per annum, from said March 3, 1889."

Mr. Speaker, the mere fact that the Committee on Rules has authority to create a new committee, which is a rule of the House, does not give the committee the right to present a rule providing for a clerkship, for which authority is granted to the Committee on Accounts. That destroys the privileged character of it as pointed out by the gentleman from Iowa [Mr. TOWNER]. It only has authority and privilege to present resolutions prescribing rules, joint rules, or order of business. It has no authority if the Committee on Accounts has that privilege to authorize a clerk, otherwise it would have had the right the other day to have brought in here a rule providing for an assistant clerk for its own committee. But no, under the interpretation of the rules of the House that resolution was referred to the Committee on Accounts.

The SPEAKER. Well, if the proposition to create an assistant clerk stood by itself, if it stood by itself after this special committee had been created, it would undoubtedly go to the Committee on Accounts.

Mr. STAFFORD. The mere fact is that time does not affect the character of the authority. The committee not having that authority in the instance given by me as to their own committee would not have authority as a matter of privilege to provide it for some other committee.

Mr. MAPES. Mr. Speaker, there is one section of Hinds' Precedents that seems to me more in point than any one heretofore cited. That is section 4332. The heading is:

The assignment of committee clerks is within the jurisdiction of the Committee on Accounts.

And the paragraph reads:

On December 17, 1869, the House agreed to a resolution that all propositions providing for committee clerks be referred to the Committee on Accounts before being acted on, and this was also the practice in 1877, when the resolutions assigning committee clerks were reported from this committee, and has continued the practice.

The SPEAKER. Now, what does the gentleman conclude?

Mr. MAPES. I conclude that that part of this resolution providing for a committee clerk coming from the Committee on Rules is not in order. That must go to the Committee on Accounts. The Committee on Accounts is the only committee, according to this section, that has jurisdiction over the assignment to or the creation of a clerk for a committee.

Mr. GARRETT of Tennessee. Mr. Speaker, the authority which the gentleman has just cited evidently applies to those cases where clerks are to be provided for committees already in existence, and only to that.

Now, a very learned and witty judge in my State once said that common sense is always good law, though good law may not always be common sense. I think that is true of parliamentary law as well as other law. And what is the common sense of this proposition? Here is a proposition submitted to the House—and the House can determine whether or not it desires to adopt it—to create a special committee. That carries with it by the resolution the authority to appoint a clerk. The committee must have a clerk if it is to be selected. It does not provide the appropriation. The Committee on Accounts will have to attend to that. That is the part of it with which the Committee on Accounts must deal, namely, fixing the compensation of the clerk. This is merely a complete piece of machinery provided in the rule, and why should that not be as a matter of common sense? In the absence of any direct decisions upon the matter, and inasmuch as the Chair must blaze the way, it seems to me——

Mr. GARRETT of Tennessee. I did not mean to say, Mr. Speaker, that the committee would be entitled to a clerk under the general rules of the House. I do not think so. The committee did not think so, and hence it inserted the provision that it should have a clerk.

Why, Mr. Speaker, if the Chair should hold that that destroys the privileged character of the resolution, let me call attention to future complications that will arise. In almost every Congress there occurs the necessity for creating special committees for this purpose or for that, very often for purposes of investigation.

We have had numerous investigating committees, namely, the Stanley steel committee and the Hardwick sugar committee, the Mulhall committee, investigating the lobby charges, and so forth. In each and every instance the Committee on Rules, in bringing in the resolution providing for the selection of the special committee, has provided that those committees should have the right to employ such clerical and other assistance as they might need, frequently giving the power to employ counsel. Now, if the chair should hold that that is not privileged, see what complications it would bring about in the effort to create even the machinery necessary in the operation of special committees in the future.

Mr. STAFFORD. Will the gentleman yield?

Mr. GARRETT of Tennessee. I will.

Mr. STAFFORD. Assuming that the provision in the rule authorizing the appointment of a new committee, or a select committee, for the appointment of a clerk or the employment of counsel, would destroy its privileged character, following out the suggestion made by the gentleman that common sense should be good law, is it to be presumed that the Committee on Accounts, which has undoubted authority to provide for the employment of a clerk, or authorize the employment of counsel, would refuse to do its duty in giving to that committee the proper authority?

Mr. GARRETT of Tennessee. Oh, I do not think so. The gentleman evidently did not understand what I had in mind. I am simply striving to obtain the simplest methods of reaching a result, and that is the simplest method.

Mr. STAFFORD. Oh, of course. The simplest method would be to vest the power in the Committee on Rules——

Mr. GARRETT of Tennessee. Oh, no.

Mr. STAFFORD. And deprive the Committee on Accounts of some of its authority.

Mr. GARRETT of Tennessee. Oh, not at all. The Committee on Rules is not usurping any authority and could not usurp any authority if it wanted to do so. The Committee on Rules can not do anything except what this House wants it to do. That has been demonstrated several times recently. The matter, I think, is of considerable importance in that it affects the procedure of the House, and this is the plain, simple way to get at the result, which is, of course, desirable. Otherwise you would have to take two or three different bites of the cherry.

Mr. POU. Mr. Speaker, I submit one additional observation. It is admitted that the Committee on Rules has the right to present a rule changing the rules of the House. The creation of a new committee is undoubtedly a subject for a privileged report. Now, whatever is necessarily a part of that committee properly comes, I submit, within the jurisdiction of the Committee on Rules. If it is necessary for that committee to have a clerk, the provision authorizing the employment of such clerk does not destroy the privileged character of the resolution. The question is, Where does the line of demarcation come? Whatever is essential to the creation of the proposed committee properly belongs to the Committee on Rules. Whatever is not essential or necessary destroys the privileged character of a report. An appropriation, it has been held, would destroy such privilege.

But in the creation of a committee, if the Chair shall be of opinion that a clerk is essential and necessary in the work of that committee, then the provision empowering the committee to have such clerk does not destroy privileged character.

Mr. SANFORD. Mr. Speaker, will the gentleman yield?

Mr. POU. Yes.

Mr. SANFORD. Does the gentleman contend that the Committee on Rules could report a rule providing for a disbursement out of the contingent fund?

Mr. POU. I do not.

Mr. SANFORD. Why not, then, if you can bring in any resolution you want changing the rules?

Mr. POU. I have tried to make myself plain. The point I am making is that whatever is essential to the creation of this committee does not deprive the resolution of its privileged character.

Mr. SANFORD. Does the gentleman consider this further—does not the gentleman think the payment of a clerk is just as essential as the appointment of a clerk?

Mr. POU. Not in the sense in which I am speaking.

Mr. SANFORD. The gentleman does not rely on common sense, as the gentleman from Tennessee [Mr. GARRETT] suggested.

Mr. POU. Yes; I rely on parliamentary common sense, and I think the gentleman himself comprehends very clearly the point I make, that if the appointment of a clerk is an essential part of the initial creation of this committee, then it is competent for the Committee on Rules to bring in this provision. That is the point I am making.

Mr. STAFFORD. Mr. Speaker, if the Chair will indulge me for the citation of some further authorities, I will call his attention to paragraph 4331 of Hinds' Precedents, bearing on this subject, the heading being, "The Committee on Accounts recommends to the House resolutions authorizing and assigning clerks to committees." I will not read the paragraph following the heading. Paragraph 4332 says:

The assignment of committee clerks is within the jurisdiction of the Committee on Accounts.

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Certainly.

Mr. LENROOT. Does not that derive entirely out of the general and specific rules of the House that the House must provide for those clerks? And if there is a rule taking it out

of the general rules of the House, none of that which the gentleman has read will apply.

Mr. STAFFORD. There is nothing in the rules of the House to the effect that the House must provide for clerks. I take issue with the position of the gentleman from Tennessee [Mr. GARRETT] that a clerk is absolutely necessary for the performance of the duties of the committee. If that is the fact, then the Committee on Rules would not only have authority to appoint a clerk, but also an assistant clerk, and a janitor, or a messenger, or anything else, and the Committee on Accounts would be deprived of its proper jurisdiction.

Mr. LENROOT. The gentleman says that the rules of the House do not provide that the House shall make provision for a clerk. Section 5 of Rule X (paragraph 666 of the Manual) does expressly provide that—

The chairman shall appoint the clerk or clerks or other employees of his committee, subject to its approval, who shall be paid at the public expense, the House having first provided therefor.

Mr. STAFFORD. Of course; "the House having first provided therefor." It confirms the very position I take—that before there is a clerk to a committee there must be an authorization given by some standing committee for the appointment of that clerk, and the proper committee to appoint that clerk or assistant clerk is the Committee on Accounts; and then, after the authorization is made by the proper committee, which is the Committee on Accounts, the chairman has the authority to appoint the clerk or other subordinate clerks.

Mr. LENROOT. The gentleman overlooks the fact that the Committee on Rules can report a rule at any time changing the rules of the House in that or any other particular.

Mr. STAFFORD. Then, following that construction, the Committee on Rules would have the authority to report a rule at any time changing the rules of the House authorizing expenditures out of the contingent fund. It was contended always that that deprived a resolution of its privileged character, because that was in the exclusive power of the Committee on Accounts.

I direct the attention of the Speaker to the fact that in these prior authorizations, as, for instance, those for investigating committees, while they may have had authorizations providing for the employment of clerks or counsel, the point of order was never tested on the floor of the House. There is nothing to show that that character of legislation was debated in this House.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. TOWNER. It does not pretend to change the rules of the House. The rules of the House still exist, and they provide that propositions shall be reported to the House when new clerks are to be appointed.

Mr. STAFFORD. That is so. I wonder whether this new committee is to be provided with a janitor. If so, could there not be an authorization to appoint a janitor or messenger?

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. CRAMTON. Is there not a decided difference in the authority of the Committee on Rules to report to the House a change of rules and to make a report in disregard of the rules?

The SPEAKER. The point of order is sustained.

AMENDMENT TO THE FEDERAL FARM-LOAN ACT (H. REPT. NO. 237).

Mr. GLASS. Mr. Speaker, I ask unanimous consent that the conference report on Senate bill 3235 be presented to the House.

The SPEAKER. The Clerk will read the conference report.

Mr. GILLETT. Mr. Speaker, I rise to a question of order. Has this been printed under the rules?

Mr. GLASS. It is in the RECORD to-day. It is in the RECORD, and it has been acted on by the Senate.

Mr. RUSSELL. Mr. Speaker, a parliamentary inquiry.

Mr. GILLETT. It is printed in the RECORD?

Mr. GLASS. It is printed in the RECORD.

Mr. GILLETT. Is it printed in the House proceedings?

Mr. GLASS. No.

Mr. GILLETT. Then, under the rule, Mr. Speaker, I make the point of order that it can not be considered.

The SPEAKER. The Chair did not understand what the point was.

Mr. GILLETT. That it has not been printed in the House proceedings, under the rule.

The SPEAKER. The Chair sustains the point of order.

Mr. GLASS. I ask unanimous consent, Mr. Speaker, that we may proceed with the consideration of the conference report and take it from the Speaker's table. The matter has been acted upon by the Senate. The Senate has receded from its disagreement and accepted the House bill in toto.

Mr. GILLETT. I did not know what the House report was. If that is so, I have no objection.

The SPEAKER. The gentleman from Virginia asks unanimous consent for the present consideration of the conference report, the rule to the contrary notwithstanding.

Mr. COOPER of Wisconsin. Mr. Speaker, reserving the right to object, may I ask the gentleman from Virginia if it is the farm-loan bill conference report?

Mr. GLASS. Yes; it is.

Mr. COOPER of Wisconsin. What, in substance, is the outline of the report? What did the conferees do?

Mr. GLASS. The Senate receded from its disagreement and accepted the House bill.

Mr. COOPER of Wisconsin. Without the Weeks amendment?

Mr. GLASS. Yes.

Mr. GREEN of Iowa. Mr. Speaker, what time is to be given for the consideration of this conference report?

Mr. GLASS. I did not suppose that anybody would want to speak on it again. The House bill was discussed for three hours under general debate and then under the five-minute rule, and the Senate has accepted the House bill in toto.

Mr. GREEN of Iowa. The time was very limited. I remember I succeeded in getting three minutes, by a great deal of exertion, when the matter was up before.

Mr. GLASS. If anybody desires further discussion on the matter, I shall raise no objection. The gentleman will recall that the House passed the House amendment by a vote of 3 to 1, and the Senate has now yielded.

Mr. GARNER. I was just going to ask about that. The Senate has yielded to the House amendment?

Mr. GLASS. The Senate has yielded, and has agreed to the conference report.

Mr. GARNER. Then there is nothing else to do.

Mr. GREEN of Iowa. It may be that further discussion is useless, but the matter was not discussed much before.

Mr. GLASS. I agree with the gentleman, and it was largely through my fault.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. GLASS]?

There was no objection.

The SPEAKER. The gentleman from Missouri [Mr. RUSSELL] rose to the parliamentary inquiry, but he was interrupted.

Mr. RUSSELL. I did not understand that this was a conference report, and I merely wanted to ask whether it would destroy the right of the Invalid Pensions Committee to call up its bill.

The SPEAKER. Oh, no. The conference report has the right of way.

Mr. RUSSELL. I understand that. As soon as I found that out, I withdrew my point.

The SPEAKER. The Clerk will read the conference report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.

CARTER GLASS,
MICHAEL F. PHELAN,
EVERIS A. HAYES,
Managers on the part of the House.

ROBERT L. OWEN,
HENRY F. HOLLIS,
A. J. GRONNA,
Managers on the part of the Senate.

Mr. GLASS. I move the adoption of the conference report.

The conference report was agreed to.

FISHING IN THE COLUMBIA RIVER—CHANGE OF REFERENCE.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent for the rereference of the bill (H. R. 2617) to ratify the compact and agreement between the States of Oregon and Washington regarding concurrent jurisdiction over the waters of the Columbia River and its tributaries in connection with regulating, protecting, and preserving fish.

This bill was introduced by Mr. HADLEY, of Washington, at the first session of this Congress and was referred to the Committee on the Judiciary. In the last Congress the gentleman from Washington [Mr. HADLEY] introduced the bill and it was referred to the Committee on the Merchant Marine and Fish-

eries, and was reported out of that committee and passed by the House. In the opinion of the committee the bill ought to go to the Committee on the Merchant Marine and Fisheries.

The SPEAKER. The gentleman asks to rerefer the bill to the Committee on the Merchant Marine and Fisheries. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed Senate bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3223. An act providing for the continuance of the Osage Indian School, Oklahoma, for a period of 13 years from January 1, 1918; and

S. 2052. An act authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below.

S. 3009. An act granting the consent of Congress to the P. M. C. Coal Co. to construct and maintain a bridge across Tug River, connecting Pike County, Ky., and Mingo County, W. Va.; to the Committee on Interstate and Foreign Commerce.

PENSIONS.

Mr. RUSSELL. Mr. Speaker, I call up the bill (H. R. 8496) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The Clerk read the title of the bill.

Mr. RUSSELL. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] will take the chair.

Mr. SHERLEY took the chair as Speaker pro tempore.

Mr. RUSSELL. I ask unanimous consent to dispense with the first reading of the bill.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Barbara F. Hicks, widow of Francis M. Hicks, late of Company G, Twenty-third Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Allie Hicks, helpless and dependent child of said Francis M. Hicks, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Barbara F. Hicks, the name of said Allie Hicks shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Barbara F. Hicks.

The name of George W. Evans, late of Company E, Thirty-ninth Regiment, and Company H, Seventh Regiment, Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Isaac B. Hawke, late of Company C, One hundred and eighty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Adam Wilson, late of Company A, Third Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William H. Kidd, late of Company L, Third Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Armilda Hays, widow of William G. Hays, late of Company D, Fifteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of May B. Hays, helpless and dependent child of said William G. Hays, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Armilda Hays the name of said May B. Hays shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month, from and after the date of death of said Armilda Hays.

The name of George Barber, late of Company G, Fourth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John M. Sheldon, late of Company H, Thirteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Kate Hafer, helpless and dependent child of William Hafer, late of Company H, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Joel S. Stump, late of Company G, One hundred and fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Louis Auguste Zurcher, late of Company E, Twelfth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Patrick McDonnell, late of the United States Navy, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Norris C. Richmond, late of Company D, One hundred and twenty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Isaac D. Nichols, late of Company A, battalion, Forty-eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John W. Wymore, late of Company C, Fortieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Sanders, late of Company F, One hundred and forty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel H. Smith, late of Company C, One hundred and thirty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William H. Brenner, sr., late of Company D, Tenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Susanna Rose, widow of George W. Rose, late of Company K, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mary E. Rose, helpless and dependent child of said George W. Rose, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Susanna Rose the name of said Mary E. Rose shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Susanna Rose.

The name of Frederick Schwartz, late of Company K, Twelfth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James M. Birdwell, late of Company C, First Regiment Arkansas Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas C. King, late of Company A, Thirty-ninth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Alvin U. Persing, late of Company H, Eighty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George Brumbaugh, late of Company I, Seventy-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Christopher Hummel, late of Company I, Seventeenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William C. McKelvy, late of Independent Battery E, Pennsylvania Volunteer Light Artillery, and Troop L, Sixth Regiment United States Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John T. Bridgens, late of Company G, Two hundred and third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jonathan B. Rhodes, late of Company E, Twenty-fifth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John McDonald, alias William McKenzie, late of Company B, Second Regiment Missouri Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sampson Sherwood, late of Company B, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry N. Yocum, late of Company H, Third Regiment, and Company I, Ninth Regiment, Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Peyton Johnson, late of Company D, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Andrew P. Grubaugh, late of Company C, One hundred and sixty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Ervin, late of Company D, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Q. Goss, late of Second Regiment Nebraska Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John S. Bell, late of Company B, One hundred and ninety-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John J. West, late of Company G, Fifteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John W. Vandine, late of Company C, Fifteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Henry C. Chaney, late of Company A, Junior Artillery, and First Regiment Maryland Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Randall M. Bates, late of Company D, One hundred and nineteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Bird C. Guffey, late of Company D, Forty-second Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William B. Rogers, late of Company F, Forty-eighth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Oberon Payne, late of Company C, Ninth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Archibald W. Mayden, late of Company M, Sixteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Luther W. Holmes, late of Company A, Fourth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Eva L. Phillips, helpless and dependent child of David O. Phillips, late of Company I, Eighth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Simeon Flory, late of Company C, One hundred and seventy-sixth Regiment Pennsylvania Drafted Militia Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James Riley, late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Josiah W. Lamb, late of Company I, Forty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nathaniel H. Guthery, late of Company D, Tenth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Benjamin B. Cravens, late of Company I, Fourth Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Benjamin M. Curtis, late of Company H, Forty-third Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James W. Stine, late of Company F, Sixty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Richard H. Hughes, late of Company G, Eleventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Stephen Mullen, late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles W. Smith, alias James D. Miner, late of Company F, Third Regiment New York Volunteer Cavalry, and Company H, Fourth Regiment New York Provisional Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Frank P. Lawrence, late of Company A, Twenty-second Regiment, and Company F, Thirty-ninth Regiment, Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William J. Shwimmer, late of Company G, First Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Luther Martin, late of Company D, One hundred and twenty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edward M. Jurin, late of Company G, Seventieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Andrew J. Buchanan, late of Company E, Thirty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Upton J. Hammond, late of Company A, Fourth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry Eby, late of Company D, Fifty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Rufus G. Cook, late of Company H, Thirty-first Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John W. Craig, late of Company F, One hundred and twenty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Enos Pearce, late of Company A, Eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Wiltsey E. Sivers, late of Company E, Thirteenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Pool, late of Companies E and C, Eleventh Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles W. Webster, late of Company F, One hundred and twenty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of David McQuincy, late of Company G, Sixty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William Mooneyham, late of the Eighty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James Skrine, late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Routien, late of Company F, Third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elijah Walters, late of Company F, Fifth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Horton, late of Company B, Third Regiment New Jersey Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Nelson G. Mills, late of Company D, Seventieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Zedekiah Stapleton, late of Company A, Eighteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Timothy Kelley, late of Company K, Sixty-second Regiment New York Volunteer Infantry, and Company A, Twentieth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Edward Van Kleeck, late of Company A, Second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The name of John Devine, late of Company E, Forty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Theodore Wilkins, late of Company A, Ninth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Charles A. Tucker, late of Company K, Thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph L. Killgore, late of Company D, Fourth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Morris Lincoln, late of Company K, One hundred and thirtieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James B. Taylor, late of Company F, Thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hugh S. Stanley, late of Company F, Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles W. A. Reynolds, late of Company I, One hundred and fortieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Amos Hales, late of Company B, Twenty-first Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George L. Wells, late of Company A, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James Hennessy, late of Company F, One hundred and eighty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Otto Schellhorn, alias August Roessler, late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Layne, late of Company C, Sixth Regiment Tennessee Mounted Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George L. Clapp, late of Company M, Twenty-first Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Cyrus S. Lyon, late of Company I, Twenty-seventh Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Columbus Massey, late of Company B, Ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John W. La Rue, late of Company A, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hiram Marshall, late of Company B, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John M. Stanley, late of Company D, One hundred and fifty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles T. Higgins, late of Company K, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hattie Kinkade, helpless and dependent child of Andrew Kinkade, late of Company D, Thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Noah W. Gerrish, late of Company H, Twenty-seventh Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Albert Booker, late of Company A, Thirteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles W. Bennett, late of Company K, Sixth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James S. Knighton, late of Company G, Seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Hiram Eells, late of Company C, Thirtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Perry Powers, late of Company E, First Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of De Forest Rutman, late of Company F, One hundred and ninety-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Lewis J. McHaney, late of Company C, Thirty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Bethuel J. Goff, late of Company C, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph B. Rickart, late of Company D, Twenty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hiram Hineline, late of Company D, Twenty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Absalom Shaeffer, late of Company E, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Robert P. Williams, late of Company I, Fourth Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas J. Hughes, late of Company I, Twenty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Alexander H. Reed, late of Company A, Second Regiment Colorado Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Henry Arnold, late of Company D, One hundred and fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry A. Adcock, late of Company E, Thirty-sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William W. Porter, late of Company E, Eighteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Elizabeth Mathews, the widow of Dana Mathews, late of Company F, One hundred and thirtieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Samuel Shoup, late of Company K, One hundred and second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Waterhouse, late of Company E, Third Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nathaniel C. Long, late of Company I, Fourth Regiment, and Company A, Tenth Regiment, Kansas Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Thomas J. Trulock, late of Company C, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Melvin Seward, late of Company A, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Loveman Place, late of Company A, Eighty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph H. Pillars, late of Company D, One hundred and eightieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George Hedrick, late of Company C, One hundred and eighteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Uriah J. Favorite, late of Company G, One hundred and ninety-sixth Regiment, and unassigned, One hundred and eighty-seventh Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William C. Lawrence, late of Company H, One hundred and forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Christian Weisel, late of Company I, Eighty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Thomas J. Westfall, late of Company E, Forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jacob Bachman, late of Company I, Eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John R. Rice, late of Company I, Seventh Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Thomas G. Mitchell, late of Company B, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Miers B. Betts, late of Company C, Ninth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jacob Snook, late of Company E, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John T. Plummer, late of Company I, Third Regiment Potomac Home Brigade, Maryland Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Felix Karl, late of Company B, One hundred and forty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Columbus Jeffries, late of Company C, Sixth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Benjamin F. Sweet, late of Company E, One hundred and fifty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Carrie S. Wright, helpless and dependent child of William H. Wright, late of Company B, One hundred and ninety-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of William H. Harris, late of Company B, One hundred and thirty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles G. Craig, late of Company H, Third Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Luman W. Storey, late of Company H, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Myrenus Loomis, late of Company I, One hundred and second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William Griffith, late of Company K, Third Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Storer Packer, late of Company E, Fifty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles E. Speer, late of Company F, One hundred and seventieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Benjamin Vanfossen, late of Company B, One hundred and twenty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary J. Watson, widow of Lindley Watson, late of the Sixth Battery, Ohio Volunteer Light Artillery, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Della M. Watson, helpless and dependent child of said Lindley Watson, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary J. Watson, the name of said Della M. Watson shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Mary J. Watson.

The name of Emanuel Mayberry, late of Company K, Eighteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Cullen Bradley, late of the Sixth Independent Battery, Ohio Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Daniel Maloy, late of Company E, Twenty-ninth and Twentieth Regiments Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William H. Carroll, late of Company C, Thirty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Frederick J. Cressey, late of Company G, Fourteenth Regiment United States Colored Infantry, and Company B, Seventeenth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Joseph M. Johnston, late of Company K, Fourteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Adaline Swearingen, former widow of Samuel P. Young, late of Company H, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Albert Pride, late of Company D, Twelfth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George F. Sabin, late of Company F, Fifty-seventh Regiment Massachusetts Volunteer Infantry, and Company B, Nineteenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George Young, late of Company C, Eighteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George W. Sargent, late of Company H, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Isaiah Blair, late of Company B, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Adam G. Fitzkee, late of Company B, One hundred and thirtieth Regiment, and Company F, One hundred and ninety-fifth Regiment, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Peter T. Nile, alias Patrick Nilan, late of Company H, Twenty-third Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Akerman, late of Company I, Forty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Luke Arnold, late of Company F, Ninety-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William C. Adams, late of Company D, Fourth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Patrick Kelligher, late of Company G, First Regiment, and Company E, Twenty-first Regiment, Wisconsin Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Isaac B. Robinson, late of Company H, One hundred and thirty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James N. Russell, late of Company D, Ninth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jacob C. Maddix, late of Company I, Forty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Rufus Potter, late of Company I, Two hundred and eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas Phillips, late of Company G, One hundred and tenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Frederick N. Dickey, late of Company D, Ninth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Patrick Donoghue, late of Companies E and C, Twenty-first Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Fred Babcock, late of Company A, Fourteenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James K. P. Weaver, late of Company E, Ninety-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George C. Elliott, late of Company G, Thirteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Samuel Cooper, late of Company D, Sixty-first Regiment Pennsylvania Volunteer Infantry and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Levi S. Flinchbaugh, late of Company K, Two hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Laura E. Cass, former widow of John E. Cass, late of Company E, One hundred and twenty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of George C. Hornby, late of Company K, Fifty-seventh Regiment, and Company G, One hundred and fifty-first Regiment, Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William E. Openshaw, late of Battery F, First Regiment Rhode Island Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Nellie Collier, former widow of Wesley W. Lair, late of Company K, Eleventh Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $25 per month.

The name of Johnson Schenck, late of Companies G and I, Eighty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Aaron Hart, late of Company K, Second Regiment Colorado Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George Coppins, late of Company G, Forty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Thomas E. Winfield, late of Company C, One hundred and thirtieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Oscar Bowen, late of Companies K and E, Third Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles A. Sugg, late of Company K, Eighty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Marion S. Day, late of Company F, Eighty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Cyrus M. Brown, late of Company A, First Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John E. Spilman, late of Company G, Seventeenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph C. Whittington, late of Smith's independent company Maryland Volunteer Cavalry, and pay him a pension at the rate of $24 per month.

The name of Frances Watches, the widow of Allen Watches, late of Company C, One hundred and forty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John T. Bell, late of Company F, Fortieth Regiment, and Company C, Fifty-fifth Regiment, Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry B. Tonnemacher, late of Company D, Fiftieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edward Smith, late of the United States Navy, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William N. Bridges, helpless and dependent child of Joseph Bridges, late of Company F, Thirty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Elijah Eddington, late of Company C, Forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Pleasant Evans, late of Company D, Twenty-eighth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jehu P. Kinnan, late of Company F, Tenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Mallett, late of Company G, Eightieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John F. Whipple, late of Company B, Tenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Daniel Davis, late of Company D, Sixteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Perry S. Latham, late of Company D, Seventeenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James N. Dennis, late of Company H, Second Regiment Illinois Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Horatio S. Howe, late of Company E, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry Brown, late of Company L, Twenty-sixth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George F. Bennett, late of Company B, One hundred and thirty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph Ranft, late of Company G, Fourteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Mary F. Russell, widow of Alfred W. Russell, late of Company F, First Regiment Michigan Volunteer Engineers and Mechanics, and pay her a pension at the rate of $25 per month.

The name of John A. Barr, late of Company A, Thirty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Lewis Feltner, late of Company L, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Alexander G. Duff, late of Company L, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Anthony Lafor, late of Company M, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Francis Penny, late of Companies G and B, Second Regiment New York Volunteer Veteran Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jeremiah Daniels, late of Company H, One hundred and thirty-ninth Regiment, and Company C, Sixty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Vinel E. McCreary, late of Company E, Ninth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Helon C. Norton, late of Company G, One hundred and twenty-eighth Regiment Ohio Volunteer Infantry, and Company B, Twenty-third Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jonathan Miller, late of Company I, Fourteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Thomas Croft, late of Company C, Third Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry J. Fruchey, late of Company I, Ninety-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles M. Merrill, late of Company B, Fourteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Abbie H. Lewis, widow of Henry A. Lewis, late of Company B, One hundred and twenty-fourth Illinois Infantry, and Company E, Sixty-fourth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of David K. W. Briggs, late of Company D, Second Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary J. Cook, the former widow of Homer C. Cook, late of Company I, First Regiment Missouri Engineers of the West, and pay her a pension at the rate of $25 per month.

The name of John Getz, late of Company B, Two hundred and fourteenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Randolph Snell, late of Company F, First Regiment New Jersey Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Geuder, late of the band, Twelfth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William A. Pine, late of Company D, Thirty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Edgar C. Martin, late of Company K, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edward F. Gurry, late of Company F, Twelfth Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Clara E. Larish, helpless and dependent child of Andrew S. Larish, late of Company A, Ninetieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of August Dorman, late of Company A, Fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Robert Stevenson, late of Company F, Sixty-ninth Regiment New York State Militia, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Cyrus Boone, late of Company G, Sixth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry Strassner, late of Company C, Fourth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William Strope, late of Company C, Twentieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Joseph H. Woollen, late of Company F, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James S. Taylor, late of Company I, One hundred and thirty-ninth and One hundred and forty-sixth Regiments Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hezekiah W. Kelley, late of Company F, Thirty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John P. Hardin, late of Company H, Fifth and Sixth Regiments West Virginia Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Daniel Felton, late of Company I, Ninty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Albert Fields, late of Companies D and K, Ninth Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elisha S. Peck, late of Company K, Twenty-first Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John S. Brademeyer, late of Company M, Tenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ida I. Goldman, helpless and dependent child of William H. Goldman, late of Company H, Twenty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Levi Blume, late of Company D, First Regiment Mississippi Marine Brigade Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frank M. Gibson, late of Company F, Sixty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George A. C. Coffey, late of Company K, Nineteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Eli Sherman, late of Company I, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of David Hood, late of Company K, Tenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving

The name of James McKitrick, late of Company G, Ninetieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William A. Burns, late of Company E, Eighty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John W. Reed, late of Company I, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Thomas Haxton, late of Company G, Thirteenth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Edwin Downs, late of Company E, Nineteenth Regiment Connecticut Volunteer Infantry (Heavy Artillery), and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Isaiah Hilliard, late of Company A, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Cornell, late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ann Diltz, widow of William H. Diltz, late of Company —, One hundred and ninety-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Charles S. Phelps, late of Company F, One hundred and thirteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John Burrell, late of Company K, Twenty-seventh Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John P. Hodgkins, late of the Second Independent Battery Massachusetts Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Allen McKee, late of Company I, Third and Fifth Regiments Michigan Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles Brossart, late of Company C, Seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry C. Salton, late of Company A, Third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary J. Bernard, widow of Ferdinand E. Bernard, late of Company I, Nineteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Hugh Stevenson, late of Company C, Ninety-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Benjamin P. Baldwin, late of Company K, Seventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Calvin A. Hutchinson, late of Company D, Fourth Regiment West Virginia Volunteer Cavalry, and Company K, Eighteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Ross Montgomery, late of Company C, First Regiment Ohio Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George Kint, late of Company F, Twelfth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Christian A. Baldwin, late of Company H, Thirty-eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Ezra H. Keniston, late of Company B, Sixteenth Regiment New Hampshire Volunteer Infantry, and Company G, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Daniel G. Blaisdell, late of Company I, Third Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Herman Brumley, late of Company I, Ninety-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel A. Parish, late of Company G, Ninth Regiment Rhode Island Volunteer Infantry, and United States Navy, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William Hummer, late of Company H, Sixteenth Regiment, and Company I, One hundred and fourteenth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Anna Hardy, widow of Thomas L. Hardy, late of Company I, One hundred and second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Daniel Ashbaugh, late of Company B, Eightieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Harriet J. Houghtaling, widow of Aaron Houghtaling, late of Company D, Fourth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Warrington O. Smith, late of Company C, Twenty-sixth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Erskine M. Hamilton, late of Company H, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William C. Rusmisell, late of Company D, Ninety-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George W. Fitzgerald, late of Company D, Fifty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Morgan W. Mills, late of Company L, Ninth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles M. Kell, late of Company C, First Regiment Mountaineers' California Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Martin L. Rex, late of Company I, Twenty-second Regiment Pennsylvania Volunteer Cavalry, and Third Regiment Pennsylvania Provisional Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Amos M. Stroh, late of Company D, Two hundred and eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Esther Penick, widow of Daniel Penick, late of Company G, One hundred and nineteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John Foster, late of Company A, Twenty-first Regiment, and Company G, Sixtieth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Henry C. McMullen, late of Company G, Seventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Nicholas Easton, late of Companies B and A, Fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robert T. Bland, helpless and dependent child of James N. Bland, late of Company K, One hundred and twenty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of John Toliver, late of Company D, Fortieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James E. Webb, late of Companies K and B, First Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James Carmine, late of Company I, One hundred and seventy-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of David W. Anderson, late of Company D, One hundredth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

This bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 447. Barbara F. Hicks.
H. R. 473. David W. Anderson.
H. R. 474. George W. Evans.
H. R. 516. Isaac B. Hawke.
H. R. 559. Adam Wilson.
H. R. 560. William H. Kidd.
H. R. 584. Armilda Hays.
H. R. 682. George Barber.
H. R. 684. John M. Sherman.
H. R. 730. Kate Hafer.
H. R. 731. Joel S. Stump.
H. R. 761. Louis Auguste Zurcher.
H. R. 793. Patrick McDonnell.
H. R. 826. Norris C. Richmond.
H. R. 856. Isaac D. Nichols.
H. R. 858. John W. Wymore.
H. R. 859. John Sanders.
H. R. 896. Samuel H. Smith.
H. R. 923. William H. Brenner.
H. R. 924. Susanna Rose.
H. R. 934. Frederick Schwartz.
H. R. 938. James M. Birdwell.
H. R. 939. Thomas C. King.
H. R. 968. Alvin U. Persing.
H. R. 973. George Brumbaugh.
H. R. 1005. Christopher Hummel.
H. R. 1010. William C. McKelvy.
H. R. 1033. John T. Bridgens.
H. R. 1034. Jonathan B. Rhodes.
H. R. 1055. John McDonald.
H. R. 1106. Sampson Sherwood.
H. R. 1132. Henry N. Yocum.
H. R. 1158. Peyton Johnson.
H. R. 1176. Andrew P. Grubaugh.
H. R. 1177. John Ervin.
H. R. 1186. John Q. Goss.
H. R. 1232. John S. Bell.
H. R. 1311. John J. West.
H. R. 1340. John W. Vandine.
H. R. 1389. Henry C. Chaney.
H. R. 1437. Randall M. Bates.
H. R. 1474. Bird C. Guffey.
H. R. 1476. William B. Rogers.
H. R. 1477. Oberon Payne.
H. R. 1479. Archibald W. Mayden.
H. R. 1514. Luther W. Holmes.
H. R. 1521. Eva L. Phillips.
H. R. 1538. Simeon Flory.
H. R. 1539. James Riley.
H. R. 1555. Josiah W. Lamb.
H. R. 1586. Nathaniel H. Guthery.
H. R. 1592. Benjamin B. Cravens.
H. R. 1640. Benjamin M. Curtis.
H. R. 1643. James W. Stine.
H. R. 1644. Richard H. Hughes.
H. R. 1828. Stephen Mullen.
H. R. 1849. Charles W. Smith, alias James D. Miner.
H. R. 1920. Frank P. Lawrence.
H. R. 1936. William J. Shwimmer.
H. R. 2149. Luther Martin.
H. R. 2203. Edward M. Jurin.
H. R. 2222. Andrew J. Buchanan.
H. R. 2225. Upton J. Hammond.
H. R. 2249. Henry Eby.
H. R. 2256. Rufus G. Cook.
H. R. 2258. John W. Craig.
H. R. 2270. Enos Pearce.
H. R. 2271. Wiltsey E. Sivers.
H. R. 2278. John Pool.
H. R. 2366. Charles W. Webster.
H. R. 2395. David McQuinney.
H. R. 2404. William Mooneyham.
H. R. 2417. James Skrine.
H. R. 2434. John Routlen.
H. R. 2441. Elijah Walters.
H. R. 2452. George W. Horton.
H. R. 2453. Nelson G. Mills.
H. R. 2460. Zedekiah Stapleton.
H. R. 2486. Timothy Kelley.
H. R. 2511. Edward Van Kleeck.
H. R. 2641. John Devine.
H. R. 2644. Theodore Wilkins.
H. R. 2670. Charles A. Tucker.
H. R. 2672. Joseph L. Killgore.
H. R. 2684. Morris Lincoln.
H. R. 2722. James B. Taylor.
H. R. 2726. Hugh S. Stanley.
H. R. 2729. Charles W. A. Reynolds.
H. R. 2864. Amos Hales.
H. R. 2939. George L. Wells.
H. R. 2960. James Hennessy.
H. R. 2987. Otto Schellhorn, alias August Roessler.
H. R. 2997. James Layne.
H. R. 3068. George L. Clapp.
H. R. 3093. Cyrus S. Lyon.
H. R. 3159. Columbus Massey.
H. R. 3184. John W. La Rue.
H. R. 3242. Hiram Marshall.
H. R. 3279. John M. Stanley.
H. R. 3318. Charles T. Higgins.
H. R. 3398. Hattie Kinkade.
H. R. 3454. Noah W. Gerrish.
H. R. 3512. Albert Booker.
H. R. 3530. Charles W. Bennett.
H. R. 3684. James S. Knighton.
H. R. 3736. Hiram Eells.
H. R. 3745. Perry Powers.
H. R. 3747. De Forest Rutman.
H. R. 3765. Lewis J. McIlaney.
H. R. 3794. Bethuel J. Goff.
H. R. 3798. Joseph B. Rickart.
H. R. 3848. Hiram Hineline.
H. R. 3850. Absalom Shaeffer.
H. R. 3863. Robert P. Williams.
H. R. 3865. Thomas J. Hughes.
H. R. 3868. Alexander H. Reed.
H. R. 3898. Henry Arnold.
H. R. 3923. Henry A. Adcock.
H. R. 3947. William W. Porter.
H. R. 3999. Elizabeth Mathews.
H. R. 4018. Samuel Shoup.
H. R. 4129. John Waterhouse.
H. R. 4186. Nathaniel C. Long.
H. R. 4206. Thomas J. Trulock.
H. R. 4252. Melvin Seward.
H. R. 4273. Loveman Place.
H. R. 4274. Joseph H. Pillars.
H. R. 4276. George Hedrick.
H. R. 4278. Uriah J. Favorite.
H. R. 4288. William C. Lawrence.
H. R. 4289. Christian Weisel.
H. R. 4290. Thomas J. Westfall.
H. R. 4292. Jacob Bachman.
H. R. 4311. John R. Rice.
H. R. 4340. Thomas G. Mitchell.
H. R. 4387. Miers B. Betts.
H. R. 4396. Jacob Snook.
H. R. 4399. John T. Plummer.
H. R. 4420. Felix Karl.
H. R. 4435. Columbus Jeffries.
H. R. 4542. Benjamin F. Sweet.
H. R. 4550. Carrie S. Wright.
H. R. 4631. William H. Harris.
H. R. 4671. Charles G. Craig.
H. R. 4673. Luman W. Storey.
H. R. 4678. Myrenus Loomis.
H. R. 4694. William Griffith.
H. R. 4787. Storer Packer.
H. R. 4793. Charles E. Speer.
H. R. 4794. Benjamin Vanfossen.
H. R. 4796. Mary J. Watson.
H. R. 4836. Emanuel Mayberry.

H. R. 4905. Cullen Bradley.
H. R. 4921. Daniel Maloy.
H. R. 4946. William H. Carroll.
H. R. 4974. Frederick J. Cressey.
H. R. 5039. Joseph M. Johnston.
H. R. 5064. Adaline Swearingen.
H. R. 5085. Albert Pride.
H. R. 5087. George F. Sabin.
H. R. 5096. George Young.
H. R. 5145. George W. Sargent.
H. R. 5220. Isaiah Blair.
H. R. 5278. Adam G. Fitzkee.
H. R. 5297. Peter T. Nile, alias Patrick Nilan.
H. R. 5316. John Akerman.
H. R. 5322. Luke Arnold.
H. R. 5373. William C. Adams.
H. R. 5375. Patrick Keligher.
H. R. 5399. Isaac B. Robinson.
H. R. 5402. James N. Russell.
H. R. 5490. Jacob C. Maddix.
H. R. 5506. Rufus Potter.
H. R. 5581. Thomas Phillips.
H. R. 5663. Frederick N. Dickey.
H. R. 5664. Patrick Donoghue.
H. R. 5780. Fred Babcock.
H. R. 5801. James K. P. Weaver.
H. R. 5834. George C. Elliott.
H. R. 5837. Samuel Cooper.
H. R. 5904. Levi S. Flinchbaugh.
H. R. 5914. Laura E. Cass.
H. R. 5923. George C. Hornby.
H. R. 5937. William E. Openshaw.
H. R. 5942. Nellie Collier.
H. R. 5982. Johnson Schenck.
H. R. 5991. Aaron Hart.
H. R. 6018. George Coppins.
H. R. 6036. Thomas E. Winfield.
H. R. 6037. Oscar Bowen.
H. R. 6092. Charles A. Sugg.
H. R. 6145. Marion S. Pay.
H. R. 6247. Cyrus M. Brown.
H. R. 6260. John E. Spilman.
H. R. 6317. Joseph C. Whittington.
H. R. 6323. Frances Watches.
H. R. 6366. John T. Bell.
H. R. 6375. Henry B. Tonnemacher.
H. R. 6407. Edward Smith.
H. R. 6427. William N. Bridges.
H. R. 6428. Elijah Eddington.
H. R. 6429. Pleasant Evans.
H. R. 6431. John P. Kinman.
H. R. 6434. John Mallett.
H. R. 6441. John F. Whipple.
H. R. 6461. Daniel Davis.
H. R. 6478. Perry S. Latham.
H. R. 6496. James N. Dennis.
H. R. 6700. Horatio S. Howe.
H. R. 6703. Henry Brown.
H. R. 6704. George F. Bennett.
H. R. 6708. Joseph Ranft.
H. R. 6723. Mary F. Russell.
H. R. 6732. John A. Barr.
H. R. 6742. Lewis Feltner.
H. R. 6743. Alexander G. Duff.
H. R. 6815. Anthony Lafor.
H. R. 6816. Francis Penny.
H. R. 6817. Jeremiah Daniels.
H. R. 6819. Vinel E. McCreary.
H. R. 6852. Helon C. Norton.
H. R. 6853. Jonathan Miller.
H. R. 6854. Thomas Croft.
H. R. 6855. Henry J. Fruchey.
H. R. 6857. Charles M. Merrill.
H. R. 6858. Abbie H. Lewis.
H. R. 6862. David K. V. Briggs.
H. R. 6869. Mary J. Cook.
H. R. 6912. John Getz.
H. R. 6928. Randolph Snell.
H. R. 6987. John Geuder.
H. R. 6989. William A. Pine.
H. R. 6990. Edgar C. Martin.
H. R. 7051. Edward F. Gurry.
H. R. 7068. Clara E. Larish.
H. R. 7096. August Dorman.
H. R. 7115. Robert Stevenson.
H. R. 7125. Cyrus Boone.
H. R. 7243. Henry Strassner.
H. R. 7246. William Strope.
H. R. 7250. Joseph H. Woollen.
H. R. 7261. James S. Taylor.
H. R. 7262. Hezekiah W. Kelley.
H. R. 7275. John P. Hardin.
H. R. 7367. Daniel Felton.
H. R. 7393. Albert Fields.
H. R. 7398. Elisha S. Peck.
H. R. 7406. John S. Brademeyer.
H. R. 7407. Ida I. Goldman.
H. R. 7410. Levi Blume.
H. R. 7428. Frank M. Gibson.
H. R. 7461. George A. C. Coffey.
H. R. 7471. Eli Sherman.
H. R. 7473. David Hood.
H. R. 7477. James McKitrick.
H. R. 7479. William A. Burns.
H. R. 7480. John W. Reed.
H. R. 7481. Thomas Haxton.
H. R. 7510. Edwin Downs.
H. R. 7517. Isaiah Hilliard.
H. R. 7523. John Cornell.
H. R. 7554. Ann Diltz.
H. R. 7581. Charles S. Phelps.
H. R. 7591. John Burrell.
H. R. 7603. John P. Hodgkins.
H. R. 7604. Allen McKee.
H. R. 7615. Charles Brossart.
H. R. 7667. Henry C. Salton.
H. R. 7677. Mary J. Bernard.
H. R. 7710. Hugh Stevenson.
H. R. 7711. Benjamin P. Baldwin.
H. R. 7745. Calvin A. Hutchinson.
H. R. 7753. Ross Montgomery.
H. R. 7759. George Kint.
H. R. 7765. Christian A. Baldwin.
H. R. 7809. Ezra H. Keniston.
H. R. 7810. Daniel G. Blaisdell.
H. R. 7838. Herman Brumley.
H. R. 7839. Samuel A. Parish.
H. R. 7846. William Hummer.
H. R. 7848. Anna Hardy.
H. R. 7852. Daniel Ashbaugh.
H. R. 7865. Harriet J. Houghtaling.
H. R. 7876. Warrington O. Smith.
H. R. 7899. Erskine M. Hamilton.
H. R. 7905. William C. Rusmisell.
H. R. 7968. George W. Fitzgerald.
H. R. 8022. Morgan W. Mills.
H. R. 8042. Charles M. Keil.
H. R. 8056. Martin L. Rex.
H. R. 8058. Amos M. Stroh.
H. R. 8065. Esther Penick.
H. R. 8128. John Foster.
H. R. 8157. Henry C. McMullen.
H. R. 8158. Nicholas Easton.
H. R. 8159. Robert T. Bland.
H. R. 8164. John Toliver.
H. R. 8189. James W. Webb.
H. R. 8295. James Carmine.

Mr. MAPES. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore (Mr. SAUNDERS of Virginia). The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 1, after the word "of," strike out "$30" and insert "$50."

Mr. MAPES. Mr. Speaker, the report of the committee on this case shows that the soldier, a veteran of the Civil War, is 73 years of age and has no property or income of any kind, except the pension which he is now receiving. The medical testimony filed with the committee shows that he is "wholly unfitted for manual labor, by reason of asthma, chronic myocarditis, interstitial nephritis, and arteriosclerosis."

I think it will be conceded by everyone that a soldier who is afflicted as the report shows this soldier to be, and who has no property or income, ought to receive more pension than $30 per month. He is now receiving $20 per month, and the committee recommends that he be given $30. He is unable to work and has no property or income of any kind. He certainly can not live on this amount, especially if he has a wife or family dependent upon him for support. Fifty dollars now will not go as far as $30 would a few years ago.

I realize, however, the practical impossibility of getting an item in one of these omnibus pension bills increased on the floor of the House after it has been reported by the committee, and I do not wish anyone to construe what I have to say as in any way being a criticism of the Committee on Invalid Pensions, which reports this bill. I appreciate the fact, as everyone else here does, that that committee does good, conscientious work and a lot of it; and I take this opportunity to urge upon the committee to report a bill giving an increase of pension to all the veterans of the Civil War. I believe such a bill would pass the House by an overwhelming majority if the committee would only give us a chance to vote upon it.

There have been several bills introduced in this Congress which are now before the Committee on Invalid Pensions, to increase the pensions now being paid to the veterans of the Civil War. Some of them would keep the principle of the age-and-service law but raise the rates as provided therein; others would give all veterans of the Civil War a pension of $50. I believe the committee should promptly report one of these bills.

It is fair to say that practically all of the men who fought in the Civil War are now over 70 years of age and unable to perform manual labor to support themselves. The time has come when the committee, however diligent, can not differentiate between the degrees of helplessness which exist in these old men. They are all helpless; they are all worthy.

The last session of Congress very justly raised the pensions paid to widows of veterans of the Civil War from $12 and $20 to $25 per month. Let us before this session adjourns do complete justice and raise the pensions of the men who actually did the fighting from what they are now receiving to $50 per month or some amount that is just and adequate. [Applause.]

Mr. RUSSELL. Mr. Speaker, this is one of 301 cases in this bill. If we undertake to thrash out an amendment to all of these items we will not get anywhere with this legislation. The committee has considered all of these items as best they could in the time they have had to do it. They have tried to do exact justice, and in this case believe it is no exception. The soldier mentioned in this item for whom the increase is asked had a comparatively short service, one year and three months. It is true that he is 70 years of age, but many others in this bill are 80 and 85 years of age. Many cases, it is shown by proof, require the attention of nurses all the time to take care of them, and had a long service in the war. The rules of the committee permit the allowance of $50 in such cases, but they limit special bills to $50. If we allow the amendment offered by the gentleman from Michigan, when there is no proof of needed assistance, it would not be fair to those who have served longer, who are more helpless, who are older, and who need the assistance of an attendant all the time. So there would be a disparity and a partiality shown unless you increase all others. I hope the House will not encourage an amendment of this sort. We invite Members of the House who have bills to come before the committee. We try to treat everybody fairly and do not discriminate against anyone if we know it, and did not do so in this case. If I am correctly informed and understand the facts of the case, the soldier referred to in this amendment lives in Missouri and not in Michigan. He is not a resident of the district represented by the gentleman from Michigan [Mr. MAPES] but is in the district represented by the gentleman from Missouri [Mr. ALEXANDER], who is satisfied with the amount which is allowed. He is asking for no amendment, and it will be manifestly improper for the House to vote an amendment for this man in view of all the proof, in view of all the facts, and in view of the fact that the author is satisfied with the action and recommendation of the committee. I ask all of those who are interested in getting liberal pensions for the old soldiers who need them to stand by this committee as the proper way to get the best and the most adequate relief. I hope the House will vote down this amendment.

Mr. FULLER of Illinois. Mr. Speaker, the pending amendment proposes to increase the pension of one of the proposed beneficiaries in this bill from $30 per month, as reported by the committee, to $50 per month. The soldier is now pensioned at the rate of $20 per month. The committee recommends that his pension be increased to $30. He is shown to be unable to perform manual labor and to own no property and to be entirely without any other income or means of support except his pension. He is not helpless and does not require the aid or assistance of another person in caring for himself. Under the rules of the Committee on Invalid Pensions $30 per month is the limit of allowance in cases of this kind. Personally I would be in favor of allowing a greater rate, but it would be unfair to do so in this case unless, at the same time, we grant similar increases in all other cases. If the House thinks we should be more liberal and go beyond the rate prescribed by the rules, the committee would like to be advised of that fact. We have a very large number of such cases as this before the committee, and we try to treat all alike, and we think no case should be singled out for an increase above the rates allowed by the committee under the rules, unless it is the desire of the Members of the House that all Civil War pensions should be

increased. I have myself introduced a bill providing for an increase of pensions by general law, in cases like this, to $50 per month, and I would like to see that bill, or some general bill, enacted at this session of Congress to increase all pensions of Civil War veterans who are now receiving or entitled to pensions of less than $50 per month. I am not particular whether it is my bill or some other bill, but I would like to see a general increase all along the line. The same arguments now being made for increase of pay to Government employees apply equally to the matter of the pensions of the old soldiers. The country owes them much. They saved this Union. We can afford to treat them justly and generously. As everyone knows, the cost of living and of all the necessities of life have increased enormously in the last few years. In the case of an old soldier who is destitute, who owns no property, and has no income aside from his pension, $30 per month is wholly inadequate for his support, and where he has a wife or children dependent upon him for support the amount is ridiculously inadequate. I think that by a general bill we should grant pensions of $50 per month in all such cases, thus doing away with the necessity of passing so many special pension bills. Thousands of cases which the committee never hears of are as deserving as any of those reported by the committee, and relief should be granted in all such cases.

Mr. DOWELL. Will the gentleman yield?

Mr. FULLER of Illinois. I will.

Mr. DOWELL. Would not the gentleman favor an amendment of the rule until his bill is passed upon by Congress in order to allow deserving men a larger pension than the rule admits?

Mr. FULLER of Illinois. I would be in favor of allowing a larger amount in all cases where the pensioner is without means of support other than his pension and is virtually in a helpless condition.

Mr. DOWELL. Would not the gentleman be in favor of the committee amending the rule under the circumstances?

Mr. FULLER of Illinois. I would like to know how the House feels on that.

Mr. DOWELL. It is a committee rule and not a rule of the House. Why can not the committee amend it?

Mr. FULLER of Illinois. I am in favor of a larger amount, but I am in the minority on that committee.

The example set by these old veterans of the Civil War is worth untold millions in the present emergency. Their devotion to duty, their patriotism, their deeds of valor on many a hard-fought battle field form many of the brightest pages in the history of this free Government and are an inspiration to the patriotic young men of this generation who are to-day fighting for the liberation of mankind from the yoke of tyranny, autocracy, and frightfulness. As the Government cares for its old soldiers, their widows and orphans, so may the young patriots of to-day know that they and their loved ones will be cared for in the coming days when the present great conflict is over and when the shadows lengthen in their declining years. We are appropriating vast sums to carry on the war in which we are now engaged, and we have pledged, if necessary, all the resources of this great Nation, and we shall make good. We shall win the war at whatever cost, that the lives and liberties of those who are to come after us may be safeguarded on land and sea, safe from attacks by an outlaw nation or a murderous military autocracy led by ambitious scoundrels who recognize no law of humanity, of justice, or of right.

But while the present and the future problems demand our undivided attention, let us not forget to do justice to those who carried our flag to victory, who made our country great and free, whose fighting days are over, but whose example will spur on to victory our national armies now engaged or about to engage in the most titanic struggle in all the world's history. A few more years and the last veteran of that grand Army of the Union will have passed away. Any aid we can give them in the few remaining years they are to be with us should be given promptly, cheerfully, and as matter of justice and right. Compared with other appropriations we are making the cost will not be great, and in this case, if in no other, there should be no cheeseparing. In these days of the Nation's supreme trial let it be known as the settled policy of the Government that the Nation's defenders shall ever be held in sacred remembrance, and that they and their dependents shall always be entitled to and shall receive the first consideration of the Government which they risked their lives to save and perpetuate.

Mr. CRAMTON. Mr. Speaker, I formerly served on the Committee on Invalid Pensions under Gen. SHERWOOD, with the gentleman from Missouri [Mr. RUSSELL], and the gentleman from Kentucky [Mr. LANGLEY], and I learned certain things there. One of them is that you are bound in that committee by certain rules of action. Necessarily so, and the provision in the item under consideration is in accordance with those rules. I also learned then what I am sure is the case now, that members of that committee are disposed to do everything possible for the old soldiers and the widows.

I am, therefore, not speaking from the standpoint of criticism of the work of the committee, but rather by reason of the expression of the gentleman from Illinois, Judge FULLER, asking for something in respect to the sentiment of the House. I do not think the gentleman from Michigan [Mr. MAPES] offered this amendment with a view to this item alone, but rather as a precedent, which would be followed in other items in the bill, and in view of such action by the House then the committee would probably make some change in their rules and perhaps give the greater consideration to more generous general legislation, since the committee, I am sure, does desire to know and to do what the House desires.

Since we have provided that the widows are to receive $25 a month as a pension, it is not consistent that a veteran of the Civil War who served a year and four months should receive only $20, when that man may have not only himself to support, as would be the case of a widow, but a wife to support.

Further, I know that the principle that moves the Committee on Invalid Pensions and this House is that they do not desire that in their old age the veterans who rendered good service in the crisis of a half century ago, or their widows after they are gone, shall starve or go to the poorhouse or be the objects of private charity, but that they will get sufficient pension to keep them out of the poorhouse. Two or three years ago $30 would do that, but if that old veteran has a wife living with him, how can they live on $30 a month in these times?

Mr. LANGLEY. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LANGLEY. What does the gentleman say about this situation? We all understand, of course, that we can not get a special bill through the Senate that provides for a higher rate than $50 a month. If you raise a case like this to $50, where an attendant is not needed, as the evidence discloses, would that be just to that class of cases where the soldier is shown to be helpless and to require the constant aid and attendance of another person? The gentleman seems to be inclined himself to the proposition of general pension legislation raising the rate, and with that I am in hearty accord, but I do not think his position is consistent on this case.

Mr. CRAMTON. The most we have in mind—and I think that is all my colleague from Michigan [Mr. MAPES] has in mind, is to give to the Committee on Invalid Pensions an idea of the sentiment of the House——

Mr. LANGLEY. Yes; that is what I want to know, and I am glad to note these evidences of a liberal sentiment toward the old soldiers. I have a bill proposing a much higher rate for all of them.

Mr. CRAMTON (continuing). That the committee may realize that we have need for legislation, and that it will report legislation such as the House wants.

Mr. LANGLEY. Exactly.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. RUSSELL. If we should give the soldier affected by this amendment $50 under the proof filed before the committee, does the gentleman from Michigan believe that that will be sufficient, then, for those who served three or four times as long and are a great deal older and more helpless and need a nurse all of the time?

Mr. CRAMTON. So far as keeping out of the poorhouse is concerned, I am just as anxious to keep out of the poorhouse the man who served a year and four months as the man who served three or four years. It is not a question now based on age and service, although I think that age and service act ought to have considerable amendment.

Mr. RUSSELL. Does not the gentleman appreciate that a man who is bedfast or who is totally blind ought to have more money than a man who is not bedfast or who is not totally blind or who does not need any nurse?

Mr. CRAMTON. If the man gave good service and is now without property, without other income than his pension, I would favor this Congress giving him, whether he be bedfast or not, a sufficient pension to enable him to live and support his wife, if he has one, without taking private charity. If the committee finds that $50 will not do that in the case of a man who is bedfast, then it should make it more than $50.

Mr. RUSSELL. What limit would the gentleman recommend?

Mr. CRAMTON. Sufficient to keep them out of the poorhouse and from the necessity for receiving private charity.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. BLAND. Mr. Speaker, as a member of this committee I would like to express my views on the point raised by the gentleman who desires to amend the report. The gentleman's statement that he is willing to give $50 to any man who served, regardless of the length of service, if he is unable to support himself, meets a responsive chord in my heart. I am in entire harmony with that statement. I do not think that $50, the limit that we are allowed to give by the rule of the committee, is sufficient in the case of total disability, where a nurse is required. Neither do I think that $36 is enough for anyone who is totally incapable of performing manual labor. I do not think $30 is enough for the support of a soldier who has reached the age most Civil War Veterans have attained, regardless of the length of service; but those are the rules as established by the committee. If we take out a single exception, it means that it will be in each instance criticized and corrected by this Congress and result in unequal and unfair discriminations among these old fellows, most of whom are entitled to the tenderest and most generous and impartial consideration from this Government. The real remedy would be a new general bill, general legislation covering that point.

Mr. DOWELL. Mr. Speaker, will the gentleman yield?

Mr. BLAND. In a minute. I am in entire sympathy with the sentiment expressed by the gentleman who preceded me, in which he asks for more liberal pensions for soldiers of the Civil War, and I know there is a large sentiment in this Congress in favor of a bill coming out of this committee favoring a higher rate for all soldiers, so that we will not be required by special act in each instance to come before Congress and petition for enough money for the soldier to live on, and as a member of the committee I will vote to favorably report such a bill. I yield to the gentleman from Iowa.

Mr. DOWELL. Until such a bill is presented, is not the real remedy to amend the committee rule?

Mr. BLAND. I think so, absolutely, but not to amend the bill that was drawn under the rule; but what we need is a new general law.

Mr. DOWELL. It seems to me the committee should do that, and not attempt to control the House when it attempts to raise the amount.

Mr. BLAND. As has just been said, the gentleman will run up against the proposition of getting this bill, if amended as suggested, through at the other end of the Capitol.

Mr. DOWELL. That is their responsibility, not ours.

Mr. BLAND. We are trying, in the most practical way, to give relief to the old soldiers as well as we can under the circumstances.

Mr. LANGLEY. Will the gentleman yield for a suggestion?

Mr. BLAND. I will.

Mr. LANGLEY. And that is that the Committee on Invalid Pensions is going to take up at an early date the question of reporting a general measure affecting the situation we are now discussing, and, if the gentleman will pardon we further, I think that any attempt here to raise rates beyond what we know the Senate will approve will only delay this legislation, because it will involve amendments and thrashing it out in conference later on.

Mr. BLAND. The question raised here by the gentleman's proposed amendment merely emphasizes the fact that there is universal demand for a pension law for the Civil War soldiers, and for all other soldiers of other wars, for that matter, that is reasonable in amount but sufficient to take care of the needs of those men who are suffering. I think this debate emphasizes this fact, and I know that there are certain bills which have been presented, one by the gentleman from Indiana [Mr. VESTAL], which is before this committee now, and other bills of a similar character, by which they are seeking to raise the general rate for the old soldier. I am heartily in sympathy with such effort, but at present, when gentlemen ask you to override the rules of this committee and show partiality in favor of some, I say it will result in giving some a higher rate than others who are equally deserving. Take, for instance, my grandfather's captain, whose pension is increased in this bill; he is 85 years of age. He is totally helpless; he has to have an attendant; and $50, the limit under the rules, is not enough. Another soldier, a constituent from my district, is in here who is absolutely in need, in want, who, under this bill, gets only $30 a month. I insisted that they get the limit of their class under the rules, but I have no quarrel with my committee because they have treated these constituents the same as others in their class. Until the House shall express by vote its wishes, or require a voting out of this committee, a general law to aid the old soldiers you can not get much relief. It only causes a fight at the other end of this Capitol if you exceed the rules of our committee.

Mr. SWITZER. Mr. Speaker, as the debate has taken a general character, I wish to say a few words at this time. I will gladly vote for the pending bill, but it seems to me that the time is at hand when on account of the necessitous circumstances of something like 300,000 Civil War veterans now on the pension roll that there is a pressing demand on this Congress to pass, and speedily pass, a general law that will increase the rates of pension of such soldiers drawing $55 and less per month. I am not wedded to any particular rate. I do not know that I am wedded to the particular line of demarcation that I have mapped out, but in the closing days of the last session this House, by a large vote, and the Senate passed a law increasing the pension of the Civil War widows, giving them from $12 to $25 and from $20 to $25 a month. Why? Because this House determined here after days and days of deliberation that it required $25 a month to support a young widow of a soldier who was killed or died from injuries or disease contracted in the present war. If that is true, of course it follows that the mothers of the soldiers of the present war, who are widows of soldiers of former wars, should have $25 per month. Now, what is the situation? Here is an anomalous condition. We have to-day upon the pension roll fewer than 100,000 Civil War veterans drawing more than $25 a month. There were more than 200,000 Civil War veterans drawing less than $25 a month July 1, 1917, as shown by the last report of the Commissioner of Pensions. The men who faced the shot and shell and endured the hardships of the conflict drawing less than $25. One of the first men to enlist from my home county and who served four years, by a special act draws only $24 a month to-day. I have a bundle of petitions here asking that these pensions be increased, not only from old soldiers but from other citizens of my district. One petition is signed by 73 Civil War veterans of one county, and only 2 are 69, 4 are 70, and the remaining 67 are away beyond 70 years of age, and this Congress having meted out a fair measure of justice to the Civil War widows, it should not hesitate to do what is right by these old veterans. The woman who married a Civil War soldier 30 years after the war, much younger than these soldiers here petitioning for relief to-day, when he dies draws $25 a month, but while living as man and wife only $24, $20, $17, and less in many cases is received for the support of both. This is the absurd situation in which we find ourselves, and it seems to me the Committee on Invalid Pensions—I do not want to criticize them—ought to get to work quickly and report out a bill increasing most of the present rates. I have introduced a bill, I am not particularly wedded to it, asking an increase of 40 per cent for all drawing under $30, 33⅓ per cent for all those drawing $30 and under $40, and 20 per cent for those drawing $40 and not over $55, and that when a soldier reaches 76 years of age he be given no pension of less than $40 a month and no pension shall be given less than $30 a month. The last rate might be reduced, but no soldier who served 3, 6, 9, 12 months or 2 years ought to receive less than his widow receives on account of his death.

True, our resources are being heavily taxed and burdened with large obligations which must be defrayed in the future, but I do not believe we have reached that degree of financial depression that makes it necessary to be neglectful of the pressing needs of the survivors of that grand army which by its heroic efforts from '61 to '65 preserved the Union and made it possible to have a mighty American Republic to wage the great world battle for human liberty to-day.

Omnibus bills carrying increases for a few hundred or a few thousand cases will not suffice, and it is urgent that a general law be enacted substantially increasing the pensions of 200,000 of the 300,000 Civil War veterans now on the pension roll drawing less than $25 per month, practically all of whom have outlived the allotted three score years and ten and who are not only handicapped by the infirmities accompanying old age but who are also pinched by the high cost of living now prevailing.

The SPEAKER pro tempore. The time of the gentleman has expired.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

The name of Felix Karl, late of Company B, One hundred and forty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. RUSSELL. Mr. Speaker, I move to amend the bill by striking out lines 7 to 10, inclusive, on page 25, his bill having been passed previously.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

Mr. SWITZER. Mr. Speaker, I move to strike out the last word for the purpose of asking a question of the chairman of the committee. Is he contemplating taking steps to have hear-

ings on or to report out any general law for increase in the rate of pensions?

Mr. RUSSELL. I will state that there have been a number of general bills offered proposing to increase pensions of soldiers and they are pending before the committee. No time has yet been fixed for the hearing on those bills, but I presume the chairman of the committee, Gen. SHERWOOD, will call a meeting for that purpose, when such bills will be properly considered. I will not undertake to state what the action of the committee will be. Personally I realize that with the present high cost of living the soldiers deserve more, especially many who are poor and helpless.

Mr. SWITZER. I thank the chairman.

Mr. Speaker, I would ask unanimous consent to extend and revise my remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. FULLER of Illinois. Mr. Speaker, I ask the same thing.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

The name of Robert Stevenson, late of Company F, Sixty-ninth Regiment New York State Militia, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. RUSSELL. Mr. Speaker, I ask to amend, on page 42, line 2, by adding after the word "Militia" the word "Infantry." As it is, it is a clerical error.

The SPEAKER pro tempore. Without objection, the amendment indicated will be agreed to.

There was no objection.

The Clerk read as follows:

The name of Edwin Downs, late of Company E, Nineteenth Regiment Connecticut Volunteer Infantry (Heavy Artillery), and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. RUSSELL. Mr. Speaker, I ask to amend, on page 45, at line 18, by inserting in the bracket, before the word "Heavy," the word "Second." It is a typographical error. I want it to read "Second Heavy Artillery."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. RUSSELL: Page 45, line 18, after the bracket, before the word "Heavy," insert "Second."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

The name of Ann Diltz, widow of William H. Diltz, late of Company —, One hundred and ninety-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

Mr. RUSSELL. Mr. Speaker, I ask to amend, on page 46, at line 5, by striking out the word "Company" and the comma. It is a mistake of the Printing Office.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. RUSSELL: Page 46, line 5, after the word "of," strike out the word "Company" and the comma.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

The name of John P. Hodgkins, late of the Second Independent Battery Massachusetts Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. RUSSELL. Mr. Speaker, I ask to amend, on page 46, line 18, by striking out the figures "30" and inserting "36." This is not an increase to be made on the floor, but is a typographical error which ought to be corrected.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 46, line 18, after the word "of," strike out the numerals "30" and insert in lieu thereof "36."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

The name of William Hummer, late of Company H, Sixteenth Regiment, and Company I, One hundred and fourteenth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

Mr. RUSSELL. Mr. Speaker, I ask to amend the bill on page 49, at the end of line 3, by striking out the two character letters and inserting the letter "H" instead. As it is now, it is a roman two.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. RUSSELL: Page 49, line 3, strike out "II" and insert in lieu thereof the letter "H."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk concluded the reading of the bill.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the amended bill.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. RUSSELL, a motion to reconsider the vote by which the bill was passed was laid on the table.

WATER-POWER COMMITTEE.

Mr. POU. Mr. Speaker, I offer by direction of the Committee on Rules a privileged report, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

Mr. LONDON. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONDON. By special order I have been given leave to address the House after the disposition of the omnibus pension bill, which has just been disposed of. Does that order stand after this rule is disposed of, or do I waive my right?

The SPEAKER. Yes; it stands. This is the way of it: Whether the Chair put it that way or not, it is the way it ought to be put always as to these special orders, namely, not to interfere with privileged matters. That order was made, and the Chair will recognize the gentleman as soon as we can get through with this.

The Clerk read as follows:

House resolution 220 (H. Rept. No. 238).

Resolved, That the Speaker of the House be, and he is hereby, authorized and directed to appoint a special committee of 18 members to whom all bills and resolutions hereafter introduced during the Sixty-fifth Congress pertaining to the development or utilization of water power shall be referred (notwithstanding any general rule of the House to the contrary), except, however, bills and resolutions of which the Committee on Foreign Affairs has jurisdiction under the general rules of the House.

Resolved further, That the Committee on Interstate and Foreign Commerce be, and it is hereby, discharged from further consideration of H. R. 3808, H. R. 7695, H. R. 4504, H. R. 8005, and S. 1419, and said bills are hereby referred to the special committee herein provided for; that the Committee on Public Lands is discharged from further consideration of H. R. 7227, and the same is hereby referred to the special committee aforesaid.

Mr. POU. Mr. Speaker, I shall submit a very few observations concerning the resolution now under consideration, and I shall be glad then to yield to other gentlemen who know more about the history of this matter than I do.

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

Mr. POU. Certainly.

Mr. LENROOT. Does the gentleman intend to yield some time to our side?

Mr. POU. I do. I mean that there is no purpose on my part to attempt to cut off reasonable debate.

Mr. JOHNSON of Washington. Can we have an agreement to that effect?

Mr. POU. I believe under the rules I am entitled to an hour, and I will yield from that hour as fairly as I can.

Mr. LENROOT. You will yield to this side?

Mr. POU. Yes.

Mr. JOHNSON of Washington. I desire to make some remarks against the resolution.

Mr. POU. I will be glad to have the gentleman from Wisconsin [Mr. LENROOT] control 30 minutes of the hour.

It is well known to the membership of this House, Mr. Speaker, that there has been controversy with respect to water-power legislation for a long time. It is extremely desirable from many standpoints that action be taken by this Congress to the end that the immense water power of this country which is now being wasted shall be made available.

The rule, which was unanimously reported by the Committee on Rules, provides for the creation of a committee of 18. No limitation is placed upon the Speaker in the selection of this committee, because of that unanimous confidence which is entertained on both sides of this Chamber in the Speaker of this House. I will state that the Committee on Interstate and For-

eign Commerce, the Committee on the Public Lands, the Committee on Agriculture, and the Committee on Rivers and Harbors are entirely in harmony with the proposal to create the new committee.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield for a question?

Mr. POU. Yes.

Mr. JOHNSON of Washington. Is it proposed to make this committee up from the four committees named?

Mr. POU. I will say to the gentleman from Washington such a suggestion has been made; but, as I said, there is no requirement in the rule as to where the membership of this committee shall be taken from.

Mr. JOHNSON of Washington. But there is an understanding as to where they shall be taken from?

Mr. POU. There has been no understanding, because nobody has authority to enter into any agreement or understanding. I can simply say this to the gentleman that——

Mr. JOHNSON of Washington. Did not the gentleman just say there was an understanding?

Mr. POU. No. The matter has been discussed by these respective committees, and the committees that I have named are entirely in harmony with this proposed procedure.

Mr. JOHNSON of Washington. Did not the Committee on the Public Lands meet this morning and designate five of its members to be members of that committee?

Mr. POU. I did not catch the gentleman's question.

Mr. JOHNSON of Washington. I asked if the Committee on the Public Lands met this morning and designated five of its members to be members of this new committee?

Mr. POU. I am informed that the Committee on the Public Lands did not take that action. I am informed that the Committee on the Public Lands had no meeting this morning at all, and that it has taken no action along the lines indicated by the gentleman.

Mr. JOHNSON of Washington. The whole thing seems rather nebulous. But the statement was made to me that they had agreed upon the three majority members and the two ranking members of the Committee on the Public Lands to be members of that committee.

Mr. POU. That binds nobody.

Mr. LENROOT. The Committee on the Public Lands has taken no such action.

Mr. POU. If it had, it would bind nobody.

Mr. GILLETT. Mr. Speaker, will the gentleman yield?

Mr. POU. I do.

Mr. GILLETT. I would not bind anybody unless there was such an understanding as would be binding and which the Speaker would be aware of. I understand there was such an understanding. There is no impropriety in it, but I think it ought to be known whether there was or not.

Mr. POU. I am going to say to the gentleman from Massachusetts this: There is no disposition to conceal anything. When this matter was before the Committee on Rules it was suggested that the new committee should be made up of gentlemen taken from the Committee on Interstate and Foreign Commerce, which has had to do with this legislation; from the Committee on Public Lands, some gentlemen on that committee having devoted years of study to this question; and that the Committee on Agriculture should have representation on it, and the Committee on Rivers and Harbors also. That was discussed, and all that the Committee on Rules did was to provide a membership large enough so that if the Speaker of this House, after consultation, decided to take representation from those committees, he could do so.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield for another question?

Mr. POU. I do.

Mr. JOHNSON of Washington. Has it not been stated that it is proposed to make up this committee of 5 members from the Committee on Interstate and Foreign Commerce and 5 members of the Committee on the Public Lands, making 10 members out of the proposed 18, and that it has been so designated on purpose, so that the members of those two committees would have control?

Mr. POU. I have heard the suggestion made that that would be a proper way to constitute the committee.

Mr. JOHNSON of Washington. And yet it is declared there has been no agreement or arrangement.

Mr. POU. I have heard the suggestion that, inasmuch as the Committee on Interstate and Foreign Commerce has had to do with this legislation, and inasmuch as the Committee on Public Lands is interested in it and has heretofore considered similar legislation, those committees should be more largely represented on this committee than any other committees of the House. But that is a question for the Speaker to determine when he comes to name the membership of this committee.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield further?

Mr. POU. Yes.

Mr. JOHNSON of Washington. In these discussions that the gentleman has had, of course, it is understood that those men will still retain their positions on the other committees?

Mr. POU. I can not say that there has been any such understanding. This has all been talk that binds nobody. It has been merely a suggestion as to how it would be wise and proper for the Speaker to make up this committee, having in view harmony and early action. That is all there is to it.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield for a question?

Mr. POU. Yes.

Mr. CRAMTON. I ask the gentleman whether the two existing committees which will be largely distributed, whether those committees have had opportunity to give consideration to the proposed changes?

Mr. POU. The Committee on Interstate and Foreign Commerce and the Committee on the Public Lands have considered the proposal of the creation of the new committee, and, as I said before, as I understand it, they are entirely in harmony with the proposal.

Mr. COX. Mr. Speaker, will the gentleman yield for a question?

Mr. POU. Yes.

Mr. COX. Is it designed to make this a permanent committee?

Mr. POU. No; just for the life of this Congress.

Mr. JOHNSON of Washington. If this committee takes hold of this nameless bill, without even a number, that provides a $10,000 head of a commission and makes other appropriations of money, is it not likely that that committee will stay on to look after it?

Mr. COX. I do not think there is any doubt about that.

Mr. POU. So far as I am personally concerned, I will say to the gentleman that I see no reason why we should not pass a water-power bill during this Congress, and I see no reason for the continuance of this committee after the Sixty-fifth Congress.

Mr. JOHNSON of Washington. Why not come out in the open with the Members of this House and say that there here is a bill introduced, without even a number——

Mr. POU. It has not been introduced.

Mr. JOHNSON of Washington. Printed as if it were a bill, though, and marked "Confidential," and that erased, a proposed water-power bill, introduced by no one, and that this bill is proposed to be reported out of this combination committee for the express purpose of blocking the bill which has been passed in another body.

Mr. POU. Oh, no.

Mr. JOHNSON of Washington. It must be.

Mr. POU. I could not assent to that proposition at all. So far as the bill which the gentleman has there is concerned, it was printed simply for the information of the Members of the House and for the consideration of the new committee if the House should see fit to vote for the establishment of that committee.

Mr. JOHNSON of Washington. This confidential print, or whatever it is, is not available in the document room.

Mr. POU. I will state to my friend that I stated the other day on the floor of the House that the Committee on Rules had had 1,000 copies printed, and that any gentleman who desired to get a copy could either send to the office of the Committee on Rules or to the desk over there. I had a big batch of them put over there on the desk to the left of the Speaker for universal distribution.

Mr. JOHNSON of Washington. I made strenuous efforts at the document room, without success.

Mr. POU. It was not in the document room. I made that announcement the other day.

Mr. STAFFORD. I recognize that in the resolution before the House there is a departure, for the first time I believe since the Democrats obtained control of the House, in the method of appointing this special committee, a return to the old method, authorizing the appointment by the Speaker, which was so severely criticized by the Democrats and which resulted so largely in the Democrats getting control of the House. I am not here at this time to criticize the method, because in those days I believed and still believe in the appointment of the committees of the House by the Speaker with some limitations, but

as it was a cardinal principle of the Democratic faith when they gained control of the House to have the committees appointed by a committee on committees, I would like to inquire what is the reason for the departure in this instance?

Mr. POU. In answer to the gentleman from Wisconsin I will say that there has been no departure. The rules of the House provide that all special committees shall be appointed by the Speaker. This is a special committee. We are simply following the general rules of the House. There is no change in the rule.

Mr. STAFFORD. If the gentleman will yield further, while it is in a sense a special committee, every one knows that it is going to be a regular committee so far as this Congress is concerned, and that it will continue perhaps in succeeding Congresses. Under the rules of the House the Speaker has the right to appoint such special committees as committees of conference, and I am not questioning for one moment the power that should be given to the present Speaker, but you are departing from the rule which you adopted and going back to the practice which you criticized in the old days by vesting the power in one man to appoint a committee that will report important legislation.

Mr. POU. Oh, well, Mr. Speaker, that is an observation which I do not think requires any further answer than a repetition of what I said a moment ago—that the general rules of the House provide that special committees shall be named by the Speaker, and that this is a special committee. That is all I have to say about it, and I reserve the remainder of my time.

Mr. SIMS. Will the gentleman from North Carolina yield to me a few minutes to make a statement in connection with this legislation?

Mr. POU. Yes. Certainly, I yield to the gentleman. How much time does the gentleman wish?

Mr. SIMS. Not over three or four minutes.

Mr. POU. I yield to the gentleman five minutes.

Mr. SIMS. Mr. Speaker, I want to state for the information of the House, as far as I know, how this matter came about.

The Committee on Interstate and Foreign Commerce, ever since I have known anything about the matter, have had jurisdiction of bills concerning the construction of bridges and dams over navigable waters of the United States within the States. The Committee on the Public Lands have had jurisdiction of legislation relating to dams on the public lands of the United States. It appears that the Committee on Agriculture have jurisdiction of so much of the public lands as are embraced in forest reserves. For several years there have been attempts to pass a bill authorizing the building of dams on navigable streams, and I think the bill has been passed twice in the House. I know it was passed at the last session. That bill was reported by the Committee on Interstate and Foreign Commerce. It was acted on by the House and amended on the floor of the House. The bill was a substitute for a Senate bill, and after the House passed it it went to conference, and the conferees failed to agree. Now, it has been suggested, from a source that perhaps many of you will surmise without my stating in terms, that in order to bring about uniform legislation with reference to the building of dams for water-power purposes, both on the forest reserves, on the public lands, and in navigable streams in the States, the Secretary of War, who has jurisdiction of dams on navigable streams within the States, and the Secretary of the Interior, who has jurisdiction of the public lands, and the Secretary of Agriculture who has jurisdiction of the public lands in the forest reserves, should unite in preparing a bill creating a commission out of the three secretaries, and providing legislation exactly similar for the construction of dams on all navigable rivers, and that a bill be introduced and passed dealing with the whole subject.

Mr. GILLETT. That is what I was going to ask the gentleman.

Mr. SIMS. And in order to do that it was suggested—not by myself, for I knew nothing about it—that a rule be brought in authorizing the creation of a committee of three or five members from the Committee on Interstate and Foreign Commerce, three or five members from the Committee on Public Lands, and the same number from the Committee on Agriculture.

When the matter was submitted to me and to five or six members of the Committee on Interstate and Foreign Commerce I suggested that I would not agree to it without submitting it to the full committee. I did submit it to the full committee, and the committee voted unanimously to agree to such a rule, but it was to be a special committee having jurisdiction of the legislation proposed during the present session of Congress and no further or otherwise. Of course, being a special committee of limited life and jurisdiction it was to be appointed by the Speaker of the House. I think I have stated substantially all the facts.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. SIMS. Certainly.

Mr. JOHNSON of Washington. Where does it state in the resolution that this is to be a limited committee, or limited in time?

Mr. SIMS. It is a special committee.

Mr. POU. The committee can only continue during this Congress.

Mr. SIMS. I would not agree to a permanent committee of that kind.

Mr. STAFFORD. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. STAFFORD. Could Congress authorize a committee for any longer time than this Congress?

Mr. FOSTER. This says a special committee.

Mr. LENROOT. If the gentleman will allow me to make a suggestion, the next Congress adopting the rules of this Congress would not include this committee.

Mr. STAFFORD. Could it not very well incorporate a provision authorizing this committee continued?

Mr. LENROOT. Certainly. The next Congress would have to act specifically on this proposition.

Mr. GARRETT of Tennessee. It would take a special order the same as the old pension orders were.

Mr. STAFFORD. If the Committee on Rules brought in a rule providing that the rules of the present Congress should be adopted for that Congress, together with this special committee, it would be continued.

The SPEAKER. All gentlemen are out of order.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to be heard in opposition to the resolution.

Mr. LENROOT. Will the gentleman from North Carolina yield 30 minutes to this side?

Mr. POU. Yes. I stated that the gentleman from Wisconsin was to control 30 minutes.

Mr. LENROOT. Then, Mr. Speaker, I yield five minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Speaker, I hope Members will give attention to what is coming off in the Congress of the United States. Behind this innocent-looking resolution for a special committee is a bill without a name and without an introducer. The bill is ready with which it is proposed to block the bill S. 1419. If it is necessary to pass this proposed bill, which is all ready, indexed and reported upon by three Secretaries—and I wish I had time to read the report—if it is thought necessary by the Executive that this bill should be passed, why go through this rigmarole and red tape in the appointment of a rubber-stamp committee? Why not pass the bill at once without appointing a special committee and a clerk?

Mr. SIMS. There is no clerk.

Mr. JOHNSON of Washington. There will be a clerk sooner or later. Why not pass the bill in five minutes? Here it is cut and dried. Here is the report of the three Secretaries. The committee will send the bill down to the Secretaries, who will report favorably, then it will go on the calendar, and it will go through this House, actually making rubber stamps out of the new committee and of the membership of the House as well. Here we have the order of three Secretaries, the President favors it, so why have Congress do anything now than O. K. it and let it go? Why not do it in five minutes and have it over with? It is not designed to go into a full discussion of water-power legislation, because your bill is ready and all other bills will be laid on the table.

Mr. SIMS. But we will have the power to amend it or offer a substitute.

Mr. JOHNSON of Washington. It is not likely that any amendment or substitute will be adopted with three Secretaries favoring a bureaucratic bill that has been written over in the departments for the express purpose of outwitting the Senate of the United States and making the House of Representatives the tool with which to do it. What does the bill propose? A special commissioner at a salary of $10,000 and a secretary at $5,000 a year, and so on. Just one more commission! Just one more arm of Congress which will be stronger than Congress itself. The bill is bureaucratic, written by bureau chiefs and indorsed by three Secretaries. It gives no western States any hand in the control of the water power within their confines and no share in any of the returns. It fixes it so that a western State having a Federal domain of 50 per cent will remain forever in that position. The leases are renewable and the revenue is to go to the Federal Government and not to the States. It provides in a recapture clause that the Government may take

over at the end of 50 years the water-power plant and pay only the original cost of it. Will that invite the capital which the West needs? I know half a dozen places, one in particular in the State of Washington, where if the water power can be developed a city of 100,000 people will develop in 10 years. Twenty thousand men can make fortunes there, but a water-power bill which offers only 6 per cent to those who might invest twenty-five to thirty million dollars will not invite capital under the terms of this bill. I have not time to discuss water-power legislation, however, but simply desire to call attention that this is a cut-and-dried proposition, a cut-and-dried membership committee, a bill prepared for it, and the House of Representatives has nothing to do but to put on the rubber stamp of approval.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. GARRETT of Tennessee. We have been trying for many years to get water-power legislation.

Mr. JOHNSON of Washington. That is no reason why Congress should abrogate its powers any further.

Mr. GARRETT of Tennessee. Is it not desirable from the gentleman's standpoint to at least make some move toward getting legislation?

Mr. JOHNSON of Washington. Not if it is necessary for Congress to adopt a bill made outside, printed in advance, and a committee named in advance——

Mr. GARRETT of Tennessee. Oh, that is aside from the question; the gentleman is speaking against the adoption of the rule. The whole purpose of the rule is to try to bring about a condition in which legislation can be considered, no matter from what source it may come.

Mr. JOHNSON of Washington. Could not a bill come out of a properly constituted committee, as did the Ferris bill?

Mr. GARRETT of Tennessee. Water-power legislation has been tied up for years. We have not gotten anywhere, and though this may be a feeble stagger, we are making an effort.

Mr. JOHNSON of Washington. Suppose we abdicate to the bureaus on every proposition on which the House and the Senate fail to agree—have some chief write a bill and bring it down here with instructions to pass it. I hope that Congress will open its eyes as to what it is doing. It is ceasing to be a coordinate branch of the Government. This nameless, numberless bill, this hybrid report of the three Secretaries, and this special resolution for an especially selected committee are the final proofs.

Mr. POU. Mr. Speaker, I yield seven minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Speaker, there is nothing mysterious about what has happened, and there is nothing to wound the feelings of the gentleman from Washington or anyone else. The facts are these: The Committee on Interstate and Foreign Commerce, headed by Judge SIMS, has jurisdiction over a portion of the water power of the country, about 28 per cent. The Committee on the Public Lands has jurisdiction over about 72 per cent. Each committee has been trying to do its duty and give an adequate water-power policy to the country, so that 50,000,000 horsepower of hydroelectric energy might not every year find its way to the sea, idle and totally wasted. Members of these committees have endeavored to bring this about, and each time we have failed. Twice, step by step, under the closest scrutiny of the gentleman from Illinois [Mr. MANN], of the gentleman from Wisconsin [Mr. LENROOT], and with leaders on this side, the House has passed a bill without a dissenting vote. That bill bore my name, was worked out by the committee, and indorsed by the department. The Interstate and Foreign Commerce Committee has had similar experiences with their bill, for it failed each time to get through the Senate. Three departments of the Government had jurisdiction over the water-power bill; the War Department and the Board of Army Engineers, having jurisdiction over navigable streams, have 28 per cent of the water power within their jurisdiction. The Interior Department and the Agricultural Department, in the public lands and forest reserves, have about 72.6 per cent of the water power of the country under their jurisdiction. Each has struggled with the policy it thought was right, neither was able to bring here a composite plan that would be acceptable to the Senate. Those three Secretaries—Mr. Baker, Mr. Lane, and Mr. Houston—very properly, as I believe, came together and formulated a bill which they think provides an adequate water-power policy for this country. I do not now place detailed approval on it, but think it essentially correct in principle.

The Interstate and Foreign Commerce Committee, as I believe, very properly passed unanimously a resolution agreeing to come in and try to create a new committee made up of these committees that would agree upon some adequate policy. The Committee on the Public Lands, of which I am a member, did the same thing. Both committees are here asking that this be done, and the Rules Committee, very properly I think, has brought in a rule providing for this procedure.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. JOHNSON of Washington. Which committee of those is the one that considered and brought about this particular bill which it is proposed to submit?

Mr. FERRIS. So far as I am concerned, there is absolutely no secret about this matter, and I am glad to advise the gentleman that the three Cabinet officers who are to ultimately administer the policy have taken the initiative and have brought in a bill to us which we can dissect and work over and finally prepare. There is nothing mysterious about that. On the contrary, it is a very great help.

Mr. JOHNSON of Washington. A bill that they indorsed and asked Congress to pass.

Mr. FERRIS. No; they did not. They are trying to help, and they are helping. We need their help, and I am sure help will be welcomed from verey source.

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. LENROOT. I want to ask the gentleman whether or not it is a fact that this bill that is now presented by the Secretary does or does not embody the principles of the Ferris bill that have been indorsed by the House.

Mr. FERRIS. I was going to get to that. If I may, in the short time that I have, I want to say that it is not a moot question as to what are the real essentials of a proper water-supply policy. I think both sides of this Chamber are committed to the essential characteristics and elements of a correct water-power policy, and I shall go over hurriedly what are embodied in this tentative or proposed bill. They are taken from the best in the bill of the Public Lands Committee and the bill from the Interstate and Foreign Commerce Committee. There are 10 essentials which this proposed bill embodies.

First. No legislation, Executive order, or department ruling should permit the patenting or the title in fee to pass out of the Federal Government under any conditions. The fee title should be reserved in perpetuity to the United States.

This bill carries such a provision.

Second. The dam sites should be leased for a period of time not longer than 50 years, without any entangling alliances or phrases difficult to understand, on which the courts might quibble or debate as to the relative rights of the Federal Government and the lessee after the term has expired.

Third. The recapture provision should provide that all nonperishable property, such as land, water rights, dam sites, good will, and so forth, should go back to the Federal Government at actual cost, and that all perishable property in connection with the plant should come back to the Federal Government at the end of the lease at its fair value. In both cases the interest of the public is conserved and made certain.

Mr. JOHNSON of Washington. Why do we not just pass this bill now?

Mr. FERRIS. No one asks the gentleman to do that, no one asks the committee to do that, no Cabinet officer asks to do that, and no Member of the House would do that. They merely suggest it, and we are to pick it to pieces and make it over, and the gentleman will help do it, for he knows a good deal about water power.

Mr. JOHNSON of Washington. I would like to help do it, but I understand the committee is already selected.

Mr. FERRIS. The gentleman does not want to make a misstatement of fact. The committee is not selected. No one knows that better than the Speaker. I dare say the Speaker has not now made up his mind as to a single Member of that committee. I certainly have not suggested a name to him, and I do not believe Judge SIMS has suggested a name to him. I do not believe the chairman of the Committee on Rules has suggested a name to him, and I doubt if he has a name in his mind. So I know the gentleman does not want to muddy the water with that.

Fourth. Strong, clear, well-understood provisions should be inserted in the lease contract for the revocation of the permit for a violation of the conditions thereof.

Fifth. Provisions should be inserted in the lease requiring diligence and prompt construction of the plant so that the property may not be held for speculative purposes.

Every bill that is adopted by this House ought to have a clause providing for diligence in the construction of water-power plants, so that they might not hold them in cold storage and thereby increase the grasp which the water-power monopoly now has.

Mr. HUDDLESTON. Will the gentleman yield for a question?

Mr. FERRIS. I will yield to the gentleman.

Mr. HUDDLESTON. Has this bill any provision by which the Government itself may develop any of these water powers for governmental purposes?

Mr. FERRIS. I do not think it has. I have not examined it critically, but I do not think it has.

Sixth. A royalty or rental for the use of dam sites and the property of the Federal Government should be required in all cases except for municipalities which furnish current to consumers without profit.

Royalty or tax or payment or rental, or whatever you call it, ought to be contained in every bill, so that this Congress may not be subject to the indictment and the charge that we are giving away 35,000,000 hydroelectric horsepower energy of this country. That has been one of the main controversies between the House and the Senate. They have contended all along that if we put any sort of tax, any sort of charge, on water power, we never would have any development.

Mr. HUDDLESTON. If the gentleman will permit, in view of the gentleman's statement that there is no provision whereby the Government can utilize this water power itself, are not we proposing to grant away a great asset of the people comparable to coal and minerals of various kinds?

Mr. FERRIS. We do not grant away a thing. The Government retains fee title of every water-power site and every power site in this country. It does not grant away a single horsepower of hydroelectric energy. We merely lease it for a term of years and charge them for the right to use it. We grant away nothing. If the gentleman is a friend of Government ownership, I do not know whether he is or not, this bill will not meet with his approval. It is not a Government-ownership plan. I am not yet convinced that the Government of the United States can blow the nose of every citizen every morning in the year and do it better than the citizen can do it himself. I am not for Government ownership of water power.

Mr. JOHNSON of Washington. It can blow the nose of Congress, however.

Mr. FERRIS. The gentleman can speak for his own good self.

Mr. JOHNSON of Washington. I am trying to speak, I am sure——

Mr. HUDDLESTON. Does not the gentleman believe the Government has the power and fitness to utilize some of the great natural resources of the country for the purpose of public benefit?

Mr. FERRIS. Undoubtedly.

Mr. HUDDLESTON. Why does that principle apply to minerals and not apply to water power?

The SPEAKER. The time of the gentleman has expired.

Mr. LENROOT. I yield the gentleman two minutes.

Mr. FERRIS. Now, if the gentleman will let me proceed, I would be very glad to yield if I could. I will say to the gentleman from Alabama that the Government does not operate mines, as the gentleman knows, so that question has no analogy.

Seventh. The Federal Government should at all times maintain the paramountcy, so it will at all times have full control over water power to the end that the natural monopoly of the water flowing from the highlands to the lowlands and finding its way back to the sea should not be a monopoly by which one man or set of men may torture all the rest of us who, perchance, use water power and hydroelectric energy.

Eighth. Annual reports should be exacted from the power companies, so that the public might at all times know of their acts and doings. This provision is highly essential.

Mr. MADDEN. Will the gentleman yield to me for one simple question?

Mr. FERRIS. I really can not.

Mr. MADDEN. Is there a provision in this law to authorize an audit of expenditures made by the people who will have the grant made to them?

Mr. FERRIS. I think it does. I am not the last word on this bill, as I have not given it much attention.

Ninth. The Federal Government should reserve to itself full power to fix rates for service, capitalization, bond issues, and so forth, in interstate projects and, where there is no public-utilities commission for this purpose, in intrastate projects.

This is essential, so that the people can tell something about what is going on with a natural monopoly that belongs to them.

Tenth. Each lease, permit, or consent of Congress should contain a provision that upon proof that any such permittees, lessees, or grantees have conspired to prevent the development of water power or to limit the output of already constructed plants the lease should be revocable in a court of competent jurisdiction. Water power is a natural monopoly, and the greatest sort of care and caution should at all times be exercised in issuing permits that authorize its creation by strong, virile, vigorous laws and regulations. Something of this sort is due the teeming millions of America, who have the right to expect that this great national blessing will be carefully preserved for them and carefully preserved in their interest.

Water power, as is well known in this House, is a natural monopoly. Only a few can have it. The people ought to have something to do with the control of it. There are 35,000,000——

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption? Will the gentleman yield for one question only?

Mr. FERRIS. All right; go ahead.

Mr. COOPER of Wisconsin. If it is a natural monopoly that should be given a private corporation under lease, what provision is there for the regulation of rates?

Mr. FERRIS. We have complete power reserved in the Federal Government in this department bill, and it should be at all times maintained. I will say to the gentleman. Now, one word. There are 35,000,000 horsepower of hydroelectric energy in the United States, as estimated by the water-power engineers. Some go above that and some go below, but they all agree that that is a fair estimate. Only 6,000,000 of the 35,000,000 is in any sort of use, and the rest is running idly to the sea, a total waste. Is the Congress going to allow 110,000,000 of people to pay $30 a ton or $50 a ton for coal while there are 35,000,000 horsepower of hydroelectric energy running away to the sea, a total waste, every year?

I have tried, I know the Committee on Interstate and Foreign Commerce has tried, my committee has tried, but we have failed, and this is an additional trial, an additional chance of which we should avail ourselves.

Mr. AUSTIN. Will the gentleman yield for a question?

Mr. FERRIS. I am afraid my time is getting away.

Mr. AUSTIN. It will be a very short question.

Mr. FERRIS. Go ahead.

Mr. AUSTIN. What about the regulation of the price of oil that is proposed to be taken off the Government reservations under the bill which the gentleman had passed through the House?

Mr. FERRIS. The gentleman must know that I can not go into that. I would like to discuss it with him, but I have only another minute. The only thing I want to say is this: That I appeal to the members of the committee that I know are in harmony with what I am saying, and to the Committee on Interstate and Foreign Commerce, that I know is in harmony, to let us get together with a long and a strong pull and put up a water-power policy that will induce the Senate to take it.

The SPEAKER. The time of the gentleman has expired.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. LENROOT. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Speaker, there has been a good deal of gossip, which I have heard and I have no doubt other Members have heard, about the personnel of this new committee, but the chairman of the Committee on Rules tells us there has been no combination made and no program; that it is left, as the wording of the rule provides, in the hands of the Speaker. That to me is entirely satisfactory. I recognize the propriety of some members of the Committee on Interstate and Foreign Commerce, some members of the Committee on the Public Lands, perhaps some members of the Committee on Agriculture, who have had this subject in charge, going on to such new committee, and I have no doubt the Speaker will recognize them. I have no doubt also that the Speaker will recognize that in the appointment on this committee questions of geography and different attitudes upon this whole problem should be recognized. And I have no doubt, consequently, that it will be a fair committee, representing the whole country and all interests in this controversy.

Mr. LONGWORTH. Will the gentleman yield?

Mr. GILLETT. Certainly.

Mr. LONGWORTH. Has not the gentleman some doubt all the time, even in the case of a special committee, of this manner of selecting a committee on the part of the House?

Mr. GILLETT. The rule is that all special committees shall be selected by the Speaker, and I am glad to have this committee selected by the Speaker, having entire confidence that all sections will be recognized, as well as the various points of view on this problem.

Mr. TOWNER. Will the gentleman yield?

Mr. GILLETT. I will.

Mr. TOWNER. Is it not practically necessary that some action of this kind be taken if we are to take action at all?

Mr. GILLETT. That is what I was going to say. I think it is criminal that no action has been taken before on this vital subject. Here are great water-power possibilities all over the country waiting for development. Here is capital waiting to develop them, and yet because Congress will not allow it to be done they are all tied up. Why, there are hundreds of thousands of unharnessed horsepower which would save hundreds of thousands of tons of coal, but simply because Congress has not acted, and apparently will not act, that is all wasted. Apparently the present committees are not going to act. I am sorry to say that I am not very sanguine that even with this new committee a bill will be passed, but it apparently is the only chance, and therefore I am willing to try it because, as I say, Mr. Speaker, in my view it is criminal that there should be this delay in the development of water power. I am particularly interested because of the Connecticut River.

The United States has not the slightest interest or title in that river, except by its power over a theoretically navigable stream, a stream which at Windsor Locks has rapids utterly unnavigable. For years there have been parties ready to obstruct this theoretically navigable stream, which is the only way of making it navigable, by building a dam or lock——

Mr. KNUTSON. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. KNUTSON. I would like to ask the gentleman from Massachusetts whether in his opinion the proposed bill would bar the Government from getting in and developing any water power it might need?

Mr. GILLETT. This proposed bill, marked "Confidential," was not given me until just now. I never saw it until a few moments ago.

Mr. POU. If the gentleman from Massachusetts will permit, I had this bill printed by the request of at least 25 Members of the House.

Mr. KNUTSON. Why was not notice given to that effect?

Mr. TOWNER. It was given, and on the floor of the House.

Mr. GILLETT. Here is a river—the Connecticut—theoretically navigable, and capital is ready to put a big dam across it and build locks without expense to the Government and make it navigable, which it is not now; and, in addition, such a dam would produce thousands of horsepower which now is lying there idle because Congress will not enact any legislation on this subject. It is an outrage. I have no doubt that same condition exists all over the country, and it is a shame that we should not enact some legislation of this kind. It is an outrage that this mere theoretical jurisdiction which Congress has over such a river as that should prevent both actual navigation and actual use of the water power.

Therefore I hope that this new committee will be able to do what Congress has not been able to do in the past, and that it will give us some legislation, although I am not very confident about it.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. POU. Mr. Speaker, will the gentleman from Wisconsin use some more of his time?

Mr. LENROOT. I am willing to. I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER pro tempore. The gentleman from Wyoming is recognized for five minutes.

Mr. MONDELL. Mr. Speaker, I wish I could see my way clear to support this resolution, because I realize, as I think possibly all the Members of the House do, the importance of having legislation on the subject of water power.

But I am opposed to the creation of this new committee, first, because in my opinion the subject of water power on navigable streams and the questions involved in the utilization of water power on the public lands are so dissimilar that they can best be handled and disposed of by separate committees.

It occurs to me that it will be difficult to get a committee of 18 that are thoroughly well informed in relation to all the problems connected with the utilization of water power under such diverse conditions. For instance, the chairman of the Committee on the Public Lands, Mr. FERRIS, referring just a moment ago to one of the fundamental propositions, as I understand it, that should be contained in a water-power bill, stated that under no circumstances should there be a grant of water. Now, when you come to the question of the public lands of the West, in the arid States, the Federal Government owns no water, and there can not be any such a thing under the constitution of those States as a grant of ownership in water. The only right that any one can secure is the right to use, under certain conditions and under certain control. I just use that as an illustration.

Mr. FERRIS. I do not want the gentleman to understand that I meant to say that the Government can grant ownership of water. But we own the eye of the needle.

Mr. MONDELL. Yes. The gentleman wants to have the fact of ownership of certain lands made the vehicle for the laying of a burden that I think ought not be laid on the development of the resources of the Western States.

I am not in entire agreement with the attitude of the Committee on the Public Lands on this question, but I would much prefer to leave the question with the Committee on the Public Lands, with its membership made up largely from the public-land States, than to intrust it to a committee selected so as to cover the entire country.

Then, another thing. I am not altogether happy over the conditions and circumstances surrounding the presentation of this matter to us. The proposition of a new committee is accompanied by a carefully prepared and properly indorsed and O. K'd and viséed bill, which the committee is supposed to take up and approve and present to Congress.

The gentleman who just spoke said the committee could take up such a bill and amend it and modify it as it saw fit. The trouble with that proposition is that a bill once prepared along certain lines can not well be modified and amended except in a a way to somewhat modify the carrying out of the theory on which the bill is drafted. One of the difficulties we have had here for quite a number of years past in respect to bills is a growing disposition to take our legislation from the departments. I shall be happy when the bills that are presented to the House shall have been prepared by the Members of the House or by committees of the House, and I shall be much more inclined to forgive and overlook errors in bills of that kind than in bills that are prepared for us and presented to us and over which we have no control or supervision except in the way of possibly changing by some minor amendments some relatively unimportant feature of the legislation.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Not now. We all know that when a bill is presented to a committee, drafted along certain lines and on a certain theory, you can not easily modify the basic and important provisions, you can not greatly change the controlling lines along which the legislation has been prepared, without practically discarding the measure, and that it is practically impossible to do if the bill has any considerable support or influence behind it. The best that can be done under such circumstances is to make minor changes here and there, leaving the measure, in the main, as it was introduced—good, bad, or indifferent, as the case may be.

We need water-power legislation, it is true, but we ought to have sane and sensible legislation. I wish I were more hopeful of securing it under this plan.

The SPEAKER pro tempore. The time of the gentleman from Wyoming has expired.

Mr. LENROOT. Mr. Speaker, I yield two minutes to the gentleman from Oregon [Mr. MCARTHUR].

The SPEAKER pro tempore. The gentleman from Oregon is recognized for two minutes.

Mr. MCARTHUR. Mr. Speaker, in the consideration of this rule we are confronted by a condition, not a theory.

Congress during the past two sessions, when this important subject has been under discussion, has been utterly unable to arrive at any conclusive understanding that would give to the country that water-power legislation which is so much needed to develop our latent resources, particularly in the far West. There has been a disagreement between this body and the Senate, with the result that we have not arrived at any common understanding where we can get legislation to promote the development of those resources. We have divergent views on the different angles of this water-power question. It is apparent that if we proceed along the same line that we have proceeded on before and have bills considered by the same committees as heretofore there will continue to be that disagreement between the House and the Senate, and the result will be that there will be no legislation of any character.

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. MCARTHUR. Yes.

Mr. LITTLE. What will the Government receive as profits by this action?

Mr. MCARTHUR. I can not answer that question. That is a matter that must be answered by experts.

Mr. LITTLE. Will we get anything?

Mr. MCARTHUR. I can not answer that now. That must be answered at the proper time by the proper authorities.

But here we have a proposition to create a special committee to take up the question of water-power legislation. We have failed dismally in the past to get anything under the old arrangement, and if this new proposition opens up any avenue or holds out any prospect of getting such legislation as the country is entitled to, I say, "For Heaven's sake, let us create this commission and let it go ahead." [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Oregon has expired.

Mr. LENROOT. Mr. Speaker, I yield two minutes to the gentleman from North Dakota [Mr. NORTON].

The SPEAKER pro tempore. The gentleman from North Dakota is recognized for two minutes.

Mr. NORTON. Mr. Speaker, I consider the legislation to be considered in reference to the leasing, development, and control of the water power of the country to be the most important legislation that will be considered during this Congress outside of actual war measures. I quite agree with other gentlemen that the country should now have definite legislation on this subject. This special committee will assist, I believe, in presenting legislation to Congress that the Congress can agree upon. I trust, however, that the members of the committee that may be appointed under the provisions of this resolution will not consider the great question either lightly or hastily. The committee should, as suggested by the gentleman from Wyoming [Mr. MONDELL], guard against the danger of reporting a bill that may be ready prepared and submitted to the committee.

The people of the country—particularly the people of the West—are deeply interested in Federal legislation for the control and development of the water power of the country. They are interested in having conserved for the people of the country as well as can be the great water-power resources of the Nation. The thought and the view of the great masses of the American people on this subject should be very carefully considered by the committee in the making up of any bill to be favorably recommended to the House. It seems to me the Government should retain the fullest possible control of the great water-power resources of the country for the interests of all the people, and that whatever legislation this Congress enacts, it should be with this view in mind. I am personally in favor of having a special committee appointed which will be able to give sufficient time and the most careful consideration to all bills introduced on this most important subject.

The SPEAKER pro tempore (Mr. ALEXANDER). The time of the gentleman has expired.

Mr. LENROOT. Mr. Speaker, may I inquire how the time stands now?

The SPEAKER pro tempore. The gentleman has 9 minutes and the gentleman from North Carolina [Mr. POU] has five minutes.

Mr. LENROOT. Has the gentleman from North Carolina more than one speech?

Mr. POU. I will yield one minute to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Speaker, I simply want to say that I am heartily in favor of the rule. There are more reasons to-day than ever in the history of our Nation for legislation that will result in water-power development. On account of the scarcity of fuel and the high price of coal, the reason for water-power development is more urgent and more important than ever before in the history of our country. I believe this committee ought to be provided for and that this House should use its best efforts at this time to bring about proper legislation upon this question. I do not understand the rule to mean that this committee of 18 is to be selected from the three committees—Interstate and Foreign Commerce, Agriculture, and the Public Lands. I do not believe that the Speaker ought to be confined to the selection of this committee from those three committees. He may find it best to select from those committees, but it may be that there are States in the Union more directly interested in water-power development, because they have the greatest amount of water power, which have no representation on these committees, and I trust that the Speaker will take that into consideration in appointing the committee.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LENROOT. I yield half a minute to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Speaker, inasmuch as we have plenty of time this afternoon I will use my half minute in asking unanimous consent that I may proceed for five minutes, not to be taken out of the time allotted.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent for five minutes, not to be taken out of the time allotted to the committee. Is there objection?

There was no objection.

Mr. GREEN of Iowa. Mr. Speaker, I agree with the gentleman from Massachusetts [Mr. GILLETT] that the situation which now presents itself is a sad commentary on the ability of this Congress to carry through much needed legislation. In fact, it is but little better than a national scandal and disgrace that we have not acted on this subject before this time. We are contending against a power in this war that exercises its authority in the most autocratic manner, that proceeds with an energy and an efficiency that leaves nothing lacking, that acts with astonishing swiftness and velocity, commensurate with every emergency, and at this time here we are. We have tried to enact several bills. We have accomplished nothing. As the gentleman from Oklahoma [Mr. FERRIS] tells us, millions of horsepower are running to waste, and in the meantime homes are without sufficient coal; and worse than that, our munition factories are actually shutting down for want of coal, and our Army and our Navy are being deprived of much-needed ammunition because these factories can not be run on account of the want of power. Yet here we are, with millions of horsepower running to waste. I am willing to take the chance of some mistakes, of something possibly being done wrong as a result of this action if only we get something done in this emergency. The growing need is something that will not be denied, and if this House exercises its power and authority, as it ought to, and goes before the country and presents this issue before it, the country will sustain the Congress in demanding that some action be taken, and some action will be taken as a result of it.

Mr. LENROOT. Mr. Speaker, it has been assumed by some of the speakers that there has been handed down from the executive branch of the Government, first, a bill, a confidential print of which has been made, and, second, this proposed rule creating a special committee. Now, in so far as this special committee is concerned, I wish to say that the first suggestion of this course came from myself. I am very glad that the President has adopted the suggestion and brought it before the Committee on Rules. We were confronted with this situation: As has been said, for years Congress has been endeavoring to enact water-power legislation, and it has failed in one body or the other, or there has been a deadlock in conference. Now, as has been stated, a bill has been prepared combining all the water-power propositions in one bill, and there is a very good reason for that, because the main essential principles relating to water-power legislation are common to both water powers upon the public lands and upon navigable streams. There are questions as to each that are entirely distinct. For instance, upon navigable waters we have the question of navigation. Upon the public lands we have the question of the use of the public lands aside from the actual water-power sites themselves; but the length of the charter, the conditions under which the license is to be granted, the conditions under which it may be taken over by the Government, the compensation to be charged, if any; those are principles that are common to both propositions, and legislation upon them ought to be uniform.

Mr. FESS. Will the gentleman yield?

Mr. LENROOT. Just for a question.

Mr. FESS. The bill as it now is proposed could not be referred to any one committee?

Mr. LENROOT. I am just coming to that. That being true, that this is legislation embodying more than one proposition, if this was introduced by a Member, and the Speaker, called upon to refer it, he would be compelled to choose between the Committee on the Public Lands and the Committee on Interstate and Foreign Commerce.

Each committee naturally would be jealous of its own jurisdiction with reference to this question, and there would be a contest on the floor of the House as to which committee the bill should go. The only practical thing, the only feasible thing, is to create such a committee as is proposed by this rule. I am frank to say that, while there has been no intimation, so far as I know, of anybody talking with the Speaker—I do not know of anybody who has had a word of conversation with him on this subject—I do assume that a majority of the members of this special committee will come from committees that have jurisdiction of this subject and are especially familiar with it.

In reference to the members of the committee it was suggested in the Committee on Rules that this resolution expressly provide that so many men come from this committee, so many from that, and so many from the other. That would involve this: Naturally there would be three Democrats and two Republicans to each committee, and the natural result would be that there would be a very large disproportion in the membership of that committee between the Republicans and the Democrats, and

while there is no partisanship in this proposition, when the House is so evenly divided, the Speaker ought not to be bound by any such thing, and I assume, although I have not had a word with him—I assume that when this committee comes to be appointed it will be in the ratio of 10 Democrats to 8 Republicans; but he is left entirely free in that respect.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. GARRETT of Tennessee. I am sure the gentleman would not want to leave the impression that anyone insisted in the Committee on Rules in attempting to fix the number.

Mr. LENROOT. Not the slightest. It was a tentative suggestion that that should be done, and when discussed it was unanimously agreed that the resolution should not do it.

Mr. GARRETT of Tennessee. And the question of party representation was raised by me.

Mr. LENROOT. Yes; raised by the gentleman from Tennessee himself, so there was no contest in it in that regard.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. JOHNSON of Washington. I suppose the gentleman expects that some Members will be placed on the committee who can present a minority report from the standpoint of western States and western revenue.

Mr. LENROOT. The gentleman would expect the Speaker of this House, in appointing this committee, to have all views represented in so far as they have developed themselves into groups or different lines of opinion, and that both sides will be represented on this committee.

I may say, however, that I would also expect that the Speaker, in appointing this committee, would appoint a majority representing principles repeatedly indorsed by the House of Representatives in the bills heretofore passed. [Applause.] I am willing to rest upon that and I am sure when this committee is appointed there will be representatives upon it of the two different views, because we may as well recognize that throughout all this legislation the difficulty has been that there has been a small group in this House representing one view as to the water-power legislation and the majority in the Senate have agreed with them, and a majority in this House have represented another view and the minority in the Senate have agreed with them. This resolution proposes a plan whereby we can consider this entire question with the reasonable hope that before the Sixty-fifth Congress shall adjourn we will have secured a solution of this troublesome question.

Mr. LONGWORTH. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. LONGWORTH. I agree with the gentleman that the resolution ought to be passed, but, in view of the importance of the question and it not being a purely select committee, in view of the fact that it is charged with such important legislation, why should not the committee be elected by the House?

Mr. LENROOT. The only suggestion I would make is that the same method is provided in this resolution that is provided with reference to all special and select committees. The rule in providing for the election of committees only provides for the standing committees. I do not know why the rule should be changed and enlarged at this time.

Mr. LONGWORTH. The rule provides that the Speaker shall appoint select committees and committees of conference, but this is a committee charged with most important legislation.

Mr. LENROOT. Very often we have select committees charged with most important duties, and yet under the general rules of the House the Speaker appoints those committees. This committee, while it will last through this Congress, when they report the legislation, whatever it may be, and it passes the House, its functions are over, except some members of it may be in the committee of conference. It is in every sense a temporary committee, and when the work is done the committee is gone. It will not be renewed at another session unless, perchance, this legislation should not be concluded.

Mr. LONGWORTH. Allow me to call the gentleman's attention to the fact that many Members have dwelt upon the personnel of the committee. I have not the slightest doubt but that the Speaker will be most careful in considering appointments and that the committee will be well chosen, but this very system of appointing committees has been a great issue before the country. The predecessor of the present Speaker appointed his committees most wisely, but that was not the question. It was a question of the method of appointment. If we are to have a committee which it is conceded will deal with one of the most important questions before this Congress, is it not of sufficient importance for this House to proceed and elect it and not have it appointed by the Speaker?

Mr. LENROOT. So far as I am concerned, I think the result in this particular case would be practically the same whether the House selects the committee or whether the Speaker appoints it.

Mr. LONGWORTH. The practical result was much the same before, several years ago, when we deprived the Speaker of that power.

Mr. POU. Mr. Speaker, it seems that there is one proposition about which there is no controversy. It is agreed that it would be criminal to postpone action indefinitely upon this legislation. Now, the Committee on Rules has tried to proceed by unanimous consent as near as it could, and this resolution is the result of the conference of the Committee on Rules, and it comes in here with a unanimous report.

It seems that this is the best hope for legislation of this kind. There has been nothing cut and dried about the matter. There has been no limitation put upon anybody, and nobody has any authority to speak for the Speaker of the House. All gentlemen can do is to make predictions. We present this resolution as the best hope for action from this Congress.

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from North Carolina moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

THE RECORD.

Mr. FESS. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FESS. Mr. Speaker, on page 837 of the RECORD of yesterday I find the following:

> Mr. RAKER. Mr. Speaker, I move to reconsider the vote and to lay that motion on the table.
> The SPEAKER. Without objection, that will be done.
> Mr. GARRETT of Tennessee. I object, Mr. Speaker.
> Mr. RAKER. I make the motion, Mr. Speaker, to reconsider the vote and to lay that motion on the table.
> Mr. GARRETT of Tennessee. The gentleman can not make that motion. The gentleman can move to reconsider, but he can not move to lay on the table.
> The SPEAKER. The Chair did not understand the point of order made by the gentleman from Tennessee [Mr. GARRETT]. The gentleman from California [Mr. RAKER] moves to reconsider——
> Mr. RAKER. And lay that motion on the table.
> Mr. GARRETT of Tennessee. No.
> The SPEAKER. You can not.

That would indicate that the ruling of the Chair is that one could not make a motion to reconsider and lay that motion on the table at the same time. I rise to ask under a parliamentary inquiry whether it is not proper for a Member to make the motion to reconsider and at the same time make a motion to lay that motion on the table?

Mr. GARRETT of Tennessee. Mr. Speaker, if the gentleman will permit, the RECORD does not state accurately, according to my recollection at least, what I had in mind. I did not mean to make a point of order that the gentleman could not make the motion to reconsider and lay on the table. What I intended to do was to demand a division of the question in order that I might object to the latter part of it. Undoubtedly under the general parliamentary law a Member can make a motion to reconsider and that same Member can make a motion to lay that on the table.

The SPEAKER. That is correct.

Mr. GARRETT of Tennessee. There is no doubt about that. What I desired to do and what I desired was to have a severance of the matter.

The SPEAKER. The Chair understood that, and understands it now. Both of those motions can be made. There is no necessity for making both at once—that is, you are not compelled to—but one can file a motion to reconsider any time during the day on which the thing occurs or the next day, and you can let that motion hang up as long as you please, until the end of the Congress, the Chair thinks. The motion to lay upon the table cuts out debate. The motion to reconsider is debatable. In the confusion the Chair did not know, but supposed that what was desired was an opportunity to get at the matter to-day. A Member can undoubtedly make both motions.

There is one other matter to which the Chair wishes to direct attention. Two gentlemen suggested yesterday that the Constitution provided there must be a roll call on a constitutional amendment. It does not provide anything of the sort. Everybody was rising, however, and, without ruling on the matter, the Chair ordered the Clerk to call the roll, because there was no use wasting time about it.

EXTENSION OF REMARKS.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. LENROOT. Mr. Speaker, I ask unanimous consent that on Monday next, after the reading of the Journal and the disposition of business on the Speaker's table, I be permitted to address the House for 30 minutes upon the subject of the delegation of power to Congress over railroads, not to interfere with privileged business.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that after the reading of the Journal and the clearing up of business on the Speaker's table on Monday next he be permitted to address the House for 30 minutes. Is there objection?

There was no objection.

BRIDGE ACROSS MONONGAHELA RIVER, W. VA.

Mr. NEELY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 6176, to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia.

The SPEAKER. The gentleman from New York [Mr. LONDON] is entitled to 45 minutes at this time. If he is agreeable to permitting the gentleman to bring this up at this time, the Chair will put the request.

Mr. LONDON. Mr. Speaker, I yield to the gentleman upon his assurance that it will not take over five minutes.

The SPEAKER. The Clerk will report the bill.

The Clerk reported the bill by title.

The SPEAKER. Is there objection?

Mr. COOPER of Wisconsin. Mr. Speaker, reserving the right to object, I would like to have the gentleman state why there is urgency of taking this up instead of waiting until the Unanimous Consent Calendar could be called regularly.

Mr. NEELY. Mr. Speaker, I will say to the gentleman from Wisconsin that this bill is simply an extension of an act that was approved on the 17th day of April, 1916. Bonds were voted for the purpose of constructing the bridge, but because of a technical defect in the bond issue the city of Fairmont was unable to finance the project within a year following the approval of the act. Later the bonds were disposed of and the city began the construction of the bridge. The War Department stopped the construction on the ground that under the bridge law after a period of one year had elapsed from the approval of the original act, the bridge could not be constructed without an extension of time granted in a regular legal way. At the present time there is a force of men idle, and they will continue to be idle and can do nothing until the bill has been passed authorizing an extension of the time in which to construct the bridge.

This nonresident contracting firm is on the ground to do the work, but they can not proceed——

Mr. COOPER of Wisconsin. It involves, then, the payment of a lot of idle men unless this goes through?

Mr. NEELY. Precisely so.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the city of Fairmont, a municipal corporation under the laws of the State of West Virginia, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Monongahela River at or near the city of Fairmont, in Marion County, W. Va., at a point suitable to the interests of navigation, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendment was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved April 17, 1916, to be built across the Monongahela River at or near the city of Fairmont, W. Va., by the city of Fairmont, are hereby extended to one year and three years, respectively, from the 17th day of April, 1917.

"SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

Mr. NEELY. Mr. Speaker, I move the adoption of the committee amendment.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va."

On motion of Mr. NEELY, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT OVER.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet on next Monday. Is there objection?

Mr. MADDEN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from North Carolina whether, Monday next being District day, the Committee on the District of Columbia will have any business before the House?

Mr. KITCHIN. I do not think it will, but we will meet on Monday because I understand the Committee on Indian Affairs will be ready to report their appropriation bill.

Mr. MADDEN. And that bill will be taken up for consideration?

Mr. KITCHIN. It will be taken up on Tuesday. It will be introduced on Monday, and it has to go over for a day.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

NOMINATIONS TO FILL VACANCIES.

Mr. KITCHIN. Mr. Speaker, I send to the Clerk's desk some nominations to fill vacancies on committees, and move their adoption.

The SPEAKER. The Clerk will report them.

The Clerk read as follows:

SWAGAR SHERLEY, of Kentucky, to be chairman of the Committee on Appropriations.

WILLIAM E. COX, of Indiana, to be a member of the Committee on Appropriations.

WILLIAM KETTNER, of California, to be a member of the Committee on Naval Affairs.

SAMUEL W. BEAKES, of Michigan, to be a member of the Committee on the Post Office and Post Roads.

EARL H. BESHLIN, of Pennsylvania, to be a member of the Committee on Invalid Pensions, the Committee on the Merchant Marine and Fisheries, and the Committee on Patents.

The following-named gentlemen to be members of the Committee on Coinage, Weights, and Measures:

CARL HAYDEN, of Arizona.
HENRY B. STEAGALL, of Alabama.
AUGUSTINE LONERGAN, of Connecticut.
TOM D. MCKEOWN, of Oklahoma.
EARL H. BESHLIN, of Pennsylvania.

The SPEAKER. Are there any other nominations? If not, the question will be on these.

The question was taken, and the nominations were agreed to.

INCREASE IN TWO COMMITTEES.

Mr. KITCHIN. Mr. Speaker, the rules of the House provide that the Committee on Public Buildings and Grounds shall be composed of 19 members and the Committee on the Territories shall be composed of 16 members. At the first of the session, in the printed document filed by the Clerk of the House, of the standing committees of the House there was given to the Committee on Public Buildings and Grounds 20 members and to the Committee on the Territories 17 members and, therefore, it appeared that there were more vacancies than there were on those two committees. In consequence of that, Mr. GILLETT, on the other side of the House, presented nominations filling the apparent vacancies as they appeared upon the printed document, so that the Committee on Public Buildings and Grounds now has one more than it was entitled to and the Committee on the Territories one more. As I said, he was misled by this printed document, and I therefore ask unanimous consent—I have conferred with the members of the Committee on Rules and Mr. GILLETT and others before preparing this resolution—for the immediate consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 222.

Resolved, That the rules of the House of Representatives of the Sixty-fifth Congress be, and they are hereby, amended so that the Committee on Public Buildings and Grounds shall consist of 20 members and the Committee on the Territories of 17 members.

The SPEAKER. Is there objection to the consideration of the resolution? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

The SPEAKER. The gentleman from New York [Mr. LONDON] is recognized for 25 minutes.

INTERNATIONAL LEAGUE FOR PEACE.

Mr. LONDON. Mr. Speaker, I ask leave to revise and extend my remarks.

The SPEAKER. The gentleman from New York asks leave to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. LONDON. Mr. Speaker, on the 6th of December last I introduced the following resolution, namely:

Joint resolution (H. J. Res. 173) to initiate the organization of an international league to secure a durable peace.

Resolved, etc., That the Congress of the United States shall initiate the organization of an international league to secure a durable peace, and for that purpose shall, through the President of the United States, invite the representatives of the parliaments of all the countries now at war with the central powers to convene in joint conference, to be held at the city of Washington, D. C.

To the average man the phrase "international league" carries with it the idea of something vague, intangible, and infinitely distant. It has always seemed inconceivable that the nations of the world should be able to cooperate. The world's experience of the last three years has shown the contrary. To-day 21 nations, representing every race, every continent, every tongue, and every nationality, are engaged in a common and joint effort against four powers. We have in effect an international alliance, international cooperation, an international league. The thing that seemed a dream of dreamers has come to be true. The present world struggle is not a war between races. The Anglo-Saxon and the Teuton are of the same racial stock, although on opposite sides now.

The English language has probably one-third words of Germanic origin. Some of the States engaged in this war are not nations in any sense of the word, but are artificial States, such, for instance, as the State of Austro-Hungary, a conglomeration of nationalities and races, held together by force. It is not a war of races nor of nations, it is a war of the world against four powers, two of which are States and not nations.

The concrete problem which presents itself to us is, can we extend the principle of international cooperation, now shown by the war to be a practicable proposition, into the future? Can we extend its operation so that it will embrace the world, and can we extend it so that it should have as its primary and sole object to secure, as far as it is humanly possible, a durable peace? The four powers have so far been able to defy the rest of the world. But is it not primarily due to the fact that, with the exception of Russia, France, and England, each of the other allied powers entered the contest when it suited its own convenience? Does anybody doubt that had there been an international league to take simultaneous action against the invader of Serbia we would have been spared the present world tragedy? That a league to prevent the recurrence of war is desirable no one would dare dispute. No people on earth are for war. No man loves it, except perhaps a few savages, to be found here and there, who revert to the brute.

The normal state of mankind is peace. That it is desirable all the nations of the world and all religions agree. The fatherhood of God and the brotherhood of man constitute one of the fundamental concepts of every religious system. The pity of it is that these sacred words have been used so long by those who render lip prayer only that the phrase has lost all meaning, and one is almost ashamed to utter the sentiment. I intend to prove that not only is it desirable to establish lasting order in the relations of peoples but that much progress has been made in the direction of finding the proposition a practicable one. Astonishing progress has been made. We find a gentleman of judicial mind, a former President of the United States, Mr. Taft, uniting on the proposition of the desirability and possibility of such a league with the most extreme of extreme types, the present leader of the Russian revolutionary movement, Trotsky, who has been denounced by the press as an impossible man. We find that in the French Republic an international association to secure peace is considered one of the most vital things for which the French people are fighting. To France the organization of a world association which shall insure permanent peace is a matter of life and death. Here we have a people of a noble and distinct civilization, a people who have made contributions to the world's progress, unequaled by any other nation, but numerically much smaller than their immediate neighbors. There are only 38,000,000 of them, and right near them is a nation, an intellectually and physically vigorous people, 70,000,000 strong, and offering in a physical sense a very serious menace to their existence. And as you read the proceedings of the French Chamber of Deputies you find that nothing touches them to the quick so much as the suggestion that this war may end without a permanent association for a league to secure peace.

Take the British labor movement. And, by the way, the British labor movement is wide-awake, intelligent, and alert. They dare say things, and they are listened to. It is they that are responsible for the recent candor of Lloyd George.

In the draft of a manifesto on the war aims of British labor made public in England on December 17, 1917, by the joint action of the parliamentary committee of the Trade Union Congress and the executive committee of the Labor Party they lay special stress on the immediate necessity of making it an essential part of the treaty of peace itself "that there shall be forthwith established a supernational authority or league of nations."

This manifesto anticipated Lloyd George's definite statement of war objects by 15 days.

The Socialists of Russia demand an international league. The Socialists of Germany demand an international league to secure peace. The Socialists of the world have always demanded it. They were always wise enough to see that, no matter how much progress a nation was making, no matter how rapidly it was advancing, that the life of the country and all its progress would be checked by a conflict with another nation. They considered democratic control of foreign and international relations just as vital and just as essential as popular rule in domestic affairs.

My first act as the Socialist Representative in the Sixty-fourth Congress was to suggest in a resolution, among the terms of peace, the formation of an international court of arbitration, with the commercial boycott as a means of punishment for disobedience.

A few days ago I received by mail a pamphlet called "War and Transportation," by Calvin Thomas, ex-commissioner of docks of New York City, containing an address made before the Cleveland Chamber of Commerce on December 11, 1917. Now, the last person in the world from whom I would expect any advanced ideas would be an official of the city of New York. [Laughter.] But here it is. In speaking before the Chamber of Commerce of Cleveland he says:

National sovereignty and international anarchy are interchangeable terms.

How bold! How radical! I take it that he means to say that the attempt by a nation to say to the rest of the world, "I want this done, and I care not at whose expense; I care not whom it may injure; I care not what nation may be adversely affected" amounts to international anarchy and that war is its culminating stage.

Let me come back to Mr. Taft's proposition of a league to enforce peace.

He proposes that the nations shall form an international league to enforce peace; that there shall be a court of arbitration and a council of conciliation; that the court of arbitration shall have the power to render a decision which shall be binding upon the litigants; that the council of conciliation, as its name implies, or a branch of the same court, shall have as its function the conciliation of the disputants.

He divides that court into two parts, for the reason that he divides the disputes which arise among nations into two classes, justiciable and nonjusticiable. Justiciable disputes among nations shall be submitted to arbitration. The nonjusticiable disputes to conciliation. From time to time this international league shall meet for the purpose of working out a code of procedure and to make international law.

That each of the member nations shall obligate itself to submit justiciable disputes to arbitration, and nonjusticiable disputes to conciliation.

That all member nations shall obligate themselves to punish any nation which shall refuse to submit a dispute either for arbitration or conciliation, as the case may require.

That the nations shall use their joint military and naval forces to punish the recalcitrant nation.

That is Mr. Taft's proposition. You will notice the distinction between justiciable and nonjusticiable disputes. He proceeds upon the theory that there are certain things that no nation can afford to permit other nations to question, and so far as that class of questions is concerned he would not have any nation submit to international authority. He would reserve the right to go to war in some cases.

It is evident that so far as the internal life of a nation is concerned no outside nation has any power to intervene or interfere, but whatever affects the intercourse or contact between nation and nation becomes a matter of international concern. It should be the very object and the very reason for the existence of such a league to assure to each nation full scope to live its own life unmolested.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. LONDON. Yes.

Mr. GORDON. Would you consider the question of duties upon imports as a question of international concern?

Mr. LONDON. Personally, in order to make my position clear, I want to say that I am a free trader. I believe in free trade among nations. Protective tariffs and punitive tariffs are barriers among the nations of the world. I would see international free trade. Just as we have free trade between the Pacific and Atlantic coasts of the United States, and just as

this country has benefited by the abolition of tariff walls among the 48 States, just as free trade between the States has resulted in mutual benefit to the entire Union, just so would, in my opinion, the entire world be benefited by the abolition of tariffs. It is certainly in the interest of the nations to take up the question of tariffs. All reciprocity treaties and the "favored-nation" clause in present treaties are steps in the direction of uniformity in the commercial relations of nations.

I have dwelt so much on Mr. Taft's plan, which is, by the way, indorsed by a number of statesmen abroad, because it emphasizes the necessity of international cooperation, and not because I am in full agreement with his proposition.

The artificial theory that questions of national honor may be involved which can not be submitted to the judgment of the world, and that such questions are not judicable, is one of the most dangerous and prolific causes of conflict. Whenever there is a selfish design to be accomplished, it is usually covered up by the veil of national honor. I discussed this subject at length in one of my speeches delivered during the Sixty-fourth Congress.

The Taft plan fails to emphasize the necessity of disarmament, and as long as the nations maintain large armies and navies all treaties will be scraps of paper. As long as it will be within the power of any government to set in motion millions of armed men against any people, there will be "war and rumors of war." For the last three years the world has been trying to regain its balance and to offset the effect of the vicious blow inflicted during the first two months of the war by a powerful military machine. One of the principal objects of international cooperation must be to do away with armaments and militarism.

The present revolutionary Government of Russia in presenting its terms for universal peace demands that "peace conditions (are) to be settled by a peace congress composed of delegates chosen by national, representative bodies; diplomatists to bind themselves to sign no secret treaties, which are to be declared, by their nature, null and void" and "gradual disarmament on land and sea, and the reestablishment of militia to replace standing armies." I shall take up later their other demands.

Unfortunately, while the President of the United States has again and again urged the need of permanent international institutions to guarantee lasting peace and to reduce to the minimum the evil of armaments, the people of the United States and most of their representatives look upon these suggestions as a beautiful sentiment, a dream, which it will do no harm to indulge in, and not as a concrete, definite, and practical remedy for war.

The people fail to grasp the fact that when the President speaks of Alsace-Lorraine, of Belgium, and Serbia, and Roumania, of the readjustment of the frontiers of Italy, he speaks of world purposes and world problems; that while no treaties have been entered into, binding the United States as an ally, the old policy of isolation has been abandoned. America is in the midst of it. If the United States is not to initiate the organization of a world league to assure peace, who will? There is too much bitterness, too much hatred, there has been too much suffering on the other side of the Atlantic. They have seen too much blood.

An international congress, for the present to consist, of course, of the representatives of the parliaments of the allied countries—associates in the war—only, should be convoked without delay. With the President of the United States as the presiding officer, the conference would undertake the task of eliminating selfish national designs and of presenting the basic principles, the acceptance of which would entitle a nation to membership in a league of democratic nations.

I have promised to return to the demands of the Bolsheviki. The word "bolsheviki" is a newly coined Russian word. The Bolsheviki represent one of the two factions of the Social Democratic Party of Russia, and owe their name to the fact that at a certain party conference they were in a majority. Were we to create a corresponding English word, we would use the word "majoritists." Two groups outside of the social democrats are respectively designated by two words of Latin origin—Maximalists and Minimalists. Here are their demands, published in the New York World, by the way, the only paper, I think, that did publish them, with the exception of the New York Evening Post; so that most of the American people who read other papers are still under the impression that the international aims of the Bolsheviki represent an emanation from a lunatic asylum. Here are their demands:

(1) The evacuation of all Russian territory occupied by Germany, and autonomy for Poland and the Lithuanian and Lettish Provinces.
(2) Autonomy for Turkish Armenia.
(3) Settlement of the question of Alsace-Lorraine by plebiscite, with a guarantee of perfect freedom of vote.

A substantial group of the French Socialists take the same attitude. The refusal of the French Socialists to be represented in the last two cabinets is attributable to their moderation in the matter of Alsace-Loraine. The British Socialists also favor a referendum. My resolution of December 6, 1915, contained a similar provision.

(4) The restoration of Belgium and indemnity for damages to be provided by an international financial fund.
(5) The restoration of Serbia and Montenegro, with indemnity for damages to be taken out of a similar international fund. Serbia, moreover, to have access to the Adriatic; Bosnia and Herzegovina to have complete autonomy.
(6) Other contested territory in the Balkans to enjoy temporary autonomy until a plebiscite is taken.
(7) Roumania to recover all territory within her previous frontiers, after promising to grant autonomy to the Dobrudja and to give effect to article 3 of the Berlin convention concerning the equality of the rights of Jews—

Roumania still being the only country in the world that follows the medieval policy of denying to the Jewish people the rights accorded to people of every other faith.

Here the principle of religious toleration is considered too elementary to require restatement.

(8) Autonomy for the regions Trent and Trieste, inhabited by Italian populations, until a plebiscite is taken.
(9) Germany to receive back her colonies.

The colonies of Germany have a population of only 12,000,000 souls. The question of their possession does not justify the sacrifice of a single life.

(10) Restoration of Persia and Greece.

AGAINST U-BOAT WAR.

(11) Neutralization of all maritime straits leading to inland seas, including the canals of Suez and Panama; freedom of commercial navigation; the canceling of all charters during war time of enemy ships, and the torpedoing of commercial ships on the high seas to be forbidden by international agreement.
(12) All belligerents to renounce war indemnities under any form or disguise, and all contributions exacted since the beginning of the war to be refunded.
(13) All belligerents to renounce definitely any commercial boycott after the war or the institution of special customs and agreements—

And the two demands I previously referred to—

(14) Peace conditions to be settled by a peace congress composed of delegates chosen by national representative bodies; diplomatists to bind themselves to sign no secret treaties, which are to be declared, by their nature, null and void.
(15) Gradual disarmament on land and sea, and the reestablishment of militia to replace standing armies.

Mr. COOPER of Wisconsin. Will the gentleman please give the date when that appeared in that paper?

Mr. LONDON. It appeared on the 2d of January, 1918. I cut it from the New York Evening Post, which in a headline says, "The following cable dispatch was printed yesterday in the World."

Mr. COOPER of Wisconsin. That was before the President's message?

Mr. LONDON. Oh, yes.

Mr. COOPER of Wisconsin. And before Lloyd George's speech.

Mr. LONDON. Yes; before the President's message.

Mr. COOPER of Wisconsin. I will say that I have looked the papers over very carefully, and this is the first intimation I have had that there had been any such thing printed anywhere.

Mr. LONDON. It was printed in the New York World and in the New York Evening Post.

Mr. HUDDLESTON. Will the gentleman give his idea as to how the Russian terms correspond with the terms of peace enunciated by the President in his recent address to Congress?

Mr. LONDON. I have compared them, and it appears to me that most of the terms are identical with the terms enunciated by the President. There are 15 conditions in the Russian statement. One of them is that reparation to Belgium should be at the expense of an international fund, while, so far as I can recall, the President's proposed terms omitted any reference to indemnity for damages, unless the word "restoration," which he uses after "evacuation," means that.

Oh, I can imagine that if these terms had been published before the President's message and had been read from a platform in Mississippi or Kentucky or Kalamazoo by a man who happened to be a Socialist, it would probably have brought him to a lamp-post, with the encouragement of a part of our press.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. HUDDLESTON. To what does the gentleman attribute the fact that the newspapers have almost unanimously suppressed that news?

Mr. LONDON. So far as the newspapers are concerned, I said on a previous occasion, that the man who invented movable type had a just right to consider himself a benefactor of humanity; but the question is, Who does the writing? If we had a press that represented the honest opinion of the men who wrote, whether what they wrote was right or wrong, that would be a contribution to the making of thought; but when you have a newspaper which takes the most brilliant mind and enslaves it

and makes a man write things, not that his soul and heart dictate, but the things that he is paid to write, we have the worst form of prostitution, worse than the social evil. [Applause.] The great problem for democracy, using that word in the broadest sense, is how to get an honest press, how to get the people to hear the word of truth or of error honestly, independently, and courageously spoken.

Mr. PLATT. Was not a synopsis of those terms published in a great many newspapers? I am sure I read them, and I do not think I read them in either the World or the Evening Post.

Mr. LONDON. That may be; but the fact is that the men who prepared these demands were being denounced as the most dangerous lunatics that had escaped from an asylum.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman recall the lurid stories of the arrival on the Pacific coast at San Francisco of a vessel supposed to be Russian, the command of which was said to have been taken away from the captain by a committee of three or four, and which was the subject of much investigation for several days?

Mr. LONDON. Oh, the newspaper people will be making up stories if they have not got anything that is really new. A good newspaper man must have some imagination or he would not have the courage to live. [Laughter.]

Mr. MOORE of Pennsylvania. It was said of that vessel that it came as a part of the Bolsheviki movement to fraternize with the I. W. W. in the United States, and it was also said, with considerable dramatic effect, that a stack of 150 arms had been found on the vessel by which the I. W. W. was to revolutionize the world.

Mr. LONDON. Yes; and I saw the report of a collection having been taken up at one of these meetings in which they collected $2.11 to revolutionize the world. [Laughter.]

Mr. MOORE of Pennsylvania. And about a week after it appeared somewhere at the bottom of a newspaper column that the vessel had been discharged, the customs officials having declared that there was nothing wrong with the cargo or crew.

Mr. LONDON. If that was the worst thing about the press it would not be as black as it is.

Half of the time we can not find out what is going on. It is unfortunate that we do not get German newspapers and publications in the United States; it has been impossible to obtain in the Congressional Library contemporary German publications since March, 1916. I think I am correct in that statement. We do not know what is going on there. To us it is just as important to know the morale of the German people, to know what their opinions are, what they say, and what they are being permitted or prohibited to say, as it is to know the number of their regiments. This war will be won or lost by the morale of the peoples. It is a world war; it is not a war of armies. It is a war of the people, and we are entitled to know what the German people are saying, what they think they are fighting for.

As a matter of fact, German efficiency is largely a bugaboo. Once in a while we get, in a social democratic paper published in the German language in New York City, extracts of articles from Swiss or Norwegian papers; once in a while an extract of a speech delivered in the Reichstag. Less than four weeks ago we read that the German Socialist paper—the Vorwaerts—reported that 40,000,000 people were starving in Germany. The report of the various committees who investigated the conditions of the occupied Polish Provinces now in possession of Germany disclose a state of affairs which is almost unbelievable—that infants under the age of 5 have almost disappeared; that children are being brought with swollen stomachs into the hospitals, swollen because of hunger; and that tuberculosis is increasing because of starvation. Evidently the so-called efficiency means taking away everything from the civil population and giving it to the army. The incessant babbling about German efficiency is calculated to arouse the spirit of the savage and of the pugilist, a spirit which is aroused when you are told that the other fellow is getting the better of you.

If we but knew how much they suffer, if we but knew that the Imperial Government has been compelled to change chancellor after chancellor at the demand of the social democrats; if we knew that it was compelled to permit peace meetings; if we knew that all over the cities of Germany they have peace demonstrations, we would know that the enemy has reached the limit of his power and is about to yield and will be compelled to yield. [Applause.] British labor has been speaking boldly and openly. I have before me the report of a speech made in London in December, 1917, by J. H. Thomas, member of Parliament, as copied for me from the Daily Post, of London, England.

Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore (Mr. MOON). The gentleman has 11 minutes.

Mr. RAINEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York may proceed until he concludes his remarks.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the gentleman from New York may proceed until he concludes his remarks. Is there objection?

There was no objection.

Mr. LONDON. Now, here is what this British member of parliament says. After reciting that the country was near an industrial revolution in 1914, after speaking of the patriotic response made by British labor to the appeal of the Government, the paper reports him as saying:

> He was sorry to think how much better it would be for us to-day if we were satisfied in our minds that the same principle, the same feelings, and the same enthusiasm that carried us through the critical months of 1914 was the spirit that is assisting us now. It was not; and no good purpose was to be served by blinding ourselves to that fact.
>
> What was the cause of what he would call this loss of morale? In the first place, he believed that all the governments since the war began had failed to take the public sufficiently into their confidence.
>
> During all these years we had never been told the truth, the real truth, of the situation and now we had reached the stage when, unfortunately, they did not believe the word of their statesmen.

People have begun to speak boldly everywhere. I suppose these are some of the voices to which the President referred in his last message and in his message before the last. Somebody somewhere ought to have the courage to raise his voice without being accused of disloyalty, without his devotion to the country being questioned. How can there be any American who will be disloyal to America? How can there be any citizen of the United States who will not wish good to this land? Why should a man be silenced because he has an opinion to express, a story to tell, a message to deliver, a thought to suggest? [Applause.] I am a Socialist. I have been treated fairly by you; I have no complaint to make; but once in a while I do feel like throwing something at the demagogue who dares impeach the loyalty of the Socialists of the United States.

The speaker, continuing, says:

> There have been too many ambiguous phrases as to what we are fighting for. The people would be ready for any sacrifice in order to crush the spirit of militarism; but if we are to remain a people united against the dangers that confront us we must be told in clear and simple terms what are our aims.

When the President came in to deliver his last message I instinctively applauded him. As a rule I do not do that, but, somehow or other, I felt that an advance was about to be made, that a step forward was about to be taken. A clear statement of the objects of the war, even if that statement should contain things which appear to be irreconciliable, is of incalculable benefit to the human race. [Applause.] Let the central powers and the democratic elements throughout the world say, "What is there in that statement of demands, what are the things that we are going to continue to fight for?"

Is there any man in the world who wants to question the right of Belgium to be restored to herself? Is there any man in the world who wants to dispute the right of the smaller nations like Serbia and Montenegro to belong to themselves? If the central powers have the courage to dispute it, let them do so, and they will have the whole world fighting until the Government of Germany is destroyed. No declaration can be taken as the final word. But an unequivocal statement of objects brings things to an issue. The world is then called upon to approve or disapprove, to accept or reject a clearly stated proposition. One thing is quite certain, and that is that the masses are beginning to be heard from. They are taking courage to say what is in their minds and in their hearts. They do not take anything for granted, they are analyzing and studying.

And if they go back to the beginning of this great world contest, here and there a number of men will be found who will discover that the guilt was not all on one side. One of the things that makes me sick at heart is the constant use of the word "Hun." The sinking of the *Lusitania* was an act of barbarism that will never be forgiven as long as mankind exists. [Applause.] The sinking by torpedoes of commercial and hospital ships is barbarous, and is a reversion to the stage of savagery; but when you speak of an entire people as a Hun people, you do injustice to yourself and to your sense of intelligence.

What was the situation? Here we had a people reaching unity in 1871, building an empire, out of a number of small principalities. Can we ask that they shall break up again into principalities, that they should cease to be one? No. They had a large army, an efficient army. So did their immediate neighbors. Here you have a people 70,000,000 strong, just realizing the value of being a united people. In the Provinces they have

a feudal system of government, and are not democratic. As an American professor described the German Government, it is not a government of the people, it is not a government by the people, but it is an attempt to be a government for the people. Every nation has its own psychology, its own institutions.

The Germans are competing with the rest of the world in commerce, in industry, and in science. They are not by any means the greatest people upon earth, but they are a great people. What are the colonies of Germany?

The colonies of Germany contain a population of 12,000,000 souls. What are the colonies of the other countries? France, with a population of thirty-eight or forty million souls, has colonies with 44,000,000 population. Great Britain, with a population of 45,000,000, has colonies with a population of 376,000,000 souls. Of these 376,000,000 souls there are only 18,000,000 who occupy colonies with democratic institutions—in reality, republics, like the Dominion of Canada, Australia, Labrador, South Africa. The claim can not honestly be made that any one of these countries has been in the recent past less imperialistic than the other.

All of them have maintained armies and navies. It is true that naval power is not half as dangerous as military power, as a continental army. Let us assume that the British naval power has been used and will be used in the future solely for defensive purposes, as fleets are not effective for aggression, while a continental army is a serious danger to every neighbor. The presence of a large army in Germany compelled the maintenance of a large army in France, forcing France into the embrace of Russia. This war has been the nightmare of France since 1871.

One can not indict history. No man is all he wants to be. No nation can be all it would like to be. It is the Socialist theory that the principal cause of modern wars has been economic rivalry. I shall quote to you a conservative authority in support of that theory.

The Encyclopædia Britannica in its article on Europe reveals with scientific precision the clash of colonial ambitions of the European powers. It says:

> The conflicting desires of several of the powers to obtain colonial possessions in various parts of the world and to forestall their competitors in the act of taking possession were bound to introduce complications in which England, as the greatest of colonial powers, would generally be involved; and as the unappropriated portions of the earth's surface at the beginning of the period under discussion were to be found chiefly in Africa, it was in the Dark Continent that the conflicts of interests mostly took place. England's chief competitors were France and Germany. Her traditional policy, except in the south of the continent, where the conditions of soil and climate were favorable to European colonists, had been purely commercial. She had refrained from annexation of territory as involving too much expenditure and responsibility, and confined her protection to the trading stations on the coast. When France came into the field this policy had to be abandoned. The policy of France was also commercial in a certain sense, but the methods she adopted were very different. She endeavored to bring under her authority, by annexation or the establishment of protectorates, the largest possible extent of territory, in order to increase her trade by a system of differential tariffs; she encroached on the hinterland of British settlements, and endeavored to direct artificially the native inland trade toward her own ports. A glance at the map of the African west coast will suffice to show the success with which this policy was carried out. When the British Government awoke to the danger, all that could be done was to prevent further encroachments by likewise annexing territory.

So that annexation and desire for annexation was not the vice of any particular nation.

To say that none of these nations had been preparing for this contest would also be a historical falsehood, but I am not going to take advantage of the kindness of the House to go into that. You can all more or less readily ascertain the facts. Bernhardi pointed out in his book, published in 1911, Germany and the Next War, that the strategic Russian roads would be completed in 1915. He predicted that it would be impossible to rely upon Italy because Italian national ambitions conflicted with her being loyal to the central powers. Incidentally, it was he who predicted the value of the submarine as a fighting machine. On the other hand, it appears from an official report, laid before the House of Commons on July 22, 1912, by the First Lord of the Admiralty—you will find it in the Britannica Yearbook of 1913—that Great Britain was officially warned of the menacing growth of the German fleet. In short, this war was not an accident. The selfish and the unselfish, the noble and the ignoble, the highest in men and the meanest combine in war. That is applicable as to individuals as well as to nations. The appeal of Belgium is an appeal to the whole world. The protest against its invasion was a protest to the conscience of the whole world. The protest against the attack upon Serbia is a protest to the world.

When Serbia was attacked by Austria, who moved against Austria? England? No; Russia. Why Russia and not England? Because Constantinople was involved. Belgium was attacked. Who took up the cause? England. Why England? Because English interests—I am not speaking in reproach but as a student of history—English vital interests were in danger. England allowed July to pass, part of August to pass, before it declared war against Austria. The crime against Serbia was surely not less infamous than that against Belgium. Each of them was entitled to the protection of the world.

It is the misunderstanding of the causes of the war and of its aims and objects that has led to the present state of distress in Russia, the land of martyrdom. Kerensky had on six or seven different occasions promised that he would obtain a clear and definite statement of the objects of the war so that the Russian people would not be asked to shed their blood in vain. That statement was not forthcoming. They all loved him, they respected him. He represented no faction, no narrow group, but on six or seven occasions he deceived the people by promising them a clear statement of the objects of the war, and instead of a clear statement there was an outpouring of polysyllables from the inexhaustible English vocabulary. You can not feed people with words all the time. Here is what the President said in December——

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. MILLER of Minnesota. Before the gentleman takes up that subject. Who does the gentleman mean by the term "people of Russia"? Who was it Kerensky deceived?

Mr. LONDON. I do not say he deceived them, he certainly did not deceive them intentionally. I should have used the word "disappointed." I mean by the people of Russia the man who tills the soil; the man who walks behind the plow; the man who is called upon to sacrifice his life by fighting; I mean by the people of Russia the illiterate, the poor, and the ignorant as well as the intellectual, the peasants as well as the big landowners who speak a little French and are cultured. I mean by the people of Russia those who have lived there and have been suffering there all their lives. It is the people of Russia in whose behalf the President of the United States has made a warm and noble appeal in his last message delivered to the American Congress. [Applause.]

Mr. MILLER of Minnesota. If the gentleman will yield for another inquiry. Does the gentleman mean the people of Russia are those who are now working for Germany and the Kaiser?

Mr. LONDON. Oh, but the President has disposed of that.

Mr. MILLER of Minnesota. Who has?

Mr. LONDON. The President of the United States has disposed of that.

Mr. MILLER of Minnesota. He may have for the gentleman from New York but not for anybody else of whom I know.

Mr. LONDON. I hope the gentleman from Minnesota does not assume to speak for the entire American people? [Applause.]

Mr. MILLER of Minnesota. It is quite certain I voice the sentiment of the American people a heap sight better than the gentleman from New York who is now on his feet and addressing the House.

Mr. LONDON. I guess I better disregard the gentleman from Minnesota. I am dealing with big things.

How many years did it take the United States, the little Republic of 3,000,000 souls, to establish a stable form of government? You had the Whiskey Rebellion. You had the confederation struggling for years to establish a government. You had constitutional conventions composed of the best minds of America, who many times gave up the hope of framing a constitution. And after all, the builders of the Constitution had to compromise with slavery, knowing well that some day it would lead to civil war. You can not take 180,000,000 people and organize them in a day. It is only the selfish and the unthinking who would condemn 180,000,000 people who have struggled for centuries and have finally overthrown an autocratic form of government. The rest of the world sympathizes with that long-suffering people. [Applause.]

Had the allies made a definite declaration five or six months ago Russia would have been saved to them to-day. And even to-day Russia exhausted, bleeding at every pore, starving Russia, repudiates a selfish peace and pleads for the peace of the world. [Applause.]

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. LONDON. No; I do not like the tone of the gentleman, who attempts to speak as the father confessor for the American people.

Mr. MILLER of Minnesota. Mr. Speaker, a parliamentary inquiry. How much time has the gentleman received in the House?

The SPEAKER pro tempore. The gentleman has spoken one hour exactly.

Mr. MILLER of Minnesota. How much more time has the gentleman?

The SPEAKER pro tempore. As much as he needs.

Mr. MILLER of Minnesota. The gentleman was extended the privilege——

Mr. LONDON. I did not want to be offensive. If I was, I am sorry.

Mr. MILLER of Minnesota. The gentleman from New York was never sorry for anything in his life.

Mr. LONDON. I am always sorry if I happen to do a wrong, and I am always man enough to attempt to correct it.

Mr. MILLER of Minnesota. Will the gentleman now yield for an inquiry?

Mr. LONDON. A relevant inquiry.

Mr. MILLER of Minnesota. Does the gentleman approve of the efforts on the part of the present Russian Government to make a separate peace with Germany?

Mr. LONDON. What nonsense. Why should the gentleman ask that question when he knows that I sent a cablegram to the president of the Soldiers and Workmen's Council in April of last year suggesting that a separate peace was a danger to Russia and a danger to the world? I sent that message, getting myself into trouble with the pacifists, who instead of possessing the idea of peace is possessed by that idea. Why should the gentleman ask me that question?

Mr. MILLER of Minnesota. I repeat it.

Mr. LONDON. I have just praised Russia's effort to bring about universal peace. Is it not a condemnation of the theory of a separate peace?

Mr. MILLER of Minnesota. The gentleman is opposed to the present movement?

Mr. LONDON. I deny there is a present movement for a separate peace. On the contrary, these men are to-day speaking for universal peace. But one should have patience with a people who are in the agony of a revolution and of war. Men are abnormal in time of war. How much more difficult is it to be normal when war is added to revolution.

Mr. PLATT. May I suggest that anybody who reads John Fiske's Critical Period of American History will find that we were in very much the same state, not in all respects, of course, but almost as hopeless, in founding a stable government.

Mr. LONDON. I have read a number of works on that period of American history. I have in my bedroom a volume on the French Revolution, and when things look very dark in Russia I take up one of those volumes and find how much better things are in Russia. For one thing, the guillotine is not busy.

All I want is to urge the necessity of taking up for discussion the basic principles upon which a permanent peace can be established for the world and by the world. I am an opponent of anarchy. I hate disorder. I detest with every fiber of my being the abuse of physical force and the taking advantage of the weak by the strong. I detest it in industry when it takes little children and exploits their helplessness for profit. I detest oppression. I am for order. I stand for order and for peaceful methods. I love America not because it is the best that can be given to mankind, but because of the opportunity it affords to fight for better things, and so long as that opportunity exists we will have better things.

Democracy does not guarantee to be wise; democracy does not guarantee to be always just; but it is always wiser and always more just than the little groups who speak in the name of the peoples. I stand for order in the relation of each man to his nation and of each citizen to the government to which he owes loyalty and of each nation to the rest of the world. That is why I advocate the necessity of international order instead of international chaos, international destruction, and international anarchy. I thank you, gentlemen. [Applause.]

Mr. MILLER of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. RAINEY. Mr. Speaker, I ask leave to proceed for 30 minutes, to reply to the gentleman from New York [Mr. LONDON].

The SPEAKER pro tempore (Mr. MOON). The gentleman from Illinois asks unanimous consent to proceed for 30 minutes. Is there objection?

Mr. MILLER of Minnesota. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from New York [Mr. LONDON] a question in the utmost good faith. It will take only a moment if the gentleman from Illinois will kindly withhold.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Mr Speaker, if the gentleman from New York [Mr. LONDON] will give me his attention, I would like to ask him a question before he takes his seat.

Mr. HUDDLESTON. Mr. Speaker, I make the point that the gentleman has yielded the floor.

The SPEAKER pro tempore. The point is well taken.

Mr. MILLER of Minnesota. I ask the gentleman from Illinois to yield to me for one minute in which to ask the gentleman from New York a question.

The SPEAKER pro tempore. The gentleman from Minnesota asks leave to proceed for one minute. Does the gentleman from Illinois yield to the gentleman from Minnesota?

Mr. RAINEY. Yes; pending my request for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. MILLER] and that of the gentleman from Illinois [Mr. RAINEY]?

There was no objection.

Mr. MILLER of Minnesota. My question is this: Which nation mobilized her troops first and started this war?

Mr. LONDON. The cause of this war, if the gentleman please, was the attack by Austria-Hungary upon Serbia.

Mr. MILLER of Minnesota. I confess that. I agree with the gentleman on that.

Mr. LONDON. And there is no doubt but that Austria-Hungary would not have taken that step unless it had been supported by the Kaiser and his crowd.

Mr. MILLER of Minnesota. I agree with that. Who mobilized his troops first?

Mr. LONDON. It is not a question of who mobilized first, but who was responsible for the mobilization.

Mr. MILLER of Minnesota. I wish the gentleman would answer that question.

Mr. LONDON. I take it for granted that the first to mobilize was Austria-Hungary.

Mr. MILLER of Minnesota. No; Russia.

Mr. LONDON. I mean against Serbia.

Mr. MILLER of Minnesota. Yes; of course.

Mr. LONDON. The spark that started the conflagration came from Austria-Hungary.

Mr. MILLER of Minnesota. Does not the gentleman think that the quickest and only way to get a peace for democracy is to——

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired. The gentleman from Illinois [Mr. RAINEY] is recognized.

PROMOTION OF EXPORT TRADE.

Mr. WEBB. Mr. Speaker, with the permission of the gentleman from Illinois [Mr. RAINEY], I ask unanimous consent that the bill H. R. 2316, known as the export bill, with Senate amendments thereto, be taken from the Speaker's table, that the Senate amendments be disagreed to and the conference agreed to, as asked for by the Senate.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the House bill 2316, to promote export trade, and for other purposes, be taken from the Speaker's table, the Senate amendments disagreed to, and the conference asked by the Senate agreed to. The Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (H. R. 2316) to promote export trade, and for other purposes.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the bill be taken from the Speaker's table and the conference agreed to, as asked for by the Senate.

Mr. WEBB. Yes; I ask that the bill be taken from the Speaker's table and a conference agreed to, as asked for by the Senate.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Chair appoints as conferees on the part of the House Mr. WEBB, Mr. CABLIN, and Mr. VOLSTEAD.

DECLINING AMERICAN BIRTH RATE.

Mr. WEBB. Mr. Speaker, I ask unanimous consent to print in the RECORD an address by Louis I. Dublin, statistician of the Metropolitan Life Insurance Co., delivered before the American Association for the Advancement of Science on December 29, 1917, concerning the decline of the American birth rate. It is an interesting document which should not be allowed to die.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent to extend his remarks in the RECORD by inserting the adress referred to. Is there objection?

There was no objection.

The following is the address referred to:

THE SIGNIFICANCE OF THE DECLINING BIRTH RATE.

[Address of retiring vice president, Section I, Social and Economic Science, American Association for Advancement of Science, Pittsburgh, Dec. 29, 1917, by Louis I. Dublin, statistician, Metropolitan Life Insurance Co.]

It is a custom of this section, I believe, for the retiring vice president to select for his address a subject of national interest in the field of social economy. He is expected to avoid narrow and technical discussion of specialties, but he may properly summarize the important works of other investigators in specialized fields to show their trend and bearing, and he may also point out the direction which further research should take. These requirements of the occasion are all the more necessary now, in view of the circumstances under which we are living. We are going through a period of serious conflict. Our Nation is at present engaged in concentrating its resources of men, of materials, and, above all, of thought to make itself felt in the world struggle for preserving civilization. This is no time for trivialities or for small detail. Under these conditions the Section on Social and Economic Science of the American Association may be expected to have a message of national import. It would be almost common to take your time and attention for anything but a topic of the widest practical significance in the present national emergency.

With these considerations in mind, I have chosen as the subject of this address the significance of our declining birth rate. I have done so with considerable hesitancy, because of the difficulty of the subject and the importance of its present lesson. I shall count also on your forbearance, hoping that you will forgive the incompleteness and sketchy character of my argument. The study of American demography has convinced me that we are concerned with a problem of the greatest possible moment. Changes have been progressing in the internal structure of our population which have, for the most part, escaped attention and which, if allowed to continue, will result in very serious national embarrassment. Conditions of war bring into relief the necessity for a vigorous and efficient population. It is not too much to say that the present tendencies in our national and family life are such as seriously threaten the development of those groups in the population on which we must rely for vigor and efficiency in thought and action.

The declining birth rate has received but little scientific attention in the United States. It has been, however, the subject of very careful investigation in Europe. During the last 50 years the birth rate has declined in virtually every country of the civilized world. Some countries have been affected more than others, but the phenomenon has been observed in extreme form in one country, namely, France. France has made an experiment in birth control on a national scale. All the parts of that experiment, including the end result, are now on view and available for scientific observation and comment. Before the present war France had already reached a point where her birth rate had decreased to a point below her death rate; her population was actually decreasing. But for 10 years before that time the approaching crisis had called for the careful attention of her best minds.

A commission on depopulation, composed of statesmen and sociologists, was appointed to study the problem, and a comprehensive report on the sources of depopulation was prepared. This report is too elaborate for detailed description here. I shall rather present the situation for France, as I understand it, in broad outline, bringing into relief only the main findings of the commission.

Let us consider the growth of population during the last century in the three leading countries of western Europe, namely, France, the United Kingdom, and the States composing the German Empire. At the beginning of the nineteenth century France was the leader of the three countries, with a population of about 29,000,000. The States which now compose the German Empire were second, with a population of about 23,000,000, and the United Kingdom stood third, with a population of about 18,000,000. A century later we find the situation totally changed. The German Empire headed the list with a population of nearly 65,000,000; the United Kingdom was second, with a population of 45,000,000; and France was third, with a population of only 39,000,000. In other words, while the population of the German Empire had nearly trebled and the United Kingdom had increased to two and one-half times its earlier numbers, the population of France had increased less than one-half. Further inspection of the figures show that a marked change in the rate of increase of the population of France occurred about the year 1860. At that time France was still in the lead and had already reached a population of 37,000,000. After that date it increased only 2,000,000, while Germany in the same period almost doubled in population. In 1811 the population of France constituted 16 per cent of all Europe. One hundred years later the French population constituted only 9 per cent of the total.

This situation for France may be accounted for principally in terms of its declining birth rate. Such figures as I have for France show that at about 1830 the rate was 30 births per 1,000 of population. The last available figure for 1914 was 18 per 1,000; the death rate was 19.6 per 1,000. This was the first war year, but already in 1911 the death rate, 19.6, exceeded the birth rate, 18.7. The reduction of more than one-third in the birth rate during the 80 years was both gradual and continuous. On the other hand, the birth rates in the German Empire and in the United Kingdom continued high, over 30 per 1,000 up to 1895 in the latter and up to 1909 in the former. Since then the birth rates have declined rapidly in both countries, but the enormous increase in population for both Germany and the United Kingdom were achieved before the changes in the birth rate began to make themselves seriously felt.

We are not concerned entirely with gross totals of population. Equally significant is the internal structure of population. As we shall see later, changes in the constitution of a population almost invariably appear with changes in the birth rate. This will become clearer by comparing the ages below which one-quarter, one-half, and three-quarters of the total populations of Germany, of England and Wales, and of France, respectively, are found. Thus, one-quarter of the population of Germany is under age 11, one-quarter of the population of England and Wales is under 12 years of age, whereas one-quarter of the French population is under age 14 years. Again, one-half of the population of Germany is found under 23.5 years, one-half of the population of England and Wales is below 26 years, while one-half of the French population is below age 30. We find, finally, that three-quarters of the population of Germany is below age 41 years, of England and Wales is below 42 years, and of France is below 49 years. These figures show clearly that the average age of the French population is considerably higher than that of the other two countries. Its youth and its strength form a smaller part of its total population, while its old and its dependents form a much larger part. This, we shall find, is an invariable consequence of a decreasing birth rate, which reduces the proportion of the young and thus brings into relief an undue proportion of the aged.

The declining national birth rate of France is also severely selective in character. The reduction of the birth rate has affected mostly those who are both economically and socially best fitted to bear and to raise a family to maturity. A careful classification by Bertillon of the number of children per 100 families in Paris shows that the very poor have the largest number and the very rich the smallest number of children. The order of size of the family is invariably the reverse of the order of economic condition. Since economic status is highly associated with efficiency and social worth, low birth rates in the best equipped groups of the population can have but one effect on the vital constitution of the next generation, namely, a decline in constructive effort for national development.

Evidence suggestive of such decline in national development is afforded by the fact that coincident with a rapidly declining birth rate France has had a high and rather stationary death rate during the last quarter of a century. England, through the development of its public-health service, reduced its death rate to under 14 per 1,000 in the year before the war (1913), when France had a death rate of 4 per 1,000 higher. In spite of the low French birth rate, the infant mortality rate has not been low and has been coupled with a high stillbirth rate. The death rate from tuberculosis in France has recently come into public notice here because of war conditions, but it was high before the war. The acute infectious diseases, including typhoid fever, which have so readily lent themselves to control in other European countries and in the United States, show unsatisfactory death rates for France. In fact, we find in this country, side by side with a low rate of reproduction, evidence of indifference to the conservation of the valuable lives that are born. A disturbing element in the French situation to-day is the lack of a national public-health program. Is it not possible that such conditions follow directly from the absence in the community of those earnest and able men who everywhere further progress along social and economical lines? These leaders of the nation are absent because they were not born. It would seem from the facts that where the psychology of a people permits depopulation to go on for a long period unchecked other evil tendencies of national life appear, such as indifference to the obligation of maintaining high standards of public health.

It is painful to say these things at this time, and I should refrain from referring to them were it not for the necessity of emphasizing the facts which so directly affect our own American population problems.

The experience of England has been much less acute, although the tendency of the most recent years has been fully as disturbing as that in France during the previous decade. In the 5-year period between 1871 and 1875 the birth rate was 35.5 per 1,000 of population. In the period 1911 to 1914, inclusive, the birth rate was only 24 per 1,000. The reduction in the birth rate in England has been accompanied, to be sure, with a very healthy decline in the death rate. In the forty-odd years since 1871 this has decreased from 22 to less than 14 per 1,000; whereas the decreasing birth rate in France did not accompany any appreciable reduction in the death rate. The rate of natural increase has, however, declined in England from 13.5 in the period 1871 to 1875 to 10.1 per 1,000 in the period 1911 to 1914. England was still increasing in population at the rate of 1 per cent annually before the war. The reduction in the rate of natural increase and certain internal changes in structure of population had, however, become a source of apprehension to English statesmen, and a commission of qualified experts was appointed to study and report on the problem. Their findings have been available for some time and may be summarized as follows:

The birth rate has declined to the extent of approximately one-third during the last 35 years.

This decline has not been due to any large extent to a decline in the marriage rate or to a rise in the mean age at marriage or to other causes diminishing the proportion of married women of fertile age in the population. The decline has been due rather to a conscious limitation of fertility in the large mass of the population.

The decline in the birth rate, although general, has not been uniformly distributed over all sections of the community. It has affected primarily those economic and social groups which, as we have shown for France, are best able to bear and maintain a good-sized family. Thus we find that the number of legitimate births per 1,000 married males under 55 years in England and Wales was 119 for the upper and middle classes and 213 for the unskilled workmen, with a maximum of 230 among the miners. The birth rate is greater as the economic and social status is lower.

Internal changes of population are taking place in England very similar to those observed in France. Under the influence of the decreasing birth rate the average age of the population of England and Wales is rising and the proportion of old persons is, of course, correspondingly increasing. If we keep in mind also that the mortality rates of females at the adult ages are progressively lower than those for males we are not surprised to find that the increasing proportion of old people is greater among females than among males. While there were, for example, 119 females per 100 males in 1871 at the ages 65 and over, the number in 1911 had become 132. The disturbing element in this picture is that the population is growing older not only through the increased longevity of its constituents but more especially through the decreasing reenforcement from its youth, and, due to the operation of mortality, that there is a progressive excess of females over males at the older ages. The situation in England may be summed up in the words of her leading demographer, Sir J. Athelstane Baines, as follows: "In the last 40 years the proportion of people of an age to marry has materially increased, but they marry less and later in life, and thus, to some extent, cause a reduction in the number of births. The main cause of the falling birth rate, however, is the decline in the fertility of the married due to the voluntary restriction of childbearing, a decline which has been especially rapid since the beginning of the century. The effects of the fall in the birth rate have been neutralized, until within the last few years, by a still greater fall in the death rate. The improvement has not been so marked amongst the very young and the old as at adolescence and in the prime of life. While, therefore, the rate of natural increase has diminished less than the fall in the birth rate would indicate, it has been maintained at the expense of the young."

"As the proportion of infants with a high mortality decreased, that of the ages of low mortality increased. The death rate went down, and the balance of population became economically favorable. But as the supply of infants diminishes relatively to the rest of the community, and their elders pass from their prime into the time of life when mortality is heavy, the proportionate supply of potential parents of the most prolific ages tends to decrease, the birth rate falls more

rapidly, and the death rate begins to rise, leaving the margin of natural increase alarmingly narrow. The result is an older and less vigorous people, and, as the vitality of women is greater than that of men, more of the former sex reach maturity, and they last longer, so that a relatively small and probably wholesome numerical superiority at the working ages is converted into a growing preponderance of old women in the vale of life."

I shall now present the situation for the United States. Superficially the facts of American population growth present a very favorable picture. Each successive census has shown a marked increase in our total population over the preceding one; that for 1910 showed an increase of nearly 16,000,000 lives over 1900, or 21 per cent. Such data as we have for births and deaths indicate a similar situation. Our birth rate is probably about 25 per 1,000, and the death rate for the entire country not far from 15 per 1,000. The difference between the birth rate and the death rate, the rate of natural increase, is about 10 per 1,000, or 1 per cent annually. The rate is much the same as we found for England and Wales in the year before the war. No one should find fault with a rate of natural increase of 1 per cent per year. The population problem of France would be considered on a fair way to solution if that country could maintain for a period of years a rate corresponding to even one-half of that which we now enjoy in the United States.

The difficulty with our American situation is that we have been satisfied with a gross showing. We have not looked underneath the surface to observe the varying tendency in the several groups of the population and in the several sections of the country. The marked increase in our total population is in large measure the result of two factors, (1) immigration and (2) a high rate of increase in the foreign born rather than in our native stock. This is shown by the constantly decreasing proportion which the native whites of native parentage form of the total white population. In 1870, for example, this group formed 67.8 per cent of the total white population in the United States, while in 1910 it had decreased to 60.5 per cent. The proportion of the foreign stock correspondingly increased during these 40 years. These figures are accentuated if we turn to certain areas of the country. Thus, in the New England States the proportion of the native white stock decreased from 52.3 per cent of the total white population in 1890 to 40.3 per cent in 1910. In the Middle Atlantic States the native white stock decreased from 51.8 in 1890 to 44.8 in 1910. In these important areas the native stock is playing an ever smaller part in the composition of the total population. In fact, a very definite tendency toward depopulation has already fastened itself upon a large part of the native stock of the country.

There has been a marked and continuous reduction in the birth rate in the United States for a period of years. In the absence of comprehensive birth statistics, such as are available for European countries, we must turn to other sources which are clearly indicative of the changes which have occurred in the birth rate. We may use, for example, the number of children under 5 per thousand women in the child-bearing ages, namely, 15 to 44 years, inclusive.

Prof. Willcox in a recent paper has shown that this proportion has decreased about 50 per cent in the course of the last hundred years. At the beginning of the century there were 976 children under 5 for every 1,000 women between the ages of 15 to 44 years, whereas in 1910 the number was only 508 per thousand women at these ages. During the 60 years between 1850 and 1910 the number of children under 5 per thousand women at the childbearing ages decreased in the United States by 191, or at an average of 32 in each decade. The rate of decline in the recent decades has been so rapid that Prof. Willcox suggests amusedly that if it were continued over a period of a century and a half, which is a comparatively short time in the life of a nation, there would be no children at all at the end of that time.

The decline in the birth rate in the United States has been, as elsewhere, selective in character. In Massachusetts, for example, where the best American data on birth rates are available, we find first, that there has been a continuous decrease in the birth rate during the last 40 years, and, second, that this decrease has been most marked in the native stock. In 1910 the native stock had a birth rate of 14.9 per thousand; the foreign-born birth rate was 49.1 per thousand. In the same year the native death rate was 16.3 per thousand, while the foreign death rate was only 15.4. There was thus an excess of deaths over births corresponding to a net annual loss of a little more than one-tenth of 1 per cent in the native stock, while there was an annual increase of 3.4 per cent among the foreign-born population.

A tabulation of a significant sample of the population returns for the 1910 census shows similar differences in the fecundity of women of native and foreign parentage. In a group of women under 45 years of age, who were married for a period of from 10 to 20 years, the average number of children was found to be 4.1 per married woman. The women of native parentage, however, showed an average of only 2.7 children, whereas the women of foreign parentage showed an average of 4.4 per married woman. In like manner it was found that 7.4 per cent of the women under 45 years, who had been married 10 to 20 years, had borne no children. The women of native parentage had borne no children in 13 per cent of the cases, whereas the women of foreign parentage had borne no children in only 5.7 per cent of the cases. In view of the fact that very few children are born to women who have been unproductive for a period of at least 10 years, we may consider these figures as fairly reliable indices of sterility in the two groups. We find that close to 40 per cent of the married women of native parentage had borne only one or two children, whereas the women of foreign parentage showed only 19 per cent of their number in this group. Finally, only about 10 per cent of the women of native parentage had 5 children or more, whereas 33 per cent of the women of foreign parentage belong in this group.

I hope I am not assuming too much when I infer that these figures show selection in the decline of the birth rate. The race stock which laid the foundations of our institutions during the critical period of our national existence is, in large areas of the country, no longer maintaining itself and its place is being taken gradually but surely by foreign races, which, as we have seen, are reproducing very rapidly.

Additional evidence of the selective character of the declining birth rate is presented in special studies on the size of families of college graduates and of men of science. Thus Phillips, in his work on the birth rate among graduates of Harvard and Yale Universities, shows that the number of children born per married graduate has fallen from about 5.25, in the decade 1850 to 1860, to a little over 2, in the decade 1881 and 1890. Similar facts are observed in the statistics for other college graduates, but none are so low as those for the graduates of colleges for women. Thus we find that the number of children per married woman graduate of Smith College was only 1.8, of Vassar 1.6, of Bryn Mawr 1.7, and of Holyoke 1.8. Even more significant is the ratio of children per graduate, which for all of these colleges is less than one, due to the fact that less than 50 per cent of the graduates of women's colleges marry. Prof. Cattell further shows in his study of 643 American men of science that the families from which the scientific men had come had an average of 4.7 children, while these scientific men who were married and whose families were complete had an average of only 2.3 children, these figures including all the children born. We shall later see how far from adequate such an average number of children is for maintaining the status quo in the respective groups.

In the preceding discussion I have referred frequently to the number of children per family in groups of our population, and have intimated that some families were small, that others were fairly normal, and that others were large. You may now properly ask me what the average number of children per family should be. The answer to the question depends upon the point of view, namely, upon the amount of natural increase one would wish to see in a generation. As there is likely to be a difference of opinion on this point, I shall attempt to show only what the number of children in a family must be, under present conditions, in order that the population may remain stationary; anything above this figure will mean natural increase, anything below will mean a decrease in population.

It is obvious that the basis of every family is two individuals. The question then resolves itself as follows: How many children must be born to every family in order that two individuals may be raised to maturity? The number of children born must be more than two for a number of reasons. The first is the fact of mortality. The death rate is exceptionally high in the period of childhood, amounting in the first year of life to about 10 per cent of the babies born. If we begin with 100,000 at birth and trace them through from year to year, we find that about 75,000 are alive at the average age at marriage. This is according to the mortality rate that prevails over a large portion of the United States. The rest have died. This fact alone would make it necessary that every marriage result in an average of two and one-half children in order that two persons may attain the average age of marriage and replace their parents in the population. But this assumes, first, that all persons marry, and, second, that every marriage is productive. As a matter of fact, all persons do not marry. In our own country from 12 to 15 per cent do not marry until after the reproductive period, if at all. A considerable proportion of marriages, over 7 per cent, are sterile. When we make the necessary corrections in our figures, the average number of children per family which must be born is increased to close to four in order that the stock may maintain itself without increase or decrease.

I say without hesitation that a large part of the native stock of this country is in this sense not maintaining itself. It is not producing the four children that are necessary to perpetuate the stock. This fact is true primarily for those families in the population which, by economic and social standards, are best able to bear and rear families. On the other hand, those groups in our population which are economically and socially less able to raise families are still producing on the average in excess of the minimum necessary to maintain the status quo. As a result, the balance of population is in favor of the less economically efficient. The best blood of America is being constantly thinned out by the exercise of a conscious limitation of births and is being replaced by a stock of a different order. Our national standards are being leveled to meet more and more the lower quality of our population.

If I have succeeded in making a plausible diagnosis of one of our national ills, will you permit me also to suggest a remedy for the condition? I should say, at the outset, that since many causes have been at work to produce the end result which I have described, it will require many lines of action to improve the situation. I shall, however, suggest some thoughts which seem to me to reach the heart of the problem more nearly than any others.

The State is largely responsible for the present condition. The system of education which it has provided for the youth of the country has failed for the most part to inculcate national ideals. Our young people have grown up without a broad outlook on life. They have been taught to think in terms of personal convenience and advancement, and not in terms of the common good. Democratic education is a failure if it neglects to make provision for the character of its future citizenship. Our young men and women must be taught to realize early that we do not live for ourselves; that our intellectual, economic, and social advancement must be carried forward not only as tradition but more especially in terms of new, vigorous, and worthy personalities. Our educational system must make our various racial groups conscious of their best traditions and instill desires to see their better strains strengthened and increased as a foundation of the greater democracy of the future.

The education of our women is especially faulty in this regard. Our schools and colleges, with few exceptions, direct the thoughts and energies of our girls away from ideals of normal home life and center them upon personal refinement or upon personal ambition. It is no uncommon thing to find that girls have gone through their entire college course without a single occasion when the subject of their place in society as mothers and wives was given serious consideration. No wonder that our educated women think mainly of "careers" or of pleasures offered by society as the aim of existence. These are all false gods which smother the natural and wholesome instincts which every species possess to insure its maintenance. The old virtues of womanhood need restatement to-day. Whatever else women learn in the schools they must be educated for their place as mothers, and democratic education must make efficient provision for this primary function.

The State is guilty of another sin. It has made no provision to reward, either substantially or with esteem, the women who, realizing their obligation to the State, are willing to bring up families of normal size. The bearing and rearing of children is costly, both in energy and in funds, and must act as a check on personal ambition and on the enjoyment of the freedom and pleasures of social life. A family of four children requires all the attention of the thoughtful and capable woman. Her success as a mother will be at the expense, in the majority of cases, of her achievement in other fields. It is not asking too much that such a woman should be favored with the admiration of the community in which she lives and not, as at present, with its commiseration and pity. The State may find it expedient, likewise, to encourage parenthood by considering the size of the family as a factor, among others, in fixing exemptions from taxes.

Individual selfishness is at bottom the source of the evil I have described. An increasing number of men and women do not assume the marital state or, when married, do not raise a family of children because they prefer to live better than their forebears and to spend more

on themselves than would be possible if they had children to raise and educate. Under present conditions children are not an economic asset. Restrictive compulsory education and child-labor laws make children an expensive luxury which only the poor can afford. In fact, there is no very good reason, on the score of personal comfort alone, why individuals should assume the obligations and sacrifices which large families entail. Such, indeed, is the logical conclusion of our growing materialism.

Yet the shallowness of this attitude must be obvious. Men and women who to-day are rallying to the defense of the country in war time need not be reminded that we live not for ourselves but rather for the fuller life of the community. If only the same spirit would animate us in times of peace, more would then meet their obligation to the State through parenthood. A new citizenship would then arise which would be worthy to receive the noble traditions from our past and to carry our civilization forward into the future. Our appeal must be made to the religious impulse in our individual lives. It will require all the religious power latent in our people to set us right. I do not mean the mandate of any particular religious sect but rather the ethical force which arises within us when we realize clearly our relation to the community about us and the obligation which this relationship involves. The problem of the size of the family, like a whole host of other important social questions, will be solved only when men realize the holy purpose of life, that we are here to add to the sum total of the common good; in a word, that we must leave the world better than we have found it.

In conclusion, let me emphasize the need for birth release among the healthy and normal people of our country as a primary national duty. Such release must be conscious and deliberate, the act of will of free individuals who thus express a highly moral purpose.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. RAINEY] is recognized for 30 minutes.

SOCIALISM IN AMERICA.

Mr. RAINEY. Mr. Speaker, it is with some hesitancy that, without any preparation, or even with most careful preparation, I enter into a discussion of these matters with a man who has on so many occasions in this House demonstrated himself to be a master of debate. [Applause.] I have listened with great interest to the scholarly address of the gentleman from New York [Mr. LONDON]. We have been fortunate in having in this House, whenever we have had representatives of the Socialist Party, scholarly, capable, pleasant gentlemen, and the gentleman from New York is the peer of any of them in those particulars.

The difficulty about socialism is that as it presents many of its propositions you can not disagree with them. With unalarming advance socialism proceeds in this country and the world, holding, always, every position it gains. I am unwilling to agree with the position that the gentleman takes so positively and with so much force, that the principles enunciated in the President's message to this country and to the world, proposing terms of peace, were discovered by the Socialists of Russia, or were discovered by the Socialists of any other country in the world. Prior to the opening of this awful war, before the invasion of Belgium, 600 peace societies were at work in the civilized nations of the world, every one of them proclaiming as fundamental principles those 14 or 15 propositions contained in the President's message. Our own Declaration of Independence proclaims the right of peoples to govern themselves, and that is the principle which underlies the several peace propositions submitted by the President of the United States; first of all, the right of nations, great or small, to govern themselves and to work out their own destinies. And then there follows, as a matter of course, if that principle is to be recognized in the world, the principle that the nations must disarm, in order that none of them may become strong enough to threaten the existence of smaller and weaker nations. The Socialists of Russia, in announcing these propositions, discovered nothing new; and the fact that a few days later, or about the same time, Lloyd-George, speaking for Great Britain, announced substantially the same propositions, and that a few hours later the President of the United States announced, in substance, the same propositions does not prove that any priority of discovery rests with the Socialists of Russia.

I have been interested in his discussion of this subject to-day, because the gentleman from New York [Mr. LONDON], with splendid ability and profound scholarship, goes back to the propositions announced by Carl Marx, the greatest of all socialists, and calls attention to socialism in its international aspect; without an international character socialism can not succeed in this world.

And now I want to call the attention of this House to the remarkable advance of socialism among the nations of the world, and of socialistic theories here in these United States. The differences between the parties as at present organized and as this war proceeds are absolutely academic. There are no tariff differences worth mentioning in view of these great questions which loom upon the horizon of the nations. The world is being made over in the fiery ordeal of war, and after this world war closes you will see in this country, in all probability a realignment of parties, greater and more pronounced than occurred during the period of the Civil War and after the Civil War to meet these new issues. Socialism tenders the greatest of all of them. The time is approaching in this country and in the world for the nations and the statesmen who lead the thought of the nations to determine whether or not socialism is the correct theory upon which nations shall conduct themselves through the centuries to come. Now, let us see how far we have proceeded in this country in the direction of socialism.

The gentleman has discussed Russian socialism in its international aspects. The gentleman is not in harmony with the expressions of his own party in this country or in Germany; and if socialism in this international aspect means what these propositions indicate, the propositions which it is alleged they have submitted to Germany, then there seems to be no apparent present international danger from the spread of socialism. But within the boundaries of Russia as they existed recently socialism is developing and developing with a wonderful rapidity.

We must remember that 80, and perhaps 90, per cent of the people of Russia are illiterate. They are not to blame for that. They are struggling through illiteracy—let us hope the millions there are struggling toward the light. They believe they are. I remember as I stand here some of the facts of Russian history. I remember that during the early centuries of the Christian era the Slavs, protected by the towering heights of the Carpathian Mountains, slowly developed and spread over Russia, without any organization, because they did not need any organization; without any head men, without any chiefs, without any central organization of any kind, because they were in no danger from their neighbors. Rome had extended her boundaries as far in that direction as she cared to extend them, and under these circumstances and without any sort of a government the Slav nations developed until they spread over Russia. Then there came the failure of the Byzantine Empire, and the necessity for protection against their enemies; and the socialistic theories which prevailed then, although they did not call it socialism and had never heard of its principles, of course were unable to protect them against their enemies. They invited the Russ, the Norsemen of the Baltic Sea, great blond warriors, who came down there at their invitation, covered with iron armor, and built castles outside of their villages, and exacted a military tribute. And then, following the advent of the Russ, there came the Tartars, and then the Muscovite kings, and from that developed the Romanoff régime, which lasted until a recent period, and which cemented these vastly different types of people at least into one great nation.

The situation in Russia to-day is this: Ninety per cent of the population, an illiterate population, following a few dreamers, have thrown off the Russ, the Tartar, and the Muscovite king influences, and have harked back to the ninth century, when they had only village organizations, and nothing else.

They will develop in time as other nations have, and if it takes them as long as it has taken other nations to develop from an organization of that kind into the present modern State, it will take 1,000 years. I hope the Russians are proceeding in the proper direction, and that they are working out their proper salvation.

PRINCIPLES UPON WHICH ALL RUSSIAN FACTIONS AGREE.

As I stand here I recall the principles upon which all elements in Russian politics to-day are united, including the Don Cossacks, who are small land owners. They stand united upon these three propositions: First, the giving of the land to the peasants; second, the distribution of the profits of industrials among the workingmen; third, the compelling of the well-to-do to pay all the expenses of the Government. In harmony with the latter proposition, they have confiscated the deposits in the banks of Russia, with the guarantee only that the smaller deposits will be protected for the smaller depositors. And if we are to believe the reports which reach this Capital City, they have confiscated even the deposits in the banks placed there by this Government to maintain in their capital city an embassy representing the greatest Republic in the world. These tendencies are not encouraging.

HOW FAR HAVE WE PROGRESSED IN SOCIALISM?

Now, let us see how far we are proceeding in this country in the direction of socialism. It may be all right in its international aspects according to present international world politics, as explained so ably and so clearly by the gentleman from New York [Mr. LONDON]; but as an interior force within the nations it is obtaining its expression in Russia to-day, and we know what it means. I am not ready to agree to the spread of socialistic theories, so far as I am concerned.

Now, let us see how far we are progressing in that direction. We have taken over the railroads with the approval of all their employees, and with the vociferous and apparently unanimous approval of the owners of the railroads themselves. And the fact that the owners of the railroads approve the taking over of the railroads is evidenced by the fact that they are so anxious

to acquire more and more of the stock that the stock is increasing in value almost by leaps and bounds. The employees of the railroads are all for the proposition, because they expect larger compensation for their services. The owners of the railroads are in favor of the proposition because they expect from their investment a larger and a more assured income.

The millionaire owners of railroads, the million or more employees of railroads, are proceeding in the same socialistic direction, demanding more and more compensation, and expecting it now to be guaranteed by the Treasury of the United States or paid out of the Treasury of the United States. We sit here to-day face to face with the proposition that one-fifth—certainly one-sixth—of the adult voting population of the United States are either directly or indirectly on the national pay roll, and that you have here the power to increase or decrease their compensation. I know of no railroad employee, I know of no Government employee, who does not want his compensation increased. They are willing, all of them, that it be done out of the Treasury of the United States, and there is no definite objection or protest against this by any party or any definite section of the population of this country. All of them apparently stand for it, and that is socialism, of course.

We just agreed to a resolution a few minutes ago in this House which means the ultimate ownership and control of the water-power possibilities in this country by the Government itself. In 50 years from now it will mean it, they say, and if Government ownership proceeds to gather momentum with the rapidity that it has in the recent weeks it will not be long until we take them over. We are already controlling the distribution of the coal supply. It is not logical to control the distribution of coal unless you control also the coal mines of the country. The owners of the coal mines will not object, and the millions of employees who work in the mines will not object. If you take over the coal, why not take over the copper mines and the iron mines. The owners of those mines will not object, because it means that under our theory of government we must compensate them. We can not confiscate their property. They are willing to be compensated and to live without effort on their part their lives hereafter, their compensation insured out of the Treasury of the United States.

If you take over all these things, why not take over the instruments for the distribution of intelligence. That is the logical thing—to take over the telegraph and the telephones of the country. It is just as logical to control them as it is to control the Postal Service of the country. You will find that the owners will not object; they will be satisfied, because it means an easy income for them and for their children, paid out of the Treasury of the United States as long as they may live, or an adequate lump-sum compensation for the taking over of their property. And so we plunge along, being irresistibly drawn in this country into the very maelstrom of socialism.

The Government can do any one thing better than any one private individual or any one group of individuals. The Government can control the railroads better than private individuals. The Government can control the telephone and the telegraph better than private individuals. The Government can do any one thing better than any individual or any aggregation of individuals can do it. But when the Government commences to do them all, what sort of a situation are you up against?

HOW SOCIALISM MAY COME.

When the Government commences to control all these things, with the approval of all the employees of these industries, with the approval of all the owners, then that party which favors the perpetuity of Government control and ownership when this war ends—that party which pledges its unequivocal support of these things—will win in the elections, of course. There will be enough voters believing themselves to be compensated out of the Treasury to make it possible for that party to win, and when that party wins under these circumstances socialism has arrived in this Nation. Then there comes these other things to which so large a portion of the people of the United States seem to be chaining themselves without knowing it—a different method of holding land—perhaps it will be a single-tax system or a method of communal ownership. If everybody is compensated by the State, then there must be a confiscation of private property and private incomes. All of the parties in Russia, including the Don Cossacks, have declared against private ownership of any kind of property. The Don Cossacks, in their resolutions a short time ago, as announced in the papers of this country, say that confiscation of land applies only to the large estates, that estates as large as they own will not be taken. And so we plunge along on this perilous road without setting any danger signals.

I have heard able socialistic speeches made upon the floor, none abler than the gentleman from New York [Mr. LONDON] can make; but I have never heard a Member of Congress during my long period of service here who has had enough courage to rise in his place on this floor and express dissent from any of the propositions or tendencies to socialism in this country, and the time has now come when you must do it or submit. We must do the things we are now doing in order to win this war. When the war ends it is going to be a difficult matter to maintain our methods of government as they now exist and as they have existed from the days of the founders. It is going to be an easy thing to sink into socialism with all that socialism may mean to the people of the country. While we are making the world safe for democracy we must not make it safe for socialism.

IS THE SOCIALIST PARTY LOYAL?

I do not want my friend from New York to "throw anything at me," and I am sure he will not say that I am a "demagogue" if I question the loyalty to this Government in this present crisis of the party he represents here in this body. So I am simply going to read from recent declarations as expressed by them in their emergency convention held here in the United States just after we declared war.

Mr. LONDON. Mr. Speaker, will the gentleman yield for a moment?

Mr. RAINEY. I prefer not to yield now.

Mr. LONDON. I would ask the gentleman as a favor to yield to me at this moment.

Mr. RAINEY. I will do anything for the gentleman as a favor except to agree to follow the gentleman in his socialistic career.

Mr. LONDON. The word "recent" in connection with the war will not be applicable to that statement. That statement was adopted a short time after the declaration of war—a few days—in the excitement in the change of the national situation.

Mr. RAINEY. The gentleman is right. When I said that it was a recent declaration I did not mean that. I meant, and I think I said, that I am about to read the declaration of the principles of the Socialist Party in the United States, which immediately followed our entry into this war, and it was made while the declaration of a state of war was being discussed and unanimously approved by the loyal citizens of the United States. Mr. Speaker, the Socialists are splendidly organized; they can get their conventions together quickly, and the 200 men who assembled in that emergency convention to prepare a platform for the Socialists of the country, in the dangerous emergency which confronted this Nation, spoke for the Socialists of the Nation, and they have had no further meetings since in which they have revoked their position or their doctrines. These are their serious pronunciamentos, the planks in their war platform. With reference to our recent declaration of war, with the news still going over the wires every day that in violation of all moral law, in violation of all treaties, in violation of all laws of the seas, Americans were being murdered upon the seas, in spite of the fact that at that very moment great ships with the American flag painted upon their sides were lying at the bottom of the British Channel, sunk by a treacherous enemy, while claiming to be our friend, they said in this convention of theirs, referring to our entry into the war—and I quote the exact language:

> Our entry into this war is a crime against the people of the United States and the nations of the world.

That is what the Socialists of this country stood for then; that is what they stand for this day. I have heard no repudiation of that principle from the gentleman from New York [Mr. LONDON], who represents all the Socialists in the United States here in this body. Is that consonant with loyalty? Will any loyal body of the citizens of the United States agree to such a proposition as that? With the spectacle of bleeding Belgium, of unfortunate Serbia, presented to us, with the news of the outraging of women and the murder of children coming to us every day, while the red glow of the burning villages of Belgium covered the skies, they say that our entry into the war was a crime against nations. A crime against what nation? Was it a crime against unfortunate Belgium? Was it a crime against bleeding Serbia? Was it a crime against the people of northern France being cruelly murdered by the merciless invaders? The proclamation proceeds, and I quote again the exact language of this latest Socialistic platform in the United States:

> In all modern history there has been no war more unjustifiable than the war in which we are about to engage.

I know my friend would not charge me with being a demagogue. I do not say such expressions are disloyal. It is unnecessary for me to say that—it is unnecessary for any loyal

citizen to say that—but that language speaks for itself. It spoke for itself at that time and has spoken for itself throughout the months that have passed since it was first uttered.

I proceed to read again from this latest platform of the Socialist Party of the United States. They proceed then to pronounce against the delusions——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RAINEY. Mr. Speaker, I ask unanimous consent to proceed for 15 minutes more.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to proceed for 15 minutes. Is there objection to the request? [After a pause.] The Chair hears none.

Mr. RAINEY. After referring to the delusions of so-called defensive wars, they say—and I quote again:

> The only struggle which would justify the workers in taking up arms is a struggle of the working class of the world to free itself from economic exploitation and political oppression.

In other words, the Socialists of these United States are pledged by this platform against this war. They are pledged by this platform to engage in no war except a war which permits them to take up arms against their own exploitation here in this country and against the political oppression which they may find here. Many of them came here from the oppressed sections of other countries and they seem to have become leaders of the Socialists of the United States, and they come here claiming in this convention that the only fight the Socialists of the United States will make is a fight against this great Government; that they will take up arms in this Nation for the purpose, and for the purpose alone, of overcoming the present method of doing things here. Now, is that loyalty to this Government or is that disloyalty? You know and the country knows what that is, and I am not here for the purpose of designating what that is.

Any patriotic citizen of the United States knows whether that sort of an argument, whether that sort of a platform, is loyal or disloyal. It comes as near grazing the edge of treason as any expression I have heard in this country from any one man or from any body of men. And so, unless we are careful, this world menace of Socialism, plausibly proceeding and gaining ground slowly and in an unalarming manner, is the real issue of the future.

PRESENT AND FUTURE ISSUES.

We have been divided here in the United States upon the question of the tariff. We never got out of the protective tariff more than the sum of $333,000,000 a year in the peak year of the Payne-Aldrich tariff bill. We attempted to reduce the Payne-Aldrich tariff bill to $280,000,000. As a matter of fact, in our peak year under the Underwood bill, until the war interrupted its procedure, we got $225,000,000 a year. A tariff bill can be arranged by imposing maximum rates upon all schedules which will yield $400,000,000 and that will not mean protection. It will mean that certain schedules must be lowered. It will not mean free trade, but will mean certain schedules must be higher, but as compared to the stupendous budget which will confront this country when this war is over the question of a protective tariff or a tariff for revenue only is from a standpoint of revenue absolutely negligible. If this war continues three or four years longer—and it will in all probability—if this war continues that much longer we have staring us in the face, if we retire a billion and a half dollars of bonds a year, and we must retire that much—we have staring us in the face an annual budget of, how much? An annual budget of $6,000,000,000, and the $80,000,000 of tariff fluctuation we can get for the Treasury or take out of the Treasury is absolutely negligible.

If the parties in this country as at present organized continue these mock battles of theirs upon issues which are now absolutely academic, upon little issues that do not deserve consideration in this present great age of the world—when the world is being made over—if they continue that sort of course, they will find confronting both of them the specter of socialism in this land as well as throughout the world. The question is, Are you ready for it? Do you stand for the things that Russian socialism—and that is the only nation that has ever had an opportunity to express itself upon this question—do you stand for the things they stand for in Russia, or are you opposed to them?

Do not deceive yourselves. The old order is changing in the world. These new issues are presenting themselves with great force, and they must be met. And it is the province of the political parties of this country to express themselves along these lines and to get ready when this war is over to lower the floodgates; to return, if they can, to the sane methods of holding property; to adhere to sane methods of holding land; to reestablish and maintain the methods of administering the affairs of the people of this Republic under which we have prospered and progressed—the methods which have prevailed in the world since the birth of the modern state. [Applause.]

WITHDRAWAL OF PAPERS.

Mr. CALDWELL, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Lizzie Yarker, H. R. 9344, Sixty-fourth Congress, no adverse report having been made thereon.

Mr. BROWNE, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, papers in the case of John P. Chesley, no adverse report having been made thereon.

EXTENSION OF REMARKS.

Mr. RAINEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

SUFFRAGE RESOLUTION.

Mr. WEBB. Mr. Speaker, I ask unanimous consent that House joint resolution No. 1, a resolution proposing an amendment to the Constitution of the United States extending the right of suffrage to women, be laid on the table.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that House joint resolution No. 1 be laid on the table.

Mr. WEBB. Otherwise the calendar would have to carry it for the remainder of the session, and nobody wants that.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. RAINEY. Mr. Speaker, let me inquire if permission has been granted to adjourn over until Monday?

The SPEAKER pro tempore. Yes; it has.

Mr. RAINEY. Then I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 49 minutes p. m.) the House, under its previous order, adjourned until Monday, January 14, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting communication from the Secretary of State submitting supplemental estimate of appropriation required by the State Department for the fiscal year 1919 (H. Doc. No. 784); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of Agriculture, transmitting detailed report of the expenditures of all moneys appropriated thereunder during the period from August 10 to November 15, 1917, inclusive (H. Doc. No. 785); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 8061) granting a pension to Emily Ballard; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6226) granting a pension to William W. Cravens; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1024) granting a pension to Francis G. Babcock; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SINNOTT: A bill (H. R. 8625) to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of

said lands, and for other purposes; to the Committee on Public Lands.

By Mr. MEEKER: A bill (H. R. 8626) to confer jurisdiction on the Court of Claims to inquire into whether or not the immigrant Cherokees by blood are entitled to be reimbursed for lands allotted to intermarried white persons from lands granted to immigrant Cherokees by blood under treaty of 1835 and the patent of December, 1838, from the United States Government to the Cherokees by blood and their descendants, and inquire into and determine the validity of the treaty of 1866; to the Committee on the Judiciary.

By Mr. MERRITT: A bill (H. R. 8627) making an appropriation for the improvement of the harbor of Stamford, Conn.; to the Committee on Rivers and Harbors.

By Mr. TAGUE: A bill (H. R. 8628) to increase the cost of the immigration station at Boston, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8629) to extend the provisions of the bond and warehouse statement to merchandise free of duty; to the Committee on Ways and Means.

Also, a bill (H. R. 8630) to amend an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States"; to the Committee on Military Affairs.

By Mr. OSBORNE: A bill (H. R. 8631) providing a Liberty Loan bond redemption fund, for the purpose of stabilizing and maintaining at par the various series of liberty loan bonds which have been issued by the United States, and making an appropriation therefor; to the Committee on Appropriations.

By Mr. KNUTSON: A bill (H. R. 8632) authorizing the expenditure of a portion of an unexpended appropriation for the improvement of a road in the counties of Cass and Beltrami, in the State of Minnesota; to the Committee on Indian Affairs.

By Mr. FULLER of Massachusetts: A bill (H. R. 8633) to establish a common-commodities commission; to the Committee on Agriculture.

By Mr. SABATH: A bill (H. R. 8634) to prohibit speculation in cotton or wool; to the Committee on Interstate and Foreign Commerce.

By Mr. HILLIARD: A bill (H. R. 8635) to establish in the District of Columbia a laboratory for the study of the criminal, pauper, and defective classes; to the Committee on the District of Columbia.

Also, a bill (H. R. 8636) to assist the worthy mother who by reason of insufficient property or income or lack of earning capacity is unable to support her children; to the Committee on the District of Columbia.

By Mr. MOON: A bill (H. R. 8637) to amend the act approved June 25, 1910, establishing postal savings depositories, and acts amendatory thereof, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. DYER: A bill (H. R. 8638) to amend sections 9 and 10 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. SELLS: A bill (H. R. 8639) to exempt persons engaged in agriculture from military service, and for other purposes; to the Committee on Military Affairs.

By Mr. VOLSTEAD: A bill (H. R. 8640) granting to the State of Minnesota certain public lands; to the Committee on the Public Lands.

Also, a bill (H. R. 8641) to authorize the erection of a public building at Litchfield, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8642) authorizing the erection of a public building at Marshall, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. BLANTON: A bill (H. R. 8643) to authorize the President to further increase temporarily the Military Establishment of the United States; to the Committee on Military Affairs.

By Mr. KREIDER: A bill (H. R. 8644) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: Resolution (H. Res. 221) providing for a clerk for the Committee on Alcoholic Liquor Traffic; to the Committee on Accounts.

By Mr. VOLSTEAD: Joint resolution (H. J. Res. 213) proposing to amend the Constitution of the United States to authorize the Congress to enact laws to define and limit the causes for divorce; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 8645) granting an increase of pension to Walden Kelly; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 8646) granting an increase of pension to Daniel Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8647) granting an increase of pension to Albinus Price; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8648) granting an increase of pension to Joseph R. Moore; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 8649) granting an increase of pension to Andrew Sigerfoos; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8650) granting an increase of pension to William C. Blyler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8651) granting a pension to Abraham G. Hendryx; to the Committee on Invalid Pensions.

By Mr. BROWNE: A bill (H. R. 8652) for the relief of John P. Chesley; to the Committee on Claims.

Also, a bill (H. R. 8653) granting a pension to Bernard Klatt; to the Committee on Pensions.

By Mr. CRISP: A bill (H. R. 8654) granting a pension to William F. Graham; to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 8655) to authorize the Secretary of the Interior to issue deed to G. H. Beckwith for certain land within the Flathead Indian Reservation, Mont.; to the Committee on Indian Affairs.

By Mr. FOSTER: A bill (H. R. 8656) granting an increase of pension to Jacob H. B. Leuty; to the Committee on Invalid Pensions.

By Mr. HILLIARD: A bill (H. R. 8657) for the relief of Richard A. Schwab; to the Committee on Claims.

By Mr. HOLLINGSWORTH: A bill (H. R. 8658) granting an increase of pension to Iven Brandon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8659) granting an increase of pension to Stephen Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8660) granting a pension to Mary C. Thompson; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 8661) granting an increase of pension to Elizabeth Williams; to the Committee on Invalid Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 8662) granting a pension to Anna K. Sabin; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 8663) granting an increase of pension to Thomas H. Wilson; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 8664) granting a pension to Olaf H. Heleie; to the Committee on Pensions.

Also, a bill (H. R. 8665) granting a pension to Charles Dueber; to the Committee on Pensions.

Also, a bill (H. R. 8666) granting a pension to Richard M. Van Dervort; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 8667) for the payment of certain claims for travel pay from the place where honorably discharged to place of enlistment, growing out of service in the Army, as reported by the Court of Claims; to the Committee on War Claims.

Also, a bill (H. R. 8668) for the payment of certain soldiers' claims growing out of service in the Army, as reported by the Court of Claims, known as three months' pay claims; to the Committee on War Claims.

By Mr. LESHER: A bill (H. R. 8669) granting an increase of pension to C. F. Deivert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8670) granting an increase of pension to Oliver E. Yohey; to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 8671) granting an increase of pension to Arthur W. Brittingham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8672) granting an increase of pension to Susan Owens; to the Committee on Pensions.

Also, a bill (H. R. 8673) granting a pension to Fred H. Williams; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 8674) granting an increase of pension to Henry Sonders; to the Committee on Invalid Pensions.

By Mr. VOIGT: A bill (H. R. 8675) granting an increase of pension to Alvin O. Thayer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8676) granting a pension to Elmer R. Harrington; to the Committee on Pensions.

By Mr. WEBB: A bill (H. R. 8677) granting a pension to Burton Erwin; to the Committee on Pensions.

By Mr. WHEELER: A bill (H. R. 8678) granting a pension to Rebecca Buffington; to the Committee on Invalid Pensions.

By Mr. WHITE of Ohio: A bill (H. R. 8679) granting an increase of pension to Henry W. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8680) granting an increase of pension to Charles Delong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8681) granting an increase of pension to John T. Waxler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8682) granting an increase of pension to Barbara I. Boothby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8683) granting an increase of pension to Joseph D. Heston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8684) granting a pension to Louis Settles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8685) granting a pension to Alonzo Hutchison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8686) granting a pension to Adam Mikel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8687) granting an increase of pension to Alexander Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8688) granting a pension to Anna M. Bremigam; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8689) granting a pension to Ida McCoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8690) granting a pension to Alvanes P. Henery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8691) granting a pension to Annie Hoover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8692) granting a pension to Matilda Cass Lipps; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 8693) granting an increase of pension to Reuben J. Smith; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 8694) granting an increase of pension to Marvin J. Boughton; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Petition of F. W. Oulcott, of New York, favoring passage of the daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Mabel Gordon Parker, of Brooklyn, N. Y., asking passage of resolution for investigation of the O. G. Library League; to the Committee on Rules.

Also, petition of National Association of Chiropodists, favoring bill for appointment of podratrists in the Army; to the Committee on Military Affairs.

By Mr. ELSTON: Petition of railway postal clerks of San Francisco Bay region, favoring increase in salaries; to the Committee on the Post Office and Post Roads.

By Mr. GALLIVAN: Petition of 1,235 citizens of the twelfth congressional district of Massachusetts, favoring the Federal suffrage amendment; to the committee on Woman Suffrage.

By Mr. HOLLINGSWORTH: Memorial of Hon. C. S. Speaker, chairman, Lisbon (Ohio) Division of National Defense League, against peace or relaxation of American efforts until German militarism is decisively defeated; to the Committee on Military Affairs.

Also, evidence in support of the bill granting increase of pension to Iven Brandon; to the Committee on Invalid Pensions.

Also, evidence in support of the bill granting an increase of pension to Stephen Brooks; to the Committee on Invalid Pensions.

Also, evidence in support of the bill granting pension to Mary C. Thompson; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: Resolution of 1,200 citizens of Rhode Island, favoring passage of Federal suffrage amendment; to the Committee on Woman Suffrage.

By Mr. LUNN: Petition of American Defense Society of the State of New York, asking passage of a bill to punish all persons, etc., responsible for pro-German activities; to the Committee on Military Affairs.

By Mr. MEEKER: Memorial of Board of Aldermen of St. Louis, Mo., favoring bill authorizing the completion of the municipal free bridge across the Mississippi River; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Tenth Ward Improvement Association of St. Louis, Mo., favoring time extension for the completion of the municipal free bridge across the Mississippi River; to the Committee on Interstate and Foreign Commerce.

Also, resolution of Branch 343, of St. Louis, Mo., of the National Association of Letter Carriers, in favor of H. R. 1654, providing for an increase in salary of postal employees; to the Committee on the Post Office and Post Roads.

By Mr. RAINEY: Petition of A. H. Shields and other old soldiers of Havana, Ill., against $25 pensions for widows while many soldiers are drawing less than $20; to the Committee on Invalid Pensions.

By Mr. STEENERSON: Resolution adopted by the City Council of Minneapolis, Minn., urging Congress to enact legislation to punish persons interfering with the Government in the prosecution of the war; to the Committee on Military Affairs.

SENATE.

MONDAY, *January 14, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, our hearts are saddened as we come together by the news of the death of another Member of this Senate. We thank Thee for the life and character of the distinguished Senator who has gone from our midst. We will cherish his memory. He was among us who served faithfully and devotedly the interests of his country, kind and generous in his friendships, patriotic, and consecrated to the highest ideals of Christian civilization. We pray that Thou wilt impress us this day with the great fact that in the midst of life we are in death, that we may catch the inspirations of life from the sweet memories that linger with us of those who have gone before us and conform our lives to the Divine ideals, that we may be ready for the passage into that eternal world beyond. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Secretary proceeded to read the Journal of the proceedings of Friday last when, on request of Mr. MARTIN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

COMMITTEE SERVICE.

Mr. MARTIN. Mr. President, at the request of the Senator from South Carolina [Mr. SMITH] I ask that he be excused from further service as a member and chairman of the Committee on Immigration, and at the request of the Senator from Georgia [Mr. HARDWICK] I ask that he be excused from further service as a member and chairman of the Committee on Industrial Expositions.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MARTIN. I ask unanimous consent that the following committee assignments may be made. I send the order to the desk and ask that it may have immediate consideration.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

Ordered, That Senator SMITH of South Carolina be appointed chairman of the Committee on Interstate Commerce;

That Senator HARDWICK be appointed chairman of the Committee on Immigration;

That Senator CHAMBERLAIN be appointed a member of the Committee on Coast Defenses;

That Senator JAMES be appointed a member of the Committee on Interstate Commerce; and

That Senator JOHNSON of South Dakota be appointed a member of the Committee on Public Lands.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 2316) to promote export trade, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WEBB, Mr. CARLIN, and Mr. VOLSTEAD managers at the conference on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6176. An act extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va.; and

H. R. 8496. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

HOUR OF MEETING TO-MORROW.

Mr. MARTIN. I move that when the Senate adjourns to-day it adjourn to meet at 10 o'clock a. m. to-morrow.

The motion was agreed to.

HOUSE BILLS REFERRED.

H. R. 6176. An act extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va., was read twice by its title and referred to the Committee on Commerce.

H. R. 8496. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, was read twice by its title and referred to the Committee on Pensions.

DEATH OF SENATOR JAMES H. BRADY.

Mr. BORAH. Mr. President, it becomes my painful duty to announce the death of my colleague, which took place in this city at his home yesterday at 6.30 p. m.

This is not the time, Mr. President, to enter upon a discussion of the life and services of Mr. BRADY. On some future day I shall ask the Senate to set aside a time to consider his life and public services.

For the present, Mr. President, I offer the following resolutions and ask for their consideration.

The resolutions were read, considered by unanimous consent, and unanimously agreed to, as follows:

Senate resolution 182.

Resolved, That the Senate has heard with deep regret and profound sorrow of the death of Hon. JAMES H. BRADY, late a Senator from the State of Idaho.

Resolved, That a committee of 10 Senators be appointed by the Vice President to take order for superintending the funeral of the late Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

The Vice President, under the second resolution, appointed the Senator from Idaho [Mr. BORAH], the Senator from New Hampshire [Mr. GALLINGER], the Senator from Utah [Mr. SMOOT], the Senator from Ohio [Mr. HARDING], the Senator from Wyoming [Mr. WARREN], the Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Colorado [Mr. THOMAS], the Senator from Utah [Mr. KING], the Senator from Florida [Mr. FLETCHER], and the Senator from Kentucky [Mr. BECKHAM] as the committee on the part of the Senate.

Mr. BORAH. Mr. President, as a further mark of respect to the dead, I move that the Senate do now adjourn.

The motion was unanimously agreed to, and (at 12 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 15, 1918, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 14, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, source of all our longings, hopes, and aspirations, strengthen our arm of faith, that we may draw near to Thee, be inspired with brighter hopes, a deeper, purer love for Thee and our fellow men; that selfishness may depart, evil cease, and brotherly love prevail; that godliness may enrich the heart, the home, society, the Nation, wars vanish, and the world become a better dwelling place for all classes and conditions of men.

To the glory and honor of Thy Holy Name. Amen.

The Journal of the proceedings of Friday, January 11, 1918, was read and approved.

LEAVE OF ABSENCE.

Mr. BYRNS of Tennessee. Mr. Speaker, Mr. EVANS, of Montana, is detained at home this morning in his apartment on account of sickness. I want to ask that he be excused for a week on that account.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the gentleman from Montana [Mr. EVANS] be excused for one week on account of sickness. Is there objection?

There was no objection.

Mr. HAWLEY, by unanimous consent, at the request of Mr. SINNOTT, was granted leave of absence for an indefinite period on account of sickness.

By unanimous consent, at the request of Mr. LEVER, leave of absence was granted to Mr. WHALEY on account of serious illness of his brother.

LEAVE TO PRINT.

Mr. CANTRILL. Mr. Speaker, I ask unanimous consent to print in the Record a very brief statement from the New York Times relative to the meeting of the New York Bar Association on Saturday night, in which a statement appears from Mr. Hughes relative to the moral and eloquent leadership of President Wilson.

The SPEAKER. Is there objection to the gentleman's request?

Mr. WALSH. I object.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent to file the report on the Indian appropriation bill at any time before 12 o'clock to-night, as if the House were in session.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to file the report on the Indian appropriation bill at any time before 12 o'clock midnight, whether the House is in session or not. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Kansas reserves all points of order on the bill.

WITHDRAWAL OF PAPERS.

The SPEAKER. The Chair lays before the House the following letter, which the Clerk will report.

The Clerk read as follows:

JANUARY 12, 1918.

Hon. CHAMP CLARK,
Speaker of the House of Representatives:

I hereby ask unanimous consent to withdraw from the files of the House, without leaving copies, the papers in the case of Mary M. Murray, no adverse report having been made thereon.

EDWARD E. BROWNE.

The SPEAKER. Without objection, the permission will be granted.

There was no objection.

The SPEAKER. The gentleman from Wisconsin [Mr. LENROOT] is recognized for 30 minutes.

Before the gentleman begins, the Chair wishes to announce again that the easy way and the short way to get leave of absence is to write a slip out and give it to the Clerk. We will get through a heap quicker.

Mr. ASHBROOK. Mr. Speaker, I notice that every day Members submit requests to withdraw papers from the file room. I wonder why this is, when Members can go there and withdraw them.

Mr. CAMPBELL of Kansas. I understand the rule to be that if an adverse report has been made, the files can not be taken out. If an adverse report has not been made, the files can be taken out.

The SPEAKER. The gentleman from Illinois [Mr. MANN] expounded that question once, but I have forgotten the reason he gave.

Mr. FOSTER. They can not get the papers unless the bill to which they refer has already been introduced and is before the committee.

Mr. CAMPBELL of Kansas. I know what the prevailing and controlling reason is, that in the case of a bill on which an adverse report has been made the papers can not be taken from the files.

Mr. ASHBROOK. I would like to inquire if they can be withdrawn, even with the consent of the House, when an adverse report has been made?

Mr. CAMPBELL of Kansas. Not without leaving copies.

The SPEAKER. Is the answer of the gentleman from Kansas satisfactory?

Mr. ASHBROOK. It is partially so.

LEAVE TO ADDRESS THE HOUSE.

Mr. HAMLIN rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. HAMLIN. I ask unanimous consent that I may address the House for not to exceed 30 minutes, when the gentleman from Wisconsin [Mr. LENROOT] shall have finished, on the subject of the war.

The SPEAKER. The gentleman from Missouri asks unanimous consent that at the conclusion of the remarks of the gentleman from Wisconsin [Mr. LENROOT] he be permitted to address the House for 30 minutes on the subject of the war. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, may I have the attention of the gentleman from North Carolina [Mr. KITCHIN]? I understand that after the speeches

scheduled for to-day there is going to be no other business before the House?

Mr. KITCHIN. We expect to adjourn out of respect to the memory of the late Senator BRADY from Idaho.

Mr. TREADWAY. Mr. Speaker, may I have five minutes before the gentleman from Missouri?

Mr. KITCHIN. I suggest to the gentleman from Missouri that he wait until to-morrow.

Mr. HAMLIN. At the suggestion of the gentleman from North Carolina, Mr. Speaker, I am perfectly willing to wait until to-morrow.

Mr. KITCHIN. The gentleman can get time on the Indian appropriation bill.

Mr. HAMLIN. If I can get it on the discussion of the Indian appropriation bill, I will withdraw my request.

The SPEAKER. Does the gentleman from Missouri withdraw his request?

Mr. HAMLIN. Yes; I withdraw my request.

The SPEAKER. Does the gentleman from Massachusetts [Mr. TREADWAY] desire to make any request?

Mr. TREADWAY. No, Mr. Speaker; I will defer my request as the gentleman from Missouri has done.

The SPEAKER. The gentleman from Wisconsin [Mr. LENROOT] is recognized.

Mr. LENROOT. Mr. Speaker, in the President's proclamation taking over the railroads for the duration of the war there is an assertion of power by him and attempted to be delegated to the Director General of Railroads which should receive the attention of Congress and the country. I refer to that paragraph of the proclamation reading as follows:

> Until and except so far as said director shall from time to time otherwise by general or special orders determine, such systems of transportation shall remain subject to all existing statutes and orders of the Interstate Commerce Commission and to all statutes and orders of regulating commissions of the various States in which said systems or any part thereof may be situated. But any orders, general or special, hereafter made by said director shall have paramount authority and be obeyed as such.

This is a declaration upon the part of the President that during the time the railroads of the United States shall be in his possession in behalf of the Government all statutes of the United States, all orders of the Interstate Commerce Commission, and all statutes of the various States and orders of State commissions relating to railroads may be suspended by him, acting through the Director General whom he has appointed. I confidently assert that no such power has been delegated to him and none can exist unless expressly delegated by Congress. If this power does exist the Interstate Commerce Commission may be deprived of all of its functions by the Director General except the drawing of their salaries. The safety appliance acts, the boiler-inspection act, the hours-of-service act, the eight-hour law, the statutes providing for reasonable rates and prohibiting discrimination, all can be suspended if the Director General shall so order.

I do not now propose to discuss whether such a power should be delegated to the President, but only the question of whether it has been delegated. The power exercised by the President in taking over the railroads is declared in the proclamation to be founded upon the acts of Congress declaring a state of war to exist between the United States and the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, and by section 1 of the act approved August 29, 1916, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes." The last-named act, so far as it relates to this subject, reads as follows:

> The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same to the exclusion, as far as may be necessary, of all other traffic thereon for the transfer or transportation of troops, war material, and equipment, or for such other purposes connected with the emergency as may be needful or desirable.

The power conferred by this act is plainly stated. It is to take possession and assume control of the railroads and utilize the same to the exclusion, so far as may be necessary, of all other traffic thereon for the purposes named. There is no language in this act from which any implication can be drawn that the President is given power to set aside or suspend any existing statutes relating to railroads. I think I am safe in asserting that when this act was passed no Member of Congress ever dreamed that under it a power to set aside the laws enacted by Congress would be asserted. While there are certain statutes affecting railroads that will not affect them while in possession of the Government, it is not because of any power of the President to suspend them, but only because under the now existing conditions they are no longer applicable. A most important illustration of this is the statute against pooling. This statute can not be set aside or suspended, but it will have no applicability so long as the railroads are in the possession of the United States, for while they are in this condition there is for practical purposes but one single control expressly authorized by Congress and therefore there can be no diversified interests to be pooled. Exactly the same situation would arise if Congress should authorize one single Federal corporation to take over all of the railroads of the United States, and that corporation did so. The statutes of the United States in that case against pooling would not apply to the business of that corporation, for there would be no competition and no other railroad with which a pooling agreement might be made. Therefore, as in the present case, while the antipooling statute would remain it would not apply; but the statutes of the United States providing for the safety of the public and railway employees, the prevention of unjust and discriminatory rates, and delegating to a tribunal of the United States the power and duty of enforcing these statutes, still stand with full force and effect.

Although I do not know upon what particular ground this power is asserted, I assume that it may be based upon the general principle that the sovereign authority is not bound by the general words of a statute unless expressly named therein, and that it may be argued upon this principle that the various statutes of the United States relating to railroads, inasmuch as they do not expressly name the United States being bound by them, if it should own or control a railroad, that the United States is not bound. But while the doctrine is sometimes stated in as broad language as I have just put it, it is subject to very important qualifications, and these qualifications clearly take the present case out of the principle. The correct rule is that where general words in a statute would, if the sovereign was included, divest it of any prerogative, right, title, or interest which it theretofore had, then, and in that case, the sovereign will not be deemed to be included in the general words, but where general words are used in a statute the purpose and object of which is to promote the public welfare and prevent injury and wrong, then and in that case the sovereign authority is deemed to be included in such general words without being expressly named therein. If then I have stated the correct rule, it is plain that the statutes that I have specifically named were enacted to promote the public welfare and prevent injury and wrong and that they are in full force and effect against the United States in the operation of railroads and as completely as when the railroads were under private operation. That the correct rule is as I have just stated it has been held by the Supreme Court of the United States in numerous cases. In the case of the United States *v.* Knight (14 Pet., 301), the construction of an act of Congress was under consideration, and the question was whether such act applied to the United States. The language of the act, so far as it pertains to this question, was as follows:

> *And be it further enacted,* That writs of execution and other final process, issued on judgments and decrees rendered in any of the courts of the United States, and the proceedings thereupon shall be the same except their style in each State as are now used in the courts of such State.

With a provision—

> That it shall be in the power of the courts if they see fit in their discretion, by rules of court, so far to alter final process in said courts as to conform the same to any change which may be adopted by the legislatures of the respective States for the State courts.

The court said:

> It is first objected that whatsoever may be the construction of this section, as now governing executions in case of other parties, yet it does not embrace those issued on judgments rendered in favor of the United States; and this upon the ground that the United States are never to be considered as embraced in any statute, unless expressly named.
>
> The words of this section being, "that writs of execution and other final process, issued on judgments and decrees rendered in any of the courts of the United States," it is obvious that the language is sufficiently comprehensive to embrace them, unless they are to be excluded by a construction founded upon the principle just stated. In Bacon's Abridgment (title "Prerogative," 3-5), it is said that the general rule is that where an act of Parliament is made for the public good, the advancement of religion and justice, and to prevent injury and wrong, the King shall be bound by such act, though not particularly named therein. But where a statute is general, and thereby any prerogative, right, title, or interest is divested, or taken from the King, in such case he shall not be bound; unless the statute is made by express words to extend to him. It is a settled principle that the King is not, ordinarily, barred, unless named by an act of limitations. The principle expressed in the maxim nullum tempus occurrit regi rests upon the ground that no laches shall be imputed to him. The doctrine that the Government should not, unless named, be bound by an act of limitations is in accordance with that just cited from Bacon, because if bound it would be barred of a right; and in all such cases is not to be construed to be embraced unless named, or, what would be equivalent, unless the language is such as to show clearly that such was the intent of the act. The same principle has been decided in New York, Pennsylvania, Massachusetts, and no doubt in other States; and all upon the same ground. Not upon any notion of prerogative, for even in England, where the doctrine is stated under the head of prerogative, this in effect means nothing more than that this exception is made from the statute for the

public good, and the King represents the nation. The real ground is a great principle of public policy, which belongs alike to all governments, that the public interests should not be prejudiced by the negligence of public officers, to whose care they are confided. Without undertaking to lay down any general rule as applicable to cases of this kind we feel satisfied that when, as in this case, a statute which proposes only to regulate the mode of proceeding in suits, does not divest the public of any right, does not violate any principle of public policy; but, on the contrary, makes provisions in accordance with the policy which the Government has indicated by many acts of previous legislation, to conform to State laws, to giving to persons imprisoned under their execution the privilege of jail limits; we shall best carry into effect the legislative intent by construing the executions at the suit of the United States to be embraced within the act of 1828.

Now, while this is very technical, the case that I have now cited and read, and quoted from the opinion of, is clearly upon all fours with the discussion that I am discussing. There was a statute in general language. The question there was whether the United States was included within the general language of the statute, just as we have here the question whether the United States is included in the general language of the interstate-commerce law.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. LENROOT. I yield to the gentleman.

Mr. GREEN of Iowa. I quite agree with the views which the gentleman has forcibly and clearly expressed, and my understanding is that there are many other lawyers who also agree. This was clearly intimated by Senator CUMMINS the other day in the hearings before the joint committee, when he inquired of one of the members of the Interstate Commerce Commission what would be left of the laws and the Constitution under the President's order. My understanding is that the commissioner was somewhat at a loss for a reply.

Mr. WALSH. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. WALSH. The gentleman has made a very careful study of this question, but I want to ask him if it is his opinion that in a case where the Commander in Chief was engaged in the movement of our troops he would be bound by the provisions, for instance, of the eight-hour law, and that the progress of the troops while being moved would have to be interfered with because he was bound to observe the eight-hour law as a safety-appliance act.

Mr. LENROOT. I am very frank to say to the gentleman that that presents a different question, and one which I do not propose to discuss to-day; but there is a distinction between the control and the operation of the railroads in carrying out the purely military purposes of the Government and the carrying on of the ordinary functions of the railroads, so far as private shippers are concerned.

Mr. REAVIS. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. REAVIS. Was not that distinction made in the act under which the President is now acting?

Mr. LENROOT. It certainly is expressly stated that the President may use the same for these military purposes, to the exclusion of all other business.

But, going on with my legal argument—because this is merely a legal argument—this same doctrine was approved in the case of United States *v.* Herron (20 Wal., 251). In this case, however, unlike the Knight case, if the United States had been deemed to be included in the general language, it would have divested it of one of its prerogatives, and there was nothing in the case to bring it within the qualifications of a statute whose object was to promote the public welfare and prevent injury and wrong, but in this case the correct doctrine is stated by the court as follows:

> It is a maxim of the common law—
>
> Said Savage, chief justice—
>
> that when an act of Parliament is passed for the public good, as for the advancement of religion and justice, or to prevent injury and wrong, the King shall be bound by such act, though not named, but when a statute is general and any prerogative, right, or interest would be divested or taken from the King, in such a case he shall not be bound unless the statute is made by express words to extend to him, for which he cites both English and American authorities, and adds that the people of the State, being sovereign, have succeeded to the rights of the former sovereign, and that the people of the State are not bound by the general words in the insolvent law. (People *v.* Herkimer, 4 Cow, 348; see also Com. *v.* Hutchinson, 10 Pa., 466, which is to the same effect; Hilliard Bank (2d ed., 295.)
>
> Sanctioned as that principle is by two express decisions of this court, it would seem that further discussion of it is unnecessary, as it has never been questioned by any well-considered case, State or Federal, and is founded in the presumption that the legislature, if they intended to divest the sovereign power of any right, privilege, title, or interest, would say so in express words; and where the act contains no words to express such an intent, that it will be presumed that the intent does not exist. (U. S. *v.* Knight, 14 Pet., 315; Bk. *v.* U. S., decided at the present term (ante), 80; U. S. *v.* Hoar, 2 Mass., 311; Com. *v.* Baldwin, 1 Watts, 54.)

Every State court, so far as I can find, that has had occasion to consider this subject has laid down the same doctrine, that any statute whose object is to promote the public welfare and prevent injury and wrong binds the sovereign as well as the people, even though not expressly named, and it is only statutes where the sovereign, if included, would be divested of some prerogative, right, title, or interest, that it must be expressly named. It is true that in some of the cases there is general language stating the general rule without qualifications, but in all such cases the facts making the qualification were not present. Such a case is that of the Guaranty Title & Trust Co. against The Title, Guaranty & Surety Co., Two hundred and twenty-fourth United States, 151, but it is to be observed that in this case the decision in United States against Herron, which I have just quoted, was approved, and in this case the sole question was that of whether the United States, as a creditor, was bound by certain provisions of the bankruptcy law. The court very properly held that "the general language in the statute did not include the United States." To have included it would have divested it of a prerogative and right that it theretofore had.

It seems entirely clear, then, that, so far as the act of Congress of August 29, 1916, is concerned, empowering the President to take over the railroads, no power has been delegated to him by that act to set aside or suspend any of the statutes of the United States such as I have specifically named and others whose object is to safeguard the public welfare and prevent injury and wrong. The United States is as much bound by the provisions of these statutes as the railroads were when in the possession of private owners.

One other question then presents itself and that is whether the powers delegated to the President by Congress in the declaration of war against Germany and Austria conferred any power to set aside or suspend the statutes in question. I think that it can be completely demonstrated that they do not. The power delegated to the President in these declarations is in the following language:

> And that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial German Government.

It may be claimed that the power to employ the resources of the Government to carry on the war carries with it the power to suspend the statutes of the United States if he shall deem it necessary to carry on the war. No such power can be implied from the language used. It seems to me entirely clear that the proper construction of this language is that the President is authorized and directed to employ the resources of the Government to carry on the war, but not in violation of any existing law. Assume for the purpose of argument that the railroads of the United States when taken possession of by the United States become resources of the United States, the President can no more use them in violation of existing law than any other resource of the United States in violation of existing law. To illustrate: Congress prior to the declaration of war passed most of the annual appropriation bills, appropriating more than $1,000,000,000 for various purposes. The amount of money in the Treasury necessary to meet these appropriations is a resource of the United States, but a resource which Congress by law has decreed should be used for certain specific purposes. Will anyone claim that the delegation of power to the President to employ the resources of the United States to carry on the war authorizes him to nullify and set aside as he might see fit the annual appropriation laws enacted by Congress?

Mr. SINNOTT. I have not heard all of the gentleman's remarks. Has he referred to the statute which the President has suspended?

Mr. LENROOT. He has not suspended any. He has merely asserted the power to suspend, the right to suspend, and the priority of any orders issued by the Director General of Railroads over any statute relating to railroads, and has directed that they be obeyed as such.

Again, the public lands of the United States containing coal and oil are, of course, resources of the Government. We have laws providing for their disposition. Public lands containing coal under these laws can not be sold for less than their appraised value. Would it be claimed that under the power to use the resources of the Government to prosecute the war the President could set aside or suspend these laws and sell all the coal lands of the United States for any price that he chose? No one, of course, would make any such claim, and it is therefore easily demonstrated that under the power to use the resources of the Government he could only use them in accordance with existing law, and this principle applies to railroads as well as coal lands. Upon mature reflection it seems to me that no one can claim that the power to employ the resources of the Government to carry on the war carries with it a power to set aside or suspend any of the laws of the United States.

Mr. CANTRILL. Mr. Speaker, will the gentleman permit a question?

Mr. LENROOT. Certainly.

Mr. CANTRILL. As I understand the gentleman, he makes some objection to the method of the President. The gentleman's time is about to expire, so I wish to ask him—the gentleman favors, of course, the complete Federal control of railroads?

Mr. LENROOT. Yes; and I favor the President's action in taking over the railroads.

Mr. CANTRILL. That is what I wanted to know.

Mr. LENROOT. I am simply discussing the question of method.

Mr. CANTRILL. But you are not opposed to it?

Mr. LENROOT. Oh, not at all. I am just coming to that.

Mr. CANTRILL. The gentleman knows, of course, that his party is committed to complete Federal control of railroads?

Mr. LENROOT. Oh, well, I will not discuss that with the gentleman. Whether or not the President should have the power to suspend any of these statutes in order to more efficiently carry on railroad transportation is a matter that should be settled by Congress, and it should act only upon complete information as to the necessity of delegating such power. The Interstate Commerce Commission is a tribunal created by Congress for the enforcement of these statutes. The functions now exercised by them should continue to be so exercised until it is clearly shown that the public interest and the successful prosecution of the war demands that the Director General of Railroads should be clothed with these great powers. It is no answer to say that the Director General will not abuse the power that is claimed for him. Congress is the direct representative of the people, and any powers not directly vested in the executive officers of the Government by the Constitution necessary to win this war should come from Congress. Congress has freely granted all necessary powers in this regard in the past that have been asked for by the administration. Congress will continue to do so in the future, but the assertion of a power to set aside or suspend the statutes of the United States by the executive department of this Government without lawful authority so to do should challenge the serious consideration of Congress and of the country.

I sincerely hope that the executive department of the Government, upon reflection, will not assert any of the powers it has claimed in this matter, and that if further power is needed it will secure it in a lawful way by coming to Congress for it. [Applause.]

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3223. An act providing for the continuance of the Osage Indian School, Oklahoma, for a period of 13 years from January 1, 1918; to the Committee on Indian Affairs.

S. 2052. An act authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims, and for other purposes; to the Committee on Indian Affairs.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with deep regret and profound sorrow of the death of Hon. JAMES H. BRADY, late a Senator from the State of Idaho.

Resolved, That a committee of 10 Senators be appointed by the Vice President to take order for superintending the funeral of the late Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased Senator the Senate do now adjourn.

And that in compliance with the foregoing resolution the Vice President had appointed Mr. BORAH, Mr. GALLINGER, Mr. SMOOT, Mr. HARDING, Mr. WARREN, Mr. CHAMBERLAIN, Mr. THOMAS, Mr. KING, Mr. FLETCHER, and Mr. BECKHAM as said committee.

DEATH OF SENATOR BRADY.

Mr. SMITH of Idaho. Mr. Speaker, it becomes my sorrowful duty to announce the death of Hon. JAMES H. BRADY, the junior Senator from Idaho, who passed away at his home in this city last evening after an illness of one week. Senator BRADY was held in affectionate regard by the Members of the Senate and by those in this body who enjoyed an acquaintance with him, many of whom will desire to bear witness to his patriotic devotion to his country and his wise and intelligent counsel in legislative affairs; but this is not an appropriate time to eulogize his splendid life and accomplishments.

The House will be requested at a later date to suspend temporarily its business in order that well-deserved tributes may be paid to his high character and distinguished public service.

I offer the following resolution.

The SPEAKER pro tempore (Mr. PARK). The gentleman from Idaho offers a resolution which the Clerk will report.

The Clerk read as follows:

House resolution 223.

Resolved, That the House has heard with profound sorrow of the death of Hon. JAMES H. BRADY, a Senator of the United States from the State of Idaho.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of 15 Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

Resolved, That as a further mark of respect the House now adjourn.

The resolutions were agreed to, and the Speaker appointed as the committee on the part of the House Mr. DILL, Mr. FRENCH, Mr. SMITH of Idaho, Mr. DILLON, Mr. HILLIARD, Mr. EVANS, Mr. GANDY, Mr. MAYS, Mr. ROBERTS, Mr. ROMJUE, Mr. WALSH, Mr. AUSTIN, Mr. BENJAMIN L. FAIRCHILD, Mr. RAKER, and Mr. MCARTHUR.

In accordance with the resolution, the House (at 12 o'clock and 45 minutes p. m.) adjourned until Tuesday, January 15, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the United States Food Administrator submitting a supplemental estimate of appropriation in the sum of $10,000,000 required for the fiscal year 1919 (H. Doc. No. 786); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of State submitting a proposed draft of an act to amend section 2 of the act of February 5, 1915 (38 Stat., 805) (H. Doc. No. 787); to the Committee on Foreign Affairs and ordered to be printed.

3. A letter from the Secretary of Agriculture, transmitting annual report of expenditures for the fiscal year ended June 30, 1917 (H. Doc. No. 788); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

4. A letter from the Secretary of the Interior, transmitting two statements, one covering "sale of surplus and obsolete material and equipment during the year ended June 30, 1917," and the other "collections from town-site assessments to June 30, 1917" (H. Doc. No. 789); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of War, transmitting report of expenditures on account of appropriation "Contingencies of the Army" during the fiscal year ended June 30, 1917 (H. Doc. No. 790); to the Committee on Expenditures in the War Department and ordered to be printed.

6. A letter from the Secretary of War, transmitting report of expenditures on account of appropriation for contingent expenses of the War Department during the fiscal year ended June 30, 1917 (H. Doc. No. 791); to the Committee on Expenditures in the War Department and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of State submitting supplemental estimate of appropriations required by the State Department for expenses of the Diplomatic and Consular Service for the fiscal year 1919 (H. Doc. No. 792); to the Committee on Foreign Affairs and ordered to be printed.

8. A letter from the president of the Chesapeake & Potomac Telephone Co. transmitting report of the Chesapeake & Potomac Telephone Co. for the year 1917 (H. Doc. No. 793); to the Committee on the District of Columbia and ordered to be printed.

9. A letter from the vice president of the Georgetown Barge, Dock, Elevator & Railroad Co., transmitting report of the Georgetown Barge, Dock, Elevator & Railroad Co. for the year ending December 31, 1917 (H. Doc. No. 794); to the Committee on the District of Columbia and ordered to be printed.

10. A letter from the president of the United States Civil Service Commission, transmitting certain schedules of useless papers in the office of the secretaries of the fourth, eleventh, and twelfth civil-service districts, and in the office of the labor board at the Norfolk (Va.) Navy Yard, which are not needed in the transaction of public business and are of no permanent value or historical interest (H. Doc. No. 795); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

11. A letter from the Secretary of the Treasury, transmitting copy of a communication from the chairman of the United

States Shipping Board submitting a supplemental estimate of appropriation required by the United States Shipping Board for the construction of ships, fiscal year 1919 (H. Doc. No. 796); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting supplemental estimates of appropriations required by the War Department for the fiscal year 1918 (H. Doc. No. 797); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a proposed paragraph of legislation for inclusion in the urgent deficiency bill (H. Doc. No. 798); to the Committee on Appropriations and ordered to be printed.

14. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting supplemental estimates of appropriations required by the War Department for fortifications, etc., Panama Canal (H. Doc. No. 799); to the Committee on Appropriations and ordered to be printed.

15. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a supplemental estimate of appropriations required by the United States Geological Survey for "Examination and classification of lands for homesteads," fiscal year 1918 (H. Doc. No. 800); to the Committee on Appropriations and ordered to be printed.

16. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting a supplemental estimate of appropriation required by the Navy Department for rent of building, fiscal year 1919 (H. Doc. No. 801); to the Committee on Appropriations and ordered to be printed.

17. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the War Department for increase in salaries of certain employees of the Army War College for the fiscal year 1919 (H. Doc. No. 802); to the Committee on Military Affairs and ordered to be printed.

18. Letter from the Secretary of the Treasury, transmitting copy of communication from the chairman of the United States Shipping Board submitting a proposed change in the wording of the estimates of appropriations for acquisition of plants suitable for shipbuilding, etc., for the fiscal year 1919 (H. Doc. No. 803); to the Committee on Appropriations and ordered to be printed.

19. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a supplemental estimate of appropriation required by the Reclamation Service for secondary projects, cooperative and other miscellaneous investigations, for the fiscal year 1919 (H. Doc. No. 804); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. NOLAN, from the Committee on Labor, to which was referred the bill (H. R. 152) to fix the compensation of certain employees of the United States, reported the same without amendment, accompanied by a report (No. 239), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARTER of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 8696), making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, reported the same without amendment, accompanied by a report (No. 240), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MAPES: A bill (H. R. 8695) to increase pensions of certain soldiers and sailors of the Civil War; to the Committee on Invalid Pensions.

By Mr. CARTER of Oklahoma: A bill (H. R. 8696) making appropriation for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919; to the Committee of the Whole House on the state of the Union.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8697) granting an increase of pension to John H. Day; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8698) granting an increase of pension to James H. Kiste; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8699) granting a pension to Sarah A. Trauger; to the Committee on Invalid Pensions.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 8700) granting an increase of pension to Hezekiah Smith; to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 8701) granting a pension to Corwin W. Holibaugh; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 8702) increasing the pay of compositors and pressmen employed in the Government Printing Office, and for other purposes; to the Committee on Printing.

By Mr. JACOWAY: A bill (H. R. 8703) for the relief of the heirs of N. N. Barmore, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8704) for the relief of James A. Frey; to the Committee on Claims.

By Mr. McKEOWN: A bill (H. R. 8705) granting an increase of pension to A. J. Davis; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 8706) granting an increase of pension to George Byers; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 8707) for the relief of William W. Hawley; to the Committee on Military Affairs.

Also, a bill (H. R. 8708) granting a pension to Robert E. McCormick; to the Committee on Pensions.

By Mr. RANDALL: A bill (H. R. 8709) to reimburse the California Shipbuilding Co. for its expenditures over the price named in the contract for the United States lighthouse tender *Cedar;* to the Committee on Claims.

By Mr. SCHALL: A bill (H. R. 8710) granting an increase of pension to Henry Kolp; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 8711) granting pension to James B. Shannon; to the Committee on Pensions.

By Mr. WELTY: A bill (H. R. 8712) for the relief of George R. Gary; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CLARK of Pennsylvania: Petition of Turner W. Shacklett, postmaster; Hon. Miles B. Kitts, mayor; Frank Nagorski, councilman; Theo. Eichhorn, councilman; Thomas Mehaffey, councilman; W. D. Kinney, councilman; S. L. Gilson, councilman; Hon. U. P. Rossiter, presiding judge; Hon. E. L. Whittelsey, additional judge; Joseph Leslie, controller; Joseph Rogan, commissioner; T. W. Waterhouse, commissioner; Joseph Williams, commissioner's clerk; R. H. Howell, register and recorder; J. B. Yard, prothonotary; H. G. Brevillier, prothonotary's clerk; F. H. Watson, county detective; W. C. Kramer, commissioner; and G. W. Fowler, food commissioner, all citizens of Erie, Pa., praying for enactment of immediate legislation for preservation of commodore Perry's flag ship *Niagara*, in the Battle of Lake Erie; to the Committee on Naval Affairs.

Also, petition of F. H. Houghton, George W. Lunger, E. J. Hallock, S. D. Warner, and 42 others, citizens of Erie, Pa., praying for the enactment of immediate legislation for the preservation of Commodore Perry's flag ship *Niagara*, in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. DALE of New York: Petition of the Chamber of Commerce of Topeka, Kans., and Tufts College Publishing Association of Massachusetts, against increased rates on second-class mail; to the Committee on Ways and Means.

By Mr. DUPRÉ: Memorial of Local No. 22, Federal Employees' Union, favoring passage of the Nolan minimum wage bill; to the Committee on Labor.

Also, petition of the Federal Employees Union, favoring bill for retirement of all civil-service employees who are superannuated; to the Committee on Reform in the Civil Service.

By Mr. FULLER of Illinois: Memorial of the American Pharmaceutical Association, favoring House bill 5531, to increase the efficiency of the Medical Department of the Army, etc.; to the Committee on Military Affairs.

Also, petition of the Supreme Lodge, Order of Mutual Protection, favoring the Chamberlain bill for universal military training; to the Committee on Military Affairs.

Also, memorial of the Military Order of Foreign Wars of the United States, favoring amendment to the selective-service law by requiring registration of all men from 19 to 31 years of age; to the Committee on Military Affairs.

Also, memorial of the Topeka Chamber of Commerce, favoring repeal of the second-class postage provision of the revenue bill; to the Committee on Ways and Means.

By Mr. VARE: Memorial of the city council of Philadelphia, Pa., against abolition of pneumatic mail tubes in Philadelphia; to the Committee on the Post Office and Post Roads.

Also, memorial of the Federal Employees Union, No 23, customs service, Philadelphia, favoring passage of the Keating and Nolan bills; to the Committee on Appropriations.

SENATE.

TUESDAY, *January 15, 1918.*

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, give unto us grace to meet the solemn responsibilities of this day, and when we come to its close may we cease with the comforting satisfaction of having accomplished God's will and of having filled up the measure of the day with the largest possible amount of usefulness on the part of every one of us. Guide us by Thine own unerring counsel into the larger life. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

THE SHIPPING SITUATION.

Mr. McCUMBER. Mr. President, I wish to give notice that to-morrow morning immediately after the close of the routine morning business I shall ask permission of the Senate to submit some remarks concerning the shipping situation of the world to-day.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, transmitted to the Senate resolutions on the death of Hon. JAMES H. BRADY, late a Senator from the State of Idaho.

SURPLUS AND OBSOLETE MATERIAL (H. DOC. NO. 789).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, statements covering the sale of surplus and obsolete material and equipment during the year ended June 30, 1917, and collections from town site assessments to June 30, 1917, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

SCHOOLS IN ALASKA.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement relative to the transfers of moneys from "The proceeds of town sites for schools and other improvements, Alaska," and "Construction and operation of railroads in Alaska," which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

CONSTRUCTION OF ROADS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, the annual report of expenditures for the fiscal year 1917, out of the funds appropriated for the survey, construction, and maintenance of roads and trails within or only partly within the national forests, together with a report of the expenditures for the construction of rural post roads under the Federal aid road act, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

FOOD PRODUCTS (H. DOC. NO. 785).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a detailed report of the expenditure of all moneys from the period from August 10 to November 15, 1917, appropriated under the act "to provide for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

LIST OF CLAIMS (S. DOC. NO. 162).

The VICE PRESIDENT laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting, pursuant to the order of the court, a list of cases referred to the Court of Claims by the United States Senate under the act of March 3, 1887, commonly known as the Tucker Act, and dismissed by the court November 12, 1917, on motion of the defendants, etc., which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO. (H. DOC. NO. 794).

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown Barge, Dock, Elevator & Railway Co. for the year ended December 31, 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

CHESAPEAKE & POTOMAC TELEPHONE CO. (H. DOC. NO. 793).

The VICE PRESIDENT laid before the Senate the annual report of the Chesapeake & Potomac Telephone Co. for the year ended December 31, 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names.

Ashurst	James	Norris	Smith, Ga.
Calder	Johnson, S. Dak.	Overman	Smith, Md.
Chamberlain	Jones, Wash.	Ransdell	Smoot
Fernald	Kenyon	Robinson	Swanson
Fletcher	Kirby	Saulsbury	Townsend
France	Knox	Shafroth	Trammell
Gronna	McCumber	Sheppard	Vardaman
Hale	McNary	Shields	Wadsworth
Harding	Nelson	Smith, Ariz.	

Mr. SHEPPARD. I desire to announce that the Senator from Illinois [Mr. LEWIS], the Senator from Rhode Island [Mr. GERRY], the Senator from California [Mr. PHELAN], and the Senator from Kansas [Mr. THOMPSON] are detained on important public business.

Mr. JAMES. I wish to announce that my colleague [Mr. BECKHAM] is absent on official business.

Mr. RANSDELL. I desire to announce the continued absence of my colleague [Mr. BROUSSARD] on account of illness.

Mr. TOWNSEND. I wish to announce the absence of my colleague [Mr. SMITH of Michigan], who reports that he is storm bound on his way to Washington. This announcement may stand for the day.

The VICE PRESIDENT. Thirty-five Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of absent Senators, and Mr. JOHNSON of California answered to his name when called.

The VICE PRESIDENT. Thirty-six Senators have answered to the roll call. There is not a quorum present.

Mr. SMOOT. I desire to announce that the Senator from New Hampshire [Mr. GALLINGER] is unavoidably detained from the Senate and that the Senator from Kansas [Mr. CURTIS] is absent on official business.

Mr. UNDERWOOD, Mr. POINDEXTER, and Mr. COLT entered the Chamber and answered to their names.

Mr. SMOOT. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. REED, Mr. MARTIN, Mr. MCKELLAR, Mr. NEW, Mr. WEEKS, Mr. PITTMAN, Mr. CUMMINS, Mr. KELLOGG, Mr. SMITH of South Carolina, and Mr. POMERENE entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present.

Mr. SMOOT. Mr. President, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

PETITIONS.

Mr. TOWNSEND presented a petition of the Trades and Labor Council of Lansing, Mich., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. FERNALD presented resolutions adopted by the Maine Sportsmen's Fish and Game Protective Association, favoring the enactment of legislation relative to the proper protection of migratory birds, which were referred to the Committee on Forest Reservations and the Protection of Game.

Mr. JOHNSON of South Dakota. I have two telegrams, one from C. M. Day, editor of the Argus, of Sioux Falls, S. Dak.,

and the other from W. R. Ronald, publisher of the Daily Republican, of Mitchell, S. Dak., relative to the control of the print-paper industry, which I ask to have printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

SIOUX FALLS, S. DAK., *January 14, 1918.*

Hon. E. S. JOHNSON,
United States Senator, Washington, D. C.:

South Dakota publishers who have suffered terribly from extortionate prices of print paper are to a man in favor of Smith resolution giving Federal Trade Commission power to regulate the price of print paper. Manufacturers are planning further aggressions if this resolution fails.

C. M. DAY, *Editor Argus Leader.*

—

MITCHELL, S. DAK., *January 14, 1918.*

Hon. ED. JOHNSON,
United States Senator, Washington, D. C.:

Permit me respectfully to urge you to support the Smith resolution for control of print-paper industry. Twelve hundred papers were forced out of business last year, yet papers are called upon constantly to help the Government in war activities. Are they not entitled to protection against a combine so unscrupulous as was shown in evidence in recent hearing in United States court at New York? Publishers want only justice and mills can suffer no injury at the hands of the Trade Commission.

W. R. RONALD,
Publisher Daily Republican.

REPORTS OF COMMITTEES.

Mr. FLETCHER, from the Committee on Commerce, to which was referred the bill (S. 3387) to authorize and empower the President to create military zones around shipyards where vessels are under construction for the United States, reported it with an amendment and submitted a report (No. 190) thereon.

He also, from the same committee, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (S. 3388) to amend the emergency shipping fund provisions of the urgent deficiency appropriation act approved June 30, 1917, so as to empower the President and his designated agents to take over certain transportation systems for the transportation of shipyard and plant employees, and for other purposes (Rept. No. 191); and

A bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes (Rept. No. 192).

Mr. SHAFROTH, from the Committee on Public Lands, to which was referred the bill (S. 1849) permitting minors of the age of 18 years or over to make homestead entry of the public lands of the United States, reported it without amendment and submitted a report (No. 189) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 3470) to amend section 35 of the Criminal Code of the United States (with accompanying papers);

A bill (S. 3471) to authorize the Secretary of War to grant furloughs without pay and allowances to enlisted men of the Army of the United States;

A bill (S. 3472) to authorize the Secretary of War to provide and issue distinctive buttons or badges to men drafted or volunteering for enlistment in the military forces who are exempted or rejected, and to provide a penalty for unlawfully wearing, procuring, or manufacturing the same (with accompanying papers);

A bill (S. 3473) to provide for the importation into the United States without the payment of duty of raw materials, parts or partly fabricated parts of equipment, and finished equipment for war purposes (with accompanying papers); and

A bill (S. 3474) to amend section 600 of an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917 (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 3475) to prescribe the requisite form of proof of death under policies or contracts of insurance covering the lives of persons in or serving with or attached to the military forces of the United States, and for other purposes (with accompanying papers); to the Committee on Finance.

A bill (S. 3476) to authorize the extension of a spur track or siding from the existing lines of railroad in the District of Columbia across First Street NE., between L and M Streets, to the buildings occupied by the Field Medical Supply Depot of the Army (with accompanying papers); to the Committee on the District of Columbia.

A bill (S. 3477) granting a pension to Lillie Walk (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 3478) amending the act commonly known as the "espionage act"; and

A bill (S. 3479) amending an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States"; to the Committee on Military Affairs.

A bill (S. 3480) to amend paragraph A, section 500, of an act entitled "An act to provide revenue to defray war expenses, and for other purposes"; to the Committee on Finance.

By Mr. NELSON:

A bill (S. 3481) to authorize the logging of timber on the Red Lake Indian Forest, Minn., under the direction of the Department of the Interior; to the Committee on Indian Affairs.

By Mr. McKELLAR:

A bill (S. 3482) to protect officers and enlisted men in the Army from discrimination; to the Committee on Military Affairs.

By Mr. SHIELDS:

A bill (S. 3483) to fix the salary of the assistant United States district attorney for the western district of Tennessee; to the Committee on the Judiciary.

A bill (S. 3484) granting an increase of pension to John L. Johnson;

A bill (S. 3485) granting an increase of pension to Oliver P. Chambers;

A bill (S. 3486) granting a pension to William R. Phillips;

A bill (S. 3487) granting an increase of pension to Thomas W. Stone; and

A bill (S. 3488) granting a pension to Tide Owens; to the Committee on Pensions.

By Mr. NEW:

A bill (S. 3489) granting an increase of pension to Daniel Barngrover;

A bill (S. 3490) granting a pension to Marshall E. Shutters;

A bill (S. 3491) granting a pension to Emma Emery;

A bill (S. 3492) granting an increase of pension to John M. Taylor;

A bill (S. 3493) granting a pension to Edgar L. Thompson;

A bill (S. 3494) granting an increase of pension to James W. Mefford;

A bill (S. 3495) granting an increase of pension to William S. Patterson;

A bill (S. 3496) granting a pension to Emma Pierce Sayce;

A bill (S. 3497) granting a pension to Frank H. Seay;

A bill (S. 3498) granting a pension to Henry C. Smither;

A bill (S. 3499) granting an increase of pension to John D. Swift (with accompanying papers);

A bill (S. 3500) granting an increase of pension to Leander Johnston (with accompanying papers);

A bill (S. 3501) granting an increase of pension to Theadore Routh (with accompanying papers);

A bill (S. 3502) granting an increase of pension to Elisha D. Turner (with accompanying papers); and

A bill (S. 3503) granting an increase of pension to Arnold Bauer (with accompanying papers); to the Committee on Pensions.

By Mr. POMERENE:

A bill (S. 3504) to provide further for the national security and common defense by the conservation of foodstuffs, feeds, and materials necessary for the production, manufacture, and preservation of foodstuffs and feeds; to the Committee on Interstate Commerce.

By Mr. HITCHCOCK:

A bill (S. 3505) authorizing the President of the United States to strike certain names from the lists of Army and Navy deserters; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota:

A bill (S. 3506) authorizing the Secretary of the Interior to aid lessees of Indian lands in increasing the food and forage supply of the country, and for other purposes; to the Committee on Indian Affairs.

By Mr. TOWNSEND:

A bill (S. 3507) granting a pension to Sylvester Oatman (with accompanying papers); to the Committee on Pensions.

By Mr. UNDERWOOD:

A bill (S. 3508) to amend an act approved May 28, 1896, making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes; to the Committee on the Judiciary.

By Mr. BANKHEAD:

A bill (S. 3509) for the relief of Bertram T. Clayton, jr.; to the Committee on Military Affairs.

By Mr. OWEN:

A bill (S. 3510) for the relief of the Woman's Board of Domestic Missions, Reformed Church of America; and

A bill (S. 3511) authorizing the Ponca Tribe of Indians residing in the States of Oklahoma and Nebraska to submit claims to the Court of Claims; to the Committee on Indian Affairs.

A bill (S. 3512) granting a pension to Charles E. Mann;

A bill (S. 3513) granting an increase of pension to George W. Case; and

A bill (S. 3514) granting a pension to John R. Tucker (with accompanying papers); to the Committee on Pensions.

By Mr. REED:

A bill (S. 3515) granting an increase of pension to George W. Evans (with accompanying papers);

A bill (S. 3516) granting a pension to Z. H. Golden (with accompanying papers);

A bill (S. 3517) granting a pension to Cora Summers (with accompanying paper);

A bill (S. 3518) granting a pension to George C. Williams (with accompanying papers);

A bill (S. 3519) granting a pension to Esther E. Cooper (with accompanying papers); and

A bill (S. 3520) granting a pension to Helen Sherry (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A joint resolution (S. J. Res. 123) providing for the calling into immediate military service of certain classes of persons registered and liable for military service under the terms of the act of Congress approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States" (with accompanying papers); and

A joint resolution (S. J. Res. 124) providing for the registration for military service of all male persons, citizens of the United States or residing in the United States who have, since the 5th day of June, 1917, and on or before the day set for the registration by proclamation by the President, attained the age of 21 years, in accordance with such rules and regulations as the President may prescribe under the terms of the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States"; to the Committee on Military Affairs.

NAVAL OIL SUPPLY.

Mr. SWANSON. Mr. President, at the last session of the Senate I presented a bill relative to the production, use, and conservation of oil and gas in naval petroleum reserves. The senior Senator from Colorado [Mr. THOMAS] objected to the introduction of the bill, and under the rule it went over one day. At that time I moved that it be referred to the Committee on Naval Affairs.

I now ask that the bill be read and referred to the Committee on Naval Affairs.

I should like to say in this connection that the Senator from Utah, as I understand, objects to the reference of the bill to the Committee on Naval Affairs and desires that it be sent to the Committee on Public Lands. As I understand the rules of the Senate, there is no rule affecting the reference of bills, except Rule XVI, which provides, under certain conditions, how an appropriation bill shall be referred; that bills making appropriations for the Navy shall be referred to the Committee on Naval Affairs, and so forth.

This bill affects lands that had been set aside by an order of the President in 1912, exclusively for the use and benefit of the Navy. That is the language under which this land was originally set aside. This bill proposes to condemn this land; that is, to condemn a portion of the land that has become private and for which patent has been issued, to pay for it, and to let the entire land be developed by the Navy in order to secure oil and conserve it.

As I understand, the contention of the Senator from Utah is that the bill should be referred to the Committee on Public Lands, the Senator claiming that the lands affected are public lands. I should like to make this distinction, that, while they are governmental lands, they are not public lands. As I understand, public lands are lands that are open to entry by the public. A navy yard is governmental land, but it is not public land; that is, the public has no right under the Pickett Act and other acts to make any entry on the land embraced within the naval reserves as public lands. They have been set aside for the exclusive use and benefit of the Navy; they are subject to use by the Navy, and, consequently, are within the control of the Navy. Therefore the proper reference of this bill is to the Committee on Naval Affairs.

In addition to that, I desire to say that this bill should go to a committee that is friendly. If the Senate is friendly to the protection of the naval reserves and desires them to be used for the benefit of the Navy, and it has the authority to refer bills to suit itself, the proper committee to have jurisdiction of the bill under the rules and precedents of the Senate is the Committee on Naval Affairs.

Mr. SMITH of Georgia. Mr. President, will the Senator state just how these lands became naval reserve lands?

Mr. SWANSON. The President by proclamation—I think in September, 1909—set aside certain lands from public entry as a reserve. Then, on June 25, 1910, the Pickett Act sustained the right to exclude these lands from public entry and authorized the President to set aside lands for naval and other purposes. In 1912 the President set aside these lands for the Navy as a naval reserve, using the language "for the exclusive use and benefit of the Navy." This bill does not affect any lands except those that have been set aside "for the exclusive use and benefit of the Navy."

Mr. SMITH of Georgia. Then these lands, by due legal procedure, under acts of the President and under acts of Congress, are now naval reserve lands?

Mr. SWANSON. Absolutely, and nothing else. They have been set aside "for the exclusive use and benefit of the Navy."

Mr. SMITH of Georgia. And what the Senator asks is that they all be handled and that legislation with reference to them be handled by the Naval Committee?

Mr. SWANSON. By the Naval Committee, like a navy yard or any other property pertaining to the Navy.

Mr. SMOOT. Mr. President, I hope the Senator from Georgia will not make up his mind on that question until I call his particular attention to the language of the bill.

I am rather surprised at the statement which has been made by the Senator from Virginia. The Senator says that these lands are not public lands; that included in the area are some lands within the withdrawn area to which title has been secured, and therefore they are not public lands. Mr. President, all I ask Senators to do is to read the bill. Perhaps I had better read portions of the bill so that the Senate will see exactly what it provides:

That the absolute title and right of possession to any oil or gas lands within the exterior boundaries of naval petroleum reserve No. 1, in California, as defined and established by Executive order dated September 2, 1912, naval petroleum reserve No. 2, in California, as defined and established by Executive order dated December 13, 1912, and naval petroleum reserve No. 3, in Wyoming, as defined and established by Executive order dated April 30, 1915, together with any oil and gas wells, machinery, equipment, appliances, and other property on, useful for, and incidental to the production, storage, transportation, refining, use, protection, and conservation of oil and gas on or in connection with said lands shall become vested in the United States upon the issuance from time to time by the President of an Executive order or proclamation to that effect, containing a description of said lands and other property; and thereupon it shall be the duty of the Secretary of the Navy to take possession of all properties so vested in the United States—

That is, by proclamation of the President—

to conserve, develop, use, and operate the same in his discretion, directly or by contract, lease, or otherwise, and to use, store, exchange, refine, sell, or otherwise dispose of the oil and gas products thereof for the benefit of the United States.

SEC. 2. That all moneys derived from the operations conducted under the preceding section shall constitute an operating fund which shall be used by the Secretary of the Navy for continued operations of the same character; that this fund shall be reimbursed from the proper appropriations on account of the oil and gas products from said properties used by the United States at actual cost; and that any sums not required for such purposes of operation shall be covered into the Treasury as general receipts.

SEC. 3. That the Secretary of the Navy is hereby authorized to employ such persons, purchase such equipment and supplies, make such contracts, erect and maintain such structures, and prescribe such rules and regulations as may be necessary in his judgment to enable him to carry into effect the provisions of this act; and for such purposes there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,000,000, or so much thereof as may be necessary, to be available immediately and until expended.

SEC. 4. That the President is hereby authorized, in such manner as he may direct, to agree with any claimant or owner of any property taken under this act upon a division of lands or the proceeds of operation, upon any exchange of lands without the naval petroleum reserves for lands within the reserves, or upon a compensation in money for the relinquishment or transfer to the United States of any such claim or property, and any amount so agreed upon shall be paid by the Treasurer to such claimant or owner; that in the event of a disagreement upon the amount of compensation to be paid in any case, such amount may be determined by the President, and thereupon the claimant or owner shall be paid 75 per cent of such amount, and shall have the right to recover from the United States such further sum as, added to such 75 per cent, will amount to just compensation.

Mr. President, this question has been before the Public Lands Committee for a great number of years. The Pickett Act, referred to by the Senator, came from the Public Lands Committee, authorizing the President to withdraw these lands. I had the privilege of reporting that act to the Senate. This very question has been reported to the Senate from the Public Lands

Committee time and time again, and in my opinion would have been passed but for the disagreement between officials of the Interior Department and the Navy Department.

It is not because the Public Lands Committee is adverse to legislation of this kind that legislation has not been enacted long ago. If this bill was referred to the Public Lands Committee, I have no doubt but that it would report the bill to the Senate, perhaps with some amendments, not interfering in the least with any rights that the Government may have under the withdrawal order of the President, and the Senator does the Public Lands Committee of the Senate an injustice when he implies that it is an unfriendly committee.

Now, however, the Navy Department comes to the Naval Affairs Committee of the Senate and selects a member of that committee to introduce the bill and ask that it be referred to the Naval Affairs Committee—a committee that has not had one thing to do with the consideration of legislation of this character in the past. I want to say to the Senator from Virginia that there are hundreds of individual or corporate claimants in the naval reserves, and there are many owners of claims within the reserves, and this bill provides how those claimants shall undertake to secure title to their claims. Not only that, but it actually provides that the owner of an oil claim within the exterior boundaries of one of these petroleum reserves can exchange, if agreeable to the Secretary of the Interior, for public lands outside of the reserve. Does the Naval Affairs Committee have anything to do with public lands? Have they ever had such a bill referred to them? If so, it was before ever I entered this body.

The bill, as I say, goes so far as to authorize the exchange of lands—lands within the reserve, the titles to which there is no question; lands within the reserve, the titles to which have not passed from the Government.

Mr. SHAFROTH. Mr. President, will the Senator yield?

Mr. SMOOT. I yield to the Senator from Colorado.

Mr. SHAFROTH. Mr. President, let me suggest to the Senator that we have had bills before us frequently with regard to reservations. We are continually reserving forest lands and taking up lands inside of the forest reserves and putting them back into the public domain for entry, and yet no bill for that purpose has been referred to the Committee on Agriculture and Forestry, although that is the committee that has jurisdiction of all matters relating to the administration of forest reserves. When it comes, however, to titles and transfers of the public domain, the Public Lands Committee always has been recognized as having jurisdiction, both in the House of Representatives and in the Senate of the United States.

It seems to me that, in view of the fact that this bill deals in that manner with lands that are reserved by proclamation and every bill relating to that subject has been referred to the Committee on Public Lands, they ought to be considered strong precedents for referring this bill to the Committee on Public Lands.

Mr. SMOOT. Mr. President the Senator from Colorado is absolutely correct.

Again, section 5 of this bill provides:

That in all cases of disagreement mentioned in the preceding section, and in all cases in which the property taken is claimed by the United States independently of this act, appropriate proceedings for determination of the preexisting right and title to such property, and the value thereof if determined not to be the property of the United States independently of this act, shall be promptly instituted by the Attorney General in the name of the United States, or may be instituted by any claimant of such property against the United States, in the respective district courts of the United States for the judicial districts in which such property is situated—

And so forth.

Why, Mr. President, supposing there were a bill introduced into the Senate that had particular reference to the Navy of the United States, and some Senator from the Public Lands Committee introduced it and asked that it be referred to the Committee on Public Lands. The Senator from Virginia would be the very first Senator upon the floor to object, and I would support him. Senate committees are created for the purpose of handling bills and resolutions covering subjects for which the committee was originally created, and this is nothing more than an undertaking on the part of a member of the Naval Affairs Committee to take from the Public Lands Committee of the Senate a subject matter that the Public Lands Committee has considered for years, and a matter that would have been settled years ago if it had not been for the dispute between officials of two departments of our Government. If this bill does not go to the Public Lands Committee there is no bill that ought to go there affecting the public lands of this country.

Mr. President, I wish the Senators were present so that they could hear what is being said in relation to this matter, for I know that no Senator who reads the bill and has any understanding of the history of legislation affecting this question in the past would for a moment consent to its being sent to the Committee on Naval Affairs.

Mr. President, I do not know that it is worth while for me to take any more of the time of the Senate, but I do trust that when the vote is taken upon this question we are not going to violate all of the precedents of this body and take a bill that deals directly with the public lands of this country from the Public Lands Committee and send it to the Naval Affairs Committee.

Mr. SWANSON and Mr. SHAFROTH addressed the Chair.

The VICE PRESIDENT. The Senator from Virginia. Before the Senator from Virginia begins, the Chair is going to rule on this very important subject that two speeches of five minutes each are all that will be allowed to each Senator.

Mr. SWANSON. I yield to the Senator from Colorado.

Mr. SHAFROTH. Mr. President, I believe that this is a matter which is within the jurisdiction of the Public Lands Committee, as has been uniformly the rule, as I understand; and, consequently, it ought to be referred to that committee.

I want to call attention to the fact that we have various reserves. The truth of the matter is that we have almost killed development of the West by reservations, beginning about 25 years ago. We have had coal reservations, petroleum reservations, and forest reservations; but nobody has ever thought that you had to refer a bill to the particular committee that may have to do with some policy of administration with relation to them, and deprive the Public Lands Committee of its jurisdiction.

Mr. President, those precedents have been numerous. Instead of being confined to one, there have been any number of instances of the kind. Legislation affecting forest reserves is never sent to the Committee on Agriculture and Forestry, but is sent to the Committee on Public Lands every time. Inasmuch as this bill provides explicitly for the exchange of lands in this naval reserve for public lands on the outside, it seems to me it is absurd to say that the Public Lands Committee has not jurisdiction.

But, Mr. President, this very question has been before the Public Lands Committee for a long while; hundreds of pages of testimony have been taken by it, and its members thought it was solved by the reporting of a bill providing for certain remedies and certain relief. You will remember that the Senator from California [Mr. PHELAN] was urgent in insisting that that provision should remain in the bill which was passed here on last Monday. There the whole problem, it seemed to us, was treated fairly. When the time came for considering the bill the Senator from Virginia said that he would introduce a bill dealing with this particular subject. He did not say that he was going to have that bill referred to the Committee on Naval Affairs. He was simply to draft it and introduce it. I have not examined the bill as to its merits and therefore express no view as to anything but the reference of the bill. It ought to go where all the precedents say that it should go, because it deals with the public lands and the exchange of lands, over which the Committee on Public Lands unquestionably has jurisdiction.

Mr. SMITH of Arizona. Mr. President, if the Senator will permit me——

Mr. SHAFROTH. Certainly.

Mr. SMITH of Arizona. I will suggest to my friend that if there is any committee of the Senate that knows about the public lands, the necessity for exchanges, and so on, I should think it would be that committee which has had jurisdiction and has had so much experience within the last two years with all these questions. I doubt whether the Naval Affairs Committee has any more idea about the proper disposition of these particular things than any other committee of this body.

Mr. SHAFROTH. If the Senator will allow me, we have only five minutes, and I shall be glad if the Senator will pursue that thought in further remarks.

Mr. President, when we reserve coal lands and treat the matter with respect to mining coal, we do not refer the bills to the Committee on Mines and Mining. We had that very question tested in the Senate here about a year ago, when the question arose as to whether a certain bill that provided for the development of reserved coal lands should be referred to the Public Lands Committee or to the Committee on Mines and Mining. The result was that after the consideration of the matter and a very full discussion the Senate, by a large majority, held that the bill should not be referred to the Committee on Mines and Mining. Although I was a member of that committee and was not at that time a member of the Committee on Public Lands, I advocated that it should be held in the committee to which all precedents had assigned it.

The Agricultural Committee does not take jurisdiction of matters relating to the forests when they touch the transfer of public domain at all. The Committee on Mines and Mining

never attempts to interfere with bills involving mining on the public domain, nor has there been any suggestion of it except in that one instance, when the Senator from Montana [Mr. WALSH] tried to have a bill referred to the Committee on Mines and Mining. Then the precedent was unquestioned that it should go to the Committee on Public Lands, and we have gotten a good bill out with relation to that matter.

The VICE PRESIDENT. The time of the Senator from Colorado has expired.

Mr. SMITH of Georgia. Mr. President, if this were simply a question of carving out from the public domain certain land and setting it apart for naval purposes, unquestionably the bill would belong to the Committee on Public Lands. It may be that there are some features of the bill that could properly go to the Committee on Public Lands. It frequently happens that a bill contains features part of which might properly go to one committee and part to another. The main features of this bill are provisions that fix the manner in which the Secretary of the Navy is to handle this property. It has already been carved from the public domain. It has already been separated by executive orders and in pursuance of legislation from the public domain. It is set apart to be used for naval purposes.

This bill gives the Secretary of the Navy the power to use it. This bill provides matter that is entirely disconnected from the work of the Committee on Public Lands.

Section 1 provides:

> And thereupon it shall be the duty of the Secretary of the Navy to take possession of all properties so vested in the United States, to conserve, develop, use, and operate the same in his discretion, directly or by contract, lease, or otherwise, and to use, store, exchange, refine, sell, or otherwise dispose of the oil and gas products thereof for the benefit of the United States.

Certainly that is the work of the Navy, and the consideration of that proposition is the work of the Naval Affairs Committee.

The next section provides:

> That all moneys derived from the operations conducted under the preceding section shall constitute an operating fund which shall be used by the Secretary of the Navy for continued operations of the same character; that this fund shall be reimbursed from the proper appropriations on account of the oil and gas products from said properties used by the United States at actual cost; and that any sums not required for such purposes of operation shall be covered into the Treasury as general receipts.

Section 2 involves the work of the Navy. Section 3 involves the work of the Navy. Section 4 involves the work of the Navy and applies to public lands. It authorizes the Navy Department to exchange a portion of these lands set apart for the Navy for lands outside. It is true that the lands outside might properly be handled by the Committee on Public Lands, but the process of exchange may well devolve upon the Committee on Naval Affairs.

So, Mr. President, the bulk of this bill bears upon authority to the Secretary of the Navy to perform certain duties and carry out certain acts with which the bill charges him. It is not at all a case of taking from the public domain. That legislation went to the Committee on Public Lands, and went there properly; but that legislation having been passed, and the property having been carved out to be used for naval affairs, this bill undertakes to provide the way. It is introduced by the Senator from Virginia, the leading member of the Committee on Naval Affairs. It is to place responsibility upon the Navy Department. It is to give it the machinery to execute that responsibility. The Committee on Public Lands has nothing to do with a measure of this kind. It is not the work of the Committee on Public Lands. Granting that there are a few features of the bill which might go to it, the preponderating features of the bill are measures that belong to the Navy, and therefore the bill should go to the Committee on Naval Affairs, and I do not think the Committee on Public Lands would have any right to object or should object. There is practically nothing in this bill that would fall within their province. There is a great deal in it that falls within the province of the Committee on Naval Affairs. The Senator from Virginia introduced the bill and moves that it go to the Committee of which he is often the acting chairman and always a leading member. His motion for reference is justified by the nature of the bill. His wishes should be respected.

Mr. SWANSON. Mr. President, if there ever was an attempt in the Senate on the part of a committee to take jurisdiction of a matter to which it is not entitled, it is the effort of the Senator from Utah [Mr. SMOOT] to get possession of this bill.

This land is governmental land, but not public land. You have as much right to take jurisdiction of a navy yard and say what shall be done to use it, to condemn land for a navy yard, as you have to do this. There is a distinction between governmental land and public land. Public land is land that is open to the public for entry. Not an acre of this land is open to the public for entry—not an acre of it. The Committee on Public Lands got rid of its jurisdiction when it allowed this land to be set aside for the exclusive use and benefit of the Navy.

What committee has jurisdiction of the sale of property belonging to the Navy? All that this bill does is to condemn private property in the naval reserve, set aside for the exclusive use and benefit of the Navy, so that the Government can get possession of private property.

The only thing in this matter that this jurisdiction can possibly hang on would be the exchange of these naval reserve lands for some lands outside. That is true, but the Committee on Naval Affairs has equal jurisdiction and equal right to jurisdiction on that phase of it. But take the rest of the measure. There is $1,000,000 appropriated for development, to get machinery, to make disposition of it, to store the oil, and I should like to know when the Naval Committee has ever been deprived of the privilege of providing storage for oil in the Navy or the means of developing the oil supply.

If there ever was an effort made in the Senate to encroach upon the jurisdiction of another committee it is the effort that is made by the Senator from Utah. He can not distinguish between governmental land and public land. Does not the Senator know well that there is not an acre of this land under the law that is open to public entry now? Is not that true? There is not an acre of it open to public entry, and he knows it as well as I do. This land has been set aside by law for the exclusive use and benefit of the Navy. It was so stated in the proclamation. Who is to determine the amount of money necessary for a storage plant where it can be refined for the Navy to be used for battleships? It is the Committee on Naval Affairs that ought to determine the policy marked out for the Navy, and not the Committee on Public Lands.

This subject was improperly brought in here, and it was taken out from the bill then pending because we insisted that the disposition of this land and its development should be determined by the Naval Committee. Nine-tenths—yes, ninety-nine one-hundredths—of the bill is under the Secretary of the Navy, directed by the Secretary of the Navy. Appropriations are made for navy yards. I have never known the Public Lands Committee to be an appropriation committee. Did it ever have jurisdiction of an appropriation bill? I should like to ask the Senator from Colorado if it has jurisdiction of an appropriation bill.

Mr. SHAFROTH. No; but the committee has jurisdiction of the public lands.

Mr. SWANSON. Is there an acre of public lands involved here that can be entered? What part can be entered? The Senator can not distinguish between public land and governmental land. Governmental land is owned by the Government, and public land is subject to entry by the public. Not an acre of this land is subject to entry by the public.

Mr. SHAFROTH. Does the Senator say that in the case of forest reserves the Public Lands Committee has no jurisdiction?

Mr. SWANSON. I do not know anything about the disposition of forest reserves.

Mr. SHAFROTH. And coal lands? The jurisdiction is in the Committee on Public Lands.

Mr. SWANSON. I do not see how the Public Lands Committee could take jurisdiction of a matter in which an appropriation is made. It is well established that this is for the benefit of the Navy. Is that entire policy simply to go to the Public Lands Committee? Has that ever been an appropriation committee? Under the precedents, the bill should go to the Committee on Naval Affairs. I have never known a bill that put aside a naval reserve on the public lands or that appropriated an amount for a navy yard and provided for condemnation proceedings that did not emanate from the Naval Committee. About one-third of this land is owned by private individuals. All we ask is the privilege of making an appropriation and providing for furnishing oil for the Navy.

Mr. JOHNSON of South Dakota. I wish to ask the Senator from Virginia before he takes his seat if this oil supply is not for the exclusive use of the Navy?

Mr. SWANSON. It authorizes the land to be set aside for the exclusive use and benefit of the Navy. It provides for sinking wells and for getting oil and storing it and taking care of it, and placing it where the Navy might need it, and keeping it in future for the Navy. It is one of the most important policies regarding the Navy that could be adopted.

Mr. SMOOT. Mr. President, all that the Senator from Virginia [Mr. SWANSON] has said does not change the history of this whole legislation. I do not think the Senator from Virginia knows that the Secretary of the Navy has been before the Public Lands Committee time and time again upon this

very legislation. We have had volumes of testimony taken before that committee upon this one question. The Secretary of the Navy never refused to come before the committee because of its lack of jurisdiction of the question. There was never anything suggested before that committee that it should go to any committee other than the Public Lands Committee.

It seems to me, Mr. President, that there is no need to take the time of the Senate upon this question, but I——

Mr. SWANSON. If the Senator will permit me——

Mr. SMOOT. I have only five minutes, and I want to get through.

The Senator asks the question, Did the Public Lands Committee ever make an appropriation? The House of Representatives make the appropriations, but there have been bills reported from the Public Lands Committee calling for appropriations for particular items named in the legislation, just the same as the bill here provides that there shall be $1,000,000 appropriated—and untold millions appropriated—for paying for lands that are expected to be taken over by the Navy Department. There is no sum named. It is just a conditional sum, as may be found necessary. Nobody knows whether it will be $100,000,000, $300,000,000, $500,000,000, or $1,000,000,000. I hope the Congress of the United States will never enter upon this sort of legislation.

Mr. President, it is useless to think of getting very many Senators here at this time of the day, and I want the Senate to go on record on this bill when it is voted upon. I am quite sure that we can not get a record vote of the Senate to-day, and I ask that it be read once to-day and go over under Rule XIV, which provides that every bill and joint resolution shall receive three readings.

The VICE PRESIDENT. There is no doubt about that right. The bill will be read.

The bill to further provide for the common defense and general welfare of the United States with respect to the production, use, and conservation of oil and gas in naval petroleum reserves, and for other purposes, was read the first time by its title.

FEDERAL CONTROL OF RAILROADS.

Mr. FLETCHER submitted an amendment intended to be proposed by him to the bill (S. 3385) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes, which was referred to the Committee on Interstate Commerce and ordered to be printed.

CLERKS TO DISTRICT COURTS.

Mr. UNDERWOOD submitted an amendment intended to be proposed by him to the bill (S. 3079) fixing the salary of the clerks of the United States district courts; prescribing how and when they shall account for the fees collected; providing for the office expenses of such clerks, including salaries of deputy clerks and clerical assistants; and for the travel and subsistence expense of such clerks and their deputies when necessarily absent from their official residences, which was referred to the Committee on the Judiciary and ordered to be printed.

COST OF OFFICERS' UNIFORMS.

Mr. WILLIAMS submitted an amendment intended to be proposed by him to the bill (S. 3433) requiring the Government to furnish uniforms to officers of the Army, and for other purposes, which was referred to the Committee on Military Affairs and ordered to be printed.

SUPPLY OF PRINT PAPER.

The VICE PRESIDENT. The morning business is closed.

Mr. SMITH of Arizona. I ask unanimous consent that the Senate proceed to the consideration of the unfinished business, Senate joint resolution 101.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 101) to provide further for the national security and defense by insuring to the Government of the United States an adequate supply of print paper at a fair price and by insuring a supply and equitable distribution at fair prices to the industries of the United States.

The VICE PRESIDENT. The pending amendment is, on page 1, line 4, after the word "empowered," to insert certain words.

Mr. FERNALD. Mr. President, this joint resolution authorizing the Government to take over the paper and pulp industry of the country, which is now under consideration by the Senate, is perhaps of the most importance to my State of any domestic measure that has come before this body in the past decade. A State where the paper industry represents one-sixth of the entire valuation of its people is naturally interested in legislation affecting it.

The census of 1914 shows that Maine had 17 mills manufacturing both pulp and paper, 13 producing pulp only, and 8 which made only paper, a total of 38 great industrial plants. They employed 10,033 workers, both men and women, in the mills alone. Many more than this number were indirectly furnished employment in the woods, getting out raw material, and in the transportation of the product. The annual wage paid to workers, exclusive of clerks and officials, was $7,000,000. These mills had a capitalization of over $80,000,000. The value of their annual output exceeded $40,000,000. They paid for materials over $22,000,000 and paid taxes of more than $400,000. These figures have greatly increased, except in the number of mills, in the past two years.

If the claims set forth by the proponents of this bill were true in fact; if, indeed, the publishers of this country and the reading public were to be largely benefited and no serious damage were to be imposed upon another industry of my State, I should be glad to give it my unqualified indorsement; but instead of aiding those who are supposed to receive such relief it will, I believe, work the opposite and in the near future impose hardships upon those who are supposed to be benefited. I do not alone share these beliefs, nor do I think that the publishers of my State feel that the proposition would prove of assistance to them. First of all, I want to say that I have not received any communication from any publisher in Maine asking me to give this bill my support. On the other hand, from almost every manufacturer of paper in the State, at least, I have received advice that this bill would prove detrimental to their interests.

It has been said that some of the great manufacturers have operated their mills and business in restraint of trade. Whether this be true I do not know, but I do know that under the law creating the Federal Trade Commission there is ample authority to bring to justice any corporation so acting. I have always felt that the authority given the Federal Trade Commission was ample in its scope to deal with all such cases. It has authority to subpœna witnesses, to oblige every business man to open his books and divulge not only to the Federal Trade Commission but to the court as well all details of his business and lay open to the world those matters which are of so much moment and consequence to the business man.

I do not share the oft-repeated assertion that every business man is an outlaw or that all those engaged in the great manufacturing and commercial interests of the country, who have become unusually successful by their efforts, are nefarious in their practices or unjust in their dealings, or the idea that these business men of tremendous capacity should be "hung as high as Haman"; but, on the other hand, it is time now that this Government lend aid instead of attempting to hamper and embarrass the industries of this country.

It is asserted by those who favor the passage of this bill that the paper manufacturers have been extortionate in their price and unfair in their dealings. I deny the charge. These men engaged in the paper industry in this country are honest and reputable business men. First, let me comment upon this alleged extortion in price; I wish to be very careful in any statements I may make, and to assure the Members of the Senate that I can amply prove every assertion which I make. The average price of news-print paper, up to and including the year 1913, for a considerable period was about $2.15 per hundredweight, delivered at destination, and on that basis the great paper mills of the country were able to pay only 2 per cent annually on the preferred stock, which had back of it at least double its worth in sound value of invested capital. These prices prevailing in 1913 drove several mills into bankruptcy and the industry in this country was in a deplorable condition.

The movement across the border into Canada was begun at that time and has continued ever since. The average price of news-print paper in 1917 was $3.10 a hundredweight, at the mill, an increase of about 50 per cent. This advance, I submit, was less than that of almost any commodity produced in our country. I believe, considering the increased demand for paper, the high cost of labor and of everything entering into the manufacture, which have been advancing by leaps and bounds, as I have stated, this advance is not unreasonable. As compared to the advance of other articles it makes a most favorable showing, as shown by the following: Advance of paper, 50 per cent; cotton, 250 per cent; wool, 300 per cent and if other commodities were to be considered I could go through the entire list and show greater advance in these than have existed at any time in the advance of paper: for instance, the price of corn, one of the chief products in my own State, has advanced in the past few years 266⅔ per cent. These figures demonstrate the fallacy of the charge made against paper.

By what token does the Federal Trade Commission—for I understand that from this source comes the demand for this legis-

lation—select this industry and propose Government control for the paper business? From what business sources come the demand for this legislation? As I have stated, not a single publisher from my State, knowing full well the condition of the paper business, has asked for the enactment of this resolution.

It is natural that every business should desire to purchase its supplies at the lowest possible price. If every purchaser of goods and every association desirous of buying at a low price should come to this Congress with resolution for relief and receive assistance, every business man and every association in the country would go into the resolving business. It is also asserted that the manufacturers of paper have attempted to limit the output. So has every far-seeing citizen of this country undertaken to limit this production.

Spruce wood from which print paper is largely manufactured comes to maturity about once in 30 years. There are about 60,000,000,000 feet growing in the United States suitable for the manufacture of paper; one-third of this is growing on the soil of Maine. We can cut from now to the end of time 750,000,000 feet annually and still have our forests in prime condition, but should we extend this cut to 1,000,000,000 or one and a half billion in a very few years the forests would be depleted and there would be no source of supply. Naturally those who have large investments in paper mills are desirous of continuing the business, because when the source of supply ceases the mills become valueless and useless; for this reason the manufacturers of paper are endeavoring to conserve the supply of spruce, which clears them of the charge of wrongfully limiting the production. If you desire to aid the publishers of this country repeal the zone system enacted last session, which will in my judgment be of greater benefit to them than any possible control by the Government of the paper industry.

The paper manufacturers of our country, realizing fully the tremendous draft upon our forests, a number of years ago commenced the purchase of timber lands in Canada. The Canadians were anxious to sell these lands, which they did, at liberal prices.

Our manufacturers purchased on a generous scale, and, I may say, millions of acres were bought, believing they could ship this pulp wood to the States for manufacture. Almost immediately the Canadians passed a law placing an embargo on pulp wood and many of the mills in the country went into the hands of receivers. Many of our large and most successful manufacturers were obliged to build in Canada mills which are operating to-day. And, Senators, at this moment, instead of undertaking to pass this measure and further embarrass the paper manufacturers of this country, we should be endeavoring to remove the restrictions of the Canadian Government. We should insist that unless they remove the embargo which they have placed on pulp wood not a pound of coal or cotton from the United States be permitted to enter their border; that in order to receive our products they should be made to reciprocate.

In reply to a question propounded to my distinguished friend, the Senator from Arizona, asking if there had been any considerable advance in labor and in the production of paper he replied that the cost had slightly advanced. I do not know how he interprets that word "slightly." I have here a telegram from Frank D. True, treasurer and manager of the Poland Paper Co., which answers this completely, and which I want to read into the RECORD at this time. Mr. True is one of the most successful business men in Maine, whose word is accepted by every man in the State, and, further, he is an out-and-out Jeffersonian, Jacksonian Democrat, which ought to be sufficient guarantee of his integrity to my friends on the other side of the Chamber. Mr. True's wire reads as follows:

We paid for bleached sulphite pulp 1913, $53 per ton; 1917, $120—An advance of more than 100 per cent.

Here I wish to say in passing that Mr. True, who is treasurer of the Poland Paper Co., an industry established in my town, for years gave his services without compensation, in an effort to keep the plant running and build up the business of the town. Perhaps a few words as to the history of this plant—and this is not an isolated case—are not out of place. It was established more than 60 years ago, and is located on one of the fine water powers of our State, and around it has grown up a thriving village. This plant to-day is operating at only 25 per cent of its capacity for the reason that it is unable to procure pulp, and the town is languishing on this account. If this company were able to secure pulp from Canada, as formerly planned, the plant would be running at its full capacity.

I cite this case because I am familiar with conditions, but this same situation exists in other localities. Many other large towns in our State, which have been built up by this industry are equally affected, and the enactment of such legislation would seriously affect further development, and possibly curtail even present production. Permit me to call attention to the town of Rumford, containing several large mills, which for years supplied the United States Government with its postal cards. Here is a town dependent entirely upon this industry. This town has grown up in the wilderness around the paper industry.

Millinocket and East Millinocket, in another section of the State, which have been built up and become thriving and prosperous towns depend entirely upon this one industry. I might cite numerous other instances of this kind, but these are sufficient to show that this question is of vital importance to the people of my State; and I can not see how the legislation here proposed would help in any way to increase the output, but would embarrass and discourage these industries.

It is needless for me to stand here and say to the Members of the Senate that the advance in labor has been something phenomenal and that there is no industry, however small or great, but that feels the result. Every Senator knows this to be true. Only recently there appeared before the Commerce Committee a man representing the largest private shipbuilding corporation in the United States. He testified that laborers with but little experience in his shipyard were receiving from $6 to $10 a day and some as high as $90 a week. I asked him where he drew these men from, and he replied, "As many as possible from the farms near my plant." In Maine to-day it is difficult to secure men to labor in the woods, and spruce timber, which is largely in demand for other purposes besides paper making, has advanced nearly 300 per cent in price. This answers the question as to whether there has been a considerable increase in the cost of producing paper.

A Senator yesterday told me that he was obliged to pay $20 a cord for wood in this city. Let me say to you, Mr. President, that the great manufacturers of paper are to-day moving pulp and wood from Maine to Pennsylvania, at an expense of $18 per cord, to manufacture paper with which to supply their customers.

Ah, Senators, it is time that this Congress do something toward the aid of business men and business interests; it is time for us to go into the repealing business and repeal some of the laws that are already on the statute books. The fear of what is coming, basing their knowledge on the acts which have already passed, is casting a gloom over business men and causing them seriously to consider retrenchments as precautionary measures.

The legislatures of 48 States, aside from this Congress, have been laboriously and industriously enacting laws of every conceivable character until it would seem that we were law mad. This legislation causes confusion, and every business of any considerable size is obliged to retain an attorney to guide and keep it within the law. To a liberty loving people who are desirous of square dealing and honorable methods this proceeding is unnecessary and obnoxious. More than this, it involves an expense which ultimately the consumer pays.

This measure has been brought into the Senate under the guise of helping the Executive to carry on the war, but this is absolutely no war measure. It is not necessary for this Government to go further in this direction; there is no man in this Senate, no man in this country, who is more desirous of bringing this war to a successful conclusion than I. I am willing to go to any limit to enact such laws as will assist the President in this consummation. I believe it is the duty of every citizen not only to do his bit but to do his best in this great crisis. Successfully to prosecute this war we must have men and money. Now and then a Senator declares that there must be no profiteering. If by this term is meant unfair, unjust, excessive, illegal, and exorbitant profit making, I certainly agree. But, Senators, we must allow business a fair, reasonable, and just return upon its investment. Where, Senators, is the money coming from to carry on this war unless business men are allowed to conduct their business in a reasonable and profitable way? If no man were allowed to make profit in his business, he would have nothing from which to pay taxes and no interest in the prosecution of his business. We must soon ask the country to subscribe to another bond issue. We can compel men to pay taxes, but we can not compel them to buy bonds; and I fear that unless we turn about, lend our efforts to the assistance of the business of our country, we shall not receive the response to this call which we all so much desire.

I am not naturally of a pessimistic nature. I prefer to look hopefully forward to the days succeeding this terrible war with the belief that the liberties of our people will be preserved. This Government of ours, established by the fathers, shall endure. This is no time for partisanship or sectionalism. Senators from one section of the country must not, and will not, in

pose hardships and injustice upon others, but we must stand together, and, as Webster said more than 70 years ago, "clasp hands" and unitedly fight this great war.

I am aware that as a national question there is another side to this issue which has already been covered by many Senators in this Chamber. Two bills before this joint resolution have been introduced into the Senate providing for the censorship of the press. The first was defeated by one vote and the second by a reasonable majority; but this joint resolution, which I consider the most vicious of them all, ought to be defeated by an overwhelming majority.

I am aware that Carlyle in some of his gloomy papers has pictured this Republic in the year 2,000 as a thing of the past. I am aware that he has predicted that the free institutions which we have so firmly and successfully established will, before the end of the present century molder, decay, and have perished, and that he has attempted to demonstrate the impossibility of free government; but I have lived long enough, Senators, to see many such dire predictions as this come to naught. Yet I fear and warn you now that unless some encouragement be given to those engaged in the business interests of this country and to all who are trying to do their part that the words of Carlyle's prophecy will become a grim and terrible reality.

Let us stand firmly together not as members of separate parties but as American citizens, devoted to those principles which have been cherished from the conception of our Republic, and we shall bequeath to our children and our children's children the greatest Government and the grandest Republic that the world has ever known.

Mr. SMITH of Arizona. I ask the Secretary to report the first amendment.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Nelson	Smith, Ariz.
Bankhead	James	New	Smith, Md.
Beckham	Johnson, Cal.	Norris	Smith, S. C.
Calder	Johnson, S. Dak.	Overman	Smoot
Chamberlain	Jones, Wash.	Owen	Sutherland
Colt	Kellogg	Pittman	Swanson
Culberson	Kenyon	Poindexter	Thomas
Cummins	King	Pomerene	Tillman
Fernald	Kirby	Ransdell	Trammell
Fletcher	Knox	Robinson	Underwood
France	La Follette	Saulsbury	Watson
Gerry	McCumber	Shafroth	Williams
Hale	McKellar	Sheppard	Wolcott
Harding	McNary	Sherman	
Hardwick	Martin	Shields	

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

Mr. JOHNSON of South Dakota. I desire to state that the Senator from New Mexico [Mr. JONES] has been called from the Chamber on important business.

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. A quorum is present. The Secretary will report the first amendment submitted by the Senator from Arizona.

The SECRETARY. On page 1, after the first word, "That," strike out the words "the Federal Trade Commission is hereby authorized and empowered," and in lieu insert "whenever, during the continuance of the war and for six months thereafter, the President shall deem it needful, he may direct the Federal Trade Commission."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. NORRIS. I should like to inquire of the Senator in charge of the joint resolution what is the necessity of this amendment? Is not the joint resolution complete without it? Why is it that we are designating the President as the person who shall say?

Mr. SMITH of Arizona. The Senator from Nebraska will readily admit that all legislation is a compromise. The joint resolution without this amendment would read:

That the Federal Trade Commission is hereby authorized and empowered to supervise, control, and regulate the production and the distribution of print paper—

And so forth.

Instead of that, I have offered the amendment, so that it would read:

That whenever during the continuance of the war—

I do not care if the language "and for six months thereafter" be rejected.

Mr. NORRIS. That is not my only objection to the amendment, I will say to the Senator. Not only that amendment, but further down, in lines 9 and 10, there is an amendment which reads, "as the President shall designate," following out, of course, the same idea, turning it all over to the President. If these amendments were all agreed to, it would be within the power of the President, I take it, to designate any particular mills and producing agencies which shall be operated on Government account, and so forth, and how the product shall be distributed; he might designate that Mr. A, in one town, might get his paper, and that Mr. B should not.

Mr. SMITH of Arizona. The Senator from Nebraska very well knows that the President of the United States, with his multifarious and onerous duties, could not go and look into this business, and this is a safeguard.

Mr. NORRIS. That is a good reason why this amendment should not be adopted. The President must follow somebody else's advice, and it will probably be that of the Federal Trade Commission.

Mr. SMITH of Arizona. He might not follow their advice.

Mr. NORRIS. The President will not be able to give the matter his attention personally. As the Senator from Arizona has said, he has so many duties to perform that he could not possibly give attention to all of them, and this would probably be one to which he could not give attention. To my mind, that is the objection to the amendment.

Mr. SMITH of Arizona. Would the Senator from Nebraska prefer the language of the original joint resolution? If a majority of the Senate prefer that, I am perfectly willing to ask that it be adopted.

Mr. NORRIS. So far as I am concerned, I am going to vote against this amendment and against several others, entirely on the ground that I prefer the joint resolution as it was originally introduced by the Senator from Arizona. I have never, during the debate when I have been present, heard any argument made in reference to these particular amendments. That is the reason why I was asking the question. It seems to me this amendment weakens the joint resolution.

Mr. SMITH of Arizona. Unquestionably, from the standpoint of the Senator from Nebraska, it weakens the joint resolution. To be perfectly frank I have made concessions in order to get some sort of relief for these papers. I have been forced to make these concessions. These concessions, everybody here consents, liberalizes the joint resolution, putting the least possible control over the business, and yet the question is whether or not Senators will vote for the resolution even then.

Mr. NORRIS. It may be that the Senator from Arizona is catering to Senators who will vote against the joint resolution any way and making it distasteful to those who would like to support it. To my mind this amendment is not liberalizing the joint resolution, but making it more stringent than it previously was.

Mr. SMITH of Arizona. Let us see what the language is and leave the matter to the Senate. It reads, as originally reported:

The Federal Trade Commission is hereby authorized and empowered to supervise, control, and regulate the production and distribution of print paper and mechanical and chemical pulp in the United States, and that all mills producing and all agencies distributing print paper and mechanical and chemical pulp in the United States shall——

Mr. NORRIS. "Shall be operated."

Mr. SMITH of Arizona. Wait.

Mr. NORRIS. The Senator is speaking in my time.

Mr. SMITH of Arizona. I beg pardon of the Senator. The Senator had resumed his seat. I thought I was answering him in my own time. The language is "mechanical and chemical pulp," and so forth. Now, let us see. That language gave the Federal Trade Commission absolute authority to supervise, control, and regulate the production and distribution of print paper. I have provided in the amendment:

That whenever during the continuance of the war * * * the President shall deem it needful he may direct the Federal Trade Commission to supervise and regulate the production and distribution of print paper and mechanical and chemical pulp.

The reason we inserted that language was that, instead of conferring all this power on the Trade Commission, if the Trade Commission should say, "We do not want to do all this; there are many papers that are not offensive," they then can present to the President only the offensive ones; and the President could then make the order. So, you see, it is only permitting the Federal Trade Commission to act through the agency of an appeal to the President, who will necessarily do what they say. It gives him an opportunity of escape from supervision where none at all is necessary. That is the reason for

the amendment, and that is my purpose. I should like a vote on the amendment.

Mr. HARDWICK. Mr. President, I am opposed to this amendment; and I think I can state to the Senate in a very few words why I am opposed to it.

If this legislation is necessary at all, then Congress ought to enact it on its own responsibility and by the exercise of its own power. We have no business to shift to the President a responsibility that belongs to us. Instead of enacting a law which its proponents must claim is necessary, or at least advisable, if the amendment of the Senator from Arizona [Mr. SMITH] is adopted, the Congress will simply say, "We enact this law if the President thinks best to put it into effect in whole or in part, and we put the responsibility on him."

Mr. SMITH of Arizona. That is equally true against the Federal Trade Commission, is it not?

Mr. HARDWICK. It may be; but I am opposed to all that sort of business. Let this Congress shoulder its own responsibility.

Mr. SMITH of Arizona. But Congress could not investigate the matter.

Mr. HARDWICK. Then we ought not to pass such legislation if we can not investigate. If we do not know it is needed, if we can not affirmatively sustain the burden that the legislation is necessary and advisable, then there ought to be no legislation.

Mr. SMITH of Arizona. Certainly not.

Mr. HARDWICK. On the other hand, if we are convinced that the burden can be carried, that there ought to be such legislation, then we ought not to shift the burden of responsibility which rests on us and say, "We will have legislation only in the event the President thinks it is needed." I am not in favor of this sort of an amendment, and I hope the Senate will vote the amendment down.

The PRESIDING OFFICER. The question is on agreeing to the amendment. [Putting the question] The "ayes" seem to have it.

Mr. HARDWICK and Mr. HARDING called for a division; and the question being put on a division, the amendment was rejected.

The PRESIDING OFFICER. The Secretary will state the next committee amendment.

The next committee amendment was, on page 2, line 2, after the words "mechanical and chemical pulp,' to insert the words "and their products."

Mr. SMITH of Arizona. Mr. President, as the first amendment has been stricken out, I am reduced to going back to the original joint resolution, and I should prefer to withdraw every amendment I have offered to it in the present attitude of the Senate, for there is no use of attempting to perfect the joint resolution with its present amendments, if the first amendment endeavoring to cure the very language against which every complaint has been made was voted down, unless it be the desire of those who voted in that way to defeat the joint resolution entirely.

My object was to prevent the very thing against which all Senators have been inveighing, and if the amendment I have offered for that purpose be stricken out, the remainder of the joint resolution should be so framed as to correspond with it.

Mr. NORRIS. Does the Senator from Arizona refer to the amendment now pending?

Mr. SMITH of Arizona. That was the only amendment pending.

Mr. HARDWICK. Will the Senator from Arizona yield to me?

Mr. NORRIS. Does the Senator from Arizona have reference to the words in line 6, page 2—"and their products"?

Mr. SMITH of Arizona. The difficulty under which I am laboring is that I have a copy of the joint resolution which I myself have been marking and have not the one which the Senator from Nebraska has in his hand. Does the Senator refer to the words "and their products" on page 2, line 6?

Mr. NORRIS. As I understand, to insert those words is the pending amendment. I may be mistaken, but in the copy which I have in my hand that is the next amendment.

Mr. FLETCHER. Mr. President, I ask that the Secretary state the pending amendment.

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The SECRETARY. On page 2 of the joint resolution as originally printed, in line 2, after the words "mechanical and chemical pulp," the committee proposes to insert the words "and their products."

Mr. FLETCHER. That amendment ought to go in, of course. That has nothing to do with the other amendment.

Mr. NORRIS. It seems to me this amendment, Mr. President, if the Senator will permit an interruption, has nothing to do with the one which has just been voted down. Personally I see no reason why this amendment should not be adopted, although I voted against the other amendment.

Mr. SMITH of Arizona. I have no objection to its adoption after the amendment that I offered has been defeated, my purpose being to limit the joint resolution in its scope, so as not to interfere with that magnificent business of which I have heard so much, which formed a combination to rob somebody. When that is gone further amendment is of no use. I do not care whether the words "and their products" remain in or not. That is the attitude in which we are left.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The PRESIDING OFFICER. The next amendment will be stated.

The SECRETARY. On page 2, line 2, before the word "mills," it is proposed to strike out the word "all" and insert in lieu the word "such."

Mr. SMITH of Arizona. I withdraw that amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn. The Chair hears no objection. The Secretary will state the next amendment.

The SECRETARY. The next committee amendment is on page 2, line 3, before the word "agencies," to strike out the word "all" and insert the word "such."

Mr. SMITH of Arizona. I will withdraw that amendment. In view of the action the Senate has now taken, it hardly carries out the purpose intended when proposed.

The PRESIDING OFFICER. If there is no objection, the amendment is withdrawn. The Chair hears no objection. The Secretary will state the next committee amendment.

The SECRETARY. On page 2, line 4, after the words "mechanical and chemical pulp," it is proposed to insert the words "and their products."

The PRESIDING OFFICER. Without objection, that amendment is not agreed to, a similar amendment having been rejected. The Secretary will state the next committee amendment.

The SECRETARY. On page 2, line 4, after the words "the United States," it is proposed to insert the words "as the President shall designate."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. NORRIS and Mr. WATSON addressed the Chair.

The PRESIDING OFFICER. The Chair will put the question on agreeing to the amendment.

Mr. SMITH of Arizona. I withdraw that amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn. The Chair hears no objection. The Secretary will state the next amendment of the committee.

The SECRETARY. On page 2, line 18, after the word "paper," it is proposed to insert the words "pulp and pulp products."

Mr. SMOOT. That ought to go out.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee.

The SECRETARY. On page 3, beginning in line 4, it is proposed to strike out all of section 3 and in lieu thereof to insert:

That the President, during the present war emergency, shall have power by proclamation to declare that such imports of mechanical and chemical pulp and their products as he shall deem necessary in order to fully effectuate the objects of this act, shall be made only on account of the United States of America, to or through the Federal Trade Commission.

Mr. JONES of Washington. Mr. President——

Mr. SMITH of Arizona. Mr. President, if the Senator will permit me, I should like to offer an amendment to that amendment.

The PRESIDING OFFICER. The Senator from Arizona offers an amendment to the amendment, which the Secretary will state.

Mr. SMITH of Arizona. In the reprint of the bill, after the words "in order to fully effectuate the object of this act," I move to insert the words "shall be sold and distributed under the supervision of the Federal Trade Commission as provided for in section 1 of this act."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

Mr. JONES of Washington. I desire to ask the Senator from Arizona a question about this provision which I think would apply to the original part stricken out as well as to the amendment. Would this provision affect existing contracts that are

now in force with reference to the purchase of print paper; for instance, by a newspaper in this country from a paper producer in Canada?

Mr. SMITH of Arizona. I do not think Congress could enact legislation affecting an existing legal contract.

Mr. JONES of Washington. It seems to me the language is broad enough to do so. If we give the President the power to do it, it seems to me he can do it; and if the Senator does not want it to have that effect, I should like to see an amendment something like this put in: I will merely suggest it to see whether the Senator would oppose it. At the conclusion say "except that existing contracts shall not be interfered with."

Mr. SMITH of Arizona. I have no objection to preserving any existing contracts, and I would be glad to accept the amendment. I confess that I am put somewhat at sea because of the changes in the joint resolution from what I had hoped might be made. I had hoped that we might be able to preserve some sort of unity, and I have been working on the theory that the Senate would prefer a measure with less rather than one with more restrictions. I now find, however, that the amendment to section 3 inserting the words "as provided for in section 1 of this act," section 1 of the act not having been amended in any way, does not seem to apply.

Mr. FLETCHER. Mr. President, if the Senator will allow me, it seems to me that the amendment he offers now is entirely in harmony with the situation in which section 1 is left.

Mr. SMITH of Arizona. As it now stands?

Mr. FLETCHER. As it now stands. The amendment, as I gather, is to strike out in line 22 of the reprint, after the word "be," the words "made only on account of the United States of America to or through the Federal Trade Commission" and insert "sold and distributed under the supervision and regulation of the Federal Trade Commission." In other words, it is proposed to leave the whole matter with the Federal Trade Commission, as the joint resolution now stands, in view of the rejection of the amendment to section 1. This provision continues the power in the Federal Trade Commission, and, instead of the words "made only on account of the United States," it is proposed, I understand, that the product shall be sold and distributed under the regulations of the Federal Trade Commission, which harmonizes with the way in which section 1 now is, and it seems to me very much improves the joint resolution.

Mr. SMITH of Arizona. On account of the difference of the two prints of the bill and the difficulty of following the amendments as stated, I am somewhat confused; but the Senator's explanation is perfectly clear and section 3 should be amended as indicated in the reprint and by the addition of the words which I have read; that is, commencing in line 11 strike out all down to and including the word "act" in line 17, and then insert the new matter beginning after the word "act," in line 17, perfecting it as I have indicated, so that it will read:

That the President, during the present war emergency, shall have power by proclamation to declare that such imports of mechanical and chemical pulp and their products as he shall deem necessary in order to fully effectuate the objects of this act, shall be sold and distributed under the supervision and regulation of the Federal Trade Commission as provided for in section 1 of this act.

That makes it conform thoroughly to the other provisions of the joint resolution. I ask for a vote on the amendment.

Mr. HARDING. Mr. President, I am unable to see any essential difference——

Mr. SMITH of Arizona. Mr. President, will the Senator not allow us to perfect this amendment?

Mr. HARDING. I do not object to perfecting the amendment, but I do want to say something about the section itself. I have not any particular choice myself between the words proposed to be eliminated and the substitute proposed by the chairman of the committee. I think any Senator can understand that the fundamental cure for high prices of print paper is increased production. While I think this Government is a very powerful one, I am unable to understand how it can control the production of a neighboring people. I have in mind this sort of a problem: Owing to the growing scarcity of news-print paper in this country and the vital necessity of a supply to a great newspaper, many of them who are able to command the financial means necessary to do so have established their own paper mills. I do not know how far-reaching this joint resolution is intended to be, but it seems to me it would be a very great violation of individual rights for the Government to step in and take from an individual owner, himself producing a supply of paper, and distribute it at the whim of the Federal Trade Commission. It would certainly be very unjust to place in the hands of any authority in this country the power to prohibit the imports of either spruce wood or sulphite pulp. It looks to me as though we were getting deeper and deeper all the time in our efforts to perfect this joint resolution.

What the newspapers of this country need more than anything else, aside from the voluntary arrangement for a fair price for print paper, which has been in effect since the 1st of January, are the things essential to increased production. Every one familiar with the paper trade knows that a very large percentage of the raw material for paper making must be imported. It comes from Canada, and we are proposing here to hamper and hinder production by putting an embargo, at the instance of the President, on the importation of pulp and wood and sulphite from Canada. Everything that we are proposing to do is calculated to hinder the production of the essential supplies to relieve the news-print situation in these United States.

I think the whole joint resolution ought to fail. Instead of doing something to help the newspapers of this country, we are doing something to add to the tax already imposed upon the newspaper publishers of the land. I am very well aware that many newspapers are telegraphing here in favor of the passage of this joint resolution, but I am just as well aware that they have not stopped to realize the far-reaching results which may attend the act of the United States Government going into the manufacture and control of paper. If we only judge by our experience in dealing with coal, which I took occasion the other day to admit seemed to be a necessity, we would be warned that, instead of helping a difficult situation, we are going to embarrass it for every publisher in this country. The joint resolution ought to fail, and this amendment and the section for which it is proposed as a substitute ought not to have the sanction of this body.

Mr. KNOX. Mr. President, I had not intended to address the Senate upon this joint resolution, although I am opposed to it, and would not have done so but for the remarks made this morning by the Senator from Utah [Mr. KING]. When I say "the remarks made by the Senator from Utah" I do not refer to his observations upon the position I have taken upon the constitutionality of the program of war legislation we have passed. I was impelled and intended to rise to say to him that in expressing the hope that some one would correctly appraise the present situation of this country, and particularly in the Democratic Party, that I doubt if any man, however distinguished or however broad his statesmanship, could have made a more powerful appeal for a recrudescence of the principles upon which this Government is founded than has the Senator from Utah. I think, however, Mr. President, that in justice to myself I ought to take some cognizance of his observation as to the position that I have taken upon the constitutionality of the program of legislation to which I have referred.

It is my own misfortune, and due to my own limitations, if I failed to make it perfectly clear that I was not one of those who for one instant imagined that any part of the Constitution of the United States was suspended during a period of war. Why, Mr. President, upon the contrary, there is never a period of time when the Constitution of the United States is so vital and so much in action as during war, because then all of its powers are called into play. We might just as well say that the Constitution of the United States is suspended or dead because of war, as to say that a man who rises in defense of his family against an intruder has had his normal functions suspended, as upon the contrary, his latent powers and natural passions are aroused when he flies to the defense of that which he holds most dear.

The Constitution of the United States specifically empowers the Congress of the United States to declare war. It not only empowers the Congress of the United States to declare war but it prohibits such power to the States, and, in addition to that, the Constitution in terms empowers the Congress to enact all laws necessary to carry that power—the power of war—into effect; so that, Mr. President, my position has all along been that there is nothing in the Constitution that in any way limits or interferes with the power of self-preservation. There is no principle in the Constitution so sacred that this Government must perish in order to preserve it; upon the contrary, when we are at war Congress can pass any law necessary to carry the war to a victorious conclusion.

Mr. President, the question of necessity is the question that Congress must consider. This question of necessity imposes upon us an obligation from which we can not escape. It is for the administration, it is for the Commander-in-Chief of the Army and the Navy, it is for the Chief Executive of the United States to propose to us the powers that he desires in order to prosecute the war; but it is for us to judge of the necessity of those powers. Upon us rests the duty, upon us rests the responsibility, upon us rests the obligation; so that the acid test

the amendment, and that is my purpose. I should like a vote on the amendment.

Mr. HARDWICK. Mr. President, I am opposed to this amendment; and I think I can state to the Senate in a very few words why I am opposed to it.

If this legislation is necessary at all, then Congress ought to enact it on its own responsibility and by the exercise of its own power. We have no business to shift to the President a responsibility that belongs to us. Instead of enacting a law which its proponents must claim is necessary, or at least advisable, if the amendment of the Senator from Arizona [Mr. SMITH] is adopted, the Congress will simply say, "We enact this law if the President thinks best to put it into effect in whole or in part, and we put the responsibility on him."

Mr. SMITH of Arizona. That is equally true against the Federal Trade Commission, is it not?

Mr. HARDWICK. It may be; but I am opposed to all that sort of business. Let this Congress shoulder its own responsibility.

Mr. SMITH of Arizona. But Congress could not investigate the matter.

Mr. HARDWICK. Then we ought not to pass such legislation if we can not investigate. If we do not know it is needed, if we can not affirmatively sustain the burden that the legislation is necessary and advisable, then there ought to be no legislation.

Mr. SMITH of Arizona. Certainly not.

Mr. HARDWICK. On the other hand, if we are convinced that the burden can be carried, that there ought to be such legislation, then we ought not to shift the burden of responsibility which rests on us and say, "We will have legislation only in the event the President thinks it is needed." I am not in favor of this sort of an amendment, and I hope the Senate will vote the amendment down.

The PRESIDING OFFICER. The question is on agreeing to the amendment. [Putting the question] The "ayes" seem to have it.

Mr. HARDWICK and Mr. HARDING called for a division; and the question being put on a division, the amendment was rejected.

The PRESIDING OFFICER. The Secretary will state the next committee amendment.

The next committee amendment was, on page 2, line 2, after the words "mechanical and chemical pulp," to insert the words "and their products."

Mr. SMITH of Arizona. Mr. President, as the first amendment has been stricken out, I am reduced to going back to the original joint resolution, and I should prefer to withdraw every amendment I have offered to it in the present attitude of the Senate, for there is no use of attempting to perfect the joint resolution with its present amendments, if the first amendment endeavoring to cure the very language against which every complaint has been made was voted down, unless it be the desire of those who voted in that way to defeat the joint resolution entirely.

My object was to prevent the very thing against which all Senators have been inveighing, and if the amendment I have offered for that purpose be stricken out, the remainder of the joint resolution should be so framed as to correspond with it.

Mr. NORRIS. Does the Senator from Arizona refer to the amendment now pending?

Mr. SMITH of Arizona. That was the only amendment pending.

Mr. HARDWICK. Will the Senator from Arizona yield to me?

Mr. NORRIS. Does the Senator from Arizona have reference to the words in line 6, page 2—"and their products"?

Mr. SMITH of Arizona. The difficulty under which I am laboring is that I have a copy of the joint resolution which I myself have been marking and have not the one which the Senator from Nebraska has in his hand. Does the Senator refer to the words "and their products" on page 2, line 6?

Mr. NORRIS. As I understand, to insert those words is the pending amendment. I may be mistaken, but in the copy which I have in my hand that is the next amendment.

Mr. FLETCHER. Mr. President, I ask that the Secretary state the pending amendment.

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The SECRETARY. On page 2 of the joint resolution as originally printed, in line 2, after the words "mechanical and chemical pulp," the committee proposes to insert the words "and their products."

Mr. FLETCHER. That amendment ought to go in, of course. That has nothing to do with the other amendment.

Mr. NORRIS. It seems to me this amendment, Mr. President, if the Senator will permit an interruption, has nothing to do with the one which has just been voted down. Personally I see no reason why this amendment should not be adopted, although I voted against the other amendment.

Mr. SMITH of Arizona. I have no objection to its adoption after the amendment that I offered has been defeated, my purpose being to limit the joint resolution in its scope, so as not to interfere with that magnificent business of which I have heard so much, which formed a combination to rob somebody. When that is gone further amendment is of no use. I do not care whether the words "and their products" remain in or not. That is the attitude in which we are left.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The PRESIDING OFFICER. The next amendment will be stated.

The SECRETARY. On page 2, line 2, before the word "mills," it is proposed to strike out the word "all" and insert in lieu the word "such."

Mr. SMITH of Arizona. I withdraw that amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn. The Chair hears no objection. The Secretary will state the next amendment.

The SECRETARY. The next committee amendment is on page 2, line 3, before the word "agencies," to strike out the word "all" and insert the word "such."

Mr. SMITH of Arizona. I will withdraw that amendment. In view of the action the Senate has now taken, it hardly carries out the purpose intended when proposed.

The PRESIDING OFFICER. If there is no objection, the amendment is withdrawn. The Chair hears no objection. The Secretary will state the next committee amendment.

The SECRETARY. On page 2, line 4, after the words "mechanical and chemical pulp," it is proposed to insert the words "and their products."

The PRESIDING OFFICER. Without objection, that amendment is not agreed to, a similar amendment having been rejected. The Secretary will state the next committee amendment.

The SECRETARY. On page 2, line 4, after the words "the United States," it is proposed to insert the words "as the President shall designate."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. NORRIS and Mr. WATSON addressed the Chair.

The PRESIDING OFFICER. The Chair will put the question on agreeing to the amendment.

Mr. SMITH of Arizona. I withdraw that amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn. The Chair hears no objection. The Secretary will state the next amendment of the committee.

The SECRETARY. On page 2, line 18, after the word "paper," it is proposed to insert the words "pulp and pulp products."

Mr. SMOOT. That ought to go out.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee.

The SECRETARY. On page 3, beginning in line 4, it is proposed to strike out all of section 3 and in lieu thereof to insert:

That the President, during the present war emergency, shall have power by proclamation to declare that such imports of mechanical and chemical pulp and their products as he shall deem necessary in order to fully effectuate the objects of this act, shall be made only on account of the United States of America, to or through the Federal Trade Commission.

Mr. JONES of Washington. Mr. President——

Mr. SMITH of Arizona. Mr. President, if the Senator will permit me, I should like to offer an amendment to that amendment.

The PRESIDING OFFICER. The Senator from Arizona offers an amendment to the amendment, which the Secretary will state.

Mr. SMITH of Arizona. In the reprint of the bill, after the words "in order to fully effectuate the object of this act," I move to insert the words "shall be sold and distributed under the supervision of the Federal Trade Commission as provided for in section 1 of this act."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

Mr. JONES of Washington. I desire to ask the Senator from Arizona a question about this provision which I think would apply to the original part stricken out as well as to the amendment. Would this provision affect existing contracts that are

now in force with reference to the purchase of print paper; for instance, by a newspaper in this country from a paper producer in Canada?

Mr. SMITH of Arizona. I do not think Congress could enact legislation affecting an existing legal contract.

Mr. JONES of Washington. It seems to me the language is broad enough to do so. If we give the President the power to do it, it seems to me he can do it; and if the Senator does not want it to have that effect, I should like to see an amendment something like this put in: I will merely suggest it to see whether the Senator would oppose it. At the conclusion say "except that existing contracts shall not be interfered with."

Mr. SMITH of Arizona. I have no objection to preserving any existing contracts, and I would be glad to accept the amendment. I confess that I am put somewhat at sea because of the changes in the joint resolution from what I had hoped might be made. I had hoped that we might be able to preserve some sort of unity, and I have been working on the theory that the Senate would prefer a measure with less rather than one with more restrictions. I now find, however, that the amendment to section 3 inserting the words "as provided for in section 1 of this act," section 1 of the act not having been amended in any way, does not seem to apply.

Mr. FLETCHER. Mr. President, if the Senator will allow me, it seems to me that the amendment he offers now is entirely in harmony with the situation in which section 1 is left.

Mr. SMITH of Arizona. As it now stands?

Mr. FLETCHER. As it now stands. The amendment, as I gather, is to strike out in line 22 of the reprint, after the word "be," the words "made only on account of the United States of America to or through the Federal Trade Commission" and insert "sold and distributed under the supervision and regulation of the Federal Trade Commission." In other words, it is proposed to leave the whole matter with the Federal Trade Commission, as the joint resolution now stands, in view of the rejection of the amendment to section 1. This provision continues the power in the Federal Trade Commission, and, instead of the words "made only on account of the United States," it is proposed, I understand, that the product shall be sold and distributed under the regulations of the Federal Trade Commission, which harmonizes with the way in which section 1 now is, and it seems to me very much improves the joint resolution.

Mr. SMITH of Arizona. On account of the difference of the two prints of the bill and the difficulty of following the amendments as stated, I am somewhat confused; but the Senator's explanation is perfectly clear and section 3 should be amended as indicated in the reprint and by the addition of the words which I have read; that is, commencing in line 11 strike out all down to and including the word "act" in line 17, and then insert the new matter beginning after the word "act," in line 17, perfecting it as I have indicated, so that it will read:

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That makes it conform thoroughly to the other provisions of the joint resolution. I ask for a vote on the amendment.

Mr. HARDING. Mr. President, I am unable to see any essential difference——

Mr. SMITH of Arizona. Mr. President, will the Senator not allow us to perfect this amendment?

Mr. HARDING. I do not object to perfecting the amendment, but I do want to say something about the section itself. I have not any particular choice myself between the words proposed to be eliminated and the substitute proposed by the chairman of the committee. I think any Senator can understand that the fundamental cure for high prices of print paper is increased production. While I think this Government is a very powerful one, I am unable to understand how it can control the production of a neighboring people. I have in mind this sort of a problem: Owing to the growing scarcity of news-print paper in this country and the vital necessity of a supply to a great newspaper, many of them who are able to command the financial means necessary to do so have established their own paper mills. I do not know how far-reaching this joint resolution is intended to be, but it seems to me it would be a very great violation of individual rights for the Government to step in and take from an individual owner, himself producing a supply of paper, and distribute it at the whim of the Federal Trade Commission. It would certainly be very unjust to place in the hands of any authority in this country the power to prohibit the imports of either spruce wood or sulphite pulp. It looks to me as though we were getting deeper and deeper all the time in our efforts to perfect this joint resolution.

What the newspapers of this country need more than anything else, aside from the voluntary arrangement for a fair price for print paper, which has been in effect since the 1st of January, are the things essential to increased production. Every one familiar with the paper trade knows that a very large percentage of the raw material for paper making must be imported. It comes from Canada, and we are proposing here to hamper and hinder production by putting an embargo, at the instance of the President, on the importation of pulp and wood and sulphite from Canada. Everything that we are proposing to do is calculated to hinder the production of the essential supplies to relieve the news-print situation in these United States.

I think the whole joint resolution ought to fail. Instead of doing something to help the newspapers of this country, we are doing something to add to the tax already imposed upon the newspaper publishers of the land. I am very well aware that many newspapers are telegraphing here in favor of the passage of this joint resolution, but I am just as well aware that they have not stopped to realize the far-reaching results which may attend the act of the United States Government going into the manufacture and control of paper. If we only judge by our experience in dealing with coal, which I took occasion the other day to admit seemed to be a necessity, we would be warned that, instead of helping a difficult situation, we are going to embarrass it for every publisher in this country. The joint resolution ought to fail, and this amendment and the section for which it is proposed as a substitute ought not to have the sanction of this body.

Mr. KNOX. Mr. President, I had not intended to address the Senate upon this joint resolution, although I am opposed to it, and would not have done so but for the remarks made this morning by the Senator from Utah [Mr. KING]. When I say "the remarks made by the Senator from Utah" I do not refer to his observations upon the position I have taken upon the constitutionality of the program of war legislation we have passed. I was impelled and intended to rise to say to him that in expressing the hope that some one would correctly appraise the present situation of this country, and particularly in the Democratic Party, that I doubt if any man, however distinguished or however broad his statesmanship, could have made a more powerful appeal for a recrudescence of the principles upon which this Government is founded than has the Senator from Utah. I think, however, Mr. President, that in justice to myself I ought to take some cognizance of his observation as to the position that I have taken upon the constitutionality of the program of legislation to which I have referred.

It is my own misfortune, and due to my own limitations, if I failed to make it perfectly clear that I was not one of those who for one instant imagined that any part of the Constitution of the United States was suspended during a period of war. Why, Mr. President, upon the contrary, there is never a period of time when the Constitution of the United States is so vital and so much in action as during war, because then all of its powers are called into play. We might just as well say that the Constitution of the United States is suspended or dead because of war, as to say that a man who rises in defense of his family against an intruder has had his normal functions suspended, as upon the contrary, his latent powers and natural passions are aroused when he flies to the defense of that which he holds most dear.

The Constitution of the United States specifically empowers the Congress of the United States to declare war. It not only empowers the Congress of the United States to declare war but it prohibits such power to the States, and, in addition to that, the Constitution in terms empowers the Congress to enact all laws necessary to carry that power—the power of war—into effect; so that, Mr. President, my position has all along been that there is nothing in the Constitution that in any way limits or interferes with the power of self-preservation. There is no principle in the Constitution so sacred that this Government must perish in order to preserve it; upon the contrary, when we are at war Congress can pass any law necessary to carry the war to a victorious conclusion.

Mr. President, the question of necessity is the question that Congress must consider. This question of necessity imposes upon us an obligation from which we can not escape. It is for the administration, it is for the Commander-in-Chief of the Army and the Navy, it is for the Chief Executive of the United States to propose to us the powers that he desires in order to prosecute the war; but it is for us to judge of the necessity of those powers. Upon us rests the duty, upon us rests the responsibility, upon us rests the obligation; so that the acid test

for every bill that is laid before this body, so far as we are concerned, is: Satisfy us as to the necessity.

Mr. President, when a measure was rejected in the Senate last spring proposing to create a censorship of the American press I opposed the measure, not upon the ground that there were no circumstances under which the Congress of the United States might constitutionally pass a censorship bill, but upon the ground that no necessity had been shown at that time to lay the powerful control of censorship upon the American press. For myself I realized that while we had vested unparalleled powers in the Chief Executive, while we had appropriated unthought-of sums of money for the expenditures of this war, if there ever was a time when we ought to weigh and weigh conscientiously and weigh deliberately the question of necessity of proposed legislation it was under such circumstances. I believe if ever there was a time when the press of America should be free, when the press should be in a position where it could speak without coercion, it was when these vast powers were being exercised and these stupendous sums of money were being expended.

Mr. President, it is not enough, it is never enough, that some one in executive authority desires a measure to be passed. It is never enough that the argument shall be closed when we are told that the administration desires the enactment of a bill unless we propose to play the ignoble part of which the poet spoke in referring to the Roman Senate:

A Cæsar with a Senate at his heels.

Mr. President, to me this measure is incomprehensible. It is unscientific in construction, and if its purpose is to be judged by its possibilities it is vicious in purpose. The one great reason recited in the preamble of the resolution, the one reason that is tangible, is that proper news shall be generally and efficiently distributed. It is true that the preamble recites the necessity of supplying the Government with print paper, which in itself is in principle a trifling necessity; but for the purpose that is most specifically avowed is that the proper news shall be efficiently disseminated.

Mr. President, I ask now, as I asked last spring, what necessity is there for us to exercise this unprecedented power over the newspapers of the country upon the theory that improper news is now being distributed? If any institution in this country has shown greater loyalty, greater consideration, and more self-sacrifice than the press of America in dealing with war news, I know not what it is; and it is rather significant that as the newspapers themselves begin more thoroughly to understand the vicious principle within this bill the more they are disposed to ask us to withhold such an extraordinary grant of power.

As I have stated at another time, I received this morning from the Philadelphia newspapers the following telegram, illustrating the awakened attitude toward this measure:

The Philadelphia newspaper publishers are unanimously opposed to governmental control of the newspaper industry.

This is signed by the Philadelphia Bulletin, the Philadelphia North American, the Philadelphia Public Ledger, the Philadelphia Press, the Philadelphia Record, the Philadelphia Inquirer, the Philadelphia Evening Ledger, and the Philadelphia Telegraph. These papers, as Senators know, represent every shade and phase of political thought in the State of Pennsylvania and in the United States—Republicans, Democrats, and Progressives alike.

The VICE PRESIDENT. The time of the Senator from Pennsylvania has expired.

Mr. SMITH of Arizona. Mr. President, I ask unanimous consent that the amendment be modified as read by me, in which case I have no objection to the insertion of the Senator's amendment with regard to not affecting the validity of any present existing contract. Of course, we have no desire to do that, and I have no objection to that amendment. My words are only to make it consonant with the balance of the bill. Then let the vote come on the amendment as amended by the words I have stated.

I ask the Secretary to report the amendment, and I ask unanimous consent that that modification be made in it.

Mr. HARDWICK. Mr. President, a parliamentary inquiry. The Senator has a right, has he not, to modify his proposition in any way he wants to? He can modify it himself.

Mr. SMITH of Arizona. I know, but I want these words inserted in the amendment as read by the Secretary. The amendment is in italics in the reprint of the bill, and to those words I have asked to add that it shall be sold and distributed under the supervision and regulation provided in section 1 of the bill. I modify my amendment to that extent.

Mr. JONES of Washington. I was going to suggest that the Senator make that provision also a part of his modification.

Mr. SMITH of Arizona. I have no objection to that coming in as a modification to my amendment, that it shall not affect any existing contract, if the Secretary will read it.

The SECRETARY. The Senator from Arizona proposes to amend the committee amendment as follows:

In the part proposed to be inserted, section 3, strike out the words 'made only on account of the United States of America to or through the Federal Trade Commission," and in lieu thereof insert——

Mr. SMITH of Arizona. Strike out down to "to or through"; leave in "the Federal Trade Commission."

The SECRETARY. Strike out the words "made only on account of the United States of America to or through the Federal Trade Commission," and insert——

Mr. SMITH of Arizona. No; leave in "the Federal Trade Commission."

The VICE PRESIDENT. The Secretary will state the amendment as he understands it.

The SECRETARY. And insert the following words:

sold and distributed under the supervision and regulation of the Federal Trade Commission as provided for in section 1 of this act, except that existing contracts shall not be interfered with.

The VICE PRESIDENT. Is that right now?

Mr. SMITH of Arizona. Yes.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question now is on the amendment as amended. [Putting the question.] By the sound the "noes" seem to have it.

Mr. SMITH of Arizona. I call for a division.

The VICE PRESIDENT. All in favor of the amendment as amended will rise. [A pause.] Those opposed will rise. [A pause.] The impression of the Chair was right. The amendment is rejected. The joint resolution is in the Committee of the Whole——

Mr. SMITH of Arizona. I have not heard the decision of the Chair.

The VICE PRESIDENT. The amendment was rejected.

Mr. SMITH of Arizona. On that I wanted the yeas and nays. I demand the yeas and nays. I did not hear the announcement of the Chair. I was waiting and listening to hear the announcement of the result.

The VICE PRESIDENT. The Senator from Arizona called for a division of the Senate.

Mr. SMITH of Arizona. Yes, sir.

The VICE PRESIDENT. And he got it.

Mr. SMITH of Arizona. Yes, sir.

The VICE PRESIDENT. And it was against the Senator's amendment.

Mr. SMITH of Arizona. Yes.

The VICE PRESIDENT. The Chair has ruled. The amendment is rejected. The Senator can offer the amendment again in the Senate.

Mr. SMITH of Arizona. I give notice that I shall call for the yeas and nays on the amendment in the Senate.

The VICE PRESIDENT. The Senator can do that in the Senate, but not now.

Mr. JONES of Washington. Mr. President, is the text of the bill now subject to amendment?

The VICE PRESIDENT. It is.

Mr. JONES of Washington. I desire to perfect it by adding, after the word "act," in line 17, the proviso which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, section 3, after the word "act," on line 10, it is proposed to insert the following:

Provided, That this act shall not affect any valid contracts existing and in force at the time of its approval.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was rejected.

Mr. JONES of Washington. I reserve the right to offer that amendment in the Senate.

Mr. SMITH of Arizona. Mr. President, if I can get the attention of the Senate for a minute, I think I understand the purpose of the opposition here. If you do not like a thing, no matter how good it happens to be or how nearly good it may be, so that some sort of amendment might help it, the best way to beat it is to make it as obnoxious as possible; and I see Senators here actually vote for an amendment to violate a contract. Then, I suppose, they will refuse to vote for the joint resolution. In this connection I do not know exactly where we are all standing, but I will leave that for some subsequent remarks that I will submit.

I move to amend the joint resolution on line 4, page 1, of the original print, where it reads:

That the Federal Trade Commission is hereby authorized and empowered to supervise, control, and regulate the production—

I move to strike out the word "control."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 1, line 4, it is proposed to strike out the word "control" and the comma.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arizona.

Mr. WADSWORTH. Mr. President, may I ask the Senator what is the significance of the amendment?

Mr. SMITH of Arizona. If it makes no difference, it does not hurt to have it go out.

Mr. WADSWORTH. That is scarcely an explanation.

Mr. SMITH of Arizona. If it makes a difference, it might hurt to keep it in. If it makes the bill still more unpopular to keep it in, I can understand the opposition.

Mr. WADSWORTH. Mr. President, the purpose of my inquiry is to have the Senator from Arizona tell the Senate what his amendment will do in the actual operation of this law.

Mr. SMITH of Arizona. The Trade Commission is authorized and empowered to supervise and regulate. Will the Senator himself tell me why he has any objection to leaving out the word "control" if he can not see any distinction?

Mr. WADSWORTH. The Senator from New York is not the sponsor of this bill.

Mr. SMITH of Arizona. No. If he were, it would be differently written.

Mr. WADSWORTH. The sponsor of the bill rises upon the floor of the Senate and moves to strike out one of these words.

Mr. SMITH of Arizona. Yes.

Mr. WADSWORTH. And I have asked the Senator why he does so.

Mr. SMITH of Arizona. I do so because I do not want them to control. Is that sufficient?

Mr. WADSWORTH. Does the Senator think that they will not control if we take out the word "control"?

Mr. SMITH of Arizona. I do not want the word "control" in, because the word "control" gives them the power to control without any question as to how it may be subsequently decided.

Mr. WADSWORTH. What does the word "regulate" imply?

Mr. SMITH of Arizona. That is another matter. The word "regulate" is in there, and I want the word "regulate," because we all know what it means.

Mr. WADSWORTH. There is one Senator who does not know and never has known what "regulation" meant.

Mr. SMITH of Arizona. That may be true.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Arizona.

The amendment was agreed to.

Mr. SMITH of Arizona. I call for the yeas and nays.

The VICE PRESIDENT. The amendment was agreed to.

Mr. SMITH of Arizona. Mr. President, that shows the difficulties under which a man labors who is almost down now with pneumonia, who can hardly hear a word spoken in this body. The decision on the former amendment was held against me. I did not hear a word of it. It was impossible for me to hear it. The eustachian tube is absolutely closed, and it has been observed that I have to walk over to-day to listen to anything that is said. So, if the amendment is agreed to, I am obliged to the tender consideration of the Senate and certainly will make no motion about it when we get into the Senate itself.

In conformity with that, in the case of the second amendment, on page 2, I desire to strike out after the words "chemical pulp in the United States shall," on line 4, the words "be operated on Government account; that these products be pooled in the hands of the Federal Trade Commission for the term of the war and the emergency occasioned thereby and equitably distributed."

I ask to strike out those words and insert "equitably distribute such products at a price based upon cost of production," and so forth. In other words, I am letting these products be equitably distributed without this seizure or pooling.

I ask that that amendment be adopted.

The VICE PRESIDENT. The Chair will ask the Senator from Arizona to see if the Secretary has it right.

The SECRETARY. On page 2, beginning on line 4, after the word "shall," it is proposed to strike out all down to and including the words "equitably distributed," on line 8, and to insert "equitably distribute such products," so that it will read:

And that all mills producing and all agencies distributing print paper and mechanical and chemical pulp in the United States shall equitably distribute such products at a price based upon cost of production and distribution plus a fair profit per ton, as determined by the Federal Trade Commission.

The VICE PRESIDENT. Did the Secretary have it right?

Mr. SMITH of Arizona. I understand the Secretary to have it right.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMITH of Arizona. Mr. President, some amendments were proposed by the Senator from New Hampshire [Mr. GALLINGER], who is not here, to which I have no objection as far as I am personally concerned. In the case of the amount to be retained by the Government, instead of being 25 per cent, it was proposed to make it 10 per cent.

Mr. SMOOT. Mr. President in the reprint of the bill it is on page 2, line 19.

The VICE PRESIDENT. The amendments will be stated.

The SECRETARY. On page 2, line 13, strike out "75" and insert "90."

The amendment was agreed to.

The SECRETARY. And before the words "per cent," on line 17 of the same page, strike out "75" and insert "90."

The amendment was agreed to.

The SECRETARY. And in the provision as to a fine, on page 3, line 24, it is proposed to strike out "$50,000" and insert in lieu thereof "$20,000."

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, in the interest of the conservation of print paper and of our eyesight, I propose an additional section which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add, at the end of the bill, a new section, as follows:

SEC. 5. That from and after 30 days from the approval of this act no newspaper shall be issued containing more than 16 pages such as were ordinarily printed by such paper.

The VICE PRESIDENT. The question is on agreeing to the amendment. [Putting the question.] By the sound the "ayes" seem to have it.

Mr. SMITH of Arizona. I call for a division.

On a division, the amendment was agreed to.

Mr. SMITH of Arizona. Mr. President, I shall ask for a separate vote on that amendment in the Senate, and shall call for the yeas and nays upon it.

Mr. SMOOT. Mr. President, I move that the bill be recommitted to the Committee on Printing.

Mr. HARDING. Mr. President——

Mr. SMITH of Arizona. Mr. President, is that debatable?

Mr. HARDING. A point of order, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. HARDING. Under the unanimous-consent agreement, can anything be done with the pending measure except to bring it to a final vote?

Mr. SMOOT. Mr. President, as I remember, the present occupant of the Chair ruled that to recommit a bill to a committee under unanimous-consent agreement was a final disposition of the bill as far as the Senate was concerned. That is what the unanimous-consent agreement provides for—the final disposition.

The VICE PRESIDENT. Can the Senator refer the Chair to that ruling?

Mr. FLETCHER. The present occupant of the Chair held just the contrary.

The VICE PRESIDENT. I thought I ruled the other way.

Mr. SMOOT. Mr. President, I have not the ruling before me. I know I always was of the opinion, and am now, that under a unanimous-consent agreement providing for final disposition a bill could not be recommitted to a committee; but, as I remember, a ruling was made contrary to what I had formerly thought was the practice of this body. I may be mistaken, however, but I think we had better have a ruling on the question to-day.

The VICE PRESIDENT. The Chair may be mistaken about it; that would be quite natural; but the present recollection of the Chair is that he ruled that it could not be recommitted to the committee; that that was not a final disposition at all, but the measure would simply go back to the committee and again be reported to the Senate, and that such a course was a violation of the unanimous-consent agreement. That is the Chair's recollection of the ruling he made, although he may be mistaken, and it might be well to take a moment to look into it.

Mr. SMOOT. Mr. President, I am not particular whether we vote upon the resolution directly or whether we vote upon a recommittal of it. As far as my personal opinion is concerned, I think the proper thing to do is to vote directly upon the joint resolution and not to have a vote on a motion to recommit it, although I had understood the ruling of the Chair to be otherwise.

Mr. THOMAS. Mr. President, will the Senator yield to me?

Mr. SMOOT. Certainly.

Mr. THOMAS. I think the Senator has momentarily overlooked the fact that just prior to our adjournment on Friday the Senator having charge of the bill asked the floor leader, who had moved to adjourn until Monday, whether such action would interfere with a final vote upon the joint resolution, whether it would be sidetracked; and he was assured to the contrary not only by the Senator from Virginia [Mr. MARTIN] but also by the Senator from Utah [Mr. SMOOT].

Mr. SMOOT. Oh, Mr. President, the Senator from Colorado is wrong in that. The Senator then had reference to taking up another bill and displacing his resolution as the unfinished business.

Mr. TOWNSEND. Mr. President, if the Chair will look on page 264 of the Precedents, he will find the ruling to which reference has been made.

Mr. THOMAS. I think I am correct about that, Mr. President.

Mr. SMOOT. Oh, no. What I stated to the Senator from Arizona was that I would vote against taking up any other bill to displace the unfinished business.

Mr. ASHURST. Mr. President, from the very language of the unanimous-consent agreement the Senate is precluded from recommitting this resolution. I am opposed to recommitting this resolution, and unless you break the unanimous-consent agreement a motion to recommit can not be entertained, because it provides that the resolution shall proceed "through the regular parliamentary stages to its 'final disposition,'" and every one of us who indulges in the luxury of reflection knows that to "recommit" a bill is not proceeding to its final disposition. It means that there will or may be more proceedings taken later thereon. Should such a motion prevail it would not be a "final disposition"; to recommit would mean that the Senate through one of its committees would still retain jurisdiction over the resolution, and such could not be a "final disposition."

The VICE PRESIDENT. The Chair finds, through the courtesy of the Senator from Michigan [Mr. TOWNSEND], that substantially the same question was ruled upon by the Chair on the 17th of October, 1914, where, under a unanimous-consent agreement, I ruled that a motion to lay the bill on the table was not in order, not being a final determination; that although it usually and ordinarily constituted a disposition of the measure, still it might be again taken from the table. The Chair sustains the point of order of the Senator from Ohio [Mr. HARDING] and rules that the joint resolution can not be recommitted to the committee. The joint resolution is in Committee of the Whole and open to amendment.

Mr. HITCHCOCK. Mr. President, I want to say a few words on this joint resolution before it comes to a vote and before it goes into the Senate.

A year ago, or possibly even six months ago, probably much might have been said in favor of some measure to bring relief to the newspaper world. That time has passed. To a large extent, if not to a full extent, a remedy has been found. The combination that then existed among certain manufacturers representing about 75 per cent of the news-print manufacture of the country has been broken, and to a considerable extent the processes of competition have resumed their operation. Under an agreement to which the Attorney General of the United States was a party, those manufacturers representing a commanding position in the world of news-print manufacturers, the Federal Trade Commission is now engaged in fixing a price for news print in the United States, not only the price of rolled print for the large papers but of sheet paper for the small papers as well. Under this process the price of paper has already been materially reduced. Newspapers have found that they were not compelled to deal with the mills they were formerly tied to by the secret conspiracy which had been formed. The result is that a reduction of 10 per cent and later a reduction of a larger per cent in the price of paper to all classes of consumers has taken place.

So I say the occasion for this legislation has passed. At all times it has seemed to me to be questionable legislation. I have a strong faith in the Federal Trade Commission. I believe in the measure which created it, and I believe that the Federal Trade Commission is performing a useful function. It gathered information which was finally used to break up this combination. It has been the watchman which has succeeded in protecting the newspapers of the country as the result of a long struggle.

The Federal Trade Commission is now engaged under an amicable arrangement in fixing prices and in adjusting distribution. I think it would be a mistake, Mr. President, at this juncture to attempt by legislation to modify that situation.

Mr. STONE. Mr. President——

Mr. HITCHCOCK. I can not yield for a question because I have only a few minutes.

Mr. STONE. It was a pertinent question.

Mr. HITCHCOCK. But there is an additional reason why I think it would be a mistake to put the Federal Trade Commission, which now performs a useful function, into the position provided by the bill. It would practically throw responsibility upon it which might break its back. If we put upon the Federal Trade Commission the work of actual distribution and manufacture of paper, as the bill was originally intended, it would go far beyond its legitimate function and raise very serious doubt as to any successful result.

But, Mr. President, there is another thing the Senator from Ohio [Mr. HARDING] and others have said, that the real question in the print-paper world is one of production. There has been a real scarcity of print paper. There has not been enough print paper manufactured. It is easy to see what will be the result of putting the print-paper manufacture of the country in the hands of a Government agency. It will discourage enterprise; it will restrain investment. No one with money will go into the investment of print paper in paper mills while those mills are largely under the control of an agency of the Government. So I fear that this legislation would tend to restrict production and would really tend to embarrass the trade. It would do more. It would serve to throw the trade into a confusion which is entirely unnecessary.

I have a good deal of respect for Government agencies. We all know that most of the Government agencies which have undertaken in this emergency the conduct of business have met with very serious embarrassment and have not made a very creditable record.

So, Mr. President, I believe that this is not the time to pass this resolution. It may be said that in the form in which the bill now stands no one can tell exactly what it means. As reported by the committee it meant but one thing, but as the result of a series of amendments which have been injected into the bill it forms now a chapter in legislation which, I think, no one here can exactly understand, and I believe that it will not be a benefit to the newspaper world at this juncture to pass this legislation. I believe it is far better to allow the present amicable process to continue, under which, as the result of an agreement, the Federal Trade Commission is operating to fix prices and under which the manufacturers have been prohibited from forming the combinations which they have heretofore had in existence.

I believe that what has been done will be successful. The relief has already begun and the reduction in the price of print paper has already been considerable, not only as to large users of print paper but the small users as well.

Mr. SMITH of Arizona. Mr. President, I wish to say a word or two in response to the suggestions of the Senator from Nebraska [Mr. HITCHCOCK]. Absolutely intolerable conditions are found to exist in the print paper and pulp business in this country. The Senate passed a resolution requesting the Trade Commission—or ordering it, if you please—to make a thorough investigation of this business in the United States and report its findings to the Senate. The Senate adopted that resolution, I understand, without any division. The report came to the Senate with an aggregation of facts that, without the use of intemperate language—that never does any good and is never used by men except, probably, in their excitement—I may say disclosed an intolerable trust, the most heartless, the most shameless, and to which a virtual admission was made by every man in it who was then before the court.

Before the Trade Commission made the investigation these people were selling print paper at 2½ to 3, 5, 8, 9, and 10 cents a pound. Some of them were making 1 cent a pound. The Senator from Ohio [Mr. HARDING] admitted the other day, in spite of what the Senator from Utah had said in response to that sort of a statement made by me, that as soon as the report came out with the facts the gentlemen composing the trust made an agreement with the Trade Commission that they would sell the paper at 2½ cents a pound f. o. b. at the mill. As soon as the Attorney General brought a suit to set aside this unconscionable combination the profiteers immediately began to violate that contract and to sell paper at 3 cents, a menace to the whole industry of this country. It was unconscionable. The newspapers were entitled to the protection of anybody anywhere, and especially of the Senate of the United States that investigated it and the courts who found that there was an unconscionable trust robbing the people, even above the 29 per cent profit, and they had already received $17,000,000 in a year. Then we hear Senators talk about hurting the industry in this country. God help us to hurt every industry of that kind! The country newspapers,

the Ohio papers from the State to which the Senator from Ohio [Mr. HARDING] belongs, write a letter this morning. The Associated Ohio Dailies, of which the Senator from Ohio was a party, write this letter to Mr. Hosmer:

MY DEAR MR. HOSMER: I have your letter of December 6, and want to assure you that the Associated Ohio Dailies will be ready to cooperate with you in the matter of the Smith resolution now before Congress and on the Senate Calendar.

He states more that it is unnecessary for me to read, but this shows that they are for it. Is it not strange that exalted gentlemen who hold a high position, as the Senator from Pennsylvania [Mr. KNOX], should say that the great newspapers from Pennsylvania did not want this measure to pass at all? No wonder they did not; and if the whole gang that has been represented could only kill every one of the poorer papers, even if they paid 10 cents a pound for paper, they would make a profit in the end, for they would be the only ones who would have newspaper circulation at all.

That was the purpose of this resolution, and it has been shown on this floor that Senators have voted for the violation of a contract. With a provision in the measure that a contract should not be violated Senators have stood here—dignified Senators—and voted against it, because they wanted it to appear that the bill carried a violation of a contract, and they were willing if the bill should happen to pass that it should not carry that provision rather than have the paper which they happened to be fortunate enough to be interested in get print paper at prices cheaper than their neighbors.

Mr. President, this is not aimed to help or support the big papers of this country.

Mr. REED. Mr. President——

Mr. SMITH of Arizona. I have only a minute left.

Mr. REED. I simply wish to ask the chairman of the committee a question.

Mr. SMITH of Arizona. I know, but there have been hundreds of questions asked, and they have been answered. I will yield in half a second.

Mr. President, that is the reason why this resolution is before the Senate. It was based on the belief that in the general circulation of newspapers they had the same right of protection as the right of the product on which they print. It was based in that particular on the ground of a war measure for nine-tenths of the papers. That is what they were charging them, and what they will continue to charge them, and already they are working with all their attorneys, and not one of the print-paper gentlemen who was indicted and convicted, not one of them, will tell the Trade Commission what it cost to make paper. So they wanted time to tell what their plans were. It is the same old, ingenious proposition that they could say to every publisher in the United States and user of paper that there was going to be an increase in the cost.

Mr. President, the matter is now before the Senate. When it votes, I hope no Senator here will vote that a contract ought to be violated. I hope Senators are not so unfamiliar with the conditions that led up to this measure that they have lost their conscience to that extent that they would make the bill as obnoxious as possible instead of attempting in good faith to amend it and improve it, and so that it would be as harmless as possible from their standpoint.

Mr. REED. Mr. President, I rose to ask the chairman of the committee a question.

Mr. SMITH of Arizona. I beg the Senator's pardon.

Mr. REED. A question which he did not feel he could yield to at this time. While I want the most of my time, I should like to get a direct answer to this question: Is it or is it not true that arrangements have been perfected by which a price has been fixed upon print paper to hold until some date in the coming year?

Mr. SMITH of Arizona. I can tell the Senator all about it.

Mr. REED. It is that question I ask. Is that the fact?

Mr. SMITH of Arizona. Some six or eight indicted people have made a contract that they will furnish paper up to the 1st day of April at a certain price.

Mr. REED. Is it not true that those same six or eight indicted people, or formerly indicted people, have agreed that the Federal Trade Commission shall fix their price after the 1st day of April?

Mr. SMITH of Arizona. They have.

Mr. REED. Is it not true that those 8 or 10 indicted people are the producers of practically 75 per cent of all the print paper of the United States?

Mr. SMITH of Arizona. It is. They made the same contract before, if the Senator will permit me, and violated it.

Mr. REED. Mr. President, I want to state my position upon this bill as briefly as I can, if not for the enlightenment of the Senate, at least that I may put in the RECORD my own position.

When the newspapers began to suffer from the exactions of the combination to advance the price of wood pulp I was one of the first to call the attention of the Senate to that fact, and at the instance of great newspapers I introduced a resolution calling upon the Trade Commission to advise the Senate why it had not served the notice which it could serve under the Federal trade act and made the demand that it could make, which would have put these conspirators to answer before the court.

The Senate received in reply to that resolution which was passed a somewhat long and involved reply from the Federal Trade Commission. After reading it, I concluded that the Federal Trade Commission had reached the view that they had thought it best to lay the facts before the Attorney General of the United States, that certain indictments had been found and that therefore the law ought to be allowed to take its course without any interference on the part of Senators, and with the full acquiescence of the newspaper men who asked me to act, as I have stated, I proceeded no further in the matter, awaiting the outcome of those suits.

It now transpires, Mr. President, that those who were indicted in the suit pleaded guilty and effected an arrangement with the Attorney General of the United States or with the interested parties, to wit, the great newspaper publishers who had been back of these particular prosecutions in the effects to obtain redress from the Federal Government to which I have already adverted.

I take it that the Attorney General of the United States ought to have enough good sense and shrewdness not to make an idle or a foolish agreement, particularly when we find that agreement coupled with what appears to have been a very moderate sentence. Taking the situation in the light I am able to view it, it seems to me perfectly plain that the Attorney General and the court have substantially said to these great producers: "What we want at this time is results, practical results, rather than punishment. Your penalties will be mild in these courts, provided you will agree to furnish news-print paper at a reasonable price until the 1st of April, and thereafter put yourselves under the jurisdiction of the Federal Trade Commission and let it fix prices."

I am not prepared to believe that Attorney General Gregory made an arrangement of that kind and left himself and left the country in such shape that they are liable at any moment to have this contract violated. I believe the Attorney General has worked out a plan by virtue of which the Federal Trade Commission will investigate the cost and will fix prices; that the only reason the agreement did not provide for an absolute price throughout the year was because it was not deemed possible to fix such a price justly without further hearing.

Believing that, Mr. President, I come to the consideration of this joint resolution. So far as the combination is concerned, unless the Attorney General of the United States had such an agreement as I have referred to, then he was very derelict in his duty for not insisting upon a severe penalty, a penalty that would have taught these conspirators a lesson they would always remember; and the Federal court was derelict in its duty if it did not impose such penalty, save and except the mildness of the penalty is to be explained by an understanding having been reached which would benefit the American public.

With that situation, therefore, what becomes of all the argument about trusts? What becomes of all the denunciation of the monopolies that rob little newspapers? That is water over the wheel; that is a thing that is passed. It was an outrage when it existed; but the authorities have undertaken to cure it and have undertaken to cure it by putting the jurisdiction of the fixation of prices in the Federal Trade Commission, the very tribunal to which the distinguished Senator who is the author of this measure appeals.

No man will go further than will I to punish trusts and monopolies; no man on this floor has a cleaner record for voting against trusts and monopolies and for their severe punishment than I myself have; no man would have rather seen these wood-pulp, news-print paper makers in the penitentiary than would I; but the authorities of the United States have seen fit, evidently for the benefit of the business, to impose light penalties, and, in lieu of a criminal penalty, to give the newspaper people the benefit of low prices.

Mr. President, in the one minute which remains to me I can not discuss this measure, but let me call attention to the fact that there is a complete demonstration that it was an undigested measure when it came here, because the sponsor for the joint resolution has himself seen fit to amend it and offer an amendment which completely changes the very fundamentals of the joint resolution.

Mr. SMITH of Arizona. Now, will the Senator permit me to say——

Mr. REED. I can not permit the Senator to say much in my one minute, though I should like to do so.

Mr. SMITH of Arizona. I appreciate that fact.

Mr. REED. The joint resolution is brought here, giving the Federal Trade Commission the authority to take this print paper over without a single word as to how it shall be distributed or who shall be entitled to it. A point like that overlooked in a measure is proof positive that the measure was not inspected, is proof positive that it was not understood, and is proof positive that it ought to go back for proper consideration.

Perhaps some legislation is necessary along this line, but certainly it is not this legislation. As the joint resolution is now amended we find the absurd provision in it that no newspaper shall print more than 16 pages. Nothing is said about the size of the pages; nothing is said about great periodicals——

The VICE PRESIDENT. The time of the Senator from Missouri has expired.

Mr. SMOOT. Mr. President, I think I ought to take only a few moments of the time of the Senate to again refer to the question that was brought up in reference to the newspapers having to pay 9 cents a pound for print paper. I think there were one or two such cases reported to the Federal Trade Commission, where they were charged 9 cents a pound away out in the western country, where a few pounds were purchased and taken from a roll of paper; in other words, it was shown that about once a month a little four-page pamphlet called a newspaper, but which did not buy more than 20 pounds at a time for one issue, had been charged 9 cents a pound—not by the manufacturer of the paper, but by the distributor of the paper, who had paid the freight upon the paper, and the purchaser took but a part of a roll and was charged 9 cents a pound, that is cited here as a wicked sample of what has been generally charged to the papers of this country for news-print paper.

Mr. President, in regard to the charge of a violation of the contract, I wish to say that the Federal Trade Commission was directed by the Senate, as I remember, to make an investigation of the cost of print paper. That investigation proceeded, and as it proceeded the Federal Trade Commission undertook to make an agreement with the paper manufacturers of this country as to the price at which print paper should be sold. An agreement was reached and a price named at 2½ cents a pound. Shortly after the agreement was reached the Attorney General, in behalf of the United States, brought suit against seven or eight paper manufacturers for the purpose of dissolving the companies, claiming that they had associated themselves together, and thus had formed a monopoly in restraint of trade.

It is true, Mr. President, that after they had made the agreement to sell paper at 2½ cents a pound, when the Attorney General began suit against them, they concluded that the agreement which they had made with the Federal Trade Commission, a branch of our Government, should not be binding. I think in many cases they then sold paper as high as 3 cents a pound instead of 2½ cents. But, further, Mr. President, when the cases were settled—and I am not going into the question of how they were settled, because that has already been stated on the floor a good many times—the Attorney General, as trustee in behalf of each and every individual, firm, or corporation publishing a newspaper and using news-print paper in his business or in its business in the United States, agreed with the seven or eight print-paper manufacturers who manufactured at least 75 per cent of the paper manufactured in the United States upon certain prices at which the paper should be sold. Those prices were based upon the investigation of the Federal Trade Commission and were the prices which that commission recommended. Here are those prices: From January 4, 1918, until April 1, 1918, for such news-print paper in rolls, $3 per hundred pounds f. o. b. at the mill in carload lots, and $3.25 per hundred pounds f. o. b. at the mill in less than carload lots.

Then, the agreement further provides:

> After April 1, 1918, a just and reasonable maximum price and terms of contract for the sale of all or any print paper shall be determined and fixed by the Federal Trade Commission after due hearing and investigation.

Why, Mr. President, the agreement that has been reached is such that the Federal Trade Commission has absolute power to fix the price at which print paper shall be sold in the United States.

Mr. SMITH of Arizona. By the manufacturers not a party to that agreement?

Mr. SMOOT. Oh, well, I have already said manufacturers making 75 per cent of news-print paper in the United States are included in this agreement. Furthermore, Mr. President, I have no doubt whatever that the manufacturers of the other 25 per cent will follow suit just as soon as the Attorney General can get the signatures of the parties to the agreement. Why is any legislation needed when we know that such an arrangement is in force to-day? The only reason this legislation is sought is to give, indirectly, the power to the President of the United States to say to any one paper in the United States, or to all of them, that they shall not have print paper if, in his judgment, it is better for the public good that they should not have it. It involves a greater censorship than was ever heretofore thought of or ever tried to be put into effect.

Mr. SMITH of Arizona. I should like to correct the Senator as to that.

Mr. SMOOT. I have only a few minutes, and I hope the Senator will wait until I conclude.

Mr. SMITH of Arizona. I understand the Senator's position.

Mr. SMOOT. The Senator from Arizona has had his 10 minutes.

Mr. SMITH of Arizona. I merely wish to say that only 55 per cent of the paper is handled by the companies included in this arrangement. I have here [exhibiting] the showing of every one of them.

Mr. SMOOT. I hope the Senator will let me proceed. Let us grant, Mr. President, that what the Senator has said is true, although he has said several times to-day that the output controlled by the so-called combine was about 75 per cent; but granting that it is only 55 per cent, that does not change the principle of the pending legislation.

Mr. NORRIS. Mr. President——

Mr. SMOOT. I yield to the Senator from Nebraska.

Mr. NORRIS. I want to suggest to the Senator that his designation of the reason for giving this great power to the President is hardly accurate, because the amendment proposing to put this matter in the control of the President was not agreed to and is not in the joint resolution now.

Mr. SMOOT. The power is given in section 3, but be that as it may, it gives the power to the Federal Trade Commission.

Mr. NORRIS. Yes; that is right.

Mr. SMOOT. And the Federal Trade Commission would not deny a request of the President of the United States.

Mr. NORRIS. The Senator does not mean to say, does he, that the Federal Trade Commission will not exercise its own judgment; and that it is completely subservient to the President?

Mr. SMOOT. The Senator from Utah is willing to say that there is no telling what the joint resolution, if it ever passes the Senate, will contain when it comes out of conference; there is no telling what amendments may be made in the other House.

Mr. NORRIS. That may be, but the Senator is speaking of the joint resolution as it stands now, and it gives no such power to the President.

Mr. SMOOT. The Senator from Utah will stand corrected as far as section 1 is concerned, inasmuch as the amendment proposing to transfer the power to the President has been disagreed to, and it has been placed in the Federal Trade Commission rather than in the President, although in effect that does not change the situation a particle.

Mr. President, I do not care to say anything more about the measure at this time and hope the Senate will defeat the passage of the resolution.

The joint resolution was reported to the Senate as amended.

The VICE PRESIDENT. The Senator from Arizona has reserved for a separate vote in the Senate the amendment inserting section 5. The question is on concurring in the other amendments not reserved.

The amendments not reserved were concurred in.

The VICE PRESIDENT. The Senator from Arizona has reserved a separate vote on the amendment adding section 5 on which he has requested the yeas and nays. Is the request of the Senator from Arizona seconded?

Mr. THOMAS. I ask that the amendment be stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed to add a new section at the end of the joint resolution as follows:

> SEC. 5. That from and after 30 days from the approval of this act no newspaper shall be issued containing more than 16 pages such as were ordinarily printed by such paper.

Mr. SMITH of Arizona. I ask for the yeas and nays on the question of concurring in the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). As I have a pair with the Senator from New Hampshire [Mr. GALLINGER], in his absence I withhold my vote.

Mr. KELLOGG (when his name was called). I have a pair with the junior Senator from Maine [Mr. HALE] and therefore withhold my vote.

Mr. KNOX (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. As he is not present, I withhold my vote.

Mr. WEEKS (when Mr. LODGE's name was called). My colleague [Mr. LODGE] is absent on account of death in his family. He has a general pair with the senior Senator from Georgia [Mr. SMITH]. If my colleague were present he would vote "nay" on this amendment.

Mr. NORRIS (when his name was called). I am paired with the junior Senator from Utah [Mr. KING], who was called away from the Chamber and who has not yet come back. I do not know how he would vote on this amendment if present, and therefore withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. He not being present, I withhold my vote.

Mr. REED (when his name was called). I have a pair with the Senator from Michigan [Mr. SMITH]. I transfer that pair to the Senator from California [Mr. PHELAN] and vote "nay."

Mr. SHERMAN (when his name was called). I have a pair with the senior Senator from Kansas [Mr. THOMPSON]. I transfer that pair to the Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. SHIELDS (when his name was called). I have a pair with the Senator from Connecticut [Mr. BRANDEGEE], who is absent on account of illness. I therefore withhold my vote.

Mr. SMITH of Georgia (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE], but upon this joint resolution and the amendments to it he is paired with the junior Senator from New Hampshire [Mr. HOLLIS]. I vote "yea."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM], but under that pair I am authorized to vote when I think proper on this measure. I vote "nay."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). My colleague [Mr. SMITH of Michigan] is necessarily absent. He is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the senior Senator from South Dakota [Mr. STERLING]. In his absence, I withhold my vote.

The roll call was concluded.

Mr. WILLIAMS. I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the Senator from Illinois [Mr. LEWIS] and vote "nay."

Mr. HARDWICK. I have a general pair with the junior Senator from Kansas [Mr. CURTIS], who is absent on official business. I therefore withhold my vote.

Mr. KIRBY. I announce the absence of the senior Senator from Kansas [Mr. THOMPSON] on important public business.

Mr. TILLMAN. I transfer my pair with the senior Senator from West Virginia [Mr. GOFF] to the senior Senator from New Jersey [Mr. HUGHES] and vote "nay."

Mr. HARDING (after having voted in the negative). I voted without noticing the absence of the junior Senator from Alabama [Mr. UNDERWOOD], with whom I have a general pair, but I am informed that on this amendment he would vote as I have voted. Therefore I will allow my vote to stand.

Mr. SMITH of Georgia (after having voted in the affirmative). I have not regarded this amendment seriously, and I really did not mean my vote seriously, so I should like the consent of the Senate to change it.

Mr. SMOOT. I desire to announce that the Senator from New Mexico [Mr. FALL] is paired with the Senator from Wyoming [Mr. KENDRICK] and that the Senator from New Jersey [Mr. FRELINGHUYSEN] is paired with the Senator from Montana [Mr. WALSH]. I also announce that the senior Senator from New Hampshire [Mr. GALLINGER] is unavoidably absent and that the junior Senator from Kansas [Mr. CURTIS] is absent on official business.

The result was announced—yeas 4, nays 53, as follows:

YEAS—4.

Jones, Wash.	McCumber	Ransdell	Sherman

NAYS—53.

Ashurst	James	Poindexter	Swanson
Bankhead	Johnson, Cal.	Pomerene	Thomas
Beckham	Jones, N. Mex.	Reed	Tillman
Borah	Kenyon	Robinson	Townsend
Calder	Kirby	Saulsbury	Trammell
Chamberlain	La Follette	Shafroth	Vardaman
Colt	McKellar	Sheppard	Wadsworth
Cummins	McNary	Simmons	Watson
Fernald	Martin	Smith, Ariz.	Weeks
France	Myers	Smith, Ga.	Williams
Gerry	Nelson	Smith, Md.	Wolcott
Gronna	New	Smoot	
Harding	Owen	Stone	
Hitchcock	Pittman	Sutherland	

NOT VOTING—36.

Brandegee	Goff	King	Phelan
Broussard	Gore	Knox	Shields
Culberson	Hale	Lewis	Smith, Mich.
Curtis	Hardwick	Lodge	Smith, S. C.
Dillingham	Hollis	McLean	Sterling
Fall	Hughes	Norris	Thompson
Fletcher	Johnson, S. Dak.	Overman	Underwood
Frelinghuysen	Kellogg	Page	Walsh
Gallinger	Kendrick	Penrose	Warren

So the amendment made as in Committee of the Whole was nonconcurred in.

The VICE PRESIDENT. The Senator from Arizona [Mr. SMITH] now offers an amendment, which will be stated.

The SECRETARY. It is proposed to strike out section 3, as printed in the bill, and to insert:

That the President, during the present war emergency, shall have power by proclamation to declare that such imports of mechanical and chemical pulp and their products as he shall deem necessary in order to fully effectuate the objects of this act shall be sold and distributed under the supervision and regulation of the Federal Trade Commission, as provided for in section 1 of this act, except that existing contracts shall not be interfered with.

The VICE PRESIDENT. The Senator from Arizona asks for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). Making the same announcement as to my pair as before, I withhold my vote.

Mr. HARDWICK (when his name was called). I have a pair with the junior Senator from Kansas [Mr. CURTIS], who is detained from the Senate on account of official business. I transfer that pair to the junior Senator from Louisiana [Mr. BROUSSARD] and vote "yea."

Mr. KELLOGG (when his name was called). I am paired with the junior Senator from Maine [Mr. HALE] and withhold my vote.

Mr. NORRIS (when his name was called). On this question I am paired with the junior Senator from Utah [Mr. KING]. If he were present he would vote "nay," and I would vote "yea."

Mr. OVERMAN (when his name was called). Again announcing my pair with the senior Senator from Wyoming [Mr. WARREN] I withhold my vote.

Mr. REED (when his name was called). Making the same announcement as on the previous roll call I vote "nay."

Mr. SHERMAN (when his name was called). I am paired with the senior Senator from Kansas [Mr. THOMPSON]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. SHIELDS (when his name was called). Announcing my pair as before I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). Again announcing my pair, I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the senior Senator from West Virginia [Mr. GOFF] to the senior Senator from New Jersey [Mr. HUGHES] and vote "yea."

Mr. WILLIAMS (when his name was called). Repeating the announcement made upon the last roll call I vote "yea."

The roll call was concluded.

Mr. MYERS. My colleague [Mr. WALSH] is still detained from the Senate by illness. He is paired with the junior Senator from New Jersey [Mr. FRELINGHUYSEN].

The result was announced—yeas 52, nays 9, as follows:

YEAS—52.

Ashurst	Kenyon	Pittman	Stone
Bankhead	Kirby	Poindexter	Sutherland
Beckham	Knox	Pomerene	Swanson
Colt	La Follette	Ransdell	Thomas
Cummins	McCumber	Robinson	Tillman
Gerry	McKellar	Saulsbury	Townsend
Gronna	McLean	Shafroth	Trammell
Hardwick	McNary	Sheppard	Underwood
Hitchcock	Martin	Simmons	Vardaman
James	Myers	Smith, Ariz.	Wadsworth
Johnson, S. Dak.	Nelson	Smith, Ga.	Weeks
Jones, N. Mex.	New	Smith, Md	Williams
Jones, Wash.	Owen	Smoot	Wolcott

NAYS—9.

Calder	France	Johnson, Cal.	Sherman
Chamberlain	Harding	Reed	Watson
Fernald			

NOT VOTING—32.

Borah	Frelinghuysen	Kendrick	Phelan
Brandegee	Gallinger	King	Shields
Broussard	Goff	Lewis	Smith, Mich.
Culberson	Gore	Lodge	Smith, S. C.
Curtis	Hale	Norris	Sterling
Dillingham	Hollis	Overman	Thompson
Fall	Hughes	Page	Walsh
Fletcher	Kellogg	Penrose	Warren

So the amendment of Mr. SMITH of Arizona was agreed to.

Mr. REED. Mr. President, I move to strike out section 4 and to insert in lieu thereof the matter which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to strike out all of section 4 as amended, and to insert in lieu thereof the following:

That any person or persons engaging in a conspiracy to limit the production or sale of print paper, or to fix the price of the same, or to create a monopoly in the manufacture or sale thereof, shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years, and shall be fined not less than $150,000.

Mr. SMITH of Arizona. Mr. President, I have no objection to the Senator's amendment if he does not strike out the whole of section 4 of the joint resolution. He can put in afterwards whatever he wants as to conspiracy; but I hope the Senator will not press the amendment to strike out section 4, for he will admit, and everyone else will admit, that if section 4 is struck out it leaves no power on earth in the joint resolution. If section 4 is struck out, it is equivalent to voting against the joint resolution itself. The question will come up better, in my judgment, on the square question of passing the joint resolution than on an amendment that will make the measure absolutely nugatory, in my judgment.

I say that, although I was not able to catch as clearly as I should like to, because of the noise about me, the precise words of the Senator's amendment.

Mr. REED. Mr. President, the joint resolution as drawn gives the Federal Trade Commission authority to control, supervise, and regulate the production and distribution of print paper and chemical pulp. That, of course, gives it jurisdiction over all of the activities and all of the energies employed in making paper. As I stated awhile ago in a colloquy, it gives the Federal Trade Commission jurisdiction over every instrumentality, from the man who wields the ax in the forest to cut down the trees to the transportation company that hauls the material to the mill that manufactures it and to the agencies that distribute it.

The section giving that broad power to the Federal Trade Commission is followed by section 4, which provides that every order of the Federal Trade Commission shall be obligatory on every individual, firm, association, company, corporation, or organized manufacturing industry, or the responsible head or heads thereof, who shall do any of the things I have heretofore referred to; and then it is followed with the provision that a failure to comply, not with the orders of the Federal Trade Commission, not with the laws of Congress, not with the laws of our country, but with the orders of the Federal Trade Commission, shall constitute a felony, which shall be punishable by three years' imprisonment and a fine.

Mr. President, if this joint resolution authorized the Federal Trade Commission to seize the products of these plants, to go into court or outside of court to take possession of the property of individuals, and left the individual to his recourse in the civil courts of the country, it would be a very radical measure, but it might be tolerable. But, Mr. President, the joint resolution proposes to say to every man engaged in this industry: "Obey the orders of the Federal Trade Commission or go to the penitentiary."

No matter how arbitrary the order may be, no matter how destructive it may be, no matter how unjust it may be, no matter how illegal it may be, every man who refuses to obey does so with the threat of the penitentiary hanging over him; and this is proposed in a country where we claim to have a Constitution, in a country where it always has been said that a man was entitled to his day in court, and to be tried according to the law of the land; and the proposition here is to send a man to the penitentiary because he does not obey the order, not of the law itself, but of a board or tribunal!

Mr. SMITH of Arizona. Mr. President, I will ask the Senator, if he will permit me, if that is not true of the national-defense act; if the very same language does not occur also in the food and coal act and in the national-defense act, except that the penalty is three times as great?

Mr. REED. Well, Mr. President, if any such language occurs in any act of Congress, it is to the shame of Congress, and it is to the shame of our country. This has always been understood to be a government of law and not a government of men; a government in which the rules by which the citizen is to be guided are laid down by the lawmaking power that the citizen has created. It is a new chapter in American jurisprudence and in constitutional development or disintegration when it is proposed to say that whenever some board issues an order that a man does not see fit to obey he shall not have his day in court to settle his civil rights in a civil tribunal, but that if he fails to turn over his property or obey the mandate of that board he shall be instantly haled before a criminal court and started to the penitentiary.

That sort of legislation, Mr. President, I do not believe finds a parallel in Austria. I do not believe you can parallel it in Prussia. I think you would have to go to Turkey to find its real source.

Now, the chairman in charge of this bill holds before me some book, in which he says we have done similar things before. That is a miserable begging of a question. If we have done things of this kind before, if this Congress has been reckless to the people's rights, it is so much the more reason why we should pause now. Who is it in his calm moments can deem it safe to vest such powers as these in men?

Mr. President, the amendment I have offered proposes to punish as crimes those things that are crimes, those things that have been recognized as crimes. It is proposed to penalize these institutions and men if they shall conspire in restraint of trade, if they shall seek in any way to fix prices, to limit output. That far we can justly and properly go, and no further than that should we go.

Mr. SMITH of Arizona. Mr. President——

Mr. REED. Mr. President, I raise the question that the Senator has occupied his time on this bill.

Mr. SMITH of Arizona. I thought the Senator offered an amendment.

Mr. REED. And you spoke to it——

Mr. SMITH of Arizona. I have not said a word in the way of a speech. I interrupted the Senator.

Mr. REED. For at least seven or eight minutes.

Mr. SMITH of Arizona. I interrupted you.

Mr. REED. The Senator did not interrupt me. I offered an amendment, and before I said a word the Senator spoke. I would have no objection, but if we are going to have rules we should observe them

Mr. SMITH of Arizona. In order to avoid that, I move to amend the Senator's amendment by striking out the first clause of it.

Mr. REED. Very well.

Mr. SMITH of Arizona. Mr. President, the speech the Senator has delivered is so much in line with so many great speeches he has delivered, never a weak one, in this body but along the same identical lines, that I was wondering whether the Senator voted for or against the national-defense bill. If he voted for it, he is subject to all the denunciation that he has been heaping on the balance of us. If he voted against it, he is perfectly consistent. I was wondering whether he voted for the food and coal regulations. I think the Senator probably voted against that measure.

Mr. REED. I undoubtedly did.

Mr. SMITH of Arizona. If he did, the Senator was consistent; but in the national-defense bill there are provisions forty times worse than the very one against which he inveighs now. If the Senator will permit me, I will read a section from that act.

Mr. REED. I was going to ask the Senator to find where there was something forty times worse in the English tongue.

Mr. SMITH of Arizona. I will show it. It was forty times worse, according to the Senator's own statement, than what is contained in this bill It is very easy to say how evil something is; it is easy to say there is something equally awful; yet it does not make any difference; "I know it is awful, but this is awfuller than the awful mistake I made last week."

What was the national defense bill? I will not read all of its 128 sections, but I will read part of it. Under the section providing for the purchase or procurement of military supplies the President—

is hereby authorized to take immediate possession of any such plant or plants—

I do not do that in this bill—

and, through the Ordnance Department of the United States Army, to manufacture therein in time of war, or when war shall be imminent, such product or material as may be required—

Listen, Senator from Missouri, to your own criticism—

and any individual, firm, company, association, or corporation, or organized manufacturing industry, or the responsible head or heads thereof, failing to comply with the provisions of this section—

And this section not only gives the power that is given in this measure, but broader, giving the power under the head of the department—

shall be deemed guilty of a felony and, upon conviction, shall be punished by imprisonment for not more than three years and by a fine not exceeding $50,000.

Mr. REED. Will the Senator yield for a question, since he is making this entirely personal?

Mr. SMITH of Arizona. It is not personal.

Mr. REED. That section applies to the commandeering by the United States of property to be used in war, does it not?

Mr. SMITH of Arizona. Yes.

Mr. REED. It provides simply that the Federal Government can take it, and it provides a method of sure and speedy payment, and then it punishes the individual for refusing to turn over the property under those circumstances.

Mr. SMITH of Arizona. My friend is not asking me a question.

Mr. REED. Does the Senator mean that that is a parallel with this miserable thing he has produced here?

Mr. SMITH of Arizona. Yes; I claim that the thing you voted for is more miserable than this.

Mr. REED. You may claim it, but nobody will believe it.

Mr. SMITH of Arizona. I put it as boldly as that. The Senator makes a naked assertion.

Mr. REED. Very well.

Mr. SMITH of Arizona. The Government of the United States is paying millions upon millions of dollars for this very product right now.

Mr. REED. Does the Senator pretend that this bill is the taking over of property?

Mr. SMITH of Arizona. As there was under this section. That is precisely the case with this present outrage.

Mr. REED. Does the Senator pretend that the bill we have now proposes to take property and pay for property and take it as a war measure and turn it over?

Mr. SMITH of Arizona. I must ask the Senator to excuse me from permitting him to make a speech. I will answer any direct question.

Mr. REED. I was asking a question.

Mr. SMITH of Arizona. I know; but it takes so long to ask a question that the Senator will make a long speech before I can get through.

Mr. REED. Very well, proceed.

Mr. SMITH of Arizona. Mr. President, this is nothing in the world but the same old condemnation of everything that is trying to get from under the operation of these combinations that are taking advantage of war times to rob the people. The Senator is not conscious of any such purpose as that underlying it. He has just one single, solitary thing that convinces and persuades him without his knowledge of it. No man has higher respect for anybody than I entertain for my very able and genial friend from Missouri, but we all know our friend from Missouri. He is a natural, everlastingly pugnacious, fighting individual with the kindest heart in the world. He can not argue a case but that he has to get mad.

Mr. President, the object of the Senator's amendment is for us to take all we can get, take all our machinery and see if we can not hunt out and find this combination in restraint of trade. We have got to work for months and months under his amendment to find out whether or not some people are violating the law, and if they are whether they are doing it under the particular combination in this particular case before the bill would operate.

No, my friend wants to be perfectly fair. He does not want to denounce the things that I am advocating as being outrageous when the things he advocated a few weeks ago are just the same. Both of us are too good friends to have the least feeling about a matter of our own differences or about what we may say pleasantly of each other in this body or elsewhere, but it is not fair from my standpoint to be assailed for the very thing on account of which the Senator is assailing me when, in my judgment, he did the same thing in a bill passed a few weeks ago.

Mr. President, I sincerely hope that this amendment may not prevail, for it only takes all possible power out of the bill itself. Vote as you please, whether it shall be operative or not in the final analysis, but I insist that as fair men and Senators of the United States it should be the effort of all of us to keep the bill in as good a state as we can make it, that we should make it as good as possible, and if we can not get it good enough in the minds of many they had better vote against it. Let us make it good in the minds of those who will vote for it, and let us not play this schoolboy prank of voting that newspapers shall only print seven columns and inveigh against Senators rising on this floor and voting for what they themselves voted.

Mr. REED. Mr. President, I desire to speak to the amendment to the amendment. I regret exceedingly that my course in the Senate has not met with the approval of the Senator from Arizona or that I should bring myself within the characterization which he has seen fit to put in the RECORD.

So far as I am concerned, I have always voted my honest judgment on the floor of the Senate. I have never pettifogged nor played demagogue either on the floor of the Senate or elsewhere. I would not stand before this body and assert that a bill which had been passed was forty times as bad as this bill and seek to excuse the badness of this bill by an argument of that kind, particularly if I had voted for the bill that was forty times as bad.

The loose statement made by the Senator, inadvertently made, has a fitting illustration in the fact that I asked the Senator to produce a sample of the bill that was forty times as bad and he read us a clause from the defense act which authorized the President of the United States, strictly as a war measure, strictly as a military measure, to take possession of property necessary for the preservation of the Army and the Navy, but not to take possession until and unless provision was made for payment. Then in order that the President might not find himself resisted but should be permitted to take the property for military purposes, it was provided that resistance to that lawful authority of the President's should be punished as a crime.

The Senator tells us that because a man voted that the Government of the United States had authority to take possession of propery for military purposes and pay for it, and that resistance to that lawful act should be made a crime, the Senator has the audacity to tell us that that is forty times worse than making it a crime punishable by the penitentiary to do something that the Federal Trade Commission said you should not do.

Now, I have no quarrel with the Senator. He has not agreed with me on many measures of legislation. We think differently; that is all. He has a right to his view of the Constitution, and I have a right to mine. I have stood upon the floor of the Senate and have said that the Constitution ought to be regarded on the floor of the Senate if in any place on earth, and I have objected to ruthlessly disregarding it, and every time I have so objected I have unfortunately found myself in opposition to the Senator from Arizona. For that I am sorry, but I do not regret the fact that I have occasionally lifted my voice in the defense of my country.

Mr. President, the amendment I have offered I offered in good faith. It proposes to say simply this, that if news-print paper manufacturers shall conspire to fix prices, to restrain trade, to create monopoly, for those crimes or any of them they may be severely punished. This substitutes law for the punishment of a defined crime for the purpose of a bill which is to send men to the penitentiary for refusing to obey the commands of other men.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Arizona to the amendment offered by the Senator from Missouri.

Mr. SMITH of Arizona. I withdraw the amendment to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri.

Mr. REED. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I make the same announcement of my pair as on the former vote and withhold my vote.

Mr. HARDWICK (when his name was called). I make the same announcement of my pair and its transfer as on the last vote. I vote "yea."

Mr. SHERMAN (when his name was called). I repeat the announcement of my pair and its transfer as on the former vote, and I vote "yea."

Mr. SHIELDS (when his name was called). Making the same announcement as before of my pair with the Senator from Connecticut [Mr. BRANDEGEE], I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from New Jersey [Mr. HUGHES] and vote "nay."

Mr. SMITH of South Carolina (when his name was called). Again announcing my pair, I withhold my vote.

The roll call was concluded.

Mr. FLETCHER. I transfer my pair to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. WILLIAMS. Repeating the announcement which I made upon the previous roll call, I vote "nay."

Mr. POINDEXTER. A parliamentary inquiry, Mr. President. I am somewhat confused as to which amendment we are voting on. Is it the Smith amendment or the Reed amendment?

The VICE PRESIDENT. It is the Reed amendment.

Mr. OVERMAN. I make the same announcement as before. I am paired with the senior Senator from Wyoming [Mr. WARREN], and therefore I withhold my vote.

Mr. JAMES (after having voted in the negative). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS]. I understand that he has not voted, and therefore I withdraw my vote.

The result was announced—yeas 30, nays 31, as follows:

YEAS—30.

Borah	Hardwick	McKellar	Sutherland
Calder	Johnson, Cal.	McLean	Townsend
Chamberlain	Jones, Wash.	McNary	Trammell
Fernald	Kenyon	New	Vardaman
France	King	Reed	Wadsworth
Gronna	Knox	Sherman	Watson
Hale	La Follette	Smith, Ga.	
Harding	McCumber	Smoot	

NAYS—31.

Ashurst	Johnson, S. Dak.	Owen	Smith, Ariz.
Bankhead	Jones, N. Mex.	Poindexter	Stone
Beckham	Kellogg	Pomerene	Swanson
Colt	Kirby	Robinson	Thomas
Cummins	Martin	Saulsbury	Tillman
Fletcher	Myers	Shafroth	Underwood
Gerry	Nelson	Sheppard	Williams
Hitchcock	Norris	Simmons	

NOT VOTING—32.

Brandegee	Goff	Overman	Smith, Mich.
Broussard	Gore	Page	Smith, S. C.
Culberson	Hollis	Penrose	Sterling
Curtis	Hughes	Phelan	Thompson
Dillingham	James	Pittman	Walsh
Fall	Kendrick	Ransdell	Warren
Frelinghuysen	Lewis	Shields	Weeks
Gallinger	Lodge	Smith, Md.	Wolcott

So Mr. REED's amendment was rejected.

The VICE PRESIDENT. The joint resolution is in the Senate and open to further amendment.

The joint resolution was ordered to be engrossed for a third reading and read the third time.

The VICE PRESIDENT. The question is, Shall the joint resolution pass?

Mr. SMITH of Arizona and Mr. SMOOT called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. HARDWICK (when his name was called). Making the same transfer of my pair as formerly, I vote "nay."

Mr. OVERMAN (when his name was called). I again announce my pair with the senior Senator from Wyoming [Mr. WARREN], who is absent to-day, and I therefore withhold my vote.

Mr. REED (when his name was called). Making the same announcement as on the previous vote, I vote "nay."

Mr. SHERMAN (when his name was called). I have a pair with the senior Senator from Kansas [Mr. THOMPSON]. I transfer that pair to the Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. SHIELDS (when his name was called). I again announce my pair with the Senator from Connecticut [Mr. BRANDEGEE] and withhold my vote. If I were at liberty to vote I should vote "yea."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. He has authorized me to vote as I see proper on this joint resolution. I therefore vote. I vote "nay."

Mr. SMITH of South Carolina (when his name was called). Again announcing my pair, I withhold my vote.

Mr. WILLIAMS (when his name was called). Repeating my announcement as on the last roll call, I vote "yea."

The roll call was concluded.

Mr. RANSDELL. I wish to announce the absence of my colleague [Mr. BROUSSARD] on account of illness.

Mr. FLETCHER. I have a general pair with the Senator from New Hampshire [Mr. GALLINGER]. I transfer that pair to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. McLEAN. I desire to announce the necessary absence of my colleague [Mr. BRANDEGEE]. If he were present he would vote "nay."

Mr. GERRY. I desire to announce the absence of the Senator from Illinois [Mr. LEWIS] and of the Senator from Kansas [Mr. THOMPSON] on account of important business. I am informed that if the Senator from Kansas were present he would vote "yea."

Mr. WEEKS. My colleague [Mr. LODGE], whose absence has been announced, is paired on this question with the junior Senator from New Hampshire [Mr. HOLLIS] If my colleague were present he would vote "nay."

Mr. SMOOT. I desire to announce that the Senator from New Hampshire [Mr. GALLINGER] is unavoidably absent from the Senate, and that the Senator from Kansas [Mr. CURTIS] is absent on official business.

Mr. SHIELDS. I desire to transfer my pair with the Senator from Connecticut [Mr. BRANDEGEE] to the Senator from Texas [Mr. CULBERSON] and vote. I vote "yea."

The result was announced—yeas 32, nays 36, as follows:

YEAS—32.

Ashurst	Kellogg	Pittman	Smith, Ariz.
Bankhead	Kirby	Poindexter	Stone
Beckham	McKellar	Pomerene	Swanson
Colt	Martin	Robinson	Thomas
Fletcher	Myers	Shafroth	Tillman
James	Nelson	Sheppard	Trammell
Johnson, S. Dak.	Norris	Shields	Underwood
Jones, N. Mex.	Owen	Simmons	Williams

NAYS—36.

Borah	Harding	McCumber	Smith, Md.
Calder	Hardwick	McLean	Smoot
Chamberlain	Hitchcock	McNary	Sutherland
Cummins	Johnson, Cal.	New	Townsend
Fernald	Jones, Wash.	Ransdell	Vardaman
France	Kenyon	Reed	Wadsworth
Gerry	King	Saulsbury	Watson
Gronna	Knox	Sherman	Weeks
Hale	La Follette	Smith, Ga.	Wolcott

NOT VOTING—25.

Brandegee	Gallinger	Lodge	Sterling
Broussard	Goff	Overman	Thompson
Culberson	Gore	Page	Walsh
Curtis	Hollis	Penrose	Warren
Dillingham	Hughes	Phelan	
Fall	Kendrick	Smith, Mich.	
Frelinghuysen	Lewis	Smith, S. C.	

So the joint resolution was rejected.

DEATH OF MAJ. AUGUSTUS PEABODY GARDNER.

A message from the House of Representatives, by G. F. Turner, transmitted to the Senate resolutions on the death of Maj. Augustus Peabody Gardner, formerly a Member of this Congress and who resigned therefrom to enter the military service of the United States.

The VICE PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES.
JANUARY 15, 1918.

Resolved, That the House has heard with profound sorrow of the death of Maj. Augustus Peabody Gardner, formerly a Member of this Congress and who resigned therefrom to enter the military service of the United States, and whose death occurred at Camp Wheeler, Ga., on Monday, the 14th day of January, 1918.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased this House do now adjourn.

Mr. WEEKS. Mr. President, I send the following resolutions to the desk, which I ask may be read, and I ask unanimous consent for their immediate consideration.

The VICE PRESIDENT. The resolutions will be read.

The resolutions were read, considered by unanimous consent, and unanimously agreed to, as follows:

Senate resolution 183.

Resolved, That the Senate has heard with profound sorrow of the death of Maj. Augustus Peabody Gardner, formerly a Member of this Congress and who resigned therefrom to enter the military service of the United States, and whose death occurred at Camp Wheeler, Ga., on Monday, the 14th day of January, 1918.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. WEEKS. Mr. President, I think these resolutions are without precedent, but I am confident that there can be no objection, but hearty approval of their purpose. Maj. Gardner, whose death was announced in this morning's papers, was elected a Member of the present Congress. He was the first Member to resign his seat to go into the military service, and the body of which he was a Member has to-day taken similar action to that proposed in these resolutions, and has adjourned out of respect to his memory.

I am very glad that this gives me an opportunity to make one or two comments which I think may not be out of place at this time. Mr. Gardner was a man of strong views. It was not necessary to agree with his conclusions in order to recognize his courage and independence of expression. That has been typical of his career during the 16 years he served in the House of Representatives. His early training led him to have positive views on the question of his country's preparedness. More than 20 years ago he was a member of the Massachusetts State Senate and chairman of the military committee of that body. Later he served with credit in the Spanish-American War. He has served in the Massachusetts militia, and his natural aptitude and taste for military subjects were instrumental in bringing him to the conclusion that this Government was totally unprepared and it would be criminally negligent to allow such a condition to continue. Having these views and the enthusiasm and temperament of the evangelist of the Billy Sunday type, he did not hesitate to strike and strike hard in favor of the views he enter-

tained. It may be justly said of him that he had quite as much to do as any other man in centering attention on our military condition and military necessities. However, he not only preached but he acted, and when we declared war, although he had passed the meridian of life, he did not hesitate to go into service in a branch of the Army suitable for one of his years and physical condition. But even this did not satisfy his sense of obligation and duty, for he voluntarily—and this is one of the few instances in my knowledge of such action being taken—asked that he be demoted from the rank of colonel to that of major so that he might serve directly with troops. By doing so he has set an example to the youth of this country, especially to a large number of young men with whom we are more or less familiar who have endeavored to get into branches of the service not of the fighting forces. In serving his country he has met his death with as much courage and devotion as if he had lost his life in the trenches in France. It is for these reasons, the lesson which his life carries, and because of his having been a Member of this Congress, that I move the adoption of the resolutions.

Mr. President, I move, as a further mark of respect to the memory of the deceased, that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 16, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 15, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God, our heavenly Father, our hearts turn to Thee in fervent prayer for all who are suffering the rigors of an exceptionally severe winter, especially those who have been and are without fuel in their homes; and we pray most fervently that wind and wave may be tempered to our soldiers and sailors.

Our hearts are touched by the news of the death of one who filled a conspicuous place on the floor of this House for many years, and was first to resign his position to follow the flag in defense of the principles he upheld as a Representative and a statesman. Comfort, we beseech Thee, those who knew and admired him.

His stricken family, uphold and sustain them in the blessed thought that life is ever lord of death, and love can never lose its own, for Thou dost live and reign.

Hear us, we pray Thee, in the name of Him who said: "I am the resurrection and the life. He that believeth on me shall never die." Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. VARE, by unanimous consent, was given leave of absence for two weeks, on account of important business.

DEATH OF MAJ. AUGUSTUS P. GARDNER.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. LUFKIN] have permission to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LUFKIN. Mr. Speaker, it is with profound sorrow that I rise to announce the death of my predecessor in this House, your colleague for the past 15 years, Maj. Augustus P. Gardner. At 5.05 o'clock yesterday afternoon, in the base hospital at Camp Wheeler, Ga., Maj. Gardner answered his last roll call either as a legislator or as a soldier, a victim of camp pneumonia.

With the same courage which he ever displayed as a Member of this House, with the same fortitude which characterized his action when the President called for volunteers, Augustus P. Gardner cheerfully answered the command of that great General from above and gave his life as a sacrifice to the cause for which he had not only preached but practiced, the future safety of our country.

I think I can truthfully say that Maj. Gardner was the first man in the American Congress to warn his fellow countrymen of the importance and necessity of strengthening our national defense in every way possible. It was characteristic of the man, therefore, that when America was called upon to do her part in the world-wide war now upon us that Augustus P. Gardner should be the first Member of this House to resign his seat and offer his services to his country's call. It was further characteristic of the man, after a service of a few months in the United States Army, to establish the almost unknown precedent of asking for a demotion from a colonel on the staff to a major in the line in order that he might more fittingly fight his share of our Nation's battles.

It was the privilege of you men here to have been associated with Augustus P. Gardner as a legislator, some during his entire service, others for a much shorter period. It was my privilege, however, to have been associated with him in a more personal manner, as his secretary, as his political associate, and as my dearest and best friend and benefactor during a service of nearly 16 years. I knew him before he became a Member of this body, I knew him as a Member, and I knew him as a soldier of the United States. He was always the same. The office or the uniform made no difference. He was always a man in all that the term implies.

You who have served with him, whether it be as an associate on this side of the Chamber or as an opponent on the other side, know that when he fought it was with both hands and with all the strength at his command. But you also know that Augustus P. Gardner never struck a blow below the belt and never took an unfair advantage of an adversary. And if this applies to this House, it also applies to his private life and to his long list of political campaigns in Massachusetts. His friends loved him; his opponents admired him as a man who did not know the meaning of the word deceit and whose whole lexicon was based on the theory of justice and fair treatment toward his fellow man.

Mr. Speaker, there will probably be many more sacrifices of good and true men before this terrible war is over. But when the history is finally written, when the toll is at last complete, I am proud to think that there will be no soldier, be he officer or private, of whom it can more truly be said—

> He was a man,
> Take him for all in all;
> I shall not look upon his like again—

Than your former colleague, my friend and benefactor, a statesman, a soldier, and, best of all, a man, Augustus P. Gardner.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolutions which I send to the Clerk's desk.

The Clerk read as follows:

House resolution 226.

Resolved, That the House has heard with profound sorrow of the death of Maj. Augustus Peabody Gardner, formerly a Member of this Congress, and who resigned therefrom to enter the military service of the United States, and whose death occurred at Camp Wheeler, Ga., on Monday, the 14th day of January, 1918.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. KITCHIN. Mr. Speaker, I hope, subject to the approval of the family, to offer a resolution later for holding the funeral services either in the House or the Rotunda of the Capitol.

The Clerk read the further resolution, as follows:

Resolved, That as a further mark of respect to the memory of the deceased, this House do now adjourn.

The SPEAKER. Is there objection to the present consideration of the resolutions?

There was no objection.

The resolutions were agreed to.

ADJOURNMENT.

Accordingly (at 12 o'clock and 14 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 16, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting tentative draft of legislation to admit, free of duty, articles made by prisoners of war interned in a foreign country (H. Doc. No. 807); to the Committee on Ways and Means and ordered to be printed.

2. A letter from the chief clerk of the Court of Claims, transmitting a list of cases referred to this court by the House of Representatives dismissed on motion of defendants, consented to by the claimant's attorney (H. Doc. No. 808); to the Committee on War Claims and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Controller Bay, Alaska (H. Doc. No. 809); to the Committee on Rivers and Harbors and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GALLIVAN: A bill (H. R. 8729) granting an increase in compensation to the Commissioner of Internal Revenue and collectors of internal revenue; to the Committee on Ways and Means.

By Mr. BORLAND: A bill (H. R. 8713) to prevent the misuse of receipts for internal-revenue taxes or special-tax stamps, and for other purposes; to the Committee on the Judiciary.

By Mr. CARY: A bill (H. R. 8714) providing for an advisory referendum by the people of the District of Columbia on certain questions relating to municipal self-government and representation in Congress; to the Committee on the District of Columbia.

By Mr. CLARK of Florida: A bill (H. R. 8715) to authorize the construction of a building for the Bureau of Fisheries in the District of Columbia; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 8716) to create a Federal Power Commission and to define its powers and duties, to provide for the development of water power, for the use of lands of the United States in relation thereto, and for other purposes; to the Special Committee on Water Power.

By Mr. HADLEY: A bill (H. R. 8717) to amend paragraph A, section 500, of an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. LEVER: A bill (H. R. 8718) to provide further for the national security and common defense by the conservation of foodstuffs, feeds, and materials necessary for the production, manufacture, and preservation of foodstuffs and feeds; to the Committee on Agriculture.

By Mr. GARD: Resolution (H. Res. 224) directing the Committee on Military Affairs to make investigation of camp conditions in military camps; to the Committee on Rules.

By Mr. CARY: Resolution (H. Res. 225) providing for an investigation of certain charges concerning our soldiers in Europe; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8719) granting a pension to Laura C. Kinney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8720) granting an increase of pension to Lucy M. Robey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8721) granting a pension to Mary A. Lake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8722) granting an increase of pension to Lyman L. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8723) granting an increase of pension to George R. Hemmingway; to the Committee on Invalid Pensions.

By Mr. BURROUGHS: A bill (H. R. 8724) granting an increase of pension to Mason Gates; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 8725) granting an increase of pension to Archy N. McIntyre; to the Committee on Invalid Pensions.

By Mr. CONNELLY of Kansas: A bill (H. R. 8726) granting an increase of pension to Ben F. Wood; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 8727) granting an increase of pension to Joel Strieby; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 8728) granting an increase of pension to Joseph L. Middleton; to the Committee on Invalid Pensions.

By Mr. HARDY: A bill (H. R. 8729) for the relief of Alma Harris; to the Committee on the Public Lands.

By Mr. HASKELL: A bill (H. R. 8730) granting an increase of pension to Andrew Henri Hart; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 8731) granting an increase of pension to John Crawford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8732) granting an increase of pension to Samuel Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8733) granting a pension to William H. Culler; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 8734) granting a pension to Mary E. Steepy; to the Committee on Pensions.

By Mr. McKINLEY: A bill (H. R. 8735) for the relief of E. W. Null; to the Committee on the Post Office and Post Roads.

By Mr. MARTIN: A bill (H. R. 8736) to carry into effect the findings of the Court of Claims in case of James A. Verret, administrator of Adolph Verret, deceased; to the Committee on War Claims.

By Mr. MASON: A bill (H. R. 8737) granting an increase of pension to Florence E. Foster; to the Committee on Pensions.

By Mr. POWERS: A bill (H. R. 8738) to exempt persons engaged in agriculture and coal mining from military service, and for other purposes; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 8739) granting a pension to Philip Owen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8740) granting an increase of pension to Thomas T. Munhall; to the Committee on Invalid Pensions.

By Mr. SCOTT of Michigan: A bill (H. R. 8741) granting a pension to Carl N. Nelson; to the Committee on Pensions.

By Mr. STERLING of Illinois: A bill (H. R. 8742) granting an increase of pension to Dallas McIntyre; to the Committee on Pensions.

Also, a bill (H. R. 8743) granting an increase of pension to Patterson Short; to the Committee on Invalid Pensions.

By Mr. TAGUE: A bill (H. R. 8744) for the relief of Louis A. Barretta; to the Committee on Claims.

PETITIONS, ETC.

By the SPEAKER (by request): Resolution of the general medical board of the Council of National Defense, favoring the principle of daylight saving as proposed by Senate bill 1854; to the Committee on Interstate and Foreign Commerce.

By Mr. ASHBROOK: Evidence to accompany House bill 9034, William H. Williams, for special relief; to the Committee on Pensions.

By Mr. BROWNING: Petition of St. Enda's Literary Society, Camden, N. J., indorsing the joint resolution proposing that Ireland be included among the "small and oppressed nationalities" referred to in the President's peace pronouncements; to the Committee on Foreign Affairs.

By Mr. DALE of New York: Petition of John S. Sills & Sons, protesting against the reduction of postage rates on second-class matter; also, resolution of the Agricultural Publishers' Association, protesting against the recent increase in such rates, and requesting that they be lowered; to the Committee on the Post Office and Post Roads.

By Mr. FULLER of Illinois: Petition of the Agricultural Publishers' Association, for repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. MAHER: Petitions of 250 citizens of Portland, Oreg.; 184 citizens of Columbus, Ohio; 486 citizens of Salt Lake City, Utah; 400 citizens of St. Paul, Minn.; 156 citizens of Lynn, Mass.; 325 citizens of Paterson, N. J.; 886 citizens of Superior, Wis.; 358 citizens of Lansing, Mich.; 486 citizens of New York City; 346 citizens of Buffalo, N. Y.; 225 citizens of San Francico, Cal.; 63 members of the Business Men's Association, Gloucester, Mass.; many citizens of Cincinnati, Ohio, and 98 citizens of Middleton, Ohio, all favoring the passage of the Madden bill (H. R. 1654); to the Committee on the Post Office and Post Roads.

Also, resolutions of the Board of Aldermen, New York City; Parkway Club, Brooklyn, N. Y.; Auxiliary No. 124, National Association of Letter Carriers, Gloucester, Mass.; Auxiliary No. 5, Rochester, N. Y., Auxiliary No. 91, San Diego, Cal., Auxiliary No. 21, Springfield, Ill., and Auxiliary No. 3, Philadelphia, Pa., National Association of Letter Carriers, favoring the passage of the Madden bill (H. R. 1654); to the Committee on the Post Office and Post Roads.

Also, petitions numerously signed by citizens of Topeka, Kans.; San Jose, Cal.; Pittsburg, Kans.; South Bend, Ind.; Altoona, Kans.; Sedalia, Mo.; Baltimore, Md.; Jacksonville, Fla.; Kansas City, Kans.; Covington, Ky.; Lincoln, Nebr.; Duluth, Minn.; Fremont, Nebr.; Danville, Ill.; and Erie, Pa., all favoring House bill 1654; to the Committee on the Post Office and Post Roads.

Also, petitions of the auxiliaries of the National Association of Letter Carriers of New Britain, Conn.; Austin, Tex.; Trenton, N. J.; Los Angeles, Cal.; Seattle, Wash.; Harrisburg, Pa.; Des Moines, Iowa; Helena, Mont.; Joplin, Mo.; Braddock, Pa.; Syracuse, N. Y.; Birmingham, Ala.; Spokane, Wash.; Grand Junction, Colo.; and Omaha, Nebr., favoring House bill 1654; to the Committee on the Post Office and Post Roads.

By Mr. POWERS: Petition of divers citizens of Monroe County, Ky., protesting against grading second-class postage on a zone basis; to the Committee on the Post Office and Post Roads.

By Mr. ROUSE: Petition of Lieb & Ladenberger, N. B. Thompson & Co., J. F. O'Brien & Co., R. A. Rasche & Co., and John

Hamilton, all of Cincinnati, protesting against the American Sugar Refining Co. taking advantage of the position occupied by it under the Food Administration to eliminate brokers in refined sugar; to the Committee on Agriculture.

By Mr. TAGUE: Resolutions of the common council of Philadelphia, protesting against the taking away of the pneumatic mail service in that city; to the Committee on the Post Office and Post Roads.

By Mr. TILSON: Petition of Miner, Reed & Tullock, Meriden, Conn., and Myer Leenie, New Haven, Conn., protesting against the American Sugar Refining Co. being permitted to take advantage of its position to force the placing of orders with said company; to the Committee on Agriculture.

By Mr. WALDOW: Resolutions of the rural carriers of Erie County, N. Y., asking that Congress provide for maintenance of equipment for rural carriers; to the Committee on the Post Office and Post Roads.

By Mr. WOOD of Indiana: Resolution of the Farmers' Institute Association of Shelby Township, Tippecanoe County, Ind., favoring the prohibition of the liquor business as a war measure; to the Committee on Alcoholic Liquor Traffic.

SENATE.

WEDNESDAY, *January 16, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray that the ministry vouchsafed to us to-day out of all the incidents of life and the conditions that surround us may be a spiritual ministry, that we may be led to contemplate the spiritual origin of life and the significance of all the facts of life in the light of its spiritual origin. Grant, we pray, that Thy gracious Spirit may be ministered unto us by the power of Thy holy Spirit within us, that we may overcome the world through our faith in Thee. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on request of Mr. JAMES and by unanimous consent, the further reading was dispensed with and the Journal was approved.

RENT OF BUILDINGS IN THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a report of rents received from properties located on sites of proposed public buildings purchased by the Government in the city of Washington, which was referred to the Committee on Appropriations and ordered to be printed.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, schedules and lists of papers, documents, and so forth, on the files of the Treasury Department, which are useless and have no historic value, and requesting action looking to their disposition. The communication and accompanying papers will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Chair appoints the Senator from Maryland [Mr. FRANCE] and the Senator from New Hampshire [Mr. HOLLIS] the committee on the part of the Senate. The Secretary will notify the House thereof.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the enrolled bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916.

STRIKES AND LOCKOUTS.

Mr. SHERMAN. Mr. President, I present a summary prepared on the number of days lost in strikes and lockouts in the United States and Germany. The facts are based on the report of the Bureau of Labor Statistics, Department of Labor, of date December, 1917. I ask that it may be printed in the RECORD without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

STRIKES AND LOCKOUTS IN THE UNITED STATES AND GERMANY.

The Bureau of Labor Statistics, Department of Labor, in its December, 1917, issue, declares that in the last month for which it has figures, September, 1917, 283 strikes and 7 lockouts are reported. The bureau estimates that this is incomplete and that "the number of strikes in the country probably approach 450 in the month under consideration."

It is stated that in 171 of such strikes 147,349 persons were involved; of the remaining 112 strikes no figures are available as to the number of persons involved. It is further stated with respect to the duration of strikes that the average of the least number given is about 7½ days. The number of persons involved in lockouts is inconsiderable and may therefore be put aside. But taking the number of persons involved in 171 strikes, which is 147,349, and multiplying by the average duration of seven days, it is apparent that on this minimum at least 1,031,443 work days were lost by strike during the month of September, 1917. This, from the condition of the statistics, is obviously a great underestimate.

The same number of the Review gives the figures for strikes and lockouts in Germany, in the calendar year 1916, from volume 323 of the Statistics of the German Empire, appearing in the Bremer Bürger-Zeitung, Bremen, August 6, 1917. From this it appears that 240 strikes, affecting 124,183 workers, were reported for 1916. The Review then says:

"The real extent of labor disputes is best indicated by the number of work days lost, which is obtained by multiplying the number of striking or lockout workers with the duration of the disputes."

Not giving the average duration but evidently following this process, the Review announces a loss of 245,404 workdays by the German strikes.

It thus appears that taking an underestimated minimum as the basis of American figures and the official statistics of the German Empire that four times as many workdays were lost through strikes in the month of September, 1917, in the United States than was lost in the whole of the year 1916, from the same cause, in the entire German Empire

THE LABOR SITUATION.

Mr. SHERMAN. I present further a copy of a report made by the National Industrial Conference Board relating to the same subject, which I ask to have printed in the RECORD without reading.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

THE COUNCIL OF NATIONAL DEFENSE.

GENTLEMEN: Some months ago, at the suggestion of Mr. Howard Coffin, a committee of five was appointed by the National Industrial Conference Board to advise with him in matters relating to the economics of industry, which committee has been officially designated the advisory committee of the National Industrial Conference Board. At his suggestion we are here to present certain statements and recommendations regarding the relations of employer and employee and the adjustment of possible differences during the period of the war.

The National Industrial Conference Board is a cooperative and advisory body of representative manufacturers constituted through the selection of two members by and from each of the following national associations:

American Cotton Manufacturers' Association.
American Paper and Pulp Association.
Electrical Manufacturers' Club.
Manufacturing Chemists' Association of the United States.
National Association of Cotton Manufacturers.
National Association of Manufacturers.
National Association of Wool Manufacturers.
National Automobile Chamber of Commerce.
National Boot and Shoe Manufacturers' Association.
National Council for Industrial Defense.
National Erectors' Association.
National Founders' Association.
National Implement and Vehicle Manufacturers' Association.
National Metal Trades Association.
Rubber Association of America (Inc.).
Silk Association of America.
United Typothetæ and Franklin Clubs of America.

In order that the statements and recommendations which the committee here makes may be truly representative of industrial opinion, we have called to our counsel the executive heads of the foregoing 17 national associations, comprising in their membership more than 18,000 manufacturers, representatives of a majority of State associations of manufacturers, and, in addition, a large number of executive officers of industrial organizations engaged either directly or indirectly on the production of war essentials. These statements and recommendations express the unanimous opinion of this large body of representative manufacturers.

In approaching a discussion of the relation of employer and employee at this critical hour we believe we are animated by a spirit worthy of the time and place and the gravity of the circumstances, which makes an equitable and harmonious adjustment of employment relations a matter of national necessity

The Council of National Defense has deemed this subject of such consequence that it created a committee on labor, substantially directed and controlled by representatives of the largest national unions, which, after due deliberation, issued, through its executive committee, a statement apparently intended to declare certain fundamental policies of industrial relationship which should apply during the period of the war. Perhaps the most important sentence of this statement was the declaration that "neither employers nor employees shall endeavor to take advantage of the country's necessities to change existing standards." Differences of interpretation and opinion led to a further amplification and explanation and accompanying declarations, which were indorsed by the Council of National Defense.

These were to the effect that standards of safety and service established by State or Federal law should remain in effect unless and until, under the exigencies of war, the Council of National Defense, after proper investigation, should recommend some modification as essential to the national safety. It was likewise urged that inasmuch as the standard of living was particularly dependent upon the purchasing power of wages, no arbitrary wage change should be sought through the medium of strikes or lockouts by employer or employee without affording the established State or Federal mediums of arbitration or conciliation an opportunity to adjust disputes without stopping production, and is was especially urged that "employers and employees in private industries should not attempt to take advantage of the existing abnormal conditions to change the standards which they were unable to change under normal conditions."

Despite these timely admonitions, we find ourselves entering the fifth month of war faced with unprecedented demands for war production seriously interrupted and delayed by numerous strikes and threats of strikes in every part of the country, some of which are likely to assume the proportions of a national interruption of essential service in our factories and shipyards.

Let it be clearly understood that we, without equivocation, indorse the maintenance of every necessary regulation for safety and health and the fair adjustment of wages in accordance with the American standard of living and the increasing cost of its maintenance. So far as we know the American manufacturer can and will pay any advance in wages which expresses corresponding labor efficiency. Hours of labor have been universally contracting under the influence of many causes, the chief of which has been the always increasing development of labor-saving machinery constantly multiplying the producing power of human effort. We enter the war with the average hours of labor in American manufacture, as shown by the Government manufacturers census of 1914, very considerably less than the average hours of labor recommended for either sex in British industry in the reports of the health of munition workers' committee to the minister of munitions during 1916.

We also submit that the Naval Consulting Board, reporting upon its preliminary investigation of manufacturing establishments capable of munition work found the total number to be 18,654, and that of these 16,787, or 89 per cent, were "open" shops. Of 1,950 establishments usable for the manufacture of ammunition powder and explosives, guns and gun material, gun carriages, limbers and accessories, personal military equipment, tools, gauges and punches, machine tools and aeroplanes, all but 73 are "open" shops. (S. Doc. No. 664, 64th Cong., 2d sess., p. 40.)

With respect to wages, a great body of munition production for the Government proceeds under a contract wage law, assuring at least time and a half for all overtime in excess of eight hours, so that for like tasks industrial wages for war work are universally increased by the operation of statute in every plant whose contracts come within its scope. Antecedent to our entrance into the war general wage increases in large amounts had been voluntarily given throughout the generally prosperous industries, so that it may be fairly said that our wage scale on the average was, actually as well as nominally, greatly superior to that of any belligerent country. But despite this condition and the increase by statute of wages for the subject matter of our own war production, it is inevitable that wage differences will continue to arise. The vital thing is that such disputes shall be adjusted without interruption of production necessary to national defense. To this end we believe that manufacturers are ready and anxious to cooperate in the establishment of a representative and equitable system of adjustment for the period of the war.

There are, however, other "standards" of employment than those relating to hours and wages which are of critical importance, not merely to efficient production but to the institutions of a free people. Strikes are threatened and are occurring in increasing numbers to compel the exclusive employment of union men. This, we emphatically urge, is contrary to any fair interpretation of the spirit and letter of the fundamental policy declared by the council, "that employers and employees in private industries should not attempt to change the standards which they were unable to change under normal conditions."

Can there be any doubt that to undertake to open a "closed" shop or close an "open" shop under the exigencies of war is an evident attempt "to change the standard which they were unable to change under normal conditions"? This is the view frankly presented by Mr. Thomas, the English labor representative, in his suggestions to the committee on labor of the advisory commission of the Council of National Defense, when, recommending conduct predicated upon his British experience, he declared, according to the American Federationist for August of this year:

"Let the employer say, 'I am not desirous of taking advantage of the war to break down something that I never believed in.' On the other hand, let the employes say, 'Whilst anxious to maintain the law, we are not anxious to take advantage of the war to enforce something during the war that we could not obtain in peace times.' With both sides recognizing that, I repeat, I believe they will find a solution."

Secretary of Labor Wilson apparently indorsed this view when, on April 23, 1917, in an explanatory statement on behalf of the council, he said "that where either an employer or an employee has been unable under normal conditions to change the standards to their own liking, they should not take advantage of the present abnormal conditions to establish new standards." This, we urge, declares a sound policy and a fair interpretation for the council to place upon its recommendation.

Moreover, there is a labor shortage which will necessarily be intensified by withdrawing from industry the personnel of its contribution to our armed forces. In this crisis America needs the service of every citizen. We can no more depend upon one class to operate our factories than to fill the ranks of our armies. Therefore it is inconceivable that the Government can tolerate, much less approve, any proposal which makes membership in a private organization a prerequisite to a citizen securing employment in production for the war. All citizens, union or nonunion, are equally entitled to and must receive like consideration from their Government and equally enjoy the full protection of national authority in every circumstance of daily life. The assertion is untenable that a minority or a majority of employees in any industry by voluntarily associating themselves into an organization acquire authority or right over the equal liberty of those who do not care to do likewise. As was said in a great public document:

"This all seems too plain for argument. Common sense and common law alike denounce those who interfere with this fundamental right of the citizen. The assertion of the right seems trite and commonplace, but that land is blessed where the maxims of liberty are commonplaces." (Report of Anthracite Coal Strike Commission, 1902.)

To win this war we can sacrifice everything but the principles of the Republic and the fundamental rights of citizenship it was founded to protect. The right to pursue a lawful calling and to live free from annoyance and molestation is the primary, if not the greatest, privilege which society is founded to sustain.

The British policy expressed in its munition acts is that all labor, whether it be that of employer or the employee, of men or women, of union or nonunion, of the skilled or unskilled, shall be employed to the best advantage of the country. Neither restriction nor discrimination, nor, in "controlled shops," strikes or lockouts are permitted. A ministry of munitions is successfully promoting the expeditious output of munitions by employing all the available labor to that end. With due regard to the plant and equipment of each establishment, it has successfully subordinated conflicts between employer and employee to the winning of the war.

To the same great end we propose through you, in the presence of the public, that employer and employee, organized and unorganized, shall pledge themselves to prevent strikes and lockouts, to deal rationally and unselfishly through a representative tribunal with serious wage disputes, and for the period of the war not compel or attempt to compel discriminations in employment by strikes, threats of strikes, or lockouts.

We further submit that, under the present circumstances of national necessity, it is the duty of both the manufacturer and of organized labor to jointly cooperate with the Government that sedition in any of its manifold forms, whether masquerading in the name of labor or under any other guise, shall be ruthlessly exposed and suppressed.

To epitomize our conclusions and recommendations we urge:

1. That as a basis of mutual understanding employer and employee recognize and agree that now and for the period of the war continuous efficient production can alone equip and sustain our military forces. Every dispute, whatever its motive, which interrupts production furthers the ends and operates to the advantage of the public enemy.

2. The Nation needs the service of every citizen. Its industrial workers are as indispensable to victory as the soldier on the firing line. The nonunion man is as necessary in the factory as he is in the Army. On economic as well as indisputable moral grounds the Government can therefore neither permit nor tolerate the exclusion of any laborer from productive employment. We, therefore, urge the council to adopt and reassert as its guiding principle the fundamental American doctrine authoritatively stated by the Anthracite Coal Strike Commission with the approval of representatives of both employers and unions included in its membership and commended as the basis of industrial adjustments by Presidents Roosevelt, Taft, and Wilson.

"That no person shall be refused employment or in any way discriminated against on account of membership or nonmembership in any labor organization; that there shall be no discrimination against or interference with, any employee who is not a member of any labor organization by members of such organization."

3. The council's reiterated recommendation that "employers and employees in private industries should not attempt to take advantage of the existing abnormal conditions to change the standards which they were unable to change under normal conditions" should now receive an unambiguous interpretation to assure its practical application as a working principle. To this end we propose:

(*a*) That applied to existing statutory regulations intended to promote safety and health, it shall be agreed that for the period of the war there shall be no suspension or modification of such provisions, except upon recommendation of the Council of National Defense after due investigation by its agencies and when, in its judgment, required by the exigencies of war.

(*b*) Applied to wages, demands shall be tested by the prevailing local standard of the establishment in effect at the beginning of the war with such modification as may be shown to be necessary to meet any demonstrated advance in the cost of living.

(*c*) Applied to hours, the standard shall be those established by statute or prevailing in the establishment at the beginning of the war, subject to change only when in the opinion of the Council of National Defense it is necessary to meet the requirements of the Government.

(*d*) Applied to what are commonly known as "open" or "closed" shop conditions, it shall be understood and agreed that every employer entering the period of the war with a union shop shall not by a lockout or other means undertake to alter such conditions for the duration of the war, nor shall any combination of workmen undertake during the like period to "close" an "open" shop.

4. Adopting these standards as the basis of its operation, we recommend the creation of a Federal board to adjust labor disputes for the duration of the war; the activities of this board to be confined to disputes growing out of employment on the subject matter of war production for the Government. To such board shall be primarily referred for final settlement all major disputes of the nature suggested, with full power to create all machinery necessary to execute its functions. Its decisions must bind all parties to the dispute. It should be constituted equally of representatives of employees, employers, and the Government, representatives of the latter to hold the deciding voice in the event of an equal division of opinion. It is to be further understood and agreed that there shall be no interruption of production by strike, lockout, or other means within the control of employer or employee.

5. We pledge to the country through you the acceptance of such a program by the great body of representative associations and individual manufacturers we are authorized to represent. We do not seek to be regarded as the exclusive spokesman of all industry, and will cooperate in any helpful capacity with any and every manufacturer whether members of our association or not.

6. To secure in the public interest a mutual understanding and agreement predicated upon the proposals set forth, we suggest: That the Council of National Defense call, at the earliest convenient date, a conference of representative national and international officers of American trade-unions, that they may be requested to join in the pledge here made on behalf of employers. Their loyal cooperation for the duration of the war will assure a known standard of conduct to govern these vital industrial relations. The national safety will then no longer be imperiled by disputes, halting vital production and necessarily operating to give aid and assistance to the public enemy.

We reiterate in conclusion the pressing necessity for recognizing one vital and primary principle. A Government which can not itself discriminate between its citizens can not tolerate a condition which encourages private organizations to compel such discrimination. Politically and economically such a policy spells disaster. It destroys the responsibility of management which is vital to successful production and denies in our own democracy the basic principles of individual liberty and opportunity, for which its citizens since the foundation of the Republic have shed freely of their blood and for which to-day they are prepared to die on alien soil

Signed on behalf of the National Industrial Conference Board by its executive committee and its advisory committee.

Executive committee:

LOYALL A. OSBORNE,
Chairman.
FREDERICK P. FISH,
WILLIAM H. BARR,
A. LAWRENCE FELL,
CHARLES CHENEY,
MAGNUS W. ALEXANDER,
Executive Secretary.

Advisory committee:

LOYALL A. OSBORNE,
Chairman.
WILLIAM H. BARR,
W. H. VAN DERVOORT,
C. A. CROCKER,
ELLISON A. SMYTH,
W. A. LAYMAN.

Indorsed by the following associations not members of the conference board:

California Metal Trades Association, San Francisco, Cal.
Manufacturers' Association of Conecticut (Inc.), Hartford, Conn.
Manufacturers' Association of Bridgeport, Bridgeport, Conn.
Georgia Manufacturers' Association, Atlanta, Ga.
Illinois Manufacturers' Association, Chicago, Ill.
Iowa State Manufacturers' Association, Des Moines, Iowa.
Kentucky Manufacturers and Shippers Association, Louisville, Ky.
Associated Industries of Massachusetts, Boston, Mass.
Michigan Manufacturers' Association, Detroit, Mich.
Associated Employers of Missouri, St. Louis, Mo.
Manufacturers' Association of New Jersey, Trenton, N. J.
Associated Manufacturers of Electrical Supplies, New York, N. Y.
Associated Manufacturers and Merchants of the State of New York, Syracuse, N. Y.
Ohio Manufacturers' Association, Columbus, Ohio.
Associated Employers of Oregon, Portland, Oreg.
Pennsylvania Manufacturers' Association, Philadelphia, Pa.
Steel Founders Society of America, Pittsburgh, Pa.
Cotton Manufacturers' Association of South Carolina, Greenville, S. C.
Tennessee Manufacturers' Association, Nashville, Tenn.
Employers' Association of Washington, Seattle, Wash.
United Metal Trades Association of the Pacific Coast, Seattle, Wash.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 940) to provide for the payment for certain lands within the former Flathead Indian Reservation, in the State of Montana, reported it without amendment and submitted a report (No. 194) thereon.

He also, from the same committee, to which was referred the resolution (S. J. Res. 104) authorizing the assistant to the Secretary of the Interior to sign official papers and documents, reported it without amendment and submitted a report (No. 193) thereon.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (H. R. 7697) to authorize the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes, reported it without amendment and submitted a report (No. 195) thereon.

THE "GARABED" INVENTION.

Mr. JAMES. From the Committee on Patents I report back favorably with certain amendments House joint resolution 174. It is a unanimous report of the committee, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The Senator from Kentucky reports from the Committee on Patents the following joint resolution.

The SECRETARY. A joint resolution (H. J. Res. 174) for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy.

The VICE PRESIDENT. The Senator from Kentucky asks unanimous consent for the immediate consideration of the joint resolution.

Mr. SMOOT. Mr. President, just a moment. I wish to ask the Senator reporting the joint resolution if there are amendments made to it protecting the interests of any other inventor who may invent something along the same line, but not to interfere with this particular process.

Mr. JAMES. The amendments by the committee declare that Mr. Giragossian is the first and original inventor or discoverer of this process. I will state to the Senator that I think it gives every protection possible. The Senator from Pennsylvania [Mr. KNOX] drew the amendments and they were accepted by the committee and unanimously ordered to be reported by the committee.

Mr. SMOOT. I have no objection to the present consideration of the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The amendments were, on page 1, line 6, before the word "discovery," to strike out the article "a" and insert "his"; in section 2, page 2, line 6, after the word "invention," to insert the words "and that it can substantially effect the purposes set out in section 1 of this resolution"; in section 3, page 2, line 14, after the word "invention," to insert the words "and that it can substantially effect the purposes set out in section 1 of this resolution"; in line 14, before the word "original," to insert the words "first and"; on the same page, line 15, after the word "thereof" and the comma to insert "and if the Secretary of the Interior accepts the assignment of the use of said invention as provided in the first section hereof"; on the same page, line 21, after the word "practicable" and the comma, to insert the words "as aforesaid"; and in section 6, page 4, line 14, after the word "use," to insert the words "and ownership," so as to make the joint resolution read:

Resolved, etc., That the Secretary of the Interior is hereby authorized to accept, as trustee for the United States Government, from Garabed T. K. Giragossian an assignment of the right to utilize for the Government's own use his discovery or invention to be known as the "Garabed." Said assignment to and utilization of said discovery or invention by the United States Government shall be free of charge or expense.

SEC. 2. That the Secretary of the Interior is authorized to perform any and all acts, and to make such rules and regulations, and enter into such contracts as may be necessary to carry this resolution into effect: *Provided, however*, That the said Garabed T. K. Giragossian shall demonstrate the practicability of his discovery or invention and that it can substantially effect the purposes set out in section 1 of this resolution, to a commission of five eminent scientists, who shall be appointed by the said Garabed T. K. Giragossian and be approved by the Secretary of the Interior. The United States Government shall be under no expense in connection with the demonstration of the "Garabed."

SEC. 3. That if such demonstration shall in the opinion of the said scientists prove the practicability of said discovery or invention and that it can substantially effect the purposes set out in section 1 of this resolution, and that he is the first and original discoverer or inventor thereof, and if the Secretary of the Interior accepts the assignment of the use of said invention as provided in the first section hereof, the said Garabed T. K. Giragossian shall be recognized by the United States Government as the original discoverer, inventor, and legal owner of the invention or discovery and of any improvements pertaining thereto that may be made by the said Garabed T. K. Giragossian. The certificate of said commission of scientists, to the effect that said discovery or invention is practicable, as aforesaid, and that he is the original discoverer or inventor thereof, shall constitute the said Garabed T. K. Giragossian the legal owner of and entitle him to all the rights and benefits of said discovery or invention for a period of 17 years. The right is reserved to the said Garabed T. K. Giragossian, his heirs and assigns, to take out patents for his aforesaid discovery, invention, or for any improvement or device pertaining thereto.

SEC. 4. That the United States Government shall not issue to anyone else any patent involving or relating to the distinctive principle of the "Garabed" free energy generator regardless of its form or shape, or for any device, improvement, process, equipment, or apparatus based upon the distinctive principle of the said discovery or invention, or for any improvement or change developed in the use of the said "Garabed," and shall prevent the construction, importation, use, or exploitation thereof, in whole or in part, in the United States, and shall protect the said Garabed T. K. Giragossian, his heirs and assigns, in the rights and interests in the "Garabed" in the above respect for a period of 17 years in the United States and in foreign countries where such protection is afforded by treaty obligation, international law, or diplomatic representation.

SEC. 5. That any essential improvement or contrivance by any person or persons other than Garabed T. K. Giragossian relating to the "Garabed," or its principle, which shall prove valuable and essential thereto in the opinion of the Secretary of the Interior during the period of the said Garabed T. K. Giragossian's special protection shall be bought by the United States Government for its own use in conjunction with its use of the said "Garabed," with adequate compensation to the inventor or contriver thereof. If, however, the said Garabed T. K. Giragossian wishes to utilize any such invention or contrivance so acquired by the United States Government, he or his assigns, and no other person or corporation, shall be entitled thereto upon the payment of a fair, just, and reasonable royalty therefor. In consideration of this right the United States Government shall have, without expense, the right to use for its own purpose any new improvement or device made by the said Garabed T. K. Giragossian.

SEC. 6. That after the successful demonstration of the "Garabed," if the United States Government wishes to purchase the right and title for the exclusive use and ownership of said discovery or invention, the said Garabed T. K. Giragossian will comply with the request of the United States Government: *Provided*, That he shall be remunerated to the extent commensurate with the value of his discovery or invention, which shall be appraised by a committee of even number, one-half of the membership of which shall be selected by the Secretary of the Interior and one-half selected by the said Garabed T. K. Giragossian, and the finding of said committee shall be subject to the approval of the Secretary of the Interior and of the said Garabed T. K. Giragossian.

If the United States Congress in session at the time of the demonstration, or at the latest during the following session, does not decide to avail itself of this privilege, the said Garabed T. K. Giragossian's legal rights and powers shall continue unimpaired as prescribed and set forth in this resolution.

SEC. 7. That any sale, or attempted sale, by the said Garabed T. K. Giragossian, or by his representatives or assigns, of any interest in or any title to said discovery or invention, or any part thereof, prior to the approval of the same by said commission of scientists, shall be illegal, invalid, and void.

SEC. 8. That the United States Government will have the right to exercise the aforesaid right to utilize said discovery or invention for its own use simultaneously with the beginning of the public and general use of the said "Garabed" system.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time.

Mr. BRANDEGEE. I should like to have the resolution, with the amendments agreed to by the Senate, incorporated in the resolution, printed in the RECORD, so that it will appear in the RECORD as it would read if the House should agree to the amendments of the Senate.

The VICE PRESIDENT. It will appear in the RECORD as it would read if amended. The question is, Shall the joint resolution pass?

The joint resolution was passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 3522) to amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on the Judiciary.

By Mr. RANSDELL:

A bill (S. 3523) to amend an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917; to the Committee on Commerce.

By Mr. JAMES:

A bill (S. 3524) to amend the act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved August 17, 1916; to the Committee on Patents.

By Mr. SMOOT:

A bill (S. 3525) to create a Legislative Drafting Bureau and to establish a legislative reference division of the Library of Congress; to the Committee on the Library.

By Mr. CHAMBERLAIN:

A bill (S. 3526) to amend section 11 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916 (with accompanying papers);

A bill (S. 3527) to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States," approved March 3, 1885 (with accompanying papers); and

A bill (S. 3528) to suspend for the period of the present emergency sections 45, 46, and 56 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, and for other purposes (with accompanying papers); to the Committee on Military Affairs.

By Mr. KING:

A bill (S. 3529) to repeal the act entitled "An act to incorporate the National German-American Alliance," approved February 25, 1907.

Mr. KING. I think the bill should go to the Committee on the Judiciary. As I understand, the charter granted to this organization was reported by the Judiciary Committee, although I may be in error. It may have been reported from the Committee on the District of Columbia.

The PRESIDING OFFICER. The bill will be referred to the Committee on the Judiciary.

By Mr. KING:

A bill (S. 3530) to repeal the act approved March 1, 1913, entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities"; to the Committee on Interstate Commerce.

A bill (S. 3531) for the relief of Franklin A. Swenson; and

A bill (S. 3532) for the relief of Frank Harrigan; to the Committee on Claims.

NAVAL OIL SUPPLY.

The VICE PRESIDENT. The second reading of a bill.

The bill (S. 3521) to further provide for the common defense and general welfare of the United States with respect to the production, use, and conservation of oil and gas in naval petroleum reserves, and for other purposes, was read the second time by its title.

Mr. SWANSON. I move to refer the bill to the Naval Committee.

Mr. SMOOT. As a substitute for that, I move that the bill be referred to the Public Lands Committee.

Mr. SWANSON. The rule is that we can not substitute one committee for another.

The VICE PRESIDENT. The point of order is well taken. The rule is that you can not substitute. After a vote on this question, if it is voted down, then motion may be made to refer the bill to some other committee.

Mr. MYERS. Mr. President, I suppose the motion is debatable, and I wish to say a few words on it.

The VICE PRESIDENT. The Chair assumed a prerogative yesterday which the Chair did not possess. The motion is debatable, and Senators can take all day upon it, or until 2 o'clock.

Mr. MYERS. Mr. President, I think the bill as a measure of right and justice under the rules of the Senate should go to the Committee on Public Lands. It has been an unbroken and immemorial practice to refer all measures relating to the disposition, regulation, or control of the public domain of the country, and all legislation in any way affecting the public domain of the country, to the Senate Committee on Public Lands. There have been some very sharp conflicts in this body in times past over the jurisdiction of that committee, and it has been the decision of the Senate in every case to refer all such measures to the Committee on Public Lands. There have been some contests waged along that line where the line of demarcation of jurisdiction was not nearly so clearly marked as it is in the case of this bill, but in every instance the Senate has decided in favor of the jurisdiction of the Committee on Public Lands.

Personally I am not anxious to have the committee of which I have the honor of being chairman handle great matters of legislation, nor am I greedy for the handling of bills. Personally I care but little or nothing about those matters, but I believe that the right of jurisdiction and the dignity of the committee of which I have the honor to be chairman should be protected in this body, and I do not believe it would be right or just or in accordance with the precedent set by the Senate nor the rules of the body to refer a bill of such great importance, which plainly affects in a very vital way the public domain of the country, to any other committee than the Committee on Public Lands.

Mr. STONE. Mr. President, will the Senator yield to me?

Mr. MYERS. With pleasure.

Mr. STONE. I should like to ask the Senator a question or two—probably one will be sufficient—to get a clear understanding of the matter before us as influencing my own action when I come to vote. I have heard the remarks made by different Senators about the jurisdiction of the committees. I agree in the main with most of what has been said on both sides of the controversy; that is, I agree to this extent, that the jurisdiction prescribed by the rules should be observed. I will state the particular question presented to me. I am told by the Senator from Virginia [Mr. SWANSON], the Senator from Georgia [Mr. SMITH], and perhaps others, that certain sections of the public lands were carved out of the public domain and donated to, turned over to, given to, public uses which concern the Navy alone; in other words, given over to the Navy. Where is that tract of land, exactly?

Mr. MYERS. I know of no such tract of land about which there was any legislation at all. Large tracts of land have been withdrawn from entry—from mineral entry, homestead entry, desert-land entry, or any other kind of entry—but they are still nevertheless public domain. The United States Government is the owner of those tracts of land.

Mr. STONE. The Senator does know where the lands in question are located?

Mr. MYERS. In the State of California and in the State of Wyoming.

Mr. STONE. So I understand; in the State of California and in Wyoming. Now, I should like to ask the Senator to explain, that I may know, what would be the real difference between the Government of the United States buying a given area of land and acquiring it in private ownership for the use of the Navy? No matter whether it is a wise thing to do, assuming it to have been done, what would be the difference between that and the Government taking a certain tract of land out of the public domain and devoting it exclusively to naval uses?

Mr. MYERS. There would probably be no difference.

Mr. STONE. It seems to me that that is the question presented to us here, as I have listened to the argument.

Mr. MYERS. There would probably be no difference. That can only be done by legislation, and I know of no legislation which has set aside any part of the public domain for the exclusive use and benefit of the Navy. If there is any such legislation, I do not know of it.

Mr. SWANSON. If the Senator will permit me, acting under the Pickett Act, in 1912, the President set aside this land for the exclusive use and benefit of the Navy, using that expression. This bill only affects that land.

Mr. MYERS. The President can not divest the United States of the title to the land.

Mr. SWANSON. The thing the President did was with governmental land. A navy yard is on governmental land. It is not public land, because it is not subject to public entry. Does the Senator contend that a navy yard is subject to the jurisdiction of the Public Lands Committee?

Mr. MYERS. No; I would not claim that, because it is not and never was public domain; but this land in California and in Wyoming always has been and is public land which belongs to the public domain.

Mr. SWANSON. The navy yard at Puget Sound was once public land subject to entry and was set aside. Does the Senator contend that legislation affecting the navy yard at Puget Sound can go to the Committee on Public Lands?

Mr. MYERS. Legislation by Congress has made that land belong to the Navy, but there has never been any legislation by Congress making this land in California and Wyoming belong to the Navy.

Mr. STONE. That is the very question I had in mind.

Mr. SWANSON. The Pickett Act confirmed and authorized what had been done and the President by the proclamation of 1912, which I can read to the Senator, said that these lands should be set aside for the exclusive use and benefit of the Navy.

Mr. KING. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Montana yield to the Senator from Utah?

Mr. MYERS. I yield.

Mr. KING. Does the Senator from Virginia insist that the President of the United States by any power that he has, or by any that he may usurp, may carve out a part of the public domain, and in virtue of the Pickett Act set it apart for any purpose and transfer title?

Mr. SWANSON. The Supreme Court of the United States has decided in passing upon the Pickett Act that the President of the United States, when authorized to do so as he was by the Pickett Act, has a right to set apart the Federal reserves for the use of the Navy, and he did so.

Mr. MYERS. The President withdrew those lands from public entry, but title has never been divested from the United States and no power can do that except Congress.

Mr. SWANSON. If the title goes to the Navy it is not divested from the United States.

Mr. MYERS. There has never been any legislation which would make that land other than what it always was—public domain; and the President of the United States has not the power to make it otherwise.

Mr. SMOOT. Mr. President, will the Senator from Montana yield to me for a moment?

Mr. MYERS. With pleasure.

Mr. SMOOT. I want to call the Senator's attention to the fact that the Pickett Act specifically authorized temporary withdrawals. That is what all the withdrawals under the Pickett Act are—temporary withdrawals. The word "temporary" is used in the act.

Mr. STONE. For what purpose?

Mr. SMOOT. For the purpose that thereafter, if Congress wants to legislate affecting the land withdrawn, Congress may do so. To now legislate upon the withdrawn area means that this bill should go to the Public Lands Committee instead of to the Naval Committee.

Not only that, but I want the Senate to distinctly understand that the statement that there are no public lands involved in the bill can not be sustained. I ask Senators to read section 4 of the bill, which refers to lands that are claimed by location by individuals in the United States. No title has yet passed, and they are public lands. Again, the Government is questioning titles that have already passed. The bill provides that in cases where it is finally decided the title should pass to the claimants an exchange for lands outside of the exterior boundaries of the withdrawal lands can be made. If that is not dealing with public lands, I do not know what can be dealing with them.

Mr. MYERS. Mr. President, I think the statement of the matter which has been made by the Senator from Utah [Mr. SMOOT] is very clear and is very correct.

Mr. SMITH of Georgia. But, Mr. President, does not the bill also deal with lands set apart for the Navy; and does not section 4 simply provide that as to lands set apart for the Navy, where claimants are upon them, can be so handled as to adjust the claimants' rights by letting them take something outside? Therefore, does not that section apply to the responsibility of the Committee on Naval Affairs as well as of the Committee on Public Lands?

Mr. MYERS. Who sets them apart for the benefit of the Navy?

Mr. SMITH of Georgia. The President of the United States, in pursuance of law.

Mr. MYERS. Does the Senator from Georgia claim that the President of the United States can set lands aside for the use of the Navy without legislation by Congress?

Mr. SMITH of Georgia. No; but the legislation authorized it.

Mr. MYERS. It only authorized a temporary withdrawal, as the Senator from Utah [Mr. SMOOT] has said, subject to the disposition by Congress.

Mr. STONE. Well, has the President of the United States attempted to segregate and set aside the particular lands in question exclusively for naval uses?

Mr. MYERS. That is immaterial. He had no power to do that.

Mr. STONE. I am asking for the facts, and not as to the materiality of them.

Mr. MYERS. His order attempted to do that; yes.

Mr. STONE. What President did that?

Mr. THOMAS. Two of them.

Mr. SMOOT. President Taft——

Mr. STONE. President Taft did that?

Mr. SMOOT. President Wilson also did it.

Mr. STONE. It is immaterial what President did it; I merely wanted to get the date when that was done more than the name of the President who did it.

Mr. SMOOT. Mr. President, there have been temporary withdrawals for this purpose just the same as there have been as to forest reserves. Such withdrawals are made permanent only by further legislation by Congress. Does the Senator from Virginia say that the forest lands to-day are not public lands because they are withdrawn? Mr. President, it is absurd.

Mr. KING. The withdrawal operates.

Mr. SMOOT. Not only that, but the forest lands are withdrawn by direct authorization of Congress, the act giving the President the power to withdraw lands for forest purposes, while the lands withdrawn under the Pickett Act are only temporary withdrawals.

Mr. STONE. Mr. President, if the Senator from Montana will yield—and it is with his consent I am turning now to interrogate the Senator from Utah—I desire to ask exactly what is meant by the term "temporary withdrawals"? President Taft, the Senator says, did temporarily withdraw these particular lands in question for naval uses. What does that mean, and what were the naval uses for which President Taft withdrew the lands? I ask that question in order to determine in my own mind whether the withdrawal was in fact to be a permanent thing or a temporary thing, so far as the President was concerned.

Mr. SMOOT. Will the Senator from Montana bear with me further?

Mr. MYERS. With pleasure.

Mr. SMOOT. Mr. President, I should like to answer the question which the Senator from Missouri has just propounded.

When the Pickett bill was first considered in the House we had a similar bill under consideration in the Public Lands Committee of the Senate. The House passed its bill before the Senate passed the Senate bill. The House bill came to the Senate, and it was reported to the Senate instead of the Senate bill.

Mr. STONE. What importance has that?

Mr. SMOOT. I am giving the history of the matter. In the original bill the word "temporary" was not used, but in the House and in the Senate the word "temporary" was inserted in the bill, and all of the discussion upon the floor of the Senate went to the effect that it was absolutely necessary that the word "temporary" be inserted in the bill because of the fact that the legislation was simply for the purpose of withdrawing whatever lands the President of the United States thought was necessary to withdraw when considered as being required by the Government, but that the withdrawal is temporary is undenied. It was thought Congress would pass within a reasonable time legislation disposing of such withdrawn lands or should return them to the public domain. That is the history, I will say to the Senator, of the insertion of the word "temporary" in the Pickett Act. I know the character of the hearings before the committee and the recommendations which were made by those who were interested in the legislation.

Mr. MYERS. Mr. President——

Mr. NELSON. Mr. President, will the Senator from Montana yield to me?

Mr. MYERS. With pleasure.

Mr. NELSON. The Senator from Utah [Mr. SMOOT] is utterly mistaken in his position. The Supreme Court of the United States has expressly decided these questions in the case of the United States against The Midwest Oil Co., in Two hundred and thirty-sixth United States Reports. Let me read a paragraph from the syllabus of the opinion, as follows:

> There is no distinction in the principle between the power of the Executive to make reservations of portions of the public domain and the power to withdraw them from occupation.

Now, what are the facts? I want to show to the Committee on Public Lands how they have attempted by legislation to nullify the act of the Executive.

Mr. SMOOT. In what respect?

Mr. NELSON. If the Senator will be patient, I will point that out to him. In 1909, at the instance of the Geological Survey, owing to the fact that a number of men were occupying and seizing oil lands in California and other States, the Executive issued an order withdrawing those lands from location and entry. The men who were trying to capture those public lands paid no attention to the order, but disregarded it and said it was illegal.

In 1910 legislation in regard to the question came before Congress, an intimation having been made that the President had no right to issue such withdrawal order; that it was not within the scope of his authority to do so. So a bill was introduced in Congress to clear up the situation. The bill giving the President the power of withdrawal passed the House and came over to the Senate. That bill came before the Committee on Public Lands, and a majority of that committee made a report, stating that the President from the very beginning of our land system had the power and the right to withdraw public lands from settlement and set them apart either for military or other reservations. In the face of that order of withdrawal, and in the face of the report of the committee, the men seeking the land went to work and filed claims on the lands which had been withdrawn.

Finally, growing out of the matter, a case went to the Supreme Court, the case I have already cited, and the Supreme Court decided that the President of the United States had always possessed the right of withdrawing the public lands and creating reservations. In that decision a multitude of cases were referred to, as was the report made by the Public Lands Committee in February, 1910, and the views expressed by the committee in that report were concurred in by the Supreme Court of the United States.

What has been done by the legislation which has been recently passed by Congress? It has attempted to nullify that withdrawal order. Let me read section 16 of Senate bill 2812, passed by the Senate last week. Unfortunately, I was laid up by an accident, for otherwise I should have been present and discussed it. Section 16 of that bill reads:

SEC. 16. That upon relinquishment to the United States within 90 days from the date of this act or within 90 days after final denial or withdrawal of application for patent, by a claimant of any claim or subdivision thereof—

Now, listen to this—

asserted under the mining laws prior to July 3, 1910—

That carries it a year past the President's order of withdrawal—

to any unpatented oil or gas lands included in any order of withdrawal and who prior to such date had performed all acts necessary to a valid mining location thereof—

I will not read further from the bill, but I have read enough to show that it gives the men who, in the face of the order of the President and in utter disregard of it, filed on these public lands, a prior right to lease them. Now, does not the Senator from Utah see the situation? These men had bid defiance to the order of the President; they went on those lands and are on them yet, and the bill to which I have referred proposes to give law violators a priority of right to lease these lands. That is all there is in the section of the bill from which I have quoted, and the Senator from Utah ought to know it.

Mr. SMOOT. Has the Senator concluded?

Mr. NELSON. Yes, sir.

Mr. SMOOT. And will the Senator from Montana [Mr. MYERS] yield?

Mr. MYERS. I will.

Mr. SMOOT. All that the Senator has said has nothing to do with the subject before the Senate or what I have stated. Mr. President, the withdrawal order of President Taft of July 3, 1910——

Mr. NELSON. Nineteen hundred and nine.

Mr. SMOOT. Nineteen hundred and nine, was the first withdrawal order, but the order of 1909 is not mentioned in the bill of the Senator from Virginia, the reference of which is under discussion. I will say to the Senator that the withdrawal order was made in July, 1910, after the passage of the Pickett Act, because President Taft himself expressed the opinion that all withdrawals of oil lands in the United States made before the passage of the Pickett Act, in his opinion, were doubtful.

Mr. NELSON. Mr. President, the Senator, with all due respect, if he will yield to me, is mistaken.

Mr. SMOOT. Certainly, I will yield to the Senator.

Mr. NELSON. The President did not say that he doubted it, but he said that it was questioned by others, and it was to remove that doubt that the Pickett Act was passed. President Taft was too good a lawyer to say that he himself doubted it; he merely said it was questioned by others.

Mr. SMOOT. Mr. President, I do not particularly care how often the Senator from Minnesota may say I am mistaken, but I am not mistaken, for President Taft himself told me he had doubts on the question. There is no need of discussing the question, however, as to whether President Taft's opinion was right or whether it was wrong; the administration at that time wanted the Pickett Act passed, and it was passed, and in that act were written the words "temporary withdrawal."

As to section 16 of the bill referred to by the Senator from Minnesota, which passed the Senate last week, and injected into this discussion, I understand was a bill drawn by the department. I will say further that I did not vote for that bill, but voted against it.

Mr. NELSON. Well, that is to the Senator's credit.

Mr. SMOOT. The only question before the Senate is whether the bill introduced by the Senator from Virginia dealing with public lands should go to the Committee on Naval Affairs or to the Committee on Public Lands. The bill recognizes the locations that were made before the withdrawal order of July, 1910, and it provides for the exchange and payment for such lands, in case an investigation shows that the locations were made properly and the locators have complied with the law that they can even exchange such lands within the exterior boundaries of the withdrawal for lands within the public domain.

I am not discussing the wisdom of the provisions of the bill because I am in favor of the legislation, and if it should be referred to the Committee on Public Lands I would vote for it. But what I am discussing is the question of referring to the Committee on Naval Affairs a bill that deals with public lands. It is not right, in my opinion, that such a measure should be referred to the Naval Committee. I believe it should be referred to the Committee on Public Lands.

Mr. MYERS and Mr. SWANSON addressed the Chair.

The PRESIDING OFFICER. Has the Senator from Montana surrendered the floor?

Mr. MYERS. I had not intended to do so. I wanted to make a few additional remarks, and I merely sat down to rest a little while the floor was being occupied in my time.

Mr. McCUMBER. Mr. President, before the Senator proceeds, I wish to propound a parliamentary question. I wish the Chair would state whether or not a mere motion to refer a bill or resolution to a committee is subject to unlimited debate during the morning hour?

The PRESIDING OFFICER. The Chair will state to the Senator that the Vice President, at the time of the commencement of the discussion with relation to this matter, made the following statement before he called the present occupant to the chair:

The Chair assumed a prerogative yesterday which the Chair did not possess. The motion is debatable, and Senators can take all day upon it, or until 2 o'clock.

Mr. McCUMBER. That means the debate is unlimited until 2 o'clock?

The PRESIDING OFFICER. Under subdivision 3 of Rule XIV is the following:

No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to, for reference, but shall not be considered on that day as in Committee of the Whole, nor debated, except for reference, unless by unanimous consent.

The rule says "nor debated, except for reference"; and there is no limitation on that, it seems.

Mr. McCUMBER. The point I am trying to make, Mr. President, is that the general rule relative to debate not exceeding five minutes applies until 1 o'clock under our rules.

The PRESIDING OFFICER. That is under our Rule VIII, after the conclusion of the morning business.

Mr. SMOOT. And when the bill is on the calendar.

The PRESIDING OFFICER. Yes; and when it is on the calendar.

Mr. McCUMBER. Then, Mr. President, if this debate is to go on without limit, I shall insist upon the other rule, namely, that no Senator shall speak more than twice on the same day and upon the same subject.

Mr. SWANSON. Mr. President, I understand that the Senator from North Dakota gave notice that he would make a speech to-day, and if he prefers speaking now I will consent to this matter going over until to-morrow. I would not let this matter interfere with the speech he desires to make to-day; and if he wishes to speak now, with the consent of the other Senators, I will let it go over until to-morrow.

Mr. SMOOT. That is all right. That is satisfactory.

Mr. MYERS. Mr. President, I think the point of order made by the Senator from North Dakota really was in substance that he desired to make a speech. I am perfectly willing to yield for that purpose and let the matter go over until to-morrow.

Mr. SWANSON. The Senator gave notice that he desired to make a speech, and I would not interfere with it.

Mr. McCUMBER. Mr. President, these notices have been given ever since I have been in the Senate, and I think very properly given, that those Senators who desire to absent themselves may have the opportunity, and others who have business and desire to attend to it may do so. I think the practice is very valuable for another reason—that we may know how to accommodate our business to the time that is at our disposal. While it is immaterial to me whether I go on now or an hour later, I understand that a great many Senators desire to attend the funeral this afternoon, and I should be gratified if I may be allowed to proceed at this time.

Mr. SWANSON. I ask that the motion go over until to-morrow.

The PRESIDING OFFICER. By unanimous consent, the further consideration of this motion to refer will go over until to-morrow.

Mr. McCUMBER. I understand that the morning business has not been closed, and I do not wish to take the time of the Senate until it is closed.

PEACE BASES.

Mr. SHERMAN. Mr. President, on August 15, 1917, I submitted a resolution, which is on the Table Calendar, and known as Senate resolution 115. I ask that it be indefinitely postponed. The resolution is already covered in other matters.

The PRESIDING OFFICER. The Senator from Illinois asks for the indefinite postponement of Senate resolution 115. Is there objection? The Chair hears none, and the resolution is postponed indefinitely.

STANDARDIZATION OF WAGES.

Mr. McCUMBER obtained the floor.

Mr. KING. Mr. President, I ask the Senator from North Dakota to yield to me for a moment.

Mr. McCUMBER. I yield to the Senator.

Mr. KING. On the 4th day of January I submitted a resolution, being Senate resolution 174, directing the Committee on Education and Labor to inquire into the subject of wages having to do directly or indirectly with Government work, etc. The resolution is on the table. I ask that it be taken from the table and now taken up for consideration.

Mr. STONE. Mr. President, I request the Senator from Utah to allow the resolution to remain on the table until to-morrow. When this resolution is taken up I desire to address some remarks to the Senate on the general subject of politics in the war and other cognate questions related more or less to the resolutions of investigation which have been showered on the Senate. I expect in the course of my remarks to make some pointed, but, I need hardly say, not offensive, remarks in which the Senator from Pennsylvania [Mr. PENROSE] will be personally interested; and as he is not here to-day I should like to give notice of my purpose, expressing the hope that on to-morrow the Senator from Pennsylvania may find it convenient to honor me with his presence.

Mr. KING. I shall be very glad to accede to the request of the Senator from Missouri, and ask that the resolution lie on the table to be considered to-morrow.

The PRESIDING OFFICER. The resolution will lie on the table for the present.

TRAINED NURSES FOR ARMY.

Mr. TRAMMELL submitted the following resolution (S. Res. 185), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Senate Committee on Military Affairs be, and it is hereby, directed to investigate and report to the Senate at the earliest practicable date the available number of trained nurses for service with the United States Army; and whether or not this present available number will be adequate for the needs of the Army when increased by the anticipated future increments, taking into consideration the increased demand when the Army shall more largely engage in active conflict; and to investigate and report on the advisability of at once establishing training courses or schools for nurses for future service with the Army hospitals; and to investigate and report what, if any, provisions have been made to this end by the War Department.

EMPLOYMENT OF ADDITIONAL PAGES.

Mr. OVERMAN submitted the following resolution (S. Res. 184), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant at Arms of the Senate be, and he hereby is, authorized and directed to employ three additional pages for the Senate Chamber at $2.75 per day each for a period lasting until the end of the present session of the Sixty-fifth Congress, to be paid from the miscellaneous items of the contingent fund of the Senate.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 12th instant, approved and signed the joint resolution (S. J. Res. 106) extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914.

THE SHIPPING SITUATION.

Mr. McCUMBER. Mr. President, yesterday I gave notice that I would to-day discuss the present shipping situation and other matters pertinent to the present condition of the war in Europe. I shall be careful not to give any facts that have not been already made absolutely public, but I shall attempt to present figures and statistics that I think will be interesting and useful to the Senate in the future consideration of the duties which we shall be called upon to perform.

Mr. President, as we stand at the threshold of a new year, ready to shoulder every burden which a battle-torn and distracted world has thrust upon us, no matter of merely domestic concern should be allowed to hold a position of precedence over our important war duties. The pending question should at all times be the question of war.

Actuated by this conviction, it is my purpose here and now to develop and place upon the records of this body such a definite picture of the actual war situation of to-day as will enable us to clearly see and fully comprehend the duties which we have undertaken and with the hope that so seeing and comprehending we shall make our performance square with our colossal task.

Mr. President, the year 1918 opens on a world shrouded in darkness, lighted only by the fires of death. But horrible as is this gloom, great beyond words of expression as are the sufferings and agonies of nations, they are insignificant as compared with the blacker shadow of an impending military autocracy which threatens to rivet its accursed manacles on a world made slave to the brutal lusts of the god of war. Might, armored with dishonor, sustained by intrigue and weaponed with every hell-devised instrumentality which an intellect trained only in the school of murder could conceive, rides in triumph over the weaker and unprepared nations of Europe.

It is most proper that we, whose resources alone can by any possibility shield the world from military slavery, that we who alone have the latent power to save those ideals toward which the whole human race with slow, plodding, and weary steps have labored for centuries, should awaken at the beginning of this new year to a full realization of the magnitude of the task which destiny has assigned to us; and, thus realizing, that we should make our New Year's resolution conform in spirit, intensity, and devotion to the full measure of our sacred obligation.

I am well aware, Mr. President, that there are those who labor under the mistaken theory that to take account of our own weakness in any line or to publicly admit the strength or advantage of the enemy discourages our own people and encourages our foes; and so they advocate a course of suppression. Possibly there are people who will be thus affected, but unless the American people have woefully deteriorated since our last real conflict they certainly can not be so classified. From a military standpoint we as a people may be slow, but we have never failed to measure up to our full capacity when we knew what we must do; and, Mr. President, the sooner we now know and the sooner we gird ourselves for the realities of this war the better it will be for the country.

The first step toward the goal of victory is to undeceive ourselves. Looking at our enemy through the reverse end of the telescope as we have been doing is worse than folly. It creates an unwarranted assurance and invites disaster. We have heretofore talked too much of our invincibility and have done too little to demonstrate it. We have overcultivated our conceit and undercultivated our striking strength. Some one has truly said that "conceit may puff a man up, but it can never prop him up." Shakespeare speaks of boasting as a "killing tongue, but a quiet sword." I commend those words of wisdom to a certain gentleman who some months ago sent out to the American people the picture of a mighty sea battle between our convoy ships and a squadron of submarines—a picture so gory in its colorings that the column of water shot a hundred feet skyward by a bursting shell was red with the blood of our enemies and the dark waves encarmined as though kissed by a crimson sunset. I need not commend them to that British admiral who, at the beginning of the war, declared that the German Navy and the German submarine would be forced like rats out of their holes. He has since learned his lesson; and

his country, with that stern silence which always presages real power, is now giving to the world the old traditional spirit of the days of Crecy, of Blenheim, of Trafalgar, of Waterloo, and of Balaklava. Bluster and decision never have reigned and never can reign joint sovereigns of the mental throne. If decision shall now govern, bluster must now abdicate. The great military leaders of the world were equally renowned for their modesty. Grant never boasted; Lincoln hated a braggart.

Mr. President, from the very beginning of this war the press of the country has underestimated the striking power of the central nations and overestimated the strength and resources of the entente powers. The press of the country has assumed, and the people have fallen into the trap, that the central nations were weaker in man power than the forces against them, and that when we entered into the contest our vast resources and weight of numbers would quickly decide the conflict. Of course, those who have taken the trouble to make careful and accurate comparisons have known better. We must now learn the lesson that boasting will not win this war. Collecting money by the billions and spending it in wildest extravagance will not win the war. I am not condemning a proper optimistic spirit on the part of the people. But optimism is a virtue only when harnessed with energy and guided by an intelligent purpose. A blind complacency that fails to recognize great danger is a vice little less than active criminality. The present situation demands action and quick action.

Mr. President, in order to fully understand just what we must meet in this war, I wish to survey briefly the present situation where the battle is raging. What is the relative strength of the countries engaged along that battle front? I get tired of hearing people say that Germany can not win with the world against her. Such statements show a dense ignorance of real proportions. The world is not against the central powers, and the greater part of the world can not even get within striking distance of her. Instead of the world being against Germany on the battle line, she and her allies are vastly superior in territory, in population, and in resources, while their geographical situation gives them a thousand advantages over their opponents. At the beginning of this year, 1918, this country should awaken to that truth.

Mr. President, as no statistical data can so impress the mind as a visual image of proportion, I have prepared a map showing the territory constituting the central powers, the territory actually occupied by these powers and furnishing them the substance which they do not themselves produce. [Indicating map on wall.] The heavy blue line encircles not only the central powers engaged in this war but also includes the conquered territory of opposing countries giving all of their substance to the support of those central powers.

I have not been able to carry the blue line over that portion of Asia which is now held by the Turks. We know that we would have to press that line eastward and southward through Mesopotamia and on to the British line, and the map is not large enough for that purpose. Here we have—

Germany proper, with an area in square miles of	208,780
Austria-Hungary, including Bosnia and Herzegovina	260,034
Bulgaria	43,000
Turkey	710,000
A total of	1,221,814

That comprises the original boundaries of the central powers. But in addition to this the central powers are in actual possession of and utilizing all the resources of—

Belgium, with an area in square miles of	11,302
Serbia	34,000
Roumania, about	39,000
Russian Poland and other Russian territory, now about	150,000
Northern France	7,595
Montenegro	5,330
Albania	7,800
Making a total enemy country in her possession, in square miles, of about	255,027

Or greater than the entire German Empire. This makes a grand total of territory furnishing its resources for the central powers of 1,476,841 square miles.

Against this mighty empire we have in Europe—

Great Britain, including Ireland, square miles	121,331
France	207,054
Italy	110,623
Or a total of	439,008

Deducting therefrom the square miles of France now held by Germany of 7,595, we have left a total of 431,413.

In actual territorial domain, therefore, the central powers exceed the entente powers by nearly 3 to 1 and in actual territory possessed by them, over which they are exercising complete sovereignty and which is furnishing them with all its valuable resources, the central powers exceed the entente powers by more than 3½ to 1.

Not only this, Mr. President, but the territory occupied by the central powers in productivity and in all that sustains modern life and adds to effectiveness in war is enormously superior, acre for acre, to that of the entente powers. Bulgaria has always produced a surplus of agricultural products. Austria-Hungary has always produced more agricultural products than she has consumed.

These central countries are in possession of all the important oil fields, of all the important coal fields, of all the important iron fields of continental Europe. With intensified farming, supplemented by reasonable economy, this section of Europe is unquestionably self-supporting in food products. The coming spring will undoubtedly see the vast fields of Russia promising a bounteous harvest for the German armies and civilian population.

Is it not about time that we stop our talk about the collapse of the central powers for lack of food? The truth is the central powers are better supplied with food than any other European belligerent power. Great Britain is suffering far more than any other country, is complaining less, and, for the most part, fighting harder.

Passing from the subject of physical resources and territorial domain, I want Senators now to again approach the fighting line and take accurate measurement of the man power of each nation engaged in that conflict. Here we have—

Germany, with a population in round numbers of	70,000,000
Austria-Hungary	50,000,000
Bulgaria	5,000,000
Turkey	21,000,000
Or a total population of	146,000,000

Pitted against these we have—

Great Britain and Ireland, with a population of	45,000,000
France (about)	40,000,000
Italy	35,000,000
Or a total of	120,000,000

I have not included Belgium because the number of Belgian soldiers is a negligible quantity.

If we go to the limit in man power, any first-class nation can put into the ranks one-sixth of its population. On this basis the central powers can put into the field, in round numbers, 24,350,000. The entente powers, at the same ratio, could put into the field 20,000,000. The entente would be outnumbered on the battle line 4,350,000. But you may suggest that I have not considered Canada, Australia, and what may be drawn from India. A very brief glance at the situation, however, will demonstrate that the number of soldiers drawn from these distant countries are more than balanced by the number of men that Great Britain must utilize in other avenues than along the battle front. Remember that Great Britain must furnish the sea service for all of her allies. She must divert a vast number of men who could otherwise be called to the front to man the ships necessary to furnish herself food and clothing and to carry food, clothing, ammunition, and soldiers to her allies. I do not know just how many able men would be required for the service, but probably not less than 500,000.

Great Britain must hold the naval mastery of the ocean, at least the surface of the ocean, and this, including trawlers, chasers, mine sweepers, and so forth, will take, we will say, 500,000 more. This would about equal all of the soldiery which Great Britain can draw from her over-seas domains and leave the proportionate man strength about the same as suggested.

It must also be remembered that Great Britain, in furnishing ammunition and guns and other equipment to her allies, must withdraw from her otherwise fighting forces a vast number of men to produce those things. It should further be remembered that the conscription has not been applied to Ireland.

So it is safe to say that the entente countries, after using all their man power, will necessarily be outnumbered on the field of battle by between four and five million.

Nor is this all. The central powers have the additional advantage of one solid contiguous territory, with both flanks of their battle line resting against inviolate neutral territory. She can not, therefore, be flanked. All the entente powers can hope for is to either protect their line of battle or hold it without advantage to either, and this seems the utmost that can be hoped for until the United States really gets into the conflict, if we ever do get in.

Again, the transportation facilities of the central powers are such as to enable them to throw a preponderating force against any point in a line in a few hours, while it would take days to move a like force from point to point by the entente powers.

And still again, not a foot of the territory of the great central powers has been devastated or is under enemy control. Their industries, untouched by the hand of devastation, and organized as those of no other country in the world, are sending their steady flow of equipment to maintain those vast armies. The entente powers have about reached their limit. It is up to us to supply the deficiency. To just balance the man power of the central nations, this country should send to the front, as I have declared, and I reiterate it again, this country should have at the front to-day at least 5,000,000 soldiers. To equal the geographical advantage of the central powers, this country should have on the battle field at least an additional million. To overcome the advantages of a mere defensive warfare, to be the aggressors—in other words, to force the central powers to retreat—we should furnish at least another million; and as a retreat would shorten the line of the central powers and bring them nearer the axis of the arc, closer to the source of supply, the number of the offensive should be correspondingly increased.

So, Mr. President, we should have in the field at this time at least 7,000,000 men. And that is assuming that the three powers, England, France, and Italy, will all remain in the field.

But, Mr. President, who can say with any degree of certainty that in another six months Italy will still be battling for this world cause? Encouraging as our smile of hope may be, the ugly fact stares us in the face that about 300,000 of that army have surrendered within the last two months. There may be causes for that surrender of which I am ignorant, and I shall not criticize, but I shall not fail to note, in view of the fact, that the surrender was without even a battle, without even a real blow; that there were strong indications of internal disintegration. There are possibilities, Mr. President, even more grave than this which I shall not mention at this time.

But with Italy out and with France flanked, though our burdens would be enormously increased, we would not be beaten in this war. Supply Great Britain with food and clothing and Great Britain and the United States can continue this war for 40 years if necessary. British soldiers and British sailors will fight to the death. In my judgment, they will suffer more and still maintain their tenacity of purpose than any other European people, but no amount of courage or fidelity can resist the weapon of famine. And talk as heroically and as optimistically as we may, the undeniable fact still stares at us that with her undersea craft Germany is taking in unchecked flow the very lifeblood of Great Britain in this unequal contest. Great Britain, the one country which is doing greater work and is suffering more than all others, whose financial credit and whose ships are sustaining the life of her allies, is rapidly losing that upon which her own life depends.

If Great Britain were to battle for herself alone, she might defend herself for years, even against this new monster of the sea. But she knows that she is fighting the world's war, that she is battling for a peace that shall be permanent; and she knows, as we all know, that any peace that will leave Continental Europe prostrate before any military autocracy means a renewed war or slavery, and she will never desert her allies, though, like Russia and Roumania, they fall one after the other, either through exhaustion or intrigue, or both, so long as one of them remains at her side.

In my opinion, there is but one power that can overcome her endurance, and that is the power of starvation—a starvation brought about by Germany's only hope, the submarine, which alone can paralyze her arm and destroy her power.

The question, then, presents itself to us, How long can she stand this strain? Russia and Roumania are out of the war. Italy is losing ground. France is unable to make any headway. The wall of opposition at the eastern end of the battle line in continental Europe is crumbling. How long can Italy withstand the Teutonic pressure? Optimistic, indeed, must be the man who would prophesy a single year without additional support. With Italy under the heel of the conqueror, with France assailed in the flank, who can prophesy that that country will not be quickly brought under the heel of the same conqueror, and England's Army left to battle against overwhelming numbers? You may say that this is painting a gloomy picture. This, Mr. President, is delineating two things, first, the exact situation as it now is, and, second, the possibilities of the future; and it is presented with the hope that we will at least partially awaken to a realization of what is before us.

In April of 1917, in an address before the Senate, I declared that this war would be lost or won by the U-boat; that if we were able to meet its ravages, we would win; if we were not able, we would lose. I have not changed in the slightest degree the opinion I then held. Every day has added to my conviction. Every day has seen fewer tons of the world's shipping afloat. Germany declared that if she could sink a million tons of the world's shipping a month she would bring England to her knees in 10 months. Had she been able to do so her hope might possibly have been realized. She has not done all of that, but she has sunk about 8,000,000 tons of the world's shipping in the year 1917, and the destruction goes on without cessation and with little variation in the monthly toll.

The question is not whether these central powers can conquer the United States. Of course they can not conquer us. Our resources are so great and so diversified, our food, clothing, and mineral supplies are so adequate, that we could live in comfort for a century, even though we had not a merchant ship afloat on the ocean, and then we could do just what Germany is now doing to the British shipping—that is, without any shipping of our own to defend—we could turn into the ocean such a hoard of submarines as would close every German port to the outside world until she begged for peace.

I am not failing to observe the strain of this war on the central powers. But they are buoyed up with the courage that comes from the fact that the prowess of Russia has been broken; that Roumania has surrendered; that they have opened the granaries of Russia; and that their U-boats report in undiminished figures the weekly toll of enemy merchant ships.

The question is, Can our allies, and especially Great Britain, stay in the field until we can actually get into this war? Or will those powers be compelled to declare a draw, with nothing settled and begin the preparation for a further and greater slaughter?

And this, Mr. President, brings us right up to the one situation which is so imminent and which so overshadows all others that it is folly to talk about raising armies or saving food supplies until that question is solved, and that is the shipping question. Why talk about sending a million men to Europe when we have not the ships to take care of more than a quarter of a million? Why talk about conserving our food in order to assure a surplus for export when we have not the ships to take one-quarter of that surplus?

Mr. President, our allies informed us the very day of our entry into the struggle that what they most needed was ships; that ships were far more important to them than men; that they must have food and coal and ammunition; that Great Britain had turned over to France 2,000,000 tons of her shipping; that she was supplying her merchant marine to all the other allies, while suffering a devastation many times greater than all put together; that she was losing by the submarine from six to seven million tons per year, while her shipyards in 1916 produced but little over half a million gross tons. They cried for ships, they begged for ships, and more ships. They said to us, "Give us 6,000,000 tons in 1918 and we can possibly withstand the ravages of the submarine." We allayed their fears; we assured them we would supply that shipping. We took that duty upon ourselves, the most important, the most vital duty incumbent upon us in this war. And, Mr. President, we have neglected that duty beyond any other, shamefully neglected it. They tell us it was because of the wrangling and disagreements among the members of the Shipping Board. But had the members of the Shipping Board fully realized what the creation of this tonnage would mean in this war, had they contemplated the disastrous results that would follow their failure I can not believe that any one of them would have been so unpatriotic as to have delayed construction while they were fighting out differences of opinion. I must attribute the delay to a lack of appreciation of the magnitude of the submarine danger. It is between that and unpatriotism only that I must decide.

We appointed a Kilkenny Shipping Board and then we went to sleep, and as this board awakes to the chimes of the new year it says that it hopes to produce of new shipping 2,000,000 gross tons. Was ever a promise more glibly made? Was ever a promise more disgracefully broken?

As one modest Member of this body, I have not slept at my post or failed to hoist the danger signal. I admit that what I may have said upon the subject could not penetrate very far, and especially against the assurance of the Committee on Naval Affairs that there was really nothing serious in the submarine menace. I have tried in a most earnest, though apparently feeble way to awaken the country, the Navy Department, the Shipping Board, and the Committee on Naval Affairs to the dire situation that would certainly confront us unless we directed our energies toward meeting the submarine menace. In February, 1917, in April, in July, and again in August I attempted to present this matter. I prepared tables and statistics to bring the subject matter home to us. I introduced a bill which, had the Committee on Naval Affairs not been misled by the unfounded assurance of the Navy Department, would, in my opinion, have ships afloat to-day that could defy the torpedo. But the answer from this committee, given with smiling serenity, was that my fears were unfounded; that the Navy Department had had the matter under consideration; that it had conceived a plan which

would in a few weeks make the submarine menace a matter of no consequence.

I was assured that if I would see the Secretary of the Navy I would be relieved of all concern.

Well, Mr. President, I doubted if the Secretary of the Navy had in contemplation any real method of meeting that menace. So I introduced a resolution calling on him to give to the Senate, if not incompatible with national interests, what steps had been taken and what in view to meet this menace. The following excerpts from the letter of the Secretary of the Navy in response to this resolution are sufficient to demonstrate the spirit of incredulity on the part of the Navy Department in respect to the possibility of protecting merchant vessels against the submarine torpedo.

Contrary to the press reports, there is no single device which has solved the submarine menace; it is considered very unlikely that there ever will be any single device that can accomplish this desirable end. It is a well-known fact that for every offense there is a defense, and for every successful defense there will develop a new type of offense. It therefore appears essential to develop not only one but as many devices as may have sufficient merit to justify their use.

I heartily agree with the Secretary that for every offense there is a defense. But, Mr. President, what we complain of and what every nation whose sons are strangling down to watery graves every day and hour of the year have a right to complain of, is that the effort to find the real defense against the torpedo offense has been too insignificant in comparison with the gravity of that offense. Proposed measures of defense which give the greatest promise have been met with seeming hostility rather than with welcoming demeanor.

The answer proceeds:

The department has placed available for use such vessels as conditions warrant and needs justify for the purpose of conducting the necessary tests. Shore facilities have also been made available as necessary. The representatives of the various boards and councils mentioned above have utilized their own laboratories or laboratories placed at their disposal in order that no effort may be spared to produce the desired results.

Mr. President, it is the duty of the Navy Department on its own account and at its own expense to make reasonable tests. The Navy Department is one of the war arms of this Nation, and as such charged with the duty of developing a defense against this awful destruction of the merchant marine of the world upon which we and our allies must depend in this struggle; and having billions at its disposal for this purpose it has no right to say to the private individual, "We will give you shore facilities and the use of our laboratories. Now, you show us." The individual has not the means to build a ship or a quarter of a ship; you have, and it is up to you to give adequate tests to those proposals which, indorsed by experts on both explosives and ship construction, give fair promise of rendering the torpedo harmless. This war is costing $160,000,000 daily, and you can well afford a little $50,000, the sum asked to give the proposal a fair trial.

Again, says the Secretary:

Senate resolution No. 76 appears to apply primarily to mechanical devices to protect or shield merchant vessels, thereby covering only a limited part of the field. It is believed that the reports in the press of the country, referred to, must have originated with the various inventors, who naturally believe that their ideas are satisfactory.

While numerous inventions and mechanical contrivances for protecting and shielding merchant vessels have been submitted to and considered by the department, none of them are regarded as perfected in the sense of being an adequate and satisfactory contrivance for the purpose and capable of general application to merchant vessels engaged in traffic between ports of the United States and ports of Europe.

The attitude of this department seems to be that if some kindly disposed citizen will beg or borrow enough to demonstrate beyond any possibility of failure and perfect a vessel that can withstand a torpedo attack and still keep afloat, the department will not be averse to giving the matter consideration.

Mr. President, that is not the spirit that should dominate this department in this dire emergency. Its negative attitude should immediately give way to an aggressive attitude. It should not only welcome but search with unswerving energy for any clue or means that would promise a solution of this great and controlling factor of this war.

Mr. President, after repeated efforts to secure information from the Navy Department or the Shipping Board concerning any real program for ship construction and meeting the same spirit of indifference on the part of the Committee on Naval Affairs, I sought to awaken the Senate to the gravity of the situation by a presentation of such statistics as I could then gather covering the destruction of the tonnage of the world, the constructive possibilities of the maritime nations engaged to meet such destruction, and the resulting devastation which, if not met, would spell the doom of those nations which were bearing the whole burden of an unequal war. I then declared as a sequence to that argument that unless we could meet the ravages of the submarine it would destroy our allies before we could get into the conflict. Since then Russia and Roumania have been overcome by force and intrigue. Italy has been rapidly surrendering men and territory. Serbia is prostrate. The power of France has subsided to a defensive attitude only. Britain alone is striking hard and battling to the death, while Fate, with measuring line, is telling off her losses in ships on which the life of her population depends. She dare not even look at the full ugliness of the situation. Her sons in grim desperation fight and die or, with the gloom of the fatalist on their brows, go down to death unable to strike or even see their foes.

We are raising an army of a million men, which we hope to make effective some time. We must convoy them by long, circuitous and zigzag routes, requiring 40 per cent more tonnage than a direct route would demand.

We know we must supply Great Britain and France and Italy. We know we shall require 5,000,000 men in France before we can ever hope to equalize the forces of the powers pitted against each other. Where is our shipping? Where is it coming from? Possibly God knows; certainly neither the Shipping Board nor the Navy Department knows.

What, then, is the real shipping situation of to-day? It is an ugly picture, I admit, but we must look it squarely in the face, and once recognizing its proportions, we shall cease to think or talk about setting afloat a little two or three million tons of shipping in 1918, but, in conjunction with our allies, bend every energy toward the construction of ten times that tonnage.

To properly supply our wants we and our allies would have use for more shipping than the entire world possessed on August 4, 1914. But of course we can not dream of such a realization.

In giving the data which I shall now present, I must follow consistently a single standard for measuring the tonnage capacity of any vessel. When we read of the destruction of a ship of 4,000 tons, we never know with certainty whether the reporter means net tonnage, gross tonnage, or dead-weight tonnage. To make this clear let me define each:

"Dead-weight tonnage" means the maximum of cargo, bunkers, consumable stores, engines, boilers, and all other matter, including passengers and crew.

"Gross tonnage" means the number of units of 100 cubic feet each of the entire cubical capacity of the vessel, including spaces occupied by cabins, boilers, engines, coal bunkers, and so forth.

"Net tonnage" means gross tonnage less the space occupied by all cabins, boilers, engines, coal bunkers, and so forth, and is a trifle over three-fifths of gross tonnage.

When Great Britain speaks of a vessel of a certain tonnage she means gross tonnage. When the United States speaks of producing a certain tonnage of vessels during the war she means dead-weight tonnage.

To reduce dead-weight tonnage to gross tonnage, the term generally used by maritime nations, we must divide dead-weight tonnage by 1.65. Thus 4,000 dead-weight would be only about 2,425 gross tonnage. The data I shall give will be in gross tonnage only.

The Journal of Commerce gives the total tonnage of the world on August 1, 1914, as 48,139,365.

Others give it as high as 51,000,000.

I think we may properly adopt as a fair basis for our computation 49,000,000.

In order to ascertain what tonnage is now afloat we must first deduct from this the tonnage of Germany, Austria-Hungary, and Turkey, which in the early stages of the war was either destroyed or driven off the seas and which amounted to about 7,000,000 tons.

This would leave for our allies and all neutrals about 42,000,000 tons.

Destruction since the war began and up to January 1, 1918, will be, by submarine and mine, about 9,500,000 tons; other maritime casualties about 1,275,000 tons; total casualties, 10,775,000 tons; leaving a balance of prewar tonnage still afloat, 31,225,000 tons.

There has been added to this tonnage, constructed since the beginning of the war, by—

	Tons.	Tons.
Great Britain in 1915	668,000	
Great Britain, 1916	538,000	
Great Britain, 1917, estimated	1,400,000	
Total by Great Britain		2,606,000
United States, 1915, ocean-going (we have created something more than this, but I must limit the figures to the ocean-going tonnage)	141,864	
United States, 1916, ocean-going	237,836	
United States, 1917, ocean-going, about	1,000,000	
Total by United States		1,479,700
All other construction		500,000
Total construction allied and neutral shipping		4,585,700

Total construction afloat January 1, 1918, 35,810,700 tons.

The shipping of all the countries, exclusive of the central powers and Turkey, at the beginning of the war was 42,000,000 tons.

Therefore the shipping of our allies, ourselves, and the neutral countries has decreased since 1914 about 6,189,300 tons.

As we can only call upon our own shipping in case of an emergency—and I mean our shipping and our allies' shipping—it may be well to consider the shipping of those countries engaged in war against the central powers independently of other world shipping.

The tonnage of Great Britain at the beginning of the war is given as 19,779,119; say, in round numbers, 20,000,000; France, 2,300,000; Italy, 1,700,000; the United States, 8,000,000; total, 32,000,000 tons.

I have not included Japan, for the reason that she is in this war only in Asia and is using very few ships within the war zone.

The losses of these countries since the war began have been about 9,500,000 tons.

Balance of prewar shipping, 22,500,000 tons; constructed and put afloat by the United States and Great Britain, including all vessels commandeered which are ocean going, about 2,400,000 tons; amount now afloat, 24,900,000 tons.

Loss of the allies, including the United States, since 1914, after making all allowance for new construction, about 7,100,000 tons.

Thus, when we are in need of an enormous increase in shipping facilities to carry on this war we find ourselves at the beginning of 1918 with 7,100,000 tons less than we had in 1914.

But, Mr. President, this comparison does not measure the full deficiency. To keep apace with the growing population and commerce in peace times demands an increased tonnage of about 5 per cent annually. To meet peace requirements these countries should have had, therefore, at the beginning of 1918, 38,400,000 tons.

So, Mr. President, if we had no war on our hands to-day, we and our allies would be short of our combined needs in times of peace 13,500,000 tons.

But, Mr. President, these calculations would be more valuable if we could narrow them down to the available trans-Atlantic tonnage. That is the principal thing. The present emergency calls for ships to be used exclusively between the United States and Canada and Argentina on one side and Europe on the other. In talking of total world tonnage we are liable to deceive ourselves, as this tonnage consists of all kinds of boats and sailing vessels and ships that can not be used for ocean traffic. For instance, while in 1914 the entire tonnage of the United States was about 8,000,000, less than 2,000,000 was engaged in foreign commerce. The lakes, rivers, and coastwise commerce account for most of that tonnage. So, too, less than one-fourth of the tonnage of the world was engaged in trans-Atlantic service prior to the war. And when we recall that nearly all the U-boat victims have been trans-Atlantic ships we begin to realize the tremendous blow at the commerce upon which we must now depend.

On July 23, 1917, the Emergency Fleet Corporation prepared a chart showing that out of the total trans-Atlantic shipping of 10,000,000 tons, the submarine destruction was accounting for 7,500,000 tons per annum, leaving only 2,500,000 of the original tonnage.

This mighty loss has to be made good by diverting all possible tonnage from other routes and by new construction. But, Mr. President, the sources of supply are grossly inadequate to fill the gap.

So, in a nutshell, the situation to-day calls from us in men 5,000,000. To supply these men constantly employed an additional tonnage of 30,000,000 is required; and if we are to keep the commerce of ourselves and our allies up to a normal condition we should require a further construction of 13,500,000; in all, 43,500,000.

We should need that much additional tonnage to be able to throw the maximum strength of our allies and even half of our own maximum strength into this war.

But, coming right down to the unquestionable necessities of the shipping tragedy: We have in Europe to-day, say, 200,000 soldiers. I have shown that before we can make any real headway, before our allies can make any real advance against the increasing numbers of the central powers transported to the western front since the surrender of Russia, we should have not less than 5,000,000 soldiers in France. We should have ships enough to supply those soldiers and keep them supplied with ammunition. Considering the longer passage, the longer period of time consumed in such passage, from the best information I can obtain I am of the opinion that it will require not less than 3 tons per man to transfer these men and equipment of all character, and thereafter to supply losses and keep the number up to that standard it will continually require 6 tons per soldier. That would mean that there must be diverted for Army purposes alone to supply an army of 5,000,000 men 30,000,000 tons. As heretofore shown, we and our allies are now short of normal needs by 13,500,000 tons.

Recognizing the impossibility of our being able to produce the tonnage we should have, we must direct our attention to the minimum amount that we must produce if we have any hope of maintaining the status quo on the firing line until we can get into the war. That minimum amount is problematical, because we do not know how tenaciously the Italian forces may hold out. It is asserted that Italy to sustain her fighting power will need 250,000 tons of wheat each month until the next harvest, besides vast quantities of coal. France is short and is sounding the alarm, and Great Britain is short and must again cut her rations.

Great Britain advised us at the time we entered this conflict that the allies, to maintain their present striking force, must have from this country at the very least 6,000,000 tons of shipping. We must remember that Great Britain has loaned much of her available tonnage to her allies. France, for instance, has 2,000,000 tons of British shipping under her control. In addition to this, Great Britain is supplying the major part of the shipping for all of her allies' requirements.

It is a fair estimate to say that the British and other allies' losses for the year 1917 from all causes was about 8,000,000 tons.

Estimating the losses for 1918 on the basis of the last nine months, which excludes the very heaviest sinkings in the winter of 1917, it is safe to predict that the allies will lose in 1918 at least 7,500,000 tons.

Great Britain can produce in 1918 hardly more than 2,000,000 tons.

That would leave for us to construct to keep even the present tonnage afloat 5,500,000 tons.

But the amount afloat at the present time is not sufficient to take care of the pressing needs of Italy and France, even leaving Great Britain out of the question. There should be at least another five or six million tons for that purpose; in all, say, 11,000,000 tons.

If we attempt to put 1,000,000 men in the field in 1918 it would require 6,000,000 tons additional, or a grand total of 17,000,000 tons.

So, to put ourselves and our allies on a proper war footing, we and they combined should produce 43,500,000 tons of shipping before 1919. To meet the pressing demands and keep the situation in balance, without further loss of territory and possible loss of some of our allies, we must construct in 1918 17,000,000 tons. Can it be done?

Mr. President, it can be done, and I shall proceed to show how it can be done. I do not expect to make any impression upon the departments responsible for the conduct of the war, any more than I was able to make an impression last April when I declared that the question of winning or losing this war was simply a question of overcoming or being overcome by the U boat. I know the awakening process must be through the medium of the press and public opinion, and I must do my bit in this war by helping this process. Heretofore arguments seemed to have been futile. You might as well have tried to persuade a turtle on a railroad track that his inactivity meant destruction. He would have simply drawn his head within his shell with the same optimistic assurance that has characterized our course in reference to this whole submarine menace. Had the Navy Department of the United States been able to get out of its shell of antiquated ideas long enough to have caught a ray of the inspiration of originality, I believe we could already have seen the doom of the U boat. Had the Committee on Naval Affairs of the Senate been an active power to win the war rather than a passive instrumentality to simply advise and report what the Navy Department in its wisdom or unwisdom had seen fit to suggest, we should have had to-day ships that would have been able to defy the submarine torpedo. But so ossified had become this great department, so conceited in the prowess of dreadnaughts, that it condemned without hearing and as a gross impertinence any suggestion that a ship could be so constructed as to continue afloat after being struck by a torpedo. And while that august department has been literally throwing away millions its auxilliary, the Shipping Board, refused the little sum of $50,000 asked for by the greatest expert on explosives in the United States to test a torpedo-proof hull, and who, with a ship contractor, presented plans and specifications of a ship which he declared would carry its freight across the ocean with the loss of only about 11 per cent of cargo space, submarine or no submarine.

Mr. President, even though the ship, constructed as proposed, should not have proved a success $50,000 would have

demonstrated it; and, in view of the mighty promise that, if successful, it would be equivalent to the instantaneous destruction of every U boat afloat and would render harmless every one under construction, assuring victory before the end of another year, was it not worth the trial?

We have prided ourselves upon being the greatest inventive country in the world, and, outside of the deep-rutted and case-hardened Military and Naval Departments, our pride is fully justified. Our opportunities for the utilization of new mechanical inventions have intensified and strengthened the inventive genius of the American people. The greatest instrumentalities of destruction and usefulness in the war to-day are all of American origin. The submarine, the flying machine, the caterpillar truck, the Maxim gun, and many others which might be mentioned, all had their origin in the United States; and, strange to say, every one of them has been tabooed by our War and Navy establishments. And yet this war has demonstrated that it must be fought with new weapons, and the new weapons must be neutralized by new instrumentalities. The whole success of Germany has been due to the fact that, though not the inventor, she has been the leader in the utilization of these new devices. Long before the war began her scientists were developing gases to blind the eyes or burn out the lungs of her opponents, flames to burn away all obstacles to their massed attacks, U boats to strike unseen.

Germany was not afraid to try out any new and original idea. It may be that the Zeppelins have not proved a success, but she had the courage to try them and to try them thoroughly. And she has undoubtedly tried many other things that have not been successful, but out of the many she has brought forth new instrumentalities of destruction that are fast leading her to victory, while our Navy Department and our Shipping Board strain at the little expense of $50,000 to try out the most important suggestion that has ever been made in this war. The department must answer to the indictment of inability to meet a situation. The only answer to that indictment is one either of incompetency or of negligence, and neither is satisfactory. Had this department been competent it must have known long before we entered into this war just what the controlling factor in the conflict would be, namely, the question of meeting the submarine ravages. It knew that little, if anything, could be hoped for in capturing and destroying the submarine. It knew that hunting submarines would be as uncertain as hunting needles in a haystack. And yet almost nothing has been done to meet that situation. In fact, nothing has been suggested by the department other than to build ships as rapidly as the U-boats could sink them. In other words, it proposed to ram ships and cargoes and men down the monster's throat in such numbers as to choke it to death. The only thing that has appealed to this department or the Shipping Board as a defense against the submarine has been the great idea of painting a ship to look like the ocean waves.

Mr. President, the very first step taken in 1918 should be to cease for the present the sending of our soldiers over to Europe and to use every ton of shipping space for food for our allies. The empty caisson can wait, the empty stomach can not wait. The soldier must eat before he can shoot, and if he waits overlong for his food he can never shoot again. Just now our allies need our food a thousand times more than they need our soldiers. The splendid words of our President restating our war aims can not but fill the hearts of all our allies with new courage. I would supplement that with a thousand cargoes of food that this courage may have a foundation to stand on, and the tide of military success will immediately be turned in our favor.

Concurrent with this effort should be steps to immediately demonstrate whether it is possible to construct a vessel that will keep afloat notwithstanding torpedo attack, and if demonstrated then every ship should be so constructed. Germany's entire reliance is in her submarine. Pull the teeth of this monster of the sea and she will make the peace we demand in a month. Building ships and loading them with munitions for torpedo fodder must certainly be most gratifying to Germany herself. One ship that will stay afloat is worth a thousand ships at the bottom of the ocean. If the torpedo is rendered harmless every submarine is thereby instantly destroyed at a single blow. The assurance that such a ship can be constructed, coming from the source it does, demands an immediate test, and the gravity of the situation emphasizes the demand a thousandfold.

The next step is to make a full and adequate test of reinforced concrete ships. I understand that the Government has contracted for one or two of these ships. But what should be done is to put one of them to an immediate test. I do not think we should even make construction wait for that test. I believe that ships of this character have already been tried out in sufficient numbers to demonstrate their utility. As most of the ships proposed to be built are of slow speed, which will require convoy, and as the ability of these concrete ships to stand the stress of ocean storms has already been demonstrated, the pressing exigencies of the shipping situation justify our proceeding immediately to construct a vast fleet of them. If, in the meantime, we find that the one constructed is not a success and can not be made a success we can cease our further efforts along that line. We can afford the loss far better than we can afford the delay. We can proceed with the construction of concrete ships without interfering with the construction of steel and wooden ships. The hulls can be constructed by unskilled labor, which is not the case in the construction of any other character of ship. Concrete can be produced in adequate quantities at any point desired. I have been informed by a single firm of long experience in concrete structures that it can turn out 10,000,000 tons of hulls in 1918. This could easily be increased to 20,000,000. Notwithstanding the fabulous prices paid to all character of skilled workmen, we would have no difficulty in securing the unskilled labor necessary for the construction of this reinforced concrete tonnage.

Mr. President, there appeared in the December number of the North American Review an article written by Col. Harvey, entitled "Are we losing this war?" I shall not comment on the article, which, while it may have had some justification for the ironical criticisms, did not point out any specific line which should be followed to win the war.

The question weighing most heavily on every man who attempts to analyze the actual war situation as we enter the year 1918 is not are we losing the war, but are we liable to lose the kind of a peace proclaimed by the President in his address on the 8th day of January, 1918? Have we been so remiss, so slow in preparing to meet the great emergency that confronted us when we drew the sword that we shall be unable to secure that kind of peace that will assure to all nations immunity from destruction by powerful military neighbors and an opportunity to work out their own industrial and commercial destinies unscared by the spector of military destruction?

I have an abiding hope, based upon the everlasting principle that right will in the end prevail, that we shall not emerge from this war without securing this peace; but I am equally certain that unless we shall come to the support of our allies with shipping facilities many times greater than we propose some of our allies will fall before we can take their place on the battle field and thereby prolong this war, with its hideous slaughter, for many months. Our every thought, our every energy should now be devoted exclusively to these methods of meeting the submarine ravages, to the question of supporting our allies with food and such war material as they can not produce, until the full might and prowess of this country, with the invincible sweep of our armies, shall achieve a victory that will forever free the nations of the world from the tyranny of autocratic militarism and its people from the crushing load of armaments.

ADJOURNMENT.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 17, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 16, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, increase our confidence and faith in Thee as individuals and as a people; that amid all the changes, disappointments, and sorrows of life we may have that peace which the world can neither give nor take away.

"For they that trust in the Lord shall be as Mount Zion, which can not be removed, but abideth for ever."

Thus may we be firm in the Lord and increase in all that makes a Nation great; for Thine is the Kingdom, and the Power, and the Glory, forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE ON WATER POWER.

The SPEAKER. The Chair announces the following Committee on Water Power, which the Clerk will report.

The Clerk read as follows:

Mr. SIMS, Mr. FERRIS, Mr. LEVER, Mr. DOREMUS, Mr. TAYLOR of Colorado, Mr. LEE of Georgia, Mr. STEPHENS of Nebraska, Mr. RAKER, Mr. CANDLER of Mississippi, Mr. HAYDEN, Mr. ESCH, Mr. LENROOT, Mr. HAUGEN, Mr. HAMILTON of Michigan, Mr. LA FOLLETTE, Mr. MCLAUGHLIN of Michigan, Mr. PARKER of New Jersey, and Mr. ANDERSON.

The SPEAKER. The committee is made up by taking the six top members of the three committees who were invited to the White House.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolution:

Resolved, That the Senate has heard with profound sorrow of the death of Maj. Augustus Peabody Gardner, formerly a Member of this Congress and who resigned therefrom to enter the military service of the United States, and whose death occurred at Camp Wheeler, Ga., on Monday, the 14th day of January, 1918.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as further mark of respect to the memory of the deceased the Senate do now adjourn.

SENATE BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3235. An act amending section 32, Federal farm-loan act, approved July 17, 1916.

INSURANCE AGAINST UNEMPLOYMENT, ETC.

The SPEAKER. This is Calendar Wednesday. The unfinished business is House joint resolution 189, to provide for a commission to inquire into the advisability of establishing national insurance against unemployment, invalidity, and sickness. The resolution is on the Union Calendar. The House will automatically resolve itself into the Committee of the Whole House on the state of the Union, and the gentleman from Missouri [Mr. RUBEY] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House joint resolution 189, with Mr. RUBEY in the chair.

Mr. KEATING. Mr. Chairman, when we adjourned on Wednesday last we had concluded the general debate on the resolution. I therefore ask for the reading of the resolution for amendment.

The CHAIRMAN. The Clerk will read the resolution for amendment.

The Clerk read as follows:

Resolved, etc., That a commission is hereby created and established, to be known as the Commission on Social Insurance, hereinafter referred to as the commission. The commission shall be composed of five persons, to be appointed by the President of the United States, two of whom shall be employers of labor and two of whom shall be representatives of organized labor, the Secretary of Labor to be the fifth member of the commission and the chairman thereof. It shall be within the power of the Secretary of Labor to select a representative of the Department of Labor to act in his stead in any hearing or investigation in which the Secretary himself may be unable to participate, and said representative shall have full power to act in the name of the Secretary of Labor, but the position of the Secretary of Labor, as the fifth member and as chairman of the commission, shall in no wise be impaired, and in the report, findings, and recommendations of the commission his name and title shall be appended.

Mr. GARD. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 1, line 3, strike out the word "That," in line 3, and insert in lieu thereof the following: "When the present war emergency shall have ended, as evidenced by a proclamation of the President to that effect."

Mr. GARD. Mr. Chairman, I offer this amendment for the purpose of perfecting this resolution.

With the object of affording all proper legislative relief to men and women who labor I am in the heartiest accord, and I believe the great question of the future to be the proper assembly, distribution, and care of labor, in order that the laboring people and the country in which they labor and its people generally may be mutually benefited.

One does not labor for himself alone. He labors for society, and society should recognize its responsibility to the laborer. So the questions of proper surroundings in labor, of proper safeguards against injury, the care and compensation for the disabled, the invalided, and the aged are very vital questions.

But just at this time there could be no reliable data collected on these great questions which are not already in print or in the possession of the committee bringing out this bill.

Data to be useful must be live data, and obsolete data are worse than useless—they are cumbersome and obstructive of the search for truth.

At present all labor in the United States should be united in one great purpose, and that purpose is the doing of the appointed task allotted to each and in which he is most capable of achievement for the winning of the war.

Labor is loyal, and with loyal labor the complete success of American arms is assured.

At the present time I do not think there is any such proportion of involuntary employment as will lead to any information of value being acquired by any commission or investigating body.

If we concede, as we must, that there will be a great number of labor problems resulting from the war, that the questions of readjustment and reapportionment of labor are vital ones, as well as the questions of disability and invalidity and other elements which enter into the employment of labor, still present industrial conditions in America, when all this country is speeding up for the purpose of winning the war, are not the normal conditions of America, and the information which will be of benefit to the laboring man and woman will be information relative to normal conditions as they will exist after this great and war emergency has passed?

Therefore I offer this amendment, that there be no creation of this proposed committee until the present war emergency shall be ended.

I attach, with the consent of the committee, a newspaper clipping reciting a called meeting to be held at the University of Illinois in February of this year for the purpose of discussing the questions of labor problems resulting from the war:

LABOR PROBLEMS GROWING OUT OF WAR TO BE CONSIDERED BY EMPLOYERS AND EMPLOYEES.

URBANA, ILL., *January 13.*

Employers and employees are to be brought together in a discussion of "Labor problems resulting from the war" at a congress to be held at the University of Illinois in February. The university, acting in conjunction with the Illinois Manufacturing Association, the Illinois Coal Operators' Association, the National Safety Council, the State Federation of Labor, and many other associations of employers and employees of the State, is holding the congress.

Samuel Gompers, president of the American Federation of Labor; Charles Plez, of the United States Shipping Board; Victor Olander, secretary of the Illinois State Federation of Labor; and R. C. Richards, chairman of the central safety committee of the Northwestern Railroad, are among many prominent speakers who have been asked to participate in the congress and lead the discussion of the many relating problems.

The congress has been called for the purpose of impressing upon both labor and capital the need of recognizing the human element in production, especially at this time. It is hoped that greater cooperation between employers and wage earners in this State will result, and so further the production for the country, at least during the war.

The congress was made possible by the efforts of several prominent Illinois faculty men, who persuaded the university to invite representatives of employers and employees to Champaign to discuss labor problems, particularly from the standpoint of the effect of the war on them.

Questions concerning the health of the worker, the many injuries which he is subject to at his work, the difficulties of laborers in finding work and of employers in hiring men, and problems of scientific management will be among the topics to be considered. The congress will be held February 14, lasting through February 16.

Mr. KEATING and Mr. MCCORMICK rose.

Mr. KEATING. Does the gentleman from Illinois desire to support the amendment?

Mr. MCCORMICK. No; I desire to oppose it.

Mr. KEATING. Then I will yield to the gentleman.

Mr. MCCORMICK. Mr. Chairman, I desire to oppose the amendment on the ground that now is the time to begin the accumulation of preliminary information. If the gentleman from Ohio [Mr. GARD] had offered an amendment to postpone the report of the commission until after the war or for a given time after the conclusion of the war, I should have been disposed to have listened to his argument with a good deal of readiness. When all the world is making ready to cope with the problems which must arise from this conflict, to plan for the inevitable readjustment, greater by far than any of us can picture to ourselves, I say, Mr. Chairman, that it would be a grave error to postpone the appointment of such a commission. I shall have amendments to offer to the joint resolution, but to this amendment offered by the gentleman from Ohio I for one am absolutely opposed.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I question whether this report would be of much value if, as the joint resolution states, the commission is to make its report on December 1, 1918. We all know that industrial and sociological conditions will be radically changed in this country after the return of peace and that there will be some urgent need then to have a report of a commission, as this joint resolution provides, under conditions then existing, rather than under conditions that now exist in this country, which are abnormal and are largely resultant from this war. I recognize the need of having a commission to examine into conditions that will exist after the conclusion of the war, but to create a commission and allow them to go traveling over the world, as this joint resolution provides, during these war times, when everyone knows that this war is going to change completely the sociological conditions of and the obligations of government itself, those who survive from the battle field, as well as those who do not partake but remain

in the industrial walks of life, after peace is concluded would make their report of little value. I think the amendment of the gentleman from Ohio is a most meritorious one. This work will be of little value if it is going to proceed at the present time. We have had commissions in time of peace, commissions, for instance, on immigration, that have traveled the world over and collected voluminous information, but what value will the findings be of these traveling experts on conditions of to-day, which everyone recognizes will not be normal after the conclusion of the war?

Mr. KEATING. Mr. Chairman, the Committee on Labor has carefully considered this feature of its report and believes this commission can carry on its work at this time. The argument that the commission will run all over the world in an effort to secure data is not worthy of very serious consideration. The men who will be named on this commission by the President of the United States will undoubtedly be gentlemen of distinction and you will not find them entering the war zone at this time except with the consent of the State Department. So I think we may very well leave the question of their movements to the members of the commission. The committee hopes this amendment will be voted down. I ask for a vote, Mr. Chairman.

Mr. SHERLEY. Mr. Chairman, I should favor the amendment offered by the gentleman from Ohio [Mr. GARD], though I would very much rather favor a motion to strike out the enacting clause. I want to talk very seriously to the House for a very few moments because we are facing now a situation we have to meet. There is pending before the Committee on Appropriations deficiency estimates for about a billion and a half dollars and those on the way to the Congress will probably carry that total a couple of millions beyond. Some of these estimates are for matters of first importance; some of them represent the desire of some branches of the Government to use the war as an excuse for expanding its activities and increasing its appropriations.

This country has to-day a surfeit of commissions. We have had commissions about everything under the sun, commissions to reform every institution except our own, where the most reformation could take place. Echoes of the commission on social unrest have not died out before we are met with a proposition to create another commission to report on the subject of old-age pensions and insurance. The speeches of the gentlemen who support this matter, as well as the report which they submit to the House, tell you that there is already a great volume of valuable, accurate information upon the subject. There is no reason in the world why a committee willing to work should not itself gather whatever information is necessary to enable the House and the Congress to legislate upon this subject. I would infinitely rather have the result of its findings than the result of a commission that will be created as this one is proposed to be. We all know something about commissions.

This commission on the causes for social unrest, which, by the way, more than covers the field of reasons for nonemployment or unemployment, went over this country exploiting all sorts of views, from reactionary to what was almost anarchistic. It became a medium for exploiting the political ambitions of at least one of its members, and it would be running yet if Congress had not very wisely put a limit to its activities.

Now we are faced with a proposition to create a new commission. I do not speak against the commission because of an opposition to old-age pensions. I speak against the doing of a useless thing. Those men who favor legislation of this kind will better enhance it by having a committee of Congress deal with it than by having a commission to make a report on it. A commission that would report within a year from now would necessarily make a report that would be bound to be a wrong one, because it would be made as the result of a survey of conditions that are temporary and transitory and could not be the conditions upon which permanent, remedial legislation ought to be based. That must be appreciated by every man of judgment and of sense. Let it not be carried because it is in the interest of labor when the judgment of men is against it. Let no man vote against it because it is for labor, but let no man vote for it simply because it is for labor. Let it stand as any other proposal for a new commission would stand, and I am willing to submit then to the judgment of men.

And let me say one word more. If there ever was a time when the people of America are going to respect and reward courage on the part of public officials it is now. We are not going to be true to our trust if we appropriate moneys without any regard to results. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. Mr. Chairman, I move to strike out the last word.

The gentleman from Kentucky [Mr. SHERLEY] fails to grasp the significance of the suggestion that we are now, when we have no unemployment, to prepare for the emergency, to prepare for the change, for the disarrangement, for the dislocation in industry, which will be inevitable with the termination of the war.

Mr. WALSH. Will the gentleman yield? Will this help to win the war?

Mr. LONDON. Well, I assume that every man and every woman in the United States will do everything to help the United States in the present crisis. The commission has its specific purpose, and that specific purpose is to prepare and to systematize information, to assemble data, which will be helpful to us in those days when it will be necessary to legislate on these problems. It is not a new thing that we are suggesting now. If the gentleman would examine the record of the appropriation bills during Taft's administration he would find that an appropriation bill carried an item for the holding of a congress at which this very question was to be discussed.

And may I say to the House this? That labor throughout the world realizes that now is the time to begin studying this problem. We do not have to wait for unemployment; we do not have to wait for the crisis when the soup kitchen will be suggested as a remedy; we do not have to wait for starvation and distress. A committee of Congress might be an excellent thing, but the suggestion before you is not that. The proposition before you is this: Shall we advance the study of a subject by nominating or appointing a commission, or shall we have no commission at all? Shall we delay until after the war, or shall we begin now to study, investigate, and scrutinize, and look into all the data available for the formation of an intelligent opinion on the subject? See what British labor says now in time of war on this subject:

> Moreover, it can not but be anticipated that in all countries the dislocation of industry attendant on peace, the instant discharge of millions of munition workers and workers in war trades, and the demobilization of soldiers—in face of the scarcity of industrial capital, the shortage of raw materials, and the insecurity of commercial enterprise—will, unless prompt and energetic action be taken by the several Governments, plunge a large part of the wage-earning population into all the miseries of unemployment more or less prolonged.
>
> In view of the fact that widespread unemployment in any country, like a famine, is an injury not to that country alone, but impoverishes also the rest of the world, the British labor movement holds that it is the duty of every Government to take immediate action, not merely to relieve the unemployed when unemployment has set in, but actually, so far as may be practicable, to prevent the occurrence of unemployment.
>
> It therefore urges upon the labor parties of every country the necessity of pressing upon their Governments the preparations for plans for the execution of all the innumerable public works (such as the making and repairing of roads and railways, the erection of schools and public buildings, the provision of working-class dwellings, and the reclamation and afforestation of land) that will be required in the near future, not for the sake of finding measures of relief for the unemployed, but with a view to those works being undertaken at such a rate in each locality as will suffice, together with the various capitalist undertakings that may be in progress, to maintain at a fairly uniform level year by year, and throughout each year, the aggregate demand for labor, and thus prevent their being unemployed. It is now known that in this way it is quite possible for any Government to prevent, if it chooses, the very occurrence of any widespread or prolonged involuntary unemployment which, if it is now in any country allowed to occur, is as much the result of Government neglect as is any other epidemic disease.

This bill does not contemplate a system of payments to men who happen to be unemployed, whether they desire to work or not. We are primarily interested in the question of the preventive remedy, how to prevent unemployment, what to do in order that unemployment may not be upon us. It is not a commission to promote unrest. On the contrary, it is a commission to make unrest unnecessary; and I submit, Mr. Chairman, that Members should not hesitate to vote for the proposition.

The CHAIRMAN. The debate has been exhausted on the resolution.

Mr. KEATING. Mr. Chairman, I ask unanimous consent that the vote be now taken.

The CHAIRMAN. Does the gentleman make the request for unanimous consent that all debate be now closed?

Mr. KEATING. Yes. I ask that all debate be now closed.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that all debate be now closed. Is there objection?

Mr. RAINEY. I object.

The CHAIRMAN. The gentleman from Illinois objects.

Mr. KEATING. Mr. Chairman, I move that all debate on the pending amendment be now closed.

The CHAIRMAN. The gentleman from Colorado moves that all debate on the pending amendment be now closed. The question is on agreeing to that motion.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. KEATING. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 22, noes 48.

So the motion was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not believe we have all gone crazy, but it seems that some of us are pursuing a very headlong course with regard to the money of the people of the United States. We are going deeper and deeper into the pockets of the people every session of Congress and with almost every bill that comes into this House, and we are doing much of it under cover of war; much of it because the country is in a state of excitement; much of it because it may be politically expedient to pass some of these extravagant measures.

I am glad the gentleman from Kentucky [Mr. SHERLEY], the chairman of the Committee on Appropriations, had his nerve with him this morning and saw his patriotic duty with respect to measures of this kind. The gentleman belongs to the majority party, although there may be members of the minority who may not agree with him. But he had the courage of his convictions this morning, and he spoke out the truth, that we are going far afield in the matter of expenditures, that we are taking great liberties with the money of the common people of the United States in order to promote schemes of one kind and another.

If anyone wants any information in regard to social insurance, all he has to do is to go down to the Department of Labor and pick out any one of hundreds of volumes on social questions that have already been prepared at the expense of the people and which nobody is reading.

Some time ago somebody wanted to know something about immigration, and we appointed a committee which expended nearly a million dollars to acquire information about immigration. That commission toured the world, just as this commission on social insurance will have power and money to do. It published many volumes that are now covered with dust.

Then, again, somebody wanted to know something about our industrial relations. So we created a Commission on Industrial Relations, and that commission toured the country and obtained enough information to satisfy a thousand Congresses, although this Congress probably never read a volume of the proceedings. Yet it published dozens of volumes, and came back session after session to obtain more money in order that it might keep up the agitation throughout the United States as between employer and employee. Now, do we want to get the employer and employee together, or do we want to set them further apart? What is the purpose of this new commission?

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Michigan?

Mr. MOORE of Pennsylvania. I regret I have not the time. I would like to yield, but I am within a minute of the end of my time.

The CHAIRMAN. The gentleman declines to yield.

Mr. MOORE of Pennsylvania. This new commission will have the power and the money to tour the country and invite the representatives of various lines of thought, various theories, and various schemes to come before it, and it will exploit itself and have columns in the newspapers showing unrest, even in time of war. It will stir up trouble to plague Congress, but it will not succeed in settling these social problems. It will come back to ask for more money and still more money, and this first $50,000 will grow into a million dollars before it is done. It will give a number of gentlemen comfortable berths at public expense and an opportunity to make trouble. They may impede railroad progress and go into establishments manufacturing munitions for war and halt the proceedings while they air differences between those who are employing and those who are employed.

I think the time has come to put a quietus upon some of these commissions. I believe, with the gentleman from Kentucky, that this Congress is able to determine these questions for itself. I believe that the various committees of this Congress are as capable as any commission could possibly be to send for witnesses, to send for employees and employers, and to send for books and papers and obtain this information, if they desire it, at first hand. The idea here is that we shall constitute an autocratic body to go forth in our name, spend the people's money, and stir up trouble and unrest, and then come back here and unload the whole thing upon us. We should not encourage it. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. RAINEY. Mr. Chairman, I want to emphasize——

Mr. KEATING. Mr. Chairman, what is pending now before the House?

The CHAIRMAN. The motion to strike out the last word in the amendment.

Mr. KEATING. I think that is out of order, in view of the fact that the gentleman from Ohio [Mr. GARD] has submitted an amendment to the House, so that if the amendment of the gentleman from Ohio is voted on the motion is not in order.

The CHAIRMAN. The motion is to amend the amendment.

Mr. KEATING. If that is the case, I make the point of order that the gentleman must speak on the amendment.

Mr. GILLETT. Mr. Chairman, is not the gentleman willing that we shall follow the ordinary customs of the House and debate the amendment more fully?

Mr. KEATING. I will state to the gentleman from Massachusetts that I have no desire to interfere with debate unnecessarily. One week ago we had two hours under the rule——

Mr. GILLETT. That was general debate.

Mr. KEATING. General debate, and with the consent of the gentleman from Massachusetts [Mr. GILLETT] who was present, and of his colleagues on that side of the House, the use of those two hours was waived, with the understanding that we would proceed with the discussion of amendments. Now, I submit, in all fairness to the gentleman from Massachusetts, that much of the discussion which we have had here this morning has nothing to do with the amendment, but is in the nature of general debate, and that we are occupying time which other gentlemen of the House desire to use in the consideration of another bill. When we adjourned on last Wednesday it was with the distinct understanding that we would take up this joint resolution under the five-minute rule and confine ourselves to a discussion of amendments. If the gentleman from Illinois [Mr. RAINEY] had been present on last Wednesday and had desired to discuss this amendment, having charge of the time on this side of the House I would gladly have yielded him time. I made a general offer to the Members of the House on Wednesday of time for the discussion of this resolution. Under the circumstances I submit that the gentleman should confine himself to the amendment before the committee.

Mr. TOWNER. Before the gentleman from Colorado sits down will he permit me to make this suggestion to him? This amendment necessarily carries with it the consideration of the entire question. It would hardly be possible to consider this amendment without discussing the merits of the entire proposition, and I want to make this further suggestion to the gentleman: Only a few moments ago there was a vote taken by the committee regarding the shutting off of debate, and the committee, by a very large vote, decided not to do it, manifesting, I think, to the satisfaction of anyone, that they desired to discuss it further. Now, does not the gentleman think that he, in charge of the bill, ought to submit to the evident desire of the committee to discuss an important proposition of this sort further?

Mr. KEATING. I am always glad to submit to the will of the House very cheerfully, but I did not understand that the motion which was made was to suspend the rules of the House, and the rules of the House provide that when an amendment is offered the gentleman who addresses himself to the amendment shall confine himself to that. But I will say to the gentleman that I have no desire to interfere unnecessarily with debate. I think in all fairness to other gentlemen who have business coming before the House this afternoon that we should endeavor to dispose of this bill as soon as possible. But for the time being I will not press the point.

Mr. RAINEY. Mr. Chairman, I want to discuss the subject matter of this paragraph, and I have the right to do that under the rules.

I want to emphasize as strongly as I can the argument advanced by the gentleman from Kentucky [Mr. SHERLEY] and the argument just advanced by the gentleman from Pennsylvania [Mr. MOORE]. This proposition now presented to the House involves the selection of an important and an expensive commission, authorized to do extensive traveling in this country or wherever they may desire to travel, with an expensive equipment of stenographers, secretaries, and clerks, just as big as they want to make it, and with the authority to create here a whole library of books upon these important subjects. I am wondering where the money is to come from for all these tremendous expenses. Facing a budget that will amount to $5,000,000,000 at least, in time of war, when the period is abnormal, when all conditions are abnormal, we are asked here in the resolution which is submitted to inquire into the cause of unemployment, to look into systems of insurance, voluntary and obligatory, to find out how we are providing to meet unemployment, invalidity, and sickness in the future, and to examine and report on a number of other similar matters, including insurance against sickness and old-age pensions. In other words,

in the most abnormal period that ever occurred in the history of the world we are asked to make these investigations, with a view to determining what our career as a Nation in the future may be when normal times are restored. The time has come for Members of this body not to get their pictures in a Washington newspaper because they advocate all sorts of raids on the Treasury of the United States—the time has come for a Congress which is courageous enough to send 2,000,000 men, and more than that if necessary, to the French front to work there in trenches for $30 a month—the time has come to show whether we are courageous enough to stop bills of this kind. [Applause.] I am irrevocably against this joint resolution and everything that is in it at this time. These measures, which are purely and absolutely socialistic, ought to be considered in a period of normal times, rather than in a period of abnormal times. This looks to still further tremendous increases in our enormous budget.

An important convention is in progress in this city to-day, if it did not conclude its work yesterday, for the purpose of determining upon equitable methods of taxing, and the method they seem to favor there is to compel the rich, the large incomes, to pay all the expenses of this war and nearly everything else. At the same time, from the capitalistic centers of this country, there issue all sorts of complaints against the kind of taxes we are levying now. The man in this House who belongs to one of these war committees, who with flags flying bring in these war measures, becomes tremendously popular here; but the man on the committee charged with raising the money and with levying the taxes to pay all these enormous expenses becomes the butt of all sorts of ridicule and criticism. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. Mr. Chairman, in order to bring the matter to a conclusion, I offer as a substitute a motion to strike out the enacting clause.

Mr. KEATING. I make the point of order that that comes too late.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. SHERLEY moves to strike out the enacting clause of the joint resolution.

Mr. KEATING. I make the point of order that the motion is made too late.

The CHAIRMAN. On what ground?

Mr. KEATING. On the ground that the gentleman from Illinois has offered an amendment, and that the motion to strike out the enacting clause must be made before the other amendment is offered.

The CHAIRMAN. This motion is in order at any time before the reading of the bill has been completed. The point of order of the gentleman from Colorado is overruled. The question is on the motion of the gentleman from Kentucky [Mr. SHERLEY].

The question being taken, the Chairman announced that the ayes appeared to have it.

Mr. KEATING. Division, Mr. Chairman.

The committee divided; and the yeas were 101 and the nays were 31.

So the motion prevailed.

Mr. KEATING. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RUBEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration House joint resolution 189, to provide for a commission to inquire into the advisability of establishing national insurance against unemployment, invalidity, and sickness, had directed him to report the same back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is on agreeing to the report, in the nature of an amendment, to strike out the enacting clause.

Mr. KEATING. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Colorado makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and sixty-two Members present, not a quorum. The Doorkeeper will lock the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 199, nays 133, not voting 95, as follows:

YEAS—199.

Almon	Austin	Bell	Blanton
Anthony	Bacharach	Black	Booher
Aswell	Bankhead	Blackmon	Borland
Brand	Glynn	McClintic	Sears
Browning	Godwin, N. C.	McFadden	Sherley
Buchanan	Good	McKenzie	Shouse
Burnett	Goodwin, Ark.	McKinley	Sisson
Burroughs	Gordon	McLaughlin, Mich.	Slayden
Butler	Gould	Madden	Slemp
Byrnes, S. C.	Gray, Ala.	Magee	Sloan
Byrns, Tenn.	Gray, N. J.	Mansfield	Small
Campbell, Kans.	Green, Iowa	Martin	Snook
Caraway	Gregg	Meeker	Snyder
Carlin	Griest	Merritt	Stafford
Carter, Mass.	Hadley	Miller, Minn.	Steagall
Carter, Okla.	Hamilton, Mich.	Montague	Stedman
Chandler, N. Y.	Harrison, Va.	Moon	Steele
Chandler, Okla.	Haugen	Moore, Pa.	Steenerson
Clark, Pa.	Hayes	Moores, Ind.	Stephens, Miss.
Classon	Heflin	Nicholls, S. C.	Stephens, Nebr.
Collier	Helm	Norton	Sterling, Ill.
Connally, Tex.	Hicks	Oldfield	Sterling, Pa.
Cooper, Ohio	Holland	Oliver, Ala.	Stevenson
Cooper, W. Va.	Hollingsworth	Olney	Stiness
Crago	Houston	Overmyer	Sweet
Cramton	Hull, Tenn.	Overstreet	Switzer
Crisp	Husted	Paige	Talbott
Currie, Mich.	Hutchinson	Park	Taylor, Ark.
Dallinger	Ireland	Parker, N. J.	Temple
Darrow	Johnson, Wash.	Peters	Tillman
Dempsey	Jones, Tex.	Platt	Timberlake
Denison	Kahn	Porter	Tinkham
Dent	Kearns	Pou	Towner
Dies	Kehoe	Powers	Treadway
Dominick	Kelley, Mich.	Price	Venable
Doughton	Kennedy, Iowa	Rainey	Vinson
Dupré	Key, Ohio	Ramsey	Walker
Dyer	Kincheloe	Rayburn	Walsh
Eagan	Langley	Reed	Wason
Elliott	Larsen	Robinson	Watson, Va.
Ellsworth	Lazaro	Rogers	Weaver
Esch	Lee, Ga.	Romjue	Webb
Fess	Lehlbach	Rouse	Welling
Flood	Lenroot	Rowe	Welty
Fordney	Lever	Rucker	Williams
Foss	Linthicum	Russell	Wilson, Ill.
Freeman	Lobeck	Sanders, Ind.	Wilson, La.
Fuller, Ill.	Longworth	Sanders, La.	Wilson, Tex.
Garrett, Tenn.	McAndrews	Sanders, N. Y.	Wood, Ind.
Gillett	McArthur	Scott, Mich.	

NAYS—133.

Alexander	Fisher	Knutson	Rose
Anderson	Focht	Kraus	Rubey
Ashbrook	Foster	La Follette	Schall
Ayres	French	Lea, Cal.	Scott, Iowa
Baer	Gallagher	Lesher	Sells
Beakes	Gallivan	Little	Shackleford
Beshlin	Gandy	Littlepage	Shallenberger
Bland	Gard	London	Sherwood
Brodbeck	Garner	Lonergan	Siegel
Browne	Garrett, Tex.	Lundeen	Sims
Caldwell	Graham, Ill.	Lunn	Sinnott
Campbell, Pa.	Hamlin	McCormick	Smith, Mich
Cary	Haskell	McCulloch	Smith, C. B.
Connelly, Kans.	Hastings	McKeown	Sumners
Cooper, Wis.	Hayden	McLemore	Swift
Crosser	Helvering	Maher	Tague
Dale, N. Y.	Hensley	Mapes	Taylor, Colo.
Davidson	Hersey	Mason	Thomas
Decker	Hilliard	Mondell	Thompson
Denton	Howard	Morgan	Van Dyke
Dickinson	Huddleston	Morin	Vestal
Dill	Hull, Iowa	Mott	Voigt
Dillon	Humphreys	Nolan	Volstead
Dixon	Igoe	Osborne	Waldow
Doolittle	Jacoway	Phelan	Walton
Dowell	James	Purnell	Watkins
Drane	Johnson, Ky.	Quin	Wheeler
Elston	Juul	Raker	White, Me.
Emerson	Keating	Ramseyer	Wingo
Fairchild, B. L.	Kelly, Pa.	Randall	Woods, Iowa
Fairfield	Kettner	Rankin	Young, N. Dak.
Farr	Kiess, Pa.	Robbins	
Ferris	King	Roberts	
Fields	Kinkaid	Rodenberg	

NOT VOTING—95.

Barkley	Dunn	Johnson, S. Dak.	Rowland
Barnhart	Eagle	Jones, Va.	Sabath
Bowers	Edmonds	Kennedy, R. I.	Sanford
Britten	Estopinal	Kitchin	Saunders, Va.
Brumbaugh	Evans	Kreider	Scott, Pa.
Candler, Miss.	Fairchild, G. W.	LaGuardia	Scully
Cannon	Flynn	Lufkin	Smith, Idaho
Cantrill	Francis	McLaughlin, Pa.	Smith, T. F.
Capstick	Frear	Mann	Snell
Carew	Fuller, Mass.	Mays	Strong
Church	Garland	Miller, Wash.	Sullivan
Clark, Fla.	Glass	Mudd	Templeton
Claypool	Goodall	Neely	Tilson
Coady	Graham, Pa.	Nelson	Vare
Copley	Greene, Mass.	Nichols, Mich.	Ward
Costello	Greene, Vt.	Oliver, N. Y.	Watson, Pa.
Cox	Hamill	O'Shaunessy	Whaley
Curry, Cal.	Hamilton, N. Y.	Padgett	White, Ohio
Dale, Vt.	Hardy	Parker, N. Y.	Winslow
Davis	Harrison, Miss.	Polk	Wise
Dewalt	Hawley	Pratt	Woodyard
Dooling	Heaton	Ragsdale	Young, Tex.
Doremus	Heintz	Reavis	Zihlman
Drukker	Hood	Riordan	

So the enacting clause was stricken out.

The following pairs were announced:

Until further notice:

Mr. COADY with Mr. HAMILTON of New York.

Mr. HARDY with Mr. CURRY of California.
Mr. EAGLE with Mr. WINSLOW.
Mr. CAREW with Mr. WOODYARD.
Mr. CLARK of Florida with Mr. ZIHLMAN.
Mr. DOOLING with Mr. TILSON.
Mr. WHITE of Ohio with Mr. WARD.
Mr. JONES of Virginia with Mr. DALE of Vermont.
Mr. DOREMUS with Mr. ROWLAND.
Mr. WISE with Mr. DAVIS.
Mr. CHURCH with Mr. STRONG.
Mr. CANTRILL with Mr. DRUKKER.
Mr. HARRISON of Mississippi with Mr. TEMPLETON.
Mr. DEWALT with Mr. HAWLEY.
Mr. CANDLER of Mississippi with Mr. CANNON.
Mr. KITCHIN with Mr. MANN.
Mr. YOUNG of Texas with Mr. DUNN.
Mr. CLAYPOOL with Mr. SMITH of Idaho.
Mr. BARKLEY with Mr. GARLAND.
Mr. RAGSDALE with Mr. REAVIS.
Mr. OLIVER of New York with Mr. WATSON of Pennsylvania.
Mr. ESTOPINAL with Mr. KENNEDY of Rhode Island.
Mr. GLASS with Mr. GEORGE W. FAIRCHILD.
Mr. O'SHAUNESSY with Mr. PARKER of New York.
Mr. LUFKIN with Mr. GOODALL.
Mr. EVANS with Mr. FRANCIS.
Mr. MAYS with Mr. EDMONDS.
Mr. FLYNN with Mr. BOWERS.
Mr. BRUMBAUGH with Mr. GRAHAM of Pennsylvania.
Mr. PADGETT with Mr. SANFORD.
Mr. RIORDAN with Mr. HEATON.
Mr. HOOD with Mr. FREAR.
Mr. SABATH with Mr. SNELL.
Mr. SAUNDERS of Virginia with Mr. BRITTEN.
Mr. NEELY with Mr. MUDD.
Mr. BARNHART with Mr. FULLER of Massachusetts.
Mr. SULLIVAN with Mr. GREENE of Vermont.
Mr. POLK with Mr. COPLEY.
Mr. HAMILL with Mr. PRATT.
Mr. SCULLY with Mr. COSTELLO.
Mr. WHALEY with Mr. GREENE of Massachusetts.

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

HOUSE OFFICE BUILDING COMMISSION.

The SPEAKER. When Mr. Fitzgerald resigned from the House, although he did not necessarily have to do so, he also resigned from the House Office Building Commission. The Chair appoints in his place the gentleman from Kentucky, Mr. SHERLEY, the chairman of the Committee on Appropriations.

MINIMUM WAGE FOR FEDERAL EMPLOYEES.

Mr. MAHER. Mr. Speaker, I call up the bill (H. R. 152) to fix the compensation of certain employees of the United States.

Mr. STAFFORD. Mr. Speaker, I make the point of order that this bill is not in order in view of the special order of the House made on December 12 whereby the bills then on the calendar were first to be disposed of, and that then the bill H. R. 269 was to be given a privileged status for consideration. I call the Speaker's attention to the special order that was made on that day, the last Calendar Wednesday before the holiday recess. At that time the gentleman from North Carolina [Mr. KITCHIN] said:

> Mr. Speaker, I ask unanimous consent that when the bills now on the calendar which are in order on Calendar Wednesday are disposed of that the bill which we have just a moment ago considered in the Committee of the Whole House on the state of the Union—H. R. 269—be in order on Calendar Wednesday.

That fixes that bill as virtually the unfinished business of the House, after the bills then on the calendar have been disposed of on Calendar Wednesday. The bill that the gentleman from New York now attempts to bring up for consideration was not on the calendar on that date, but was reported only on January 14, 1918. The reason why I make the point of order is this: The subcommittee of the Committee on Appropriations having in charge the legislative, executive, and judicial appropriation bill is considering very thoroughly the question of an increase of salary of all of the Government employees whose compensation is fixed in that bill. It is also purposed, I believe, to provide for a general percentage increase of all Government employees.

The SPEAKER. That has nothing to do with the point of order.

Mr. STAFFORD. I think it will be inopportune to bring this bill up for consideration at this time.

The SPEAKER. The point of order is sustained.

Mr. MAHER. Mr. Speaker, I understand that the gentleman from Arizona [Mr. HAYDEN], in charge of that bill, is not present in the Hall.

The SPEAKER. If any gentleman from his committee desires to call it up, it is in order.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONDON. Is there any gentleman here who desires to press that bill?

The SPEAKER. That is what the Chair desires to learn. If any gentleman on Mr. HAYDEN's committee desires to call up the bill 269, the Chair will recognize him.

Mr. STAFFORD. Mr. Speaker, I respectfully contend that the order of the House is a call of committees.

The SPEAKER. The committees are now being called.

Mr. NOLAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NOLAN. Does the Chair interpret the unanimous-consent order of Mr. KITCHIN to mean that the Committee on Labor is to be deprived of its two full days?

The SPEAKER. No. The Committee on Labor is not to be deprived of its two full days, but it is the special order of the House that that particular bill take precedence.

Mr. NOLAN. Suppose they get the consent of the gentleman from Arizona [Mr. HAYDEN] that we may go on?

Mr. HAYDEN. Mr. Speaker, so far as I am concerned, I shall waive any right that I may have under the special rule, because after investigation I find that it is not workable.

Mr. STAFFORD. Mr. Speaker, the order of the House having been made, no gentleman of the House can set it aside, except by unanimous consent. The order of the House is a fixed order of proceeding, and it is beyond the power of the gentleman from Arizona to set it aside.

Mr. HAYDEN. Mr. Speaker, the situation in respect to the special rule is that it was ordered that my bill, H. R. 269, should have precedence over any bills placed on the calendar after that date, but that all bills then on the calendar should be disposed of before my bill was considered.

The SPEAKER. Have they not all been disposed of?

Mr. STAFFORD. Only from the Committee on Labor, Mr. Speaker, and I have made the point of order that this bill which the gentleman from New York seeks to call up now was reported after December 12, when that special order was made.

The SPEAKER. That point of order is good. Has the committee any bill that was on the calendar before the 12th of December? If so, the Chair will recognize any gentleman on that committee to call it up.

Mr. MAHER. No; we have not.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONDON. What difference does it make whether it was reported before the 12th of December or not?

The SPEAKER. Because there is a special order of the House to that effect.

Mr. LONDON. I know; but that special order is out of the way now.

The SPEAKER. No; it is not. The special order provides that when bills already on the calendar are disposed of that Mr. HAYDEN's bill shall have precedence over what are put on the calendar afterwards.

Mr. LONDON. I know, but the Hayden bill is out of the way now.

The SPEAKER. How does the gentleman determine that?

Mr. LONDON. I asked the Speaker to ask the House whether anybody was going to press the Hayden bill, and we have the statement before the House now that the Hayden bill is withdrawn, and all of the rights that he has under that rule have been waived.

Mr. SHERLEY. He can not waive the right. There is an order of the House and the Hayden bill is not in order until every bill that was on the calendar has been disposed of——

The SPEAKER. That was on the calendar prior to the 12th of December.

Mr. SHERLEY. Prior to the date of the order.

Mr. NOLAN. Mr. Speaker, I call attention to the fact that the House has just been considering a bill that was placed on the calendar after December 12.

The SPEAKER. But nobody raised the point of order; if so, it would have been knocked out. The Chair can not go around hunting up points of order; he has enough to do anyhow. The Clerk will call the committees.

The Clerk began to call the committees.

Mr. KEATING. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Colorado rise?

Mr. KEATING. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KEATING. Now, the Committee on Labor, under the rules of the House, would be entitled to two full days. The

committee has occupied less than one full day. The Chair now rules, as I understand it, that the roll of committees shall be called because of this unanimous-consent arrangement. May I ask the Chair when the Committee on Labor will have another opportunity to present its business to the House?

The SPEAKER. Here is the way of it: Each committee has two days if it has business enough to occupy two days. If it has not enough grist to occupy the time the Chair causes the roster to be called and you go on. The Committee on Labor will be called when the wheel again revolves.

Mr. KEATING. But the Committee on Labor has business and is prepared to go on.

The SPEAKER. The Chair knows, but it is out of order under this special order. How that special order came to be made the Chair does not know. It is a good deal of a puzzle to the Chair to know why that thing was fixed that way.

Mr. KEATING. The Chair holds all bills which were not on the calendar on the date that special order was adopted can not be considered?

The SPEAKER. That is exactly what the Chair holds, until we get through with the bills which were on the calendar prior to the 12th.

Mr. KEATING. Then, do we revert, for instance, to the Committee on Labor?

The SPEAKER. You do not. If that committee has any bill that is in order, why it can call it up right now, but if it is not in order you can not call it up. Now here is this special order——

Mr. KEATING. Then, Mr. Speaker, I ask unanimous consent that, despite the special order, the House now proceed to the consideration of this minimum-wage bill.

The SPEAKER. The gentleman from Colorado asks unanimous consent——

Mr. RAINEY. I object, Mr. Speaker.

The SPEAKER. Objection is made, and the Clerk will call the committees.

The Clerk called the Committee on Patents.

Mr. LONDON. Mr. Speaker, I rise for a point of order——

The SPEAKER. The gentleman will state it.

Mr. LONDON. That there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and eighty-six gentlemen are present—not a quorum.

Mr. RAKER. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from California moves a call of the House.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. LONDON and Mr. STAFFORD. Division, Mr. Speaker.

The House again divided; and there were—ayes 65, noes 91.

Mr. RAKER. Mr. Speaker, I ask for tellers.

The SPEAKER. The gentleman from California demands tellers.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. NOLAN. Division, Mr. Speaker.

The House again divided; and there were—ayes 116, noes 51.

Mr. NOLAN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from California demands the yeas and nays. Twenty-one gentlemen have risen in the affirmative, not a sufficient number.

Mr. NOLAN. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. SHERLEY. Mr. Speaker, I submit that it is not necessary to have a quorum to adjourn.

The SPEAKER. The House can adjourn without a quorum.

ADJOURNMENT.

So the motion was agreed to; accordingly (at 1 o'clock and 39 minutes p. m.) the House adjourned until to-morrow, Thursday, January 17, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting reports from accounting officers of this department showing what officers of the Government were delinquent in rendering their accounts for the fiscal year ended June 30, 1917 (H. Doc. No. 810); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Department of the Treasury to provide an interest teller for the office of the Treasurer of the United States for the fiscal year 1919 (H. Doc. No. 811); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 5489) to authorize the Secretary of the Interior to exchange for lands in private ownership lands formerly embraced in the grant to the Oregon & California Railroad Co., reported the same with amendment, accompanied by a report (No. 241), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 8745) fixing the salaries of the clerks of the United States district courts; prescribing how and when they shall account for the fees collected; providing for the office expenses of such clerks, including salaries of deputy clerks and clerical assistants; and for the travel and subsistence expense of such clerks and their deputies when necessarily absent from their official residences; to the Committee on Expenditures in the Department of Justice.

By Mr. McKENZIE: A bill (H. R. 8746) to provide for the construction of a military road from the arsenal at Rock Island, Ill., to the proving grounds for artillery in Carroll and Jo Daviess Counties, Ill., and making an appropriation therefor; to the Committee on Military Affairs.

By Mr. GRAHAM of Illinois: A bill (H. R. 8747) to provide for the construction of a military road from the arsenal at Rock Island, Ill., to the proving grounds for artillery in Carroll and Jo Daviess Counties, Ill., and making an appropriation therefor; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 8748) to provide for a survey of the Cowlitz River, Wash.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 8749) providing for the appraisal and sale of the Gig Harbor abandoned military reservation, in the State of Washington, and for other purposes; to the Committee on the Public Lands.

By Mr. FULLER of Illinois: A bill (H. R. 8750) to amend the law granting second-class mail privileges to certain publications, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. POU: A bill (H. R. 8751) to amend section 203, Title II, of the act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916; to the Committee on Ways and Means.

By Mr. AUSTIN: A bill (H. R. 8752) for the grading of Fourth Street SE., and construction of a bridge over Oxon Run; to the Committee on Appropriations.

By Mr. WEBB: A bill (H. R. 8753) to amend section 3, Title 1, of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on the Judiciary.

By Mr. BORLAND: A bill (H. R. 8754) amending the act of August 29, 1916, chapter 415, and a part of section 20 of the act of February 4, 1887, chapter 104, as amended, relating to bills of lading, receipts, and agreements of common carriers and the limitation of liability by common carriers; to the Committee on Interstate and Foreign Commerce.

By Mr. SCULLY: A bill (H. R. 8755) authorizing a survey with a view to protection of the beach at and near Sea Bright, N. J., and for other purposes; to the Committee on Rivers and Harbors.

By by EMERSON: A bill (H. R. 8756) to provide an allowance to rural mail carriers for expenses; to the Committee on the Post Office and Post Roads.

By Mr. COLLIER: A bill (H. R. 8757) for the erection of a military post at or near the city of Vicksburg, in the State of Mississippi; to the Committee on Military Affairs.

Also, a bill (H. R. 8758) to establish a fish-hatching and fish-culture station at a point near the city of Jackson, in the State of Mississippi; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 8759) providing for an addition to the Federal courthouse and post-office building at Jackson, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. CARY: A bill (H. R. 8760) to create the Department of Transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY of Pennsylvania: A bill (H. R. 8761) to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of coal, oil, copper, iron, and other metalliferous minerals, timber, and water power; to the Committee on Interstate and Foreign Commerce.

By Mr. CURRY of California: A bill (H. R. 8762) authorizing the Secretary of the Treasury to create an antidepreciation fund with which to purchase at par certain war-loan or Liberty loan bonds that may be offered for sale below par, and to prohibit bond brokers, stock-exchange brokers, or bankers from buying or offering to buy or from selling or offering to sell said war-loan or liberty bonds at less than par, making such action a felony, and providing punishment therefor; to the Committee on the Judiciary.

By Mr. CHARLES B. SMITH: A bill (H. R. 8763) to amend the act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved August 17, 1916; to the Committee on Patents.

By Mr. WHEELER: A bill (H. R. 8764) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Illinois into the Union; to the Committee on Coinage, Weights, and Measures.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8765) granting an increase of pension to Christopher Geese; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8766) granting a pension to Joseph Hutzell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8767) granting a pension to Wesley P. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8768) granting an increase of pension to James S. Squire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8769) granting an increase of pension to Daniel S. Grube; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8770) granting a pension to William W. I. Edwards; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 8771) granting an increase of pension to Albert H. Lanphear; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8772) for the relief of H. H. Hogan; to the Committee on the Post Office and Post Roads.

By Mr. BRUMBAUGH: A bill (H. R. 8773) granting an increase of pension to Cornelius L. Leport; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8774) granting an increase of pension to Moses Goldstein; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8775) granting an increase of pension to George S. Armstrong; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 8776) granting an increase of pension to Hiram W. Covill; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 8777) granting a pension to J. H. Kissinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8778) granting an increase of pension to Aidon Ohnesorg; to the Committee on Invalid Pensions.

By Mr. COLLIER: A bill (H. R. 8779) granting a pension to Rachael S. Dobbs; to the Committee on Pensions.

Also, a bill (H. R. 8780) for the relief of the heirs of John Wixon, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8781) for the relief of the heirs or estate of David S. Sexton, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8782) for the relief of the heirs of Hariet B. Selma, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8783) for the relief of J. W. Cain, Morde Fuller, Charles Van Buren, and H. C. Perry; to the Committee on Claims.

Also, a bill (H. R. 8784) for the relief of the heirs of Isaac Whitaker, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8785) for the relief of the legal representative of Ann D. Halsey, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8786) for the relief of the legal representatives of James W. Brabston and Roche H. Brabston; to the Committee on War Claims.

Also, a bill (H. R. 8787) for the relief of James Richards, administrator of the estate of William Richards, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8788) for the relief of the estate of W. L. Johnston; to the Committee on War Claims.

Also, a bill (H. R. 8789) for the relief of Thomas H. Jett; to the Committee on War Claims.

Also, a bill (H. R. 8790) for the relief of Maria Elizabeth Burnett; to the Committee on War Claims.

Also, a bill (H. R. 8791) for the relief of the heirs or estate of William J. Milligan, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8792) for the relief of the estate of John P. Gee; to the Committee on War Claims.

Also, a bill (H. R. 8793) for the relief of Dr. G. Y. Hicks, Vicksburg, Miss.; to the Committee on Claims.

By Mr. DARROW: A bill (H. R. 8794) granting a pension to L. Ethel Bolton; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 8795) granting an increase of pension to James H. Handy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8796) granting an increase of pension to Amos C. Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8797) granting a pension to Hans Fulson; to the Committee on Pensions.

By Mr. FISHER: A bill (H. R. 8798) for the relief of the legal representative of Enoch Ensley, deceased; to the Committee on War Claims.

By Mr. GALLAGHER: A bill (H. R. 8799) granting a pension to William W. Hartigan; to the Committee on Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 8800) granting a pension to Amelia Davis; to the Committee on Pensions.

Also, a bill (H. R. 8801) granting a pension to John O'Neil; to the Committee on Pensions.

By Mr. HAUGEN: A bill (H. R. 8802) granting a pension to Sylvia Ferington; to the Committee on Pensions.

By Mr. HELVERING: A bill (H. R. 8803) granting an increase of pension to John R. Worth; to the Committee on Invalid Pensions.

By Mr. HUTCHINSON: A bill (H. R. 8804) granting an increase of pension to Elizabeth A. Snook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8805) granting an increase of pension to Herbert E. Roberson; to the Committee on Pensions.

By Mr. McKENZIE: A bill (H. R. 8806) granting an increase of pension to William S. Eberman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8807) granting a pension to Malvina A. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8808) to amend the military record of William R. Paget; to the Committee on Military Affairs.

By Mr. MONTAGUE: A bill (H. R. 8809) granting an increase of pension to William H. Steinmann; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 8810) granting a pension to Jeremiah H. Worthley; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 8811) granting a pension to Annie Sangamo; to the Committee on Invalid Pensions.

By Mr. VINSON: A bill (H. R. 8812) granting an increase of pension to William C. Benning; to the Committee on Pensions.

Also, a bill (H. R. 8813) granting an increase of pension to Thaddeus M. Kelly; to the Committee on Pensions.

By Mr. WASON: A bill (H. R. 8814) for the relief of Edith B. Macon, sole heir of the estate of David W. and Elizabeth L. W. Bailey, deceased; to the Committee on Claims.

By Mr. WELTY: A bill (H. R. 8815) granting an increase of pension to Isaac W. Anderson; to the Committee on Pensions.

Also, a bill (H. R. 8816) granting a pension to Minnie L. Cahill; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 8817) granting a pension to Frederick Blackledge, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8818) granting a pension to Maggie Lee Olivor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8819) granting a pension to William W. Fuller; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BACHARACH: Resolution adopted by the Burlington County (N. J.) Board of Agriculture, asking for exemption from military service of farm operators and farm laborers; to the Committee on Military Affairs.

By Mr. CLARK of Pennsylvania: Petition of W. E. Sweet, Dr. J. W. Wright, Frank E. Bond, James D. Johnson, and 18 others; also, a petition of J. L. Whalen, George M. Lyle, Harry Mehl, M. C. Cornell, and 18 others; also, a petition of Rev. W. P. Murray, H. A. Strong, Dr. O. N. Chaffee, and 16 others, all praying for the passage of House bill 7995, for the preservation of Perry's flagship; to the Committee on Naval Affairs.

Also, a petition and copy of the the Perry Centennial Book of Past National Commander George R. Downs, Army and Navy Union, to accompany House bill 7995; to the Committee on Naval Affairs.

By Mr. EAGAN: Petition of many citizens of New Jersey, favoring the enactment of legislation providing for an increase in the salaries of the city letter carriers and post-office clerks; to the Committee on the Post Office and Post Roads.

My Mr. ESCH: Papers in support of House bill 795, granting a pension to George K. Redmond; to the Committee on Invalid Pensions.

By Mr. FISHER: Petition of M. L. B. Ensley; also, abstract of printed evidence and a statement relative to a claim of Enoch Ensley for 77 bales of cotton used by the United States Army; to the Committee on War Claims.

By Mr. FOCHT: Evidence in support of House bill 8309, for the relief of Caroline Scott; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 8053, for the relief of William Hockenbroucht; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: Memorial of the Merchants' Association of New York, protesting against the zone system for second-class mail; to the Committee on Ways and Means.

By Mr. GRAHAM of Illinois: Petition of B. B. Martin and sundry other citizens of Blandinsville, Ill., for the repeal of zone rates on second-class mail matter; to the Committee on Ways and Means.

By Mr. HILLIARD: Petition of Jennie B. Kern, Elizabeth Lovins, Mary L. Frantz, Lena Auslander, A. Lampert, M. M. Kern, Charlie N. Roberts, R. J. McRae, H. M. Clark, B. Cohen, J. B. Hewitt, N. Cramer, A. T. Milstein, N. Halpern, J. Suponick, N. Brookman, L. Kerlick, N. Waltson, A. G. Mann, Max Solisch, J. A. Lovin, S. Lampert, S. L. Skoss, Sarah M. Skoss, and M. Bilkon, all of Denver, Colo., urging the passage of the Keating bill, granting an increase of pay to Government employees; to the Committee on Appropriations.

Also, petition of Peter G. and Mary E. Miller, of Denver, Colo., urging passage of House bill 1654, granting increase in pay of post-office clerks and letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. LINTHICUM: Petition of Baltimore Branch of the Pharmaceutical Association, favoring bill for the organization of a pharmaceutical corps in the Army; to the Committee on Military Affairs.

Also, petition of Susan Collins, of Baltimore, Md., relative to appropriation for maintaining the kindergarten division of the Bureau of Education; to the Committee on Education.

Also, petition of Carr-Lowrey Glass Co., of Baltimore, Md., against repeal of increased postage on second-class matter; to the Committee on Ways and Means.

By Mr. O'SHAUNESSY: Memorial of Local Board of Exemption No. 1, Pawtucket, R. I., protesting against the exemption of aliens who have not yet become full-fledged citizens; to the Committee on Military Affairs.

Also, a memorial of the Rhode Island Council of Defense urging legislation permitting the induction of aliens not alien enemies into the military service under the selective act; to the Committee on Military Affairs.

By Mr. ROWLAND: Resolution passed by the John S. Melvil Post, No. 141, Grand Army of the Republic, of Bradford, Pa.; to the Committee on Invalid Pensions.

By Mr. SNELL: Petition of the Woman's Club of Lake Placid, N. Y., protesting against the postal increase by zones on periodicals, and urging a repeal of the present law; to the Committee on Ways and Means.

Also, petition of employees of United States customs service, port of Maline, N. Y., urging increase in salary of Federal employees; to the Committee on Appropriations.

SENATE.

THURSDAY, *January 17, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we ask Thy guidance and blessing upon the labor of this day, that it may be done under the inspiration of Thy holy Spirit, that we may have an eye single to Thy glory, and that the accomplishments of the day may add to the happiness and prosperity of all the people whom we serve. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., January 17, 1918.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN H. BANKHEAD, a Senator from the State of Alabama, to perform the duties of the chair during my absence.

WILLARD SAULSBURY,
President pro tempore.

Mr. BANKHEAD thereupon assumed the chair.

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hitchcock	New	Sterling
Beckham	Johnson, Cal.	Norris	Stone
Calder	Johnson, S. Dak.	Overman	Sutherland
Chamberlain	Jones, N. Mex.	Poindexter	Swanson
Culberson	Jones, Wash.	Pomerene	Thomas
Curtis	Kellogg	Ransdell	Tillman
Fernald	Kirby	Robinson	Townsend
Fletcher	Knox	Shafroth	Trammell
Gallinger	McKellar	Sheppard	Vardaman
Gerry	McLean	Simmons	Wadsworth
Gronna	McNary	Smith, Ga.	Watson
Hale	Martin	Smith, Md.	Weeks
Harding	Myers	Smith, S. C.	Wolcott
Hardwick	Nelson	Smoot	

Mr. TOWNSEND. I announce the necessary absence of my colleague [Mr. SMITH of Michigan]. He is paired with the junior Senator from Missouri [Mr. REED]. I ask that this announcement may stand for the day.

Mr. MYERS. My colleague [Mr. WALSH] is still detained from the Senate by illness. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. I ask that this announcement may stand for the day.

Mr. CURTIS. I desire to announce the unavoidable absence of the junior Senator from Maryland [Mr. FRANCE] for the day.

Mr. RANSDELL. I wish to announce the continued absence of my colleague [Mr. BROUSSARD] on account of illness.

Mr. GERRY. I desire to announce that the Senator from Illinois [Mr. LEWIS] and the Senator from Kansas [Mr. THOMPSON] are detained on important business.

The PRESIDING OFFICER. Fifty-five Senators have answered to the roll call. There is a quorum present. The Secretary will read the Journal of yesterday's proceedings.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. THOMAS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ENROLLED BILL SIGNED.

The PRESIDING OFFICER announced his signature to the bill (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916, which had previously been signed by the Speaker of the House.

PETITIONS.

Mr. GALLINGER presented a petition of the Rural Letter Carriers' Association of Grafton County, N. H., praying for an increase in the salaries of rural letter carriers, which was referred to the Committee on Post Offices and Post Roads.

Mr. SUTHERLAND presented a petition of the Pan Handle Agricultural Club of Brooke County, W. Va., praying for the conservation of food, which was referred to the Committee on Agriculture and Forestry.

Mr. SMOOT. I present a petition from Prof. William H. Hart and ask that it be referred to the Committee on Printing with the view of publishing the same as a public document.

The PRESIDING OFFICER. It will be so referred.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 2886) for the relief of Albert O. Brown, reported it without amendment and submitted a report (No. 196) thereon.

He also, from the same committee, to which was referred the bill (S. 1084) for the relief to J. G. Seupelt, reported it with amendments and submitted a report (No. 197) thereon.

Mr. SHAFROTH, from the Committee on Public Lands, to which was referred the bill (S. 2487) permitting Frances Mack Mann to purchase certain public lands, reported it with an amendment and submitted a report (No. 198) thereon.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which were referred the following bills, asked to be discharged from their further consideration and that they be referred to the Committee on Finance, which was agreed to:

A bill (S. 3473) to provide for the importation into the United States, without the payment of duty, of raw materials, parts or partly fabricated parts of equipment, and finished equipment for war purposes; and

A bill (S. 3474) to amend section 600 of an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917.

MONONGAHELA RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 6176) extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va., and I submit a report (No. 199) thereon. I ask for the immediate consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADDITIONAL PAGES.

Mr. JONES of New Mexico. From the Committee to Audit and Control the Contingent Expenses of the Senate I make a favorable report upon Senate resolution 184, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read Senate resolution 184, submitted by Mr. OVERMAN on the 16th instant, as follows:

Resolved, That the Sergeant at Arms of the Senate be, and he hereby is, authorized and directed to employ three additional pages for the Senate Chamber at $2.75 per day each for a period lasting until the end of the present session of the Sixty-fifth Congress, to be paid from the miscellaneous items of the contingent fund of the Senate.

Mr. OVERMAN. Mr. President, I ask for the present consideration of the resolution. In making this request I wish to state that the force of pages has not been increased in 30 or 35 years, whereas the membership of the Senate has increased largely and, as everyone knows, the business has increased during these war times greatly. We do not have enough pages to do the work. We have two extra 'phones in the cloakrooms, which require the attendance of pages. The Sergeant at Arms says that he has not enough pages to do the work necessary for Senators in carrying messages, and so forth. I therefore ask for the present consideration of the resolution.

The PRESIDING OFFICER. Is there objection?

Mr. THOMAS. Mr. President, I do not care to object to the present consideration of the resolution, but in view of the statement of the Senator from North Carolina, I suggest that it be amended so that the increase shall be limited to the duration of the present war.

Mr. OVERMAN. It is limited to the present session.

Mr. THOMAS. I did not so understand the resolution when it was read.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 3534) granting an increase of pension to John S. Jordan (with accompanying papers); to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 3535) for the relief of Lloyd D. Barley; to the Committee on Public Lands.

By Mr. SUTHERLAND:

A bill (S. 3536) to amend the military records in relation to William M. Cheuvront; to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 3537) for the relief of the estate of Henry Ware, deceased; to the Committee on Claims.

By Mr. THOMAS:

A bill (S. 3538) for the relief of the heirs of John J. and Mary S. Englebright; and

A bill (S. 3539) for the relief of Samuel W. Morrison; to the Committee on Claims.

A bill (S. 3540) granting a pension to Laura Belle Ewing;

A bill (S. 3541) granting an increase of pension to Mary Jane Drew;

A bill (S. 3542) granting an increase of pension to Ida Critchell;

A bill (S. 3543) granting an increase of pension to Delia Curry;

A bill (S. 3544) granting a pension to Mary C. Christensen;

A bill (S. 3545) granting an increase of pension to Henry Brown;

A bill (S. 3546) granting an increase of pension to Jeanie G. Lyles;

A bill (S. 3547) granting a pension to Margaret M. King;

A bill (S. 3548) granting an increase of pension to Christopher C. Kelly;

A bill (S. 3549) granting a pension to Hiram B. Kelly;

A bill (S. 3550) granting a pension to Mrs. W. H. Holmes;

A bill (S. 3551) granting a pension to Phoebe W. Hooper;

A bill (S. 3552) granting a pension to Lucy S. Hamilton;

A bill (S. 3553) granting a pension to Anna C. Gregory;

A bill (S. 3554) granting a pension to William H. Emery;

A bill (S. 3555) granting an increase of pension to Mary A. Price;

A bill (S. 3556) granting a pension to Anne E. Newbury;

A bill (S. 3557) granting a pension to John A. McCarthy;

A bill (S. 3558) granting an increase of pension to Elizabeth McKeever;

A bill (S. 3559) granting an increase of pension to George W. McKelvey;

A bill (S. 3560) granting a pension to William G. Neeley;

A bill (S. 3561) granting a pension to Cora E. Myers Barton (with accompanying papers); and

A bill (S. 3562) granting a pension to Jennie Perry (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER:

A joint resolution (S. J. Res. 125) authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the Rotunda of the Capitol; to the Committee on the Library.

SUSPENSION OF CIVIL PROCESS.

Mr. JONES of Washington. Mr. President, I have received a letter from the Hon. H. J. Snively, chairman of the legal advisory board of Yakima County, Wash., relating to registrants, and making a suggestion with reference to the suspension of civil process. I wish to read a paragraph or two from the letter, and then introduce a bill which I think covers the situation. He is one of the leading attorneys in our State and a man thoroughly conversant with the situation in connection with the registrants. He says:

I received your letter in relation to the passage of an act by Congress to stay suits against young men in the National Army. I have never looked up the question as to the authority of Congress to stay process in the State courts. I know during the Civil War that State laws were passed by the States.

It occurred to me, however, that as part of the conscription act, or as an amendment to it, that Congress would have the power to stay process against soldiers, and my particular purpose in writing you now is this:

I am chairman of the legal advisory board of Yakima County, and have been in close touch with the registrants from this county. I find quite a number of young men who have been engaged in business, would like very much to waive exemption they might have by virtue of being engaged in agricultural pursuits, particularly if they were assured that existing indebtedness would not be pressed against them during their absence.

Practically all of these young men in this country have made their own starts, and they are more or less involved in debt. As I told you in my other letter, I know of some great hardships that already have been vested upon soldiers taken away from their business and put into the National Army.

I do not know of any one thing that would encourage young men either to volunteer or to waive exemption than the passage of an act to protect them in their absence from judgments.

Then he proceeds to urge that Congress ought to take action along these lines:

Certainly Congress has the power to do what is necessary to encourage enlistment or to encourage the waiver of exemptions. The trouble about State legislatures being convened is that it would take too long a time. Meantime claims could be put into judgments.

I had suggested that some question had been raised as to the power of Congress to go into the States and close their courts and stop their processes.

Mr. President, I know that a bill has been presented regarding this matter, and I know that there are very serious questions with reference to the authority of Congress to suspend process in local courts, and so on, but it seems to me we ought to take some action, and we ought to take it promptly, if there is any action that we possibly can take. It has occurred to me that there is a very simple way to take care of it, and I desire to introduce a bill along the lines I have in mind for that purpose. I ask that it may be read and referred to the Committee on the Judiciary, and I want to urge that that committee take prompt action, one way or the other. It should do something if we have the power, and if we have no power it should say so, that agencies that can act may do so.

The bill (S. 3533) to prevent service of civil process during the war upon those enlisted in the military service of the United States was read the first time by its title, and the second time at length, and referred to the Committee on the Judiciary, as follows:

Be it enacted, etc., That whoever, during the war and prior to the making and ratification of the treaty of peace terminating it, shall serve, attempt to serve, or assist in serving, any process upon any person enlisted in the military service of the United States for the collection or enforcement of any claim arising prior to such enlistment shall be deemed guilty of a misdemeanor and subject to a fine of not more than $1,000 or imprisonment for not more than one year, or by both such fine and imprisonment, in the discretion of the court.

AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. SMOOT submitted an amendment proposing to appropriate $252.900.58 for the relief of Prof. William H. H. Hart, principal of the Hart Farm School and Junior Republic for Dependent Children, as settlement in full for his costs incurred, losses sustained, etc., intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

STANDARDIZATION OF WAGES.

Mr. SWANSON. Mr. President, on yesterday a motion was made to refer a certain bill to the Naval Committee. That motion went over for a day, and I now ask permission to call it up.

Mr. STONE. Mr. President, will the Senator from Virginia delay that request for a moment, in order that I may make a statement?

Mr. SWANSON. Certainly.

Mr. STONE. I am obliged to the Senator.

Mr. President, by the courtesy of the Senator from Virginia I make this statement: On yesterday the Senator from Utah [Mr. KING] called up Senate resolution 174, directing the Committee on Education and Labor to inquire into certain subjects mentioned. At my request he was kind enough to let the resolution lie over until to-day on my statement that I desired to address the Senate when the resolution was under consideration. The Senator from Utah advises me from his home this morning that he is physically so indisposed as not to be able to attend the session of the Senate to-day, but authorizes me to call up the resolution, if I so desire. When I gave the notice on yesterday of my intention to address the Senate this morning I was under a misapprehension with respect to the date of an important engagement I had. I thought the engagement was for 2 o'clock to-morrow, whereas it is for 2 o'clock to-day. I feel under some obligation to keep that appointment.

I had intended, under the authority of the Senator from Utah, to call up his resolution this morning; but after being informed that the engagement of which I speak is for to-day instead of to-morrow, I had intended to give notice that I would call up the resolution if the Senator from Utah was not present on to-morrow, and speak then. I am now told that it is probably the wish of Senators to adjourn the Senate at the conclusion of to-day's business until Monday. That may not occur, of course, but I have consulted with our floor leader, the Senator from Virginia [Mr. MARTIN], and others, and that, I am informed, may occur. So I wish merely to state that, in view of the circumstances related, I shall ask the Senator from Utah to call up his resolution not earlier than Monday next, to which date I postpone what I had in mind to say to-day.

SUSPENSION OF ORDER OF FUEL ADMINISTRATOR.

Mr. SWANSON obtained the floor.

Mr. HITCHCOCK. Will the Senator from Virginia yield to me, as the matter which he intends to bring before the Senate will probably take some time? I have a resolution which I desire to present.

Mr. SWANSON. I will yield to the Senator from Nebraska temporarily.

Mr. GALLINGER. Mr. President, I will say to the Senator from Virginia that I also have a resolution which I desire to present.

Mr. HITCHCOCK. I offer the resolution which I send to the desk.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 186), as follows:

Resolved, That the Fuel Administrator of the United States be, and he is hereby, requested to delay for five days the order suspending the operation of industrial plants in portions of the United States, in order that protests may be heard, investigation made, and information presented.

Mr. HITCHCOCK. I ask for the present consideration of the resolution.

The PRESIDING OFFICER. Is there objection?

Mr. GALLINGER. Mr. President, I had hurriedly prepared a resolution on the same subject as that which has been submitted by the Senator from Nebraska [Mr. HITCHCOCK], which I will ask the Secretary to read. If the resolution submitted by the Senator from Nebraska shall be agreed to, very likely I shall not think it necessary to press the consideration of the resolution I offer, but I ask that it may be read.

The PRESIDING OFFICER. The Secretary will read the resolution submitted by the Senator from New Hampshire [Mr. GALLINGER].

The Secretary read the resolution as follows:

Whereas through the newspaper press it has been brought to the attention of the Congress and the country that an order has been issued by the Fuel Administrator providing for the closing down of a large portion of our industrial establishments; and

Whereas on information already received it would seem to be of serious doubt whether such order would not prove highly detrimental to both the industrial and labor interests of the United States: Therefore be it

Resolved, That it is the sense of the Senate that such order should be suspended until a thorough investigation shall be made as to the necessity for the proposed action.

Mr. HITCHCOCK. Mr. President, the resolution which I have presented asks the Fuel Administrator only for a delay of five days. I do not assume to say that the Fuel Administrator has made a mistake. All I ask for is sufficient time to permit the country to be heard from. The thing which he has done has been properly denominated "a national disaster."

Mr. President, it may be necessary; there may be such a grave situation confronting the fuel administration, such a grave situation concerning the supply of fuel for the ships that we must send overseas, and such a grave situation confronting the railroads that drastic action of this sort is necessary; but, before it is taken, the short time of five days should certainly be afforded the country to present the facts to the Fuel Administrator; and, if necessary, to the President.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Mississippi?

Mr. HITCHCOCK. I do, for a question.

Mr. VARDAMAN. I desire to make a suggestion to the Senator from Nebraska. In the absence of the chairman of the subcommittee of the Committee on Manufactures [Mr. REED], I want to state to the Senator that that subcommittee has had this question under consideration for six weeks; a great mass of testimony has been taken; and we are just about to conclude our investigations and make a report upon the subject matter. I think that if this resolution, which I very heartily approve, is passed the information the Senator wants can be obtained from the testimony taken by our committee. I think that the resolution ought to be adopted, for I regard it as a national calamity that such an order should have been issued. It can be justified only upon the theory that the coal used in the factories is needed to prevent the poor women and children from freezing. Personally I have great respect for Dr. Garfield, the Fuel Administrator, and I in no way question the loftiness of his motives; but it strikes me that this order is without justification under the circumstances.

Mr. HARDWICK. Mr. President——

Mr. HITCHCOCK. Mr. President, if the Senator from Georgia will permit me to continue, I wish to say the fact is that this thing has come upon the country like a flash of lightning out of a clear sky. It means the closing down of hundreds—and perhaps thousands—of industrial establishments of the country at a time when we have been straining every effort to keep those establishments up to their greatest production. It means the throwing out of work of hundreds of thousands—and perhaps millions—of men whose wages are necessary to their daily existence. It will involve establishments which are manufacturing munitions and other necessary articles for the Government; it will involve establishments that are operating in some cases largely by water power, and which only use a

small amount of fuel, yet they are included within this very drastic order; it will involve the closing down of establishments which have coal in their bins, perhaps sufficient to operate them for another month, and that coal will be absolutely idle for the time being. It is, Mr. President, such a revolutionary order, it involves evils of such tremendous moment to so many millions of people, that I can not think it an unwise thing to pause for five days to give an opportunity for the presentation of arguments. That has not been permitted, Mr. President, up to the present time. There was no foreboding, no warning of this, and those interested and having information, so far as I know, have been given no opportunity to present it.

I have the greatest respect for the Fuel Administrator; I feel that he has been struggling against the most tremendous obstacles endeavoring to perform an almost impossible task, and I would not add to his burden; but I believe that the country ought to be given an opportunity to present facts, information, and protests, if necessary. Possibly the result may be a modification of the order; certainly the interests are so tremendous and the damage will be so enormous that the five days ought to be allowed; and I hope the Senate will make this request of the Fuel Administrator.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Georgia?

Mr. HITCHCOCK. I yield.

Mr. HARDWICK. I have before me the legislation on which this order rests, if it rests anywhere; and while I am in hearty sympathy with the Senator's resolution it seems to me it ought to be directed to the President of the United States, because all the authority under which this act can be predicated is, unless I am mistaken from a cursory examination of the law, conferred on the President and not on the Fuel Administrator, who is a mere agent and servant of the President. So I think we had better change the form of the Senator's resolution.

Mr. HITCHCOCK. Well, Mr. President, the Senate has no official information; all the information it gets is from the newspapers of this morning that the Fuel Administrator has issued this order. I have read that he has issued it as the result of consultation with the President. But, Mr. President, the unfortunate situation of affairs at this time is this: One branch of the Government is doing one thing, while another branch of the Government is doing another thing, and another branch of the Government is doing still another thing, and we have no coordination of the enormous forces which have been placed in the hands of the Executive. I am very firmly of the opinion that many Government agencies will be handicapped by this order, and I doubt very much whether some of them have been consulted or considered before it was issued.

The situation argues strongly for a reform in our Government; and, Mr. President, I am here now to predict that before much time elapses we will be compelled by the very force of circumstances to locate somewhere absolute power to coordinate the various branches and functions of our Government which are now largely running wild.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. HITCHCOCK. I yield.

Mr. POINDEXTER. What possible improvement could the Senator suggest in that connection as to centralizing authority than is provided now by the Constitution of the United States, which centralizes authority over every one of these activities in the President of the United States?

Mr. HITCHCOCK. Well, Mr. President, that is a fair question, and I have no doubt that it is going to be debated on the floor of the Senate at an early date. Without violating any confidence I may say that the Senate Committee on Military Affairs within a very few days, through the chairman of the committee [Mr. CHAMBERLAIN], will present to the Senate in concrete form a recommendation for centralizing the various war forces of our Government, so that we will not only get action, but consistent and harmonious action. That is another question. As it is now, we have the President vested nominally with enormous powers, but he is operating through various branches of Government, through various departments of Government, through various officials, who practically are not in harmony with each other; they are not coordinated as they should be, and it is utterly impossible for the President of the United States, with the vast and varied duties he has to perform now, largely of an international character, to bring this about.

The reform which I think should be brought about is such a reform as will place above the Cabinet now existing and below the President a war cabinet to bring all these forces into a few hands, to harmonize them, coordinate them, and bring order out of chaos. If we had established heretofore such a war cabinet, I do not believe there would have developed a coal shortage, which is partly, at least, due to a confusion of government functions. Nor would such an extraordinary order as this have been issued without being submitted to that war cabinet, and that war cabinet would not have acted without knowing definitely the effect on the various industries of the country which would result from it.

Mr. WEEKS and Mr. POINDEXTER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Massachusetts?

Mr. HITCHCOCK. I yield.

Mr. WEEKS. I rose because I thought the Senator was about to yield the floor. I do not care to interrupt him.

Mr. HITCHCOCK. I am about to yield the floor; I have said all that I care to say; I have said perhaps more than I should have said. I understand unanimous consent has been granted for the consideration of the resolution, and I hope that it may be adopted. Of course it is only in the nature of a request; it is in the nature of a request from the Senate of the United States simply for a delay to afford an opportunity to present the vast interests that are involved in this revolutionary order, which was apparently issued without giving the country much opportunity for a hearing.

Mr. WEEKS obtained the floor.

Mr. LEWIS. Mr. President, before the Senator from Nebraska takes his seat——

The PRESIDING OFFICER. The Senator from Massachusetts is recognized. Does the Senator from Massachusetts yield to the Senator from Illinois?

Mr. LEWIS. I merely desired to address an inquiry to the Senator from Nebraska. I do not wish to interrupt the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Nebraska has yielded the floor, and the Senator from Massachusetts has been recognized.

Mr. LEWIS. The Senator from Massachusetts having been recognized, I will not interrupt the Senator from Massachusetts.

Mr. WEEKS. Mr. President, I can not speak too strongly in favor of the resolution which has been introduced by the Senator from Nebraska [Mr. HITCHCOCK] or a resolution which will have the same or a similar effect.

This order of the Fuel Administrator has fallen with crushing force on the section of the country which I in part represent. It is in this part of the country, Mr. President, where the Government's necessities are being provided at this time. I am told that 86 per cent of all the additional business—the $19,000,000,000 of additional business that is being done this year—is concentrated between Massachusetts and Virginia and east of Pittsburgh. Necessarily the Government requires a large amount of products, and requires them at once. We are doing everything we can to "jack up" the service, so that this product will be furnished. Why, one telephone message that I have this morning from a manufacturer states that the closing down of his mills—and two-thirds of their capacity is being used in manufacturing Government products—will result in a loss of $2,000,000 of product. In other words, in the case of the very things which we need, and need most, to prosecute this war, in that one instance there is going to be a falling off in supply on account of this order of more than $1,300,000.

I can not believe that this question has been suitably considered from every viewpoint. It illustrates the injustice that is likely to result from an order which seems to be right from one viewpoint, but which is made without taking into consideration the influences and effects it may have in various other directions.

I sincerely hope that some action will be taken by the Senate which will stay this procedure until the public has an opportunity to be heard. The Senator from Nebraska has well said that this action seems to be an excellent example of the failure to prepare for an emergency which was as apparent six months ago as it is now. Reasonable foresight would have made ample provision for the conditions which now prevail.

Mr. CALDER. Mr. President, it was my privilege last Saturday in New York to confer with the coal administrator of that State and with the representatives of Dr. Garfield temporarily in the city. The proposition first was to apply this order to the State of New York; but when we came to reason out the fact that practically everything going abroad comes through the "neck of the bottle" to the great port of New York we were able to convince the authorities that such a proposition would be the very worst thing that could happen to the country.

In New York City to-day, Mr. President, there are 300,000 children unable to attend school. Throughout our State at

least one-fourth of our industries are closed for lack of coal. This morning, by telephone, a New York shipbuilder—a man who employs upward of 10,000 men, all of whom are engaged in Government work—informed me that he has enough coal to keep his plant going for three weeks, and that under this order, as he interprets it, he will be compelled to shut down to-morrow morning.

I submit, Mr. President, that in April the Senator from Nebraska [Mr. HITCHCOCK] and myself introduced and had passed resolutions requesting information from the Federal Trade Commission relative to the supply of coal. We were informed at that time that it was simply a "state of mind" on the part of the people of the country. We were told that there was sufficient coal if people would not buy so recklessly. To-day a situation confronts us that convinces the country that those in charge of the Nation's business failed to apply ordinary business principles.

Mr. President, it seems to me that what we need in this Nation to-day on many of these commissions is men with business training, men who will plan in advance as men would plan to build a city, and then coordinate all the elements so that really effective work may be done.

Mr. President, this is perhaps one of the most serious orders that ever has been attempted to be put forth in the history of this Nation. I do hope that the resolution introduced may prevail, to the end that some information may be obtained before the order is put into effect.

Mr. POMERENE obtained the floor.

Mr. THOMAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Colorado will state his inquiry.

Mr. THOMAS. I wish to inquire whether the debate upon this motion is subject to the five-minute rule?

The PRESIDING OFFICER. The Chair knows of no rule that requires such limitation.

Mr. THOMAS. I did not understand the Chair.

The PRESIDING OFFICER. The Chair does not think debate on the resolution is subject to the five-minute rule.

Mr. THOMAS. Of course, I will accept the decision of the Chair; but I think the best thing to do is to pass this resolution and debate it afterwards.

Mr. STONE. That is true, Mr. President. It is best to pass it and debate it afterwards; but I have been sitting here in some wonderment to know who would speak on the other side, if there be another side, and tell the Senate authoritatively why this order was made.

Mr. LEWIS. Mr. President, I may say to the Senator, if he will permit me——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator froin Illinois?

Mr. POMERENE. Mr. President, I thought I had been recognized.

The PRESIDING OFFICER. The Senator was recognized, and the Chair understood that he yielded to the Senator from Missouri.

Mr. POMERENE. I will yield to the Senator from Missouri.

Mr. STONE. I beg pardon; I did not know that the Senator from Ohio had been recognized.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. STONE. Perhaps the Senator from Ohio can answer the question.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Missouri for a question?

Mr. POMERENE. Mr. President, I will make this answer to the Senator from Missouri: I shall speak this morning for myself and for no one else.

Mr. STONE. That is not any answer at all.

Mr. POMERENE. No; I realize it is not. I meant it in a courteous way. I was not referring to the Senator.

Mr. President, I regard this order as a calamity. I feel that at the present time there is no necessity for it. When it is shown to me that there is a necessity for it, I shall apologize for what I have been saying and what I may say.

I think I know something about the coal conditions in Ohio. We have enough coal in that State to last the people of our State until our grandchildren are gray-haired men, and yet our people in Ohio are suffering as perhaps the people in no other State are suffering, and in my judgment it is due to the way in which this subject has been handled.

As early as October of last year we had a severe cold spell in the State. The attorney general sent to me a list of 205 towns, 150 of which were without a pound of coal in the markets, and only a portion of the private consumers had any coal in their cellars. When I took this list with me to the Fuel Administrator's office and saw one of the subordinates, the chief not being there, I presented the list. It gave the names of the towns, the amount of last year's consumption, the amount which would be needed for this year's consumption, and the names of the mayors. I was then told that the conditions there were "exaggerated"; and I was told that by a man who, I think, knows as little about the coal supply in Ohio as I know about the coal supply in the planet Mars.

Later on, when I communicated with the office, giving information sent to me by telegram and telephone, some clerk, perhaps, or perhaps some errand boy would answer the telephone; and I have had little different experience several times when I was able to get in touch with some of those in authority. Later on, when I presented telegrams from chambers of commerce and from local fuel administrators, I was again met with the explanation that the situation was being exaggerated; and just recently I understand the coal administrator said the situation was "purely psychological." And now, with this "psychological" situation before him, he makes an order that is so drastic that even those who have a supply of coal on hand will not be permitted to use it. In the language of Virgil, "Wonderful to relate!"

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Georgia?

Mr. POMERENE. I do.

Mr. HARDWICK. Does the Senator believe that any such order as that is valid in law or can be enforced anywhere?

Mr. POMERENE. I have not examined the statute in the light of this order, but I dare say that it was not in the mind of any Senator or Congressman who voted for it that any such order ever would be made.

Mr. President, I want to point out what I think are a few of the mistakes that have been made in this connection. Before I go to that branch of the subject, allow me to say that within two weeks one of the biggest coal operators in this country, who owns 15,000 acres of the best coal land in this country, said to me in my office that this coal legislation had saved the day for the consumer, and that if it had not been for it he to-day would be paying from $25 to $30 a ton. And yet, after the orders were made fixing the prices—and I recognize the fact that it was necessary to make certain modifications of those orders as applied to certain places—it was not, in my judgment, necessary to raise these prices in certain localities as they have been raised.

Mr. TILLMAN. Mr. President, will the Senator from Ohio permit a remark?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from South Carolina?

Mr. POMERENE. I yield.

Mr. TILLMAN. I want to tell the Senator that if we paid $100 a ton in South Carolina we could not get a ton of coal, because it is not there, and the railroad from Dante, Va.—the Clinchfield, with many trains loaded with coal—gives as an excuse that it has not locomotives and can not bring it to South Carolina. It is a question of transportation.

Mr. POMERENE. I think that is true, perhaps.

Mr. TILLMAN. It is not "true, perhaps"; it is true. I know it from telegrams I have received from home.

Mr. POMERENE. It ought to be there, though. The remark demonstrates, in my judgment, the fact that it was not high prices that were necessary for increased production.

Later, though in my own city we formerly got coal at 90 cents a ton at the mines for our factories, during the last year they were paying five dollars and five dollars and a half a ton at the mines; and then, when a priority order was issued to the railroads for lake shipments, the coal operators gave as an excuse for not giving coal to the ordinary consumer that an order had been made to them to ship none save that to the lake region. It was not true, and the coal operators who made that statement knew it was not true when they made it.

Later, when we were all concerned about conditions up the Lakes, and there was an attempt to move coal to the Northwest, in order to take care of the good people in that section, nobody made any complaint about that in Ohio, as long as that order was reasonably carried out; but what was the situation? The coal was sent to the Lake ports when there were no vessels there on which to load this coal for the Northwest, and nearly every siding and every switch in the cities of Cleveland and Toledo and Sandusky were filled with cars loaded for the Lakes, and these cars were left there loaded in that way for storage purposes, while the people in my own State were suffering and the cars and the coal were needed elsewhere.

In the little manufacturing city of Alliance, on the Pennsylvania system, in the latter part of November there were 30 or 40 cars loaded for the Lakes right at the doors of one of our big

manufacturing plants. Those cars were there for 30 or 40 days, not moved, not emptied, and many of the big manufacturing plants there were obliged to shut down. Those cars could have been unloaded, sent back to the mines, and reloaded three or four times while they were standing on the siding in Alliance. It was not done. Schools were obliged to close down. The great Ohio State University was obliged to close down for several days because there was no coal. On the Chesapeake & Ohio Railroad one-half of their cars were on the tracks, loaded with coal and not moving.

Mr. TILLMAN. Whose fault was that but the railroads'?

Mr. POMERENE. It was the fault of both the operators and the railroads.

Mr. TILLMAN. They were in collusion, then.

Mr. POMERENE. Mr. President, while these cars were thus being loaded for certain places up in the Northwest, our people in Ohio were given to understand that there was not any coal for them.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Indiana?

Mr. POMERENE. I yield to the Senator from Indiana.

Mr. WATSON. Is it not a fact that a portion of that difficulty originated because of priority orders, as well as a law of Congress that permits the purchaser or the seller to designate the route over which the purchase shall travel?

Mr. POMERENE. Mr. President, I think it is true that a part of the difficulty arose from that particular cause; but not all of it. I think I can say that cars would have been moved to any locality that needed the coal if the request had come from the Coal Administrator.

I happen to have before me here an account of a shipment of a car of coal from the southeastern part of the State up to Cleveland and back to the mine again. From the time it was first loaded and sent to Cleveland and back again to another mine 28 days intervened. Twenty days one hour and thirty-two minutes of that time was lost when the car was not moving. It was, in fact, moving eight days one hour and five minutes. This car was traced by a newspaper man, who was sent out specially to note the time that it was moving and the places where it was left on the sidings along the road on its way to Cleveland and return. I do not care to go into the particulars of that.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Virginia?

Mr. POMERENE. I yield.

Mr. SWANSON. I understand the contention of the Senator from Ohio is that the priority order sending all these cars to the Northwest on the 30th of November unloaded so much coal there that they could not distribute it. I understand that so much coal was sent to a city that the wagons could not haul it for distribution, and that it was poured in there and delayed, and the cars were held up, instead of sending to the Northwest the coal that they could handle and distribute. Is that the impression the Senator has?

Mr. POMERENE. There were too many of the cars loaded with coal for the Northwest. I say too many because there were not vessels at the ports in which they could be unloaded, and that coal should have been distributed through the State of Ohio and elsewhere, and people would have been benefited by it.

Mr. SWANSON. I know; but the great difficulty in getting coal in Virginia, where a superabundance of coal is produced—more than the State needs—was because it was furnished elsewhere on account of this order. I thought at the time that the sending of the coal into one section where they did not have boats to carry it across the lake and did not have horses and wagons sufficient to distribute to the consumers in the cities, where it was loaded in freight cars that for days and days were unloaded, was unwise administration. If they had sent to the Northwest the coal that they could handle quickly and promptly, giving them the preference, and let the rest of the country be supplied, they could have handled it. Is that the impression the Senator has or of those who know?

Mr. POMERENE. I do not know that I followed the Senator. My attention was diverted.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. POMERENE. I yield.

Mr. KELLOGG. I should like to say, if the Senator from Ohio will permit me, that if the Senator from Virginia [Mr. SWANSON] refers to the port of Duluth as the Northwest he is entirely mistaken. There was a good deal of coal loaded for the Lakes that was going to Canada when our people could not get coal.

Mr. SWANSON. I do not know where it was going.

Mr. KELLOGG. There was a good deal of coal which was shipped to Canada that was not destined for the Northwest. There is a shortage of coal in Minnesota and north Wisconsin, and but for the heroic efforts of people up there to cut wood and send it out into the country where they have been using coal there would be a shortage now. You can not ship coal into the Northwest by rail; it never has been done; and you can not run a boat in the wintertime.

Mr. POMERENE. I realize the difficulties the State of Minnesota has had. It is true, as the Senator has said, that much of this coal was sent across into Canada. Just five minutes before I took the floor I had a telephone message from a very prominent man in Ohio, who said to me that he, the other day, had talked with a Canadian who had been in one of the large cities of Canada, and that they had coal there to last them until the middle of July, a good part of which came from Ohio.

Mr. GALLINGER. In this connection, has the Senator from Ohio any information that would throw any light on the subject from this point of view: While the shortage has been accumulating in this country, and it now has reached the acute stage, can the Senator tell us what amount of coal has been sent across the ocean and into Canada to supply the wants of people of other countries?

Mr. POMERENE. No; I do not have that information at hand.

Mr. GALLINGER. But undoubtedly it has been a very large quantity, has it not?

Mr. POMERENE. That is undoubtedly true; but it must also be borne in mind that there has been more coal mined in the United States during the last year than ever before in its history, running as much as eight to ten million tons per month in excess of what it has been in any other year.

Mr. GALLINGER. Which would indicate that if the matter had been carefully handled we would have had enough coal for our own use and a surplus besides.

Mr. POMERENE. Mr. President, when I know there is enough coal in our hills to last this country for centuries and enough miners to mine it, I can not be persuaded that there is any just reason why we should have this shortage at this particular time.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from North Dakota?

Mr. POMERENE. I do.

Mr. McCUMBER. I should like to ask the Senator whether or not there is a sufficient amount of coal now mined to take care of the needs of the people of this country if it could be properly distributed?

Mr. GALLINGER. And kept at home.

Mr. POMERENE. I do not know that I can answer the Senator exactly, save this, and I want to be perfectly frank. There was a time when the operators were not making proper efforts to mine their coal. That situation is different now, after they succeeded in boosting the prices of it. Then the complaint was that there was a car shortage, and I think there is something in that proposition now. If there were cars enough at these mines at the present time to take the supply that can be mined by the miners now at work, there is not any question about there being sufficient coal for everybody.

Mr. McCUMBER. Then it is more a question of transportation than it is a question of shortage of coal; a matter of moving coal rather than the mining of coal to-day.

Mr. POMERENE. At this particular time I think the Senator is correct. In Ohio there has been a very severe cold spell. They are lacking in motive power somewhat. But when I took the floor I did not expect to dwell so much upon the particular branch of the subject upon which I am speaking as to make this suggestion with reference to the particular resolution which has been presented by the Senator from Nebraska. It seems to me that from every point of view this order is an unwise one.

Mr. BORAH. May I ask the Senator a question?

Mr. POMERENE. Yes.

Mr. BORAH. If it is an unwise one, which the consensus of opinion seems to support, has the Senate and the Congress of the United States been reduced to such impotency as that it can do nothing else than merely request a Fuel Administrator to suspend it?

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Pennsylvania?

Mr. POMERENE. I yield.

Mr. KNOX. I was about to ask a question which may perhaps clear this up a bit. The resolution introduced by the Senator from Nebraska speaks of the fuel commissioner, and I notice the Senator from Ohio speaks of the Fuel Administrator. I should like to know whether there is such a legal office as either the fuel commissioner or Fuel Administrator. I know of none. I know of no act of Congress creating a fuel administrator or fuel commissioner. It seems to me it is almost undignified for the Senate of the United States to address a request to some one who was appointed by some other authority. Let us address our request to the authority that is exercising the power conferred by Congress, and the only authority that we have any direct relation to. I hope the Senator from Nebraska will alter his resolution so that it will apply to the proper authority which deals with the subject and preserve the dignity of the Senate.

Mr. POMERENE. Section 25 of the food and fuel act relates to the subject of coal and fuel, and under that the President was authorized to appoint an agent to carry out the provisions of the act; in other words, to administer it, and the name has been given to him of, I think, United States Fuel Administrator, as I now recall it.

Mr. KNOX. Just so, and undoubtedly under the law the various departments may appoint people to carry out the provisions of the law, appoint special counsel, and all that sort of thing, but when the Congress of the United States comes to deal with the subject and inquire why a particular thing is being done, or why a particular thing is not being done, it does not address its resolution to the clerks who are actually performing the work.

Mr. POMERENE. The order was issued by the Fuel Administrator, and it would seem to me with entire propriety he could be named.

Mr. HITCHCOCK. If the Senator will yield I have taken the liberty of modifying my resolution so as to make the title "Fuel Administrator." If the Senator will permit me to say it, it seems to me we are merely quibbling over an unimportant matter when we debate whether this resolution of request shall be addressed to the President or to the administrator. The fact is that when the administrator acts he acts with the full power of the President. He is not a mere clerk. He is vested with the power that Congress has placed in the President, and the thing for us to do is to cut red tape and get the request to him. He is the one who made the order. He is the one to grant the relief by a modification of the order.

Mr. POMERENE. Mr. President, I want to say just a word with respect to the policy of the issuing of this order. I speak particularly with reference to conditions in my own State. I know that a good many of our manufacturing plants have been obliged already to close down temporarily because they could not get the fuel. I know that certain interurban lines have stopped moving their cars and these interurban lines have been furnishing the electric power for many of the smaller towns and the electric lighting along the routes. They are without coal. There has been unusual suffering because of this very severe cold. The situation had begun to improve in Ohio until a few days ago. The cars were moving. The heavy snow interfered somewhat. It does seem to me that if there was just a little delay, and there was not any other human means by which to improve the situation, automatically some of the manufacturing plants would be compelled to close down. Why should an order be made compelling a manufacturing plant to close down that already had in its bins a sufficient supply of coal to continue its operations?

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from South Carolina?

Mr. POMERENE. I do.

Mr. SMITH of South Carolina. I had a long-distance phone from a manufacturing center in my State a few moments ago asking if this order would affect those manufacturing plants that derive their power from water. Through my office I made inquiry of the Fuel Administration what would be expected of those mills or those manufacturing plants that use water. The reply that was given to me was that, though they might not have any authority over water power, they would expect the plants deriving their power from water to obey this order to the letter.

Mr. REED. Who gave that?

Mr. SMITH of South Carolina. That was reported to me as coming from the office of the Fuel Administrator.

Mr. POMERENE. Mr. President, if plants are to be closed down arbitrarily, as they will be closed under this order if it is permitted to continue, I do not like to think of the psychological effect that it will have on the people in the country.

Mr. HARDING. Mr. President——

Mr. POMERENE. I yield to my colleague.

Mr. HARDING. There is apparently a confusion relating to priority. There is the priority of railroad service on the one hand, but my understanding is that the embarrassment relating to the coal situation is due to the priority order which goes to the operator directing him to supply coal to a certain consumer. I wanted to ask my colleague, who seems to know pretty well concerning the situation, if he has any knowledge as to what has been the determining influence or what reasoning these priority orders are based upon?

Mr. POMERENE. Mr. President, I do not think I can answer my colleague with exactness, except to say that I have gleaned this knowledge from my interviews had with the department: I know there was a desire at the department to supply the schools and the municipal and public utilities, and orders with reference to the movement of cars were made so as to accommodate those utilities and public institutions. Beyond that I have not been advised that there has been any priority order, so far as the furnishing of coal by the operators is concerned.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Florida?

Mr. POMERENE. I do.

Mr. FLETCHER. I inquire of the Senator if he has a copy of the order, or if he has the matter in such a shape as to be authentic? We might be engaged here in fighting a windmill, and we do not want to do that.

Mr. POMERENE. No. I was very much surprised at this order last night, and I have not had an opportunity to get the order.

Mr. FLETCHER. Some one ought to furnish the order and let us have the order read.

Mr. POMERENE. I am speaking of the effect upon the country at the present time. Now, let us just think of what the effect is going to be when some of these plants are closed down; plants that had a coal supply on hand, and their men are thrown out of work, and they are around on the street corners or elsewhere, not able to earn anything, and some of them not able to get the coal with which to keep their homes warm.

Mr. President, I recognize that we are confronted by a situation here which is very serious, and it does seem to me that if it becomes necessary in the future to issue an order of this kind some notice should be given to the public, so that the public may get its house in order. I hope that one or the other of these resolutions will be adopted.

Mr. LEWIS. Mr. President, when I arose a moment ago it appeared as if I did so in response to the inquiry from the senior Senator from Missouri. When he asked, Who is here to speak for the other side—for the administration? There was an appearance, from the fact that I rose spontaneously with that inquiry, as though I arose to assume with my presence that I was directed to speak on the other side of the resolution, "for the administrator," to use the words of the Senator from Missouri. Mr. President, I rise to speak a word or two, but by no direction of anyone, upon the authority of no one, and with no one other than myself, I trust, to bear the responsibility.

Mr. President, when the bill, and particularly section 25, was before this body for the authority which it conferred I said that we would be brought to the point where we must take charge of the coal mines. I said then, to the dismay of many of the distinguished Members of this body, that we would have to take charge of the coal mines as an agency of Government; that the time had come when we should do so upon the theory that the coal mines by nature were mere repositories of elements necessary to the public welfare and ought not longer to be held in private control.

That which has transpired and which has been alluded to this morning is clearly disclosing that the time has come when, under the circumstances surrounding us, this Government should take charge of all coal mines, proceed to supervise coal mining, to control it, and then supervise the distribution of the coal in such manner that no such conditions could be existing, which evidently is the justification for this order, remarkable as it is.

Mr. President, I think we are hastening with some degree of madness this morning. I can understand how any Senator, receiving, as I have this morning, scores and scores of telegrams in relation to this matter, can be aroused in behalf of the interests of his people and that he can readily appreciate the effect that this order must have upon the industries of the State for which he speaks. But there must be some reason for this order. The eminent Senators, both from Nebraska and Ohio, respectively, Senators HITCHCOCK and POMERENE,

say it came suddenly, without knowledge, without information. Mr. President, my mind addresses itself to this thought: There must have been some singular and unusual exigency suddenly confronting the Fuel Administrator and the President from which such an order could have been issued; there must be some unusual condition somewhere; there must have arisen suddenly some remarkable circumstance. Surely these men, the President and the Fuel Administrator, are sensible men; it can not be said they are unpatriotic men; it will not be charged that they are foolish men. There must be, sir, some reason so persuasive to their sense of patriotism and duty which called for this immediate action.

Is it not the expression of wisdom, instead of suddenly passing a resolution that on its face condemns what they did, that we pause to consider of them a moment from whom we might obtain information as to why it was done and give them some opportunity by which they may explain to these, the representatives of the Government, before we hastily, in a spirit of almost frenzy, pass a resolution that has for its tenor practically a condemnation of the action, without ourselves knowing the thing that brought it forth or the justification or reasons that might be advanced in its behalf? For myself I concede——

Mr. HITCHCOCK rose.

Mr. LEWIS. I yield to the Senator from Nebraska, who indicates a desire to interrupt me.

Mr. HITCHCOCK. The characterization of the resolution as unfriendly or antagonistic is certainly a great mistake. This resolution is in the nature of a mere request from the Senate; something which is very unusual. It might be made directory, but it is a mere request, and the reason it has got to be done suddenly is that the order has been suddenly issued and goes into effect to-morrow morning. So the request has got to be made at once. If the request goes to the fuel administrator, it is for him to decide whether he will grant it or not. If he grants it, then there will be five days in which he will hear from the country.

Mr. LEWIS. Mr. President, this resolution which has been tendered by the Senator from Nebraska, and which is characterized by the Senator from Idaho [Mr. BORAH] as expressing, what seemed to him, to be unanimity of view up to that time, at least, to condemn this order, makes only a request, it is true, that this matter go over for five days, and addresses that request of the Fuel Administrator; but if this resolution is passed to-day it will be read by the public in the light of the criticisms which have been made here in the speeches of Senators, and it should be; it will be read in the light of the condemnation expressed, and it should be; and it will be construed as an expression by the Senate of their approval of these condemnations which have been voiced by the respective Senators in support of the resolution.

If this order is without authority, it should be revoked; if it is without justification, it should be promptly withdrawn and reversed; if there are no reasons for it, then it should be condemned; but before action is taken something ought to be done out of ordinary courtesy, in due discharge of that civility which Members of this body are supposed to exhibit in their everyday conduct with common humanity, before we assume a course of action which, in the most ordinary affairs of life, would not have been undertaken by one man against another if they bore the slightest appearance of ordinary friendship, and, Mr. President, what Senators have termed here need of "coordination." It becomes a farcical observation while they in one breath speak about the necessity of coordination in the departments of the Government, and then give to the world the evidence that the Senate, the highest representative branch of the legislative department, has no coordination with the President of the United States in a patriotic duty called for by some public necessity. It will not do for Senators to stand before the country demanding that there should be cooperation, "somebody with responsibility," in order that there shall be execution without confusion, and yet give evidence constantly that in everything that is attempted one branch finds it always agreeable to dissent, to obstruct, to embarrass, to impede, to reverse, to repudiate, to condemn, and in such an instance as this, as I see it, without even a hearing to those of authority who have ordered the course put in effect.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. LEWIS. Certainly.

Mr. REED. Surely the Senator does not mean to say—and I am calling attention to it because I think he spoke inadvertently—that either branch of Congress has persistently objected and repudiated and refused to concur with the President. The Senator, I do not think, meant to employ language as broad as that. I think there has been a very ready concurrence.

Mr. LEWIS. Mr. President, it is my pleasure to say, in certain general war measures, that there has been a very general concurrence and cooperation by both branches in the general measures up to date. I refer, if the Senator will consider the connection, to the effect before the country. It will go forth that Senators can not consistently stand up here demanding "cooperation" and "coordination" and yet fail to recognize the impression they were leaving upon the country of no cooperation or coordination with the President of the United States or his administrative aids.

Mr. President, I do not know, Senators have not been informed, what were the particular conditions and emergencies which made this order necessary. I must assume that there were some; I must take it for granted that they were of a nature to justify it. I can not assume that so sudden an order, with the consequences which Senators here invariably say impend upon their constituencies and upon business, unless there had been some reason for bringing it forth so sufficient as to justify it. Let us find out what they are and let us ascertain from those having the knowledge before we go further.

Mr. GALLINGER. Mr. President, will the Senator from Illinois permit an inquiry?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from New Hampshire?

Mr. LEWIS. Yes, Mr. President; I yield to the Senator from New Hampshire.

Mr. GALLINGER. In view of the fact that on numerous occasions the President of the United States has called Congress to meet in the Hall of the House of Representatives to listen to his views on public questions—some of them of great moment, as I thought; some of them not of very great consequence—is it not a remarkable circumstance that, if this great exigency exists and this drastic action becomes necessary, the President did not follow his usual course and ask Congress to listen to his views on the subject before the order was issued?

Mr. LEWIS. Mr. President, I will say to the accomplished and learned Senator from New Hampshire that his inquiry is pertinent, and the reply that I shall make I think is one I can offer as a justification for my position. The Senator is correct that in the great exigencies of government, wherever they have arisen, the President has made it a practice to come before the Congress and explain the conditions and seek action from Congress, certainly seek cooperation. I take it for granted that the exception to which the Senator from New Hampshire alludes would not have arisen unless there were some emergency so sudden, some conditions so unusual, some circumstances so unexpected, that they did not give opportunity for such action on the part of the President. If such be true and upon such considerations this order was issued in such emergency, is it not the part of wisdom that we consider that the reasons must have been most effective, most weighty, and, therefore, instead of passing this resolution at this time, coupled with the animadversions which have been made, should we not consider that such circumstances must have existed and let this resolution go over one day, postpone it, as the rules require, for one day, within which time we may ascertain either from the Fuel Administrator or from the President what particular reason exists, and get from them such views as they may have, and give them such hearing as we would accord to the humblest executive official in any department of this Government before we would pass a resolution surrounded with such criticisms as those with which this resolution has been inflamed?

Mr. President, I do not intimate that Senators should not condemn; I hope that the time may never come when this body will feel so stifled by any form of influence that it will withhold condemnation from anything which it esteems as a wrong; but, Mr. President, I see Senators rise, as did the Senator from Nebraska and the Senator from New York, and intimate before the public that what is wrong is the lack of coordination. Lack of it where? I will admit there have been evidences where it has been absent. A war was suddenly precipitated upon us; our people were long accustomed to peace; a conflict without parallel was thrust upon us, and that we could have readily fitted ourselves to such circumstances in a moment, of course, is impossible, and that there would have arisen from time to time evidences of embarrassment is, of course, to be expected; but, Mr. President, I ask the eminent Senators if it would not be well that they allow us to have at the present time that coordination for which they have been asking? They are condemning, unless I misunderstand them, the attitude taken by the Fuel Administrator, who is one of the "responsible heads" of Mr. Hoover, another coordinate

head. In what way can you coordinate if men superior in position overthrow and destroy the work of every other department merely for differences of opinion?

What I feel, sir, is necessary is that we cease to assume that there is neglect on the part of the Government; that we cease proclaiming that we have failed in accomplishment, and turn our attention for a moment to the great things we have really done, contemplate the wondrous accomplishments this administration and which the Government at large have performed before the world.

Mr. President, I ask instead of this resolution being passed at this time that it go over for one day, that it be postponed for one day and then be taken up after Senators have become informed of whatever may be the reason for the issuance of the order.

Mr. SMITH of Georgia. That will be too late; the order becomes operative to-morrow.

Mr. WATSON. Mr. President, is the Senator from Illinois aware of the fact that the order is to go into effect to-morrow morning?

Mr. REED. Mr. President, will the Senator yield to me to make a statement?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. LEWIS. Yes; I yield.

Mr. REED. I think we ought, if possible, before taking action, to know all the facts that can be speedily learned. I am unwilling to pass a resolution on the instant unless that is imperatively necessary, for we might do an injustice; we might make a mistake. I appreciate the gravity of the situation, but I think we can at least wait for the matter of an hour. The Committee on Manufactures have been investigating, through a subcommittee, the question of the coal shortage. Dr. Garfield has been before the committee once and left really with the understanding that he would probably be asked further to testify. He is at the Capitol, and the subcommittee have arranged to have him appear within the next 10 or 15 minutes. We intend to inquire into the reasons of this order, and, if we are so fortunate as to get the Doctor before us and get through, we will try to get through and will report at once to the Senate. Then, the Senate will at least have before it his statement of his reasons. Is not that the better thing to do? I make that statement. We are going ahead with the investigation.

Mr. LEWIS. Mr. President, upon the statement of the Senator from Missouri, I renew—saying that it was not my purpose originally when I rose of being drawn into the discussion to the extent I have taken the time of the Senate—my motion that the consideration of this resolution be postponed at this time, and that it go over for a day. Senators may amend that to meet such time as the Committee on Manufactures feel may serve the purpose and will provide for giving a hearing to the opposite side in some way, a privilege we ordinarily extend to any department of this Government under other circumstances.

Mr. SMITH of Georgia. Mr. President, the adoption of the motion that the resolution go over for a day would largely defeat its purpose.

The PRESIDING OFFICER. If the Senator from Georgia will suspend a moment, the Chair desires to inquire whether the Senator from Illinois has made a motion that the resolution go over or be referred to a committee.

Mr. LEWIS. I do not ask that it be referred, but I ask that it go over until to-morrow morning, so that in the meantime we may obtain information, that we may then be able to take action without doing injustice to those who have not as yet been heard at all and against whom certain Senators threaten speedy judgment without voice or representation. I ask for the postponement.

The PRESIDING OFFICER. The Senator from Georgia is now recognized.

Mr. SMITH of Georgia. Mr. President, we have unanimous consent for the present consideration of this resolution, and it would be utterly unwise, in my judgment, to let it go over until to-morrow. This order goes into effect to-morrow. What we wish is to suspend the immediate operation of the order for further investigation; and, if the order must go into effect eventually, that the industries to be affected may at least have five days in which to prepare for this harsh treatment.

There are some of us who would not object to it going over for an hour, until the Senator from Missouri and his committee can hear Dr. Garfield; but, so far as I am personally concerned, I am ready to vote for it now. I want it passed regardless of what may be said, because I think the order of the Fuel Administrator should at least be suspended for five days, if it is finally to become operative. I think no condition or circumstance justifies such a sudden and complete interference with the industrial world. I can not conceive of an excuse for action without any notice at all, except that which comes from a 24-hour notice. I do not object, if the Senator from Nebraska desires, to having the resolution go over until 3 o'clock or perhaps half past 3, but I hope we will vote upon it and pass it with practical unanimity at a very early hour during to-day's session.

Mr. SIMMONS. Mr. President, I hope the Senate will not be precipitated into immediate action upon this resolution. I am not in favor of postponing it until to-morrow morning, for the very good reason assigned by the Senator from Georgia [Mr. SMITH], who has just taken his seat; but I do think that the suggestion of the Senator from Missouri [Mr. REED], the chairman of the committee which has been engaged in investigating this coal situation, ought to be adopted by the Senate.

Mr. President, I agree with the statement that has been several times made upon the floor of the Senate to-day that this order is a public calamity, that the effect of it may be disastrous to the business of the country and to the men who are working in the industries of the country. That, I think, is true; but that does not mean, Mr. President, that there is neither defense nor justification for this order. To my mind there is one justification for it, at least. If it is necessary that this order shall be issued and shall be executed to protect the people of this country, especially those who are herded into the large cities of the country, from freezing, then I consider that a condition exists which makes this order at least defensible and justifiable. I do not wish to see the industries of this country hurt; I do not wish to see this calamity to the industries of this country come upon them; but, Mr. President, the first and a higher consideration than that is that the people of America shall not freeze.

I do not know that any such condition confronts the country. I can not conceive, however, that the responsible people who have issued this order—for if it comes from the Fuel Administration, it comes with the approval of the President—have acted in this summary manner concerning this portentous measure without at least some reasonable justification for their action.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Nebraska?

Mr. SIMMONS. Just a moment. With such a condition as I say may confront this country, namely, the necessity of this order to protect the people in the great cities from having to endure the indescribable sufferings of cold—yea, from freezing, Mr. President—if that condition exists, if there is no other way to relieve against that condition except through this action, then we ought not to delay it or suspend it for five days, because, if such a condition as that exists, if this order is suspended for five days, the dire consequences of delay will have overtaken the people. Strong as are the appeals of business to me, the appeals of humanity are immeasurably stronger.

SEVERAL SENATORS. It is a mere request.

Mr. SIMMONS. I know it is a mere request, but it carries with it the sanction of the judgment of the Senate. I believe that before we take this unprecedented action we ought at least to give some time, some opportunity, that the man who has issued this order, with the sanction of the President, may be heard and may present to the Senate the considerations, reasons, and conditions which induced him to make this extraordinary order. We can then express our judgment upon the sufficiency of his grounds.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina now yield to the Senator from Nebraska?

Mr. SIMMONS. I do.

Mr. HITCHCOCK. I think it will be an easy matter to harmonize the various views here expressed. I obtained the floor largely through the courtesy of the Senator from Virginia [Mr. SWANSON], who had a matter which was coming over from yesterday. I am perfectly willing, if the Senate will grant its consent, to have this matter temporarily laid aside until the question that came over from yesterday, involving the reference of a bill, may be settled, providing the matter shall come before the Senate upon the settlement of this question coming over from yesterady, and in no event later than half past 3.

Mr. SWANSON. Mr. President, I would suggest——

Mr. THOMAS. I object, Mr. President.

Mr. KIRBY. I object to laying aside this resolution at the present time.

Mr. THOMAS. I object to the limitation. We want to be heard upon the motion of the Senator from Virginia.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. The Senator from Virginia.

Mr. SWANSON. I would suggest that under the rule——

Mr. SIMMONS. I understood that I had the floor. I yielded to the Senator from Virginia.

Mr. SWANSON. Under the rule, when the hour of 2 o'clock comes, this resolution will go to the calendar, will it not, being undisposed of?

The PRESIDING OFFICER. That would be true if there were any unfinished business before the Senate, but there is no unfinished business, and therefore the resolution will remain before the Senate until disposed of.

Mr. SIMMONS. Mr. President, I want to say that I shall feel constrained to vote for this resolution unless the Fuel Administrator can convince me, in the testimony that he is now probably preparing to give, if not giving, to the committee, that this order is made necessary by a condition which would be more calamitous to the people of this country that even the temporary suspension of business; but, Mr. President, I am not willing that the Senate should act until the Fuel Administrator has had that opportunity. If we can not in any other way secure a postponement until he has had that opportunity, I think probably we can entertain the Senate in discussing this and other matters until he does have the opportunity to make that explanation. At least, I shall try and see that no final action is taken by the Senate on the resolution until that time has been accorded.

Mr. KIRBY. Mr. President, I believe this resolution should be either defeated or withdrawn, and immediately. I think the conditions warrant the action, and it seems to me that the Senate has no right and should not attempt to review an order that was made by authority of law that we agreed to in the first instance.

Senators get up here and talk about this thing as being unprecedented and something that ought not to have occurred. No Senator is charged with the duty of this Fuel Administration, but there is a responsible agency that we have clothed with the power to look after this matter; and here comes an order from it, fully authorized, for this particular thing to be done, and what is asked by the Senate? Not that the order may remain in effect and be enforced; not that the people who are cold may be made warm; not that the 157 ships yonder in the port of New York that can not move without coal may be supplied with coal in order that they may carry the cargoes to our soldiers and allies from that congested port, where millions of tons of freight are already waiting to be carried; but delay only that the Senate may take time to investigate the conditions and ascertain whether the order is necessary. The condition exists. It is not relieved by the fact that in Ohio, as the Senator says, there is enough coal in place to warm the world. The same thing is true in the State of Arkansas. We have wonderful coal deposits down there, too; but the coal is not mined, and it is not in the hands of the consumer, and it is not reiieving the condition.

The Fuel Administrator has made this order, and is it to be supposed that he would have made this order for fun? The order has been made with authority, and we are without power to review it.

In the Military Affairs Committee an investigation has been proceeding now for about four or five weeks. I think it has proceeded as long or longer than it is proving beneficial. It probably was beneficial to begin with. It at least has been made and it has been very effective along some lines, but it developed there that the coal condition was bad. It developed there that we had no ships to carry our soldiers and our supplies beyond the sea because we had no coal.

Why could they not shut down the breweries? Why could they not shut down the automobile manufactories and let the coal go where it will promote the winning of the war or promote the interests of the Government in the conduct of the war? That is what several men before our committee have suggested who have been in high position and have made a survey of the resources of this country both in connection with the war and in connection with the fuel supply. That is what some of them suggested ought to be done. They suggested it yesterday and the day before in the Military Affairs Committee—men who are in touch with the conditions and who have made a complete survey of the matter. Do you suppose that the Fuel Administrator, who made this order with the consent and the approval of the President, had not all of this matter in mind, had not all the evidence of this necessity before him when this order was issued?

I am surprised that this sort of a resolution has been introduced in the Senate. The author of it says, "We want a responsible source of centralized power," but when we have a responsible source of centralized power, and that power, after survey made, has acted, then he wants a stay of five days to see whether he was joking about the matter or not, or whether it ought to have been done.

What will a delay of five days amount to? We have been four or five weeks already in the Military Affairs Committee. If it takes five days it will take a month to investigate this thing to the extent that some of them expect it to be done; and afer a while it will be warm weather, and after a while the war will be over and the United States will not have gotten into it. It is about time, when we have granted the power and the agency has acted and expects to do something that we see will be beneficial and will promote the interests of the Government in the conduct of the war, that we let the matter stand as it is, without any review of it and without any delay of it.

I believe this resolution ought to be withdrawn, or if it is not withdrawn it ought to be defeated, and without one minute's delay.

Mr. SHERMAN. Mr. President, I am not insistent that a vote be taken instantly on a matter of this kind; but this resolution is one that must be acted upon very expeditiously if we would delay the effect of the order which has been made.

I very much doubt whether the Fuel Administrator understands the entire reach of this action of his. If some action is not secured by passing this resolution, all the stocks of surplus coal now in the great manufacturing districts of the country can not be burned or converted into any form of useful effort indefinitely. The only sane application of that power, it seems to me, Mr. President, would be by a monitory proclamation that will give the manufacturing and producing interests of this country a chance, by a delay of some reasonable number of days—five days, I believe the resolution provides—to anticipate its enforcement.

Mr. President, I am sure that the Fuel Administrator does not know that thousands of tons of soft coal are piled up in the yards and convenient to the furnaces of the great manufacturing districts of the northern Mississippi Valley. I am sure, too, Mr. President, that the Fuel Administrator does not realize that between now and the 1st day of May 80,000 corn planters and 100,000 reapers must be completed and ready for the corn and small-grain belt of the United States, and that scarcely half of them are made to-day. I repeat what I said here some months ago, that 85 per cent of all the agricultural implements of the world are made within a radius of 200 miles, drawn from Chicago as a center. Of those 80,000 corn planters and 100,000 reapers not more than one-half are made to-day. A majority of all the output of the agricultural implements not only of the United States but of the world are made in the Rock Island, Moline, and adjacent country. They have enough soft coal to run for some time in their factories. They will be instantly paralyzed by this order to-morrow, and at midnight to-night their shifts of hands must cease operation, their furnaces must die, and their unfinished machines must lie idle on the workbench and in their factories.

That is the effect of this order, and by June 1, or earlier in the southern parts of the wheat-producing country, these binders will be needed. Harvesting begins in May in the southern part of the United States. I think they cut about that time in Texas, if I remember rightly, and the harvesting belt moves on northward, and these supplies must be delivered in due season in order to supply the demands of those who require them.

That can not be done; these agricultural implements can not be completed if there is even a five-day delay. If there should be a month's delay, it would be a public disaster. To-day in one area of Illinois more than 10,000,000 bushels of corn are in the field or shock, rotting. It is bad enough as it is, although that is not beyond control. A better season than we have expected might come; cars may be available; the orders issued here may not entirely confiscate grain in the hands of the elevator men, and it is possible that that situation may be relieved; but if, on top of that, you destroy half the output of implements by the agricultural factories, if you destroy the corn planters, the reapers, and the mowers that take care of the grain, the seeding, and the forage in due season, do you think we will raise a record-breaking crop of 3,000,000,000 bushels of corn next year that now is potentially in the soil if you will give the farmers a chance to raise it?

How can it be done if you cut off one-half of the supply of necessary implements? In the four great States that produce corn—Nebraska, Iowa, Illinois, and Indiana—in the great wheat-producing States, the winter wheat of the great west and southwestern area, how will they harvest the grain if you stop the production of binders?

This is no idle jest. This is no mere empty-sounding proclamation of some university professor. This means the crippling of our allies in Europe. It means the shortage of our food. It means the discouragement of the farmer, both for

corn and for the bread-producing grains of the country. It means the blockade of the manufacturer. There never was a more flagrant instance of the lack of knowledge of one to whom great governmental power has been delegated by the Congress than the issuance of this proclamation by the Fuel Administrator. He has never gauged where this will ultimately land and what its evil effects will be upon the manufacturing industries of the country. The Senate would be justified in delegating no more powers to the executive branch of the Government, or to an appointive officer, if this is an illustration of where and how it is to be used.

I know something of the manufacturing needs of the country, at least the part that is supplied by my own locality. I know, Mr. President, that this order, if put into effect, will be an unmitigated calamity. This resolution proposes a very mild remonstrance, a five-day limitation, merely five days in which these surplus stocks of coal may be consumed, and the manufacturing world may adjust itself to their necessities. Possibly by that time something can be worked out, but it at least possesses the elements of sane and constructive wisdom that we give the five-day limitation embodied in this resolution.

Mr. MYERS. Mr. President, I have long heard criticism of Dr. Garfield, the Fuel Administrator, on the ground that he did not do anything. It has come through the press and from the floor of Congress that he did not do anything. It has been claimed that he spent all his time in giving out interviews and issuing proclamations and giving advice to the people and that he accomplished nothing. Now he has done something. It has been claimed that nothing he did amounted to anything. Now he has done something that amounts to something, and what is the result? A storm of criticism and condemnation on the ground that he has exceeded his power and has acted unwisely. He is criticized now because he has done something.

Ever since I have been a Member of this body I have heard a great deal of complaint, constantly growing complaint, about the alleged encroachment of the executive branch of the Government on the legislative branch of the Government. It is a common subject of complaint in Congress. We hear it in this body nearly every day. Yet, it seems to me, there is a constantly manifested disposition of Congress to find fault with all departments of the executive branch of the Government, to criticize them and investigate everything that is done by the executive branch of the Government. To investigate and denounce other branches of the Government seems to be the hobby of Congress. It seems to me that there is a perfect hysteria of investigation of everything that is done these days by the executive branch of the Government and a constant disposition of Congress to criticize what the executive branch of the Government does, to find fault with it, and to claim that Congress knows better how the executive branch of the Government should discharge its duty than does the executive branch itself.

Congress enacted the law under which this order in question is made and conferred the power to do so upon the President of the United States, and he is exercising it. Now the Senate appears dissatisfied because he did what Congress authorized him to do. Reference has been made here to the fact that the powers of the different branches of the Government should be coordinated and exercised by one head. They are coordinated now and executed by one head, by the President of the United States, who is the Commander in Chief of the Army and Navy in time of war. This order of the Fuel Administrator was undoubtedly made with the knowledge and sanction of the President of the United States; in fact and in law, it is the order of the President, and I am not willing to assume that he has acted without thought or ample reason, or that he does not know what he is doing. I believe he knows his business better than we know it.

It has been asked here, if this order is unwise, is Congress so impotent that it can do nothing about it? If this order is unwise and valid, the only thing that Congress could do would be to repeal or amend the law under which the authority was exercised. If the order is invalid, the judicial branch of the Government is the only branch of the Government which has power to remedy or correct the abuse. Congress has no power nor right to usurp the functions of the courts nor to attempt to rectify invalid actions of the executive branch of the Government. Our Government is divided into three branches—the executive, legislative, and judicial—and each is supreme within its own sphere of action. If Congress will attend well to its duties, I believe the executive branch may be trusted to attend to its.

I have no great amount of fault to find with this resolution and none at all with the distinguished author of it, but it seems to me that it is only a part of the general disposition of Congress to find fault with and criticize everything that the executive branch does and to manifest a plain belief that Congress knows better how the executive branch should discharge its duty than does the executive branch of the Government itself; and Congress is not at all slow nor timid about saying so, although I doubt if anybody else agrees with it.

I believe, however, that the best disposition which could be made of this resolution is that suggested by the Senator from Missouri [Mr. REED], that it be postponed for at least a couple of hours, or I would suggest until 5 o'clock this afternoon, for that matter, in order that the subcommittee of which the Senator from Missouri is chairman may have time to investigate the subject and question Dr. Garfield about his reasons for the order, which I am sure the subcommittee will do in a fair way, and report to this body, and then let us act understandingly and know what we are doing. We should have more light before acting. Until then, I reserve my judgment.

Mr. GERRY. Mr. President——

The PRESIDING OFFICER. The Chair wishes to state the parliamentary situation, and then he will recognize the Senator from Rhode Island. The question before the Senate is the motion of the Senator from Illinois [Mr. LEWIS] to postpone the further consideration of the resolution until to-morrow. It has been suggested that that be amended so as to postpone its consideration until 5 o'clock. Does the Senator from Illinois accept that amendment?

Mr. LEWIS. After the observations of the Senator from Rhode Island [Mr. GERRY] I will make an announcement to the Senate. In the meantime I will confer with the introducer of the resolut'on and be able to respond.

Mr. HITCHCOCK. What hour did the Chair suggest?

The PRESIDING OFFICER. The Chair was simply stating the parliamentary situation, that the question before the Senate was the adoption of the motion of the Senator from Illinois.

Mr. HITCHCOCK. If the Senator will modify his motion to 4 o'clock, it will be satisfactory to me.

Mr. SIMMONS. I hope the Senator from Illinois will agree to that.

Mr. LEWIS. I am perfectly willing. My object was to defeat precipitate action. I am only anxious for the length of time necessary.

I am willing to accept the suggestion and to make my motion 4 o'clock and let it be pending at 4 o'clock.

The PRESIDING OFFICER. The question is on the motion of the Senator from Illinois to postpone the further consideration of the resolution until 4 o'clock this afternoon. Is that correct?

Mr. LEWIS. The suggestion I made is the suggestion of the introducer of the resolution.

Mr. HARDING. I do not wish to take the floor, but before the hour is agreed upon, if the resolution is to be effective it ought really to be disposed of by 4 o'clock. I have no desire to hasten consideration, but those who are familiar with industrial methods know that when quitting time comes at night the workmen in the various factories of the land get their instructions or their notification for the morrow. If the resolution is postponed until 5 o'clock——

The PRESIDING OFFICER. Four o'clock.

Mr. HARDING. I understand that 4 o'clock does not mean a vote.

The PRESIDING OFFICER. At 4 o'clock the resolution will be before the Senate.

Mr. HARDING. I understand that that means its disposition at a later hour, and there will be scores of factories throughout the country closed under the order of the Fuel Administrator and workmen sent home, who will not be expected to return to-morrow.

Mr. HITCHCOCK. I think the matter can be adjusted. There is now a motion before the Senate providing for the postponement of the resolution until 4 o'clock. Before that time speeches can be made, and when 4 o'clock arrives in all human probability we will be ready to vote.

The PRESIDING OFFICER. The Senator from Rhode Island will proceed.

Mr. GERRY. Mr. President, when I rose I understood the parliamentary situation to be that a motion had been made to postpone the resolution until 3 o'clock. Unanimous consent was asked and the Senator from Arkansas [Mr. KIRBY] objected. I rose to urge that the Senator would not insist on that objection, because I felt that the situation was such a serious one to the country at large, and also to my own State, that we should have the fullest information before we voted on the resolution. I am very glad that I misunderstood the parliamentary situation, and that now we are to hear from the committee the statement of Mr. Garfield as to why the order was made.

Of course, an order of this sort is bound to have a far-reaching effect, and while I yield to no one in a sincere desire to see everything done for our allies and for the carrying on of this war, I can not help but feel that an order so sweeping as this, which does not hold back the supply of coal for industries perhaps not absolutely necessary, but which touches all industries, is of such a character that at least the Senate of the United States is entitled to further information, and is within its rights when it asks that due consideration be given before the order goes into effect. I know in my own State how serious the coal situation is, how important is the work that it is doing for the armies of the United States and for the carrying on of the war. I appreciate how necessary it is to keep these industries going; and not only that, but also how essential it is to have the people know that the Government of the United States is acting wisely and for their interest and for the benefit of the entire country.

In a time like this, Mr. President, when the cost of living is naturally so high from war conditions, it means a great deal to the man in the factory if he loses his day's work. It means a great deal if many people are thrown out of employment. As the Senator from Ohio [Mr. POMERENE] said, that has a psychological effect on the entire country.

I do not believe that any step should be taken that in any way puts the people of the different great industrial centers out of work unless it is absolutely necessary for carrying on of the war; and if it is absolutely necessary for carrying on the war, then I know the people of my State will gladly and willingly make as great sacrifices as any people in the Union, for I feel that we are doing our share, and that Rhode Island bows to no State in its patriotism and in its desire to win the war.

Mr. McCUMBER. Mr. President, in its general aspect this subject is not a complex one. In the present emergency it appears to me to be quite a simple proposition. We will have two months of weather where it will be necessary to furnish coal to warm the people in the United States. Now, that is our first thought. The question, then, which appeals to most of us is this: Is there coal enough or is there transportation enough to furnish both the people in their homes with the necessary quantity and also to run every character of industry? If there is not, and if there is not a sufficient quantity of coal mined to supply these requirements, or if the railroads under their new management can not distribute what there is in sufficient quantities to meet the demand, then we are brought up simply to this one question: Shall the people be kept warm, or shall unnecessary industries be operated? As between the two I would have no difficulty in deciding that the theater and the moving-picture show and others of a like character could well wait; that even the manufacture and sale of automobiles could wait until the people have sufficient coal to keep their homes warm and fit to live in.

I shall hope that whoever has charge of this matter and who desires to postpone it until 4 o'clock this afternoon will ascertain whether it is possible with the present railroad equipment, even under the management of a dictator, to furnish coal to the people. If there is not enough for both them and the industries, it seems to me that we will have little difficulty in supporting what the Director or Coal Administrator has done so far. It is not a question of criticizing him for what he has done or what he has failed to do in the past. We are up against a situation, as I view it, and it seems to me that we have got to meet it, no matter whether the administration has run this arm of the Government skillfully or whether it has done otherwise. We can not wait to decide that. We must decide to-day, it seems to me, whether or not we will support an order to the effect that certain of the industries must cease operation until the people are assured of sufficient coal to last them during the winter.

Mr. HARDWICK. Mr. President, during the last session the legislation that conferred this power on the Executive was before this body. Certain Members of the Senate, on both sides of it, objected very strenuously, regarding the conferring of these powers as wholly unnecessary. But the Senate in its wisdom determined to grant these powers, and did grant these powers to the Executive of the country. Section 25 of the food-control act provides—

> That the President of the United States shall be, and he is hereby, authorized and empowered, whenever and wherever in his judgment necessary for the efficient prosecution of the war, to fix the price of coal and coke, wherever and whenever sold, either by producer or dealer, to establish rules for the regulation of and to regulate the method of production, sale, shipment, distribution, apportionment, or storage thereof among dealers and consumers, domestic or foreign.

Then provision is made that authority may be exercised through the Federal Trade Commission.

I can not find, on a somewhat cursory examination of the statute, where the President got the authority to appoint Mr. Garfield, although Senators who served on the committee and helped to frame this legislation insist it is somewhere else in the law; and it must be, since Mr. Garfield was appointed and is exercising this power under the President.

The Senate thought it necessary to confer these powers, and, exercising its constitutional function as a part of the law-making power of the Republic, it gave to the Executive this power. Personally I thought it was a mistake. Personally I do not believe it was necessary. Personally I voted against it. I do not believe that any one man, however wise or however strong, could possibly run the great business industries of this Republic with any degree of safety, satisfaction, or success, and I believe we had better rely on the ordinary processes of business and the ordinary methods of business to keep our country strong and adequate and able to successfully prosecute the war.

Congress, however, adopted the other view. It delegated this power—greater power, I think, over business than was ever before delegated in a free land in the history of the world—to the President of the United States. Now, when the President of the United States has exercised this power that we told him to exercise according to his own judgment and to his own discretion and to his own view of the situation, at its very first exercise we go to complaining, like a lot of schoolboys, without knowing the facts, without knowing what the necessity is for this order. It is not a safe thing to do. It is not a wise thing to do, and, if Senators will pardon me, it is not a patriotic thing to do.

If it was necessary to confer this power at all, and you said it was, certainly you ought not to complain at its exercise unless you are certain there has been abuse on the part of the Executive in the exercise of the power that we conferred.

The Senate, if this resolution is to be adopted, puts itself in a remarkable position. It humbly petitions an official it did not confirm, holding an office and not responsible to it, to postpone or revoke an order that he did not pass, except as the mere subordinate of the official whose agent he is.

Where we should legislate, we humbly petition; where we should command, we humbly beg, hat in hand.

There is no useful purpose to be served by adopting this resolution. If we were right when we passed legislation of this sort we must trust to the Executive to do the right thing or face the other alternative frankly and repeal the law. Why should this body petition a subordinate official of the Government, who has no legal existence, who does not hold an office created by law, but who acts as a mere agent of the President, to suspend or revoke an order that he has issued or has procured the President to make?

I say, in the first place, as a matter of correct procedure, if the resolution is to be adopted at all, if it is the judgment of the Senate that it ought to prevail, it should be directed to the President of the United States, to whom we delegated this power; to the President of the United States, upon whom we conferred this authority, and not upon some agent whom he has selected to help him in the exercise of his executive duties.

I say, in the second place, if we are going to pass legislation of this character, giving these people all sorts of power over the business and industry and the lives and the happiness of our people, when they exercise it it is useless as well as undignified in us to complain.

Some Senator has humorously suggested on this side that the proposition in a nut shell amounts to notice to the administration that if it does not quit enforcing some of these fool laws that we have enacted we will repeal them. That is about what it comes to.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The question is on the motion made by the Senator from Illinois [Mr. LEWIS].

Mr. SIMMONS. I understand the Senator from Illinois modified his motion.

Mr. LEWIS. I accepted the suggestion making the hour 4 o'clock, which, I understood, met the approval of the mover of the resolution, the Senator from Nebraska.

Mr. SIMMONS. That is satisfactory to me. I merely inquired if the Senator had modified his motion.

Mr. LEWIS. I am going to accept the suggestion for the purpose stated by the Senator from Nebraska, the Senator from Missouri having announced that there was a hearing proceeding.

Mr. HITCHCOCK. It has been agreed by us that the consideration of this matter shall be postponed until 4 o'clock, if that is agreeable to the Senate.

Mr. THOMAS. I merely wish to inquire whether the motion contemplates that the motion of the Senator from Virginia [Mr. SWANSON] shall be disposed of in the interim.

Mr. LEWIS. For myself I may say to the able Senator from Colorado that I have not comprehended the motion of the Senator from Virginia at all. That was not in the consideration of any motion I made.

Mr. THOMAS. Then I do not object to it. I do not think there will be time to consider the motion of the Senator from Virginia.

The PRESIDING OFFICER. The question is on the motion of the Senator from Illinois [Mr. LEWIS] to postpone the consideration of the resolution until 4 o'clock.

On a division the motion was agreed to.

NAVAL OIL SUPPLY.

Mr. SWANSON. Mr. President, I submitted to the Senate several days ago a motion to refer Senate bill 3521, introduced by me, in reference to the naval reserve oil lands, to the Naval Committee for consideration. I renew that motion.

Mr. THOMAS obtained the floor.

Mr. SMOOT. We had better have a quorum.

Mr. THOMAS. I yield for that purpose.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Utah suggests the absence of a quorum, and the roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	New	Smoot
Bankhead	Johnson, S. Dak.	Norris	Sterling
Chamberlain	Jones, Wash.	Overman	Sutherland
Culberson	Kirby	Poindexter	Swanson
Curtis	Knox	Ransdell	Thomas
Fernald	Lewis	Robinson	Tillman
Gerry	McCumber	Saulsbury	Townsend
Gore	McKellar	Shafroth	Trammell
Gronna	McNary	Sheppard	Wadsworth
Harding	Myers	Sherman	Watson
Hardwick	Nelson	Simmons	Wolcott

Mr. LEWIS. I desire to announce that the Senator from New Mexico [Mr. JONES], the Senator from Mississippi [Mr. VARDAMAN], and the Senator from Kentucky [Mr. BECKHAM] are detained on official business.

Mr. SUTHERLAND. Mr. President, I desire to announce that my colleague [Mr. GOFF] is absent from the Senate on account of illness.

Mr. RANSDELL. I desire to announce the absence of my colleague [Mr. BROUSSARD] on account of sickness.

The PRESIDING OFFICER. Only 44 Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators, and Mr. PITTMAN, Mr. POMERENE, Mr. SMITH of Arizona, and Mr. SMITH of Maryland answered to their names when called.

Mr. FLETCHER entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum of the Senate is present.

Mr. THOMAS. Mr. President, the motion of the Senator from Virginia [Mr. SWANSON] to refer this bill to the Committee on Naval Affairs, in my judgment, not only disregards all precedents hitherto observed but it also, if adopted, will deprive the Committee on Public Lands of its jurisdiction of one of the most important bills which has been or will be introduced in this Congress. I do not think that such a motion should be adopted by the Senate in the absence of some overpowering reason or necessity, and not then if it can be properly and fairly handled by the committee to which it ought to go.

We are doing a great many things nowadays, Mr. President, under the assumption that they are essential to the common defense and general welfare. No doubt many of these things are so in their nature and operation. On the other hand, human nature, which seldom changes, busies itself now, as ever, in assuming the shelter of a popular purpose for much proposed legislation which, appearing under such a title, only assumes to deceive. Scarcely a bill is now introduced but that a part of its title proclaims it as "an act to provide for the common defense and for the general welfare." Whether it be a bill to increase a pension or to remove the disabilities of some deserter who wants a pension; whether it be a new extension of our river and harbor system or for any other purpose, it is apt to come here disguised as an essential to the general defense and bound to promote the public welfare.

This bill in its essence would seem to be exempt from the criticism which I have just made; but when we consider the circumstances surrounding it and the fact that the immediate purpose is not that expressed in the title of the bill, I think it is subject to the ban. It does not provide for the common defense and the general welfare any more than other bills that have been introduced here affecting the public domain.

Why do I say that? First, Mr. President, because there is and there has been no intention on the part of the Secretary of the Navy and those who advise him to immediately develop these naval reserves, and if I were mistaken about that fact—which I am not—it would be scarcely possible, unless this war lasts much longer than we all hope it may, to carry these reserves, with the possible exception of reserve No. 1, to that degree of development which would make their stores of oil available in the present emergency.

Some time ago an oil man of experience and capacity, and who, notwithstanding that fact, is a patriot, suggested to the Navy Department the propriety of opening the reserve in Wyoming, the oil there being some 1,500 miles from the nearest seaboard, and exchanging it after production upon terms to be stated by the Navy Department for oil at the coast. He was told very vigorously, if I can judge from the way we treat witnesses now, and particularly in committee, by pounding a desk or table while you are propounding the questions, that no such proposal would be considered. This gentleman was informed that these reserves were designed to be kept practically in perpetuam or until the presence of some great emergency made it necessary to use them. They are to be conserved, preserved, and massaged for future generations. It was suggested by this gentleman that there was something of an emergency just at present before the United States, but the officials to whom he was referred, if judged by their actions, did not seem to think so.

I know of no greater emergency, Mr. President, that can confront this Nation than the one which now confronts it, except it be the day of judgment, at which time the oil in these reserves will be needed, if at all, for the cremation of those who in the final division are assigned to that portion of humanity denominated as the goats. [Laughter.]

If I am mistaken, Mr. President, about my assertion that there is no present intention of developing these reserves, I hope I may be corrected, because I do not wish in opposing this motion to base my opposition upon any fact or any situation which does not exist. If it be that these are reserves in perpetuity, how can the present welfare and common defense of the Nation be conserved by any provision or all of the provisions of this bill? If they can not, then what emergency exists which would justify our reversal of precedent and sending the bill to the Committee on Naval Affairs, instead of to the Committee on Public Lands?

The Senator from Virginia the other day, when he offered his motion, gave as an additional reason why the Senate should comply with his request that the bill should go to a committee that is friendly. He said:

> If the Senate is friendly to the protection of the naval reserves and desires them to be used for the benefit of the Navy, and it has the authority to refer bills to suit itself, the proper committee to have jurisdiction of the bill under the rules and precedents of the Senate is the Committee on Naval Affairs.

Mr. President, that is a new reason for departing from our customs and our rules. We must hereafter, if the argument is to prevail with the majority of the Senate, before referring a bill, in order to be consistent, ascertain what particular committee of the Senate is friendly to the measure, and, having so ascertained, then, without regard to the normal jurisdiction of committees, send it there.

I am quite willing, Mr. President, that this argument shall prevail here, providing that it be understood that we thereby set a precedent for the future. I have introduced several bills in this body, and thus far have not been very successful in securing their discussion.

If I might have sent them to a friendly committee, I might have secured an immediate favorable report. For example, for some time I was the chairman of the Committee on Woman Suffrage, and a number of land bills which I introduced could easily have been reported out and placed upon the calendar if they had been referred to that committee; but the idea had never occurred to me, until it was presented by the junior Senator from Virginia, that the mental attitude of a committee was a determining test for the reference of bills introduced here; and the very fact that the distinguished Senator resorted to such an assertion—I will not call it an argument, because the Senator does not do me the honor to be present during my discussion of his motion, possibly because its fate is already determined—involves the admission that the bill should be consigned to friendly hands if it were to be favorably reported. But the suggestion involves a sort of reflection upon the committee to which this bill should go; it carries an inference, at least, that the Committee on Public Lands is unfriendly to the bill. That I deny, Mr. President. Although I am not a member of that committee, I think I know in general the views which a ma-

jority of the members of that committee entertain regarding this bill. I agree with the sentiment which inspires many of its members and which is disposed to protect and conserve the interests and ownership of bona fide locations made by citizens of the United States, which are involved and imperiled by this proposed measure.

I might retort and say that there is not only no friendship for this class of men in the minds of a majority of the members of the Committee on Naval Affairs, but that their attitude is one of distinct hostility. If friendship for a bill is to be a controlling influence in the determination of a motion like this, it should not be a one-sided friendship, because otherwise not friendship but partiality would be the controlling factor. It is worse than partiality; it is prejudice as to some of the features of the measure and some of the interests to be affected by it. So that I hope the Senate, notwithstanding the fact that most of its Members are absent from their seats, will hesitate before they act finally upon an important measure of this sort for the reasons assigned by the mover of it and in its behalf.

It has been said, however, that this is not a bill which normally should go to the Committee on Public Lands, because it concerns naval reserves heretofore created by Executive order and for naval purposes. Why, Mr. President, the fact that the bill concerns reserves made and designated for a particular purpose certainly can not affect the broad question involved in the pending motion. Suppose that the President should to-morrow by proclamation set aside all of the spruce-timber lands on the public domain for the use of the aviation division of the War Department, would it be said that because of the purpose designed to be subserved by the reservation the Committee on Military Affairs would therefore be the appropriate one to consider either the question of the reservation itself or the rights based upon or growing out of it?

Once upon a time Congress either seriously considered or actually made—my memory is not clear as to which—a reservation of all public lands growing live-oak trees for the use of the Navy, the idea being to conserve that kind of timber for what was supposed to be an essential element of the public defense and the general welfare. I do not know to what committee that bill was referred, if indeed it was referred at all, but I am very sure that if then a Committee on Public Lands existed no one would have for a moment suggested that the bill should go somewhere else; and I may say in passing, Mr. President, that there was just about as much necessity for such legislation in the early days of the last century as there is at the present time for the creation of these naval reserves.

Neither is in anywise essential—I will not say "desirable"—but neither is in anywise essential for any purpose to be subserved by the Navy now or in the immediate future. If the case were otherwise, Mr. President, I would be the last man to stand here and waste the time of the Senate and of the public in opposing this motion.

However, this is not the time to discuss the merits of the bill, except in so far as that discussion is pertinent to the motion to refer. What does this bill propose to do? The first section declares:

> That the absolute title and right of possession to any oil or gas lands within the exterior boundaries of naval petroleum reserve No. 1 in California, as defined and established by Executive order dated September 2, 1912, naval petroleum reserve No. 2 in California, as defined and established by Executive order dated December 13, 1912, and naval petroleum reserve No. 3 in Wyoming, as defined and established by Executive order dated April 30, 1915, together with any oil and gas wells, machinery, equipment, appliances, and other property on, useful for, and incidental to the production, storage, transportation, refining, use, protection, and conservation of oil and gas on or in connection with said lands shall become vested in the United States upon the issuance from time to time by the President of an Executive order or proclamation to that effect—

And so forth.

I doubt, Mr. President, if a bill containing a clause at all analogous to the one to which I have just referred has ever been introduced in Congress. In one certainly, and in two probably, of these naval reserves are large bodies of land, the title to which belongs to private citizens, either individuals or corporations or both. They are as fully the absolute owners of their premises as, Mr. President [Mr. POINDEXTER in the chair], are you the owner of realty the title to which in the State of Washington stands upon the records in your name. They have acquired this property by an observance of the laws under which such title was derived; they have doubtless paid taxes, State, county, and local, upon it; but this bill, by an edict without precedent in the history of American or Anglo-Saxon legislation, by the proclamation of the President of the United States, proposes to wipe out those titles as absolutely and completely as though they never existed.

I assume from what the Senator from Georgia [Mr. SMITH] said during the discussion of yesterday, that he is rather inclined to favor the reference of this bill to the Committee on Naval Affairs. I want to inquire, now that he is in the Chamber, inasmuch as this bill by legislative edict proposes to destroy private vested titles in fee simple, whether he does not think there is something in the measure which justifies our resistance to the sending of it to a committee professedly so friendly as to justify the impression that it will be reported out at once for passage without amendment. The Senator from Georgia has been Secretary of the Interior in his time, and made one of the ablest and most competent officials who ever adorned that high position. I do not believe that in his wide experience in public or in private affairs he ever encountered a proposed measure containing such a provision.

But it might be said that the Committee on Public Lands has nothing to do with private titles; I concede that, for the sake of the argument; but there are other titles, Mr. President, not ripened yet into titles in fee simple, but titles that are descendable under the statute; titles which are taxable under the laws of California and Wyoming; titles, Mr. President, which have been acquired by citizens of the United States through a careful and religious observance of every requirement of the public law; titles which have been acquired through hardship and suffering and hazard of life and limb, through the expenditure of large sums of money, in the hope of finding treasure; titles recognized in the proclamation of withdrawal by President Taft, and entitled to protection, independent of such recognition, which this bill proposes to wipe out absolutely, without so much as giving the owner a hearing anywhere, except in the future, before the courts where the constitutionality of this measure must necessarily be tested, and which, in turn, involves renewed expense, delay, trouble, anxiety, and possible defeat.

The Senator from Virginia is an eminent lawyer; and I put it to him whether he ever before heard of such a thing as an attempt by a bill to wrest vested property from citizens of the United States, and, by the edict of the Executive, based upon the provisions of the act, to relegate that owner to the remedy of accepting what the Government afterwards sees fit to pay or going into the courts for the establishment of his rights. It is monstrous.

Mr. SWANSON. Mr. President, if the Senator will permit me——

Mr. THOMAS. I yield.

Mr. SWANSON. This bill provides the same procedure that is provided where steel is commandeered, where land is commandeered, or where any other property is taken by the Government. It is precisely the same method of procedure that Congress has authorized repeatedly, without any objection on the Senator's part, as far as I know. It is drawn as far as possible in such a way as to give to the Navy Department and the War Department all the usual powers to take private property for public use.

What does the bill provide? That the President of the United States—as was provided in the naval bill and, as I understand, in the military bill—can offer these people a certain amount of money for their property and their rights. If they see fit to accept it, it is paid to them. If they do not see fit to accept it, 75 per cent of the amount is paid to them in cash, and they have a right to go to the district court where the land is located, according to the law existing to-day, and have their rights litigated by the court.

I should like to ask the Senator why the people of these oil lands have any higher rights, any higher privileges, than people that have other property? We do not take from them anything that has not been taken from other people. We do not increase their rights, and we do not decrease them, under the law. I have always insisted, and I do not see why anybody else should insist further, that these people should be treated precisely like other citizens who own lands and have claims that the Government wants to take for public use. They should be paid, and this method of procedure is precisely the same method that is provided in other cases.

Mr. THOMAS. Mr. President, I must differ from my distinguished friend, much as I respect his legal erudition and his legislative experience. I concede that in times of war the Government may stretch out its hand and, for the existing emergency, seize personal property and occupy real property, and that it is the sole judge of the necessity prompting such action. But I deny that the Government has at any time in all its history, I deny that any State government under it has at any time in all its history, by legislative enactment declared that the absolute title to real estate held in private ownership

shall be vested by proclamation in the Government of the United States or in the State, as the case may be, and I defy contradiction of this assertion. I know that the Government has frequently taken property for its own purposes, but always through processes of condemnation, through a recognition of the right of the citizen to obtain, not the compensation which the President sees fit to offer, but the compensation which a commission or a jury shall determine after a full investigation.

Here, however, for all time, in the absence of any emergency justifying it, we propose in this bill to say by law that the premises of John Smith shall no longer be his premises, but when the proclamation of the President issues he shall cease absolutely to be an owner, and by virtue of the law and the proclamation his title is wiped out as completely as it would have been under the old common law under an act of attainder, the only difference being that the Navy Department, acting for the President, may offer a certain amount of money after it has taken this property without any hearing at all, and then say to the despoiled owner: "Take that or nothing, unless you can get more in the courts. If you deny the justice and equity of the price offered, take 75 per cent of it and litigate the remainder." In other words, he must take 75 per cent and spend it all, it may be, in litigating with the Government over the actual value of the property of which he has been despoiled and in waiting through the weary years that intervene between the institution of the litigation and its final determination in the Supreme Court of the United States.

Mr. SWANSON. Mr. President, if the Senator will permit me, all of this land belongs either to the Government or to private individuals. This bill provides that where there is an uncertainty, and where people have spent money that they might not have had a legal, technical right to spend, the President is authorized under the circumstances, even though the Government may have a right to the property, to pay them what it thinks right and proper under the circumstances. If those people see fit not to take that, then they go to the district court where the matter pends, just as they do when land is condemned for the Navy. We have seized land here and put the Government in possession, and afterwards fixed the price, and let them go to court to get the balance if they were not satisfied.

Mr. THOMAS. May I interrupt there? You were required before doing that to endeavor to come to a private agreement with the owner, failing in which you could take possession by making a deposit and then proceeding in court.

Mr. SWANSON. The Government proposes to do that, not only in this case, but it did it in the case of land in various places where navy yards were needed, where the land had to be taken at once. These wells are being operated frequently to the detriment of the Government. The Government needs the oil. The Government can not wait until the termination of long litigation to seize them and do this. The Government takes the property and leaves it to the courts to determine the title and the amount of value. That is all that is done. It is done in every other case.

Why should these people have any special privileges over anybody else? I can cite cases where it has been done for navy yards. The Government was put in possession and authorized to pay a certain price. If the owners did not accept it, the Government could pay them 75 per cent cash, and they went to the courts, precisely as in this case, and got more if the courts so determined. This is not a special case in that respect.

Mr. THOMAS. Mr. President, the Senator can not lay his finger upon a single act of Congress—if he can, I will vote to refer this bill to the Naval Affairs Committee—where the title to the real estate taken for navy-yard purposes was by legislative enactment and Executive edict declared to be in the Government of the United States. Every lawyer knows the proceedings to be followed in the exercise of the right of eminent domain: First, the public need which requires the condemnation; second, the attempt to arrive amicably and without litigation at an agreement as to value; third, the payment of that value before taking possession; fourth, failing to agree, then the deposit of a sum assumed by the court to be the fair equivalent of the value in the hands of the court itself for the benefit of the owner, followed by possession; fifth, the appointment of a jury or of a commission in an appropriate proceeding for the purpose of determining the question of value.

The Senator asks why these people should be treated better than other people owning other kinds of real estate. My complaint is that they are not treated as well, that they are treated far worse, that they are having their property confiscated in advance without their day in court; and the Senator overlooks the fact that much of this property is owned in fee simple absolutely, not a possessory right, but a right based upon the solemn transfer by the Government of the United States of its title to them because of their observance of all preliminary requirements.

Mr. SWANSON. If the Senator will permit me, when the appropriation bill was pending here at the last session, the Government was very anxious to get a naval base at Norfolk, without waiting for the title to be settled. In that appropriation bill, if I undersand it correctly, and I think I do, the officers of the Government were authorized to go and take possession of the land, which they did immediately, make an offer to the men that owned the land——

Mr. THOMAS. Exactly.

Mr. SWANSON. If they did not accept the offer, pay them 75 per cent of it——

Mr. THOMAS. Exactly.

Mr. SWANSON. And then, if they were not satisfied—the Government meanwhile being put in possession of the property, and the vested title being put in the Government—then if the people were not satisfied with what was offered they were entitled, precisely as in the case of this bill, to go into court and have a jury, as this bill provides, to determine the title as between themselves and other individuals and what was a fair price.

Mr. THOMAS. Mr. President, I am familiar with that particular legislation. It was opposed because there seemed to be no provision for ascertaining values in advance and giving the owner his day in court. I suggested during the discussion that, inasmuch as the bill provided for condemnation proceedings "according to law," and inasmuch as the statutes of the State of Virginia made provision for condemnation proceedings, the course to be followed was as required by those statutes. The senior Senator from Virginia [Mr. MARTIN] rose in his seat and made the statement that such was the fact; that these laws did exist; and that under them the proceedings would be instituted. The Senator's illustration is unfortunate for his argument, because it does not support it. On the contrary, it strengthens mine. I contend that never in the history of this country were titles confiscated by an act of the Congress, supplemented with an Executive edict.

Mr. SWANSON. If the Senator will permit me, this bill provides, if I mistake not, precisely as that bill provided——

Mr. THOMAS. The Senator is mistaken.

Mr. SWANSON (continuing). That it should be determined by the district court of the district where the land is located; but, anyway, that is a question that can be determined when the bill comes up on its merits. If it is thought proper to have the amount limited, or that the delay shall come in this matter after the value has been ascertained, whether that should be prior or later, is a very proper thing to discuss when the bill is considered on its merits.

Mr. THOMAS. I agree to that, Mr. President.

Mr. SWANSON. Whether it is wiser to put the title in the Government now or to wait until these condemnation proceedings have been conducted in the district court, and let the value be fixed, and then let the title be vested afterwards, is a question of policy on the part of the Congress; and, so far as that is concerned, it is a matter that is not very material. The Senator will have an opportunity to offer an amendment in that respect. The question here is, To which committee shall this bill be referred to finally dispose of it, perhaps to change the bill entirely by amendment, and to consider the disposition of the measure?

Mr. THOMAS. Mr. President, unfortunately the Senator from Virginia did not honor me with his presence during the first part of my discussion. During his absence I called attention to the fact that among the reasons assigned by him for disposing of this bill according to his motion was the assertion that it ought to go to a friendly committee, presupposing the Naval Affairs Committee to be friendly at least to the naval reserve side of the bill, and that the Committee on Public Lands was unfriendly to it. I wished to and did point out some of the things to which the committee would be friendly, which in my judgment should never disfigure any bill, whether referring to the public lands or otherwise. In saying that I make no possible reflection upon the good faith of the Senator or his capacity to draw the bill. I think that in his zeal he has overlooked a condition here which, when accompanied and supplemented by the friendship of the committee to which he wishes it to go, may result not only in great hardship, but even in the defeat of the bill itself.

It rather grieved me to hear the distinguished senior Senator from Minnesota [Mr. NELSON] a morning or two ago practically condemn all claimants to the right of possession under locations of any of the premises included within the boundaries of these reserves, forsooth because some scoundrel or scoundrels taking advantage of the letter of the law had defied its spirit

in making spurious locations. Mr. President, you can not possibly exclude the unscrupulous and the adventurer from taking advantage of activities produced by the energies and the expenditures of honest men and seeking to profit by them in the making of spurious locations. You can not exclude scoundrels from any adventure which honest men may have followed and developed to the point of profit. They are bound to use every possible method whereby they can enjoy some of the prosperity and the profits thus ensuing. But it is not right, Mr. President, because such individuals exist and are perniciously active, to condemn everybody connected with the same enterprise or engaged in the same line of business.

I have known professors of the Christian religion occasionally to fall from grace. I pretend to no particular advocacy of Christianity, but I certainly would not condemn an entire denomination because of the scoundrelism of some of its members, however prominent they might be. I have no right to speak for the Committee on Public Lands; but, knowing the men who compose it, I am justified in saying that not one of them wants to do anything to further the fraudulent schemes, the dishonest locations, or the fictitious claims of any man or set of men. But, thank God, they have not reached the point in their opposition where they are willing to include in their general condemnation the men who have honestly and lawfully and conscientiously taken advantage of the opportunities offered by the statutes of their country, and but for whose energies, risks, and expenditures there would be no naval reserves in the West or anywhere else. As the Senator from Utah [Mr. SMOOT] suggests, the Government would forever and ever have remained ignorant of the tremendous values concealed in the bosom of these desert hills, the outpouring of which is entirely due to the men who have incurred not only the displeasure but the suspicion of the officials of the Government of the United States, or many of them. It is absolutely wrong; it is unjust; it is cruel; and I predict here and now that if this policy continues the further development of the vast public domain of the United States will cease and its progress in settlement and in the opening of its resources will be permanently halted.

A little while ago some adventurous gentlemen, good citizens of my State, risked large sums of money in prospecting for oil in a region which had been condemned by the Geological Survey of the United States. They discovered a magnificent treasure of oil, and within less than 30 days the Government of the United States, through the Executive and by the advice and direction of the departments, withdrew this land from public occupation and development. I once heard a story of a woman who, aftering retiring, told her husband she thought she heard a burglar. "Well," he said, "my dear, let him hunt, and if he finds anything we will take it away from him." [Laughter.]

The Government of the United States is not a burglar, but it acts nowadays upon the husband's suggestion. It invites its citizens to explore the public domain, and if they find anything it then proceeds to take it away from them. If that policy had been followed in the good old days when Kentucky was a part of the Old Dominion, and in the days that followed our acquisition of the Louisiana Purchase, this magnificent Republic would still be confined in its population and energies to the Atlantic seaboard.

It was not a crime then, nor a disgrace, nor an act of treason or lack of patriotism, for men with their families to blaze the way through the trackless forests of the Mississippi Valley, to penetrate far beyond the fringe of civilization and of settlement, and redeem from the intolerant forces of nature that magnificent section of the United States upon which the Republic to-day depends for victory in this, the greatest war of the centuries. Thank God, there is one committee of the Senate which is still friendly and tolerant of that spirit which settled the West, and which, if left untrammeled, will furnish all the oil that this country and its allies need, even though this war should last for a century, the supply of which now is limited because of the restrictions placed by the Government upon its own resources. Do you wonder, then, that we feel that this measure should not take a course out of the regular order of references, but that it should go to the committee to which it naturally would be referred in the absence of the Senator's motion?

Mr. President, we of the West are very proud of the American Navy, even though we live in the heart of the continent, and many thousands of feet above the level of the sea. We entertain for it the same affection which inspires the distinguished member of the Naval Affairs Committee. We differ as to details, perhaps; but, nevertheless, our regard for this tremendous arm of the service is quite as extensive and as enthusiastic as that which prevails elsewhere. Within the past two or three years I have undertaken the pleasant task of vindicating the Secretary of the Navy from many of the aspersions cast upon him and at times when but few, if any, voices were heard from the members of the Naval Affairs Committee in his behalf. I mention this now merely to emphasize my assertion that I am prompted by no feeling of prejudice or disregard of the rights or interests of the Navy in asking that this motion be rejected.

I come now to another phase of the discussion.

Mr. President, this last naval reserve, if I remember the phraseology of the order, was created without any reservations whatever. This bill, if it becomes a law, will not only practically destroy by confiscation the possessory and fee-simple titles of individuals, leaving them afterwards to determine by court proceedings what they ought to get, but it will also destroy the interests which the public still have by virtue of express law in these reserves, without making any compensation whatever to them.

Mr. SWANSON. Mr. President, if the Senator will permit me, I think he is mistaken as to the main purposes of this bill.

Mr. THOMAS. I think not.

Mr. SWANSON. As I understand the bill, there might be an amendment to section 1 making an exception so far as claimants are concerned; but section 5 of the bill seems to entirely eliminate the impression that the Senator has in reference to the bill. Section 4 authorizes the President to compromise with all claimants in this naval reserve. Section 5 provides that in case of disagreement as to title or value the Attorney General is directed to start condemnation proceedings in the district court.

Mr. THOMAS. That is a conflict in terms. The bill says that upon proclamation of the President the Government shall become the absolute owner of everything personal and real upon these reserves.

Mr. SWANSON. And it becomes subject to condemnation proceedings; but an amendment could be inserted, and I would not object to it, providing that they shall lose the title except where there are disputed private claims. I have no objection to an amendment of that kind being put in, and letting the condemnation proceed as in other cases, if it is not already in the bill. I have always stated that these people were entitled to the same privileges and the same rights, no more and no less, that belonged to other people.

Mr. THOMAS. I think the Senator's contention is perfectly sincere. Unfortunately there is a vast difference between his contention and his bill.

Mr. SWANSON. There would be no trouble whatever except where there are private claims. An amendment could be made to the first section, and then those people would have the benefit of condemnation proceedings under section 5 precisely as they do in other cases.

Mr. THOMAS. Mr. President, of course an amendment of that kind would put a slight sugar coating upon the pill, but it would be extremely bitter nevertheless. The United States is a great country. We all love it. We love to speak well of it, but as a debtor it is one of the most dishonest institutions in the world. The Government does not pay its honest debts to its citizens, and every man and every woman within the sound of my voice knows that to be true. We can pass pension bills ad libitum, because the beneficiaries vote; we can erect public buildings in every little crossroads in the country, and by that means we can make capital for the next election; but when it comes to paying the claims of honest creditors the Government fights harder and longer than anybody. Even after the Court of Claims gives judgment for the citizen he must still run the gauntlet of the Committee on Claims and then of the Congress. He starts with abundant and rosy hopes, and he generally ends by burial in the paupers' graveyard.

It is all well enough to relegate these poor fellows to the tender mercies of a condemnation court. Of course, we will take that if we can get nothing better; but I protest, Mr. President, that it is not right to compel the citizens of the United States to follow such a course and then be dependent upon the charity of the Government as to what amount may be paid; and, as suggested by the Senator from Utah [Mr. SMOOT], many of these claimants have practically spent all the money that they had and all that they could beg, borrow, or steal in the effort to establish their claims and protect their reputations against the prejudices and charges of wrongdoing which the Government seems to make or to entertain.

Mr. SWANSON. I will state the information I have from the papers is vastly different from that.

Mr. THOMAS. I have no doubt of it.

Mr. SWANSON. The information I have is that they spent in all about $3,000,000, and have about $7,000,000 already of the aggregate claims there.

Mr. THOMAS. You can not judge a general situation by one or two instances. In the Cripple Creek mining district, in my State, there are 19,000 locations of so-called mines, and out of them less than 15 that ever paid a dividend. There are ownerships by a fee-simple title, ownerships by location and the observance of the requirements of the laws of the United States, but the vast majority of these other claims are held in and by virtue of that hope for values which is the constant inspiration of the prospector and of the miner, without which we would have no mining industry in this country. There are two or three owners of claims within the naval reserves who have made some money, most of which is impounded by the Government. But how about the vast army which up to this time have not been successful, many of whom would have secured oil long since but for governmental interference?

Mr. President, this is in some degree a digression, prompted by the Senator's criticism. My purpose, if I can, is to present the reasons why the Committee on Public Lands should have control of this bill and why the motion of the Senator from Virginia should be denied, and in doing that to draw attention to the contents of the bill which actually invoke the jurisdiction of that committee or at least fall under the purposes for which it was organized.

In the first place, let me say that these reservations are permanent, at least the one in Wyoming is permanent, if I remember the phraseology of the President's proclamation; but under the provisions of the only existing law on the subject, the Pickett Act, the President is authorized in his discretion to "temporarily withdraw from settlement, location, sale, or entry any of the public lands of the United States."

There is no executive power since the passage of that act to create a permanent reserve upon the public domain for any purpose upon earth. But by section 2—and I am indebted to my colleague for calling my attention to this—it is provided that "the lands withdrawn under the provisions of this act shall at all times be open to exploration, discovery, occupation, and purchase under the mining laws of the United States, so far as the same applies to minerals other than coal, oil, gas, and phosphate." In other words, under the law under which the last reserve was created, and I think all of them——

Mr. SMOOT. All of them.

Mr. THOMAS. The Senator from Utah says all of them—any citizen of the United States may go upon them and prospect for gold, silver, lead, cinnabar, zinc, copper, and no man has the legal right to say him nay. Upon these naval reserves that right exists, yet this bill proposes to destroy, without compensation, that right which inheres to-day in every man who claims an allegiance to this Government.

How can it be contended, in the face of such a condition, that the Committee on Public Lands should not have control of this bill? I am glad they are friendly to the prospector. To paraphrase the argument of my distinguished friend from Virginia, let me say the bill should go to a friendly committee, and friendliness to him is more important in this matter than any other consideration, for I must contend that there is no emergent condition confronting the Navy; that these reserves are not designed for immediate consumption; and hence there is no necessity for such drastic legislation.

Mr. President, I have talked longer against this motion than I expected when I took the floor. I believe, however, that its importance fully justifies the length of the discussion. It is a vastly important question, Mr. President, a bill which should not be treated in an extraordinary way in the absence of extraordinary conditions or extraordinary reasons.

The Senator from Virginia, of course, does not mean it, for he is incapable of doing such a thing intentionally, but nevertheless this motion I regard as a practical affront to the Committee on Public Lands. It is aimed directly at their jurisdiction and because of an assumed friendliness in some other committee it is to be taken from them and placed in alien hands; that is to say, in the hands of an alien committee. I do not know what vote the Senate will take upon it, but I believe that if the motion of the Senator from Virginia prevails we will create a precedent that will return again and again to plague us.

Mr. MYERS. Mr. President, yesterday the distinguished Senator from Virginia [Mr. SWANSON] used this language in the debate on his motion. I quote from the RECORD of yesterday's proceedings:

> The navy yard at Puget Sound was once public land subject to entry, and was set aside.

I am informed on the best of authority that the land embraced in the Puget Sound Navy Yard was not public land when that navy yard was established, and never was, except at a remote time, and that it was entered by entrymen, and became in that manner private land—privately owned land—long before that navy yard was established. It was not public land at the time the Puget Sound Navy Yard was instituted. The land for that navy yard was acquired by purchase or condemnation. Some of it had to be condemned. I am informed by the Senator from Washington [Mr. JONES] that those are the facts. So I beg to correct the unintentional mistake that the distinguished Senator from Virginia made.

Mr. SWANSON. The Senator is entirely mistaken about any mistake on my part. Of course it was once public land. The whole of the land in the Northwestern Territory belonged to the United States Government. It was afterwards segregated from the public land and ceased to be subject to public entry, but after it ceased to be subject to public entry it was no longer public land subject to the jurisdiction of the Public Lands Committee. My contention was that if the Senator's position is correct about this, if it had ever been public land what is no longer public land is subject to the Public Lands Committee, that if it has ever been public land the Public Lands Committee ought to take jurisdiction for all future time of anything affecting it.

Mr. MYERS. The mistake of the Senator from Virginia consisted in using this language, "and was set aside." Here is the language:

> The navy yard at Puget Sound was once public land subject to entry, and was set aside.

It never was set aside, I am informed. It passed into private ownership through entry under the land laws of the United States, and at the time the Puget Sound Navy Yard was established the land was privately owned, and it was acquired by the Government of the United States through purchase and condemnation.

Mr. SWANSON. Consequently the Senator thinks that the Naval Committee ought to have jurisdiction of land that was once public land, against private ownership, if it wants it for naval purposes. The Naval Committee ought to have jurisdiction, ought it not?

Mr. MYERS. In the case of a navy yard that has been once established by law and is being devoted to the exclusive purposes of the Navy, I think the Naval Committee ought to have charge.

Mr. SWANSON. That is precisely the case here. This was private land. The claimant entered upon this public domain and got possession of it as private land, and we ask to continue that private land in the naval reserve precisely as was done at Puget Sound.

Mr. MYERS. These possessory interests are not patented. There is no patented land.

Mr. SWANSON. They claim that they ought to be patented. They have no title——

Mr. MYERS. No; they have not.

Mr. SWANSON. If the Senator will permit me, they have no title unless it passes from the Government to themselves. This is private land that we are trying to take. We do not want to condemn public land, and the Senator has admitted that in the case of the Puget Sound Navy Yard, where it got into the possession of private individuals and the Navy wanted it, it ought to go to the Naval Committee. That is this case.

Mr. MYERS. Is any of the land in the oil reserve in California patented land?

Mr. SWANSON. There have been patents issued to some, and some of it is not patented. Some patents have been issued to the Southern Pacific Railroad, and other people have gotten patents.

Mr. MYERS. I do not understand that the Senator's bill intends to take away lands that are patented to the Southern Pacific Railroad.

Mr. SWANSON. We do; we condemn it. We take land for a navy yard or for any purpose. It seems to me the Senator admits that the Naval Committee has jurisdiction of this matter if he takes that position.

Mr. MYERS. No; I do not. I will ask the Senator whether most of the land in this reserve is patented land or unpatented land.

Mr. SWANSON. About 9,000 acres, I understand, are in contest as to whether a patent ought or ought not to issue.

Mr. MYERS. How much of it is patented land which is admitted beyond dispute to be properly patented and properly owned by the patentee?

Mr. SWANSON. I could not state the exact amount.

Mr. MYERS. There is none at all that I know of.

Mr. SWANSON. There are, I understand, thousands and thousands of acres of private land that the Public Lands Committee has nothing whatever to do with, that are not public

lands, that are not governmental lands, and it is the desire to have them condemned for naval purposes. What jurisdiction have you of private lands to determine whether the Navy should have them I have never been able to understand.

Mr. THOMAS. May I interrupt the Senator for a moment?

Mr. MYERS. Certainly.

Mr. THOMAS. There are in the naval reserve in California lands which are in private ownership under patent. There are also locations which are claimed to have been made by a strict observance of all of the legal requirements which are not patented, and which are, therefore, subject to entry. There are a few locations unpatented in the Wyoming reserve, but there is no patented land in that reserve.

Mr. SMOOT. Will the Senator yield to me for a moment?

Mr. MYERS. With pleasure.

Mr. SMOOT. The Senator from Virginia wanted to know what right the Public Lands Committee of the Senate had to deal with private lands as provided for in the bill. Section 4 authorizes the President to agree with any claimant or owner of any property taken under this act upon a division of land or the proceeds of operation upon any exchange of land without the naval petroleum reserve for lands within the reserve. In other words, the section provides that the actual owners as well as the actual claimants of lands within this reserve may select lands from the public lands.

Mr. SWANSON. If the Senator will permit me, in the first speech making this motion, I said there is but one thing in this bill which even by a remote construction the Public Lands Committee could get jurisdiction, and it was the provision which permitted an exchange of land inside the naval reserve where the President could satisfy claimants outside of the naval reserve upon lands which were public. In that phase of it I think that the Public Lands Committee and the Naval Committee would have equal jurisdiction. The exchange of lands inside the naval reserve the Naval Committee, I think, has jurisdiction of, but lands outside of the naval reserve the Committee on Public Lands has jurisdiction of. The committee could then probably take jurisdiction if that was all there was in the bill. But ninety-nine one-hundredths of the bill affects entirely the naval reserve. If the Senator takes that part which gives jurisdiction to the Committee on Public Lands I am willing to amend the bill and leave that out, so that you can consider the phase in connection with the exchange. I will offer an amendment to eliminate from the bill the provision that applies to an exchange of public lands. I am very anxious that you shall not have the least excuse for jurisdiction.

Mr. THOMAS. Does the Senator say he will offer it?

Mr. SWANSON. I say I will be very glad to eliminate it, so as not to give any idea that in the slightest way your jurisdiction was infringed upon.

Mr. THOMAS. Then the Senator consents to eliminate everything except the enacting clause?

Mr. SWANSON. No; because that is about what the Senator wants us to do.

Mr. THOMAS. Exactly.

Mr. SWANSON. Certainly that is what he wants done. They have been trying for years to keep the Navy from having this land for the proper use of the American Navy. I do not mean that the Senator is trying to do it; but there was a fight before he came here, and the question has been fought over ever since 1910, when the lands were withdrawn, whether they should be saved for the Navy or used for other purposes. I can understand well that the Senator and those that take his view of the case would be delighted to have all eliminated except the enacting clause.

Mr. THOMAS. If the Senator will permit me, I will say that is true. It is true, because I think I know better than the Senator from Virginia that the Navy does not need this reserve, or any of it.

Mr. SWANSON. So far as that is concerned, the Navy to-day——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Montana further yield?

Mr. MYERS. I yield.

Mr. SMOOT. I thought the Senator from Montana yielded to me.

Mr. SWANSON. No; he yielded to the Senator from Virginia.

Mr. SMOOT. No; the Senator from Montana yielded to me, and the Senator from Virginia interrupted before I concluded.

The PRESIDING OFFICER. To whom did the Senator from Montana yield?

Mr. MYERS. I do not remember, Mr. President; it was so long ago.

Mr. SWANSON. As the Senator from Utah is so impatient that he can not wait for others, I shall be glad to yield to him.

Mr. MYERS. I yield now to the Senator from Utah.

Mr. SMOOT. I simply wanted to conclude the statement I had started to make when the Senator from Virginia interrupted without asking permission through the Chair.

Mr. SWANSON. If the Senator will permit me, the Senator from Montana yielded to me first and he and I were discussing the Puget Sound Navy Yard when the Senator from Utah injected himself into the debate.

Mr. SMOOT. I addressed the Chair, and I assumed that the Senator from Montana had yielded to me.

Mr. MYERS. I am yielding to the Senator from Utah, and when he finishes his remarks I would like to have the floor a little while myself.

Mr. SMOOT. All I was going to add to what I said before was this, that if the position taken by the Senator from Virginia is correct, then the Public Lands Committee had no jurisdiction whatever over the Walsh bill unless lands affected were eliminated from a reserve. That bill was sent to the Public Lands Committee. The Senate acted upon it, the report was made, and not a word was said about the lands that were in reserves that were legislated upon under that bill. That is what I wanted to call the attention of the Senator from Montana to.

Mr. SWANSON. The Senator will take that as a precedent.

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Virginia?

Mr. MYERS. I yield.

Mr. SWANSON. When the Naval Committee made objection to disposing of the naval provision in that bill, it was gladly eliminated, showing that they thought the Navy ought to be considered in the disposition of the naval reserve. Now, if the Senator will take that bill as a precedent, the precedent is still stronger for the Naval Committee having jurisdiction of this measure, because that was eliminated from the bill, expecting this bill to follow.

Mr. SMOOT. I want to say to the Senator that there was no objection to the elimination from the Walsh bill, and the question as to where it should be referred never was questioned when referred to the Public Lands Committee.

Another thing I want to call the Senator's attention to is that the Public Lands Committee have reported time and again legislation affecting these very reserves. I want to say also, and I say it without a question of doubt in my mind, that the legislation would have been passed if the Navy Department and the Interior Department had not been at loggerheads over the question of the character of the legislation. The Public Lands Committee have always been friendly to legislation of this character. The statement which was made by the Senator from Virginia that the Public Lands Committee—and he did not say any particular member of it, but the committee—wanted to strike out all after the enacting clause of this bill does not apply to the majority of that committee. I am quite certain, as I said yesterday, if the bill was referred to the Public Lands Committee the committee would report the bill favorably to the Senate.

Mr. SWANSON. If the Senator will permit me, last year—I can not say whether by resolution or how it was done—the Naval Committee was requested for two weeks to make a full investigation of this matter, looking into the right and title of claimants in this naval reserve, and if I mistake not that committee was invoked by western Senators, members of the Committee on Public Lands, to see what action should be taken. Did they say we had no jurisdiction? Why did they ask us to investigate it if we had no jurisdiction?

Mr. SMOOT. I think it will be found that the resolution was introduced by a member of the Naval Committee and referred to that committee. It was never discussed in the Senate, and it referred only to titles of lands within the reserve. The question of the disposition of the land never was referred to the committee. If that had been in the resolution I have no doubt but what there would have been a question raised on the floor of the Senate as to its reference.

Mr. SWANSON. I think it referred to a bill introduced by a member of the Public Lands Committee.

Mr. SMOOT. If I remember it aright it was introduced by the Senator from Nevada [Mr. PITTMAN]. I am only stating now from my memory, but as I remember it it was introduced by the Senator from Nevada, and he, as a member of the Naval Committee, asked that it be referred to that committee, and nobody objected because it had no reference to the disposition of the lands. But this bill is for the disposition of the land, and whenever it comes to the disposition of public lands the measure ought to go to the Public Lands Committee or that com-

mittee ought to be discharged from the further consideration of public-land questions.

Mr. SWANSON. The Senator is entirely mistaken. These lands have been set aside for the exclusive use and benefit of the Navy by proclamation. This is a bill to allow the Navy to do what is its right as to refining oil, as to storing it, and as to what disposition shall be made of it, as the Navy sees proper. Does the Senator think the Committee on Public Lands knows better than the Naval Committee the amount of oil needed by the Navy, the amount for refining and for stores, and for everything that appertains to the Navy? These lands were set aside for the exclusive use and benefit of the Navy in 1912, and all we ask is that the Naval Committee may investigate and report as to the operation, as to the refining, and as to the storing and the disposition to make of it. As I stated, the only thing in which it affects the public lands outside of that is the privilege given the President to exchange lands of claimants in the Naval Reserve for lands outside, and I will ask that that be excluded, so that you can not have the slightest idea of any intrusion on your rights.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Utah?

Mr. MYERS. I yield to the Senator from Utah, and then I shall decline to yield further.

Mr. SMOOT. I wish to call the Senator's attention to the fact that these lands were withdrawn by a proclamation of the President for a naval reserve based upon what is known as the Pickett Act, and that authorized the President of the United States to only withdraw lands temporarily.

Mr. SWANSON. What did temporarily mean?

Mr. MYERS. Mr. President, I decline to yield further. I demand the floor for myself.

Mr. SWANSON. If it means that the President——

The PRESIDING OFFICER. The Senator from Montana is entitled to the floor and refuses to yield.

Mr. MYERS. Mr. President, I ask not to be interrupted during the remainder of my brief remarks. I am always glad to give a liberal latitude to other Senators for interjecting their speeches into the body of my speech, in order that their speeches may be read by the public, but I do not care to go too far in that direction, and I decline to yield further. I started out to show that the Senator from Virginia was mistaken, and I ask not to be interrupted until I have completed my exposé of his mistake. The Senator on yesterday said:

> The navy yard at Puget Sound was once public land subject to entry and was set aside.

There never was an acre of the Puget Sound Navy Yard set aside. At the time the Puget Sound Navy Yard was established there was not an acre of unpatented land embraced within its boundaries; every acre was patented land, and every acre was acquired by the United States Government by purchase or condemnation. That is my information from the Senator from Washington [Mr. JONES], who is acquainted with the facts.

As to this reserve in the State of Wyoming, embracing the land affected by the Senator's bill, there is not an acre of patented land. In California there is some land patented to the Southern Pacific Railroad, but the greater part by far of the land affected in the State of California is unpatented land. So there is no analogy whatever in the two cases, and the Senator from Virginia was clearly mistaken.

Now, this withdrawal of which so much has been said is based on the Pickett Act, and I will read the Pickett Act.

> *Be it enacted, etc.*, That the President may, at any time in his discretion, temporarily withdraw from settlement, location, sale, or entry any of the public lands of the United States, including the District of Alaska and reserve the same for water-power sites, irrigation, classification of lands, or other public purposes to be specified in the orders of withdrawals, and such withdrawals or reservations shall remain in force until revoked by him or by an act of Congress.

That is the first section of the act. It provides for the temporary withdrawal—only temporary—from settlement, location, sale, or entry of any of the public lands of the United States, and for reserving the same for water-power sites, irrigation, classification of lands, or other public purposes. Does that withdrawal make them cease to be public lands of the United States? There have been thousands and thousands of acres withdrawn from the public domain by executive order for water-power sites. Would any Senator claim that those lands withdrawn for water-power sites cease to be public lands of the United States; that the title is no longer in the United States; that the disposition and the use of the land is no longer under the control of the United States? Thousands of acres were withdrawn for forest reserves and other purposes, but they are still public lands of the United States. If the contention of the Senator from Virginia is correct——

Mr. SWANSON. Will the Senator permit me?

Mr. MYERS. Yes; I will yield for a question.

Mr. SWANSON. Did the Committee on Commerce take possession of the water-power bills?

Mr. MYERS. On navigable streams, but scarcely one of them runs through the public domain. The Senate Committee on Public Lands has taken charge of all bills that proposed legislation pertaining to the development of water power on the public lands of the United States. If the contention of the Senator from Virginia is correct, then that legislation, I suppose, would have gone to the Senate Committee on Irrigation and Reclamation.

Mr. SWANSON. I think the Senator is mistaken about the fact. As I understand it, where all navigable rivers were concerned the bills went to the Committee on Commerce that had jurisdiction of the subject. If the same analysis applies on lands belonging to the Navy, a measure affecting the Navy ought to go to the Committee on Naval Affairs.

Mr. MYERS. There are no navigable streams of any consequence running through public lands. If there be any at all, the proportion is negligible; it is inconsequential. Then, I suppose the Senator would have legisation for the development of water power on nonnavigable streams go to the Committee on Irrigation and Reclamation and leave the Committee on Public Lands without any jurisdiction over legislation for the development of water power on public lands. All the legislation for the development of water power on the public domain of the country has gone to the Senate Committee on Public Lands.

Furthermore, section 2 of the Pickett Act says——

Mr. POINDEXTER. May I ask the Senator just a question?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Washington?

Mr. MYERS. With pleasure.

Mr. POINDEXTER. I ask it to indicate a reason why such bills as he has referred to have been sent to the Public Lands Committee. Is it not a fact that there has been no committee on water power? If there had been a committee on water power, water-power bills would naturally have gone to that committee.

Mr. MYERS. That might be; and if we had other committees not now in existence a great many other bills might go to other committees than the committees to which they go; but bills for development of water power on public lands have all gone to the Committee on Public Lands, because it was clearly the proper committee under the rules of the Senate and according to the committees as they are now organized and exist.

Section 2 of the Pickett Act provides:

> That all lands withdrawn under the provisions of this act shall at all times be open to exploration, discovery, occupation, and purchase under the mining laws of the United States, so far as the same apply to minerals other than coal, oil, gas, and phosphates——

Showing that the Congress in enacting that law had in mind the plain and specific intent to retain within the Government of the United States the control of those lands and the granting of any privileges or rights or concessions in them; retained in the Federal Government the right to say what might and what might not be done with them and the right to preserve the interests of the public in them as a part of the public domain of the country.

SUSPENSION OF ORDER OF FUEL ADMINISTRATOR.

The PRESIDING OFFICER. The hour of 4 o'clock having arrived, under the order of the Senate the consideration of the resolution submitted by the Senator from Nebraska [Mr. HITCHCOCK], relative to the suspension for five days of the order of the Fuel Administrator, will now be resumed.

Mr. REED obtained the floor.

Mr. GALLINGER. Will the Senator from Missouri yield to me simply to have a dispatch read?

Mr. REED. Certainly.

Mr. GALLINGER. I submit, and ask to have read, a telegram, which I have just received, touching the question under consideration.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read the telegram, as follows:

> Hon. J. H. GALLINGER,
> *United States Senate, Washington, D. C.:*
>
> Our mills in your State have substantial Government orders. Garfield drastic order seriously affects the ability of the company to make deliveries of cloth to the Army. We strenuously oppose the order and appeal to you to remedy this national catastrophe.
>
> WM. M. WOOD,
> *President American Woolen Co.*

Mr. HITCHCOCK. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Norris	Smoot
Bankhead	Johnson, Cal.	Overman	Sterling
Beckham	Johnson, S. Dak.	Owen	Stone
Borah	Jones, N. Mex.	Poindexter	Sutherland
Brandegee	Jones, Wash.	Pomerene	Swanson
Calder	Kellogg	Ransdell	Thomas
Culberson	Kirby	Reed	Tillman
Cummins	Knox	Robinson	Townsend
Curtis	La Follette	Shafroth	Trammell
Fernald	Lewis	Sheppard	Underwood
Gallinger	McCumber	Sherman	Vardaman
Gerry	McKellar	Shields	Watson
Gore	McLean	Simmons	Weeks
Gronna	McNary	Smith, Ariz.	Wolcott
Hale	Martin	Smith, Ga.	
Harding	Myers	Smith, Md.	
Hardwick	New	Smith, S. C.	

The PRESIDING OFFICER. Sixty-five Senators having responded to their names, there is a quorum present. The Senator from Missouri will proceed.

Mr. REED. Mr. President, pursuant to the announcement made to the Senate a short while ago, the subcommittee of the Committee on Manufactures procured the attendance of Dr. Garfield for the purpose of learning his reasons for the issuance of the order, now under consideration, touching the closing of factories. It is due to Dr. Garfield that I advise the Senate that he came immediately upon request and in the most courteous manner answered the inquiries of the committee. I shall endeavor, and I hope without interruption, to present a fair epitome of the statement made by Dr. Garfield. I shall not object to interruption as soon as I have presented that digest of his statement. The testimony of Dr. Garfield is being transcribed, but only a small portion has been delivered, and so I am obliged to speak from memory. If in any respect I vary from an accurate statement, my associates upon the committee will correct me. I apologize to the Senate for making an oral report, but time presses, and there has been no opportunity to prepare a written report.

In substance, Dr. Garfield stated that the order as it appeared in the newspapers was substantially correct, but he produced a typewritten document, which he furnished to the Senate as the exact order so far as it has been perfected. The doctor stated that the order which had been given to the newspapers was in the nature of a brief of a more detailed order that is being prepared, but that it contained the substance of the completed order, with the exception that there should be added to the order the further statement that the various classes of consumers who are to be entitled to preference and who are indicated by what we call the initialed paragraphs of the order are all to stand upon the same level; that is, there are to be no priorities among those named in the initialed classes, to wit:

(a) Of railroads.

(b) Of domestic consumers, hospitals, charitable institutions, and Army and Navy cantonments.

(c) Of public utilities, telephone and telegraph plants.

(d) Of ships and vessels for bunker purposes.

(e) Of the United States for strictly governmental purposes, not including orders from or for factories or plants working on contracts for the United States.

(f) Of municipal, county, or State governments for necessary public uses.

(g) Of manufacturers of perishable food or of food for necessary immediate consumption.

The doctor stated that all of those classes stand upon the same level; that there are to be no priorities among them. He further stated that there were to be certain exceptions of industries from the order; that the only one absolutely determined on as yet was that shipbuilding was not to be taken as within the order requiring a shutting down.

Mr. ROBINSON. And airplane construction.

Mr. REED. I thank the Senator from Arkansas—and airplane construction; but that the Secretary of War and the Secretary of the Navy are each preparing an additional list of excepted industries. He further suggested that in a public hearing he had rather not be more specific, but indicated that the industries which were to be excepted were those which, in the opinion of the Secretary of War or the Secretary of the Navy, were immediately connected with the production of war supplies. Otherwise the order is to stand as presented.

Mr. VARDAMAN. He also stated that he reserved the right to enlarge the list.

Mr. REED. Oh, yes; he stated that the right was reserved to enlarge the list. I thank the Senator from Mississippi for the correction.

Dr. Garfield further stated that the order to close down would apply to factories possessing coal as well as to factories which do not possess coal, and that it was the policy of the administration to procure the closing down also of those industries which were operated by water power. He stated that he did not have authority under the terms of the law to compel that, but I think I can say that he said, or practically said, that it was the purpose to procure the closing down of all water-power factories; that that is the policy which is to be pursued.

The reason assigned was that if factory A happened to have a supply of coal on hand sufficient to operate for some time and factory B was dependent upon a supply of coal that was in transit and factory B was prevented from getting its coal by reason of this governmental order, it would be unjust to factory B to allow factory A to continue to operate; and that the same principle, namely, that it is unjust to allow one factory to operate that has the ability to operate while the Government takes an action with reference to coal supplies that stops other factories from operating, ought to apply to factories operated by water power as well as to those operated by steam obtained from coal.

The reasons assigned for the order were: (a)—I am stating them by paragraphs, not meaning that he stated them in the exact numerical order, but simply for the purpose of clarity.

(a) To prevent an increase of congestion at the ports or on the railroads leading to the ports of the country.

(b) To decrease congestion on other railroads in other parts of the country.

(c) To prevent inequalities between those factories which have coal and those factories which have no coal. I have already covered that.

(d) To recover from the coal shortage; that is, to permit——

Mr. BORAH. Mr. President, may I ask the Senator a question there?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. Yes.

Mr. BORAH. I desire to ask the Senator to restate the reason for closing so as to equalize opportunities in business?

Mr. REED. Well, that is my language, not the doctor's; I am trying to express his idea. It was:

(c) To prevent inequalities between those factories which have coal and those factories which have no coal.

(d) To recover from the coal shortage; that is, to permit coal production to go on and to restrict to a large extent coal consumption by stopping the factories. This is to be accomplished by continuing the work of the mines and by diverting the coal procured from the mines and the coal in transit to the preferential consumers in the order which I have already read to the Senate.

4. It is not proposed to take the coal from the factories now possessing coal and to use that coal to supply domestic wants. Neither is it proposed to take the coal from factories not in the preferential list and use it to keep the factories in the preferential classes running, but to allow the coal that is in the closed factories to remain unused; that is to say, the factories are to be stopped and the coal kept on hand.

5. Dr. Garfield bases his authority for this action upon section 1 and section 25 of the so-called Lever bill, which is now a law.

On inquiry, the doctor said he could not tell us how many factories at present were supplied with coal or how much coal was on hand in these factories; the information was lacking.

That, I think, is a fair statement of the testimony, without the argument, which it is impossible for me to reproduce from memory.

I will say now that, if any of my associates on the committee think there is any part of this statement that ought to be corrected or changed, I shall be glad to have their suggestions at this time; I am trying to make the recital as fair as I can.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New Mexico?

Mr. REED. Certainly; I am glad to yield to the Senator.

Mr. JONES of New Mexico. I shall not attempt to say that the Senator has not made a correct statement, and doubtless as full a statement as he contemplated making. I believe that there are some observations made by Dr. Garfield during the investigation which will be of value to the Senate; but, so far as the statement made by the Senator from Missouri is concerned, I think no reasonable objection can be made to it. There were, however, questions discussed to which the Senator has not adverted, which, doubtless, in the Senator's mind are not material, and I do not think it would serve any useful purpose for me to refer to them now; but, with the consent of the Senate, a little later I believe I shall ask the privilege of referring

to some arguments presented by Dr. Garfield, which have not been referred to by the Senator from Missouri.

Mr. REED. I have stated that there was some argument, back and forth, that I did not undertake to reproduce.

I may be permitted now, speaking for myself, to try and bring together the substantive statements of Dr. Garfield, and I want to do it——

Mr. VARDAMAN. Mr. President, if the Senator will permit me, before he begins another phase of the discussion, I think it but just to Dr. Garfield to say that, in response to a question propounded by me, he said that the purpose of this order was—first, to provide coal to prevent the poor men, women, and children of this country from freezing; and, second, to supply with coal our ships which are needed to carry freight to our allies across the water, but which are now lying in port and kept there because of a lack of coal. Those were the two cardinal purposes to be subserved.

Now, as to the argument, of course we indulged in a good deal of suggestion one way and another, but I think the Senator from Missouri has made a very candid and a rather full statement of the substance of what Dr. Garfield said.

Mr. REED. I endeavored to cover the points made by the Senator from Mississippi; he has, however, covered the subject better than I did. The purpose, Dr. Garfield says, is to clear the congestion at the great docks of the country. In substance, he was asked whether that could not be accomplished by merely stopping the shipment of goods to the great docks of the country without stopping the plants manufacturing the goods. I hesitate to try to give his answer to that. Perhaps one of my associates on the committee can do it better than I can; I confess that I did not get a reason that seemed to me to be a convincing one.

We inquired why the factories which had coal could not be permitted to run, and how stopping a factory not in the preferred list from using coal now in its bins increased the coal of those in the preferred list? The doctor, however, insisted that, as I have stated, if factory A had coal and factory B did not have coal and the Government by this order stopped the coal going to factory B, it was unjust to factory B to let factory A run; that all factories ought to shut down because some would be out of coal.

Inquiry was then made whether that was not making the general welfare of the country and the welfare of millions of wage earners subordinate to the financial or trade race between the owners of mills, some of whom happen to have coal while others have not. Dr. Garfield insisted—I think I can say he stoutly insisted—that that inequality ought not to be permitted. So far as I am concerned, and speaking for myself, I think the position most unsound.

There were, according to the census of 1914, 275,791 factories in the United States that were reported. I presume it is safe to say that that number is now considerably over 300,000.

Mr. LEWIS. Mr. President, had the Senator concluded his statement of all the reasons that were given by the Fuel Administrator?

Mr. REED. Yes.

Mr. LEWIS. I did not know the Senator had concluded.

Mr. REED. Yes; I had concluded that.

The total number of employees in factories in 1914 was 8,265,426. I think it perfectly safe to say that the number to-day is not less than 11,000,000. I base that statement upon other figures obtained at other times and from other investigations. If that is so, the total number of people dependent upon these factories, estimating 5 to an employee, is 55,000,000. If the number of factories to be affected by this order is one-half of the total factories—and I am confident the proportion is much greater—then there will be directly affected by this order as to their livelihood or income approximately 30,000,000 people. I am referring now to the wage earners in the factories. If the wage earners who are directly affected are 5,000,000 in number, and if they earn $3 a day each, and if they are put out of work for 15 days, that is a loss of work equal to one day for 75,000,000 people, which, at $3 a day, will make a loss in wages alone of $225,000,000. The value of the product compared with wages in 1914 was approximately 6 to 1; and if we apply that ratio, we have a loss in the value of the product of these factories which would amount to $1,350,000,000.

But this applies only to the wages of the men in the factories for the total period of time—15 days. There is consumed in the manufacture an enormous amount of raw materials. Out of the $24,000,000,000 of manufactured product in 1914 the raw materials were worth $14,000,000,000. The very large number of men employed in producing those raw materials I am unable at this time to estimate; but the wage loss alone by virtue of the stoppage of the industries of this country under this order, according to the best estimate I am able to make on short notice, will be not less than one and a half to one and three-quarter billion dollars.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New Hampshire?

Mr. REED. I do.

Mr. GALLINGER. In view of that enormous loss to the wage earners of the country, what condition are these people to be in to purchase coal to keep them warm, admitting that there is coal to be bought?

Mr. REED. There are some questions that the Senator can ask me that I am unable to answer, and that is one of them.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. I do.

Mr. VARDAMAN. In answer to that question, the Fuel Administrator said that as this measume was a war measure and was in the interest of the United States and all of its people, he indulged the hope that the losses would not all fall upon the laboring men who were put out of employment for the five days, and that the factories would bear a part of this loss or give them wages during the time of their enforced idleness.

Mr. REED. Yes; he said more than that—that he thought it was the duty of the factory owner to keep up the wages as part of his sacrifice. I called his attention to the fact that even if the factory owner paid the wages of the men, thus preserving them from direct loss, still the production of the country would be decreased and the economic loss to the country would be equal to the total value of the goods that would have been produced, less the cost of production. Attention was also called to the fact that those products were essential to the economic welfare of this country, and that upon our economic condition depended our ability to carry on the war; that it is a war, as we sometimes have been told of coal, sometimes of steel, sometimes of ships, and more frequently of money; but, as a matter of fact, it is a war of resources; that when we shall have stopped millions of men from working and hundreds of thousands of factories from running we will have inevitably reduced the aggregate of our national resources. Attention was called to the thought the products of these factories are probably worth hundreds of times the value of the coal that may be saved.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to his colleague?

Mr. REED. I do.

Mr. STONE. The Senator from New Hampshire asked how this order would help the working people, if their wages were cut off, in securing coal to warm their homes, if there was any coal to be had. It is the last point in the Senator's interrogatory that struck me as a point that ought to be thought of at this juncture—if there is any coal to be had.

As I understand, the purpose here is to provide coal. One trouble, as we are told daily, is that there is not a sufficient amount of coal to be had. Now, shutting off wages is one very serious interference with procuring coal, undoubtedly; but, on the other hand, if the supply of coal that may be utilized is vastly increased, I think the one at least should be set off against the other.

Mr. REED. Mr. President, there is wisdom in what both of the Senators have said, but here seems to me to be the difficulty: It is not proposed by this order to produce a single pound more coal than is now being produced. It is not proposed to take the coal now on hand in the factories not in the preferential list and use them to run the factories in the preferred list. Neither is it proposed to turn these coals over to heat the homes of the people. It is only proposed to let these coals lie idle and deprive hundreds of thousands of people of work.

I stated in substance to Dr. Garfield that the order could be so limited as to give every preference in the distribution of coal desired, so that the coals would go to the exact places where the fuel administrator proposes to send them, thus giving to the householder all the coal that he will get under this order, giving to the munition factory all the coal it will get under this order, and giving to the railroad all the coal it will get under this order, and yet no single factory burning coal be required to shut down. That such a modification would save the closing of the hundreds of thousands of factories that have coal, and I asked him why these factories should be compelled to shut down. I especially asked why we should shut down the water mills? Why should the whole business of the country be halted, and all the wage earners be turned out of employment, because some factories may be out of coal?

Mr. NORRIS. Mr. President——

Mr. REED. Just a moment. I make for the present no quarrel with the proposition of giving preferences in the distribution of coal, but I can not see why the factory that has coal should not continue to operate, in view of the fact that it is not proposed to take that coal and distribute it to other factories or among freezing people. Above all I can not see why, for the purpose of preserving theoretical equality in the race for profits between manufacturing plants, we should stop the water mill because the coal is exhausted in some particular coal-consuming plant.

The Senator from Nebraska has risen. I yield. I was about through.

Mr. NORRIS. I wanted to ask the Senator whether Dr. Garfield gave any information, or, if he did not, whether the Senator has any information that he can give to the Senate, as to what proportion of the mills and factories affected have coal now, so that they could run?

Mr. REED. The Senator was not here when I made the statement that Dr. Garfield had stated to us that he did not have that information, either as to the number of factories or as to the amount of coal on hand.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. REED. I do.

Mr. POMERENE. What reason, if any, was given for having this order go into effect on only 24 hours' notice?

Mr. REED. We did not ask the question.

Mr. VARDAMAN. Mr. President, Dr. Garfield stated that this matter had been under consideration for several days or weeks; that the matter had been carefully worked out by himself in conjunction with other departments, and I presume he thought it was right and proper.

Mr. REED. I can throw a little light on that, Mr. President, because Dr. Garfield said that the reason the excepted factories were not specified in the order, and the reason he did not want to give them out now, was that the Fuel Administrator would be besieged by others seeking to be excepted. I think the fair inference is that they gave out the order on short notice because they wanted to get it into execution very promptly.

Mr. THOMAS. Mr. President, I should like to inquire if Dr. Garfield was interrogated as to the power which he possessed under the provisions of the Lever law, to which he referred, to shut down the operation of factories running by water power?

Mr. REED. In answer to the Senator I would say that he was asked, and he stated that he thought the power was contained in sections 1 and 25 of the Lever bill; but we did not go into any legal argument.

We knew that the Senate was practically waiting, and therefore we simply took his statement as to where he found his power, without further argument.

Mr. VARDAMAN. Mr. President, if the Senator from Missouri will pardon me, he misunderstood the Senator from Colorado. Dr. Garfield was asked about the power to interfere with the operation of a water mill, or a mill operated by water power, and he said he had no authority under that act, but that he was going to appeal to them upon grounds of patriotism.

Mr. REED. Did the Senator from Colorado limit his question to water mills?

Mr. THOMAS. Yes.

Mr. REED. I did not so understand, and am obliged for the correction.

Mr. THOMAS. If the Senator will permit me, I have not read the law for some time; but if my recollection serves me correctly, I do not think there is a word or a phrase in it to justify an order like this in its application to mills run by water power, because such an order can conserve nothing.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from West Virginia?

Mr. REED. I do.

Mr. SUTHERLAND. I should like to ask the Senator from Missouri whether any statement was made by the Fuel Administrator as to whether plants using natural gas were included in these regulations, and also plants using hydroelectric power?

Mr. REED. The questions were not asked him, but I take it that if it is intended as a matter of policy to, in effect, apply this order to water mills, it probably would include natural gas, hydroelectric power, and everything else.

Mr. KNOX. Mr. President——

Mr. REED. I yield to the Senator from Pennsylvania.

Mr. KNOX. I wish to ask the Senator from Missouri specifically whether or not Dr. Garfield indicated the language in section 1 and the language in section 25 upon which he relied for authority to issue a notice to prevent manufacturers from burning coal that is already within their bins?

Mr. REED. I ought to say, in fairness to Dr. Garfield, that we were approaching the end of our inquiries. We found it necessary to come to the Senate. I therefore asked him to indicate the sections on which he relied. He said that he thought the power was lodged in section 25 and also in section 1, a part of which he read. I think I said to him in substance: "We have not time, Doctor, to go into the legal argument. I want to know the clauses of the bill on which you rely"; and he stood upon that statement.

Mr. VARDAMAN. Mr. President, if the Senator from Missouri will pardon me, we find the authority upon which Dr. Garfield relies in the last three lines of section 1:

> The President is authorized to make such regulations and to issue such orders as are essential effectively to carry out the provisions of this act.

It is a general power.

Mr. KNOX. Mr. President, I only wish now to indicate that so far as I am concerned I have examined this act with a very great deal of care since this resolution was introduced this morning. I find nothing, especially nothing in the lines that have just been read, that indicates that this act ever contemplated that an individual was to be prevented from using his own property for his own purposes. As to section 25, I have read and reread that, and I find that the regulations which the President is authorized to make there and which apply to distributors and salesmen of coal, extend only to the production and the sale and the shipment and the distribution and the apportionment and the storage thereof.

I should like to ask just one further question, and that is, Did the doctor indicate that he had consulted the Attorney General or anyone else in connection with the making of this order?

Mr. REED. We did not ask that question. The Senator will understand that we were hurrying. We did not ask him whom he had consulted. I think I might say that we did not think it best, perhaps, to go outside of an inquiry with reference to what the Fuel Administrator had done in his own name.

Mr. KNOX. For myself, I rather think that a million German soldiers turned loose in this country would not create the havoc that this order will create if enforced.

Mr. McCUMBER. Mr. President, will the Senator permit me to ask him a question before he yields the floor?

Mr. REED. Certainly.

Mr. McCUMBER. I want to know whether it is the Senator's opinion that Mr. Garfield could not be induced to modify that portion of the order which prevents competing industries, we will say, from carrying on their business where they have the coal or the water power to carry on their business?

Mr. REED. Mr. President, the only answer I can make to that is that the principal part of the examination centered around that question. I think the most of the time was consumed in a sort of an argument between the members of the committee and Dr. Garfield upon that question. I think I can say, in all fairness to him, and I think he would desire me to say, that he very stoutly maintained that all ought to close if one was required to close.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator from Missouri if an analogy to that proposition would not be found if the Food Administrator to-night should issue an order that nobody living east of the Mississippi River should eat anything for the next week? Would not that be about the same method of curing the evil?

Mr. REED. Mr. President, in all matters concerning the Food Administration, I beg to be excused from even the appearance of criticism by indulging in what might be regarded as the odium of comparison. [Laughter.]

Mr. HARDWICK. Mr. President——

Mr. REED. I yield to the Senator from Georgia.

Mr. HARDWICK. Is it the opinion of the Senator from Missouri that if we pass this resolution it will do any good?

Mr. REED. I hope the Senator from Georgia will pardon me for not answering that question. Let me conclude and yield the floor to others.

I was speaking of the extent of an order of this kind. The capital invested in manufacturing industries in 1914 was nearly $23,000,000,000. I think it is safe to say that that has been enormously increased since then. The yearly value of the products was then over $24,000,000,000. I think it safe to say that figure can be now multiplied by three or four. The value of the raw materials then consumed in manufacturing was over $14,000,000,000. That, I think, has been correspondingly increased. These figures have relation to the matter under discussion only in the sense that the greater the industry and the

greater the values, the greater is the disturbance resulting from stopping them for any period of time, however short.

I have this one thing that I want to make plain to the Senate as my personal view. I am speaking and have been speaking, of course, merely for myself and not for other members of the committee. If it were proposed to stop delivering coal to factories generally in order that certain preferential factories might be served, that might be or might not be wise, but let us assume it to be wise; and if it were proposed to stop the delivery of coal to any factory until the people had enough coal to keep them from suffering, that might be wise, and I think if the necessity existed it would be very proper. But it is now proposed to take all the coal that is being produced, all of the coal that is in transit, and devote it to these specially favored industries. For the moment I am assuming them to be the right industries. Thus far I make no quarrel with this order. Let that part of the order go without criticism from me, at this time at least.

But I can find no justification in stopping all the industries of the country in order to catch up with coal production when you are not going to produce a single pound more coal, and when it is not proposed to devote the coal that is on hand to any of the needs or wants that we have spoken of as imperative. I can see no justification for not allowing the factories to go on and use the coal they have on hand and keep their people employed. Some of them happily may run on and never have to stop a day, for the coal supply may be abundant before their stocks are exhausted. All factories ought to be permitted to run and produce; and certainly water mills ought to be allowed to run.

I say that in my judgment—and I am trying to speak with great moderation, as you can observe—there is no justification in turning millions of people out of employment, and in stopping the creation of those things that are necessary not only to the progress of the war but to the happiness of the country simply because some individual manufacturers may under this order find themselves without coal, and hence their competitors may gain a little advantage. That is sacrificing all of the people of the country for the benefit of a few manufacturers. That is sacrificing the interests of millions of laborers in order to preserve the equality in the financial race between factories with coal and factories without coal. I can not find justification for that kind of a proceeding.

Mr. BORAH. May I ask the Senator a question?

Mr. REED. I yield. I am yielding the floor, but I will answer the question.

Mr. BORAH. I do not care to discuss it, but I should like to ask the question, has the Senator any doubt as a lawyer outside of the question of power plants and power mills, that the matter has passed out of our hands and beyond our control, assuming that the Lever law is constitutional?

Mr. REED. I do not find in this bill in a hasty reading any authority to stop a factory running that is employing its own coal. I only read the opening section to which attention was called. It provides—

> That by reason of the existence of a state of war it is essential to the national security and defense, for the successful prosecution of the war, and for the support and maintenance of the Army and Navy to assure an adequate supply and equitable distribution and to facilitate the movement of foods, feeds, fuel, including fuel oil and natural gas, and fertilizer and fertilizer ingredients—

And so forth.

Then follows these lines:

> The President is authorized to make such regulations and to issue such orders as are essential effectively to carry out the provisions of this act.

The Senator, I think, will agree that the last clause, that "the President is authorized to make such regulations and to issue such orders as are essential effectively to carry out the provisions of this act," means no more than that where Congress has granted a specific power or made a specific provision the President can carry that provision out. It does not give him a general roving commission to make such rules and orders and regulations touching the whole subject matter as he may desire.

Mr. BORAH. Mr. President——

Mr. REED. Just let me finish the statement. Therefore, we must find within the act itself the authority to close the factories, and when we have found that authority, if we can find it, the President has authority to issue the necessary orders to carry out that power. Now, when we come to section 25, which is the section Dr. Garfield referred to, it seems to me that it is limited solely to the question of the production and distribution of coal. After the coal——

Mr. THOMAS. Mr. President——

Mr. REED. In just a moment. After the coal has reached the factory, it is the personal property of the proprietor of the factory. True, the Government probably possesses the power to commandeer and take the coal for the public use in the prosecution of the war. But this order does not propose to take the coal. It undertakes to say to the proprietor of the factory in which there may be lodged some coal, "You shall not run your factory." I confess, although my reading has been somewhat hasty of the act, I do not find that authority in it.

Mr. THOMAS. Mr. President——

Mr. REED. I believe the Senator from Idaho [Mr. BORAH] wanted the floor.

Mr. THOMAS. I thought the Senator from Idaho had completed his statement.

Mr. REED. I did not permit him.

Mr. BORAH. I wish to call the Senator's attention to the language. If the Senator will refer back to the debate, he will recall the fact that it was the intention at the time, expressed many times on the floor, to lodge this matter completely and absolutely within the discretion of the President of the United States. When you examine the language you will find it has been lodged there, if language can lodge it.

Mr. REED. I would be glad to have the Senator call my attention to it.

Mr. BORAH. In the first place, "the President is authorized to make such regulations and to issue such orders as are essential effectively to carry out the provisions of this act."

Mr. REED. What are the provisions of the act?

Mr. BORAH. Let us see and find out:

> That the President of the United States shall be, and he is hereby, authorized and empowered, whenever and wherever in his judgment necessary for the efficient prosecution of the war, to fix the price of coal and coke, wherever and whenever sold, either by producer or dealer, to establish rules for the regulation of and to regulate the method of production, sale, shipment, distribution, apportionment, or storage thereof among dealers and consumers, domestic or foreign; said authority and power may be exercised by him in each case through the agency of the Federal Trade Commission during the war, or for such part of said time as in his judgment may be necessary.

Mr. REED. Do you find the words there "to regulate the consumption of coal"?

Mr. BORAH. In the first place, you must read this in connection with the provision in section 1:

> The President is authorized to make such regulations and to issue such orders as are essential effectively to carry out the provisions of this act.

Mr. REED. I know the Senator's view in regard to this legislation; and my own view was that it was very loose legislation. I did not vote for it.

Mr. BORAH. What I contend is——

Mr. REED. But let me call the attention of the Senator, as a lawyer, to the fact that the language that "the President is authorized to make such regulations and to issue such orders as are essential effectively to carry out the provisions of this act" has no vitality except there be found in the law some express provision of a substantial character. When that has been found the President may issue regulations essential to carrying it into effect.

Mr. BORAH. The President is given power to regulate the distribution and apportionment of coal among producers and consumers.

Mr. REED. That is not what they are doing. They are saying to the man who has obtained his coal in the open market and who now has it in his own mill yard, "You can not burn that coal to run your factory."

Mr. BORAH. Precisely; but the President has not gone as far as he might have gone, and we can not complain. I imagine under this law the President may go into a factory which has an amount of coal and compel it to distribute that coal among his fellow factory owners or even among his employees.

Mr. REED. That is not what he is attempting to do. The President I do not think has the power to seize the body of coal in the country and take it over and distribute it as he sees fit. But, however that may be, that is not what is being attempted. The man who has the coal is bluntly told, "You shall not put under your boiler and use to turn the spindles of your factory the coal you own and possess in your own right."

Mr. BORAH. It is in the judgment and the discretion of the President as to the proper use and distribution of the coal.

Mr. REED. The word "use" is not in the law in the sense employed by the Senator.

Mr. BORAH. We have lodged the matter by our own volition, after weeks and weeks of debate, absolutely in the judgment and discretion of the Chief Executive. The time for the Congress to have considered this matter that we are now considering was when we passed the law.

Mr. THOMAS. I wish to ask a question.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. REED. The Senator from Colorado wants to ask me a question. I want to yield the floor.

Mr. THOMAS. I wish to ask the Senator a question, and in doing that I wish to direct the attention of the Senator to the first part of section 25, which the Senator from Idaho did not read. I will read it:

Said authority and power may be exercised by him in each case through the agency of the Federal Trade Commission during the war or for such part of said time as in his judgment may be necessary.

Now, the question which I wish to ask the Senator is whether in his opinion this tremendous power can be exercised under any provision of the act except through the agency of the Federal Trade Commission, which in the law does not appear at all.

Mr. REED. In normal times, when the law of the land is regarded as worthy of a decent respect and the Constitution is held to be a vital instrument, I would say that a court would be very likely to take the view indicated by the Senator from Colorado.

Mr. LEWIS. Mr. President——

Mr. REED. I hope I will be permitted to yield the floor. I do not want to deprive others of it longer.

Mr. LEWIS. If the Senator from Idaho and the Senator from Missouri will indulge me a moment, it happens to be that upon that particular phase of the bill referred to by the Senator I was conducting the advocacy, and the eminent Senator from Missouri, the junior Senator, for constitutional reasons, as he then saw it, opposed it. I wish to ask both Senators if the power is in the act vesting in the hands of the President complete discretion as to the conduct and control of these industries and he makes the order, what jurisdiction has this body over that order under the law or under any law when the Executive has made the order? Is it not true we are perfectly powerless and the only act we could do that could overturn it would be to repeal the law that vested him with the power?

Mr. BORAH. Precisely.

Mr. REED. I do not care to further discuss the legal questions. At this hour I think it is fruitless. At 5 o'clock tonight factories begin closing and their employees do not know whether they can go to work to-morrow morning or not. I do not care to discuss the question whether we are powerless or not, and I do not care at this time to go further into this matter. I think I have wearied the Senate already. Except I wish to say this, that I hope we have not at least deprived ourself of the right of petition or request, and that, it seems to me, is about as far this resolution goes.

Mr. JONES of New Mexico obtained the floor.

Mr. BORAH. Mr. President——

Mr. JONES of New Mexico. I will yield to the Senator from Idaho if he desires to ask any question of the Senator from Missouri.

Mr. BORAH. No; I prefer to hear from the Senator. I understand the Senator is a member of the subcommittee.

Mr. JONES of New Mexico. Mr. President, I regret exceedingly that not only the members of this committee but the other Senators as well have not had an opportunity to fully consider the course which the Senate is asked to take at this time. I have not had an extended opportunity of judging the course of procedure of this body, but so far as my information goes the action requested to be taken is unprecedented in the history of our country.

Mr. HITCHCOCK. The order is also unprecedented.

Mr. JONES of New Mexico. I agree with the statement injected by the Senator from Nebraska, that not only the action suggested is unprecedented but the thing which suggests the action is also unprecedented and the situation confronting this country is unprecedented. We behold this spectacle: Our country engaged in the greatest war of the ages; so engaged in pursuance of a resolution of this Congress, which pledged the full resources of the country to its prosecution. We have appropriated something like $20,000,000,000, to be used, either directly or indirectly, for the prosecution of the war. We have committed to the Executive of this country not only the expenditure of this vast sum of money but we have committed to him the lives of our sons and brothers. The Chief Executive is endeavoring to prosecute the war. In that prosecution he proposes to issue an order which affects to a very great extent the industries of the country. The order would not be issued unless in the opinion of this Executive, the Commander in Chief of our Army and Navy, it was absolutely vital to the successful conduct of the war. This step has been taken by this Commander in Chief. The proposition now is that the Senate that committed to the hands of its Chief Executive this great power is requesting the Chief Executive not to exercise it.

Mr. HITCHCOCK. That is an erroneous statement. We have asked him to defer it for five days.

Mr. JONES of New Mexico. I, of course, modify the remark which I made to the extent suggested by the Senator from Nebraska. It is a request to suspend the order, it is true, only for five days, but nevertheless it is a request from this body to the Commander in Chief of the Army and Navy to suspend an action which that Commander in Chief feels is necessary for the prosecution of the war.

I ask you, Senators, if ever in the history of this great country of ours such a request has emanated from this body. If it has I have no recollection or information concerning it. Then if this request is an unprecedented thing, does it not behoove us to give thorough consideration to the effect of what we are called upon to do? Can we in a matter of such grave import stay the hands of the Chief Executive? Shall we say to our enemies that the power and the authority to conduct this war is put into hands which are not competent to conduct it?

The Senator from Nebraska [Mr. HITCHCOCK] nods his head as if he considered that was not the issue, but it is the issue in the opinion of those in control of administering this law. The situation is so acute that there is necessity for immediate action, and to defer the order for the five days may, and undoubtedly will, bring suffering and hardship to hundreds of thousands of mothers and children in this country who are suffering for the want of coal.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Nebraska?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. HITCHCOCK. The author of this resolution had not the slightest intention to reflect upon the ability or upon the wisdom of those who framed this remarkable order. What he sought in the resolution to do was to give five days' opportunity for common counsel, something that is recognized by this administration as being highly important in great matters of state.

Mr. JONES of New Mexico. Mr. President, on the question of five days' delay, I should like to appeal to those who want to think over this question for five days, whether proper consideration is being given to the domestic conditions in this country? Not only are the women and children and families in this country suffering for the want of coal, but the ships of this country are tied up in the harbors for the want of coal; ships which should be under steam to-day carrying across the Atlantic sustenance to our boys who are in the trenches.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Nebraska?

Mr. JONES of New Mexico. I yield.

Mr. HITCHCOCK. The fuel administrator, or the President who stands back of the fuel administrator, has the power, under the law, to commandeer coal, to take it, and to convey it to the ships that are in the harbors waiting for transfer to Europe, and it ought to have been done, I will say very frankly, weeks ago.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Idaho?

Mr. JONES of New Mexico. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, I judge from the argument of the Senator from New Mexico that the Senator is of the opinion that this is such an order as the fuel administrator had the authority to make under the direction of the President, under and by virtue of the Lever law?

Mr. JONES of New Mexico. I intend to reach that point in just a few moments.

Mr. BORAH. I assume that for the reason that the Senator was proceeding upon the theory that this was a valid and legal order. If it is, and the fuel administrator had authority to make it, is there any considerable danger that the mere request upon the part of the Senate will change the program?

Mr. JONES of New Mexico. Mr. President, I intended to reach that point in the course of the discussion of the things proposed to be done by this order. If, however, the Senator from Idaho will permit a short answer, I might reply in this way: If the order is illegal, does the Senator want to establish the custom of the Senate passing upon the legality of things sought to be done by the executive department of this Government, and whenever, in the opinion of the Senate, the executive department of this Government is exceeding its powers, would the Senator request the executive department to cease from such act?

Mr. BORAH. Mr. President, I think the Senator perhaps came to a wrong conclusion as to my attitude in regard to this matter. I never want to belong to this body after it has delegated away its lawmaking capacity and has reduced itself to a mere petitioning body. In my humble judgment, we have delegated this power to the President if the Lever law is constitutional at all; and, having delegated it to the President of the United States, I do not myself care to indulge in a mere petitioning of the President not to exercise the power which we have granted him.

Mr. JONES of New Mexico. I might add, Mr. President, that the Constitution of the United States has put the duty of deciding whether or not the executive department is proceeding in accordance with law upon the courts, or upon another coordinate branch of the Government; and if the Executive is exceeding legal authority, the tribunals of the country, which have been established by our Constitution, ought to be permitted to decide that question in the same way and to the same extent that they have done ever since the adoption of the Constitution.

Mr. President, the thing which the Senate is requested to do is to stay the hand of the Chief Executive. The Chief Executive has issued an order, which has been designated as unprecedented. As I have stated, the times are unprecedented; the situation with which we must deal is different from anything which has heretofore existed in the history of the country; but I appeal to you to consider the conditions which the Chief Executive seeks to alleviate by means of this order.

There are several preferred classes who may get coal. It is admitted by the Senator from Missouri, the chairman of the committee, that it is necessary to furnish coal to these preferred classes; he makes no war upon that effort. It is admitted that these things must be done.

Dr. Garfield stated that the situation was acute; and to my mind that furnishes the reason why this order is promulgated, without calling upon all the country to give their views as to whether or not it should be done. The statement stands uncontradicted upon the record that the situation is acute, and the suggestion has been made by a Senator, who was present at the hearing, that that was the reason for promulgating the order at this time.

The situation is acute with reference to what? With reference to furnishing coal for the railroads; with reference to furnishing coal for the families, to the charitable institutions with human inmates; for carrying on the industries which are necessary to be carried on for the conduct of the war; and to furnish bunker coal to the ships. For these purposes the situation is acute. It being acute, I appeal to Senators whether or not the man who shoulders the responsibility for the conduct of the war is not justified in using any means within his power to relieve this most distressing situation. That is recognized. It is said here that no interference should be made with that purpose, and it comes down to this, that because the President has said that those factories which have coal shall not burn the coal while other factories can not get coal, the Senate should request a suspension of this entire order. That is the only thing presented here by the Senator from Missouri to which he seriously objects.

Now, I desire to analyze the question as to whether, in order to stop that act, the Senate should go to the extreme extent of calling upon the Executive to suspend an Executive order. The reason that provision in the order was presented to the committee in this way—and not one reason alone was to be considered as sufficient, but the whole situation was called before us to justify the act—the docks of the country and the railroads of the country are congested with freight, and in order to relieve that congestion it is necessary to stop the supply at the source.

That is only one thing to be considered. In the next place, there is a shortage of coal in this country to the extent of 35,000,000 tons. The evidence, not given to-day by Dr. Garfield, but heretofore given to the Committee on Manufactures, was that the total production of coal in this country had increased 10 per cent, while the demand for coal had increased 20 per cent, and as a result, according to his last statement, there is to-day an absolute shortage of 35,000,000 tons of coal. The administrator has come to the conclusion that, in order to put the households of the country and the industries of the country in running order, and running upon such a basis that there shall be no suffering, industry must be arrested for five days, and then, subsequently, a holiday be observed in each week for a number of weeks. That is the remedy which he proposes. It is agreed that that remedy applied to the factory which now has no coal is justified. The only thing claimed to be unjust is calling upon the factory which has coal to stop running at this time.

If Senators will consider for a moment the question in its broader aspect, it seems to me that this order can not be seriously criticized. If it is necessary to arrest industry in order to catch up with the supply of coal, is it not also necessary that the burden of doing this thing should be placed as equally as possible upon all of the industries of the country—I mean upon those not immediately essential to the carrying on of the war? If that were done, if they were all shut down at the same time, the burden would be equal.

But it is said some of them have coal and ought to be permitted to continue. The time must come when those who now have coal will not have it, and if you are going to treat them in the same way and make them bear the same burden, no one would suggest that the time would not come when they should be required to shut down for an equal length of time. So, then, the only question presented here is, Shall the factories which have coal shut down now, or shall they be required to shut down, one to-morrow, another next week, and another next month, until the burden has been distributed around?

That is all, Senators, that is involved in this whole discussion—what is the right time to require these factories to be closed? Shall they be required to close all at once or shall they be required to close from day to day as their coal is consumed? That is the only question here about which there is any dispute; and for such a relatively small hardship as that, I appeal to you, is the Senate justified in making a request to the Commander in Chief of the Army to revoke or suspend an order so vitally necessary in its essentials?

Something has been said here about industries carried on by means of waterpower, and it has been suggested that there is no use shutting them down. It is admitted that there is no law governing them, and only a patriotic appeal is made to those concerned to shut down. If they do not want to shut down, they will not do so; but the President has said in this order that they ought to shut down; that they ought to shut down in the interest of fairness; that they ought to shut down to stop at the source of this congestion of the railroads and the docks. If those are not deemed sufficient reasons, let any man running an industry carried on by water power exercise his right not to follow the request of the Chief Executive.

But when the country realizes and when the other manufacturing interests of this country realize that this water-power man has been requested to do a patriotic thing, that it has been necessary to close down the industries of this country in the preservation of the lives of the people of the country and of our boys in the trenches, if that water-power man wants to disregard that request he will be given a place in history not far removed from that of Benedict Arnold. And so with this man who has coal in his bin, who asserts his right to consume that coal against the judgment of our commander, on whom we have imposed the responsibility of action in this crisis. If he chooses to disregard the order, I apprehend that he will find his surroundings decidedly uncomfortable, at least in the community where he has his factory.

Senators, the provisions of the order to which objection is made are so slight compared with the evils that will result from the passage of this resolution that I appeal to you to hesitate and give calm consideration. We are conducting this war; and admitting that upon the question of legality, admitting that upon the question of shutting down these factories that have coal there might be an honest difference of opinion, admitting that honest minds might differ, what should we do? My judgment is that every patriotic citizen of this country—every Senator, at least—should resolve the doubt in favor of those who are charged with the responsibility.

I believe in holding up the hands of those who are trying to do things. They are serving you and they are serving me. They are trying to preserve this Republic, so that we and our children may live under the benign influences of a democracy. I appeal to you to put no obstacles in the way. Be patriotic to-day; trust those in whom you have reposed your power; and do not let this Senate give aid and comfort to the enemy by saying that we have placed the authority to carry on this war in incompetent hands.

Mr. RANSDELL. Mr. President, will the Senator yield for a question?

Mr. JONES of New Mexico. I yield to the Senator from Louisiana.

Mr. RANSDELL. I should like to read a telegram just received from New Orleans which is very pertinent. It is as follows:

JANUARY 17, 1918.

Senator JOSEPH E. RANSDELL,
United States Senate, Washington, D. C.:

The large number of sawmills in Louisiana request that you obtain an immediate ruling from Administrator Garfield as to whether the shut-down order of yesterday is applicable to them. They point out

that they do not use coal for fuel in their plants, but use the refuse wood from their own cut, and further point out that they are actual producers of fuel, and that practically the entire population of the various sawmill towns is dependent for its fuel upon the continued operation of the mills. To shut down these mills, instead of increasing the fuel supply, would materially decrease the fuel supply. Moreover, I doubt whether a sawmill is, strictly speaking, a manufacturing plant within the meaning of the order. Besides this, these mills are now producing ship lumbers and other lumber used for the production of ships, and to shut them down will seriously retard the shipbuilding program in this section. I shall appreciate your taking the matter up promptly and using your influence to exempt them from the order.

J. BLANC MONROE.

I will ask the Senator if that matter was discussed with Dr. Garfield; and if so, what he said on the subject; and if it was not discussed, what is the opinion of the Senator on that subject?

Mr. JONES of New Mexico. Mr. President, I confess that I have not had an opportunity——

Mr. SHIELDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Tennessee?

Mr. JONES of New Mexico. If the Senator will permit me first to answer the Senator from Louisiana, I shall be glad then to yield to the Senator from Tennessee.

Mr. SHIELDS. The telegram I have is on the same line, and the Senator can answer both questions at once.

Mr. JONES of New Mexico. Very well; then I yield to the Senator.

Mr. SHIELDS. I have a telegram from one of the largest manufacturing institutions in my State along the line of that presented by the Senator from Louisiana, and I should like, if possible, to have the Senator from New Mexico state whether or not Dr. Garfield gave any explanation of his order as applicable to this plant.

The telegram is as follows:

NASHVILLE, TENN., *January 17, 1918.*

Senator JOHN K. SHIELDS,
Washington, D. C.:

Mr. Garfield's order closing down all manufacturing plants except food producing plants puts us in an awkward position. We are bag manufacturers, making bags for flour and corn meal—food products. We are under contract with mills in Northeast, Middle, and Southern States. How can flour mills run if bag factories are closed down? Our plant is equipped to run with hydroelectric power and not steam. We use coal for heating purposes only, employing between five and six hundred operatives—many families. These people will consume more fuel in daytime than we use in heating. Won't you use your good offices to have us and all bag factories exempted from the order? Kindly wire us, our expense, result.

MORGAN & HAMILTON CO.

Mr. JONES of New Mexico. Mr. President, I have not studied this order sufficiently to give an opinion as to whether or not the industries referred to by either of the two Senators are included within its provisions, but I want to say this: The fact that these telegrams are read here, and the fact that other Senators are receiving a large number of similar telegrams, would indicate the utter hopelessness of the Food Administration giving a hearing to all of these industries before taking action. The women and children will be suffering still. The food and munitions will remain in the harbors. So, even if they are affected, I want to know if the Senators present believe that that is sufficient ground for withholding action upon the great question? It is simply an argument, to a greater or lesser extent, that the industries of this country shall go on as usual.

I want to say here and now that the industries of this country can not go on as usual if this war is to be successfully prosecuted. The $20,000,000,000 which we are proposing to put into it is equivalent to one-half the total production of the country before the war; and to change that energy and the requisite capital to make it effective will require a shifting such as this country has never fully realized. When an argument is made that business shall go on as usual I am not impressed. I know not how to weigh dollars against humanity.

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Texas?

Mr. JONES of New Mexico. I do.

Mr. SHEPPARD. If the Senator will pardon me, I think I could suggest a pertinent answer to those telegrams.

Mr. JONES of New Mexico. I shall be very much obliged to the Senator if he will do so.

Mr. SHEPPARD. If I should consult my own safety or my own convenience I would much rather be in Tennessee or Louisiana, or elsewhere in America, with my factory shut down, than in the trenches with my throat cut.

Mr. JONES of New Mexico. I thank the Senator for the observation. I quite agree with him. That is a very patriotic attitude, and one which I hope I share with him.

The PRESIDING OFFICER. The question is upon the passage of the resolution.

Mr. HITCHCOCK. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SMOOT. Mr. President, just a moment before the roll is called. I wish to ask the Senator having the resolution in charge whether he will not change the wording so as to read "President of the United States" instead of "Fuel Administrator of the United States"? I think it is very much more becoming for the Senate of the United States to ask this from the President than to ask it from an employee of the Government.

Mr. HITCHCOCK. Mr. President, I considered that matter somewhat, and I find a division of counsel; but inasmuch as the Fuel Administrator made the order, I think it would be better to let the resolution stand as it is. The wording is not very important.

Mr. SMOOT. I am not going to take any of the time of the Senate to discuss it now.

The PRESIDING OFFICER. The question is upon the passage of the resolution.

Mr. GALLINGER and Mr. REED called for the yeas and nays.

The PRESIDING OFFICER. On that question the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. WEEKS (when Mr. LODGE's name was called). My colleague [Mr. LODGE] is necessarily absent from the Senate. He has a general pair with the senior Senator from Georgia [Mr. SMITH]. If my colleague were present he would vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. Not knowing how he would vote on this question I withhold my vote.

Mr. REED (when his name was called). I have a pair with the senior Senator from Michigan [Mr. SMITH]. I feel, as a result of a conversation with his colleague, that I am released from that pair on this question. I therefore vote "yea."

Mr. SAULSBURY (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. I think I might be permitted to vote under my agreement with him; but out of precaution I transfer the pair to the junior Senator from Louisiana [Mr. BROUSSARD] and vote "yea."

Mr. SHERMAN (when his name was called). I am paired with the senior Senator from Kansas [Mr. THOMPSON]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. SIMMONS (when his name was called). I wish to inquire whether the junior Senator from Minnesota [Mr. KELLOGG] has voted?

The PRESIDING OFFICER. He has voted.

Mr. SIMMONS. I vote "nay."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). The senior Senator from Michigan [Mr. SMITH] is unavoidably absent. He is paired with the junior Senator from Missouri [Mr. REED]. I do not know how the senior Senator from Michigan would vote on this question, but I am quite sure he would permit the Senator from Missouri to vote, and I so informed him.

Mr. TILLMAN (when his name was called). I transfer my pair with the senior Senator from West Virginia [Mr. GOFF] to the senior Senator from New Jersey [Mr. HUGHES] and vote "yea."

Mr. WEEKS (when his name was called). I transfer my general pair with the senior Senator from Kentucky [Mr. JAMES] to the junior Senator from Iowa [Mr. KENYON] and vote "yea."

The roll call was concluded.

Mr. LEWIS. I desire to announce the absence of the senior Senator from Kansas [Mr. THOMPSON] on important public business, and to say that he is paired with the Senator from Illinois [Mr. SHERMAN].

Mr. CURTIS. I desire to announce the following pairs:

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 50, nays 19, as follows:

YEAS—50.

Bankhead	Hitchcock	Owen	Sutherland
Beckham	Johnson, Cal.	Poindexter	Swanson
Brandegee	Jones, Wash.	Pomerene	Thomas
Calder	Kellogg	Reed	Tillman
Cummins	Knox	Saulsbury	Townsend
Curtis	McCumber	Sherman	Underwood
Fernald	McKellar	Shields	Vardaman
Frelinghuysen	McLean	Smith, Ga.	Wadsworth
Gallinger	McNary	Smith, Md.	Watson
Gerry	Martin	Smith, S. C.	Weeks
Gore	Nelson	Smoot	Wolcott
Hale	New	[illegible]	
Harding	Norris	Stone	

NAYS—19.

Ashurst	Hardwick	Lewis	Robinson
Borah	Johnson, S. Dak.	Myers	Shafroth
Chamberlain	Jones, N. Mex.	Phelan	Sheppard
Fletcher	Kirby	Pittman	Simmons
Gronna	La Follette	Ransdell	

NOT VOTING—23.

Broussard	Hollis	Lodge	Thompson
Colt	Hughes	Overman	Trammell
Culberson	James	Page	Walsh
Dillingham	Kendrick	Penrose	Warren
Fall	Kenyon	Smith, Ariz.	Williams
France	King	Smith, Mich.	

So the resolution was agreed to.

Mr. POMERENE. I have received a number of telegrams during the afternoon bearing on this subject. I send two to the desk. I shall not ask to have them read, but I ask that they be incorporated in the RECORD.

The PRESIDING OFFICER. Without objection, the telegrams will be printed in the RECORD.

The telegrams are as follows:

SPRINGFIELD, OHIO, *January 17, 1918.*

Senator POMERENE,
Washington, D. C.:

One-third of our factories are operated by natural gas, of which there is abundance. Nothing could be gained by closing these factories, but great hardship would be suffered by the employees. Can you not secure a ruling from the Fuel Board committing factories operated exclusively by natural gas to continue? Am wiring Mr. Garfield.

SUPERIOR GAS ENGINE CO.,
P. J. SHOUVLIN.

CANTON, OHIO, *January 17, 1918.*

Hon. ATLEE POMERENE,
Senate Chamber, Washington, D. C.:

Our furnaces running almost entirely on very large orders for Army, Navy, and medical supply departments. To draw our fires would cause great ruin to muffles and furnaces by cooling down and heat must be kept up to prevent freezing of sprinkler system and keeping them up. No additional fuel will be consumed in utilizing the heat by producing goods solely for Government. Is it possible to have some modification to fuel order? Wire quick.

THE REPUBLIC STAMPING & ENAMELING CO.

CONSIDERATION OF SHIPPING BILLS.

Mr. BANKHEAD. It is important that we should have a short executive session, as many nominations are to be referred.

Mr. FLETCHER. Will the Senator from Alabama withhold his motion for a moment?

Mr. BANKHEAD. Very well.

Mr. FLETCHER. I simply wish to call the attention of the Senate to three bills on the calendar, the bill (S. 3387) to authorize and empower the President to create military zones around shipyards where vessels are under construction for the United States; the bill (S. 3388) to amend the emergency shipping fund provisions of the urgent deficiency appropriation act approved June 30, 1917, so as to empower the President and his designated agents to take over certain transportation systems for the transportation of shipyard and plant employees, and for other purposes; and the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation, to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes.

These bills have been reported favorably by the Committee on Commerce and it is quite important, as developments have demonstrated, that action should be taken on these bills. I do not think it will require a great deal of time to dispose of them. I wish to give notice that I shall ask the Senate to take them up at the very first opportunity.

EXECUTIVE SESSION.

Mr. BANKHEAD. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened.

ARRAIGNMENT OF THE KAISER.

By order of the Senate the following matter was ordered to be printed in the RECORD in brevier:

WILLIAM II, WE INDICT YOU, EVEN IN THE PURPLE.

[An Arraignment, by Siegfried Balder.]

For years you prepared the world war with deliberate premeditation. In the summer of 1914, without the least provocation, you ruthlessly created the pretext. You threw to the winds all warnings, and those who by their counsels wished to hold you back from war you drove from you. In a breach of solemn treaties you burst without excuse into a peaceful country whose neutrality you were bound to observe and protect. After driving your people into the war, you did them desperate injury in a military way, as well as by perverse disciplinary measures, especially by the choice of incompetent generals, who were known to be incompetent. You conduct the war in the most barbarous fashion, infringing upon the obligations and principles of international law. To your people and their representatives who trustfully looked up to you and your Government you have lied and you still lie on and on concerning the actual events before the war and after it began concerning your own intentions as well as the causes, purpose, and goal of the war. You constantly infringe upon the rights, the laws, and the constitutional liberties of your people. You disrupt family ties, destroy business and its interchanges and intercourse, and the best men of your people who know the truth and speak it you put behind the bars. You continue to prevent the making of peace because you are too cowardly to take your guilt upon your own head and to assume the consequences of your deeds.

Never has a more ruthless crime cried to heaven for revenge! Millions of young men in the flush of their youth and millions of men once content with their peaceful occupations lie mutilated beyond recognition upon the battle fields of Europe; thousands lie on the bottom of the sea. You murdered them!

Millions of widows, millions of poor orphans weep for their provider, for husband or father to protect them from danger and want, to bring them up, to comfort them, to counsel them.

Millions of girls pine away in grief and sorrow because their sweethearts have fallen on the battle fields of Flanders and Poland.

Millions of cripples, robbed of an arm, a leg, or even of the blessed light of day, are doomed to lifelong existence in wretchedness, a burden alike to themselves and to their fellows. You robbed them of fortune, strength, health, and happiness!

Whole countrysides cry for expiation, their acres blasted, the fostering earth gaping with wounds from shells beyond reckoning, the toil and energy of generations destroyed. Cities and villages, once the homes of busy, happy people, now lie in smoke-blackened ruins and accuse you before Heaven.

Sanctimonious hypocrite that you are, you have blasphemed the Almighty and have called upon Him to bear witness to your lies and to be the advocate of your misdeeds!

Your hapless people are starving, yet you command that they be hewn down if their complaints reach your ears.

The men of your people are forced to live in gruesome wreckage, in pits and shell craters, to freeze to death in the snows of inhospitable mountains, and to bleed their lives slowly away on barbed-wire obstacles, more pitiable than the most wretched galley slaves of antiquity. Thousands are driven forward into a hell of shrapnel and machine-gun fire in order to occupy a useless stretch of trenches in a country which does not concern us, and which we do not wish to possess. Thousands fall and thousands are shoved in after them.

Germany's civilization you have annihilated; Germany's honor you have trampled in the dust. All the people who once loved and respected us turn from us with abhorrence and decline to have anything to do with men who break treaties, who outrage civilization, who commit murder.

For 28 months this state of gruesome horror has continued, conjured up by you. When will you put an end to it? What have you to reply? Answer.

THE ACCUSED AND HIS ENVIRONMENT.

From your youth you have known no interests except hunting and fighting—murder of beast and murder of man. Millions of your subjects have never seen you—either in person or in likeness—except in the garb of a hunter or of a warrior. Dressed as a hunter you went afield to slaughter en masse the animals which were beaten up for you to kill. Your bloodthirsty recreation was slaying stags and does in herds, shooting down more than a thousand helpless pheasants in one day—in company with your friend Franz Ferdinand of Austria.

When one of the authors of these lines saw you for the first time, in the summer of 1888, a few months after you ascended

the throne, you were inspecting your booty of stags and wild boars. Your sacrifice lay arranged in lines and columns like soldiers, and with dark mien, using the Prussian goose step, you were reviewing them, fixing each object with your eye, as if to say: "Behold, thus will I slay mine enemies."

We saw you often, but whether on festive or on sad occasions it was always in the character of a Roman Cæsar.

The whole of all your mind can note
Is how he coughs or clears his throat.

"Hoc volo, sic jubeo, stat pro ratione voluntas"; "Nemo me impune lacessit"; "Regis voluntas suprema lex." ("This is my wish; thus do I command; my will, not the dictates of reason." "Wha daur meddle wi' me?" "The will of the King is the supreme law.") These were the pronouncements of more sovereign natures; they did not come from your puny brain; but that you should borrow them for your own use speaks volumes for him who can read men's hearts. A strutting turkey cock, stuck full of false feathers to make him look like an imperator.

The swearing in of recruits, the dedication of regimental standards, the launching of war ships, receptions to generals, the celebration of the anniversaries of battles, the unveiling of monuments to your soldier forefathers—on such occasions you made lofty addresses on the duties of soldiers and the rights of commanders, on the destruction of your enemies, battles and flashing swords, and the splendid achievements of your glorious ancestors. The achievements of the Hohenzollern, however, have been won on bloody battle fields not in the peaceful workshops of the citizen, the scholar, or the artist.

Officers were your tutors, your advisers, your companions in recreation and pleasure.

While all other civilized nations watch jealously to see that the sword never arrogates to itself preponderance in the State, but remains a voiceless tool of the civil government—to be used only in case of direst necessity—with you the sword was always dictator in all branches of the Government. We laughed when in England and France bankers, merchants, and journalists were appointed ministers of war and navy; we ought rather to have wept that our chancellors, secretaries of state, ministers, diplomats, and presidents of Government boards were chosen by you from the ranks of generals and families of generals.

The best of your thought and effort was directed toward increasing the army and navy without regard to national welfare, or to the economic and political situation. It was always Germany which led the way in this respect; our neighbors followed suit only with the greatest reluctance and under compulsion. Their distrust was justified, for against whom could our gigantic preparations by land and sea be directed except themselves?

Besides the generals there grew branches of a still worse kind from the poisonous tree of militarism, who had their say in your Government—the army supply houses. At their head the firm of Krupp, with which for many years you have been associated, not only in personal friendship but even—strange to say—through financial debit and credit. It was because of this connection, and not on account of the quality of their cannon, which others could make as well, that this firm was everywhere given preference. Your purple protected the firm even against the processes of the law. Have you forgotten the lawsuit that attracted so much attention a few years ago, which arose because the Krupps had themselves informed by imperial officials through improper means concerning the bids of other firms in order to be able to underbid them—or as might also be said, in order not to underbid their competitors any more than was necessary in order to get the contract? The civil judges found the officers of the firm guilty and imposed a prison sentence upon them. The military tribunal, however, freed those convicted of the same crime who came under their jurisdiction because of their military rank. Was this "judicial conviction" or "loyalty to the supreme war lord"?

It has probably not escaped you either that the Krupps, the principal support of your military propaganda by land and sea, as they were likewise the leading agency in poisoning and bribing our "well-disposed" press and public opinion, were delivering weapons to our "enemies" cheaper even than to our German fatherland from sheer unselfish and exalted patriotism. Thus, before the war, this firm sold nickel-plated steel for armor plate at 1,920 marks ($480) per ton to foreign countries, and at 2,320 marks ($580), with 400 marks ($100) special profit per ton to the German military and naval authorities.

How charming was the story of the Liege cannon, which the Krupps, even in August, 1914, openly published in the German papers as one of their achievements. In the spring of 1914 the firm had contracted for about 200,000,000 francs' worth ($4,000,000) of Liege artillery to be delivered to Belgium, and already had the purchase price in its hands, although it had not shipped the cannon on account of alleged transport difficulties. It was the German Army that provided for the delivery of these cannon to Belgium. From this story it is evident (1) that Belgium had so little thought of war with Germany that it not only innocently ordered its weapons in Germany but had not even pressed for the delivery of the cannon which had already been paid for; (2) that the private firm of Krupp knew not only of the coming of the war months in advance, but had also learned the secret plan to attack through Belgium. From whom? And who pocketed the 200,000,000 francs for the undelivered goods?

The business of these giant profiteers was the object of your care, out of regard for these profiteers you prepared for war, through them you poisoned the press and public opinion, for these profiteers the noblest and the strongest of our Nation are bled white.

Emperor William, do you, the personified representative of militarism, of the brutal policy of the mailed fist, do you seriously expect us to believe that you are the innocent little lamb which had to defend itself because others wanted to fall upon Germany—upon Germany, the bugbear of them all? Very well, we wait upon you with the further facts.

THE PREPARATIONS FOR THE DEED.

It is untrue that you have kept the peace for Germany since the beginning of your government. This would have been no credit to you, anyway, for no one ever intended to attack us.

You involved us quite unnecessarily in a war with China, and in another of several years' duration with the Hereros in Southwest Africa—unnecessarily, for we should have gained far more with China through a peaceful agreement about railroad and mining concessions, and in Southwest Africa by a sensible native policy, to the operation of which, to be sure, your archaristocratic diplomats and colonial governors, with their military training, are not at all adapted. We will not discuss the lesser campaigns in Kamerun and in East Africa.

But it was not your fault, Swashbuckler, that war was avoided in other cases; credit is due to the peaceful disposition of all our neighbors and to the feeling of personal responsibility on the part of our former imperial chancellor. Indeed, Prince Bülow, in November, 1908, had to admonish you and expose you before the German people in a public session of the Reichstag, because through your insane meddling in the politics of other nations you had from minute to minute threatened the peace of the world incalculably and had tainted the honor of Germany. At the end of the last century a conflict broke out between England and the Boers, and through your Kruger dispatches and your reception of Oom Paul Kruger in Berlin you incited the Boers to resistance against the British demands (questions of economic and domestic policies were the subjects of disagreement between the Boer farmers and the British miners and business men in the Transvaal and Orange Free State), and through their confidence in your assistance you encouraged the war, to say the least. When the war broke out you sent the British general staff a plan of campaign against the Boers worked out by yourself. Like the most tattered vagabond of the Middle Ages who one day offered his services to a robber knight and on the morrow to his opponent, just for the pleasure of getting into a fight, destitute of all shame and sense of honor or propriety, not to mention political insight—even thus does a German Emperor act!

To gain martial laurels, to increase the "fame of the Hohenzollern," to witness a sham battle with loaded weapons, and a cavalry charge against a "real enemy"—these were the goals of your ambition. Yet since your statesmen—until Bethmann-Holweg—were not so brainless as to risk the fortune of the German nation for such a reason, you undertook to carry out your war policies on your own account.

In default of another "enemy," you picked as a victim France, our old so-called "archenemy," whose ghost now haunts only Prussian lieutenants. A crazy notion! Thirty years ago, ever since the fall of Boulanger, the Republic of France ceased to pursue a policy of hostility to Germany and avoided any conflict with her mighty neighbor on the east.

The little faction, which still cried "Revenge," "à la Déroulède," though they were of about as much importance as the old Prussian-eater Sigl in Munich, died out long ago. Germans were welcome guests in Paris; numerous German firms had established themselves there and throughout the country; crowds of German artists and students made this focus of European culture the goal of their pilgrimages. The great leaders in science, art, and literature in France and Germany were in active contact, both personal and through correspondence. The works of the great German composers were performed in

the greatest houses in France, often, indeed, under German directors and by German singers, just as French works were to be found on the programs of the German theater.

A Pégoud was received with enthusiasm on German aviation fields. French music lovers flocked to the celebrations in Bayreuth, Munich, and Oberammergau. Creations from Paris adorned the display windows of the great German fashion shops. Both in France and in Germany everything was tending toward a true, unforced friendship between these two powers—the greatest centers of civilized progress on the continent of Europe—and it was truly one of the most difficult achievements of your court diplomacy and intrigue to break up the peaceful relationship existing between these two nations.

You bent every effort to accomplish this laborious task.

There were absolutely no causes for friction between Germany and France in the whole world, except in Morocco, which borders upon the French North African colonies. This country was disturbing the French colonial territory by the contentions of its various rival sultans to the detriment of important French commercial interests in North Africa. Now, it was impossible for French domination in Morocco to injure us Germans. On the contrary, it would have been an advantage to us, since it gave promise of an orderly government and provided an outlet for France's political interests. We had no more reason to meddle with them than the French had to interfere—which they refrained from doing—in our colonial adventures and conquests in Africa or anywhere else.

Nevertheless you used the mining interests of a single German firm—the Mannesmann Bros.—as your pretext for three times shaking the peace of Europe to its foundations, namely, in the three crises in Morocco of 1905, 1909, and 1911. Of course these German interests could easily have been safeguarded by a treaty with France. They were not worth the blood of a single German day laborer; yet out of them, in default of a better pretext, you thrice tried to kindle war.

In each case peace was preserved against your will by the unvarying resourcefulness and superiority of French and English diplomacy. Bülow fell because he was not willing to follow your war policies through thick and thin. You then took on Bethmann-Holweg as imperial chancellor, with the understanding that he should pull off the war for you and stand ready as a dummy editor to be responsible for it. He went cheerfully at his task, and in 1911 he sprang the third Morocco crisis with the visit of the *Panther* to Agadir. Once again war was prevented, this time through the president of the Reichsbank, Dr. Koch, who was man enough to oppose your lust for war in the name of the Rischsbank and of German political economy. The German people owe it to him and to the patient forbearance of the French Government that war was then prevented even at the eleventh hour, when the German warships were already under full steam, and the freight cars on the German railroads had been emptied and were standing ready for loads of soldiers expected to arrive during the night. Dr. Koch was dismissed, and the Prussian official Havenstein was appointed as "imperial money marshal," in order to prepare the state bank and state monetary affairs for war, much to the detriment of German economic conditions, which since that time have suffered under constant pressure.

But it was all no use. The contemptible policy of insult and persecution in Alsace-Lorraine—the "Col. Reuter" and "Lieut. Forstner" affairs, along with the crown prince's telegram, "Keep at 'em, boys!" and the acquittal of the offenders by military court-martial announced in advance—these attempts quite naturally caused the French people some uneasiness, and their peace-loving souls were put upon the rack, so to speak; but the French Government did not permit itself to depart by a hair's breadth from its carefully considered adherence to a peaceful policy.

Some other artifice, accordingly, had to be contrived to bring about the fulfillment of your fondest desire—grand military maneuvers in France with an imposing entry of the Emperor into Paris as a climax. As side partner in this plan you were to have the Austrian heir apparent, Franz Ferdinand, a butcher of game, with the airs of a Cæsar, and more good for nothing outside the army than you are.

As Austria is a nobody in its standing among the great powers, this tyrant had hitherto been able to terrify with his swashbuckling, not the world, but only his little neighbor, Serbia. The latter country is cut off from the sea, and therefore, since it is compelled to use the Danube route for its entire commerce, particularly in exporting its cattle, grain, and other agricultural products, it is thrown upon the tender mercies of Austria. Although formerly the relations between Austria and Serbia had been the best imaginable—the officers in Semlin and Belgrade, for instance, invited each other to their balls and other festivities—Franz Ferdinand, with his courtiers, kept inventing new methods to show by continually vexing humiliations the "superiority" of Austria over her little neighbor.

In order to put an end to this insufferable oppression Serbia joined the Balkan league and in 1912 entered the Balkan war against Turkey with the purpose of gaining access to the Adriatic Sea through the mountains of Albania. This was a war with a real goal, one which represented a vital problem for the Serbian people, and which could be achieved without any detriment to the civilized world. For even if the sons of the mountains of Albania exchanged Turkish for Serbian rule, and if inconsiderable settlements along the east coast of the Adriatic developed into harbor cities of commercial importance, this at least was no loss to civilization. And after heroic battles the brave Serbs attained their goal by occupying the harbors of Durazzo and San Giovanni di Medua. Although this success caused no one in Austria-Hungary the least inconvenience—on the contrary, prosperous development of a neighboring nation is always a gain for one's own country as well—the Austrian heir apparent—the actual ruler of Austria—now mobilized and kept on rattling his sword until the treaty of London founded the phantom kingdom of Albania, an abortion of European diplomatic art. The sole purpose was again to shut off Serbia from an outlet to the sea, and thus to rob her of the fruits of her victories and the goal of her war. The Austrian mobilization lasted many months and brought Austria, which was not rich anyway, to the verge of bankruptcy, and all for nothing at all except to satisfy a Cæsar's itch for power. The great powers—Russia, England, and France—consented to humor this despot in the London conference simply and solely for the sake of avoiding a war.

After this "triumph" affronts to poor Serbia followed thick and fast. Bulgaria, now allied with Turkey, was encouraged not to acquiesce in the terms of peace arranged at London, and the upshot of the matter was the second Balkan war, in 1913. The outcome, as we all know, was not a triumph for Bulgaria. More sword rattling, therefore, from the Austrian heir apparent because Serbia had received a few more Macedonian villages by the treaty of Bucharest than seemed proper, according to the ideas of this fount of all authority. Austria at that time—midsummer, 1913—made an official inquiry of Giolitti, the president of the Italian ministry, as to whether Italy would consider herself bound by the terms of the triple alliance in case Austria were attacked by Russia in consequence of war with Serbia. Giolitti, who is now known to be discredited among his countrymen on account of his friendly attitude toward the triple alliance, answered quite properly:

> If Austria proceeds against Serbia, it is evident that the terms of the triple alliance do not apply. It would be an independent action on Austria's own account, since it is not a question of self-defense, and no one considers attacking her.

He added also the well-meant wish that Germany, he hoped, might succeed in deterring Austria from this extremely hazardous adventure.

Well, after your Morocco experiment ended in a fiasco, this extremely hazardous adventure was the diplomatic war plan concocted between you and your friend Franz Ferdinand in continual visits to Konopischt and other hunting castles. Sometimes your statesmen and confidential strategists were admitted to these counsels, sometimes not.

Perhaps you will prefer to deny this. Have a caution, the walls have ears, and in Austria there are not only hunting attendants who gossip about State secrets but even officers of the general staff.

Your noble plan ran like this: Serbia, exhausted by the two Balkan wars, to be taken by surprise and easily crushed to earth; Russia to interfere on behalf of her little Slavic sister nation; this (ostensibly) to involve Germany under the terms of her alliance with Austria, and now France has to join the fray on Russia's account, and at last you two can fight battles and win victories to your heart's content!

What do the welfare and happiness of the people amount to after all in comparison with the laurels of victory.

Nineteen hundred and thirteen was too soon for the plan to be put through. First the armament bill, which had just been passed, had to be carried out with the extra billion appropriation for defense. You and your friend accordingly had to wait patiently till 1914.

Your plan certainly seemed most attractive not only from a diplomatic point of view but from a military one also, did it not?

For many years past, at least since 1897, the following plot against France, sprung from the brain of Count Haessler, lay in the secret archives of the general staff:

A German Army, to make a feint attack on the Alsace-Lorraine boundary and withdraw, as if defeated, far enough into the interior to form a great semicircle between the fortresses of Metz and Strassburg.

The French, elevated at the chance of regaining Alsace, to be enticed into this hollow arc. Then German reserves, which have been held in readiness on the flanks to press forward eastward from Metz and westward from Strassburg and cut off the French forces in the field from their base, the chain of fortresses formed by Verdun, Toul, Epinal, and Belfort, and prepare for them a new Sedan.

Meanwhile the main German Army will march through Luxembourg and Belgium and fall upon the hereditary enemy's country along the extended front across the almost unprotected northern boundary of France. With the army on the left wing, it will surround and storm the great fortress of Verdun, which bars the way from Metz to Paris, while in the meantime the other army columns will hasten by forced marches toward Paris. As soon as the main supply line from Metz to Paris is opened through the fall of Verdun—about six weeks after the beginning of the war, according to the plan—the neutrality of Belgium is to be restored. Paris to be bombarded after the fashion of Liege with our superior artillery (Big Berthas!) and taken by storm, and four weeks after the beginning of the war the great Imperator makes his triumphal entry. "On the anniversary of Sedan, I expect to breakfast in the Café de la Paix in Paris," announced Count Haessler in the early days of the war. "When the leaves fall the Landstrum will be coming home," you told us. The rest of the troops, you meant us to understand, would still be needed to occupy the country till the war indemnity was paid.

The plot for the east, hatched out by the Austrian general staff in 1911 or 1912, was just as ingenious. While east and west Prussia and Bukowina are protected solely by the defensive operations of the Landwehr and Landsturm troops, the main Austrian Army stationed along the Galician boundary will march toward the Vistula in a wide curve and occupy Poland until the German and Austrian boundary from east Prussia to east Galicia forms a handsome straight line, such as you are so fond of at parade. Before the stupid Russians are finally mobilized, a matter of about six weeks, the Polish forts will be crumpled up with the help of 42, 30, and 5 centimeter batteries, and Poland, which longs for deliverance from the Russian yoke anyway, conquered. "We only need to add Warsaw to our conquests, and the war will be finished," were your own words in the fall of 1914.

Some prince or other—one of your sons, if poss'ble—is to become King of Poland. France will pay the cost of the war, including, of course, our indemnity to Belgium, which, considering its military helplessness, must permit our pass'ng through without further ceremony. Perhaps there will be a French colony left over for us also. After a war lasting three months at the most you return home in triumph, amid the acclamations of your people. Once more, with the help of your military and Junker caste, you have saved Germany from destruction! You plan new armament for land and sea—now, of course, we have to prepare against two countries which want revenge—and you collect your percentage of profit from the millions the Krupps have made.

That was your plan of war, your war goal.

Who will ask why the widows weep, and the orphans and the cripples? They will stop if you pay them. Who will ask who is to bear the guilt of the war? To be guilty means to be the cause of misfortune. But a victorious war is in your eyes no m'sfortune for any nation.

FLAWS IN THE PLAN.

An enchanting plan in the east and west! Of course, we can not consider it in its political aspects, from the point of view of national welfare; this point must wait till later. It was intended merely as a m'litary scheme, war for the sake of war. But even from this point of view it contained some flaws which deserve consideration; for instance:

(1) The whole scheme of the war as planned by the general staff rests upon an error; it is impossible to put up a war in hermetically sealed t'ns like corned beef, or wind it up on a bobbin like a spool in a sewing machine. War is not a thing which can be predetermined and settled in advance. For one thing, the opponent always sets your plans awry, a thing which it is vain to attempt to eliminate by the greatest possible precipitation in beginning the war, extreme haste in mobilization, and utmost vigor in the first offensive. Then, too, the very nature of one's own people, their psycholog'cal make-up, their economic situation, the kind of political leaders they follow, and the temperament of the generals who are available for service at the outbreak of the war, all these are factors which influence the military situation from the very beginn'ng, and thus should be taken into consideration in making plans. The Bavarians, ever at the forefront in patriotic sacrifices, and the men of Baden and Wurttemberg, quick as they are to perceive any danger threatening their own country, can not be ordered into Lorraine out of hand when the idea is not to expel the invading French but to entice them in.

(2) The plan of campaign, it should be particularly noted, can not be separated from the generals. One can not bestow their strategic plans upon crown princes like distinctions "pour le mérite." Moreover, field generalship is a more rare and difficult art than is, for instance, bobsleigh coasting.

Not even the fine name of Hellmuth Moltke is an unconditional guaranty of victory.

To be a Moltke is essential; to be called Moltke amounts to nothing. When you conferred the post of chief of the general staff upon Moltke 10 years ago, he himself informed you he was not qualified. You assigned it to him—about as one orders a subaltern to sentry duty—with the words, "Well, you are equal to this bit of a job in peace times; in war I am the supreme source of command, anyway." Have you forgotten that so soon?

You are responsible for the sins of the princes whom you chose as generals, as well as for the shortcomings of your chief of the general staff. Crown princes, in other words, inexperienced, but conceited and influential men, not only make a botch of the business intrusted to them but in so doing they set a bad example to others. Gen. von Kluck declared in the beginning of September, 1914, that he did not worry himself about the commands of the general staff; since the German Crown Prince did not worry about them, he did not see why he should bother!

You are acquainted, I take it, with the state of affairs in the conduct of your armies which led to the retirement of Moltke, Kluck, and Hausen, and to the abdication of the post of quartermaster general by Von Stein, and so forth?

(3) You calculated that easy-going, slovenly Austria, divided as it is into a dozen hostile peoples, would make the same military material as your Prussians. Did you think that the Czechs, Poles, Croatians, and Ruthenians of the Austrian Army would fight with Prussian smartness and discipline against brothers of their own race to the north and to the south, people who had been surprised by an arbitrary and malicious attack? They were entirely justified in deserting to the other side by thousands at every opportunity which offered itself, instead of standing up to be shot down at the whim of a Hohenzollern. Any general ought to be hanged who does not know that his soldiers are flesh and blood, and not so many tin soldiers. Just because you carry on war, not with mercenaries, but with a nation called to arms, it is necessary that the goal of the war be in harmony with the ideas and interests of the nation, not with the ruler's silly lust for power.

(4) What if Belgium had not granted your army right of way through her country?

Belgium was no ordinary neutral State, which can waive or limit its neutrality at any moment it sees fit, and toward which a belligerent is allowed by international law to behave as he likes. Its neutrality was of a wholly different sort—a fact which was always concealed from the German people. Prussia, Austria, England, and France guaranteed the neutrality of Belgium under the sanctions of international law in the treaty of London, 1839, and until the beginning of this war you yourself, through your Government, have always recognized this guaranty as a binding pledge. Besides this, in his speech of August 4, 1914, your chancellor admitted that the entrance upon Belgian territory was a violation of the statutes of international law.

The march of troops through a neutral country on their way to war is one of the most serious breaches of neutrality; if it is allowed, it automatically permits the opposing party to march in, and thus the neutral country is made the theater of war. "The violation of the neutrality of Belgium would be the most shameful crime upon the pages of the world's history," said Gladstone, the English Prime Minister in Parliament, at the outbreak of war in 1870. Bismarck at that time observed Belgian neutrality so punctiliously that he would not even permit German wounded or medical attendants to be transported across Belgian territory after the battle of Sedan. Belgium dared not grant permission to march through, upon the penalty of being guilty of a breach of treaty, and thus of losing for all time its honor and respect among the nations. The rest of the guarantor powers were under no necessity of granting permission to march through Belgium, but were bound to hurry to her aid, if she demanded it. Our treaty with Belgium was as good and as binding as any other State treaty, as, for instance, the triple alliance. By tearing up this treaty, you relieved all other na-

tions of their engagements toward us, as Salandra quite rightly pointed out on the occasion of Italy's declaration of war. By a faithless attack upon a small, weak nation you alienated the sympathies of the entire world from us at the very beginning, and confirmed them to our opponents. But most important of all, by this action you forced England—who has always fulfilled her treaties—to enter the war upon Belgium's demand for protection, and to fight at least until Belgium's independence is again restored, and until the damage which has been done to her is repaired, in so far as this is possible at all. And this alone was England's reason for declaring war upon us.

Your subterfuges, such as that Belgium itself, or France, or England had already violated Belgium's neutrality are gross lies, as you very well know, meant only to deceive your own people. No one except yourself compromised Belgian neutrality. France answered immediately with a simple "Yes" Grey's question of July 31, 1914, as to whether it would respect the neutrality of Belgium in a war with Germany as long as no other power violated it. You sent the rotten answer through your secretary of state, Jagow, that "you could not answer the question, because of the necessity of not disclosing your plan of war." By those words the English query was answered and your plan of war stripped bare. And the English Ambassador Goschen, at the instance of his Government, immediately directed Bethmann-Hollweg's attention most forcibly to the inevitable consequences.

You therefore also have England's war against Germany upon your conscience, and for it you are answerable to your nation.

Likewise you are responsible for our losing the sympathies of foreign countries from the very start and for the breaking of treaties of alliance and friendship with Italy and Roumania.

(5) If one wants to carry on war it is, of course, well to prepare for it. This preparation should not, however, be carried on for so long a time, so strikingly, and so exhaustively that even the stupidest neighbor must have noticed it long since. Ever since 1905—the first Morocco affair—the sharp-eyed English noted not merely that you were looking for war with France, but also that you wanted in that case to make a surprise attack through Belgium, a course which would involve English treaty obligations and interests. Perhaps you think nobody noticed it when the officers of your general staff, even though disguised as tourists, studied the Franco-Belgian boundary. Acting upon this, the British also studied the defenses of Belgium and made the Barnardiston military agreements which you found in Brussels and published in a garbled form. These in all cases contain the proviso, "If another power violates the neutrality of Belgium." These agreements prove nothing against Belgium, nothing against England; they merely show that even at that time you had in mind a war involving the violation of the neutrality of Belgium. Or do you prefer to try to make us believe that you invaded Belgium on account of these military agreements, although their existence was entirely unknown to you? No; the opposite, rather, is the case. You would not have made the invasion if you had suspected how pluckily the little country would defend itself and how stubbornly it would be aided by England in its resistance.

The nearer the war came the more your military preparations increased, as was evident to all acquainted with such matters; increases in the army and navy, including the notorious billion-mark appropriation bill of 1913; added severity in military and espionage laws; continued secret meetings of German and Austrian high officials of state, statesmen, and chiefs of staff; feverish activity in all military industries; simultaneous increase in the burden of commercial credits and foreign exchange; uninterrupted purchases of gold by the Reichsbank; the founding of the German Wehrverein (Defense Union, 1912) and increased agitation in the Navy League; war talk in the yellow journals and a systematic manipulation of the civil press for war purposes; sensational books by the Crown Prince and by various generals (Bernhardi, Frobenius) as propaganda to influence public opinion for war; laws of all kinds preparatory to war; diplomatic machinations for the sake of tricking England into neutrality in case of a war; the establishment of headquarters for German spies, for example, in Alexandria; all sorts of secret indications pointing to war, in military barracks and in the mustering of reserve troops; copious subsidies to owners of automobiles and motor trucks, in order to be able to count on having as many of these vehicles as possible in case of war.

A few gems, by way of illustration: In Bavaria there was no "state-of-war" law. During previous wars in Bavaria no necessity had arisen for any such gag law by which, in case of war, public opinion is completely muzzled, and the entire civil government, business and trade, law, and order are subjected to military dictatorship. In 1912 a law of this kind, carefully patterned after that of Prussia, was introduced in Bavaria with as little fuss as possible. About the same time, Ludwig, the Prince Regent, who was conducting the government for the mentally unbalanced King Otto, was elevated to the kingship, with the assent of the dominant party in Bavaria, the Center, which up to this time had declared this legally impossible. Your influence was responsible for that action, the reason being that the King controls mobilization, according to the Bavarian constitution, and there were considerable doubts on constitutional grounds as to whether the Prince Regent possessed this qualification in place of the King. Ludwig III, the avaricious miser, welcomed with no little delight a great increase in his civil list (from a few hundred thousand marks to more than 5,000,000), and even expressed willingness to have a further increase in it.

In the spring of 1914 the last preparations were made; everywhere collections were taken up in great numbers for the "Red Cross in war times." From May 10 until June 20 the German Crown Prince, with the chief of the general staff, Moltke, and a number of other generals in high command, made a tour of inspection along the entire boundary between France and Belgium, and of course did not fail to tell tales out of school everywhere. In braggadocio he out bombasts even you, and not for nothing has he studied the war plan in the general staff. Walls have ears. At ports, such as Cuxhaven, barbed wire entanglements were laid out and grass sown over them so that by the beginning of the war the wires were concealed by tall grass. In Alsace-Lorraine observation towers for the artillery were built in suitable places for use in the great battle which was to encircle and cut off the enemy, and so forth.

Again, the Russians had been familiar with the Austrian war plan for more than a year, through Col. Redl, of the Austrian general staff. It is therefore little wonder that the statesmen of France and Russia, who are naturally not entirely blind, recognized your purposes, and in the spring of 1914 began certain defensive measures for the protection of their people, such as, for instance, the strengthening of garrisons along the boundaries and of boundary fortifications and the calling out of reservists for training. They knew that you would let loose a war upon them, the date alone they could not foresee.

That England must enter the war, by reason of her treaty obligations, her interests, and her common duty to humanity, was well known to you and to your counselors. But you did not let this thought trouble you. Our coasts are so well protected by land fortifications, outlying fortified islands, and mines that, even apart from our high seas fleet, a luxury as expensive as it is superfluous, an attempt on the part of the British to make a landing is practically impossible. The English field forces, however, were treated as a mere trifle. You arranged with your Turkish friends to promise Egypt as a reward to the Sultan for his declaring a holy war of the Mohammedans after England entered the war. As a result such violent uprisings were to be brought about in India and Egypt that the English would require all their land forces to protect their own colonies.

You fool! Didn't you know, and didn't the advisors you picked out know that England is the most stubborn and persistent nation in the world; that for centuries she has consistently succeeded in getting what she was fighting for and has enlarged her world power, while exactly the opposite can be asserted of our Austrian allies? Do you follow the advice of hectoring montebanks that you treat England as a nobody, to be turned over to the Turks to subdue "en passant" as incidental to a war with Russia, France, Serbia, and Belgium?

THE DECLARATION OF WAR.

Unhappy Serbia in the spring of 1914 saw herself destined to be the inevitable victim of the threatening world war. If her statesmen did not themselves know Austria's plans, then the Russian Ambassador Hartwig, in Belgrade, enlightened them. In the face of this terrible catastrophe Serbian patriots seized upon the last desperate expedient. They killed the Austrian heir apparent, Franz Ferdinand, in Serajevo on the 28th of June, 1914. By so doing they struck at the man who was the source whence all humiliating trickery had come upon their country, and they believed that they had destroyed the mainspring of the war that threatened them. They calculated that the old Emperor Franz Josef, now in his eighty-fourth year, and the heir to the throne, Archduke Karl Franz Josef, 27 years of age and not a warrior, would not let loose a war—a world war whose consequences for Austria would be incalculable.

Murdering princes is as little to be encouraged as murdering other men. Yet, if the Serbian patriots had succeeded in what they purposed they would have rendered humanity an enormous service and deserved a martyr's crown.

But they had reckoned without you, in ignorance of the fact that Austrian foreign diplomacy had degenerated into a passive tool for the accomplishment of your unbridled desires.

Had Franz Ferdinand not been killed, the world would have held him equally guilty with you; now the charge lies at your feet alone. Franz Josef, a dessicated mummy, acting solely at your command, could hardly have been aware of the full significance of his actions when he signed the ultimatum and then the declaration of war against Serbia. You had already relieved him of the necessity of making any other declarations of war.

"A clear course and straight sailing at last!" Now you had the most splendid reason for war: To avenge the murder of your friend! To be sure it was a reason for war only in the eyes of such infatuated fools as unfortunately most of your subjects were.

Suppose, for instance, some members of the Stuttgart Chapter of the Alpine Club had agreed among themselves to murder a high-handed individual who was dealing treacherously with the Alpine Club—because he looked upon the Alps merely as his hunting preserves, not as vacation spots for peaceable tourists—would this have been a reason for waging war against Wurttemberg? Since when has a country or a nation been responsible for the crimes of some of its subjects? Did anyone declare war against Switzerland or against Italy after the Austrian Empress Elizabeth was murdered in Geneva by an Italian? According to what statute in international, state, or private law may whole nations be slaughtered in revenge for the murder of one prince? Not only the people to which the murderer belongs, but also one's own people, for in war, as you probably know, the shooting is not on one side only; they shoot back.

At the beginning of July, shortly after the murder of the heir to the throne, the Austrian ambassador in Belgrade, Baron Giesl, invited the Russian Ambassador Hartwig into conference. At this conference Hartwig "died." According to the code of Austro-German diplomats, whose ideas on such subjects never emerge from the undergraduate stage, the murder of an ambassador is an affront to a State which can be wiped out only by war. You reckoned that Russia would now have to declare war upon Austria; then Germany would be involved by the terms of her alliance with Austria, and by the same token France by her alliance with Russia. Russia spoiled your plans with diplomatic adroitness by certifying through some Serbian doctors that the ambassador had died of apoplexy.

Nevertheless, you were determined not to allow the war to slip through your fingers.

On July 23, 1914, at 6 p. m., Austria's ultimatum was delivered to the Serbian Government, allowing 48 hours for a reply. It contained in its 10 points such a list of humiliations and encroachments upon Serbia's sovereign rights as has never before been presented to an independent state by a foreign Government (including the right to form associations and hold meetings, education, police, the army, the government of the state, judicial authority.) Notwithstanding this the Serbian Government did not reject the ultimatum, but acceded immediately to eight points, under the influence of Russia, England, and France, in order to preserve the peace of Europe. On one point (the participation of Austrian functionaries in suppressing the Pan-Serbian movement) she asked in most polite terms for a further explanation, where the wording of the Austrian note was undeniably obscure. At the same time she declared her readiness "to accept all cooperation which would be compatible with the principles of international law and of criminal procedure, as well as with neighborly relations." Finally on one point—the participation of Austrian functionaries in the judicial investigation of the accomplices living in Serbia (it should be noticed that the principal conspirators in Serajevo, i. e., Austrian territory, were arrested and dealt with)—the Serbian Government replied:

"The Royal Government, of course, considers it its duty to institute an investigation concerning all persons who were concerned in the conspiracy, or who are said to have been concerned in it, and who are within its territory. In regard to the participation of specially delegated functionaries of the Royal and Imperial (Austrian) Government in this investigation, however, it can not accept such a proposal, since such a thing would be a violation of the constitution and of the criminal code. On the other hand, reports concerning the results of the investigation might, in individual cases, be made to the Austro-Hungarian functionaries."

The Serbian Government went so far as to add: "The Royal Serbian Government believes that out of regard for the common interests of both parties, overhasty, precipitious action should be avoided in seeking a settlement of this affair. Therefore, in case the Austrian Government should consider this answer unsatisfactory, the Royal Serbian Government is ready as always to accept a peaceful settlement, either by submitting this question for decision to the International Court of Arbitration at The Hague or to the great powers."

This was Serbia's answer to the Austrian ultimatum, and it was delivered punctually within the appointed time to the Austrian ambassador in Belgrade. Two hours later the Austrian ambassador left Belgrade, but the German people were deceived with the lie that Serbia had brusquely rejected Austria's ultimatum.

In the following days the ministers of foreign affairs in Russia and in England, Sasonoff and Sir Edward Grey, were feverishly trying to keep peace with the world, and to settle the essentially insignificant points of difference between Austria and Serbia, either by negotiations between Austria and Russia or by a conference of the ambassadors of the States not immediately concerned—Germany, Italy, England, and France—or by recourse to The Hague Tribunal. The last proposals of England and Russia went so far as to stipulate that Austria should retain Belgrade (the Serbian capital) as a guarantee until the peaceful settlement of her controversy with Serbia, and Grey declared that he would support every proposal seriously offered by Germany for a peaceful settlement of the controversy. At the same time he made it very plain to the Russian and French Governments that no English interests would be involved in the Serbian question, and that therefore England would not violate her neutrality on account of Serbia.

Germany and Austria either rejected all proposals or refused an answer under all sorts of pretexts. The favorite tactics were to pretend that Bethmann had asserted that he had forwarded the proposals to Vienna, and had as yet received no answer. If you had moved so much as your little finger, presto! "your war" would again have slipped through your fingers. How hard it is to start a war when all the neighbors want peace!

In vain the diplomats of France and Italy asked, "What is Austria really after? Surely outstanding points of difference could be settled in a quarter of an hour." Well, Austria, as your vassal, was forced to begin war according to the terms of her agreement—war at any cost. Austria, as your vassal—every page of the diplomatic documents is proof of that. Your statesmen and diplomats disposed of the affairs of Austria as if she were their ward and they her guardians, and issued statements for Austria without so much as asking her. In the White Book, which was presented to the Reichstag as evidence of the diplomatic activity preceding the war, there is not a single document, telegram, letter, or report of a conversation that was exchanged between you or your Government and the Austrian Emperor or Government!

On July 28 followed the Austrian declaration of war against Serbia and the Austrian mobilization against Serbia as well as against Russia. Thereupon the Czar was forced to mobilize for the protection of his realm.

On with the dance! The rest you took into your own hands; on July 31 the declaration that a state of war was impending and hasty ultimata to Russia and to France, with 12 and 18 hours, respectively, allowed for answer; on August 1 the declaration of war against Russia and general mobilization; on August 2 invasion of Luxemburg and an ultimatum to Belgium; on August 3 declaration of war against France.

Not until August 6 did Austria come hobbling obediently after with her declaration of war against Russia.

Meanwhile, on August 4, England had declared war on Germany, simply and solely because Belgium's neutrality had been violated. On August 4, when the German troops were already in Belgium, the British ambassador, Goschen, inquired of your secretary of state, Von Jagow, whether it would not be possible to give up the idea of invading Belgium and to withdraw the troops. The answer was a negative one, and thereupon he demanded his passports.

THE AIM OF THE WAR.

So you set the world on fire for nothing, over differences which were not worth so much as the telegrams of the diplomats, not to mention the blood of a single human being. Never has a war been trumped up more unscrupulously, never were the efforts of neighboring nations for peace more insultingly scorned and trodden under foot. Never were nations lied to and deceived more despicably than Germany and Austria by you in order to kindle an artificial "war enthusiasm"—an enthusiasm, however, which consisted in the howling of a hundred jingoes, while a thousand sensible men had to swallow their rage in silence. Never was every approach to the truth, every crack and cranny through which it might seep more carefully dammed.

A war without reason, without an aim, simply a gigantic military pageant for your amusement, and for the "renown of

the Hohenzollern," an imperial world-war game. A war of militarism and for militarism, like a revolver that has gone mad, finding life monotonous in its desk drawer and now fires about the streets at random.

Year after year the German people have to go on murdering and letting themselves be murdered, starving and getting deeper and deeper into debt, without finding out what the aims of the war are, without so much as being allowed to discuss them.

Oh, of course, it would not do to tell them that the whole affair was but an imperial war game.

German professors who crawl on their bellies before you, but who before the world outside give themselves all the airs of a Bismarck, are devoting their painstaking efforts to inventing "a posteriori," the missing causes and aims of the war. As Mephisto says:

> Don't worry if ideas amount to nil,
> A word in timely order fills the bill.

So they say, for instance, that German civilization must be protected against Pan-Slavism. By war? No, idiots; German civilization protects itself by its own superiority. Did you ever meet men in Germany who were afraid of being Russianized?

German geologists who explore the mineral wealth of Russia, German engineers who survey the mines, German bankers who finance them, German physicians who are called to the sick beds of princes, German machine works which build up Russian industry and agriculture, German mechanics who set up the machines and direct the Russian laborers as to their use, German merchants who display to the Russians German articles of comfort and utility and teach them their application, German teachers and nurses who teach German to Russian society children and in this way break the ground for German culture, German publishers, German theatrical managers, German actors, German musicians, German painters, who present the products of German art to the Russians—these are the men who have hitherto conquered Russia in the interests of German culture, and not vice versa. But what it took them decades to build you destroyed with one stroke of the pen. They all prospered in Russia. You drove them out of it. Who knows whether they ever will be permitted to return? Pan-Slavism never estranged a German from things German, but with your cannon you drove German spirit and manners from Russia. Is it not one of the most incomparable jests in the history of the nations that this war was necessary to Russianize the good old German name of the Russian capital and make Petrograd out of Petersburg?

Again, we hear that Russia's designs upon Constantinople were a cause of the war. In reality Russia counseled Serbia to the utmost submission, and exhibited not the slightest intention to attack anyone, not even Turkey. Likewise, on former occasions, at the peace negotiations following the Balkan wars, her actions manifested far greater inclination toward peace than Austria did. We could have waited with perfect equanimity to see whether Russia would show signs of warlike intentions against Turkey, and would put these into effect, and whether even then our interests should necessitate armed intervention. In the history of the last hundred years Russia has, as a matter of fact, tried several times to get possession of Constantinople, but France and England have always thwarted her without its costing the life of a single German soldier. What foolish and stupid diplomacy it would be to provoke a war against Russia, France, and England, and to enlist Turkey on our side for the sake of forestalling alleged Russian designs upon Constantinople! That is why those whose political interests were far more opposed than ours to Russia's Dardanelles policies were made Russia's comrades in arms. If Russia conquered Germany she would really begin to be a menace to Constantinople; if she were defeated in the war you trumped up, she would necessarily look upon Turkey as a welcome compensation for the loss of Poland.

We must defend and establish the freedom of the seas against English supremacy. How silly! If the "freedom of the seas" had been threatened, compelling us to have recourse to arms on that account, then we should have had to address an ultimatum on this subject to England, and to declare war upon her. It was you, on the contrary, who begged for English neutrality, and as late as August 4, 1914, Bethmann-Hollweg declared in his speech to the Reichstag:

> We have declared to the British Government that as long as England remains neutral our fleet will not attack the northern coast of France, and we shall respect the territorial integrity and independence of Belgium. This declaration I herewith repeat before the world, and I may add that as long as England agrees in good faith to remain neutral we are also prepared to forego undertaking any hostile operations against the French merchant marine.

Is that the way one speaks in demanding of England the freedom of the seas and in drawing the sword on that account?

No; it is England herself, the classic example of freedom of trade, who hitherto steadfastly maintained the freedom of the seas and water lanes, and defended it vigorously for all the world and against all the world, the most recent occasion being against the United States in the question of the Panama Canal tolls shortly before the outbreak of the war. Never has England threatened the development of our marine or our world commerce by a single word, much less by a deed. If, in the course of the war, England resorts to a blockade in order to starve out our country, an entirely legitimate proceeding in time of war, then the attempt to improve this condition for which you only are entirely to blame can not be represented as "the aim of the war." You might just as well call the dropping of bread cards or the elimination of press censorship our war aim. If I shot at a couple of passers-by from my window, and a third, in endeavoring to aid them, threw a stone at me and broke my window, I certainly could not maintain that I fired the shot in order to defend the freedom of my window.

Why waste so much as a single breath in discussing hollow phrases, such as our "place in the sun"? Who of you has found his "place in the sun" contested by the French, Russians, English, or Serbs? Not one, either in Germany or in the German colonies. Our colonies in Africa alone cover an area more than five times as large as the whole of the German Empire. In 1913 the total German population of all our African colonies amounted to about 27,000 (men, women, and children) less than in the average suburb of Berlin. How many million Germans might still find a "place in the sun" there? We had no use at all for so much territory, and had to spend many millions every year for its upkeep.

There is a tragic logic and justice in history. If you go to war to uphold unreal contentions, you risk having them come true negatively. Pan-Slavism did not threaten Germanism, but by the war the progress and success of Germanism in the east was brought to naught. Before the war Russia was not a source of danger to Constantinople; through the war it has become one. All the seas were open to us before the war; through it we have been barred from them. We had more room under the sun than we needed; now we stand shorn of our gains, and our colonies are in the possession of the entente.

Victory in war implies the attainment of a political end by means of military force. For example, Serbia in the first Balkan War. In war for war's sake there are only victories for victory's sake—the pseudovictories of militarism.

By the battle of the Marne the French stopped your advance toward Paris and forced your army back more than 100 kilometers (62 miles). That was a real victory for the French, for thus they destroyed your military project against Paris, and that was their first purpose in the war.

On the contrary, our occupation of northern France—which was made possible only by the forcible entrance into Belgium in violation of international law—is not a victory, for we do not in the least want northern France. Your Government does not want it, and not a single German soldier wishes to settle there. The only thing they all want is to come out again. And because you are too much ashamed and too cowardly to admit the truth, thousands upon thousands must continue to bleed to death from Verdun to Dixmude and by the Somme and the Yser.

Those are your victories, Imperator!

And what of our victories in Poland?

(I here pass over the fact that the latter were not won at once, as prescribed in the plan of campaign, but only after a year's time, and likewise not by the Austrians, but by the Germans.)

If what you desired was Poland's liberation from the Russian yoke, Poland's independence, consider how often we could have attained it during the past century at the time of various great Polish rebellions, if we had sent to their aid two or three Prussian army corps. But Bismarck very properly did nothing of the sort. The blood of German soldiers is too precious to be spent for the liberation of Poland; the enmity of Russia is too high a price for us to pay for her independence. But tell me, what Pole ever asked you to free him from Russia? What German ever declared himself ready to shed his blood for that cause?

If what you wished was the incorporation of Poland into Germany, drop it. We already have more than too many Poles in Prussia. We have already thrown away hundreds of millions of money in resisting Polish nationalization by our "colonization policy." We already have enough "Polish questions" in Prussia and in the Empire.

If, on the other hand, there was a plan to unite Poland with Austria, consider that Teutonism in Austria is even to-day engaged in a death grapple with the Slavs and Poles. The

incorporation of Poland would mean the political ruin of the Germans in Austria and their suppression by the Czechs and Poles.

Is it for such "victories" that the blood of our young men and the billions of our national wealth must be sacrificed.

Take our victories in the Balkans. Whether Serbs or Bulgars, Roumanians or Greeks or Turks have a rag or tatter of land more or less down there is a matter of absolute indifference to Germany. In so far as we have interests in the Balkans we must protect them by commercial treaties; everything else is hellish madness. The whole of the Balkans are not worth the bones of a Prussian grenadier. This famous saying of Bismarck is just as true to-day as it was 40 years ago.

Anyone is a murderer and a traitor who sacrifices a single German in the cause of Bulgaria or Turkey.

THE WAR PLAN WRECKED.

In August, 1914, your war plan in the east was shattered. Instead of Warsaw being captured by the Austrians, Lemberg was taken and Przmysl besieged by the Russians. In east Prussia Gen. von Prittwitz und Gaffron, whom you had intrusted with the duty of guarding the border, got completely out of his rôle. This junker had already distinguished himself for his incapacity in the Silesian war games against von Strantz. The simultaneous attack of two great Russian armies—the Niemen and the Narew army—had not been anticipated in his program. Posen and Silesia lay open to a Russian invasion after the retreat and rout of the armies of Dankl and Auffenberg. Only the genius of two real generals, who, however, had not been provided for in your war plan—Hindenberg and Mackensen—and the unparalleled devotion of our Landwehr and Landsturm troops saved Germany from a catastrophe in the east, a catastrophe for which you would have been alone to blame.

In the west, after many bloody battles, entire failures from a strategic point of view, the Crown Prince of Bavaria succeeded in completely upsetting the local war plan in the great Battle of Lorraine August 18–21, 1914. The trenches, battery positions, and observation towers which your general staff had prepared so prematurely were left unused. It was all up with the idea of encircling and cutting off the French field force from its base. After we had foolishly given up the Vosges positions (for instance, at Donon), which we took at great cost at the beginning of the war, we finally won them back with great sacrifice of blood. That, of course, did not prevent you from triumphantly parading the battle in Lorraine before your people as a victory. Men in the inner circle assert that you yourself commanded the Bavarian Crown Prince to break off his strategic retreat prematurely, in spite of the urgent requests of Count Haessler. If this is correct—you know best yourself if it is—you are personally responsible for this failure also.

The attack upon Verdun, with the eventual surrounding and siege of the fortress, was the strategic task which you intrusted to your young hopeful, your first born. To-day, 30 months later, he finds himself on the same spot as on the 1st of September, 1914, but the graves of hundreds of thousands of German youths and men mark the theater of his activities as a general.

Large numbers of the Saxons were either captured or slain at Chalons, after failing to join forces at the beginning of September with the advancing armies of Bülow and Kluck. The force of the latter, which was already at the gates of Paris, was thereby threatened on the left wing with the danger of being surrounded by the French Army under Maunoury, and in the rear by the danger of being cut off and covered by an English Army which had landed at Boulogne. Only by a most rapid retreat from the Marne to the Aisne did they save themselves in the middle of September from a Sedan. Thus have your imperial maneuvers, senseless enough from a political standpoint, broken down and failed in every detail since the middle of September, 1914.

Since that time Germany has been a besieged fortress. Since then you have thrown sand in the eyes of the German people in civil and in military matters. Since then, to divert attention, victories have been wrung from weak States such as Serbia, Montenegro, and Roumania, and celebrated with monstrous exaggeration. Since then Germans have been slaughtered in order to protect the Hungarians, Turks, and Bulgars, whom you swept into the vortex of war, from the attacks which you have drawn down upon them. Since then myriads upon myriads of our brothers have poured out their life blood along the Yser, in the Champagne, at Arras, around Verdun, and on the Somme, not for any purpose or aim, but helpless victims of infamy. Every silent form—whether slain by us or by our "enemies"—is a murder at your hands, accusingly crying to Heaven for revenge!

The collapse of your war plan and the inner incoherence and hopelessness of the conflict are, of course, well known to our enemies. It is a secret only from the trustful, confiding German people. In truly tyrannical fashion you try to hide your weakness under a policy of frightfulness at home and abroad which is not only useless strategically but even detrimental, because it spurs the enemy to most savage resistance and evokes measures of reprisal. You plunder occupied territory, inhumanly exact fines on the merest pretexts, drag the inhabitants into slavery, throw bombs upon unprotected cities outside of the war zone, destroy monuments of art and civilization without sufficient reason, sink merchant and passenger ships of belligerent and even of neutral powers, in violation of international law, employ illegal means of warfare (gas attacks); at home you maintain secret spies, you infringe the inviolability of the mails, of the right to move freely from place to place, and of other civil rights; you arbitrarily imprison without legal justification, and unconstitutionally suppress accurately reported speeches in the Reichstag; you are shockingly unreasonable and treacherous in dealing with business, and crown all your misdeeds by the shooting of starving women and children with machine guns. By these and many other acts you have not only graven your mark deep into the brazen tablets of the world's history as the most infamous monster of all mankind, but, what is more to be regretted, you have sullied for all time the honor of Germany, to the rage and shame of all noble and right-thinking German men and women. Through your agents you vainly attempt to bribe public opinion in foreign countries with gold—with the gold of your people. Every thinking neutral, every reasonable person is upon the side of our enemies, not because he has been bribed, nor because he is a manufacturer of munitions, but out of sheer enthusiasm for the great common cause of humanity, the cause which you tread underfoot. Millions flow ceaselessly from their pockets for the amelioration of distress among your most unhappy victims—the Belgians, the Poles, and the Serbs.

THE GUILT.

He who fights for his rights may be defeated with honor. He who fights an unjust cause must win or go under.

As we well know, the voice of conscience speaks ever more insistently to your heart. The furies whiten your hair, and under their pursuit your features grow wild and haggard. There was no pose in your words when you said, as you knelt upon a great common grave of German soldiers in Flanders: "This was not what I wanted." It was the cry of a stupid boy who throws a match into a powder keg on seeing the destruction which he has caused. "The war was not what I wanted." This was the sort of lie your sycophants tried to make out of your words.

But you are too much of a coward to make amends for your guilt—the heaviest blood guilt which a man has ever taken upon himself. With averted eyes you whine out your prayers to the God whom you ask to protect you from the consequence of your iniquity, and while you go on heaping murder on murder through your accomplices you charge others with the guilt which you have brought upon yourself. We already have condemned and despised you—now you make us sick with disgust. "Semper calumnaire audacter." "Always tell lies boldly." That is the only way in which you and your Government show their courage.

For decades France has committed no hostile act toward Germany. She elected no more "revenge howlers" to her ministries, nor to other places of responsibility, and she showed her love of peace in the three Morocco crises. After Austria's declaration of war against Serbia, when the German boundary was already occupied by military outposts and Germany's purposes were well known, France directed her soldiers to keep 10 kilometers (6 miles) within our own territory, in order to avoid any possible conflict with you, and to give you not the least pretext for a declaration of war. Even with your Government's most barefaced lies concerning the alleged presence of French airmen along the Rhine and over Nuremberg, statements which have since been denied by the magistrate of Nuremberg himself, it could not fool the world into believing that France shared any guilt for the war.

Again, it is claimed that Russia by her mobilization interrupted the negotiations for settling the Austro-Serbian dispute, which are alleged to have been under way, and for this reason she is charged with having forced you to declare war. According to Bethmann-Hollweg in his speech before the Reichstag August 4, 1914, the mobilization on our boundary was already in full swing in the night of July 30–31, 1914. As a matter of fact the Russian mobilization of the four southern Provinces of Kiev, Kasan, Odessa, and Moscow was ordered on July 29 and officially reported to the powers. The general mobilization took place at 1 in the morning on July 31. But note that:

(1) Mobilization is not war; mobilization is increased military preparedness. Austria was mobilized for a long time after the first Balkan War without Russia or any other power deriving a reason for war from that fact. The Czar and his minister of foreign affairs, Sasonoff, gave the most solemn assurances that Russia's mobilization was without aggressive intent of any sort, that Russia would not begin hostilities under any circumstances. They not only declared themselves ready to continue negotiations, but for their own part made the most extensive proposals for a peaceful settlement of the Serbian question. (Belgrade pledged for the fulfillment of Austria's desires.) The Czar left it within your discretion to answer the Russian mobilization with a German mobilization.

(2) Austria had mobilized on July 28 against Russia, too. The Russian mobilization was therefore evoked by Austria's and as necessary to self-defense. Moreover, Russia was fully acquainted with your intentions in regard to the war. From the very conduct of the Austrian and German Governments in the Serbian question their intention to make war became perfectly evident. It would have been most conscienceless and remiss in the Czar and his Government had they left their country an unprotected prey to the Austro-German attack.

(3) At the hour of the Russian mobilization you had not yet, to be sure, given the official order for mobilization. In reality, however, so many military preparations had already been made that they amounted to a mobilization. We mention only a few, such as were, for the most part, known to us personally. After July 25 the boundaries, stations, railroad tunnels, and bridges were put under military guard. After July 26, if not earlier, aeroplanes and Zeppelins patroled the boundaries and the islands of the North Sea, and likewise torpedo boats in the North Sea and the Baltic. After July 27 cavalry sabers were sharpened. After July 29 innumerable military transport trains passed over the German railroads; for instance, in the night of July 29–30 alone 35 military trains went through Nuremberg. On July 29 several regiments of heavy artillery landed in Borkum, filled the whole island with heavy cannon, destroyed the quays, beach pavilions, and so forth, and mined the hotels and houses along the shore in order that they might be blown up at any moment. On July 30 the entire population was forced to leave the island with the exception of the men between the ages of 17 and 60, who were compelled to remain. On July 30 telegraph and telephone communication with territory along the boundaries and within such territory was stopped or placed under military control. At least as early as July 30 large numbers of reserve officers and landwehr officers and also reservists had in their hands calls to the colors either by telegraph or by letter. All these measures were taken not ony against Russia but even against England and France, although a war of aggression by Russia would in no way have involved France under the terms of her alliance. Your offensive war against Russia had therefore been resolved upon and settled since the ultimatum to Serbia (in reality for many a year before that).

No; Russia's mobilization was not a cause for war. It was, however, very annoying to you, because you now had to make your attack not against a defenseless enemy but against one who was armed. You behaved like the robber who calls out to his victim when the latter reaches for his revolver, "Drop your gun or I'll shoot!" That was what your ultimatum to Russia amounted to.

In truth, ever since we were comrades in arms with Russia in the war of liberation against Napoleon we have been united with her in friendship for more than a hundred years. That friendship was fostered by Bismarck and all far-sighted German statesmen. It was gratefully acknowledged and returned by the Russians, especially by Czar Nicholas, and the high esteem in which it was held continued until the last instant before your declaration of war. This friendship you senselessly tore to shreds, and in so doing you tore all commercial and intellectual bonds which up to that moment had joined the people of Germany and Russia, with so much profit to us.

But, worst of all, the German people, inexperienced as they are politically, are being scandalously deceived with lies about the English "encircling" policy, which is alleged to be responsible for the war.

Envy of Germany's political success, of her colonies, her merchant marine, her commerce, and her industry is given as the motive for this policy.

If only the German people were not so blinded by their own self-satisfaction, and had a little knowledge of foreign affairs, they would know that England is much nearer contemplating our development with a condescending smile than with envy.

It is with envy that thinking men in Germany look upon the superiority of English statecraft in domestic and foreign policies, and upon the splendid results of these policies, which have made the English tongue and English civilization supreme over whole continents almost without a stroke of the sword.

They see with envy that German emigrants make their way to English colonies prospering under a model government, whereas in our colonies they find only the bureaucracy and caste of the mother country. Our emigrants prefer other spots to a place under the sun of your colonial government, and, sad to say, for entirely justifiable reasons.

They see with envy that peoples subjugated by England—as, for instance, the Boers—grow and prosper under English freedom, justice, and statecraft, and after but a few years become the most enthusiastic partisans of the English Government, while strangers whom we have incorporated within Germany—the Alsatians, the people of Lorraine, the Poles, and the Danes—under the yoke of your military and junker rule remain at all times a thorn in our flesh.

House rents, most articles of food, and taxes were far lower in England before the war than in Germany. Incomes under 3,000 marks ($750) were free from an income tax. In 1913, only 5.18 per cent (approximately a twentieth) of all householders in Prussia had an income of over 3,000 marks; on the other hand, more than half—50.5 per cent—had an income under 900 marks ($225). In other words, more than half of your subjects were living in the most poverty-stricken circumstances.

While in England, even in the large cities, almost every skilled workman and his family have their own house and garden, in Berlin, according to the census of 1905, 820,071 people were living in one-room dwellings; 49,991 of such single rooms were inhabited by 5 or more people—up to 13. Countless Germans have smaller living quarters at their disposal than the inmate of a prison cell.

In spite of its brilliant development, our foreign trade in comparison with our population is not only smaller than England's, but also than that of Holland, Denmark, and Switzerland—and, at that, Switzerland does not possess a single ship. Likewise, our public well-being is comparatively far below that of these small States and of England. Neither the size of a State nor its military power in any way promotes the happiness and welfare of the population. These conditions depend solely upon science, mechanical development, art, commerce, and business activity. By militarism the achievements of civilization can be only destroyed, never brought forth. Even in times of peace militarism continually withdraws from economic pursuits hundreds of thousands of men in their prime and billions of capital, and necessitates financial legislation which, at every turn and corner, makes the business of earning a living more difficult and costly, hinders and obstructs trade and economic progress, and, finally, handicaps industry in its ability to compete with foreign countries.

The English know all this. You may be sure they do not envy us. The free Briton, who finds strength and discipline in his chosen "sport," looks down with scorn, not envy, upon your people in the leading strings of militarism, bureaucracy, junkerism, and clericalism. He sees them governed and impoverished by a few dozen superfluous princes—before the war just as much as now.

The people of England, entirely antimilitary though they are, whom you and the wiseacres of your general staff treated as nobodies from a military point of view and sport for the cartoonist, predicted a war of three years' duration from the very beginning, even at the time when Count Haiseler said he expected to celebrate Sedan Day, 1914, in Paris, and when you were prophesying that the Landsturm would come home in the fall of the year.

If England, with her enormous colonial empire spanning as it does half the globe, had ever pursued a policy of selfishness against Germany or had ever wished to do so, she would have found nothing easier. She could have introduced protective tariffs in order to insure her industry against German competition. She could have granted her ships in her colonial harbors and marine coaling stations as well as in England special privileges, for instance, better docking facilities and cheaper harbor tolls. She could have made German trade in England and in the British colonies difficult and expensive by requiring passports and trade licenses involving payments, etc. She could have pushed Germans from her doorstep as "troublesome foreigners" in the same way you treat foreigners in Prussia. But, no. In no foreign country, not in the German Empire itself, have Germans possessed so much freedom as in England and in England's colonies. Nowhere in Germany have foreigners possessed so much freedom as Germans in England have. England has never pursued a policy of envy against Germany. To wage war because of envy—such an absurdity can only find lodgment in a brain completely inoculated with militarism.

It is a profoundly significant dispensation in world history that the most peaceful Government in the world, the first to inscribe the ideas of pacifism upon her banners and to resolve, with typical British energy, upon translation of these ideas into deeds, has been compelled for this very reason to wage in the interests of humanity the greatest war which England has ever conducted, a war to exterminate wars, at least among civilized nations.

Even as far back as 1890, during a discussion of the Caprivi Zanzibar treaty, in the British Lower House, by which Helgoland was relinquished to Germany, one of the members expressed his fear that Germany might be able to make a fortress out of this island for use against England. Lord Salisbury, the prime minister, remarked that this possibility was not worth considering, as another war among the enlightened nations of Europe was certainly not likely to occur.

That thought was typical of English statesmen who judge others by the same standards of good sense as they apply to themselves. But your uncle, then Prince of Wales and later King Edward VII, knew you better. He had had far too many opportunities to observe you from your youth up and to become acquainted with your purely militaristic range of ideas for him not to recognize what a monstrous danger threatened the peace of the world from this source. This far-seeing man of the world, friend of the arts and sciences, fond of life's pleasures, who was as seldom seen in uniform as you were seen without it, made it his business to travel about among our neighbors, including Austria, because he knew of the impending danger. Solely to imprison your overeager sword within its sheath and to keep the peace of Europe, he assured them: "If Germany should make a sudden attack upon you, call on me!" He did not bind himself but he threatened you: if you break the peace, you will find England on the side of your opponents!

This is the starting point, the purport, and aim of the entire "encirclement" policy. It would have preserved peace to our own advantage—permanently, too—if you had taken England's power and England's word as seriously as they have always deserved to be taken. But in your infatuation you were mad enough to believe that you could unhinge England's world power with the help of the Sultan.

The three shining lights of England's political heaven—Asquith, Grey, and Lloyd-George. They are not only the most important statesmen on earth to-day but also the greatest pacifists who have ever directed a Government. Up to the outbreak of the war their reasoning was as follows: The annual European expenditures for armaments devour billions altogether fruitlessly, to the detriment of all the nations concerned, and of civilization. The latter could be splendidly promoted with a fraction of the sums thus squandered. These expenditures are entirely futile, for every increase in the armament of one country is followed by an increase among her competitors, the ratio therefore always remaining the same; and they do not serve to insure peace but to increase the danger of war, and the longer this is kept up the worse the danger. Just as individual peoples, by means of an organized State administration of law to which they were subject, succeeded in emerging from the medieval epoch of the robber knight when one vassal constantly warred against another, so the enlightened States of to-day must leave behind the whole war system and attain an orderly régime based upon international law and treaties, under which disputes as they arise will be settled by arbitration having universal sanction and conducted by disinterested powers (the Hague Tribunal).

These men, moreover, have always acted in accordance with these principles. Thus they came to mutual agreements with Russia in determining their sphere of influence in Persia, with Japan in the matter of their respective policies in eastern Asia, and, shortly before the outbreak of the world war, with Germany in determining her sphere of interest in Mesopotamia. In this way friction over critical points is out of the question from the very first.

At the instance of Sir Edward Grey in 1906 the question of armament was placed upon the program of the second Hague Peace Conference. Grey explained this in the lower house in the following words:

"At no time has public opinion in Europe been more firmly fixed upon peace than at the present, and yet the burden of appropriations for the army and navy is constantly increasing. The Hague conference could render no more meritorious service than to make the terms upon which peace is maintained less expensive than heretofore. It has been said we should wait for other powers, but as matters now stand all the powers are waiting for one another, and some day one of them must take the first step."

This first step was taken by Sir Edward Grey.

In harmony with its obstructionist policy at the first Hague conference, your Government, with the support of Austria at the second conference, categorically opposed all progress in the direction suggested by Sir Edward Grey, and, in fact, all advance toward world peace in general. On the ground that those were their instructions, your representatives not only declined all discussion of this question for their own part, but even registered a formal protest against debates on this subject by the representatives of other States. Thus most of the States, including England, France, and Russia, had proposed and resolved that the powers should bind themselves to appeal to the Hague court of arbitration at least in all questions which did not involve the vital interests or the independence of the contesting parties. Germany and Austria not only refused this proposal, but also protested against this resolution being considered as binding even upon the States which had agreed to it—i. e., not upon Germany and Austria.

The two Hague peace conferences could therefore make resolutions applicable only in case of a war, but could not frame resolutions to prevent a war, though this had been the earnest desire of all the other civilized powers, England especially.

After the failure of these plans for peace and disarmament, the English statesmen, led by Sir Edward Grey, sought year in and year out to come to an agreement with Germany in order at least to set a limit to naval armaments. Sensible merchants—which the English are, while your professional soldiers and diplomats certainly are not—would scarcely keep 100 fire and theft proof safes if 1 answered the purpose. Grey kept indefatigably making proposals, for instance, that the present status of the fleets of England and Germany, 16 to 10, should be maintained, with the threat, however, that for every new German warship England would lay down two—two keels for one. In other words, if you were willing to refrain from further naval preparations, England would do the same, the ratio remaining 16 to 10. If, however, you refuse, your sea power will constantly grow less in relation to England's.

As a representative of the Krupp firm, of course you could not agree to this proposal.

After the failure of the Hague peace conference in 1907, the tireless English summoned a world peace congress in London during the summer of 1908. At this Lloyd-George, then minister of finance, pleaded in an impassioned speech for an understanding between Germany and England and declared it a pity "that in the twentieth century it should be necessary to hold a conference in a civilized country to protest against Christian States annually expending about $2,000,000,000 for the purpose of preparing to kill one another."

Asquith declared that "England would joyfully grasp the hand which was offered her in good faith and with a friendly purpose."

England kept on offering you her hand. You always refused to take it, and replied by new navy and army bills.

In a speech in the lower House December 12, 1910, Grey called the continued increase in military preparations a "breaking down of civilization" and a "bleeding to death in times of peace." Grey continually and expressly offered Germany the friendship of England and assured her that "the friendly relations which England had already formed were no obstacle to her making new ones." A single word from you and Germany would have been received into the entente as a highly esteemed and welcome member of the community which stood for enlightenment and peace in Europe.

Since the English Government realized that you were steering more and more steadily toward war it sent Lord Haldane, with whom you had for a long time been on terms of personal friendship, on a special mission to Berlin in February, 1912, in order to influence you toward peace. He was forced to the disappointing conclusion that all his efforts were in vain. While he was negotiating with you for peace, you were treating with him for England's neutrality in case of war. You wanted to make it easier for yourself to carry on war by eliminating England, while England, on the other hand, wished to make it harder for you to carry on war at all.

Grey declined to accede to your demand for neutrality, and on account of his obligations to Belgium he could not have done otherwise if he had wished. At the same time, however, in a document handed to the German ambassador, he made the following official declaration on the basis of a resolution of the cabinet: "England will neither make an unprovoked attack upon Germany nor will she take part in such an attack. An attack upon Germany is not the object nor a constituent part of any treaty, understanding, or alliance to which England is a party. England will never allow herself to be involved in any such agreement."

Can a power more strongly emphasize its peaceable purposes or more safely guarantee them for the future? It must be remembered that England was under no obligation whatsoever to make any such binding declarations, and that it was a pure and unrequited proof of her peaceful and friendly designs toward Germany.

England has not encircled Germany, but, in spite of the offers made by England, Germany and Austria have purposely and with malevolent and hostile intent kept aloof from all peaceable, friendly agreements which the other great powers of Europe have made with one another in order to preserve world peace.

Sir Edward Grey displayed feverish activity in the critical days from July 23 to August 1, 1914. Even the energy with which he labored day and night over countless dispatches and conferences in the interests of a peaceful understanding was astonishing. All the published diplomatic documents, even the much-doctored ones of the German White Book, present an unmistakable record of his activity. He exerted powerful pressure upon Servia, Russia, and France in favor of unlimited compliance and with complete success. Only in the case of Germany and Austria did all his proposals, suggestions, and inquiries fall upon deaf ears. They both discarded—the German Government would submit the proposal to Austria; the Austrian Government made no reply. As in 1912, so now the German Government answered England's peace proposals with the demand that England remain neutral. This was equivalent to an acknowledgment that she wished to carry on war but without England's intervention.

Grey issued the following statement on July 31, 1914, through the British ambassador in Berlin: "England declines the proposal concerning neutrality. Friendly relations between England and Germany can be maintained in only one way; that is, if these two countries unite in a common effort to preserve the peace of Europe. If they make this effort, the relations between these countries will automatically be improved and reinforced. The British Government is prepared to exert itself in this direction with all seriousness and good will. If the peace of Europe can be preserved at this time and the crisis safely passed, England's whole efforts will be directed toward bringing about an arrangement to which Germany could be a party, and in which it would find an absolute assurance that no aggressive or hostile policies of any sort would be pursued against it or its allies by France, Russia, or England. This had been his wish, and he had labored for this end to the full extent of his ability. His idea had hitherto appeared too Utopian to be the definite objective of actual proposals. If, however, the present crisis, which was more dangerous than any which had arisen in Europe for generations, should be safely passed, he hoped that the period of relief and relaxation of tension following it would bring the powers into closer touch with each other than had hitherto been possible."

Bethmann-Hollweg had a copy made of this truly touching appeal from Grey "in order to be able to consider the matter at his leisure," as he said to the British ambassador. Manifestly the result of this consideration was the declaration on the same day that the country was in imminent peril of war, and the ultimata to Russia and France.

Many other proofs of England's desire for peace and positive efforts toward peace could be adduced. Just as you prepared for war so England prepared for peace. In the last years before the war she called one international congress in London after another. After the congress for world peace in London, 1908, which we have already mentioned, there followed congresses of authors, bankers, leaders of Parliament, doctors, physicians, and naturalists, all with the purpose of influencing public opinion in Germany in favor of a peaceful rapprochement between the powers. Love's labor lost, for in Germany public opinion does not decide questions of war and peace as it does in England, but, according to the constitution of the Empire, these matters rest solely with the Emperor.

And for this reason also you alone bear the responsibility! You and the counsellors you yourself chose!

Lest any misunderstanding arise it should be emphasized as self-evident that your responsibility is not removed or diminished by the Reichstag's granting of war credits. You did not consult the Reichstag before the ultimata to Serbia, Russia, France, and Belgium, nor before the declarations of war. It was not until after these, on the 4th of August, 1914, that the Reichstag was consulted, and even then you did not tell it the truth; you lied about the antecedents, the causes, and the aims of the war. The Reichstag of August 4, 1914, found itself, figuratively speaking, in the position of a fire company, which has to get out the fire-fighting apparatus even if the owner or head of the house himself has started the blaze. This is not the place to discuss such questions as, for instance, whether the Reichstag could not have acted to better purpose, with more energy, insight, and appreciation of the demands of the situation, and whether individual members of it were not already acquainted with your intentions and were your accessories and partners in crime. No wholesale murderer is absolved from blame because he had accomplices or because the consequences of his deed could have been obviated by the prudent interference of others.

The indictment of you which we made at the beginning of this writing is therefore proved in every particular.

CONCLUSION.

No web of lies, no matter how intricate, can absolve you from guilt before the world, nor can it cloud the vision of neutral or even hostile nations.

And though you and your henchmen have hitherto succeeded by brute force and with Jesuit wiles in barring the door to truth in Germany, some day the truth will yet come in. And the longer that day is in coming the worse not only for Germany but for you, too, your house, and all your crew!

You and your Government are the ones who not only began the war, but you alone prevent the bloodshed from coming to an end. Nothing else whatever stands in the way of Germany's still making an honorable peace.

Your downfall, the downfall of the monarchic-militaristic-junker Government in Germany and the establishment of a German Republic, marching hand in hand with England and France—this would mean peace, prosperity, and happiness for the whole world; a deep sigh of relief after a universal régime of blood and madness—relief for the whole world, but above all for Germany itself.

When some one asked Bismarck after the battle of Koniggratz what he would have done had the battle turned out unfavorably, he answered: "I should have put myself at the head of a cavalry charge and ridden into the thick of the fight, and never come back alive." Thus spoke a great man, a man of power, but a man—one who knew how to bear the consequences of his deeds, not a scoundrel who snivels sanctimoniously as day after day he heaps corpse upon corpse merely because he is too craven to confess his guilt before God and man and to pay the price with his life.

Woe to you; woe to your brood and to your aids and abettors! Truth is on the way; the hand of eternal justice even now writes in characters of fire on the walls of your palace:

MENE TEKEL UPHARSIN!

You have plunged humanity into the bloodiest, most senseless, and most frenzied of all wars, and insulted humanity can not and will not rest until the evil which imperils peace, progress, and happiness of mankind is rooted out and destroyed. Other nations, to be sure, but above all the German people themselves, must insist inexorably that the system you and your hangers-on represent, the régime of militarism, endless armaments, and constant sword rattling, shall disappear from the earth. Not regis voluntas suprema lex, but legis voluntas supremus rex—not "Might makes right," but "Right makes might"—is to be the watchword of the world in the future. Only the people themselves shall decide matters affecting their own weal and woe and war and peace, not the moods of tyrants thirsting for power. Then we can go about our peaceful business unconcerned; the nations will no longer butcher each other in order to have victories to celebrate.

If the German people do not wish permanently to become your partners in guilt—if they desire to have a voice in the future reorganization of Europe and above all in the reorganization of Germany—they have got to wake up before it is too late and make common cause with the enlightened powers of the world and draw their sword against him who is truly their only enemy, who is to blame for the misfortunes of humanity and the outrageous disgrace of Germany. If the German people, from stupidity or cowardice, can not arouse themselves to this work of liberation, if they leave it to our "enemies" alone, they will forever have forfeited the right to be heard in the council of the nations and to play a part in world history.

Comrades and brothers of Germany, your "enemies" have neither the wish nor the power to destroy Germany, as your Government would deceive you into believing. But you yourselves destroy Germany, you die of wounds and hunger, and you tread Germany's honor and prestige in the dust so long as you bow your heads to the slavery of the Kaiser.

Wake up and act, but make haste, before it is too late!

ADJOURNMENT.

Mr. MARTIN. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 18, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 17, 1918.

APPOINTMENT IN THE ARMY.

CHAPLAIN.

Rev. Melvin Verne Oggel, of New York, to be chaplain with rank from January 10, 1918.

POSTMASTERS.

ALABAMA.

Albert M. Espey to be postmaster at Albertville, Ala., in place of A. M. Espey. Incumbent's commission expired August 27, 1917.

James C. Burns to be postmaster at Bay Minette, Ala., in place of J. C. Burns. Incumbent's commission expired August 27, 1917.

H. O. Sparks to be postmaster at Boaz, Ala., in place of H. O. Sparks. Incumbent's commission expired September 1, 1917.

Jefferson K. Quillin to be postmaster at Clayton, Ala., in place of J. K. Quillin. Incumbent's commission expired July 26, 1917.

Clifford T. Harris to be postmaster at Columbia, Ala., in place of C. T. Harris. Incumbent's commission expired August 2, 1917.

Laura E. Richards to be postmaster at Foley, Ala. Office became presidential October 1, 1917.

Hugh T. Caffey to be postmaster at Leeds, Ala. Office became presidential October 1, 1917.

Tommie P. Lewis to be postmaster at Seale, Ala. Office became presidential October 1, 1917.

William E. Crawford to be postmaster at Decatur, Ala., in place of W. E. Crawford. Incumbent's commission expired May 22, 1917.

D. F. Sugg to be postmaster at Ensley, Ala., in place of D. F. Sugg. Incumbent's commission expired October 4, 1917.

Mollie P. Henderson to be postmaster at Enterprise, Ala., in place of M. P. Henderson. Incumbent's commission expired September 1, 1917.

Charles S. McDowell to be postmaster at Eufaula, Ala., in place of C. S. McDowell. Incumbent's commission expired May 20, 1917.

C. E. Brooks to be postmaster at Fort Deposit, Ala., in place of C. E. Brooks. Incumbent's commission expired August 2, 1917.

Sylvanus W. Riddle to be postmaster at Gadsden, Ala., in place of S. W. Riddle. Incumbent's commission expired June 23, 1917.

William K. Kenan to be postmaster at Geneva, Ala., in place of W. K. Kenan. Incumbent's commission expired November 13, 1917.

Henry I. Goff to be postmaster at Hartford, Ala., in place of H. I. Goff. Incumbent's commission expired July 2, 1917.

William G. Porter to be postmaster at Heflin, Ala., in place of W. G. Porter. Incumbent's commission expired August 2, 1917.

Ed G. Caldwell to be postmaster at Jacksonville, Ala., in place of Ed G. Caldwell. Incumbent's commission expired May 20, 1917.

W. P. Tartt to be postmaster at Livingston, Ala., in place of W. P. Tartt. Incumbent's commission expired August 13, 1917.

S. M. Roberts to be postmaster at Monroeville, Ala., in place of S. M. Roberts. Incumbent's commission expired October 16, 1917.

W. T. Morris to be postmaster at Ragland, Ala., in place of W. T. Morris. Incumbent's commission expired October 4, 1917.

Stephen L. Dorroh to be postmaster at Reform, Ala., in place of S. L. Dorroh. Incumbent's commission expired November 22, 1917.

John E. Delony to be postmaster at Tuscumbia, Ala., in place of J. E. Delony. Incumbent's commission expired November 13, 1917.

B. C. Gibson to be postmaster at Tuskegee, Ala., in place of B. C. Gibson. Incumbent's commission expired October 16, 1917.

James A. Anderson to be postmaster at University, Ala., in place of J. A. Anderson. Incumbent's commission expired October 16, 1917.

ALASKA.

Everett McPhee to be postmaster at Anchorage, Alaska, in place of Fred B. Wood, removed.

Mrs. R. E. Coughlin to be postmaster at Treadwell, Alaska, in place of Mary A. Carroll, resigned.

John C. Allen to be postmaster at Petersburg, Alaska. Office became presidential October 1, 1917.

ARIZONA.

Jesse J. Rascoe, jr., to be postmaster at Morenci, Ariz., in place of J. J. Rascoe, jr. Incumbent's commission expired July 10, 1917.

Paul A. Smith to be postmaster at Tombstone, Ariz., in place of P. A. Smith. Incumbent's commission expired September 29, 1917.

Ange T. Pancrazi to be postmaster at Yuma, Ariz., in place of A. T. Pancrazi. Incumbent's commission expired December 23, 1917.

Lola B. Tomlinson to be postmaster at Bowie, Ariz. Office became presidential July 1, 1917.

Mamie B. Mayer to be postmaster at Mayer, Ariz. Office became presidential October 1, 1917.

ARKANSAS.

William A. Bushmiaer to be postmaster at Alma, Ark., in place of W. A. Bushmiaer. Incumbent's commission expired May 6, 1917.

John L. McCain to be postmaster at Crossett, Ark., in place of J. L. McCain. Incumbent's commission expired September 25, 1917.

James F. Rieves to be postmaster at Marion, Ark. Office became presidential October 1, 1917.

Lee R. See to be postmaster at Swifton, Ark. Office became presidential October 1, 1917.

John T. Cheairs, jr., to be postmaster at Tillar, Ark. Office became presidential July 1, 1917.

James M. Daniel to be postmaster at Wilmar, Ark. Office became presidential October 1, 1917.

James L. Cannon to be postmaster at De Queen, Ark., in place of J. L. Cannon. Incumbent's commission expired October 2, 1917.

James E. Leeper to be postmaster at Dermott, Ark., in place of J. E. Leeper. Incumbent's commission expired November 29, 1917.

Albert D. Agee to be postmaster at Gurdon, Ark., in place of A. D. Agee. Incumbent's commission expired November 29, 1917.

W. O. Bartlett to be postmaster at Hamburg, Ark., in place of W. O. Bartlett. Incumbent's commission expired August 15, 1917.

W. B. Kyle to be postmaster at McCrory, Ark., in place of W. B. Kyle. Incumbent's commission expired August 15, 1917.

George R. Hays to be postmaster at Newport, Ark., in place of G. R. Hays. Incumbent's commission expired October 4, 1917.

Flora A. Hall to be postmaster at Pocahontas, Ark., in place of F. A. Hall. Incumbent's commission expired May 22, 1917.

Louis K. Buerkle to be postmaster at Stuttgart, Ark., in place of L. K. Buerkle. Incumbent's commission expired May 6, 1917.

H. L. Fuller to be postmaster at Waldron, Ark., in place of H. L. Fuller. Incumbent's commission expired July 31, 1917.

A. B. Cone to be postmaster at Wilmot, Ark., in place of A. B. Cone. Incumbent's commission expired October 4, 1917.

CALIFORNIA.

Thomas C. Stoddard to be postmaster at Alameda, Cal., in place of T. C. Stoddard. Incumbent's commission expired July 10, 1917.

Nellie Pellet to be postmaster at Brawley, Cal., in place of N. Pellet. Incumbent's commission expired July 10, 1917.

Charles R. Thompson to be postmaster at Burbank, Cal., in place of C. R. Thompson. Incumbent's commission expired November 29, 1917.

W. D. McClellan to be postmaster at La Verne (late Lordsburg), Cal., in place of W. D. McClellan, to change name of office.

Charles Osborne to be postmaster at Lankershim, Cal. Office became presidential October 1, 1917.

S. Willard Coffren to be postmaster at Llano, Cal. Office became presidential October 1, 1917.

Orynthia Copeland to be postmaster at Los Altos, Cal. Office became presidential July 1, 1917.

Mabel Hanford to be postmaster at Lost Hills, Cal. Office became presidential October 1, 1917.

Jesse A. Ivy to be postmaster at Thermal, Cal. Office became presidential October 1, 1917.

Georgia A. Wiard to be postmaster at Chula Vista, Cal., in place of G. A. Wiard. Incumbent's commission expired August 27, 1917.

Anna M. Carson to be postmaster at Compton, Cal., in place of A. M. Carson. Incumbent's commission expired November 29, 1917.

Oliver C. Williams to be postmaster at Dinuba, Cal., in place of O. C. Williams. Incumbent's commission expired July 10, 1917.

Elizabeth M. Steel to be postmaster at Downey, Cal., in place of E. M. Steel. Incumbent's commission expired November 29, 1917.

George P. Dobyns to be postmaster at El Monte, Cal., in place of G. P. Dobyns. Incumbent's commission expired November 29, 1917.

James T. Clayton to be postmaster at Elsinore, Cal., in place of J. T. Clayton. Incumbent's commission expired July 10, 1917.

William J. Simms to be postmaster at Gardena, Cal., in place of W. J. Simms. Incumbent's commission expired November 29, 1917.

Warren A. Bradley to be postmaster at Gustine, Cal., in place of W. A. Bradley. Incumbent's commission expired September 1, 1917.

Milton M. Pilkenton to be postmaster at Hermosa Beach, Cal., in place of M. P. Pilkenton. Incumbent's commission expired November 20, 1917.

Mary F. Stevenson to be postmaster at Imperial, Cal., in place of M. F. Stevenson. Incumbent's commission expired July 10, 1917.

W. K. McFarland to be postmaster at Jackson, Cal., in place of W. K. McFarland. Incumbent's commission expired August 19, 1917.

Sophie J. Rice to be postmaster at King City, Cal., in place of S. J. Rice. Incumbent's commission expired November 29, 1917.

B. Q. R. Canon to be postmaster at La Mesa, Cal., in place of B. Q. R. Canon. Incumbent's commission expired September 1, 1917.

Don C. Saunders to be postmaster at Lompoc, Cal., in place of D. C. Saunders. Incumbent's commission expired November 29, 1917.

Walter J. Desmond to be postmaster at Long Beach, Cal., in place of W. J. Desmond. Incumbent's commission expired November 29, 1917.

F. B. Nichols to be postmaster at McCloud, Cal., in place of F. B. Nichols. Incumbent's commission expired August 19, 1917.

Warren Rodgers to be postmaster at McKittrick, Cal., in place of W. Rodgers. Incumbent's commission expired August 19, 1917.

Thomas F. Fogarty to be postmaster at Marysville, Cal., in place of T. F. Fogarty. Incumbent's commission expired November 29, 1917.

Eugene J. Crane to be postmaster at Menlo Park, Cal., in place of E. J. Crane. Incumbent's commission expired November 29, 1917.

Frank Zimmerman to be postmaster at Monrovia, Cal., in place of F. Zimmerman. Incumbent's commission expired August 27, 1917.

Francis F. Wrenn to be postmaster at Newcastle, Cal., in place of F. F. Wrenn. Incumbent's commission expired August 11, 1917.

John W. Heard to be postmaster at Oilcenter, Cal., in place of J. W. Heard. Incumbent's commission expired December 22, 1917.

Clark McLain to be postmaster at Pasadena, Cal., in place of C. McLain. Incumbent's commission expired November 29, 1917.

F. S. Harrison to be postmaster at Patterson, Cal., in place of F. S. Harrison. Incumbent's commission expired August 19, 1917.

Frank P. Firey to be postmaster at Pomona, Cal., in place of F. P. Firey. Incumbent's commission expired November 29, 1917.

Alexander Ludwig to be postmaster at Redding, Cal., in place of A. Ludwig. Incumbent's commission expired July 10, 1917.

Floyd Godfrey to be postmaster at San Dimas, Cal., in place of F. Godfrey. Incumbent's commission expired November 29, 1917.

Charles W. Fay to be postmaster at San Francisco, Cal., in place of C. W. Fay. Incumbent's commission expired October 22, 1917.

J. M. Qualls to be postmaster at Sanger, Cal., in place of J. M. Qualls. Incumbent's commission expired June 6, 1917.

Byron Millard to be postmaster at San Jose, Cal., in place of B. Millard. Incumbent's commission expired July 10, 1917.

Michael F. Cochrane to be postmaster at San Rafael, Cal., in place of M. F. Cochrane. Incumbent's commission expired November 29, 1917.

J. B. Laufman to be postmaster at Santa Paula, Cal., in place of J. B. Laufman. Incumbent's commission expired August 19, 1917.

George Gribble to be postmaster at Scotia, Cal., in place of George Gribble. Incumbent's commission expired November 29, 1917.

Jesse D. Brite to be postmaster at Tehachapi, Cal., in place of J. D. Brite. Incumbent's commission expired July 10, 1917.

S. Eliza Stitt to be postmaster at Vacaville, Cal., in place of Eliza Stitt. Incumbent's commission expired August 27, 1917.

Norman P. Cormack to be postmaster at Wasco, Cal., in place of N. P. Cormack. Incumbent's commission expired August 19, 1917.

Alfred Belieu to be postmaster at Watts, Cal., in place of A. Belieu. Incumbent's commission expired November 29, 1917.

COLORADO.

Clark Cooper to be postmaster at Canon City, Colo., in place of C. Cooper. Incumbent's commission expired July 14, 1917.

Herbert D. Barnhart to be postmaster at Creede, Colo., in place of H. D. Barnhart. Incumbent's commission expired July 11, 1917.

A. J. Horan to be postmaster at Crested Butte, Colo., in place of A. J. Horan. Incumbent's commission expired August 18, 1917.

Hubert Reynolds to be postmaster at Greeley, Colo., in place of H. Reynolds. Incumbent's commission expired July 25, 1917.

Frederick H. Meyers to be postmaster at Clifton, Colo. Office became presidential July 1, 1917.

Mary E. Holmes to be postmaster at Fleming, Colo. Office became presidential October 1, 1917.

Ralph E. Jordan to be postmaster at Grover, Colo. Office became presidential October 1, 1917.

Ruth N. Frame to be postmaster at Haswell, Colo. Office became presidential October 1, 1917.

Thomas J. Bradshaw to be postmaster at Ignacio, Colo. Office became presidential July 1, 1917.

Charles L. Spillman to be postmaster at Norwood, Colo. Office became presidential April 1, 1917.

Mary M. Minehouse to be postmaster at Wiley, Colo. Office became presidential October 1, 1917.

William A. White to be postmaster at Holyoke, Colo., in place of W. A. White. Incumbent's commission expired September 3, 1917.

Finley Dye to be postmaster at Julesburg, Colo., in place of F. Dye. Incumbent's commission expired July 11, 1917.

Michael F. O'Day to be postmaster at Lafayette, Colo., in place of M. F. O'Day. Incumbent's commission expired August 18, 1917.

M. J. Brennan to be postmaster at Leadville, Colo., in place of M. J. Brennan. Incumbent's commission expired September 3, 1917.

T. T. Donovan to be postmaster at Longmont, Colo., in place of T. T. Donovan. Incumbent's commission expired June 6, 1917.

Sherman S. Bellesfield to be postmaster at Pueblo, Colo., in place of S. S. Bellesfield. Incumbent's commission expired August 5, 1917.

Judith Nichols to be postmaster at Ridgway, Colo., in place of J. Nichols. Incumbent's commission expired July 11, 1917.

Joseph W. Beery to be postmaster at Saguache, Colo., in place of J. W. Beery. Incumbent's commission expired August 18, 1917.

CONNECTICUT.

Thomas J. Sullivan to be postmaster at Baltic, Conn., in place of T. J. Sullivan. Incumbent's commission expired August 20, 1917.

Patrick C. Cavanaugh to be postmaster at Burnside, Conn., in place of P. C. Cavanaugh. Incumbent's commission expired July 10, 1917.

Merritt E. Tooker to be postmaster at Uncasville, Conn. Office became presidential October 1, 1917.

Jeremiah J. Sullivan to be postmaster at Colchester, Conn., in place of J. J. Sullivan. Incumbent's commission expired July 10, 1917.

William J. Thomas to be postmaster at Moodus, Conn., in place of W. J. Thomas. Incumbent's commission expired October 16, 1917.

William I. Austin to be postmaster at Noroton Heights, Conn., in place of W. I. Austin. Incumbent's commission expired June 5, 1917.

Samuel E. Louden to be postmaster at Riverside, Conn., in place of S. E. Louden. Incumbent's commission expired May 23, 1916.

Thomas J. Quish to be postmaster at South Manchester, Conn., in place of T. J. Quish. Incumbent's commission expired July 10, 1917.

Dennis C. Murphy to be postmaster at Taftville, Conn., in place of Dennis C. Murphy. Incumbent's commission expired December 22, 1917.

James T. Murray to be postmaster at Thompsonville, Conn., in place of James T. Murray. Incumbent's commission expired October 1, 1917.

DELAWARE.

William L. Duff to be postmaster at Newport, Del. Office became presidential July 1, 1917.

FLORIDA.

Samuel M. Wilson to be postmaster at Bartow, Fla., in place of Samuel M. Wilson. Incumbent's commission expired July 15, 1917.

Joseph H. Humphries to be postmaster at Bradentown, Fla., in place of J. H. Humphries. Incumbent's commission expired July 11, 1917.

A. Keathley to be postmaster at Brooksville, Fla., in place of A. Keathley. Incumbent's commission expired September 1, 1917.

Fannie P. Reeves to be postmaster at Avon Park, Fla. Office became presidential January 1, 1917.

Silas E. Yon to be postmaster at Blountstown, Fla. Office became presidential October 1, 1917.

George I. English to be postmaster at Greenville, Fla. Office became presidential October 1, 1917.

Fred S. Kanode to be postmaster at Passagrille, Fla. Office became presidential July 1, 1917.

Cornelia Higgins to be postmaster at Warrington, Fla. Office became presidential October 1, 1917.

William R. Roesch to be postmaster at Eau Gallie, Fla., in place of William R. Roesch. Incumbent's commission expired May 26, 1917.

Arthur B. Brown to be postmaster at Fort Pierce, Fla., in place of Arthur B. Brown. Incumbent's commission expired April 28, 1917.

Samuel Bass to be postmaster at Glen St. Mary, Fla., in place of Samuel Bass. Incumbent's commission expired October 30, 1917.

E. W. Irvine to be postmaster at Lake City, Fla., in place of E. W. Irvine. Incumbent's commission expired August 1, 1917.

William R. Dorman to be postmaster at Liveoak, Fla., in place of William R. Dorman. Incumbent's commission expired July 11, 1917.

J. B. Potter to be postmaster at Mulberry, Fla., in place of J. B. Potter. Incumbent's commission expired August 27, 1917.

L. M. Caswell to be postmaster at Perry, Fla., in place of L. M. Caswell. Incumbent's commission expired November 24, 1917.

M. H. Slone to be postmaster at Plant City, Fla., in place of M. H. Slone. Incumbent's commission expired September 1, 1917.

George D. Rhode to be postmaster at Punta Gorda, Fla., in place of George D. Rhode. Incumbent's commission expired August 27, 1917.

Carrie S. Abbe to be postmaster at Sarasota, Fla., in place of Carrie S. Abbe. Incumbent's commission expired July 10, 1917.

William E. McEwen to be postmaster at Wauchula, Fla., in place of William E. McEwen. Incumbent's commission expired July 26, 1917.

G. N. Denning to be postmaster at Winter Park, Fla., in place of G. N. Denning. Incumbent's commission expired July 11, 1917.

J. L. Geiger to be postmaster at Zephyrhills, Fla., in place of J. L. Geiger. Incumbent's commission expired July 25, 1917.

GEORGIA.

P. D. Wootten to be postmaster at Abbeville, Ga., in place of P. D. Wootten. Incumbent's commission expired October 16, 1917.

D. F. Davenport to be postmaster at Americus, Ga., in place of D. F. Davenport. Incumbent's commission expired August 27, 1917.

Bolling H. Jones to be postmaster at Atlanta, Ga., in place of Bolling H. Jones. Incumbent's commission expired August 27, 1917.

Annie K. Bunn to be postmaster at Cedartown, Ga., in place of Annie K. Bunn. Incumbent's commission expired July 25, 1917.

Henry M. Miller to be postmaster at Colquitt, Ga., in place of Henry M. Miller. Incumbent's commission expired May 6, 1917.

John S. McKenzie to be postmaster at Comer, Ga., in place of John S. McKenzie. Incumbent's commission expired July 2, 1917.

A. L. McArthur to be postmaster at Cordele, Ga., in place of A. L. McArthur. Incumbent's commission expired August 27, 1917.

A. G. Hockenhull to be postmaster at Cumming, Ga., in place of A. G. Hockenhull. Incumbent's commission expired September 11, 1917.

Alice B. Bussey to be postmaster at Cuthbert, Ga., in place of Alice B. Bussey. Incumbent's commission expired July 30, 1917.

Benjamin E. Croker to be postmaster at Dallas, Ga., in place of B. E. Croker. Incumbent's commission expired October 16, 1917.

Vivian L. Stanley to be postmaster at Dublin, Ga., in place of Vivian L. Stanley. Incumbent's commission expired August 15, 1917.

Vivian Humphreys to be postmaster at Stone Mountain, Ga., in place of Vivian McCurdy. Name changed by marriage.

Abbie F. Beacham to be postmaster at Glenwood, Ga. Office became presidential April 1, 1917.

J. A. Stokes to be postmaster at Gordon, Ga. Office became presidential July 1, 1917.

L. W. Stanford to be postmaster at Hamilton, Ga. Office became presidential October 1, 1917.

Flem C. Dame to be postmaster at Homerville, Ga. Office became presidential July 1, 1917.

Jennie S. Lester to be postmaster at Lexington, Ga. Office became presidential July 1, 1917.

L. M. Peacock, jr., to be postmaster at Eastman, Ga., in place of L. M. Peacock, jr. Incumbent's commission expired September 11, 1917.

Teressa G. Williams to be postmaster at Greenville, Ga., in place of Teressa G. Williams. Incumbent's commission expired July 29, 1917.

W. Custis Nottingham to be postmaster at Macon, Ga., in place of Custis Nottingham. Incumbent's commission expired August 5, 1917.

Mamie E. Wright to be postmaster at Metter, Ga., in place of Mamie E. Wright. Incumbent's commission expired October 16, 1917.

George W. Dansby to be postmaster at Rockmart, Ga., in place of George Dansby. Incumbent's commission expired July 25, 1917.

Marion Lucas to be postmaster at Savannah, Ga., in place of Marion Lucas. Incumbent's commission expired September 25, 1917.

H. O. Crittenden to be postmaster at Shellman, Ga., in place of H. O. Crittenden. Incumbent's commission expired July 30, 1917.

Annie P. Harper to be postmaster at Stillmore, Ga., in place of Annie P. Harper. Incumbent's commission expired October 4, 1917.

P. Brooks Ford to be postmaster at Sylvester, Ga., in place of P. Brooks Ford. Incumbent's commission expired July 10, 1917.

Sanford P. Darby to be postmaster at Vidalia, Ga., in place of Sanford P. Darby. Incumbent's commission expired August 15, 1917.

Mary P. Dixon to be postmaster at West Point, Ga., in place of Mary P. Dixon. Incumbent's commission expired May 20, 1917.

Gilbert B. Banks to be postmaster at Waynesboro, Ga., in place of Gilbert B. Banks. Incumbent's commission expired August 6, 1917.

HAWAII.

Millicent M. E. Cumming to be postmaster at Paia, Hawaii, in place of M. K. Keohokalole, removed.

J. S. Medeiros to be postmaster at Puunene, Hawaii. Office became presidential April 1, 1917.

Frank Cox to be postmaster at Waimea, Hawaii, in place of C. B. Hofgaard, resigned.

Elizabeth H. Travis to be postmaster at Waipahu, Hawaii, in place of William Miner, not commissioned.

IDAHO.

Samuel H. Laird to be postmaster at American Falls, Idaho, in place of Samuel H. Laird. Incumbent's commission expired July 11, 1917.

George W. Harris to be postmaster at Burke, Idaho, in place of George W. Harris. Incumbent's commission expired July 11, 1917.

John E. Paul to be postmaster at Dubois, Idaho. Office became presidential October 1, 1917.

Mac Scofield to be postmaster at Vollmer, Idaho. Office became presidential October 1, 1917.

Charles H. Gelbach to be postmaster at Kooskia, Idaho. Office became presidential October 1, 1916.

W. J. Coltman to be postmaster at Idaho Falls, Idaho, in place of W. J. Coltman. Incumbent's commission expired July 11, 1917.

Emil L. Mueller to be postmaster at Kamiah, Idaho, in place of Emil L. Mueller. Incumbent's commission expired July 11, 1917.

Alexander McDermid to be postmaster at Kimberly, Idaho, in place of Alexander McDermid. Incumbent's commission expired July 11, 1917.

Howard E. King to be postmaster at Nampa, Idaho, in place of H. E. King. Incumbent's commission expired July 15, 1917.

Simpson M. Rich to be postmaster at Paris, Idaho, in place of Simpson M. Rich. Incumbent's commission expired July 11, 1917.

John Jay Nickles to be postmaster at Plummer, Idaho, in place of John Jay Nickles. Incumbent's commission expired July 11, 1917.

Frederick H. Bradbury to be postmaster at Rathdrum, Idaho, in place of F. H. Bradbury. Incumbent's commission expired July 11, 1917.

Frank S. Harding to be postmaster at Weiser, Idaho, in place of Frank S. Harding. Incumbent's commission expired July 19, 1917.

ILLINOIS.

J. C. Dorfler to be postmaster at Area, Ill., in place of J. C. Dorfler. Incumbent's commission expired August 27, 1917.

John W. Troy to be postmaster at Arthur, Ill., in place of John W. Troy. Incumbent's commission expired August 15, 1917.

Mabel Minger to be postmaster at Buckley, Ill. Office became presidential October 1, 1916.

Frances C. Sweeney to be postmaster at Fort Sheridan, Ill. Office became presidential October 1, 1917.

Richard F. Corley to be postmaster at Herrick, Ill. Office became presidential July 1, 1917.

Walter V. Berry to be postmaster at Irving, Ill. Office became presidential October 1, 1916.

James F. Harrison to be postmaster at Leaf River, Ill. Office became presidential January 1, 1917.

David R. Bennett to be postmaster at Panama, Ill. Office became presidential April 1, 1917.

Sanford D. Metcalfe to be postmaster at Brocton, Ill. Office became presidential October 1, 1917.

Edward J. Cushing to be postmaster at Assumption, Ill., in place of Edward J. Cushing. Incumbent's commission expired July 11, 1917.

Edward Johnston to be postmaster at Atkinson, Ill., in place of Edward Johnston. Incumbent's commission expired November 22, 1917.

Dewey T. Queen to be postmaster at Auburn, Ill., in place of Dewey T. Queen. Incumbent's commission expired July 10, 1917.

John Geiss to be postmaster at Batavia, Ill., in place of John Geiss. Incumbent's commission expired July 31, 1917.

Philip H. Sopp to be postmaster at Belleville, Ill., in place of Philip H. Sopp. Incumbent's commission expired August 1, 1917.

William G. Cloyd to be postmaster at Bement, Ill., in place of William G. Cloyd. Incumbent's commission expired August 1, 1917.

Patrick S. McPherson to be postmaster at Benld, Ill., in place of P. S. McPherson. Incumbent's commission expired July 11, 1917.

M. J. Sullivan to be postmaster at Braidwood, Ill., in place of M. J. Sullivan. Incumbent's commission expired October 30, 1917.

Henry Werth to be postmaster at Breese, Ill., in place of Henry Werth. Incumbent's commission expired September 1, 1917.

W. T. Holifield to be postmaster at Brookport, Ill., in place of W. T. Holifield. Incumbent's commission expired July 31, 1917.

M. M. Brown to be postmaster at Bunker Hill, Ill., in place of M. M. Brown. Incumbent's commission expired November 22, 1917.

Clarence H. Hunt to be postmaster at Cambridge, Ill., in place of C. H. Hunt. Incumbent's commission expired July 11, 1917.

Frederic A. Perkins to be postmaster at Canton, Ill., in place of F. A. Perkins. Incumbent's commission expired October 16, 1917.

Ross Lee to be postmaster at Casey, Ill., in place of R. Lee. Incumbent's commission expired July 31, 1917.

Alexander Perkins to be postmaster at Cerro Gordo, Ill., in place of A. Perkins. Incumbent's commission expired September 18, 1917.

John E. Rethorn to be postmaster at Chandlerville, Ill., in place of J. E. Rethorn. Incumbent's commission expired August 27, 1917.

James E. Jontry to be postmaster at Chenoa, Ill., in place of J. E. Jontry. Incumbent's commission expired August 1, 1917.

Clyde W. Schoener to be postmaster at Cicero, Ill., in place of C. W. Schoener. Incumbent's commission expired September 18, 1917.

Wilson M. Bering to be postmaster at Decatur, Ill., in place of W. M. Bering. Incumbent's commission expired June 27, 1917.

David L. Wright to be postmaster at Effingham, Ill., in place of D. L. Wright. Incumbent's commission expired October 22, 1917.

A. A. Dobson to be postmaster at Elburn, Ill., in place of A. A. Dobson. Incumbent's commission expired August 27, 1917.

Peter Petri to be postmaster at Eureka, Ill., in place of P. Petri. Incumbent's commission expired October 30, 1917.

Leslie G. Horrie to be postmaster at Gardner, Ill., in place of L. G. Horrie. Incumbent's commission expired September 18, 1917.

Michael P. Bergen to be postmaster at Gillespie, Ill., in place of M. P. Bergen. Incumbent's commission expired August 15, 1917.

J. M. Rumsey to be postmaster at Golconda, Ill., in place of J. M. Rumsey. Iscumbent's commission expired July 31, 1917.

Robert E. Downing to be postmaster at Golden, Ill., in place of R. E. Downing. Incumbent's commission expired October 30, 1917.

Michael F. O'Connor to be postmaster at Harvard, Ill., in place of M. F. O'Connor. Incumbent's commission expired September 18, 1917.

Matthew Bollan to be postmaster at Havana, Ill., in place of M. Bollan. Incumbent's commission expired July 11, 1917.

William M. Dooley to be postmaster at Highland Park, Ill., in place of W. M. Dooley. Incumbent's commission expired August 15, 1917.

Leo T. L. Neff to be postmaster at Illiopolis, Ill., in place of L. T. Neff. Incumbent's commission expired September 1, 1917.

M. D. Brubaker to be postmaster at Iuka, Ill., in place of M. D. Brubaker. Incumbent's commission expired August 15, 1917.

Clifford W. Brewer to be postmaster at Knoxville, Ill., in place of C. W. Brewer. Incumbent's commission expired August 2, 1917.

Charles F. Buck to be postmaster at Lacon, Ill., in place of C. F. Buck. Incumbent's commission expired July 31, 1917.

Jinks V. Sperry to be postmaster at La Harpe, Ill., in place of J. V. Sperry. Incumbent's commission expired August 1, 1917.

Henry C. Johnson to be postmaster at Lawrenceville, Ill., in place of H. C. Johnson. Incumbent's commission expired September 18, 1917

Joseph F. Traband to be postmaster at Lebanon, Ill., in place of J. F. Traband. Incumbent's commission expired September 9, 1917.

Harry E. Buckles to be postmaster at Le Roy, Ill., in place of H. E. Buckles. Incumbent's commission expired July 10, 1917.

Harry Holland to be postmaster at Marion, Ill., in place of H. Holland. Incumbent's commission expired June 13, 1917.

Ira W. Metcalf to be postmaster at Momence, Ill., in place of I. W. Metcalf. Incumbent's commission expired September 1, 1917.

Charles E. Moffitt to be postmaster at Monticello, Ill., in place of C. E. Moffitt. Incumbent's commission expired September 18, 1917.

John H. McGrath to be postmaster at Morris, Ill., in place of J. H. McGrath. Incumbent's commission expired September 3, 1917.

William H. Clear to be postmaster at Mount Pulaski, Ill., in place of W. H. Clear. Incumbent's commission expired August 1, 1917.

J. J. Baker to be postmaster at Mount Vernon, Ill., in place of J. J. Baker. Incumbent's commission expired September 25, 1917.

E. M. Dieter to be postmaster at Naperville, Ill., in place of E. M. Dieter. Incumbent's commission expired November 22, 1917.

Joseph S. Grimes to be postmaster at National Stock Yards, Ill., in place of J. S. Grimes. Incumbent's commission expired November 22, 1917.

James T. Hinds to be postmaster at Newman, Ill., in place of J. T. Hinds. Incumbent's commission expired July 10, 1917.

Andrew J. Eckhoff to be postmaster at Nokomis, Ill., in place of A. J. Eckhoff. Incumbent's commission expired December 1, 1917.

Walter R. Lovett to be postmaster at Onarga, Ill., in place of W. R. Lovett. Incumbent's commission expired October 30, 1917.

Thomas Moyer to be postmaster at Paris, Ill., in place of Thomas Moyer. Incumbent's commission expired June 23, 1917.

Katherine M. McClements to be postmaster at Park Ridge, Ill., in place of K. M. McClements. Incumbent's commission expired May 22, 1917.

Wilbur A. Woods to be postmaster at Pawpaw, Ill., in place of W. A. Woods. Incumbent's commission expired August 27, 1917.

Benjamin R. Croxen to be postmaster at Peotone, Ill., in place of B. R. Croxen. Incumbent's commission expired August 15, 1917.

Samuel Shockey to be postmaster at Ramsey, Ill., in place of Samuel Shockey. Incumbent's commission expired July 10, 1917.

Jacob Sand to be postmaster at Roanoke, Ill., in place of Jacob Sand. Incumbent's commission expired October 30, 1917.

John Coleman to be postmaster at Rochelle, Ill., in place of John Coleman. Incumbent's commission expired October 30, 1917.

Melville S. Yoho to be postmaster at Roseville, Ill., in place of M. S. Yoho. Incumbent's commission expired November 22, 1917.

John R. Barclay to be postmaster at Rutland, Ill., in place of J. R. Barclay. Incumbent's commission expired November 22, 1917.

Virgil J. Swarm to be postmaster at St. Elmo, Ill., in place of V. J. Swarm. Incumbent's commission expired August 15, 1917.

Frank Stone to be postmaster at Shelbyville, Ill., in place of Frank Stone. Incumbent's commission expired August 15, 1917.

D. F. Le Roy to be postmaster at Streator, Ill., in place of D. F. Le Roy. Incumbent's commission expired September 1, 1917.

E. Wynette Herlocker to be postmaster at Table Grove, Ill., in place of E. W. Herlocker. Incumbent's commission expired July 11, 1917.

Benjamin F. Neal to be postmaster at Toledo, Ill., in place of B. F. Neal. Incumbent's commission expired July 21, 1917.

B. L. Greeley to be postmaster at Tremont, Ill., in place of B. L. Greeley. Incumbent's commission expired September 1, 1917.

Cleve B. Schroder to be postmaster at Vermont, Ill., in place of C. B. Schroder. Incumbent's commission expired August 1, 1917.

William E. Hess to be postmaster at Wilmette, Ill., in place of W. E. Hess. Incumbent's commission expired December 1, 1917.

B. F. Moberley to be postmaster at Windsor, Ill., in place of B. F. Moberley. Incumbent's commission expired August 15, 1917.

John H. Henson to be postmaster at Xenia, Ill., in place of J. H. Henson. Incumbent's commission expired August 27, 1917.

Harry B. Fasmer to be postmaster at Yorkville, Ill., in place of H. B. Fasmer. Incumbent's commission expired July 31, 1917.

INDIANA.

Michael E. Maloney to be postmaster at Aurora, Ind., in place of M. E. Maloney. Incumbent's commission expired August 1, 1917.

Frank S. Coffin to be postmaster at Bloomingdale, Ind., in place of F. S. Coffin. Incumbent's commission expired November 20, 1917.

William R. Dunn to be postmaster at Dale, Ind. Office became presidential July 1, 1917.

Orris Hooper, sr., to be postmaster at Dillsboro, Ind. Office became presidential July 1, 1917.

John T. Cuskaden to be postmaster at St. Paul, Ind. Office became presidential July 1, 1917.

Benjamin A. Batson to be postmaster at Bluffton, Ind., in place of B. A. Batson. Incumbent's commission expired October 23, 1917.

W. P. Van Arsdall to be postmaster at Fairmount, Ind., in place of W. P. Van Arsdall. Incumbent's commission expired October 23, 1917.

Charles Hatch to be postmaster at Fort Branch, Ind., in place of Charles Hatch. Incumbent's commission expired July 10, 1917.

Marion A. Thomas to be postmaster at Jasonville, Ind., in place of M. A. Thomas. Incumbent's commission expired July 11, 1917.

Charles H. Ball to be postmaster at La Fayette, Ind., in place of C. H. Ball. Incumbent's commission expired August 1, 1917.

Earl Talbott to be postmaster at Linton, Ind., in place of Earl Talbott. Incumbent's commission expired August 27, 1917.

Kinsey B. Clark to be postmaster at Medaryville, Ind., in place of K. B. Clark. Incumbent's commission expired July 10, 1917.

Lloyd W. Dunlap to be postmaster at Mentone, Ind., in place of L. W. Dunlap. Incumbent's commission expired August 20, 1917.

Charles Wright to be postmaster at North Manchester, Ind., in place of Charles Wright. Incumbent's commission expired July 10, 1917.

James N. Culp to be postmaster at North Vernon, Ind., in place of J. N. Culp. Incumbent's commission expired July 2, 1917.

William S. Tindall to be postmaster at Paoli, Ind., in place of W. S. Tindall. Incumbent's commission expired November 24, 1917.

Nehemiah Littlefield to be postmaster at Rensselaer, Ind., in place of N. Littlefield. Incumbent's commission expired October 4, 1917.

E. R. Niccum to be postmaster at Swayzee, Ind., in place of E. R. Niccum. Incumbent's commission expired May 20, 1917.

Walter H. Smith to be postmaster at Versailles, Ind., in place of W. H. Smith. Incumbent's commission expired July 10, 1917.

Ernest E. Forsythe to be postmaster at Washington, Ind., in place of E. E. Forsythe. Incumbent's commission expired July 30, 1917.

IOWA.

I. M. Finnell to be postmaster at Algona, Iowa, in place of I. M. Finnell. Incumbent's commission expired June 6, 1917.

Ed. McConaughey to be postmaster at Allerton, Iowa, in place of Ed. McConaughey. Incumbent's commission expired July 23, 1917.

Orson R. Hutchison to be postmaster at Arlington, Iowa, in place of O. R. Hutchison. Incumbent's commission expired July 15, 1917.

George A. Pruitt to be postmaster at Blanchard, Iowa, in place of G. A. Pruitt. Incumbent's commission expired July 23, 1917.

Jair S. Wildman to be postmaster at Blockton, Iowa, in place of J. S. Wildman. Incumbent's commission expired September 4, 1917.

John H. Schulte to be postmaster at Breda, Iowa, in place of J. H. Schulte. Incumbent's commission expired July 23, 1917.

A. W. Lee to be postmaster at Britt, Iowa, in place of A. W. Lee. Incumbent's commission expired July 23, 1917.

Jacob Meyer to be postmaster at Calmar, Iowa, in place of Jacob Meyer. Incumbent's commission expired July 23, 1917.

Charles D. Huston to be postmaster at Cedar Rapids, Iowa, in place of C. D. Huston. Incumbent's commission expired September 10, 1917.

William F. McCarty to be postmaster at Clarence, Iowa, in place of W. F. McCarty. Incumbent's commission expired July 23, 1917.

Thomas R. McKaig to be postmaster at Corwith, Iowa, in place of T. R. McKaig. Incumbent's commission expired July 23, 1917.

Anna B. Berry to be postmaster at North McGregor, Iowa. Office became presidential July 1, 1917.

George W. Crandell to be postmaster at Rippey, Iowa. Office became presidential July 1, 1917.

Margaret E. Nefzger to be postmaster at Terril, Iowa. Office became presidential October 1, 1917.

Albert H. Procese to be postmaster at Waukee, Iowa. Office became presidential October 1, 1917.

Katie A. Schwarz to be postmaster at West Burlington, Iowa. Office became presidential July 1, 1917.

Frank W. Buxton to be postmaster at Wheatland, Iowa. Office became presidential October 1, 1917.

Frederick B. Sharon to be postmaster at Davenport, Iowa, in place of F. B. Sharon. Incumbent's commission expired July 10, 1917.

Harry A. Cooke to be postmaster at Eagle Grove, Iowa, in place of H. A. Cooke. Incumbent's commission expired July 15, 1917.

W. H. Dudley to be postmaster at Earlham, Iowa, in place of W. H. Dudley. Incumbent's commission expired July 23, 1917.

Frank Kussart to be postmaster at Eddyville, Iowa, in place of Frank Kussart. Incumbent's commission expired July 23, 1917.

John J. Donahoe to be postmaster at Gilmore City, Iowa, in place of J. J. Donahoe. Incumbent's commission expired June 6, 1917.

William H. Fickel to be postmaster at Glenwood, Iowa, in place of W. H. Fickel. Incumbent's commission expired November 29, 1917.

Charles H. Woodard to be postmaster at Gowrie, Iowa, in place of C. H. Woodard. Incumbent's commission expired June 5, 1917.

Sam Robinson to be postmaster at Gravity, Iowa, in place of Sam Robinson. Incumbent's commission expired July 23, 1917.

William H. Frew to be postmaster at Hiteman, Iowa, in place of William Frew. Incumbent's commission expired July 23, 1917.

Peter Jungers to be postmaster at Hospers, Iowa, in place of Peter Jungers. Incumbent's commission expired July 23, 1917.

F. C. Boeke to be postmaster at Hubbard, Iowa, in place of F. C. Boeke. Incumbent's commission expired July 31, 1917.

Andrew T. O'Brien to be postmaster at Independence, Iowa, in place of A. T. O'Brien. Incumbent's commission expired July 23, 1917.

Charles L. Paul to be postmaster at Ireton, Iowa, in place of C. L. Paul. Incumbent's commission expired August 2, 1917.

Wilhelm Hesselschwerdt to be postmaster at Kalona, Iowa, in place of W. Hesselschwerdt. Incumbent's commission expired November 29, 1917.

Henry Africa to be postmaster at Kanawha, Iowa, in place of Henry Africa. Incumbent's commission expired August 2, 1917.

E. R. Ashley to be postmaster at Laporte City, Iowa, in place of E. R. Ashley. Incumbent's commission expired August 28, 1917.

D. P. O'Connor to be postmaster at Lawler, Iowa, in place of D. P. O'Connor. Incumbent's commission expired July 31, 1917.

Milton Funk to be postmaster at Lewis, Iowa, in place of Milton Funk. Incumbent's commission expired July 23, 1917.

D. E. Horton to be postmaster at Lime Spring, Iowa, in place of D. E. Horton. Incumbent's commission expired July 15, 1917.

Michael J. Harty to be postmaster at Lone Tree, Iowa, in place of M. J. Harty. Incumbent's commission expired July 15, 1917.

Reuben M. Gable to be postmaster at Lost Nation, Iowa, in place of R. M. Gable. Incumbent's commission expired July 23, 1917.

Anton Huebsch to be postmaster at McGregor, Iowa, in place of Anton Huebsch. Incumbent's commission expired August 28, 1917.

J. J. McDermott to be postmaster at Manilla, Iowa, in place of J. J. McDermott. Incumbent's commission expired July 31, 1917.

A. G. Johnson to be postmaster at Marshalltown, Iowa, in place of A. G. Johnston. Incumbent's commission expired July 23, 1917.

J. J. Herbster to be postmaster at Millford, Iowa, in place of J. J. Herbster. Incumbent's commission expired July 23, 1917.

Harry C. Fox to be postmaster at Monona, Iowa, in place of H. C. Fox. Incumbent's commission expired July 23, 1917.

Tracy R. Osborne to be postmaster at New Sharon, Iowa, in place of T. R. Osborne. Incumbent's commission expired November 6, 1917.

Alfred B. Callender to be postmaster at Ocheyedan, Iowa, in place of A. B. Callender. Incumbent's commission expired July 31, 1917.

Charles B. Clark to be postmaster at Ogden, Iowa, in place of C. B. Clark. Incumbent's commission expired July 23, 1917.

Frank W. Miller to be postmaster at Olin, Iowa, in place of F. W. Miller. Incumbent's commission expired July 23, 1917.

Ben Jensen to be postmaster at Onawa, Iowa, in place of Ben Jensen. Incumbent's commission expired August 28, 1917.

Charles W. McCarty to be postmaster at Ottumwa, Iowa, in place of C. W. McCarty. Incumbent's commission expired July 23, 1917.

Frank Kenney to be postmaster at Oxford Junction, Iowa, in place of Frank Kenney. Incumbent's commission expired July 23, 1917.

Jasper W. Morris to be postmaster at Panora, Iowa, in place of J. W. Morris. Incumbent's commission expired November 29, 1917.

Edwin Wattonville to be postmaster at Pomeroy, Iowa, in place of Edwin Wattonville. Incumbent's commission expired July 31, 1917.

John E. Dargan to be postmaster at Riceville, Iowa, in place of J. E. Dargan. Incumbent's commission expired August 19, 1917.

P. A. McCray to be postmaster at Rolfe, Iowa, in place of P. A. McCray. Incumbent's commission expired July 23, 1917.

John F. Goos to be postmaster at Sabula, Iowa, in place of J. F. Goos. Incumbent's commission expired July 28, 1917.

Edwin L. Helmer to be postmaster at Sanborn, Iowa, in place of E. L. Helmer. Incumbent's commission expired July 23, 1917.

Warren A. Edington to be postmaster at Sheldon, Iowa, in place of W. A. Edington. Incumbent's commission expired July 31, 1917.

J. G. Winter to be postmaster at Sioux Center, Iowa, in place of J. G. Winter. Incumbent's commission expired August 19, 1917.

Frederick S. Anderson to be postmaster at Stanton, Iowa, in place of F. S. Anderson. Incumbent's commission expired July 23, 1917.

Leo L. Hamblin to be postmaster at Walker, Iowa, in place of L. L. Hamblin. Incumbent's commission expired July 23, 1917.

John McGloin to be postmaster at Wall Lake, Iowa, in place of John McGloin. Incumbent's commission expired July 31, 1917.

M. H. Kelly to be postmaster at Waterloo, Iowa, in place of M. H. Kelly. Incumbent's commission expired September 4, 1917.

Daniel H. Bauman to be postmaster at Webster City, Iowa, in place of D. H. Bauman. Incumbent's commission expired August 5, 1917.

William D. Schulte to be postmaster at West Point, Iowa, in place of W. D. Schulte. Incumbent's commission expired July 23, 1917.

Elmer E. Hopkins to be postmaster at Whiting, Iowa, in place of Elmer Hopkins. Incumbent's commission expired July 23, 1917.

Mortimer D. Sullivan to be postmaster at Wilton Junction, Iowa, in place of M. D. Sullivan. Incumbent's commission expired November 29, 1917.

Joseph H. Riseley to be postmaster at Winthrop, Iowa, in place of J. H. Riseley. Incumbent's commission expired July 23, 1917.

KANSAS

Elliott S. Irvin to be postmaster at Coffeyville, Kans., in place of E. S. Irvin. Incumbent's commission expired November 17, 1917.

Robert A. Watt to be postmaster at Edna, Kans., in place of R. A. Watt. Incumbent's commission expired July 10, 1917.

Harvey C. Peterson to be postmaster at Eskridge, Kans., in place of H. C. Peterson. Incumbent's commission expired August 15, 1917.

Gustave Ziesenis to be postmaster at Eudora, Kans., in place of G. Ziesenis. Incumbent's commission expired July 11, 1917.

Herman L. Haasis to be postmaster at Florence, Kans., in place of H. L. Haasis. Incumbent's commission expired July 11, 1917.

Edward F. Hudson to be postmaster at Fredonia, Kans., in place of E. F. Hudson. Incumbent's commission expired July 11, 1917.

Hugh O'Hara to be postmaster at Frontenac, Kans., in place of Hugh O'Hara. Incumbent's commission expired July 28, 1917.

Raymond E. Stotts to be postmaster at Garden City, Kans., in place of R. E. Stotts. Incumbent's commission expired December 23, 1917.

Sophia M. Dickerson to be postmaster at Gypsum, Kans., in place of S. M. Dickerson. Incumbent's commission expired August 26, 1917.

Charles H. Harvey to be postmaster at Haddam, Kans., in place of C. H. Harvey. Incumbent's commission expired July 22, 1917.

John C. Girk to be postmaster at Halstead, Kans., in place of J. C. Girk. Incumbent's commission expired July 10, 1917.

Marion E. Henderson to be postmaster at Haven, Kans., in place of M. E. Henderson. Incumbent's commission expired June 17, 1917.

W. A. Corrigan to be postmaster at Haviland, Kans., in place of W. A. Corrigan. Incumbent's commission expired July 11, 1917.

Baty W. Hamar to be postmaster at Howard, Kans., in place of B. W. Hamar. Incumbent's commission expired August 1, 1917.

Madison D. Gallogly to be postmaster at Hoxie, Kans., in place of M. D. Gallogly. Incumbent's commission expired May 20, 1917.

James K. Stinson to be postmaster at Marquette, Kans., in place of J. K. Stinson. Incumbent's commission expired October 4, 1917.

Mildred K. Johnston to be postmaster at Meade, Kans., in place of M. K. Johnston. Incumbent's commission expired August 5, 1917.

Eugene W. Perkins to be postmaster at Beverly, Kans. Office became presidential July 1, 1917.

Maggie Dowell to be postmaster at Gaylord, Kans. Office became presidential July 1, 1917.

Aubrey J. Roberts to be postmaster at Herndon, Kans. Office became presidential October 1, 1917.

M. V. Dunlap to be postmaster at Osawatomie, Kans., in place of M. V. Dunlap. Incumbent's commission expired May 29, 1917.

L. F. Niece to be postmaster at Natoma, Kans., in place of L. F. Niece. Incumbent's commission expired July 10, 1917.

A. F. Hamm to be postmaster at Nortonville, Kans., in place of A. F. Hamm. Incumbent's commission expired July 15, 1917.

Walter B. Ford to be postmaster at Oskaloosa, Kans., in place of W. B. Ford. Incumbent's commission expired July 10, 1917.

L. A. Walker to be postmaster at Parsons, Kans., in place of L. A. Walker. Incumbent's commission expired July 28, 1917.

Francis W. Boyd to be postmaster at Phillipsburg, Kans., in place of F. W. Boyd. Incumbent's commission expired July 10, 1917.

Elmer H. Epperson to be postmaster at Scott City, Kans., in place of E. P. Epperson. Incumbent's commission expired October 9, 1917.

William McHaley to be postmaster at Toronto, Kans., in place of William McHaley. Incumbent's commission expired May 29, 1917.

Owen F. McLean to be postmaster at West Mineral, Kans., in place of O. F. McLean. Incumbent's commission expired July 10, 1917.

Edwin L. Helper to be postmaster at Winfield, Kans., in place of E. L. Helper. Incumbent's commission expired October 21, 1917.

KENTUCKY.

Orson D. Proctor to be postmaster at Adairville, Ky., in place of O. D. Proctor. Incumbent's commission expired October 9, 1917.

Henry H. Poage to be postmaster at Brooksville, Ky., in place of Henry H. Poage. Incumbent's commission expired August 2, 1917.

Fannie G. Taylor to be postmaster at Campbellsville, Ky., in place of Fannie G. Taylor. Incumbent's commission expired November 29, 1917.

Barbra A. Hogue to be postmaster at Benham, Ky. Office became presidential October 1, 1917.

Lewis P. Martin to be postmaster at Wayland, Ky. Office became presidential July 1, 1917.

Cora Singleton to be postmaster at Waynesburg, Ky. Office became presidential July 1, 1917.

Olive Haddox to be postmaster at Allensville, Ky. Office became presidential October 1, 1917.

C. E. Barnett to be postmaster at Earlington, Ky., in place of C. E. Barnett. Incumbent's commission expired July 25, 1917.

P. C. Mayhugh to be postmaster at Eddyville, Ky., in place of P. C. Mayhugh. Incumbent's commission expired August 10, 1917.

William B. Crabb to be postmaster at Eminence, Ky., in place of W. B. Crabb. Incumbent's commission expired October 9, 1917.

James M. Richardson to be postmaster at Glasgow, Ky., in place of J. M. Richardson. Incumbent's commission expired May 22, 1917.

E. W. McClure to be postmaster at Leitchfield, Ky., in place of E. W. McClure. Incumbent's commission expired May 9, 1917.

E. T. Schmitt to be postmaster at Louisville, Ky., in place of E. T. Schmitt. Incumbent's commission expired August 13, 1917.

Mayme D. Cogar to be postmaster at Midway, Ky., in place of Mayme D. Cogar. Incumbent's commission expired July 10, 1917.

J. B. Cray to be postmaster at Millersburg, Ky., in place of J. B. Cray. Incumbent's commission expired September 2, 1917.

William M. Back to be postmaster at Monticello, Ky., in place of W. M. Back. Incumbent's commission expired November 29, 1917.

Jacob Roll to be postmaster at Newport, Ky., in place of Jacob Roll. Incumbent's commission expired October 4, 1917.

F. A. Casner to be postmaster at Providence, Ky., in place of F. A. Casner. Incumbent's commission expired July 30, 1917.

Robert C. Stockton to be postmaster at Richmond, Ky., in place of Robert C. Stockton. Incumbent's commission expired July 10, 1917.

Jacob Fisher to be postmaster at Russell, Ky., in place of Jacob Fisher. Incumbent's commission expired October 18, 1917.

Sarah W. Simms to be postmaster at Springfield, Ky., in place of S. W. Simms. Incumbent's commission expired July 10, 1917.

P. A. McIntire to be postmaster at Uniontown, Ky., in place of P. A. McIntire. Incumbent's commission expired September 2, 1917.

Samuel F. King to be postmaster at Winchester, Ky., in place of Samuel F. King. Incumbent's commission expired August 1, 1917.

LOUISIANA.

Samuel Y. Watson to be postmaster at Baton Rouge, La., in place of Samuel Y. Watson. Incumbent's commission expired July 11, 1917.

John M. Melton to be postmaster at Bernice, La., in place of John M. Melton. Incumbent's commission expired July 2, 1917.

Overton Gauthier to be postmaster at Jennings, La., in place of Overton Gauthier. Incumbent's commission expired May 1, 1917.

Luda M. Hargroder to be postmaster at Church Point, La. Office became presidential July 1, 1917.

Des Fuqua to be postmaster at Naborton, La. Office became presidential October 1, 1917.

Adele N. Murdoch to be postmaster at Newellton, La. Office became presidential July 1, 1917.

Homer M. Bailey to be postmaster at Oakgrove, La. Office became presidential April 1, 1917.

Dessie H. Ford to be postmaster at Pleasant Hill, La. Office became presidential October 1, 1917.

Fernand J. Bourgeois to be postmaster at St. Patricks, La. Office became presidential October 1, 1917.

H. Ernest Benefiel to be postmaster at Kenner, La. Office became presidential October 1, 1917.

William H. Bennett to be postmaster at Clinton, La., in place of William H. Bennett. Incumbent's commission expired July 31, 1917.

Thomas J. Perkins to be postmaster at De Quincy, La., in place of Thomas J. Perkins. Incumbent's commission expired July 2, 1917.

Pearl Collins to be postmaster at Eros, La., in place of Pearl Collins. Incumbent's commission expired July 10, 1917.

Joseph L. Stagg to be postmaster at Eunice, La., in place of Joseph L. Stagg. Incumbent's commission expired November 20, 1917.

M. C. Wilson to be postmaster at Hammond, La., in place of M. C. Wilson. Incumbent's commission expired October 23, 1917.

Willie K. Harris to be postmaster at Homer, La., in place of Willie Harris. Incumbent's commission expired October 23, 1917.

Edgar L. Chaney to be postmaster at Jeanerette, La., in place of E. L. Chaney. Incumbent's commission expired November 20, 1917.

W. T. Pegues to be postmaster at Mansfield, La., in place of W. T. Pegues. Incumbent's commission expired October 22, 1917.

Charles De Blieux to be postmaster at Natchitoches, La., in place of Charles De Blieux. Incumbent's commission expired April 28, 1917.

MAINE.

Joseph E. Brooks to be postmaster at Biddeford, Me., in place of Joseph E. Brooks. Incumbent's commission expired August 1, 1917.

Arthur L. Newton to be postmaster at Buckfield, Me., in place of A. L. Newton. Incumbent's commission expired August 1, 1917.

William S. Mildon to be postmaster at Eastport, Me., in place of W. S. Mildon. Incumbent's commission expired July 29, 1917.

William R. Frost to be postmaster at Gardiner, Me., in place of W. R. Frost. Incumbent's commission expired July 10, 1917.

Walter H. Newbegin to be postmaster at Kezar Falls, Me., in place of W. H. Newbegin. Incumbent's commission expired July 29, 1917.

Menander Dennett to be postmaster at Lewiston, Me., in place of M. Dennett. Incumbent's commission expired July 10, 1917.

Edward A. Prescott to be postmaster at Monmouth, Me., in place of E. A. Prescott. Incumbent's commission expired July 10, 1917.

Alner C. Gilbert to be postmaster at Monson, Me., in place of A. C. Gilbert. Incumbent's commission expired July 10, 1917.

George W. McClain to be postmaster at Brownville Junction, Me. Office became presidential October 1, 1916.

Edwin L. Field to be postmaster at Cape Cottage, Me. Office became presidential October 1, 1917.

Ida E. Hatch to be postmaster at Limestone, Me. Office became presidential July 1, 1917.

Lemuel Rich to be postmaster at Sebago Lake, Me. Office became presidential April 1, 1917.

William G. Harmon to be postmaster at Old Orchard, Me., in place of W. G. Harmon. Incumbent's commission expired July 10, 1917.

Stanley L. Westcott to be postmaster at Patten, Me., in place of S. L. Westcott. Incumbent's commission expired July 29, 1917.

Oscar R. Wish to be postmaster at Portland, Me., in place of O. R. Wish. Incumbent's commission expired July 29, 1917.

MARYLAND.

Franklin B. Beall to be postmaster at Cumberland, Md., in place of F. B. Beall. Incumbent's commission expired October 16, 1917.

Agnes C. Klinger to be postmaster at Riverdale, Md. Office became presidential January 1, 1917.

Benjamin Mitchell to be postmaster at Hancock, Md., in place of B. Mitchell. Incumbent's commission expired October 16, 1917.

Mary W. Tise to be postmaster at Hyattsville, Md., in place of M. W. Tise. Incumbent's commission expired November 29, 1917.

J. R. Duke to be postmaster at Leonardtown, Md., in place of J. R. Duke. Incumbent's commission expired November 29, 1917.

F. B. McDermitt to be postmaster at Mount Savage, Md., in place of F. B. McDermitt. Incumbent's commission expired October 16, 1917.

J. F. Peach to be postmaster at North East, Md., in place of J. F. Peach. Incumbent's commission expired November 29, 1917.

Mary W. Stewart to be postmaster at Oxford, Md., in place of M. W. Stewart. Incumbent's commission expired November 10, 1917.

H. L. Brittingham to be postmaster at Princess Anne, Md., in place of H. L. Brittingham. Incumbent's commission expired November 10, 1917.

Joseph C. Gernand to be postmaster at Thurmont, Md., in place of J. C. Gernand. Incumbent's commission expired October 16, 1917.

MASSACHUSETTS.

Edgar E. Sargent to be postmaster at Belchertown, Mass., in place of E. E. Sargent. Incumbent's commission expired November 6, 1917.

Lawrence J. Watson to be postmaster at Beverly Farms, Mass., in place of L. J. Watson. Incumbent's commission expired July 23, 1917.

John J. Haverty to be postmaster at Canton, Mass., in place of J. J. Haverty. Incumbent's commission expired July 19, 1917.

Patrick H. Haley to be postmaster at Chelmsford, Mass., in place of P. H. Haley. Incumbent's commission expired July 25, 1917.

James Nagle to be postmaster at Concord Junction, Mass., in place of J. Nagle. Incumbent's commission expired November 29, 1917.

Joseph E. Barnett to be postmaster at Easthampton, Mass., in place of J. E. Barnett. Incumbents' commission expired August 15 ,1917.

William J. Campbell to be postmaster at East Taunton, Mass., in place of W. J. Campbell. Incumbent's commission expired November 22, 1917.

John H. Flavell to be postmaster at Hanover, Mass., in place of J. H. Flavell. Incumbent's commission expired July 19, 1917.

Henry K. Bearse to be postmaster at Harwich, Mass., in place of H. K. Bearse. Incumbent's commission expired July 23, 1917.

L. F. McNamara to be postmaster at Haverhill, Mass., in place of L. F. McNamara. Incumbent's commission expired July 23, 1917.

William F. Walsh to be postmaster at Hinsdale, Mass., in place of W. F. Walsh. Incumbent's commission expired November 29, 1917.

Michael F. Cronin to be postmaster at Lawrence, Mass., in place of M. F. Cronin. Incumbent's commission expired November 29, 1917.

James J. O'Donnell to be postmaster at Holyoke, Mass., in place of J. J. O'Donnell. Incumbent's commission expired November 13, 1917.

Toilston F. Phinney to be postmaster at Hyannis Port, Mass. Office became presidential July 1, 1917.

William F. Kelley to be postmaster at South Acton, Mass. Office became presidential October 1, 1917.

Mary S. Tyler to be postmaster at Charlemont, Mass. Office became presidential October 1, 1913.

John H. Kane to be postmaster at Lexington, Mass., in place of J. H. Kane. Incumbent's commission expired July 19, 1917.

Edmund S. Higgins to be postmaster at Lynn, Mass., in place of E. S. Higgins. Incumbent's commission expired August 29, 1917.

Martin B. Crane to be postmaster at Merrimac, Mass., in place of M. B. Crane. Incumbent's commission expired September 9, 1917.

Neil R. Mahoney to be postmaster at North Billerica, Mass., in place of N. R. Mahoney. Incumbent's commission expired July 23, 1917.

Martin H. Ryan to be postmaster at Northboro, Mass., in place of M. H. Ryan. Incumbent's commission expired September 9, 1917.

Dennis J. Dullea to be postmaster at Peabody, Mass., in place of D. J. Dullea. Incumbent's commission expired July 19, 1917.

Osgood L. Small to be postmaster at Sagamore, Mass., in place of O. L. Small. Incumbent's commission expired July 23, 1917.

Patrick Curran to be postmaster at Scituate, Mass., in place of P. Curran. Incumbent's commission expired August 6, 1917.

James G. Cassidy to be postmaster at Sheffield, Mass., in place of J. G. Cassidy. Incumbent's commission expired July 19, 1917.

Thomas H. Hackett to be postmaster at Westboro, Mass., in place of T. H. Hackett. Incumbent's commission expired December 22, 1917.

John D. Leonard to be postmaster at Whitinsville, Mass., in place of J. D. Leonard. Incumbent's commission expired October 16, 1917.

Richard F. Burke to be postmaster at Williamsburg, Mass., in place of R. F. Burke. Incumbent's commission expired November 13, 1917.

Patrick J. Dempsey to be postmaster at Williamstown, Mass., in place of P. J. Dempsey. Incumbent's commission expired August 6, 1917.

MICHIGAN.

Michael L. Gillen to be postmaster at Adrian, Mich., in place of M. L. Gillen. Incumbent's commission expired July 11, 1917.

Arthur Hillman to be postmaster at Arkon, Mich., in place of A. Hillman. Incumbent's commission expired November 29, 1917.

C. A. Standiford to be postmaster at Athens, Mich., in place of C. A. Standiford. Incumbent's commission expired October 7, 1917.

William S. Drew to be postmaster at Augusta, Mich., in place of W. S. Drew. Incumbent's commission expired July 21, 1917.

Joseph Fremont to be postmaster at Bad Axe, Mich., in place of J. Fremont. Incumbent's commission expired August 2, 1917.

Carl L. Farwell to be postmaster at Barryton, Mich., in place of C. L. Farwell. Incumbent's commission expired July 11, 1917.

O. K. Ray Maker to be postmaster at Bear Lake, Mich., in place of R. Maker. Incumbent's commission expired July 25, 1917.

Paul Harrison to be postmaster at Bloomingdale, Mich., in place of P. Harrison. Incumbent's commission expired July 21, 1917.

William J. Lewis to be postmaster at Boyne City, Mich., in place of W. J. Lewis. Incumbent's commission expired July 11, 1917.

John W. O'Leary to be postmaster at Brooklyn, Mich., in place of J. W. O'Leary. Incumbent's commission expired July 21, 1917.

Perry H. Peters to be postmaster at Davison, Mich., in place of P. H. Peters. Incumbent's commission expired July 14, 1917.

William J. Nagel to be postmaster at Detroit, Mich., in place of W. J. Nagel. Incumbent's commission expired August 30, 1917.

Edwin S. Noble to be postmaster at Elk Rapids, Mich., in place of E. S. Noble. Incumbent's commission expired December 22, 1917.

George Arthur to be postmaster at Elkton, Mich., in place of G. Arthur. Incumbent's commission expired October 7, 1917.

George B. McIntyre to be postmaster at Fairgrove, Mich., in place of G. B. McIntyre. Incumbent's commission expired July 14, 1917.

T. H. McGee to be postmaster at Farmington, Mich., in place of T. H. McGee. Incumbent's commission expired November 29, 1917.

Frank D. Baker to be postmaster at Flint, Mich., in place of F. D. Baker. Incumbent's commission expired June 5, 1917.

Frank D. Perkins to be postmaster at Flushing, Mich., in place of F. D. Perkins. Incumbent's commission expired October 7, 1917.

Harry L. Shirley to be postmaster at Galesburg, Mich., in place of H. L. Shirley. Incumbent's commission expired July 14, 1917.

J. W. Ewing to be postmaster at Grant Ledge, Mich., in place of J. W. Ewing. Incumbent's commission expired November 29, 1917.

Daniel A. Holland to be postmaster at Hancock, Mich., in place of Daniel A. Holland. Incumbent's commission expired November 29, 1917.

David E. Storms to be postmaster at Harrisville, Mich., in place of David E. Storms. Incumbent's commission expired October 7, 1917.

Thomas Gilligan to be postmaster at Hopkins, Mich., in place of Thomas Gilligan. Incumbent's commission expired November 29, 1917.

Cornelius Cronin to be postmaster at Kalkaska, Mich., in place of Cornelius Cronin. Incumbent's commission expired October 7, 1917.

George W. Parker to be postmaster at Le Roy, Mich., in place of George W. Parker. Incumbent's commission expired October 7, 1917.

John J. Sleeman to be postmaster at Linden, Mich., in place of John J. Sleeman. Incumbent's commission expired July 14, 1917.

E. T. Belding to be postmaster at Mancelona, Mich., in place of E. T. Belding. Incumbent's commission expired August 22, 1917.

Arthur A. Juttner to be postmaster at Menominee, Mich., in place of Arthur A. Juttner. Incumbent's commission expired November 29, 1917.

Henry A. Bishop to be postmaster at Millington, Mich., in place of Henry A. Bishop. Incumbent's commission expired July 11, 1917.

Henry Kessell to be postmaster at Orion, Mich., in place of Henry Kessell. Incumbent's commission expired July 31, 1917.

Clare E. Rann to be postmaster at Perry, Mich., in place of Clare E. Rann. Incumbent's commission expired October 7, 1917.

Eugene L. Rose to be postmaster at Petoskey, Mich., in place of Eugene L. Rose. Incumbent's commission expired November 29, 1917.

R. D. Watson to be postmaster at Rochester, Mich., in place of R. D. Watson. Incumbent's commission expired October 7, 1917.

Michael W. Gibbons to be postmaster at Roscommon, Mich., in place of Michael W. Gibbons. Incumbent's commission expired October 7, 1917.

John Lutz to be postmaster at Saline, Mich., in place of John Lutz. Incumbent's commission expired October 7, 1917.

M. C. Lefurgey to be postmaster at Mount Morris, Mich. Office became presidential October 1, 1917.

John Jay Cox to be postmaster at Scottville, Mich., in place of John Jay Cox. Incumbent's commission expired July 31, 1917.

Allen E. Stebbins to be postmaster at Sheridan, Mich., in place of Allen E. Stebbins. Incumbent's commission expired October 7, 1917.

Louis J. Braun to be postmaster at South Range, Mich., in place of Louis J. Braun. Incumbent's commission expired November 29, 1917.

Barton R. Osborn to be postmaster at Tekonsha, Mich., in place of Barton R. Osborn. Incumbent's commission expired October 7, 1917.

George F. Carrier to be postmaster at Three Oaks, Mich., in place of George F. Carrier. Incumbent's commission expired October 7, 1917.

William H. Wint to be postmaster at Williamston, Mich., in place of William H. Wint. Incumbent's commission expired October 7, 1917.

MINNESOTA.

Jason Weatherhead to be postmaster at Ada, Minn., in place of Jason Weatherhead. Incumbent's commission expired August 15, 1917.

P. O. Fryklund to be postmaster at Badger, Minn., in place of P. O. Fryklund. Incumbent's commission expired July 21, 1917.

Joseph S. Stearns to be postmaster at Campbell, Minn., in place of C. J. Schendel, never assumed charge of office.

Alfie Hill Lund to be postmaster at Dawson, Minn., in place of Alfie Hill, name changed by marriage.

Erick L. Slindee to be postmaster at Adams, Minn. Office became presidential October 1, 1916.

Frank W. Zaffke to be postmaster at Backus, Minn. Office became presidential July 1, 1917.

Charles G. Leppla to be postmaster at Fort Snelling, Minn. Office became presidential October 1, 1917.

C. Edward Sarff to be postmaster at Keewatin, Minn. Office became presidential October 1, 1917.

P. Andrew Bromstad to be postmaster at Milan, Minn. Office became presidential October 1, 1916.

Walter L. O'Neill to be postmaster at Remer, Minn. Office became presidential July 1, 1917.

Axel Ringborg to be postmaster at Bagley, Minn., in place of Axel Ringborg. Incumbent's commission expired December 22, 1917.

Axel F. Peterson to be postmaster at Barrett, Minn., in place of Axel F. Peterson. Incumbent's commission expired October 1, 1917.

W. W. Belden to be postmaster at Caledonia, Minn., in place of W. W. Belden. Incumbent's commission expired October 1, 1917.

C. F. Lieberg to be postmaster at Clarkfield, Minn., in place of C. F. Lieberg. Incumbent's commission expired July 21, 1917.

E. S. Scheibe to be postmaster at Cloquet, Minn., in place of E. S. Scheibe. Incumbent's commission expired July 21, 1917.

William H. Franklin to be postmaster at Dodge Center, Minn., in place of W. H. Franklin. Incumbent's commission expired July 21, 1917.

Louis A. Schwantz to be postmaster at Evansville, Minn., in place of Louis A. Schwantz. Incumbent's commission expired July 21, 1917.

Joseph Huelskamp to be postmaster at Gaylord, Minn., in place of Joseph Huelskamp. Incumbent's commission expired December 22, 1917.

George Lien to be postmaster at Granite Falls, Minn., in place of George Lien. Incumbent's commission expired August 29, 1917.

C. H. Phinney to be postmaster at Herman, Minn., in place of C. H. Phinney. Incumbent's commission expired June 17, 1917.

P. J. McCormick to be postmaster at Hopkins, Minn., in place of P. J. McCormick. Incumbent's commission expired October 21, 1917.

William F. Roche to be postmaster at Lakeville, Minn., in place of W. F. Roche. Incumbent's commission expired December 22, 1917.

F. W. Kramer to be postmaster at Lewiston, Minn., in place of F. W. Kramer. Incumbent's commission expired June 23, 1917.

Harvey Hildebrand to be postmaster at Lyle, Minn., in place of H. Hildebrand. Incumbent's commission expired May 22, 1917.

Milton L. Fredine to be postmaster at Maynard, Minn., in place of M. L. Fredine. Incumbent's commission expired September 10, 1917.

Joseph H. Seal to be postmaster at Melrose, Minn., in place of J. H. Seal. Incumbent's commission expired June 17, 1917.

H. E. Hoard to be postmaster at Montevideo, Minn., in place of H. E. Hoard. Incumbent's commission expired August 13, 1917.

M. F. Finnegan to be postmaster at Morris, Minn., in place of M. F. Finnegan. Incumbent's commission expired August 13, 1917.

Erick Erickson to be postmaster at Murdock, Minn., in place of E. Erickson. Incumbent's commission expired July 21, 1917.

A. Waag to be postmaster at Roseau, Minn., in place of A. Waag. Incumbent's commission expired October 21, 1917.

W. L. McGonagle to be postmaster at Royalton, Minn., in place of W. L. McGonagle. Incumbent's commission expired September 10, 1917.

G. O. Bergan to be postmaster at Sacred Heart, Minn., in place of G. O. Bergan. Incumbent's commission expired July 11, 1917.

Emil A. Kurr to be postmaster at Sauk Rapids, Minn., in place of E. A. Kurr. Incumbent's commission expired August 29, 1917.

Alfred W. Johnson to be postmaster at Sebeka, Minn., in place of A. W. Johnson. Incumbent's commission expired July 21, 1917.

A. J. Lovestrom to be postmaster at Stephen, Minn., in place of A. J. Lovestrom. Incumbent's commission expired May 22, 1917.

Charles Spillane to be postmaster at Waseca, Minn., in place of C. Spillane. Incumbent's commission expired October 9, 1917.

Michael Brixius to be postmaster at Watkins, Minn., in place of M. Brixius. Incumbent's commission expired July 21, 1917.

C. H. Dickey to be postmaster at Wayzata, Minn., in place of C. H. Dickey. Incumbent's commission expired July 21, 1917.

MISSISSIPPI.

W. P. Cassedy to be postmaster at Brookhaven, Miss., in place of W. P. Cassedy. Incumbent's commission expired July 10, 1917.

R. L. Broadstreet to be postmaster at Coffeeville, Miss., in place of R. L. Broadstreet. Incumbent's commission expired September 3, 1917.

Bernard M. Martin to be postmaster at Dundee, Miss. Office became presidential October 1, 1917.

Lorie R. Du Bard to be postmaster at Glendora, Miss. Office became presidential October 1, 1917.

Florence Brady to be postmaster at Lulu, Miss. Office became presidential July 1, 1917.

Jeanie W. Fontaine to be postmaster at Lyon, Miss. Office became presidential July 1, 1917.

Foster H. Round to be postmaster at Meadville, Miss. Office became presidential July 1, 1917.

Mary L. Hancock to be postmaster at Potts Camp, Miss. Office became presidential October 1, 1917.

T. L. Wainwright to be postmaster at Stonewell, Miss. Office became presidential October 1, 1917.

Charles W. Allen to be postmaster at Vance, Miss. Office became presidential October 1, 1917.

R. B. O'Reilly to be postmaster at Cruger, Miss. Office became presidential October 1, 1917.

Sedley B. Thomas to be postmaster at Terry, Miss. Office became presidential October 1, 1917.

Benjamin F. Lott to be postmaster at Collins, Miss., in place of B. F. Lott. Incumbent's commission expired August 1, 1917.

J. M. King to be postmaster at Durant, Miss., in place of J. M. King. Incumbent's commission expired October 21, 1917.

Ollie O. Conerly to be postmaster at Gloster, Miss., in place of O. O. Conerly. Incumbent's commission expired May 6, 1917.

J. H. Robb to be postmaster at Greenville, Miss., in place of J. H. Robb. Incumbent's commission expired August 13, 1917.

James C. Jourdan to be postmaster at Iuka, Miss., in place of J. C. Jourdan. Incumbent's commission expired May 1, 1917.

Thomas P. Barr to be postmaster at Jackson, Miss., in place of T. P. Barr. Incumbent's commission expired December 23, 1917.

W. L. Walton to be postmaster at Lexington, Miss., in place of W. L. Walton. Incumbent's commission expired October 18, 1917.

R. Parrish Taylor to be postmaster at Oakland, Miss., in place of R. P. Taylor. Incumbent's commission expired May 6, 1917.

C. A. McCharen to be postmaster at Oxford, Miss., in place of C. A. McCharen. Incumbent's commission expired October 21, 1917.

Jonathan H. McCraw to be postmaster at Sardis, Miss., in place of J. H. McCraw. Incumbent's commission expired July 10, 1917.

Barbour Y. Rhodes to be postmaster at West Point, Miss., in place of B. Y. Rhodes. Incumbent's commission expired August 1, 1917.

MISSOURI.

Emmett A. Cherry to be postmaster at Adrian, Mo., in place of Emmett A. Cherry. Incumbent's commission expired July 10, 1917.

Joseph H. Turk to be postmaster at Ash Grove, Mo., in place of Joseph H. Turk. Incumbent's commission expired July 2, 1917.

James R. Bennett to be postmaster at Branson, Mo., in place of James R. Bennett. Incumbent's commission expired July 25, 1917.

Harvey Morrow to be postmaster at Buffalo, Mo., in place of Harvey Morrow. Incumbent's commission expired May 6, 1917.

John C. Downing to be postmaster at Cameron, Mo., in place of John C. Downing. Incumbent's commission expired October 4, 1917.

Willis Wiley to be postmaster at Crane, Mo., in place of Willis Wiley. Incumbent's commission expired June 6, 1917.

William D. Johnson to be postmaster at Crocker, Mo., in place of William D. Johnson. Incumbent's commission expired June 6, 1917.

Louie C. Mattox to be postmaster at Cuba, Mo., in place of Louie C. Mattox. Incumbent's commission expired June 17, 1917.

William H. Titus to be postmaster at Excelsior Springs, Mo., in place of William H. Titus. Incumbent's commission expired July 11, 1917.

Nelson H. Cook to be postmaster at Forest City, Mo., in place of Nelson H. Cook. Incumbent's commission expired July 25, 1917.

Lee Jones to be postmaster at Hale, Mo., in place of Lee Jones. Incumbent's commission expired November 6, 1917.

S. S. Ball to be postmaster at Kahoka, Mo., in place of S. S. Ball. Incumbent's commission expired November 24, 1917.

Robert H. Williams to be postmaster at Louisiana, Mo., in place of Robert H. Williams. Incumbent's commission expired December 23, 1917.

J. S. Walker to be postmaster at Marceline, Mo., in place of J. S. Walker. Incumbent's commission expired August 19, 1917.

Hiram P. Geaslin to be postmaster at Hornersville, Mo. Office became presidential July 1, 1917.

William A. Grant to be postmaster at Lincoln, Mo. Office became presidential July 1, 1917.

Jasper D. Cole to be postmaster at Malta Bend, Mo. Office became presidential October 1, 1917.

Ross Alexander to be postmaster at Mercer, Mo., in place of Ross Alexander. Incumbent's commission expired September 1, 1917.

James M. Settle to be postmaster at New Franklin, Mo., in place of James M. Settle. Incumbent's commission expired November 6, 1917.

James L. Smith to be postmaster at New London, Mo., in place of James L. Smith. Incumbent's commission expired July 2, 1917.

Cora D. Perdue to be postmaster at Orrick, Mo., in place of Cora D. Perdue. Incumbent's commission expired June 6, 1917.

L. R. Dougherty to be postmaster at Pacific, Mo., in place of L. R. Dougherty. Incumbent's commission expired September 1, 1917.

Lant Campbell to be postmaster at Princeton, Mo., in place of Lant Campbell. Incumbent's commission expired May 22, 1917.

S. A. Norrid to be postmaster at Puxico, Mo., in place of S. A. Norrid. Incumbent's commission expired July 25, 1917.

Colin M. Selph to be postmaster at St. Louis, Mo., in place of Colin M. Selph. Incumbent's commission expired September 5, 1917.

W. Douglas Meeks to be postmaster at Thayer, Mo., in place of W. D. Meeks. Incumbent's commission expired November 20, 1917.

Abram Stephens to be postmaster at Troy, Mo., in place of Abram Stephens. Incumbent's commission expired July 25, 1917.

L. M. Hutcherson to be postmaster at Warrenton, Mo., in place of L. M. Hutcherson. Incumbent's commission expired June 17, 1917.

J. P. Bauer to be postmaster at Washington, Mo., in place of J. P. Bauer. Incumbent's commission expired July 10, 1917.

MONTANA.

T. C. Armitage to be postmaster at Billings, Mont., in place of T. C. Armitage. Incumbent's commission expired November 13, 1917.

William Krofft to be postmaster at Choteau, Mont., in place of William Krofft. Incumbent's commission expired June 13, 1917.

Grant Robinson to be postmaster at Lewistown, Mont., in place of Grant Robinson. Incumbent's commission expired May 20, 1917.

John J. Courtney to be postmaster at Antelope, Mont. Office became presidential July 1, 1917.

Elmer C. Sprague to be postmaster at Box Elder, Mont. Office became presidential July 1, 1917.

Lulu C. Woolson to be postmaster at Brady, Mont. Office became presidential October 1, 1917.

Fred T. Tasa to be postmaster at Flaxville, Mont. Office became presidential October 1, 1917.

Robert B. McNeil to be postmaster at Inverness, Mont. Office became presidential October 1, 1917.

Richard T. Sjordal to be postmaster at Kremlin, Mont. Office became presidential October 1, 1917.

Rose M. Sargent to be postmaster at Nashua, Mont. Office became presidential July 1, 1917.

Letta Conser to be postmaster at Plevna, Mont. Office became presidential October 1, 1917.

Lizzie Gorsuch to be postmaster at Winnett, Mont. Office became presidential October 1, 1917.

Israel A. Oakes to be postmaster at Plentywood, Mont., in place of I. A. Oakes. Incumbent's commission expired November 20, 1917.

W. H. B. Carter to be postmaster at Polson, Mont., in place of W. H. B. Carter. Incumbent's commission expired September 1, 1917.

L. H. Adams to be postmaster at Somers, Mont., in place of L. H. Adams. Incumbent's commission expired September 1, 1917.

NEBRASKA.

Isaac T. Merchant to be postmaster at Adams, Nebr., in place of I. T. Merchant. Incumbent's commission expired August 1, 1917.

R. E. Harmon to be postmaster at Auburn, Nebr., in place of R. E. Harmon. Incumbent's commission expired September 29, 1917.

Marie A. Lybolt to be postmaster at Brunswick, Nebr. Office became presidential October 1, 1917.

James C. Frandsen to be postmaster at Dalton, Nebr. Office became presidential July 1, 1917.

Fritz A. Rasmussen to be postmaster at Hershey, Nebr. Office became presidential October 1, 1917.

Clarence R. Tweed to be postmaster at Bassett, Nebr., in place of C. R. Tweed. Incumbent's commission expired August 1, 1917.

George W. Norris to be postmaster at Beaver Crossing, Nebr., in place of G. W. Norris. Incumbent's commission expired August 1, 1917.

Anton J. Ruyicka to be postmaster at Belgrade, Nebr., in place of A. J. Ruyicka. Incumbent's commission expired July 11, 1917.

Charles P. Davis to be postmaster at Bladen, Nebr., in place of C. P. Davis. Incumbent's commission expired August 1, 1917.

D. A. Berkey to be postmaster at Davenport, Nebr., in place of D. A. Berkey. Incumbent's commission expired October 4, 1917.

George Beckler to be postmaster at Deshler, Nebr., in place of G. Beckler. Incumbent's commission expired October 21, 1917.

James W. Carson to be postmaster at Edgar, Nebr., in place of J. W. Carson. Incumbent's commission expired August 1, 1917.

Robert G. Hall to be postmaster at Fairmont, Nebr., in place of R. G. Hall. Incumbent's commission expired October 4, 1917.

Andrew B. Anderson to be postmaster at Florence, Nebr., in place of A. B. Anderson. Incumbent's commission expired August 21, 1917.

Edwin Cutts to be postmaster at Giltner, Nebr., in place of E. Cutts. Incumbent's commission expired October 4, 1917.

James J. McCarthy to be postmaster at Greeley, Nebr., in place of J. J. McCarthy. Incumbent's commission expired December 22, 1917.

C. G. Fritz to be postmaster at Hooper, Nebr., in place of C. G. Fritz. Incumbent's commission expired July 11, 1917.

Orren Slote to be postmaster at Litchfield, Nebr., in place of O. Slote. Incumbent's commission expired August 21, 1917.

Ira Lucy to be postmaster at Long Pine, Nebr., in place of I. Lucy. Incumbent's commission expired October 4, 1917.

C. F. Beushausen to be postmaster at Loup City, Nebr., in place of C. F. Beushausen. Incumbent's commission expired July 21, 1917.

Joseph Fenimore to be postmaster at Merna, Nebr., in place of J. Fenimore. Incumbent's commission expired July 11, 1917.

Joseph J. Heelan to be postmaster at Mullen, Nebr., in place of J. J. Heelan. Incumbent's commission expired August 1, 1917.

John S. Callan to be postmaster at Odell, Nebr., in place of J. S. Callan. Incumbent's commission expired August 1, 1917.

J. E. Scott to be postmaster at Osmond, Nebr., in place of J. E. Scott. Incumbent's commission expired August 21, 1917.

Charles H. Mohr to be postmaster at Plainview, Nebr., in place of C. H. Mohr. Incumbent's commission expired October 21, 1917.

Lizzie Smith to be postmaster at Riverton, Nebr., in place of L. Smith. Incumbent's commission expired July 11, 1917.

William T. Cropper to be postmaster at Sargent, Nebr., in place of W. T. Cropper. Incumbent's commission expired August 1, 1917.

Fred Wolter to be postmaster at Ohiowa, Nebr. Office became presidential October 1, 1917.

Edward H. Hines to be postmaster at Thedford, Nebr. Office became presidential July 1, 1917.

John C. Voline to be postmaster at South Auburn, Nebr., in place of J. C. Voline. Incumbent's commission expired November 20, 1917.

NEVADA.

George A. Myles to be postmaster at Austin, Nev., in place of G. A. Myles. Incumbent's commission expired August 27, 1917.

W. C. Ruddell, jr., to be postmaster at Lovelocks, Nev., in place of W. C. Ruddell, jr. Incumbent's commission expired November 20, 1917.

William J. Bonner to be postmaster at Mason, Nev. Office became presidential October 1, 1917.

John B. S. Fleming to be postmaster at Jarbridge, Nev. Office became presidential October 1, 1917.

Jessie E. Burnett to be postmaster at McGill, Nev., in place of J. E. Burnett. Incumbent's commission expired July 10, 1917.

A. A. Carman to be postmaster at Pioche, Nev., in place of A. A. Carman. Incumbent's commission expired November 29, 1917.

George Foley to be postmaster at Round Mountain, Nev., in place of G. Foley. Incumbent's commission expired July 24, 1917.

NEW HAMPSHIRE.

James H. Willey to be postmaster at Milton, N. H., in place of J. H. Willey. Incumbent's commission expired July 26, 1917.

Webb Little to be postmaster at Campton, N. H. Office became presidential October 1, 1917.

NEW JERSEY.

Lemuel H. Mathews to be postmaster at Barnegat, N. J., in place of L. H. Mathews. Incumbent's commission expired August 15, 1917.

Peter A. Donovan to be postmaster at Bayonne, N. J., in place of Peter A. Donovan. Incumbent's commission expired July 10, 1917.

Henry N. Gillon to be postmaster at Berlin, N. J., in place of Henry N. Gillon. Incumbent's commission expired August 5, 1917.

Edward F. Higgins to be postmaster at Bloomfield, N. J., in place of Edward F. Higgins. Incumbent's commission expired December 22, 1917.

Waters B. Hurff to be postmaster at Bridgeton, N. J., in place of Waters B. Hurff. Incumbent's commission expired July 25, 1917.

J. B. R. Clark to be postmaster at Califon, N. J., in place of J. B. R. Clark. Incumbent's commission expired July 10, 1917.

Ada B. Nafew to be postmaster at Eatontown, N. J., in place of Ada B. Nafew. Incumbent's commission expired July 2, 1917.

Henry Otto to be postmaster at Egg Harbor City, N. J., in place of Henry Otto. Incumbent's commission expired September 1, 1917.

T. C. Birtwhistle to be postmaster at Englewood, N. J., in place of T. C. Birtwhistle. Incumbent's commission expired August 20, 1917.

C. D. Nicholson to be postmaster at Grenloch, N. J., in place of C. D. Nicholson. Incumbent's commission expired October 21, 1917.

John A. Reddan to be postmaster at Hopewell, N. J., in place of John A. Reddan. Incumbent's commission expired July 2, 1917.

Hugh G. Stull to be postmaster at Milford, N. J., in place of Hugh G. Stull. Incumbent's commission expired July 2, 1917.

Walter F. Clayton to be postmaster at Ocean Grove, N. J., in place of Walter F. Clayton. Incumbent's commission expired August 15, 1917.

Ralph A. Sheppard to be postmaster at Bivalve, N. J. Office became presidential July 1, 1917.

Joseph A. Poole to be postmaster at Deal Beach, N. J. Office became presidential October 1, 1916.

John A. Campbell to be postmaster at Highwood, N. J. Office became presidential October 1, 1917.

Lewis A. Shaw to be postmaster at Minotola, N. J. Office became presidential July 1, 1917.

Frances W. Winans to be postmaster at Mountain Lakes, N. J. Office became presidential July 1, 1917.

Samuel Locker to be postmaster at Parlin, N. J. Office became presidential July 1, 1917.

Harry T. Allen to be postmaster at Vincentown, N. J. Office became presidential October 1, 1917.

John B. Hankins to be postmaster at Pemberton, N. J., in place of John B. Hankins. Incumbent's commission expired July 25, 1917.

David C. Brewer to be postmaster at Toms River, N. J., in place of David C. Brewer. Incumbent's commission expired July 2, 1917.

NEW MEXICO.

John A. Haley to be postmaster at Carrizozo, N. Mex., in place of John A. Haley. Incumbent's commission expired October 23, 1917.

L. A. Chandler to be postmaster at Cimarron, N. Mex., in place of L. A. Chandler. Incumbent's commission expired July 31, 1917.

Susan S. Pace to be postmaster at Clayton, N. Mex., in place of Susan S. Pace. Incumbent's commission expired October 23, 1917.

L. Pascual Martinez to be postmaster at Taos, N. Mex., in place of Pascual Martinez. Incumbent's commission expired December 23, 1917.

Frank P. Brown to be postmaster at Hachita, N. Mex. Office became presidential October 1, 1917.

Joseph A. Beal to be postmaster at Mountainair, N. Mex. Office became presidential July 1, 1917.

Susano Ortiz to be postmaster at Las Vegas, N. Mex., in place of Susano Ortiz. Incumbent's commission expired October 23, 1917.

George F. Williams to be postmaster at Mogollon, N. Mex., in place of George F. Williams. Incumbent's commission expired July 31, 1917.

Viola K. Reynolds to be postmaster at Springer, N. Mex., in place of Viola K. Reynolds. Incumbent's commission expired July 31, 1917.

NEW YORK.

Joseph A. Weisbeck to be postmaster at Alden, N. Y., in place of Joseph A. Weisbeck. Incumbent's commission expired July 10, 1917.

Joseph T. Norton to be postmaster at Allegany, N. Y., in place of Joseph T. Norton. Incumbent's commission expired July 10, 1917.

George M. Miller to be postmaster at Andes, N. Y., in place of George M. Miller. Incumbent's commission expired July 10, 1917.

Frank C. Lent to be postmaster at Atlanta, N. Y., in place of Frank C. Lent. Incumbent's commission expired July 28, 1917.

John J. Maloney to be postmaster at Aurora, N. Y., in place of John J. Maloney. Incumbent's commission expired July 10, 1917.

William S. Waterbury to be postmaster at Ballston Spa, N. Y., in place of William S. Waterbury. Incumbent's commission expired June 26, 1917.

John F. Ryan to be postmaster at Batavia, N. Y., in place of John F. Ryan. Incumbent's commission expired November 22, 1917.

Peter J. O'Neill to be postmaster at Bay Shore, N. Y., in place of Peter J. O'Neill. Incumbent's commission expired July 10, 1917.

William A. Hosley to be postmaster at Belmont, N. Y., in place of William A. Hosley. Incumbent's commission expired August 25, 1917.

John H. Ten Eyck to be postmaster at Black River, N. Y., in place of John H. Ten Eyck. Incumbent's commission expired July 10, 1917.

Frank E. Ingalls to be postmaster at Brownville, N. Y., in place of Frank E. Ingalls. Incumbent's commission expired August 25, 1917.

B. A. Curtiss to be postmaster at Camden, N. Y., in place of B. A. Curtiss. Incumbent's commission expired July 10, 1917.

Charles H. Beeby to be postmaster at Central Square, N. Y., in place of Charles H. Beeby. Incumbent's commission expired July 10, 1917.

Hiram E. Safford to be postmaster at Cherry Creek, N. Y., in place of Hiram E. Safford. Incumbent's commission expired September 2, 1917.

George L. Krein to be postmaster at Dansville, N. Y., in place of George L. Krein. Incumbent's commission expired July 10, 1917.

George H. Mills to be postmaster at Delevan, N. Y., in place of G. H. Mills. Incumbent's commission expired November 29, 1917.

Edward E. O'Rourke to be postmaster at Ellicottsville, N. Y., in place of E. E. O'Rourke. Incumbent's commission expired July 10, 1917.

Alpheus D. Jessup to be postmaster at Florida, N. Y., in place of Alpheus D. Jessup. Incumbent's commission expired July 26, 1917.

William Van Alstyne to be postmaster at Fultonville, N. Y., in place of William Van Alstyne. Incumbent's commission expired July 10, 1917.

Jonas J. Hover to be postmaster at Germantown, N. Y., in place of Jonas J. Hover. Incumbent's commission expired November 10, 1917.

John B. Judson to be postmaster at Gloversville, N. Y., in place of John B. Judson. Incumbent's commission expired November 10, 1917.

James C. Spalding to be postmaster at Great Neck, N. Y., in place of James C. Spalding. Incumbent's commission expired November 22, 1917.

Elizabeth Hollenbeck to be postmaster at Harriman, N. Y., in place of Elizabeth Hollenbeck. Incumbent's commission expired November 22, 1917.

Frederick A. Ray to be postmaster at Herkimer, N. Y., in place of Frederick A. Ray. Incumbent's commission expired July 10, 1917.

John Puvogel to be postmaster at Hicksville, N. Y., in place of John Puvogel. Incumbent's commission expired July 10, 1917.

Richard L. Earl to be postmaster at Honeoye Falls, N. Y., in place of Richard L. Earl. Incumbent's commission expired July 26, 1917.

Arthur Rappleye to be postmaster at Interlaken, N. Y., in place of Arthur Rappleye. Incumbent's commission expired July 10, 1917.

George W. Tracey to be postmaster at Kinderhook, N. Y., in place of George W. Tracey. Incumbent's commission expired November 17, 1917.

Robert S. Ames to be postmaster at Lake Placid, N. Y., in place of Robert S. Ames. Incumbent's commission expired July 26, 1917.

Leon B. Wright to be postmaster at Lyndonville, N. Y., in place of Leon B. Wright. Incumbent's commission expired November 17, 1917.

Edward F. Ryan to be postmaster at Lyons Falls, N. Y., in place of Edward F. Ryan. Incumbent's commission expired July 10, 1917.

John J. Costello to be postmaster at Manlius, N. Y., in place of John J. Costello. Incumbent's commission expired August 27, 1917.

Ira Baker to be postmaster at Amagansett, N. Y. Office became presidential October 1, 1916.

Jenny L. Abel to be postmaster at Canaan, N. Y. Office became presidential July 1, 1917.

Murvin L. Becker to be postmaster at Claverack, N. Y. Office became presidential October 1, 1917.

Norman S. Taylor to be postmaster at Clayville, N. Y. Office became presidential October 1, 1916.

Frederick M. Avery to be postmaster at Cold Water, N. Y. Office became presidential July 1, 1917.

Neil W. Avery to be postmaster at Greenville, N. Y. Office became presidential October 1, 1916.

Eli M. Crawford to be postmaster at Keene Valley, N. Y. Office became presidential July 1, 1917.

Eugene H. Schneck to be postmaster at La Salle, N. Y. Office became presidential July 1, 1917.

Joseph J. Daley to be postmaster at Lewiston, N. Y. Office became presidential July 1, 1917.

Charles D. Overacre to be postmaster at Manchester, N. Y. Office became presidential January 1, 1917.

Harvey J. Adams to be postmaster at Moira, N. Y. Office became presidential July 1, 1917.

William F. Hadley to be postmaster at North Bangor, N. Y. Office became presidential October 1, 1916.

Chester J. Hinman to be postmaster at Palenville, N. Y. Office became presidential January 1, 1917.

Robert J. De Lap to be postmaster at Roosevelt, N. Y. Office became presidential July 1, 1917.

Annie B. Adams to be postmaster at Silver Bay, N. Y. Office became presidential July 1, 1917.

John H. Stoddard to be postmaster at Stevensville, N. Y. Office became presidential October 1, 1917.

William B. Townsend to be postmaster at West Coxsackie, N. Y. Office became presidential July 1, 1917.

Henry D. Nichols to be postmaster at Mexico, N. Y., in place of Henry D. Nichols. Incumbent's commission expired August 25, 1917.

J. C. Rossman to be postmaster at Mohawk, N. Y., in place of J. C. Rossman. Incumbent's commission expired July 10, 1917.

Hugh Smiley to be postmaster at Mohonk Lake, N. Y., in place of Hugh Smiley. Incumbent's commission expired July 26, 1917.

James V. Crawford to be postmaster at Morristown, N. Y., in place of James V. Crawford. Incumbent's commission expired July 10, 1917.

James P. Doyle to be postmaster at Nunda, N. Y., in place of James P. Doyle. Incumbent's commission expired July 11, 1917.

Edward Crawford to be postmaster at Pine Bush, N. Y., in place of Edward Crawford. Incumbent's commission expired July 10, 1917.

Artemas D. Barton to be postmaster at Pine Plains, N. Y., in place of Artemas D. Barton. Incumbent's commission expired August 25, 1917.

W. Y. McIntosh to be postmaster at Pleasantville, N. Y., in place of W. Y. McIntosh. Incumbent's commission expired September 9, 1917.

Anthony J. Beck to be postmaster at Saint James, N. Y., in place of Anthony J. Beck. Incumbent's commission expired August 18, 1917.

Gilson D. Wart to be postmaster at Sandy Creek, N. Y., in place of Gilson D Wart. Incumbent's commission expired July 10, 1917.

Edward J. Hughes to be postmaster at Schuylerville, N. Y., in place of Edward J. Hughes. Incumbent's commission expired July 10, 1917.

Leo R. Grover to be postmaster at Silver Springs, N. Y., in place of Leo R. Grover. Incumbent's commission expired September 2, 1917.

Charles H. Huntting to be postmaster at Smithtown Branch, N. Y., in place of Charles H. Huntting. Incumbent's commission expired August 18, 1917.

Joseph J. Maher to be postmaster at Staatsburg, N. Y., in place of Joseph J. Maher. Incumbent's commission expired July 10, 1917.

John H. Coon to be postmaster at Stanley, N. Y., in place of John H. Coon. Incumbent's commission expired July 10, 1917.

Nellie E. Lempfert to be postmaster at Stony Brook, N. Y., in place of Nellie E. Lempfert. Incumbent's commission expired July 26, 1917.

John J. Kesel to be postmaster at Syracuse, N. Y., in place of John J. Kesel. Incumbent's commission expired August 27, 1917.

John G. More to be postmaster at Walton, N. Y., in place of John G. More. Incumbent's commission expired July 10, 1917.

Frank Tamany to be postmaster at Washingtonville, N. Y., in place of Frank Tamany. Incumbent's commission expired October 4, 1917.

John Scally to be postmaster at Westbury, N. Y., in place of John Scally. Incumbent's commission expired July 10, 1917.

Mabel B. Williams to be postmaster at West Hampton Beach, N. Y., in place of Mabel B. Williams. Incumbent's commission expired August 25, 1917.

John E. Hoffnagle to be postmaster at Westport, N. Y., in place of John E. Hoffnagle. Incumbent's commission expired August 25, 1917.

NORTH CAROLINA.

L. T. Sumner to be postmaster at Ahoskie, N. C., in place of L. T. Sumner. Incumbent's commission expired July 25, 1917.

A. C. Hughes to be postmaster at Apex, N. C., in place of A. C. Hughes. Incumbent's commission expired October 1, 1917.

Daniel L. Windley to be postmaster at Belhaven, N. C., in place of Daniel L. Windley. Incumbent's commission expired July 25, 1917.

E. J. Britt to be postmaster at Chadbourn, N. C., in place of E. J. Britt. Incumbent's commission expired July 10, 1917.

Robert S. McRae to be postmaster at Chapel Hill, N. C., in place of Robert S. McRae. Incumbent's commission expired June 18, 1917.

Andrew L. Pendleton to be postmaster at Elizabeth City, N. C., in place of Andrew L. Pendleton. Incumbent's commission expired June 5, 1917.

H. S. Harrison to be postmaster at Enfield, N. C., in place of H. S. Harrison. Incumbent's commission expired July 11, 1917.

Stephen P. Wilson to be postmaster at Fairmont, N. C., in place of Stephen P. Wilson. Incumbent's commission expired July 2, 1917.

William F. Flowers to be postmaster at Fremont, N. C., in place of William F. Flowers. Incumbent's commission expired July 2, 1917.

Ira T. Hunt to be postmaster at Kittrell, N. C., in place of Ira T. Hunt. Incumbent's commission expired May 29, 1917.

D. D. French to be postmaster at Lumberton, N. C., in place of D. D. French. Incumbent's commission expired June 5, 1917.

John R. Swann to be postmaster at Marshall, N. C., in place of John R. Swann. Incumbent's commission expired December 23, 1917.

J. T. Dick to be postmaster at Mebane, N. C., in place of J. T. Dick. Incumbent's commission expired August 1, 1917.

R. P. Gardner to be postmaster at Mount Holly, N. C., in place of R. P. Gardner. Incumbent's commission expired August 15, 1917.

George W. Waters to be postmaster at Plymouth, N. C., in place of George W. Waters. Incumbent's commission expired August 15, 1917.

Louis G. Daniels to be postmaster at New Bern (late Newbern), N. C., in place of L. G. Daniels, to change name of office.

Sallie V. Banks to be postmaster at Camp Glenn, N. C. Office became presidential January 1, 1917.

Lillie N. Fenner to be postmaster at Halifax, N. C. Office became presidential July 1, 1917.

James A. Hines to be postmaster at Highlands, N. C. Office became presidential October 1, 1916.

John G. Buffaloe to be postmaster at Jackson, N. C. Office became presidential July 1, 1917.

Robert B. Etheridge to be postmaster at Manteo, N. C. Office became presidential October 1, 1917.

W. O. Connor to be postmaster at Mars Hill, N. C. Office became presidential July 1, 1917.

Robert S. Montgomery to be postmaster at Reidsville, N. C., in place of R. S. Montgomery. Incumbent's commission expired December 23, 1917.

William G. Fussell to be postmaster at Rosehill, N. C., in place of William G. Fussell. Incumbent's commission expired July 10, 1917.

Samuel V. Scott to be postmaster at Sanford, N. C., in place of Samuel V. Scott. Incumbent's commission expired July 2, 1917.

Cepha L. Harris to be postmaster at Thomasville, N. C., in place of Cepha L. Harris. Incumbent's commission expired July 2, 1917.

John F. Saunders to be postmaster at Troy, N. C., in place of John F. Saunders. Incumbent's commission expired July 25, 1917.

G. W. Hill to be postmaster at Vineland, N. C., in place of G. W. Hill. Incumbent's commission expired June 18, 1917.

O. K. Holding to be postmaster at Wake Forest, N. C., in place of O. K. Holding. Incumbent's commission expired July 2, 1917.

D. Earl Best to be postmaster at Warsaw, N. C., in place of D. E. Best. Incumbent's commission expired July 25, 1917.

R. S. Galloway to be postmaster at Winston-Salem, N. C., in place of R. S. Galloway. Incumbent's commission expired May 29, 1917.

NORTH DAKOTA.

Nicholas Johnston to be postmaster at Aneta, N. Dak., in place of Nicholas Johnston. Incumbent's commission expired October 2, 1917.

Daniel F. Sweeney to be postmaster at Berthold, N. Dak., in place of D. F. Sweeney. Incumbent's commission expired July 10, 1917.

John W. Schulenberg to be postmaster at Bisbee, N. Dak., in place of J. W. Schulenberg. Incumbent's commission expired July 19, 1917.

Frank Reed to be postmaster at Bismarck, N. Dak., in place of Frank Reed. Incumbent's commission expired September 18, 1917.

Guy A. Kopriva to be postmaster at Bowbells, N. Dak., in place of G. A. Kopriva. Incumbent's commission expired July 10, 1917.

Charles E. Harding to be postmaster at Churchs Ferry, N. Dak., in place of C. E. Harding. Incumbent's commission expired August 21, 1917.

Frank McGraw to be postmaster at Cogswell, N. Dak., in place of Frank McGraw. Incumbent's commission expired July 10, 1917.

V. F. Nelson to be postmaster at Cooperstown, N. Dak., in place of V. F. Nelson. Incumbent's commission expired August 28, 1917.

Sophie Sherman to be postmaster at Donnybrook, N. Dak., in place of Sophie Sherman. Incumbent's commission expired July 15, 1917.

W. W. Anderson to be postmaster at Edgeley, N. Dak., in place of W. W. Anderson. Incumbent's commission expired November 24, 1917.

D. J. Drummond to be postmaster at Esmond, N. Dak., in place of D. J. Drummond. Incumbent's commission expired October 23, 1917.

Annie Minehan to be postmaster at Garrison, N. Dak., in place of Annie Minehan. Incumbent's commission expired October 30, 1917.

William F. Thompson to be postmaster at Sanish, N. Dak. Office became presidential October 1, 1917.

William T. Wakefield to be postmaster at Mott, N. Dak., in place of W. T. Wakefield. Incumbent's commission expired July 10, 1917.

William F. Kempshall to be postmaster at Taylor, N. Dak., in place of W. F. Kempshall. Incumbent's commission expired November 20, 1917.

Hattie M. Leach to be postmaster at Havana, N. Dak. Office became presidential January 1, 1917.

Lemuel C. Larkin to be postmaster at Thompson, N. Dak. Office became presidential July 1, 1917.

E. Ruth Garvin to be postmaster at Dawson, N. Dak. Office became presidential July 1, 1917.

Christian Reite to be postmaster at Hannaford, N. Dak., in place of C. Reite. Incumbent's commission expired November 10, 1917.

J. H. McLean to be postmaster at Hannah, N. Dak., in place of J. H. McLean. Incumbent's commission expired August 21, 1917.

Pearl Miller to be postmaster at La Moure, N. Dak., in place of Pearl Miller. Incumbent's commission expired August 22, 1917.

Frank J. Callahan to be postmaster at McClusky, N. Dak., in place of F. J. Callahan. Incumbent's commission expired August 21, 1917.

P. J. Bott to be postmaster at Marmarth, N. Dak., in place of P. J. Bott. Incumbent's commission expired October 21, 1917.

Peter Karpen to be postmaster at Medina, N. Dak., in place of Peter Karpen. Incumbent's commission expired September 18, 1917.

Anthony Hentges to be postmaster at Michigan, N. Dak., in place of Anthony Hentges. Incumbent's commission expired July 10, 1917.

John G. Boatman to be postmaster at Milnor, N. Dak., in place of J. G. Boatman. Incumbent's commission expired July 10, 1917.

W. T. Reilly to be postmaster at Milton, N. Dak., in place of W. T. Reilly. Incumbent's commission expired August 21, 1917.

Carl Jahnke to be postmaster at New Salem, N. Dak., in place of Carl Jahnke. Incumbent's commission expired August 21, 1917.

James J. Dougherty to be postmaster at Park River, N. Dak., in place of J. J. Dougherty. Incumbent's commission expired August 21, 1917.

Nelle W. Moellring to be postmaster at Ray, N. Dak., in place of N. W. Moellring. Incumbent's commission expired July 10, 1917.

P. J. Filbin to be postmaster at Steele, N. Dak., in place of P. J. Filbin. Incumbent's commission expired August 21, 1917.

Henry A. Holmes to be postmaster at Towner, N. Dak., in place of H. A. Holmes. Incumbent's commission expired July 10, 1917.

Joseph Deschenes to be postmaster at Walhalla, N. Dak., in place of Joseph Deschenes. Incumbent's commission expired July 10, 1917.

Arthur L. Menard to be postmaster at Wilton, N. Dak., in place of A. L. Menard. Incumbent's commission expired May 1, 1917.

Andrew D. Cochrane to be postmaster at York, N. Dak., in place of A. D. Cochrane. Incumbent's commission expired August 21, 1917.

OHIO.

Stewart D. Hazlett to be postmaster at Ada, Ohio, in place of S. D. Hazlett. Incumbent's commission expired August 29, 1917.

A. E. Stiwald to be postmaster at Amherst, Ohio, in place of A. E. Stiwald. Incumbent's commission expired October 21, 1917.

Charles L. Burns to be postmaster at Andover, Ohio, in place of C. L. Burns. Incumbent's commission expired August 1, 1917.

William H. Beam to be postmaster at Ansonia, Ohio, in place of W. H. Beam. Incumbent's commission expired July 15, 1917.

Solomon C. Allison to be postmaster at Ashville, Ohio, in place of S. C. Allison. Incumbent's commission expired July 29, 1917.

Eli R. Lash to be postmaster at Athens, Ohio, in place of E. R. Lash. Incumbent's commission expired October 21, 1917.

Louis J. Golling to be postmaster at Bedford, Ohio, in place of L. J. Golling. Incumbent's commission expired August 6, 1917.

James M. Fitzpatrick to be postmaster at Bethel, Ohio, in place of J. M. Fitzpatrick. Incumbent's commission expired July 10, 1917.

B. S. C. McBride to be postmaster at St. Clairsville, Ohio, in place of B. S. C. McBride. Incumbent's commission expired October 7, 1917.

Daniel W. Rumbaugh to be postmaster at Willard (late Chicago Junction), Ohio, in place of D. W. Rumbaugh, to change name of office.

Gertrude M. Bush to be postmaster at East Liberty, Ohio. Office became presidential July 1, 1917.

Claude R. Kilgore to be postmaster at Fredericksburg, Ohio. Office became presidential October 1, 1916.

Cloyd M. Scott to be postmaster at Jeromesville, Ohio. Office became presidential October 1, 1917.

Ida H. Cline to be postmaster at Kings Mills, Ohio. Office became presidential July 1, 1917.

Daniel McKenzie to be postmaster at Lakeside, Ohio. Office became presidential October 1, 1916.

Edward D. Humphrey to be postmaster at Stockport, Ohio. Office became presidential July 1, 1917.

J. P. Grassbaugh to be postmaster at Bigprairie, Ohio, in place of J. P. Grassbaugh. Incumbent's commission expired October 9, 1917.

C. A. Weidaw to be postmaster at Bloomville, Ohio, in place of C. A. Weidaw. Incumbent's commission expired July 23, 1917.

I. L. McCollough to be postmaster at Butler, Ohio, in place of I. L. McCollough. Incumbent's commission expired July 25, 1917.

John Palsgrove to be postmaster at Canal Winchester, Ohio, in place of John Palsgrove. Incumbent's commission expired September 29, 1917.

Charles C. Fowler to be postmaster at Canfield, Ohio, in place of C. C. Fowler. Incumbent's commission expired August 18, 1917.

A. R. Wolfe to be postmaster at Chillicothe, Ohio, in place of A. R. Wolfe. Incumbent's commission expired October 7, 1917.

John W. Sanford to be postmaster at Clarington, Ohio, in place of J. W. Sanford. Incumbent's commission expired August 1, 1917.

F. M. Carlin to be postmaster at Cleves, Ohio, in place of F. M. Carlin. Incumbent's commission expired July 15, 1917.

Harry B. Mapel to be postmaster at Columbus Grove, Ohio, in place of H. B. Mapel. Incumbent's commission expired October 21, 1917.

Carl C. Hadsell to be postmaster at Cortland, Ohio, in place of C. C. Hadsell. Incumbent's commission expired July 29, 1917.

John E. Taylor to be postmaster at Crooksville, Ohio, in place of J. E. Taylor. Incumbent's commission expired August 19, 1917.

Lewis C. Davison to be postmaster at Dalton, Ohio, in place of L. C. Davison. Incumbent's commission expired July 10, 1917.

Hoyt B. Mahon to be postmaster at Dunkirk, Ohio, in place of H. B. Mahon. Incumbent's commission expired July 15, 1917.

Albert G. Witte to be postmaster at Elmore, Ohio, in place of A. G. Witte. Incumbent's commission expired August 6, 1917.

Charles E. Yost to be postmaster at Fayette, Ohio, in place of C. E. Yost. Incumbent's commission expired June 6, 1917.

Homer Gard to be postmaster at Hamilton, Ohio, in place of Homer Gard. Incumbent's commission expired December 23, 1917.

Henry Holzbach to be postmaster at Hubbard, Ohio, in place of Henry Holzbach. Incumbent's commission expired October 9, 1917.

O. D. Kemper to be postmaster at Jefferson, Ohio, in place of O. D. Kemper. Incumbent's commission expired September 29, 1917.

E. E. France to be postmaster at Kent, Ohio, in place of E. E. France. Incumbent's commission expired August 28, 1917.

Thomas P. Dodd to be postmaster at Larue, Ohio, in place of T. P. Dodd. Incumbent's commission expired July 11, 1917.

W. W. Daniels to be postmaster at Leroy, Ohio, in place of W. W. Daniels. Incumbent's commission expired July 30, 1917.

Charles E. Gain to be postmaster at London, Ohio, in place of C. E. Gain. Incumbent's commission expired August 29, 1917.

Custer Snyder to be postmaster at Lorain, Ohio, in place of Custer Snyder. Incumbent's commission expired July 30, 1917.

George M. Keating to be postmaster at Loveland, Ohio, in place of G. M. Keating. Incumbent's commission expired December 1, 1917.

Charles G. Stroup to be postmaster at Lynchburg, Ohio, in place of C. G. Stroup. Incumbent's commission expired July 30, 1917.

F. C. Thomas to be postmaster at Malta, Ohio, in place of F. C. Thomas. Incumbent's commission expired August 2, 1917.

Frank T. Campbell to be postmaster at Marion, Ohio, in place of F. T. Campbell. Incumbent's commission expired August 18, 1917.

Patrick W. Guilday to be postmaster at Milford, Ohio, in place of P. W. Guilday. Incumbent's commission expired August 2, 1917.

D. C. Brown to be postmaster at Napoleon, Ohio, in place of D. C. Brown. Incumbent's commission expired July 30, 1917.

James Sharp to be postmaster at Nelsonville, Ohio, in place of James Sharp. Incumbent's commission expired August 2, 1917.

L. W. Kunning to be postmaster at New Bremen, Ohio, in place of L. W. Kunning. Incumbent's commission expired October 9, 1917.

D. F. Akers to be postmaster at New Carlisle, Ohio, in place of D. F. Akers. Incumbent's commission expired August 1, 1917.

H. E. Miller to be postmaster at New Concord, Ohio, in place of H. E. Miller. Incumbent's commission expired October 7, 1917.

William Briggs to be postmaster at New Holland, Ohio, in place of William Briggs. Incumbent's commission expired August 6, 1917.

W. T. Alberson to be postmaster at New Philadelphia, Ohio, in place of W. T. Alberson. Incumbent's commission expired August 22, 1917.

Edwin E. Curran to be postmaster at New Straitsville, Ohio, in place of E. E. Curran. Incumbent's commission expired August 18, 1917.

Roy C. Hale to be postmaster at New Vienna, Ohio, in place of R. C. Hale. Incumbent's commission expired July 15, 1917.

James P. Stewart to be postmaster at Niles, Ohio, in place of J. P. Stewart. Incumbent's commission expired August 28, 1917.

Andrew Hiss to be postmaster at Norwalk, Ohio, in place of Andrew Hiss. Incumbent's commission expired July 23, 1917.

Frank J. Wasmer to be postmaster at Oak Hill, Ohio, in place of F. J. Wasmer. Incumbent's commission expired July 24, 1917.

C. L. Barkman to be postmaster at Osborn, Ohio, in place of C. L. Barkman. Incumbent's commission expired October 21, 1917.

William B. Meyer to be postmaster at Oxford, Ohio, in place of W. B. Meyer. Incumbent's commission expired August 18, 1917.

William J. Prince to be postmaster at Piqua, Ohio, in place of W. J. Prince. Incumbent's commission expired August 27, 1917.

Clarence A. Flanagan to be postmaster at Pleasant City, Ohio, in place of C. A. Flanagan. Incumbent's commission expired July 10, 1917.

Fred H. Johnson to be postmaster at Quaker City, Ohio, in place of F. H. Johnson. Incumbent's commission expired July 29, 1917.

Barbara Crosser to be postmaster at Salineville, Ohio, in place of Barbara Crosser. Incumbent's commission expired October 7, 1917.

George J. Windle to be postmaster at Sebring, Ohio, in place of G. J. Windle. Incumbent's commission expired August 22, 1917.

Laura Emma Jones to be postmaster at Shadyside, Ohio, in place of L. E. Jones. Incumbent's commission expired October 21, 1917.

Benjamin G. Trew to be postmaster at Shawnee, Ohio, in place of B. G. Trew. Incumbent's commission expired August 22, 1917.

Jacob Fraker to be postmaster at Sherwood, Ohio, in place of Jacob Fraker. Incumbent's commission expired August 1, 1917.

Wiley K. Miller to be postmaster at Shreve, Ohio, in place of W. K. Miller. Incumbent's commission expired September 1, 1917.

Rufus R. Kurtz to be postmaster at Sycamore, Ohio, in place of R. R. Kurtz. Incumbent's commission expired June 23, 1917.

W. A. Lowry to be postmaster at Urbana, Ohio, in place of W. A. Lowry. Incumbent's commission expired July 15, 1917.

Louis C. Brown to be postmaster at Warren, Ohio, in place of L. C. Brown. Incumbent's commission expired August 12, 1917.

Orange V. Fritz to be postmaster at West Alexandria, Ohio, in place of O. V. Fritz. Incumbent's commission expired August 18, 1917.

Orren E. Curl to be postmaster at West Mansfield, Ohio, in place of O. E. Curl. Incumbent's commission expired August 6, 1917.

Lewis S. Baker to be postmaster at Weston, Ohio, in place of L. S. Baker. Incumbent's commission expired June 18, 1917.

J. H. Connor to be postmaster at West Union, Ohio, in place of J. H. Connor. Incumbent's commission expired July 15, 1917.

Charles H. Hackett to be postmaster at Yellow Springs, Ohio, in place of C. H. Hackett. Incumbent's commission expired July 15, 1917.

George B. Snyder to be postmaster at Youngstown, Ohio, in place of G. B. Snyder. Incumbent's commission expired December 23, 1917.

OKLAHOMA.

Charles W. Amspacher to be postmaster at Apache, Okla., in place of Charles Amspacher. Incumbent's commission expired July 11, 1917.

Peter H. McKeown to be postmaster at Billings, Okla., in place of P. H. McKeown. Incumbent's commission expired July 11, 1917.

J. N. Hopkins to be postmaster at Boswell, Okla., in place of J. N. Hopkins. Incumbent's commission expired August 30, 1917.

Lea M. Nichols to be postmaster at Bristow, Okla., in place of L. M. Nichols. Incumbent's commission expired July 28, 1917.

A. R. Duncan to be postmaster at Carmen, Okla., in place of A. R. Duncan. Incumbent's commission expired July 11, 1917.

James H. Cunningham to be postmaster at Carnegie, Okla., in place of J. H. Cunningham. Incumbent's commission expired July 28, 1917.

W. P. Madden to be postmaster at Cheyenne, Okla., in place of W. P. Madden. Incumbent's commission expired May 20, 1917.

James E. Wallace to be postmaster at Broken Bow, Okla., in place of J. E. Wallace. Incumbent's commission expired June 23, 1917.

Willie E. Hunt to be postmaster at Thomas, Okla., in place of W. E. Hunt. Incumbent's commission expired July 28, 1917.

T. J. Way to be postmaster at Haskell, Okla., in place of T. J. Way. Incumbent's commission expired October 4, 1917.

Bonnie Bacon to be postmaster at Davidson, Okla., in place of Bonnie A. Coley, name changed by marriage.

Blanche Holcomb to be postmaster at Delaware, Okla., in place of Blanch Larkin, named changed by marriage.

John L. Lillibridge to be postmaster at Dover, Okla. Office became presidential July 1, 1917.

James W. Hinson to be postmaster at Fletcher, Okla. Office became presidential July 1, 1917.

Willis W. Christopher to be postmaster at Kusa, Okla. Office became presidential July 1, 1917.

Eva Gill to be postmaster at Milburn, Okla. Office became presidential January 1, 1917.

Guy M. Coffman to be postmaster at Morrison, Okla. Office became presidential October 1, 1917.

Julian B. Boyett to be postmaster at Stuart, Okla. Office became presidential July 1, 1917.

Grover C. Fulton to be postmaster at Tar River, Okla. Office became presidential October 1, 1917.

Albert L. Kates to be postmaster at Claremore, Okla., in place of A. L. Kates. Incumbent's commission expired November 24, 1917.

Samuel R. Hawks, jr., to be postmaster at Clinton, Okla., in place of S. R. Hawks, jr. Incumbent's commission expired September 9, 1917.

M. B. Hickman to be postmaster at Coalgate, Okla., in place of M. B. Hickman. Incumbent's commission expired August 30, 1917.

W. A. Prince to be postmaster at Crescent, Okla., in place of W. A. Prince. Incumbent's commission expired July 11, 1917.

Robert E. Lee Woods to be postmaster at Duncan, Okla., in place of R. E. L. Woods. Incumbent's commission expired June 17, 1917.

L. D. Flint to be postmaster at Fairland, Okla., in place of L. D. Flint. Incumbent's commission expired May 22, 1917.

Joseph B. Wilson to be postmaster at Fairview, Okla., in place of J. B. Wilson. Incumbent's commission expired November 6, 1917.

John Huskey to be postmaster at Fort Towson, Okla., in place of John Huskey. Incumbent's commission expired July 19, 1917.

George E. Baker to be postmaster at Gage, Okla., in place of G. E. Baker. Incumbent's commission expired August 30, 1917.

Marion B. Carley to be postmaster at Geary, Okla., in place of M. B. Carley. Incumbent's commission expired August 22, 1917.

W. T. Kniseley to be postmaster at Glencoe, Okla., in place of W. T. Kniseley. Incumbent's commission expired September 9, 1917.

J. P. Ford to be postmaster at Konawa, Okla., in place of J. P. Ford. Incumbent's commission expired August 30, 1917.

Robert Landers to be postmaster at Lawton, Okla., in place of Robert Landers. Incumbent's commission expired October 21, 1917.

George M. Massingale to be postmaster at Leedey, Okla., in place of G. M. Massingale. Incumbent's commission expired July 11, 1917.

J. L. Avey to be postmaster at Lindsay, Okla., in place of J. L. Avey. Incumbent's commission expired August 29, 1917.

John S. Thompson to be postmaster at Mulhall, Okla., in place of J. S. Thompson. Incumbent's commission expired August 5, 1917.

C. J. Woodson to be postmaster at Okarche, Okla., in place of C. J. Woodson. Incumbent's commission expired August 22, 1917.

W. M. Davis to be postmaster at Okemah, Okla., in place of W. M. Davis. Incumbent's commission expired May 20, 1917.

Joseph E. McCutchan to be postmaster at Pawnee, Okla., in place of J. E. McCutchan. Incumbent's commission expired July 28, 1917.

Willard E. Merry to be postmaster at Perry, Okla., in place of W. E. Merry. Incumbent's commission expired November 6, 1917.

A. C. Smith to be postmaster at Ponca City, Okla., in place of A. C. Smith. Incumbent's commission expired October 23, 1917.

William Barrowman to be postmaster at Purcell, Okla., in place of William Barrowman. Incumbent's commission expired June 23, 1917.

A. S. Foreman to be postmaster at Sallisaw, Okla., in place of A. S. Foreman. Incumbent's commission expired October 4, 1917.

W. S. Livingston to be postmaster at Seminole, Okla., in place of W. S. Livingston. Incumbent's commission expired August 30, 1917.

Edward Learnard to be postmaster at Shattuck, Okla., in place of Edw. Learnard. Incumbent's commission expired October 4, 1917.

J. T. Holley to be postmaster at Stigler, Okla., in place of J. T. Holley. Incumbent's commission expired May 29, 1917.

A. B. Cunningham to be postmaster at Tahlequah, Okla., in place of A. B. Cunningham. Incumbent's commission expired July 2, 1917.

John M. Crutchfield to be postmaster at Tulsa, Okla., in place of J. M. Crutchfield. Incumbent's commission expired September 9, 1917.

Thomas J. Brown to be postmaster at Tuttle, Okla., in place of T. J. Brown. Incumbent's commission expired October 4, 1917.

Harry J. Dray to be postmaster at Weatherford, Okla., in place of H. J. Dray. Incumbent's commission expired July 11, 1917.

J. S. Barham to be postmaster at Wewoka, Okla., in place of J. S. Barham. Incumbent's commission expired July 11, 1917.

OREGON.

Dean S. McWilliams to be postmaster at Halsey, Oreg., in place of D. S. McWilliams. Incumbent's commission expired October 22, 1917.

W. A. Richardson to be postmaster at Heppner, Oreg., in place of W. A. Richardson. Incumbent's commission expired August 12, 1917.

E. E. Bragg to be postmaster at La Grande, Oreg., in place of E. E. Bragg. Incumbent's commission expired May 20, 1917.

Edith B. Ward to be postmaster at Stanfield, Oreg. Office became presidential January 1, 1917.

Brazier C. Small to be postmaster at Turner, Oreg. Office became presidential October 1, 1917.

Esther M. Evers to be postmaster at Huntington, Oreg., in place of Esther Evers. Incumbent's commission expired September 1, 1917.

W. A. Delzell to be postmaster at Klamath Falls, Oreg., in place of W. A. Delzell. Incumbent's commission expired October 1, 1917.

B. L. Hagemann to be postmaster at Milwaukie, Oreg., in place of B. L. Hagemann. Incumbent's commission expired December 1, 1917.

Vaughn D. Crosby to be postmaster at North Portland, Oreg., in place of V. D. Crosby. Incumbent's commission expired January 18, 1916.

J. W. Boone to be postmaster at Prineville, Oreg., in place of J. W. Boone. Incumbent's commission expired July 25, 1917.

L. F. Reizenstein to be postmaster at Roseburg, Oreg., in place of L. F. Reizenstein. Incumbent's commission expired May 1, 1917.

Iva E. Dodd to be postmaster at St. Helens, Oreg., in place of I. E. Dodd. Incumbent's commission expired July 25, 1917.

R. E. Williams to be postmaster at The Dalles, Oreg., in place of R. E. Williams. Incumbent's commission expired May 1, 1917.

PENNSYLVANIA.

Claude W. Freeman to be postmaster at Austin, Pa., in place of C. W. Freeman. Incumbent's commission expired August 5, 1917.

Oscar E. Letterer to be postmaster at Berwick, Pa., in place of O. E. Letterer. Incumbent's commission expired August 20, 1917.

Charles M. Harder to be postmaster at Catawissa, Pa., in place of C. M. Harder. Incumbent's commission expired August 2, 1917.

John J. Ryan to be postmaster at Centralia, Pa., in place of J. J. Ryan. Incumbent's commission expired July 30, 1917.

J. K. Smith to be postmaster at Charleroi, Pa., in place of J. K. Smith. Incumbent's commission expired October 30, 1917.

William A. Shear to be postmaster at Coudersport, Pa., in place of W. A. Shear. Incumbent's commission expired July 10, 1917.

Edward Raker to be postmaster at Shamokin, Pa., in place of Edward Raker. Incumbent's commission expired June 5, 1917.

Winifred H. Rose to be postmaster at Tioga, Pa., in place of Winifred Hughes; name changed by marriage.

Albin P. Yarnall to be postmaster at Ashbourne, Pa. Office became presidential October 1, 1917.

John H. Fahl to be postmaster at Auburn, Pa. Office became presidential July 1, 1917.

Frank F. Sumney to be postmaster at Dravosburg, Pa. Office became presidential January 1, 1917.

J. Blaine Wise to be postmaster at Marianna, Pa. Office became presidential October 1, 1917.

George C. Schrecongost to be postmaster at Sagamore, Pa. Office became presidential October 1, 1917.

John C. Nicholson to be postmaster at Six Mile Run, Pa. Office became presidential October 1, 1917.

Grant Piper to be postmaster at Petersburg, Pa. Office became presidential July 1, 1917.

G. F. Kittelberger to be postmaster at Curwensville, Pa., in place of G. F. Kittelberger. Incumbent's commission expired September 4, 1917.

James W. Taylor to be postmaster at Dallastown, Pa., in place of J. W. Taylor. Incumbent's commission expired November 13, 1917.

Andrew Wahl to be postmaster at Evans City, Pa., in place of Andrew Wahl. Incumbent's commission expired July 10, 1917.

Joseph Nelson to be postmaster at Fayette City, Pa., in place of Joseph Nelson. Incumbent's commission expired July 10, 1917.

O. M. Koller to be postmaster at Fleetwood, Pa., in place of O. M. Koller. Incumbent's commission expired October 30, 1917.

William H. McQuilken to be postmaster at Glen Campbell, Pa., in place of W. H. McQuilken. Incumbent's commission expired September 4, 1917.

E. K. Eichelberger to be postmaster at Hanover, Pa., in place of E. K. Eichelberger. Incumbent's commission expired July 10, 1917.

C. S. Hill to be postmaster at Hughesville, Pa., in place of C. S. Hill. Incumbent's commission expired August 18, 1917.

Harry W. Fee to be postmaster at Indiana, Pa., in place of H. W. Fee. Incumbent's commission expired August 18, 1917.

E. S. Taylor to be postmaster at Kennett Square, Pa., in place of E. S. Taylor. Incumbent's commission expired October 30, 1917.

Louis N. Spencer to be postmaster at Lancaster, Pa., in place of L. N. Spencer. Incumbent's commission expired October 30, 1917.

Charles E. Putnam to be postmaster at Linesville, Pa., in place of C. E. Putnam. Incumbent's commission expired September 4, 1917.

Robert E. Urell to be postmaster at Mansfield, Pa., in place of R. E. Urell. Incumbent's commission expired August 22, 1917.

John Orth to be postmaster at Marietta, Pa., in place of John Orth. Incumbent's commission expired August 18, 1917.

John H. Kensinger to be postmaster at Martinsburg, Pa., in place of J. H. Kensinger. Incumbent's commission expired July 10, 1917.

Matthew C. Fox, jr., to be postmaster at Media, Pa., in place of M. C. Cox, jr. Incumbent's commission expired May 20, 1917.

Frank P. Craig to be postmaster at Mercer, Pa., in place of F. P. Craig. Incumbent's commission expired June 2, 1917.

Harry B. Krebs to be postmaster at Mercersburg, Pa., in place of H. B. Krebs. Incumbent's commission expired September 4, 1917.

Henry W. Rinehart to be postmaster at Millerstown, Pa., in place of H. W. Rinehart. Incumbent's commission expired July 30, 1917.

C. M. Touchstone to be postmaster at Moores, Pa., in place of C. M. Touchstone. Incumbent's commission expired September 4, 1917.

Charles H. Carter to be postmaster at Mount Pocono, Pa., in place of C. H. Carter. Incumbent's commission expired July 30, 1917.

Edward S. Haws to be postmaster at Narberth, Pa., in place of E. S. Haws. Incumbent's commission expired October 30, 1917.

John H. Shields to be postmaster at New Alexandria, Pa., in place of J. H. Shields. Incumbent's commission expired September 4, 1917.

William S. Clegg to be postmaster at New Bloomfield, Pa., in place of W. S. Clegg. Incumbent's commission expired May 22, 1917.

Albert K. Kneule to be postmaster at Norristown, Pa., in place of A. K. Kneule. Incumbent's commission expired September 9, 1917.

James W. Hatch to be postmaster at North Girard, Pa., in place of J. W. Hatch. Incumbent's commission expired October 2, 1917.

William H. Gruber to be postmaster at Palmerton, Pa., in place of W. H. Gruber. Incumbent's commission expired August 18, 1917.

Oscar F. Weiand to be postmaster at Perkasie, Pa., in place of O. F. Weiand. Incumbent's commission expired May 20, 1917.

Thomas McGuire to be postmaster at Pleasantville, Pa., in place of Thomas McGuire. Incumbent's commission expired July 10, 1917.

Edward J. Hutchinson to be postmaster at Polk, Pa., in place of E. J. Hutchinson. Incumbent's commission expired December 1, 1917.

Henry J. J. Lemon to be postmaster at Port Allegany, Pa., in place of H. J. Lemon. Incumbent's commission expired May 20, 1917.

A. C. M. Crozier to be postmaster at Port Royal, Pa., in place of A. C. M. Crozier. Incumbent's commission expired July 30, 1917.

Charles N. Seitzinger to be postmaster at Reading, Pa., in place of C. N. Seitzinger. Incumbent's commission expired October 30, 1917.

John C. Werts to be postmaster at Reedsville, Pa., in place of J. C. Werts. Incumbent's commission expired December 1, 1917.

B. P. McNulty to be postmaster at Ridgway, Pa., in place of B. P. McNulty. Incumbent's commission expired October 30, 1917.

Daniel Clarey to be postmaster at Sayre, Pa., in place of Daniel Clarey. Incumbent's commission expired September 9, 1917.

Finlay H. Failing to be postmaster at Shinglehouse, Pa., in place of F. H. Failing. Incumbent's commission expired July 10, 1917.

Solomon H. Smith to be postmaster at Smithton, Pa., in place of S. H. Smith. Incumbent's commission expired July 10, 1917.

J. B. Esch to be postmaster at Spangler, Pa., in place of J. B. Esch. Incumbent's commission expired July 30, 1917.

Charles A. Smith to be postmaster at Swarthmore, Pa., in place of C. A. Smith. Incumbent's commission expired October 30, 1917.

John Adams to be postmaster at Vandergrift, Pa., in place of John Adams. Incumbent's commission expired August 11, 1917.

John H. Krumbine to be postmaster at Vintondale, Pa., in place of J. H. Krumbine. Incumbent's commission expired October 30, 1917.

James H. Alcorn to be postmaster at Waterford, Pa., in place of J. H. Alcorn. Incumbent's commission expired August 20, 1917.

J. R. Detwiler to be postmaster at Williamsburg, Pa., in place of J. R. Detwiler. Incumbent's commission expired October 30, 1917.

Hugh Gilmore to be postmaster at Williamsport, Pa., in place of Hugh Gilmore. Incumbent's commission expired May 1, 1917.

Watson B. Reisinger to be postmaster at Wrightsville, Pa., in place of W. B. Reisinger. Incumbent's commission expired August 2, 1917.

C. J. D. Strohecker to be postmaster at Zelienople, Pa., in place of C. J. D. Strohecker. Incumbent's commission expired May 20, 1917.

PORTO RICO.

Ramon Alfonzo Rivera to be postmaster at Arecibo, P. R., in place of R. A. Rivera. Incumbent's commission expired August 1, 1917.

Jose Carrera to be postmaster at Humacao, P. R., in place of Jose Carrera. Incumbent's commission expired July 29, 1917.

RHODE ISLAND.

S. Martin Rose to be postmaster at Block Island, R. I., in place of S. M. Rose. Incumbent's commission expired July 22, 1917.

Charles J. Baron to be postmaster at Centerdale, R. I. Office became presidential July 1, 1917.

George W. Jenckes to be postmaster at Slatersville, R. I. Office became presidential July 1, 1917.

Reuben A. Gibbs to be postmaster at West Barrington, R. I. Office became presidential October 1, 1917.

James S. Scully to be postmaster at Crompton, R. I., in place of J. S. Scully. Incumbent's commission expired July 22, 1917.

Thomas H. Galvin to be postmaster at East Greenwich, R. I., in place of T. H. Galvin. Incumbent's commission expired August 21, 1917.

William R. Congdon to be postmaster at Wickford, R. I., in place of W. R. Congdon. Incumbent's commission expired July 22, 1917.

SOUTH CAROLINA.

Ida A. Calhoun to be postmaster at Clemson College, S. C., in place of I. A. Calhoun. Incumbent's commission expired July 10, 1917.

J. F. Rickenbaker to be postmaster at Lake City, S. C., in place of J. F. Rickenbaker. Incumbent's commission expired November 29, 1917.

Herman H. Bradham to be postmaster at Manning, S. C., in place of H. H. Bradham. Incumbent's commission expired July 10, 1917.

Lulie Giles to be postmaster at Graniteville, S. C. Office became presidential October 1, 1917.

John H. Porter to be postmaster at Ridgeland, S. C. Office became presidential July 1, 1917.

Lewis M. Jones to be postmaster at Alcoln, S. C. Office became presidential July 1, 1917.

James B. Ehrhardt to be postmaster at Ehrhardt, S. C. Office became presidential October 1, 1917.

J. R. Montgomery to be postmaster at Marion, S. C., in place of J. R. Montgomery. Incumbent's commission expired May 6, 1917.

Henry P. Tindal to be postmaster at North, S. C., in place of H. P. Tindal. Incumbent's commission expired September 2, 1917.

Pierce M. Huff to be postmaster at Piedmont, S. C., in place of P. M. Huff. Incumbent's commission expired October 4, 1917.

Pearle H. Padget to be postmaster at Saluda, S. C., in place of P. H. Padget. Incumbent's commission expired June 5, 1917.

Nevitt Fant to be postmaster at Walhalla, S. C., in place of Nevitt Fant. Incumbent's commission expired August 1, 1917.

SOUTH DAKOTA.

F. A. Nutter to be postmaster at Alcester, S. Dak., in place of F. A. Nutter. Incumbent's commission expired August 1, 1917.

John Debilzan to be postmaster at Andover, S. Dak., in place of John Debilzan. Incumbent's commission expired August 19, 1917.

Agnes McCue to be postmaster at Kennebec, S. Dak. Office became presidential July 1, 1917.

Charles H. McCrossen to be postmaster at Ashton, S. Dak. Office became presidential July 1, 1917.

Louisa E. Prouty to be postmaster at Pollock, S. Dak. Office became presidential October 1, 1917.

A. Rae Dendy to be postmaster at White River, S. Dak. Office became presidential October 1, 1917.

William Moore to be postmaster at Armour, S. Dak., in place of William Moore. Incumbent's commission expired November 29, 1917.

George L. Baker to be postmaster at Britton, S. Dak., in place of G. L. Baker. Incumbent's commission expired August 27, 1917.

H. B. Brown to be postmaster at Clark, S. Dak., in place of H. B. Brown. Incumbent's commission expired July 11, 1917.

Alfred E. Paine to be postmaster at Doland, S. Dak., in place of A. E. Paine. Incumbent's commission expired July 26, 1917.

George C. Knickerbocker to be postmaster at Eureka, S. Dak., in place of G. C. Knickerbocker. Incumbent's commission expired May 9, 1917.

A. D. Griffee to be postmaster at Faulkton, S. Dak., in place of A. D. Griffee. Incumbent's commission expired August 27, 1917.

James L. Minahan to be postmaster at Geddes, S. Dak., in place of J. L. Minahan. Incumbent's commission expired July 21, 1917.

W. R. Veitch to be postmaster at Groton, S. Dak., in place of W. R. Veitch. Incumbent's commission expired July 31, 1917.

John F. McGowan to be postmaster at Hartford, S. Dak., in place of J. F. McGowan. Incumbent's commission expired July 26, 1917.

Bert T. Reeve to be postmaster at Howard, S. Dak., in place of B. T. Reeve. Incumbent's commission expired December 1, 1917.

T. J. Sullivan to be postmaster at Iroquois, S. Dak., in place of T. J. Sullivan. Incumbent's commission expired August 19, 1917.

William J. Quirk to be postmaster at Kimball, S. Dak., in place of W. J. Quirk. Incumbent's commission expired July 31, 1917.

Perley G. Williams to be postmaster at Montrose, S. Dak., in place of P. G. Williams. Incumbent's commission expired November 10, 1917.

Michael J. Dougherty to be postmaster at Mount Vernon, S. Dak., in place of M Dougherty. Incumbent's commission expired July 31, 1917.

E. B. Wilbur to be postmaster at Oacoma, S. Dak., in place of E. B. Wilbur. Incumbent's commission expired August 27, 1917.

Anton Fergen to be postmaster at Parkston, S. Dak., in place of A. Fergen. Incumbent's commission expired November 10, 1917.

Hugh J. McMahon to be postmaster at Philip, S. Dak., in place of H. J. McMahon. Incumbent's commission expired September 1, 1917.

Frank Wall to be postmaster at Selby, S. Dak., in place of F. Wall. Incumbent's commission expired August 1, 1917.

James Gaynor to be postmaster at Springfield, S. Dak., in place of J. Gaynor. Incumbent's commission expired August 27, 1917.

Hiram H. Millard to be postmaster at Summit, S. Dak., in place of H. H. Millard. Incumbent's commission expired November 10, 1917.

Peter Schmitt to be postmaster at Waubay, S. Dak., in place of P. Schmitt. Incumbent's commission expired November 10, 1917.

A. A. Closson to be postmaster at White Lake, S. Dak., in place of A. A. Closson. Incumbent's commission expired July 31, 1917.

TENNESSEE.

J. K. Tate to be postmaster at Bolivar, Tenn., in place of Knox Tate. Incumbent's commission expired July 11, 1917.

William Thomas to be postmaster at Brownsville, Tenn., in place of W. Thomas. Incumbent's commission expired July 25, 1917.

Joel F. Ruffin to be postmaster at Cedar Hill, Tenn., in place of J. F. Ruffin. Incumbent's commission expired July 25, 1917.

Emily T. St. John to be postmaster at Harriman, Tenn., in place of E. T. St. John. Incumbent's commission expired August 13, 1917.

O. L. McCallum to be postmaster at Henderson, Tenn., in place of O. L. McCallum. Incumbent's commission expired July 14, 1917.

Luke C. Peak to be postmaster at Jefferson City, Tenn., in place of L. C. Peak. Incumbent's commission expired July 11, 1917.

William F. Holland to be postmaster at Kingston, Tenn., in place of W. F. Holland. Incumbent's commission expired August 15, 1917.

Sam M. Barnett to be postmaster at Lexington, Tenn., in place of S. M. Barnett. Incumbent's commission expired July 10, 1917.

Victor C. Stafford to be postmaster at Sevierville, Tenn., in place of V. C. Stafford. Incumbent's commission expired October 30, 1917.

Irene M. Chears to be postmaster at Spring Hill, Tenn., in place of I. M. Chears. Incumbent's commission expired July 10, 1917.

Horace L. Browder to be postmaster at Sweetwater, Tenn., in place of H. L. Browder. Incumbent's commission expired July 10, 1917.

Ira LaF. Lemonds to be postmaster at Tiptonville, Tenn., in place of I. LaF. Lemonds. Incumbent's commission expired July 25, 1917.

John E. Pullen to be postmaster at Waverly, Tenn., in place of J. E. Pullen. Incumbent's commission expired November 6, 1917.

Frank P. Singleton to be postmaster at Copperhill, Tenn., in place of F. P. Singleton. Incumbent's commission expired July 10, 1917.

Ras C. Boatman to be postmaster at Algood, Tenn. Office became presidential July 1, 1917.

Robert H. Morley to be postmaster at Arlington, Tenn. Office became presidential October 1, 1917.

Benjamin F. Chambers to be postmaster at Friendship, Tenn. Office became presidential January 1, 1917.

F. L. Tardy to be postmaster at Gainesboro, Tenn. Office became presidential April 1, 1917.

Samuel E. Johnson to be postmaster at Kimberlin Heights, Tenn. Office became presidential July 1, 1917.

Alexander B. Miller to be postmaster at Limestone, Tenn. Office became presidential July 1, 1917.

Ernest D. Sneed to be postmaster at Moscow, Tenn. Office became presidential July 1, 1917.

F. B. Cowan to be postmaster at White Pine, Tenn. Office became presidential July 1, 1917.

Robert L. Long to be postmaster at Church Hill, Tenn. Office became presidential October 1, 1917.

Frank F. Overton to be postmaster at Tazewell, Tenn. Office became presidential October 1, 1917.

Henry Estill to be postmaster at Winchester, Tenn., in place of H. Estill. Incumbent's commission expired July 23, 1917.

TEXAS.

W. L. Coleman to be postmaster at Alpine, Tex., in place of W. L. Coleman. Incumbent's commission expired July 15, 1917.

W. D. Armstrong to be postmaster at Alto, Tex., in place of W. D. Armstrong. Incumbent's commission expired July 25, 1917.

Cora L. Baker to be postmaster at Buffalo, Tex., in place of C. L. Baker. Incumbent's commission expired August 27, 1917.

Minerva E. Hendrickson to be postmaster at Grapevine, Tex., in place of Minerva E. Austin, name changed by marriage.

Royston C. Crane to be postmaster at Sweetwater (late Sweet Water), Tex., in place of R. C. Crane, to change name of office.

Lebrun H. Goforth to be postmaster at Anna, Tex. Office became presidential July 1, 1917.

Preston N. Arnold to be postmaster at Arp, Tex. Office became presidential October 1, 1917.

William P. Gibson to be postmaster at Copperas Cove, Tex. Office became presidential July 1, 1917.

Charles O. Hardy to be postmaster at Francitas, Tex. Office became presidential October 1, 1917.

Johnnie V. Bradley to be postmaster at Gladewater, Tex. Office became presidential July 1, 1917.

Eddie C. Slaughter to be postmaster at Goose Creek, Tex. Office became presidential October 1, 1917.

Joel W. Moore to be postmaster at McDade, Tex. Office became presidential July 1, 1917.

Frosa M. Bailey to be postmaster at Montgomery, Tex. Office became presidential July 1, 1917.

Mamie Milam to be postmaster at Prairie View, Tex. Office became presidential July 1, 1917.

G. P. Tarrant to be postmaster at Aransas Pass, Tex., in place of G. P. Tarrant. Incumbent's commission expired May 20, 1917.

C. Jefferson Johnson to be postmaster at Austin, Tex., in place of C. J. Johnson. Incumbent's commission expired July 2, 1917.

John C. Wood to be postmaster at Big Sandy, Tex., in place of J. C. Wood. Incumbent's commission expired July 25, 1917.

Charles H. Jones to be postmaster at Bishop, Tex., in place of C. H. Jones. Incumbent's commission expired October 16, 1917.

J. H. Logan to be postmaster at Blessing, Tex., in place of J. H. Logan. Incumbent's commission expired October 16, 1917.

E. B. Hopkins to be postmaster at Brazoria, Tex., in place of E. B. Hopkins. Incumbent's commission expired July 10, 1917.

Hugh M. Stevenson to be postmaster at Breckenridge, Tex., in place of H. M. Stevenson. Incumbent's commission expired October 9, 1917.

L. V. Holbert to be postmaster at Bremond, Tex., in place of L. V. Holbert. Incumbent's commission expired August 15, 1917.

C. A. Howard to be postmaster at Bronson, Tex., in place of C. A. Howard. Incumbent's commission expired October 1, 1917.

M. D. Parnell to be postmaster at Chico, Tex., in place of M. D. Parnell. Incumbent's commission expired September 18, 1917.

L. E. Haskett to be postmaster at Childress, Tex., in place of L. E. Haskett. Incumbent's commission expired May 20, 1917.

John W. Robbins to be postmaster at Clyde, Tex., in place of J. W. Robbins. Incumbent's commission expired August 15, 1917.

William B. Junell to be postmaster at Cumby, Tex., in place of W. B. Junell. Incumbent's commission expired August 1, 1917.

Lula E. Willis to be postmaster at Daingerfield, Tex., in place of L. E. Willis. Incumbent's commission expired July 2, 1917.

T. W. Hooks to be postmaster at Donna, Tex., in place of T. W. Hooks. Incumbent's commission expired October 16, 1917.

E. L. Correll to be postmaster at El Campo, Tex., in place of E. L. Correll. Incumbent's commission expired May 22, 1917.

Rufus W. Riddels to be postmaster at Electra, Tex., in place of R. W. Riddels. Incumbent's commission expired August 1, 1917.

R. S. Rike to be postmaster at Farmersville, Tex., in place of R. S. Rike. Incumbent's commission expired May 20, 1917.

A. M. Gosch to be postmaster at Flatonia, Tex., in place of A. M. Gosch. Incumbent's commission expired May 22, 1917.

S. D. Seale to be postmaster at Floresville, Tex., in place of S. D. Seale. Incumbent's commission expired May 1, 1917.

W. F. Sponseller to be postmaster at Fowlerton, Tex., in place of W. F. Sponseller. Incumbent's commission expired July 25, 1917.

August R. Gold to be postmaster at Fredericksburg, Tex., in place of A. R. Gold. Incumbent's commission expired July 25, 1917.

Philip H. Clements to be postmaster at Goldthwaite, Tex., in place of P. H. Clements. Incumbent's commission expired June 5, 1917.

Charles Johnston to be postmaster at Goree, Tex., in place of C. Johnston. Incumbent's commission expired July 25, 1917.

Samuel G. Dean to be postmaster at Haskell, Tex., in place of S. G. Dean. Incumbent's commission expired May 22, 1917.

T. W. House to be postmaster at Houston, Tex., in place of T. W. House. Incumbent's commission expired August 27, 1917.

William E. McKay to be postmaster at Huntsville, Tex., in place of W. E. McKay. Incumbent's commission expired July 2, 1917.

Sam Anderson to be postmaster at Knox City, Tex., in place of S. Anderson. Incumbent's commission expired July 2, 1917.

William T. Hall to be postmaster at La Porte, Tex., in place of W. T. Hall. Incumbent's commission expired August 28, 1917.

J. W. Hardcastle to be postmaster at Lexington, Tex., in place of J. W. Hardcastle. Incumbent's commission expired July 21, 1917.

June Hickman to be postmaster at Livingston, Tex., in place of J. Hickman. Incumbent's commission expired September 18, 1917.

Charles M. Wallace to be postmaster at Llano, Tex., in place of C. M. Wallace. Incumbent's commission expired August 15, 1917.

Cora D. Fowler to be postmaster at Lockney, Tex., in place of C. D. Fowler. Incumbent's commission expired August 1, 1917.

Allie M. Erwin to be postmaster at Loraine, Tex., in place of A. M. Erwin. Incumbent's commission expired August 1, 1917.

Arthur F. Loftis to be postmaster at Manor, Tex., in place of A. Loftis. Incumbent's commission expired October 4, 1917.

Carrie E. Smith to be postmaster at Marble Falls, Tex., in place of C. E. Smith. Incumbent's commission expired August 1, 1917.

Robert Greenwood to be postmaster at Marfa, Tex., in place of R. Greenwood. Incumbent's commission expired July 10, 1917.

John G. Oltorf to be postmaster at Marlin, Tex., in place of J. G. Oltorf. Incumbent's commission expired October 27, 1917.

Newman E. Tucker to be postmaster at Mercedes, Tex., in place of N. E. Tucker. Incumbent's commission expired August 1, 1917.

C. H. Sewell to be postmaster at Overton, Tex., in place of C. H. Sewell. Incumbent's commission expired September 18, 1917.

John A. Shapard to be postmaster at Rockdale, Tex., in place of J. A. Shapard. Incumbent's commission expired May 20, 1917.

B. B. Lanham to be postmaster at Rockwall, Tex., in place of B. B. Lanham. Incumbent's commission expired July 2, 1917.

Maggie Ellis to be postmaster at Rotan, Tex., in place of M. Ellis. Incumbent's commission expired July 10, 1917.

Henry Eilers, jr., to be postmaster at Schulenberg, Tex., in place of H. Eilers, jr. Incumbent's commission expired May 29, 1917.

Lon Davis to be postmaster at Sealy, Tex., in place of L. Davis. Incumbent's commission expired August 28, 1917.

E. B. Barnes to be postmaster at Snyder, Tex., in place of E. B. Barnes. Incumbent's commission expired June 5, 1917.

E. G. Langhammer to be postmaster at Somerville, Tex., in place of E. G. Langhammer. Incumbent's commission expired October 16, 1917.

Peter Tighe to be postmaster at Sourlake, Tex., in place of P. Tighe. Incumbent's commission expired September 18, 1917.

Bettie Jackson to be postmaster at Stratford, Tex., in place of B. Jackson. Incumbent's commission expired October 27, 1917.

Annie S. Watson to be postmaster at Sugar Land, Tex., in place of A. Watson. Incumbent's commission expired August 27, 1917.

Almyra L. Williams to be postmaster at Taft, Tex., in place of A. L. Williams. Incumbent's commission expired October 4, 1917.

W. P. Boyd to be postmaster at Thurber, Tex., in place of W. P. Boyd. Incumbent's commission expired July 25, 1917.

W W. Trow to be postmaster at Trinity, Tex., in place of W. W. Trow. Incumbent's commission expired May 29, 1917.

Sidney S. McClendon to be postmaster at Tyler, Tex., in place of S. S. McClendon. Incumbent's commission expired June 5, 1917.

J. W. White to be postmaster at Uvalde, Tex., in place of J. W. White. Incumbent's commission expired May 1, 1917.

W. F. Flynt to be postmaster at Winter, Tex., in place of W. F. Flynt. Incumbent's commission expired July 10, 1917.

William R. Sharpe to be postmaster at Wolfe City, Tex., in place of W. R. Sharpe. Incumbent's commission expired October 4, 1917.

UTAH.

Albert A. Savage to be postmaster at Hyrum, Utah, in place of A. A. Savage. Incumbent's commission expired October 18, 1917.

Joseph Anderson to be postmaster at Lehi, Utah, in place of J. Anderson. Incumbent's commission expired July 19, 1917.

W. W. Browning to be postmaster at Ogden, Utah, in place of W. W. Browning. Incumbent's commission expired July 11, 1917.

Scerinda Rasmussen to be postmaster at Fairview, Utah. Office became presidential October 1, 1917.

John M. Anderson to be postmaster at Lewiston, Utah. Office became presidential October 1, 1917.

William L. Adams to be postmaster at Parowan, Utah. Office became presidential January 1, 1917.

VERMONT.

Daniel F. Carmody to be postmaster at Fair Haven, Vt., in place of D. F. Carmody. Incumbent's commission expired November 13, 1917.

C. M. Boright to be postmaster at Richford, Vt., in place of C. M. Boright. Incumbent's commission expired July 11, 1917.

Glen C. Parris to be postmaster at Fairfax, Vt. Office became presidential July 1, 1917.

A. H. Gleason to be postmaster at St. Johnsbury, Vt., in place of A. H. Gleason. Incumbent's commission expired July 10, 1917.

VIRGINIA.

William M. Smith to be postmaster at Alexandria, Va., in place of W. M. Smith. Incumbent's commission expired November 20, 1917.

Claude E. Wiley to be postmaster at Fairfax, Va., in place of C. E. Wiley. Incumbent's commission expired July 10, 1917.

Lucile Prince Duane to be postmaster at Stony Creek, Va., in place of Lucile H. Prince, name changed by marriage.

Louis J. Nottingham to be postmaster at Eastville, Va. Office became presidential October 1, 1917.

Gertrude G. Browder to be postmaster at Jarratt, Va. Office became presidential July 1, 1917.

George E. Cunningham to be postmaster at Buena Vista, Va., in place of G. E. Cunningham. Incumbent's commission expired June 5, 1917.

James S. Haile to be postmaster at Chatham, Va., in place of J. S. Haile. Incumbent's commission expired July 25, 1917.

I. Henry Savage to be postmaster at Chincoteague Island, Va., in place of I. H. Savage. Incumbent's commission expired July 10, 1917.

W. R. Rogers to be postmaster at Crewe, Va., in place of W. R. Rogers. Incumbent's commission expired August 20, 1917.

David W. Berger to be postmaster at Drakes Branch, Va., in place of D. W. Berger. Incumbent's commission expired July 25, 1917.

Samuel C. Cox to be postmaster at Galax, Va., in place of S. C. Cox. Incumbent's commission expired October 9, 1917.

Frank W. Sheild to be postmaster at Hampton, Va., in place of F. W. Sheild. Incumbent's commission expired October 18, 1917.

D. F. Hankins to be postmaster at Houston, Va., in place of D. F. Hankins. Incumbent's commission expired July 25, 1917.

Charles E. Clinedinst to be postmaster at New Market, Va., in place of C. E. Clinedinst. Incumbent's commission expired May 6, 1917.

H. G. Shackelford to be postmaster at Orange, Va., in place of H. G. Shackelford. Incumbent's commission expired August 27, 1917.

John S. Scott to be postmaster at Parksley, Va., in place of J. S. Scott. Incumbent's commission expired November 29, 1917.

Eugene Monroe to be postmaster at Purcellville, Va., in place of Eugene Monroe. Incumbent's commission expired July 10, 1917.

Hoge M. Brown to be postmaster at Radford, Va., in place of H. M. Brown. Incumbent's commission expired July 23, 1917.

H. Lester Hooker to be postmaster at Stuart, Va., in place of H. L. Hooker. Incumbent's commission expired June 5, 1917.

VIRGIN ISLANDS.

Bartholin R. Larsen to be postmaster at Christiansted, Virgin Islands.

August R. Bisserup to be postmaster at Fredericksted, Virgin Islands.

WASHINGTON.

Thomas J. Quirt to be postmaster at Blaine, Wash., in place of T. J. Quirt. Incumbent's commission expired October 27, 1917.

Henry A. Knapp to be postmaster at Camas, Wash., in place of H. A. Knapp. Incumbent's commission expired September 18, 1917.

Archie Manson to be postmaster at Cashmere, Wash., in place of Archie Manson. Incumbent's commission expired July 10, 1917.

Joseph O'Neill to be postmaster at Castlerock, Wash., in place of Joseph O'Neill. Incumbent's commission expired September 29, 1917.

C. G. Thomas to be postmaster at Cle Elum, Wash., in place of C. G. Thomas. Incumbent's commission expired July 10, 1917.

C. M. Durland to be postmaster at Colville, Wash., in place of C. M. Durland. Incumbent's commission expired September 29, 1917.

A. J. Peters to be postmaster at Deer Park, Wash., in place of A. J. Peters. Incumbent's commission expired July 10, 1917.

S. J. Mothershead to be postmaster at Edmunds, Wash., in place of S. J. Mothershead. Incumbent's commission expired July 19, 1917.

P. F. Billingsley to be postmaster at Ephrata, Wash., in place of P. F. Billingsley. Incumbent's commission expired July 15, 1917.

Willard E. Overholt to be postmaster at Farmington, Wash., in place of W. E. Overholt. Incumbent's commission expired August 5, 1917.

Ann E. Sykes to be postmaster at Grandview, Wash., in place of A. E. Sykes. Incumbent's commission expired October 4, 1917.

Martha E. Sprague to be postmaster at Ilwaco, Wash., in place of M. E. Sprague. Incumbent's commission expired July 10, 1917.

Edwin Schauble to be postmaster at Kalama, Wash., in place of Edwin Schauble. Incumbent's commission expired September 29, 1917.

Jefferson P. Buford to be postmaster at Kelso, Wash., in place of J. P. Buford. Incumbent's commission expired July 25, 1917.

Charles E. Guiberson to be postmaster at Kent, Wash., in place of C. E. Guiberson. Incumbent's commission expired July 15, 1917.

Guy A. Hamilton to be postmaster at Leavenworth, Wash., in place of G. A. Hamilton. Incumbent's commission expired July 30, 1917.

Maury C. Hayden to be postmaster at Lind, Wash., in place of M. C. Hayden. Incumbent's commission expired July 29, 1917.

G. R. Patterson to be postmaster at Malden, Wash., in place of G. R. Patterson. Incumbent's commission expired July 15, 1917.

Nellie B. Burke to be postmaster at Mansfield, Wash., in place of N. B. Burke. Incumbent's commission expired July 10, 1917.

Theo Hall to be postmaster at Medical Lake, Wash., in place of T. Hall. Incumbent's commission expired July 15, 1917.

Benjamin L. Smith to be postmaster at Okanogan, Wash., in place of B. L. Smith. Incumbent's commission expired July 19, 1917.

John D. Medill to be postmaster at Yakima (late North Yakima), Wash., in place of J. D. Medill, to change name of office.

Paul L. Paulsen to be postmaster at Addy, Wash. Office became presidential July 1, 1917.

Thomas R. Arnold to be postmaster at Cathlamet, Wash. Office became presidential October 1, 1916.

Carl J. Gunderson to be postmaster at East Stanwood, Wash. Office became presidential January 1, 1917.

Charles A. Bergin to be postmaster at Wilkeson, Wash. Office became presidential October 1, 1917.

James O'Farrell, jr., to be postmaster at Orting, Wash., in place of J. O'Farrell, jr. Incumbent's commission expired July 2, 1917.

Roscoe A. Belvail to be postmaster at Palouse, Wash., in place of R. A. Belvail. Incumbent's commission expired October 27, 1917.

R. B. Smith to be postmaster at Prescott, Wash., in place of R. B. Smith. Incumbent's commission expired October 1, 1917.

John F. May to be postmaster at Republic, Wash., in place of J. F. May. Incumbent's commission expired July 29, 1917.

Dana Child to be postmaster at Spokane, Wash., in place of D. Child. Incumbent's commission expired November 22, 1917.

Robert T. Johnson to be postmaster at Sumas, Wash., in place of R. T. Johnson. Incumbent's commission expired July 19, 1917.

Jacob P. Pyles to be postmaster at Sumner, Wash., in place of J. P. Pyles. Incumbent's commission expired July 10, 1917.

George P. Wall to be postmaster at Winlock, Wash., in place of G. P. Wall. Incumbent's commission expired September 3, 1917.

WEST VIRGINIA.

T. W. Ryan to be postmaster at Hendricks, W. Va., in place of T. W. Ryan. Incumbent's commission expired November 6, 1917.

Okey C. Dawson to be postmaster at Janelaw, W. Va., in place of O. C. Dawson. Incumbent's commission expired August 1, 1917.

C. B. Riggle to be postmaster at Middlebourne, W. Va., in place of C. B. Riggle. Incumbent's commission expired July 26, 1917.

Herbert T. Davis to be postmaster at West Union, W. Va., in place of H. T. Davis. Incumbent's commission expired May 20, 1917.

Warren D. Cline to be postmaster at Williamstown, W. Va., in place of W. D. Cline. Incumbent's commission expired July 2, 1917.

Orrville A. Beerbower to be postmaster at Albright, W. Va. Office became presidential October 1, 1917.

Robert E. Morgan to be postmaster at Davy, W. Va. Office became presidential October 1, 1917.

George B. Henthorn to be postmaster at Paden City, W. Va. Office became presidential July 1, 1917.

William Pence to be postmaster at South Charleston, W. Va. Office became presidential October 1, 1917.

William B. Spurlock to be postmaster at Wayne, W. Va. Office became presidential April 1, 1917.

WISCONSIN.

Elizabeth Croake to be postmaster at Albany, Wis., in place of E. Croake. Incumbent's commission expired July 11, 1917.

Theodore Buehler, jr., to be postmaster at Alma, Wis., in place of T. Buehler, jr. Incumbent's commission expired July 11, 1917.

William A. Roblier to be postmaster at Colona, Wis. Office became presidential October 1, 1917.

Hubert S. Duquaine to be postmaster at Crivitz, Wis. Office became presidential October 1, 1917.

W. E. Sherburne to be postmaster at Fremont, Wis. Office became presidential October 1, 1917.

Gustave Keller to be postmaster at Appleton, Wis., in place of G. Keller. Incumbent's commission expired September 10, 1917.

Albert Hess to be postmaster at Arcadia, Wis., in place of A. Hess. Incumbent's commission expired September 2, 1917.

F. C. O. Muenich to be postmaster at Argyle, Wis., in place of F. C. O. Muenich. Incumbent's commission expired September 2, 1917.

Birt E. Fredrick to be postmaster at Augusta, Wis., in place of B. E. Fredrick. Incumbent's commission expired August 5, 1917.

Henry Wachsmuth to be postmaster at Bayfield, Wis., in place of H. Wachsmuth, sr. Incumbent's commission expired October 21, 1917.

John V. Swift to be postmaster at Benton, Wis., in place of J. V. Swift. Incumbent's commission expired November 29, 1917.

Annie K. Blanchard to be postmaster at Blanchardville, Wis., in place of A. K. Blanchard. Incumbent's commission expired November 29, 1917.

George E. Forward to be postmaster at Brandon, Wis., in place of G. E. Forward. Incumbent's commission expired July 11, 1917.

John H. Moller to be postmaster at Bruce, Wis., in place of H. J. Moller. Incumbent's commission expired October 4, 1917.

Ernest D. Singleton to be postmaster at Camp Douglas, Wis., in place of E. D. Singleton. Incumbent's commission expired November 29, 1917.

F. A. Partlow to be postmaster at Clear Lake, Wis., in place of F. A. Partlow. Incumbent's commission expired July 11, 1917.

William J. Riedner to be postmaster at Columbus, Wis., in place of W. J. Riedner. Incumbent's commission expired July 11, 1917.

Herman H. Fiedler to be postmaster at Cuba, Wis., in place of H. H. Fiedler. Incumbent's commission expired September 2, 1917.

Annie W. Bartholomew to be postmaster at Delafield, Wis., in place of A. W. Bartholomew. Incumbent's commission expired July 11, 1917.

Robert Horneck to be postmaster at Elkhart Lake, Wis., in place of R. Horneck. Incumbent's commission expired July 11, 1917.

James F. Horan to be postmaster at Friendship, Wis., in place of J. F. Horan. Incumbent's commission expired July 11, 1917.

J. M. Melchior to be postmaster at Gillett, Wis., in place of J. M. Melchior. Incumbent's commission expired October 4, 1917.

F. A. Ferriter to be postmaster at Hillsboro, Wis., in place of F. A. Ferriter. Incumbent's commission expired September 2, 1917.

Simon Skroch to be postmaster at Independence, Wis., in place of S. Skroch. Incumbent's commission expired December 22, 1917.

Fred Seifert to be postmaster at Jefferson, Wis., in place of F. Seifert. Incumbent's commission expired September 2, 1917.

Paul E. Stiehm to be postmaster at Johnson Creek, Wis., in place of P. E. Stiehm. Incumbent's commission expired July 11, 1917.

George H. Schmidt to be postmaster at Kewaskum, Wis., in place of G. H. Schmidt. Incumbent's commission expired July 11, 1917.

Adolph H. Dionne to be postmaster at Lena, Wis., in place of A. H. Dionne. Incumbent's commission expired July 30, 1917.

Frank Leuschen to be postmaster at Marathon, Wis., in place of F. Leuschen. Incumbent's commission expired July 11, 1917.

Franz Markus to be postmaster at Medford, Wis., in place of F. Markus. Incumbent's commission expired November 29, 1917.

Henry W. Graser to be postmaster at Menomonee Falls, Wis., in place of H. W. Graser. Incumbent's commission expired October 4, 1917.

John G. Solverson to be postmaster at Nashotah, Wis., in place of J. G. Solverson. Incumbent's commission expired October 4, 1917.

Arthur R. Curtis to be postmaster at National Home, Wis., in place of A. R. Curtis. Incumbent's commission expired July 11, 1917.

Nicolaus Elmer to be postmaster at New Glarus, Wis., in place of N. Elmer. Incumbent's commission expired October 4, 1917.

John F. Flanagan to be postmaster at Oconomowoc, Wis., in place of J. F. Flanagan. Incumbent's commission expired July 11, 1917.

Francis J. Maher to be postmaster at Omro, Wis., in place of F. J. Maher. Incumbent's commission expired July 11, 1917.

Franklin C. Watson to be postmaster at Owen, Wis., in place of F. C. Watson. Incumbent's commission expired October 5, 1917.

Harvey Vincent to be postmaster at Park Falls, Wis., in place of H. Vincent. Incumbent's commission expired September 2, 1917.

Agnes Scholl to be postmaster at Pewaukee, Wis., in place of A. Scholl. Incumbent's commission expired July 11, 1917.

Wigand B. Krause to be postmaster at Port Washington, Wis., in place of W. B. Krause. Incumbent's commission expired July 15, 1917.

T. J. Griffin to be postmaster at Prescott, Wis., in place of T. J. Griffin. Incumbent's commission expired July 30, 1917.

H. G. Bannerman to be postmaster at Redgranite, Wis., in place of H. G. Bannerman. Incumbent's commission expired July 11, 1917.

Charles F. Dillett to be postmaster at Shawano, Wis., in place of C. F. Dillett. Incumbent's commission expired November 29, 1917.

Frank Gottsacker to be postmaster at Sheboygan, Wis., in place of F. Gottsacker. Incumbent's commission expired July 15, 1917.

George Wildermuth to be postmaster at Sheboygan Falls, Wis., in place of G. Wildermuth. Incumbent's commission expired July 15, 1917.

Louis Locke to be postmaster at Shiocton, Wis., in place of L. Locke. Incumbent's commission expired October 4, 1917.

George Paquette to be postmaster at Shullsburg, Wis., in place of G. Paquette. Incumbent's commission expired October 4, 1917.

William M. Ward to be postmaster at Soldiers Grove, Wis., in place of W. M. Ward. Incumbent's commission expired November 29, 1917.

John P. Rice to be postmaster at Sparta, Wis., in place of J. P. Rice. Incumbent's commission expired July 30, 1917.

E. A. Drotning to be postmaster at Stoughton, Wis., in place of E. A. Drotning. Incumbent's commission expired July 11, 1917.

Charles A. Gesell to be postmaster at Tomahawk, Wis., in place of C. A. Gesell. Incumbent's commission expired July 11, 1917.

F. W. Keuper to be postmaster at Union Grove, Wis., in place of F. W. Keuper. Incumbent's commission expired July 15, 1917.

George B. Keith to be postmaster at Milton Junction, Wis., in place of G. B. Keith. Incumbent's commission expired October 4, 1917.

P. F. Melchoir to be postmaster at Wausaukee, Wis., in place of P. F. Melchoir. Incumbent's commission expired October 4, 1917.

John Vander Linden to be postmaster at West De Pere, Wis., in place of J. V. Linden. Incumbent's commission expired July 11, 1917.

Samuel Dewar to be postmaster at Westfield, Wis., in place of Samuel Dewar. Incumbent's commission expired September 2, 1917.

W. H. Weed to be postmaster at Weyauwega, Wis., in place of W. H. Weed. Incumbent's commission expired October 4, 1917.

W. C. Kiernan to be postmaster at Whitewater, Wis., in place of W. C. Kiernan. Incumbent's commission expired July 11, 1917.

George F. Mader to be postmaster at Winneconne, Wis., in place of G. F. Mader. Incumbent's commission expired October 4, 1917.

G. W. Bishop to be postmaster at Wonewoc, Wis., in place of G. W. Bishop. Incumbent's commission expired October 4, 1917.

WYOMING.

Nels J. Simpson to be postmaster at Cambria, Wyo., in place of Nels Simpson. Incumbent's commission expired July 25, 1917.

Charles G. Mudd to be postmaster at Powell, Wyo., in place of C. G. Mudd. Incumbent's commission expired August 5, 1917.

Louis Schalk to be postmaster at Rawlins, Wyo., in place of Louis Schalk. Incumbent's commission expired November 22, 1917.

L. E. Blackwell to be postmaster at Shoshoni, Wyo., in place of L. E. Blackwell. Incumbent's commission expired August 5, 1917.

Juan Jenkins to be postmaster at Upton, Wyo., in place of Juan Jenkins. Incumbent's commission expired August 5, 1917.

John T. Jones to be postmaster at Worland, Wyo., in place of J. T. Jones. Incumbent's commission expired November 13, 1917.

Elizabeth W. Keiffer to be postmaster at Fort Russell, Wyo. Office became presidential October 1, 1917.

Catherine McCabe to be postmaster at Van Tassell, Wyo. Office became presidential October 1, 1917.

Charles O. Lyon to be postmaster at Burns, Wyo. Office became presidential July 1, 1917.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 17, 1918.

EXPLOSIVES INSPECTOR.

Daniel F. O'Connell to be explosives inspector for the State of Massachusetts.

PROMOTIONS IN THE COAST GUARD.

Capt. John Cassin Cantwell to be a senior captain.

First Lieut. William Joseph Wheeler to be a captain.

Second Lieut. Thomas Andrew Shanley to be a first lieutenant.

Third Lieut. Frank Joseph Gorman to be a second lieutenant.

POSTMASTERS.

GEORGIA.

Bolling H. Jones, Atlanta.

MISSOURI.

Colin M. Selph, St. Louis.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 17, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Almighty God our Heavenly Father, that in spite of the terrible war through which the world is passing, with its widespread desolation, unspeakable horrors, instituted by the brutal methods employed by its projectors, there is more good in the world than evil, as witnessed by the thousands of brave men who have laid down their lives, and the millions who are ready to follow their example, in defense of the God-given rights of men; the holy sacrifices made by the people of all that they hold dear; the Red Cross, which is carrying aid, succor, and comfort to the wounded and dying, desolate homes, widows and orphans.

In a world-wide protest against the brutal methods employed by the enemies of civilization, in their insane desire to subjugate mankind to their fiendish desires, grant, O most merciful Father, that they may be driven back and taught a lesson which they will never forget, and Thy will be done in the spirit of the world's great Exemplar. Amen.

The Journal of the proceedings of yesterday was read and approved.

PROHIBITION AMENDMENT.

The SPEAKER. The Chair has here a communication signed by the governor of Virginia and the secretary of the state announcing the ratification of the prohibition amendment, which will be filed among the archives of the House. [Applause.]

LATE MAJ. AUGUSTUS P. GARDNER.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent to address the House for seven minutes.

The SPEAKER. The gentleman asks unanimous consent to address the House for seven minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Mr. Speaker, at 2 o'clock this afternoon at St. Johns Church, in the city of Washington, and prior to his burial at Arlington, will be held the funeral services of a man who was the well-beloved friend of practically every Member of this House.

Had it been left to Congress to make decision, this ceremony would have been solemnized in the Capitol of the United States and would have been of proportions in a greater degree commensurate with our conception of the magnitude of the services he rendered to the Nation. We have yielded only to the expressed desire of his family for a ceremony more significant of the admirable simplicity of his character, which we his colleagues and companions have understood perhaps better than any other men.

To each one of us, and man after man during the past two days has said it in my hearing, the death of Maj. Augustus Peabody Gardner assumes the proportions of a grave individual loss. To myself, and I hope I may be pardoned the personal touch, it is comparable only to that of a member of my immediate family. For years he and I have been the closest sort of friends and our friendship grew as the years advanced.

It so happened that many important events in our lives were curiously similar. Though he was a few years older than I, we were born upon the same day, and for the last 25 years at least not a 5th of November passed without our exchanging birthday felicitations by telegraph or cable. On the same day we were each elected to our first public office of importance, he to the Massachusetts Senate, I to the Ohio House of Representatives. Four years later on the 5th of November, 1902, we were both elected to Congress. From then on no two men here, I think, were in more intimate, almost daily, association. We used to discuss most fully and frankly the details, from every angle, of conditions existing in our respective districts and our methods of meeting them. As a rule our discussions ended in substantial agreement, not infrequently, however, they resulted in the tacit understanding that if I could not be elected a county sheriff in his district he could not be elected a ward constable in mine.

As events proved, he was right more often than I because his service was continuous while mine, as you know, was interrupted.

He was a sturdy friend, a wonderful companion, and I shall miss him sadly.

To the country Gardner's taking off, particularly at this time, is a loss of monumental proportions, if not one entirely irreparable. Putting aside all question of his proved usefulness in many legislative fields, he had in the last few years so made himself the very cornerstone in Congress of the structure of national military preparedness that we shall search in vain, I fear, for one to fill his place. Where shall we find another with a knowledge of military technique so complete, an energy so vast, a purpose to force home the truth so indomitable?

His voice was the first raised in Congress for preparedness without reserve and without equivocation. Unfortunately, for many months it was as a "vox clamantis in deserto" and fell unheeded upon the ears of men in high places. Where now, though, is the man who will deny that had greater heed been paid to his warnings and action founded upon them this country would be playing a far more active and effective part in the war, that our ultimate cost in blood and treasure would have been infinitely less and the day of victory far advanced?

Whether or not Gardner became discouraged at the failure of his preachments to be translated into action, the fact is that more than a year ago he decided that his best sphere of usefulness lay in active military service. He reached this conclusion against the advice of many of his friends, and I was one of them who believed that he ought to stay in Congress, not only because of his unique knowledge of military and naval subjects and the service he had rendered, and would be able in even greater degree to render to the cause of preparedness, but because also of his physical condition, being aware that though an active and vigorous man his heart was not just what it ought to be. He would not listen to us, though, and a year ago last December he passed the examinations as a reserve officer of the Spanish War, which made him eligible for and subject to active duty. In May, soon after a state of war was declared, he received his summons, resigned his seat in Congress, and joined the colors with the rank of colonel.

Here, again, in a new field of activity Gardner proved a unique figure. He is the first military officer of the United States, so far as my knowledge goes, who was demoted in rank at his own request. His ambition was for active service at the front, not for rank. He wanted to get to France, and felt that his chances for this service were better as a major in the field than as a colonel on staff duty.

Death alone foiled his ambition, but it was a death which will be held, I am satisfied, in the mature judgment of his countrymen, to have been fully as glorious as if it had come upon the battle fields of France and under the guns of the enemy.

When the history of these times is written, when the services of men to the American Nation in this, its time of greatest need, and their contribution to the ultimate victory which we will, must, and shall win are duly weighed and appraised by posterity, I predict with perfect confidence that high upon the roll of honor will be written the name of Augustus Peabody Gardner, statesman, patriot, and gallant gentleman. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Young, one of its clerks, announced that the Senate had passed with amendments joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

H. J. Res. 174. Joint resolution for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy.

The message also announced that the Vice President had appointed Mr. FRANCE and Mr. HOLLIS members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Treasury Department.

RECESS.

Mr. KITCHIN. Mr. Speaker, in order to give the Members of the House an opportunity to attend the funeral services of the late Augustus P. Gardner, and as a further mark of respect to his memory, I ask unanimous consent that the House shall stand in recess from 1.45 p. m. to-day until 3 o'clock p. m.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House stand in recess from 1.45 p. m. until 3 o'clock p. m. in order to enable the Members to attend the funeral of Maj. Gardner. Is there objection?

There was no objection.

INDIAN APPROPRIATIONS.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R.

8696, the Indian appropriation bill, and pending that motion, Mr. Speaker, I would like to see if we can come to an agreement as to the time necessary for general debate on this matter.

Mr. CAMPBELL of Kansas. Mr. Speaker, I had hoped to be able to conclude the debate that is general—that is, debate outside the bill—to-day, but that will be impossible. I have requests for more than three hours, and they are coming in every few minutes. This is the second appropriation bill that has been considered, and many men have things which they desire to say. I suggest that the general debate run on to-day and we may be able to arrive at some conclusion in respect to it to-morrow.

Mr. CARTER of Oklahoma. In respect to the predicament the gentleman from Kansas finds himself in in reference to demand for general debate, I ask unanimous consent that general debate may continue to-day and for one hour to-morrow, after which the bill shall be taken up under the five-minute rule.

Mr. CAMPBELL of Kansas. Mr. Speaker, one hour to-morrow will not be sufficient. We shall be away from the House for an hour and a quarter to-day.

Mr. CARTER of Oklahoma. I had understood from the gentleman from Kansas that that would be sufficient.

Mr. CAMPBELL of Kansas. We recess during the afternoon from 1.45 until 3.

Mr. CARTER of Oklahoma. That is correct, Mr. Speaker. The statement the gentleman made to me in person was prior to the time that either one of us knew that a recess would be had. I will amend that request, Mr. Speaker, to provide for general debate to-day and for two hours to-morrow, if that will meet the condition.

Mr. CAMPBELL of Kansas. May I sugest to the gentleman from Oklahoma that we have general debate to-day, and then see what the status of the debate is on to-morrow, and conclude it at as early an hour as possible then.

Mr. CARTER of Oklahoma. Mr. Speaker, I have no desire to cut off general debate if any of the Members should want to speak.

Mr. CAMPBELL of Kansas. I have no desire to prolong it beyond what is absolutely necessary.

Mr. CARTER of Oklahoma. I think we ought to have some specific time at which general debate will end. If that does not satisfy the gentleman I would be willing to add 30 minutes more to that time.

Mr. CAMPBELL of Kansas. I think we can agree to-morrow morning on the amount of time to be consumed then.

Mr. CARTER of Oklahoma. Why could we not agree to-day and have that disposed of? If we agree to-day, then all the requests that have come in prior to now will be taken care of, and every man who has presented a request to the gentleman from Kansas will have his time; but if we leave the matter open, it will only perhaps bring more requests to both of us and make additional time necessary.

Mr. CAMPBELL of Kansas. We might just as well get rid of as much general debate on this bill as possible. The Members will have their time, and if it is taken on this bill it will not be taken on the next bill.

Mr. KITCHIN. I would like to ask the chairman and the gentleman from Kansas about how long they think it will take after general debate to conclude the bill?

Mr. CAMPBELL of Kansas. So far as I am concerned, I do not think it will take very long. There is nothing new in the bill, except that it has been pared pretty closely.

Mr. KITCHIN. Do you think we can conclude it easily before 5 o'clock Saturday?

Mr. CAMPBELL of Kansas. I think so.

Mr. CARTER of Oklahoma. We might, but I do not think we will get through with it without a couple of days under the five-minute rule, although we will push it as fast as we can. It usually takes two days to pass the bill, and sometimes three and four.

Mr. KITCHIN. We ought to get through with it by Saturday.

Mr. CAMPBELL of Kansas. I want to expedite the passage of the bill, and have——

Mr. KITCHIN. We hope to have Monday on the Agricultural bill, anyway.

Mr. CAMPBELL of Kansas. I think the reading of the bill will consume less time than has been usual with this bill.

Mr. KITCHIN. Could we not meet at 11 o'clock to-morrow, and then finish it in two or three hours of general debate?

Mr. CARTER of Oklahoma. That might be done.

Mr. KITCHIN. I will ask unanimous consent now to meet at 11 o'clock to-morrow. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. MILLER of Minnesota. Reserving the right to object, Mr. Speaker——

Mr. MADDEN. I reserve the right to object.

The SPEAKER. The gentleman will proceed.

Mr. MILLER of Minnesota. Which one? Two have risen.

The SPEAKER. The gentleman from Minnesota got up first.

Mr. MILLER of Minnesota. I will say to the gentleman from North Carolina that I hope he will not urge that request, for this reason, that the important committees and other committees of the House are all meeting every day now in the preparation of their respective bills, and a committee meeting that has to adjourn at 11 o'clock accomplishes nothing. Let us not have sessions of the House beginning at 11 o'clock in the morning until later in the session.

Mr. KITCHIN. I imagine that very few members of the other committees will desire to hear or participate in the general debate. This request is just to give more time for general debate. I am not asking now for time to be devoted to the discussion of the merits of the bill under the five-minute rule, but just to extend the time for general debate.

Mr. GILLETT. Mr. Speaker, may I ask the gentleman from North Carolina what business there is on the calendar that is so pressing as to make it necessary to meet at 11 o'clock?

Mr. KITCHIN. We hope to have in the Agricultural appropriation bill on Monday.

Mr. GILLETT. I suggest Mr. Speaker, that a number of gentlemen have spoken to me recently about asking unanimous consent to address the House, and I have suggested to all of them that they should wait until an appropriation bill came up, when they would have the right to address the House, and not have to ask it as a courtesy. A great many Members have thoughts seething in their brains that they would like to get rid of. [Laughter.]

Mr. KITCHIN. I think it is a good thing to afford opportunity for gentlemen to get rid of the thoughts that are seething in their brains on this bill and other bills, because when we get into the discussion of the Agricultural bill and those that are immediately to follow we will not have so much general debate, and the debate then will be confined more strictly to the bills. Therefore I hope the gentleman will not object to meeting at 11 o'clock to-morrow. We can agree upon any time to-day, I suggest to the chairman, and to-morrow, if we agree upon 11 o'clock, we can close general debate earlier than would be possible otherwise.

Mr. CARTER of Oklahoma. Reserving the right to object, Mr. Speaker, I will say that there will not be any effort on my part and that of other members of the committee on this side to curtail general debate at all. I realize the force of what the gentleman from Massachusetts [Mr. GILLETT] has said, that Members of the House have hitherto been very patient about taking up the time of the House with speeches. I am perfectly content that they shall have every moment they want on this bill for general debate. I am willing that they shall have every opportunity, but if the gentleman from Kansas [Mr. CAMPBELL] insists I will be content to-morrow to make an agreement, but I do not think that should interfere with the House meeting at 11 o'clock.

Mr. GILLETT. I am willing that the House should meet at 11 o'clock for general debate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. MADDEN. Mr. Speaker, I think this is a good time to call attention to the fact that those in control of the House have not been doing anything up to now; have not been meeting at all. Every time we have a bill coming before the House they want us to meet at 11 o'clock and rush it through before 6 o'clock.

If those in control of the House business would get down to a systematic business method of running the House we would get through with the business of the House. Some of the committees of the House have already reported their bills, and after they have been passed we continue to come here day after day without anything to do. There is not any justification for that. If there is not going to be some systematic effort to go on with the business of the House regularly from now on, I shall object to the proposition of meeting at 11 o'clock and rushing through before 6 o'clock without a chance of fully considering the bills.

Mr. KITCHIN. Will the gentleman object now? If the gentleman will, I will not say what I had in mind, because I am afraid that he will object afterwards. [Laughter.]

Mr. MADDEN. I would like to hear the gentleman say what is in his mind.

Mr. KITCHIN. Let me say to the gentleman in all seriousness, Mr. Speaker, that the House and the committees have done more work and passed more legislation, and a larger number of appropriation bills are ready to report now, than at any regular session in 8 or 10 years. I happened to make a note of that.

Mr. MADDEN. We were already organized last spring.

Mr. CARTER of Oklahoma. We have been every year, except 1915; we were organized in the spring, and have been for 10 years, except in 1915.

Mr. MADDEN. I want to call the attention of the House and of the country to the inefficiency of the majority of the House. [Laughter.]

Mr. KITCHIN. I do not think the gentleman should come into the House just to make objections. He ought to stay here and see what we are doing.

Mr. MADDEN. I want to say to the gentleman that I am on the floor of the House 10 hours to his 10 minutes. [Laughter.]

Mr. KITCHIN. I will say to the gentleman that I can not be on the floor all the time.

The SPEAKER. Is there objection?

Mr. NOLAN. Reserving the right to object, Mr. Speaker, I would like to know what the gentleman from North Carolina is going to do about undoing the tangle on Calendar Wednesday?

Mr. KITCHIN. We can take it up later.

Mr. NOLAN. No; you will have to take it up now and do something to untangle it, or I will object. I do object.

The SPEAKER. The gentleman from California objects.

Mr. CARTER of Oklahoma. What is the tangle, may I inquire of the gentleman?

The SPEAKER. Has the gentleman from Oklahoma any further motion or request to make?

Mr. CARTER of Oklahoma. I ask that the time be equally divided between myself and the gentleman from Kansas [Mr. CAMPBELL.]

The SPEAKER. Who controls the time?

Mr. CARTER of Oklahoma. The time to be controlled equally by the gentleman from Kansas and myself.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the time for general debate be equally controlled by himself and the gentleman from Kansas [Mr. CAMPBELL]. Is there objection?

Mr. LONDON. Mr. Speaker, I rise to a point of order, that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and fifty-one Members present, not a quorum.

Mr. CARTER of Oklahoma. I move a call of the House.

Mr. KITCHIN. Had not the gentleman made his motion to go into Committee of the Whole?

Mr. CARTER of Oklahoma. Yes.

Mr. KITCHIN. Then there will be an automatic call.

Mr. GARNER. The House was dividing.

The SPEAKER. The Chair does not think the House was dividing. The Chair had started to put the affirmative proposition, and the gentleman from New York raised the point of no quorum present.

Mr. CARTER of Oklahoma. I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Barnhart	Flood	Kreider	Scott, Pa.
Black	Flynn	LaGuardia	Scully
Bowers	Focht	Lea, Cal.	Sells
Buchanan	Francis	Lufkin	Siegel
Campbell, Pa.	Fuller, Mass.	McCormick	Slemp
Candler, Miss.	Garland	McKeown	Smith, Thomas F.
Cannon	Godwin, N. C.	McLaughlin, Pa.	Snell
Capstick	Gould	Maher	Sterling, Pa.
Carew	Graham, Pa.	Mann	Stevenson
Clark, Fla.	Greene, Vt.	Miller, Wash.	Strong
Copley	Hamilton, N. Y.	Neely	Sullivan
Costello	Haskell	Oliver, N. Y.	Swift
Currie, Mich.	Haugen	O'Shaunessy	Templeton
Curry, Cal.	Hawley	Park	Tilson
Dale, Vt.	Hayes	Parker, N. Y.	Vare
Davis	Heintz	Pou	Voigt
Dill	Hood	Ragsdale	Walker
Dooling	Johnson, S. Dak.	Riordan	Ward
Drane	Johnson, Wash.	Rodenberg	Webb
Drukker	Kahn	Rowland	Whaley
Dunn	Kennedy, R. I.	Sabath	Wingo
Eagle	Kettner	Sanford	Winslow
Evans	Key, Ohio	Saunders, Va.	Zihlman
Fairchild, Geo. W.	Kiess, Pa.	Schall	

The SPEAKER. On this roll call 342 Members, a quorum, have answered to their names.

Mr. CARTER of Oklahoma. I move to suspend further proceedings under the call.

The motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. CANDLER of Mississippi for three days, beginning Tuesday and ending Thursday, on account of illness.

INDIAN APPROPRIATIONS.

The SPEAKER. The gentleman from Oklahoma [Mr. CARTER] has moved that the House go into the Committee of the Whole House on the state of the Union, and pending that motion he asks that the time be controlled half by himself and half by the gentleman from Kansas [Mr. CAMPBELL]. Is there objection?

There was no objection.

The motion of Mr. CARTER of Oklahoma was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 8696) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919, with Mr. GARNER in the chair.

Mr. CARTER of Oklahoma. I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] is recognized for one hour.

Mr. CARTER of Oklahoma. I yield three minutes to the gentleman from Kentucky [Mr. SHERLEY] to make a brief statement.

Mr. SHERLEY. Mr. Chairman and gentlemen of the committee, there has been considerable agitation, both in and out of Congress, touching an increase of compensation of the employees of the Government. This is the first one of the regular appropriation bills to come before the House.

Mr. MADDEN. I beg the gentleman's pardon—the second.

Mr. SHERLEY. That is correct. The Post Office appropriation bill has gone through the House, and when that was under consideration the statement was made that the matters of permanent increases were being considered by a subcommittee of the Committee on the Post Office and Post Roads. It seemed proper, therefore, that something should be said to the House touching this subject matter, in order that there might not be unnecessary confusion in the consideration of appropriation bills, or unnecessary delay or cross purposes in working out this problem.

After considerable consultation with a number of gentlemen on both sides of the aisle, directly interested through their committee assignments in the appropriation bills, it has been generally thought advisable to deal with this entire question either in one appropriation bill or in a separate resolution, and therefore the various appropriating committees have not undertaken and will not undertake to present to the House, with their bills, the question of the increase of salaries of employees here in Washington and elsewhere.

Mr. MADDEN. I will ask the gentleman if he knows whether that applies to the postal employees?

Mr. SHERLEY. The Post Office bill has been completed, and therefore the consideration of that bill as an appropriation bill is ended so far as this House is concerned; but I see no reason why it should not be practicable to deal with the postal employees at the same time that the others are dealt with.

Mr. MADDEN. I want to say to the gentleman for his information that the Post Office Committee are considering a separate bill for that purpose.

Mr. SHERLEY. I know that. The Post Office Committee has legislative jurisdiction, and, of course, has the right to report such legislation if it sees fit to do so.

Mr. CARTER of Oklahoma. May I ask the gentleman if the Post Office appropriation bill carried any increases at all?

Mr. SHERLEY. It did not, as I recall.

Mr. MADDEN. It did in a way—in the way of promotions.

Mr. SHERLEY. Yes; but there was no general increase of salaries, irrespective of promotions.

Mr. KEATING. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. KEATING. I think the legislation suggested by the gentleman from Illinois is in the nature of permanent legislation on behalf of the Post Office employees. The legislation referred to by the gentleman from Kentucky is a temporary proposition.

Mr. SHERLEY. The legislation I have in mind is to deal with the situation now confronting the Government, and the plan does not contemplate permanent legislation.

Mr. KEATING. I am quite confident that the Post Office Committee is not dealing with that kind of legislation.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. CARTER of Oklahoma. I yield to the gentleman from Kentucky two minutes more.

Mr. DOWELL. Will the gentleman yield?

Mr. SHERLEY. Yes

Mr. DOWELL. Can the gentleman assure us that a separate bill will be presented to the House?

Mr. SHERLEY. I desire to assure the House that there will be a bill presented, or rather a proposition presented, either as an incident to an appropriation bill or as a separate measure itself dealing with the question of increased salaries for all employees here and elsewhere for the ensuing fiscal year.

Mr. CARTER of Oklahoma. And let me ask the gentleman if we have that added to some appropriation bill will it carry the necessary appropriation for employees throughout the service in other departments of the Government?

Mr. SHERLEY. Unquestionably; we would not undertake to make provision for the increased compensation of employees without providing for the payment of such employees.

Mr. KINCHELOE. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. KINCHELOE. I did not hear the first of the gentleman's statement. I want to say that the Committee on Merchant Marine and Fisheries is to-day considering a proposition to increase the compensation of boiler inspectors and assistant boiler inspectors. Does that come within the province of the gentleman's statement?

Mr. SHERLEY. I have no desire that such committees that can deal only legislatively with the various services of the Government should refrain from considering such matters if in their judgment the facts warrant such consideration, but they do not legislate in the way of appropriating, and all I am dealing with now in my statement to the House is in connection with temporary increases that are being asked and urged on Members of Congress touching Government employees generally on account of the present high cost of living.

Mr. DILL. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. DILL. Do I understand that the proposition will be an increase by percentages?

Mr. SHERLEY. I am not prepared to indicate or state what will be the judgment either of the committee reporting the proposition or of the House.

Mr. DILL. Do they intend to change the basic salaries?

Mr. SHERLEY. As a permanent proposition? No.

Mr. CARTER of Oklahoma. The Indian appropriation bill for the current fiscal year carries an appropriation from the Public Treasury of $11,574,736.67. The estimates furnished Congress by the department in December requested appropriations for this year of $12,255,210, a total of more than $680,000 in excess of the appropriation for the current fiscal year.

Your Committee on Indian Affairs, after several weeks' arduous labor, has succeeded in reducing departmental estimates for the ensuing fiscal year by $1,108,725, and recommends expenditures from the Treasury in the present bill of only $11,146,485.

Furthermore, the bill reported carries less appropriations than the current fiscal year by more than $428,000.

In view of the imperative demand for increase in production of farm products, the committee did not feel justified in making any radical reductions in items concerning irrigation, and of this, the gentleman from Arizona, who is well posted on that matter, expects to speak more at length.

The department had recommended very large increases at most of the nonreservation schools, due to the necessity for increased per capita cost. The committee attempted in these instances to meet the department estimates half way, which it is thought can be done without any serious damage to the schools and at the same time without too greatly increasing the tax upon the Treasury.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. MILLER of Minnesota. How much increase does the committee recommend?

Mr. CARTER of Oklahoma. I can not furnish, offhand, definite information as to each school, but the gentleman from Arizona [Mr. HAYDEN] has made some figures and he expects to give them accurately.

Mr. MILLER of Minnesota. Is it uniform throughout the schools in the United States?

Mr. CARTER of Oklahoma. It is uniform throughout, based on the number appropriated for at each school. In all schools of less than 400 attendance a per capita of $200 was allowed and in schools of over 400 attendance a per capita of $185.

Mr. MILLER of Minnesota. The present amount is $167 per capita.

Mr. CARTER of Oklahoma. Yes; it was increased to $200 in schools of less than 400 and in schools of over 400 to $185.

Mr. MILLER of Minnesota. Thirty-three dollars in one case and $18 in another.

Mr. CARTER of Oklahoma. Yes; the Committee on Indian Affairs attempted to meet the department half way.

In view of the large war appropriations necessary, it was the opinion of the Interior Department and Indian Bureau that no new buildings should be specifically provided for during this session of Congress.

Many of the appropriations carried in this bill regularly every year are not authorized by law. This comes about on account of the fact that the Government supervision of the Indian was not a broad comprehensive plan laid out by any general law to start with; but the system, like Topsy, "just growed" by the adoption of an act here, the negotiation of a treaty, the consummation of an agreement at another place with different tribes, and in many instances simply the placing in this Indian bill of an appropriation for a certain purpose which was not then and is not now authorized by law.

During these many years various treaties and acts of Congress authorized regular annual expenditures by the Indian Bureau of considerable sums of money from tribal funds of different tribes without necessitating annual appropriations by Congress. In other words, the department was given carte blanche authority in the use of the tribal funds of several different tribes and were permitted to use these funds year after year without the necessity of coming to Congress for appropriations. In many instances it was not necessary to even make a report to Congress of the amount spent except in deference to special acts that were passed.

This was true of the funds of the Five Civilized Tribes particularly, until in the Indian appropriation act of 1912 an amendment was adopted which prevented further use of these tribal funds by the department except upon specific appropriation by Congress. An amendment proposed to the act of May 18, 1916, by the gentleman from Washington [Mr. DILL] made a similar charge in this procedure with reference to Indians other than the Five Civilized Tribes, so that from now on it will be necessary for the departments and bureaus expecting to use these funds to make necessary estimates, placing them before Congress and the Indian Committee, giving Congress an opportunity to deal as intelligently with the funds of these wards as it does with its own Treasury funds.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. MILLER of Minnesota. Does the requirement of the Secretary extend to his designating in his estimate how much out of the tribal funds he is about to expend?

Mr. CARTER of Oklahoma. It does.

Mr. MILLER of Minnesota. That is the differentiation between tribal funds and United States Treasury funds?

Mr. CARTER of Oklahoma. Yes. Section 27 of the act of May 18, 1916, requires that after the current fiscal year no expenditures may be made from tribal funds except upon specific appropriation by Congress. This year one of the Indian Bureau officials brought to us a request for an appropriation for two and a half million dollars in a lump sum. The committee was not willing to appropriate the money in that way and told him that that did not comply with the law. Finally, he referred us to a certain House document showing how that money was specifically expended last year. So we recommended the two and a half million authorization to be expended out of the tribal funds, but required it to be expended in accordance with the provisions and the item in the House document, which makes it a specific appropriation.

Mr. MILLER of Minnesota. Referring to a specific case in my own State, the Chippewas, by treaty with the Government, agreed that a certain amount should be expended by the Government for their education and benefit each year. We have heretofore been doing that by appropriating about $185,000 in a lump sum. Does not the gentleman think it might be advisable to go a step further and itemize that lump sum the same as we itemize other things in the bill?

Mr. CARTER of Oklahoma. I certainly think that ought to be done.

Mr. MILLER of Minnesota. With the greatest care the officers in the Indian Office here may exercise certain abuses are bound to creep in. I recall discovering to my amazement and the amazement of the department when it was shown to

them that in one place they had six Indian farmers, where there was not work enough for one good man. The Indians are paying for all of that. Had that item ever appeared before the committee of which the distinguished gentleman is the chairman it never would have appeared in the bill. I might mention others, but that convinced me, with some other things which came to my attention, that it would be advisable, and the Indian Department ought to desire it, that all these expenditures out of tribal funds shall be made through the appropriation coming from the Indian Committee, and itemized so that we as well as the Indians may know what their money is being expended for. I might refer to one other thing. The Indian schools in my State, as the gentleman knows, are not provided for by the Government, but are paid for out of the tribal funds. In addition, we have Indian agents throughout the State. We have superintendents of schools and we have agents and clerks and employees. I spent a year trying to find how the superintendents of those schools were paid, where they drew their salaries, out of what fund it came, and how much the salaries were. I spent an equal length of time trying to find out where the agents received their appointments, out of what funds they are paid, and how much. It seems there is an interchangeability of agents and superintendents of schools. I have no criticism of the system, but we really ought to have a way of knowing just exactly the organization that exists not only in Minnesota but in the gentleman's State and in other States.

Mr. CARTER of Oklahoma. We have it in my State.

Mr. MILLER of Minnesota. It is very proper, and I think the gentleman has been more active in behalf of the interests of the Indians of his State than the Minnesota delegation has been active in behalf of the Indians of their own State, but we ought to have that prevail in every State.

Mr. CARTER of Oklahoma. Mr. Chairman, the situation is just this: Your committee found that the departments of this Government, under standing appropriations, had been right along, each year, expending tribal funds to the extent of two and a half million dollars without any supervision whatever by any branch of the National Congress. Certainly this Government has no more right to expend the trust funds of its wards in such loose, haphazard manner than to expend its own funds in that way. Now, there is not a Member of this House who, with the possible exception of the exigencies of war times, would think for a moment of turning over sums of money like this to any department with carte blanche authority to use them in many instances without even accounting to Congress for the funds after the expenditures have been made. When a man takes the position that because these funds are not appropriated from the Federal Treasury this House or Congress can afford to handle them in this loose manner, he places himself in the untenable and ridiculous position that a man may handle trust funds more carelessly, loosely, and recklessly than his own.

Mr. DILL. Will the gentleman explain how this bill ties up the appropriation with the estimates of the departments?

Mr. CARTER of Oklahoma. I did not catch the gentleman's question.

Mr. DILL. The gentleman stated that the department has asked lump appropriations, and we have insisted upon estimates. Will the gentleman now explain——

Mr. CARTER of Oklahoma. The gentleman from Washington is familiar with that; I yield to the gentleman from Washington.

Mr. DILL. I do not care to make part of the gentleman's speech, but I simply wanted to call attention to the fact that the committee so worded the bill—I do not happen to have a copy in my hand—tying up the appropriations of this two and a half million dollars to the House document prepared by the Indian Department making estimates for expenditures for next year, so that we are meeting the criticism of the gentleman from Minnesota when he suggests that we ought to limit them to the particular amounts for particular purposes. It is not in the bill as written but refers directly to the House document which contains the estimates and which limits the department to the expenditure of not to exceed the amount estimated. I refer to House document 499. I simply wanted to make that clear, that the bill does not leave it purely as a lump-sum appropriation, but in fact it does the very thing which the gentleman from Minnesota was speaking about.

Mr. SNYDER. It also fixes it so that they must bring in next year a clear financial report and statement on each one of the items under which the expenditures are made.

Mr. CARTER of Oklahoma. Furthermore, that in the future they must come before the Committee on Indian Affairs with their estimates, just as they come with estimates for money that is expended from the Treasury of the United States.

Mr. ROSE. Will the gentleman yield?

Mr. CARTER of Oklahoma. I yield to the gentleman.

Mr. ROSE. I notice on page 4 of the committee report, referring to the Indian school at Carlisle, that last year the appropriation was $152,250, and this year it is $147,000, and that the hearings are found on page 310. Was that decrease made with the knowledge of the people who were here in the interest of the Carlisle school?

Mr. CARTER of Oklahoma. No one appeared in the interest of the Carlisle school except the Assistant Commissioner of Indian Affairs. I see from the hearings that we gave exactly what the superintendent estimated.

Mr. ROSE. Then that is all right.

Mr. CARTER of Oklahoma. It has been the policy of the Indian Committee and Congress ever since I have been a Member to supplement the use of Treasury funds by tribal funds wherever it could be fairly done and without a violation of some treaty obligation with the Indians.

Take the State of Oklahoma, for instance, where one-third the Indians of the United States live. This bill authorizes specifically the expenditure in Oklahoma of $1,823,993.31, which is exclusive of per capita payments. Of this amount $818,120 is authorized to be expended from the Federal Treasury, and $1,005,873.31 is authorized to be expended from the tribal funds, which makes the specific appropriations from tribal funds exceed by almost $200,000 the amount appropriated from the Federal Treasury.

Mr. WELLING. Will the gentleman yield?

Mr. CARTER of Oklahoma. I will.

Mr. WELLING. I want to know the difference between the expenditures from tribal funds and what the gentleman calls "Treasury funds."

Mr. CARTER of Oklahoma. Well, a good many tribes have funds deposited in the Treasury to their credit. When an authorization is made to spend money from the tribal funds it authorizes the Secretary to take the money from those funds deposited in the Treasury belonging to the tribe and that when an appropriation is made directly from the Treasury it is taken out of the Treasury funds as a gratuity.

Mr. WELLING. I notice the gentleman from Minnesota said that the Indians in his State paid for their own education from the tribal funds.

Mr. CARTER of Oklahoma. As I recall, Minnesota is the one State in the Union with any considerable number of Indians that cost this Government very little, with the exception of nonreservation schools for her Indians.

Mr. MILLER of Minnesota. And if the gentleman will permit me to add, this very school at Pipestone is not of so much advantage to the Chippewa Indians of Minnesota as it is to the Indians of other States.

Mr. WELLING. But it is paid from the funds of the Indians from Minnesota?

Mr. MILLER of Minnesota. While that nonreservation school is supported by a gratuity from the Government, it is not an asset to the Chippewas of Minnesota.

Mr. WELLING. I wondered upon what theory the committee, in their bill, charged the Indians of one particular locality for their education from the Indian funds and provided funds from the Treasury of the United States for the education of all other Indians.

Mr. CARTER of Oklahoma. I can just repeat what I have just stated, that for years it has been the policy of the Committee on Indian Affairs and of Congress, as gentlemen who have been here for some time know, to supplement appropriations from the Treasury by appropriations from the tribal funds wherever that could be done without doing an injustice to the Indian tribe or violating a treaty.

That was thought to be a good policy for several reasons: First, from the standpoint of economy for the Federal Treasury; second, there was no good purpose to be served by paying a man's expenses who was able to pay his own way. And some have thought that it might be a good object lesson in self-sustenance and self-reliance to let the Indian know that he was not an object of charity by giving him to understand that he was paying his own way. This, of course, should not be done to the injustice of the Indian nor in violation of a treaty obligation.

Mr. DILL. I might say, further, in answer to the gentleman from Utah [Mr. WELLING], that these tribal funds in practically every instance are funds that come from the sale of timber, or land, or other property formerly belonging to the Indians; and in practically every one of the laws providing for those sales there is a statement to the effect that this money may be used

for the civilization and support—or wording to that effect—of these Indians, at the discretion of the Secretary of the Interior. And, using that as an authorization, for years the Indian Department has dipped into tribal funds for such amounts as it happened to desire, in addition to the money appropriated by Congress for education and civilization purposes.

Mr. WELLING. Then I submit, Mr. Chairman, it would seem to be a wise policy to use all the tribal funds now in the Treasury of the United States for these purposes rather than to take it from the Treasury itself.

Mr. CARTER of Oklahoma. It would; and that is the purpose of the committee, I assert again. Whenever the committee can do so without any violence to the rights of the Indians or their treaties it is being done. I think I just made the statement—perhaps the gentleman did not catch it—that in the State of Oklahoma there are used some $1,800,000, some $800,000 coming out of the Treasury and over a million from the tribal fund.

Mr. WELLING. The records which the committee has furnished the House show what there is in the fund to the credit of the Indians of Oklahoma now. Why not use that instead of taking the money out of the Treasury?

Mr. CARTER of Oklahoma. I am glad the gentleman mentioned that. There is being used $1,000,000 a year, which is every dollar that can be taken out of the tribal funds of the Indians of Oklahoma without violating the treaty, and some of that is done with the consent of Congressmen from Oklahoma and of the Indians themselves.

Mr. GRAHAM of Illinois. There is just one question I was about to ask, which does not refer to the present discussion, perhaps. I understand there are certain funds available for the purpose of purchasing cattle for breeding purposes for the Indians. Is that taken care of in this bill?

Mr. CARTER of Oklahoma. Yes, sir.

Mr. GRAHAM of Illinois. In what clause?

Mr. CARTER of Oklahoma. In two clauses, one on page 14, $100,000, and then under "Oregon," on page 51, the gentleman will find $200,000 for the Klamath Indians.

Mr. GRAHAM of Illinois. Now, here is what I have in mind. I understand that these purchases are made on written specifications, specifying the kind of cattle required. The particular country that I come from is particularly interested in a special breed of cattle called the Angus. I am informed that for many years the purchasing agents, or those who purchase, have been specifying Hereford and Shorthorn cattle exclusively, and that this is to the detriment and injury of stock raisers who are raising the Angus breed of cattle, which they claim will thrive in these semiarid countries. Can the gentleman give me any information about the situation as regards that?

Mr. CARTER of Oklahoma. Mr. Chairman, that, as the gentleman knows, is strictly an administrative proposition. It has never been the policy of the House to direct the Indian Bureau or the Secretary of the Interior as to just the proper kind of cattle he should buy, that being left largely to his judgment. Therefore no information was obtained from the commissioner when he was before the committee with reference to that.

Mr. GRAHAM of Illinois. You do not know whether my information on that subject is correct or not?

Mr. CARTER of Oklahoma. I have no information whatever about it. If what the gentleman says is true, it perhaps does injustice to a certain breed of cattle, and I think if the gentleman will take that up with the Indian Bureau he might get results. If he did not, and he would come back to Congress, the Indian Committee would be glad to give him consideration on it.

Mr. NORTON. I will say to the gentleman from Illinois [Mr. GRAHAM] that he is correct, and that the specifications only call for Shorthorn and Hereford cattle, some registered and some grade. The reason is this, that experience has shown that on the larger ranges the Hereford cattle do much better than any of the other beef breeds, and why the Hereford and Shorthorns are selected rather than the Angus is for this reason, that in cross-breeding the Hereford and Shorthorns are found to be better than the Angus; and if the gentleman is acquainted with the Angus breed of cattle and their qualities, and their advantages and disadvantages for the range, he will perceive it to be true that the Angus breed of cattle will do best when they are kept out of that particular breed and not used for crossing purposes.

Mr. McKENZIE. Is it not a fact that the Indian lands now have been allotted and that each Indian has been allotted 160 or 320 acres of land, as the case might be, and that they do not have the advantage of the large range that the gentleman speaks of, and which I think he is correct about, so far as the Herefords are concerned? But the Indian is required to keep his cattle on his own piece of land, is he not?

Mr. CARTER of Oklahoma. In some cases; yes.

Mr. McKENZIE. And the purchase of these cattle will be for a small tract of land instead of a range?

Mr. NORTON. The cattle are sold for the most part to the individual Indian, and he is required to account for those cattle and reimburse the Government for the cattle. It comes from a reimbursable fund.

That is the reason for the distinction, I will say to the gentleman from Illinois. It is not because the department has any particular prejudice against the Angus breed, but because the Shorthorns and Herefords are found to be better breeds for the purpose than the Angus.

Mr. GRAHAM of Illinois. I have no particular knowledge about the matter, but I am voicing what I have been told by breeders of that particular kind of cattle. I will say that later in this discussion if I think that I have any information available and pertinent to this proposition, I will ask for five minutes in which to discuss the subject.

Mr. NORTON. The gentleman can certainly get that time.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask that the gentleman from North Dakota use some of his time.

Mr. NORTON. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MADDEN] 10 minutes.

The CHAIRMAN. The gentleman from Illinois is recognized for 10 minutes.

Mr. MADDEN. Mr. Chairman, I think the situation with respect to the failure of the people to get coal throughout the United States is of sufficient importance to warrant my calling it to the attention of the Congress. I noticed this morning that the Fuel Commissioner has either issued an order or is about to issue one to close the factories of the United States for a given period or periods in order that fuel may be supplied to the homes.

Well, the people are not getting fuel in the homes now. They have not been getting it, and they are not likely to get it as long as the present incompetent administration of the fuel situation exists.

Some time since the President of the United States fixed the price of coal to the operator, and at the price then fixed by the President most of the operators are making 100 per cent profit. The intention of fixing the price high, I suppose, was to encourage the output of a greater quantity of coal and to give larger compensation to the miners. However that may be, we have not been able to get the coal, and the price fixed by the President of the United States has not been enforced, for coal men are charging as much more than the price fixed as it is possible to obtain. They have no conscience.

Now we are told that it is necessary, in order that the homes may be supplied with coal, that we close the factories. If there ever was a time in the history of America when the factories should be open and speeded up this is the time. If we are going to conclude this war successfully we are not going to be able to do it by closing the factories. The people who are able to get coal at all now are forced to buy it at an exorbitant price, and the order issued by the Fuel Administrator has the effect of closing the opportunity of these people who own homes or rent them and of taking away from them the opportunity of earning money with which to buy the coal that they need. It is an embarrassing situation.

Then, I understand that in the determination of this question it is proposed to refuse to take any more freight on the railroads until the tracks are cleared of what freight is there now. The congestion must be removed. Well, we did not need a Director General of Railroads to do that. Anybody could do it. All you have got to do is to stop taking freight and run the locomotives that are on the tracks, and the cars will soon be moved from one end of the railroad to the other.

They say there is not any coal. They are not able to get supplies. I went a short distance over a railroad the other day and I found 15 miles of loaded cars, on sidetracks, not being moved; and if I could see 15 miles of loaded cars on sidetracks in a distance of less than 100 miles, I presume it could be said safely that there are more than a thousand miles of loaded coal cars on sidetracks that are not being moved to the places where they need the coal. What we need is the speeding up of the management, not the speeding up of the mines so much, for we are producing the coal. To-day we can not get the cars to move the coal because we are not clearing the tracks. That is all there is to it.

Now, if you wanted to run the railroads successfully, it was not necessary for the Government, in my judgment, to take them over. All we needed to do was——

Mr. SNYDER. Mr. Chairman, will the gentleman yield? Will the gentleman let me interpose one thing right there?

Mr. MADDEN. Yes.

Mr. SNYDER. I want to say that last May I called the attention of this House to a trip that I made to St. Louis, wherein my son and I counted a thousand cars, at that time on sidetracks, that were not moving. I called the attention of the department to it at that time, but nothing has been done about it since.

Mr. MADDEN. What we needed to do more than anything else, in my judgment, was to take the "strait-jacket" off of them in the form of the interstate-commerce law, the Sherman Act, and allow them to coordinate their equipment and tracks and terminals under the skill and genius of men who have given their lifetime to the operation of the railroads. No; we could not use the genius and experience of the railroad men, and we could not take the "strait-jacket" off of the railroads to allow them to operate the railroad successfully. We had to put a director general in charge, a man who knows nothing whatever about railroads; and he seems to be qualifying for his job by letting the most important man he had on his staff, Mr. Willard, go yesterday. It seems to me that what they need up here at the other end of the Avenue is some experience. They say we ought to have patriotism to support the administration. Yes; we ought to have patriotism to support the administration, and we have, and we ought to support the administration; but we want the administration to support the people in the effort to do the things that are necessary if we are going to win this war.

We have 1,500,000 men, either in camps or in the field. Thousands of them have died because of lack of clothing; some because of lack of fuel. Now, the time is coming when the people are not going to submit to the death of these men without protest. We ought to have a list of the men who die from pneumonia and other diseases and of the men who die in these camps because of inattention. I know of a case myself where a thousand men were sent to the recruiting barracks after they were enlisted, and held there for four or five days without a place to sleep, and without a stitch of clothes except those they wore when they came there, and were compelled to sleep on the stone floor without any heat. They were then given something to eat on the day they were being shipped to the camp, at 3.25 o'clock in the afternoon.

At 7 o'clock in the evening they were marched to the freight yard of the Baltimore & Ohio Road without anything more to eat, kept there until 10 o'clock before the train was backed in, and they were loaded onto refrigerator cars—I say refrigerator cars because there was no heat on them. They were carried in those cars for 27 hours without a bite to eat. Several of the men were taken off the train at the end of that 27-hour period raving maniacs. I say it is time that somebody was calling the attention of the country to this situation. Patriotic, yes! We need patriotism to call attention to these things, and the coal situation is one of the things about which the people are not going to allow the Government to trifle. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois [Mr. MADDEN] has expired. Under the previous order of the House the committee will now rise.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. RAINEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Indian appropriation bill (H. R. 8696) and had come to no resolution thereon.

The SPEAKER. Under the order heretofore adopted the House will stand in recess until 3 o'clock.

Accordingly (at 1 o'clock and 45 minutes p. m.) the House stood in recess until 3 o'clock p. m.

The recess having expired, the House resumed its session.

LEAVE TO WITHDRAW PAPERS.

Mr. ASHBROOK, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, the papers in the following cases, no adverse report having been filed thereon:

Crawford Byers (H. R. 19002), Sixty-fourth Congress;

William T. O'Bannon (H. R. 17511), Sixty-fourth Congress; and

David A. Banks (H. R. 17514), Sixty-fourth Congress.

FUEL.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent for the immediate consideration of a resolution.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

Mr. GILLETT. I doubt if the Clerk can read it. May I read it instead?

The SPEAKER. Yes.

Mr. GILLETT. The resolution is as follows:

Resolved, That the House regrets the summary action of the Fuel Administrator in suddenly closing the industries dependent upon a coal supply, and in view of the disorganization of business certain to follow and the consequent idleness and distress of labor urges a reconsideration of the order by the President, and that final action be taken only after being fully advised of its effect.

Mr. CARTER of Oklahoma. I reserve the right to object, Mr. Speaker, as the House well knows, we have arranged to go on with one of the supply bills of the Government, to conclude the general debate by some time to-morrow if we can; and the gentleman from Massachusetts knows that this resolution will precipitate quite a lot of debate.

Mr. GILLETT. But, on the other hand, it must be passed to-day if at all, because the order goes into effect to-morrow. The Senate is considering it to-day.

Mr. CARTER of Oklahoma. In the absence of the leader on this side I would not like to proceed with the consideration of the resolution.

Mr. GILLETT. Suppose we wait for an hour.

Mr. LENROOT. When the leaders come in, will the gentleman move that the committee rise, so that the request can then be made?

Mr. CARTER of Oklahoma. I will be perfectly willing to do that.

Mr. GARRETT of Tennessee. If they agree upon it among themselves.

Mr. CARTER of Oklahoma. I will agree to this, Mr. Speaker, that when our majority leaders in the House get back I will move that the committee rise in order that this request may be presented.

Mr. COX. Mr. Speaker, I am not going to let this resolution go through by unanimous consent, either now or when the committee rises.

Mr. GILLETT. The gentleman will not even let it be considered?

Mr. COX. No; not by unanimous consent.

INDIAN APPROPRIATIONS.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill, and the gentleman from Tennessee [Mr. GARRETT] will take the chair temporarily until the gentleman from Texas [Mr. GARNER] coms in.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill (H. R. 8696), with Mr. GARRETT of Tennessee in the chair.

Mr. CARTER of Oklahoma. Mr. Chairman, let me ask the Chair how much time I consumed this morning?

The CHAIRMAN. The gentleman from Oklahoma has consumed 36 minutes.

Mr. CARTER of Oklahoma. I yield 30 minutes to the gentleman from Arizona [Mr. HAYDEN].

Mr. HAYDEN. Mr. Chairman, I have been requested to make a statement in regard to the changes made in the bill now under consideration respecting the appropriations for Indian boarding schools. I think it proper that such a statement should be made in view of the fact that almost every appropriation in the bill has been altered in some manner. Last year there was appropriated for the support of 28 Indian boarding schools a total of $1,766,720. The Indian Bureau this year requested that $1,926,250 be appropriated for this purpose. In the present bill we have allowed $1,811,500 for the support of Indian boarding schools, an increase of about 8 per cent over the total appropriation made last year.

The Indian Office in its estimates asks that the expenditures at all Indian schools having an attendance of 500 or less pupils be increased to $200 per capita, and that in the larger schools where the attendance is over 500 an increase be made to $185 per capita. The Committee on Indian Affairs, in considering this matter, decided to reduce the average increase by making it $185 per capita in schools having an enrollment of 400 or over and $200 per capita in schools having an enrollment of less than 400 pupils.

At the following Indian schools no change was made in the number of pupils and the per capita expenditure was increased from $167 to $200. The increase for support and education of the pupils at each school was as follows:

At Truxton Canyon, Ariz.: Increase, $3,300.

At Fort Bidwell, Cal.: Increase, $3,300.

At Greenville, Cal.: Increase, $3,300.

At Carson City, Nev.: Estimate of 300 pupils not allowed; increase, $9,570.

At Bismarck, N. Dak.: Increase, $3,125.
At Pierre, S. Dak.: Increase, $8,250.
At Rapid City, S. Dak.: Increase, $9,075.
At Tomah, Wis.: Increase, $9,075.

At the following Indian schools, accommodating 400 or more pupils, the per capita was increased from $167 to $185. In each case the average enrollment and attendance closely approximated the number of pupils named in the bill. The increase at each school is as follows:

At Phoenix, Ariz.: Increase, $12,600.
At Albuquerque, N. Mex.: Increase, $8,100.
At Santa Fe, N. Mex.: Increase, $7,200.
At Fort Totten, N. Dak.: Increase, $7,200.
At Salem, Oreg.: Increase, $10,800.

At the Haskell Institute, Lawrence, Kans., the Committee on Indian Affairs increased the per capita expenditure to $185 and allowed the number of pupils to remain at 750, although the average enrollment was 711 and the average attendance but 628. The increase for the support and education of the pupils at this school is therefore $13,600. The committee took this action because of its decision to make no further appropriations for the maintenance of the Indian school at Kickapoo, Kans., thus saving the $14,860 which was spent at that school last year. The 80 pupils who are in attendance at the Kickapoo school can be transferred to the Haskell Institute, where there are ample accommodations for them. So, even with the increased appropriation at Haskell, there is an actual saving on the total expenditure for the Indian schools in the State of Kansas.

At the Sherman Institute, Riverside, Cal., the average attendance of pupils was 577, with an enrollment of 680. We therefore reduced the number of pupils from 700 to 680 and increased the per capita from $167 to $185, making a net increase of $8,900.

At the following Indian schools the per capita was increased from $167 to $200, but on examining the justifications submitted by the Indian Bureau your committee discovered that the actual enrollment and attendance of pupils at these schools in no case equaled the number named in the estimates. The committee, therefore, reduced the number of pupils at each of these schools, so that the bill as reported more nearly conforms with the true conditions:

At Mount Pleasant, Mich.: Pupils reduced from 400 to 350; net increase, $3,200.

At Pipestone, Minn.: Pupils reduced from 225 to 200; net increase, $2,475.

At Genoa, Nebr.: Pupils reduced from 400 to 380; net increase, $9,200.

At Wahpeton, N. Dak.: Pupils reduced from 220 to 200; net increase, $3,260.

At Flandreau, S. Dak.: Pupils reduced from 365 to 350; net increase $9,045.

At Hayward, Wis.: Pupils reduced from 250 to 230; net increase, $5,250.

At Shoshone, Wyo.: Pupils reduced from 175 to 150; net increase, $1,025.

By reason of the reduction in the number of pupils at the Indian schools at Ft. Mohave, Ariz., and at Carlisle, Pa., it was possible to actually decrease the appropriations, notwithstanding the increase in the per capita allowance. At Ft. Mohave it was shown at the hearing that there were actually in attendance only 141 pupils, with an average enrollment of 147, so that the number in that school was reduced from 200 to 150, and the per capita increased from $167 to $200, leaving a net decrease of $3,800.

At Carlisle, Pa., the number of pupils was reduced from 800 to 700 and the per capita increased to $185, with the result that there is a net decrease in the appropriation of $4,250. This action was taken in accordance with the estimates submitted by the Indian Bureau.

At the Cushman School, Tacoma, Wash., the number of pupils was reduced from 350 to 325, and the gratuity appropriation was increased by $5,000, from $60,000 to $65,000. Funds of the Puyallup Indians are used to supplement this appropriation so that it was deemed to be unnecessary to allow the increase of $10,000, as requested in the estimates.

At Cherokee, N. C., the number of pupils was increased from 180 to 200, there being 194 actually in attendance, and an enrollment of 233. The superintendent in his estimates asked for $32,958. If we had followed the recommendation of the Indian Bureau and increased the per capita to $200 for 200 pupils, including the superintendent's salary, the total amount appropriated would have been $41,600.

In the estimates submitted by the superintendent was a request for the construction of a bridge across the Oconalufty River, near the school. Inasmuch as the superintendent of this school has demonstrated his ability and fitness by operating it at a less per capita cost than any other Indian boarding school in the United States, we decided to give him a little more than he asked for, or $33,600, and allow $8,000 toward the construction of the bridge, one-half of its cost to be paid either by the State of North Carolina or by the county in which the bridge and school are located.

This sums up the situation with respect to all of the Indian schools, except that at Chilocco, Okla. We did not increase the per capita expenditure at that school, but allowed it to remain at $167 for the reason that there is attached to that school a large area of land—eight or nine thousand acres—of which over 6,000 acres are cultivated by the pupils of the school. The agricultural products produced on this land last year amounted to $40,656, which helped to support the school. The Assistant Commissioner of Indian Affairs testified that this school could get along very well with the same per capita of $167 as has been allowed heretofore. If the usual per capita of $185 had been allowed at Chilocco, there would have been an increase of $10,000. Instead of doing that we allowed an additional appropriation of $10,000 for the construction of a road across the tract of land which belongs to the school, and which is badly needed.

I have also been asked, Mr. Chairman, to make a statement relative to the appropriations made for the various Indian irrigation projects as provided in this bill. The total appropriations under the current law for Indian irrigation projects is $1,882,700. The amounts contained in the estimates equal $2,807,700. After careful consideration, the committee reduced the estimates by $498,950 and allowed a total of $2,308,750. The following tabulation shows the various appropriations which the committee has recommended to be made in the several States for Indian irrigation works:

Indian irrigation.

	Hearings.	Current law.	Estimates.	Allowed.
	Page.			
Irrigation on Indian reservations	10	$244,700	$271,700	$250,750
Gila River Reservation	110	20,000	15,000	15,000
Colorado River Reservation	113	15,000	120,000	100,000
Papago Indians	116	20,000	20,000	20,000
Navajo and Hopi Indians	118	25,000	30,000	25,000
Ganado Project	121	3,000	23,000	23,000
Gila River Reservation Diversion Dam	123	125,000	50,000	50,000
Salt River allotments	125	15,000	15,000	15,000
Florence Diversion Dam	126	75,000	75,000	50,000
Total in Arizona		298,000	348,000	298,000
Yuma allotments	144	15,000	15,000	15,000
Torres Reservation	150		25,000	25,000
Total in California		15,000	40,000	40,000
Fort Hall Reservation, Idaho	164	25,000	50,000	50,000
Fort Belknap Reservation	189	30,000	30,000	30,000
Flathead Reservation	195	750,000	750,000	750,000
Fort Peck Reservation	196	100,000	100,000	100,000
Blackfeet Reservation	198	25,000	100,000	75,000
Total in Montana		830,000	980,000	905,000
Yakima Reservation, maintenance	346	15,000	15,000	15,000
Yakima Reservation, construction	348	100,000	100,000	100,000
Yakima Reservation, new construction	351	200,000	750,000	500,000
Total in Washington		315,000	865,000	615,000
Shoshone Reservation	381	150,000	50,000	50,000
Wind River Reservation	382	5,000	200,000	100,000
Total in Wyoming		155,000	250,000	150,000
Total reimbursable appropriations for Indian irrigation		1,882,700	2,807,700	2,308,750
Uinta Reservation, payable from tribal funds	341	40,000	150,000	150,000

In order to make these increased appropriations for irrigation works it was necessary to make a reduction somewhere if the total carried in the bill was not to be raised. After consideration the committee decided that the appropriation of $400,000 heretofore made for the purchase of tribal herds, to be placed on Indian reservations, should be reduced to $100,000. The committee concluded that, as a matter of fact, the grass and water on all the Indian reservations are being fully utilized by the Indians themselves or by lessees who have obtained permits to graze cattle or sheep.

By the purchase of tribal herds it has been necessary to reduce the number of live stock grazed by lessees on Indian lands, since there was not room for more cattle or sheep. There has therefore been no actual increase in meat production on the reservations by the purchase of tribal herds.

Neither does the committee agree that it is good policy to establish a tribal herd on Indian reservations, because such herds in no way serve to individualize the efforts of the Indians. To hire a white man to supervise and manage a tribal herd does not in the least assist the Indians to become self-supporting. Wherever there are progressive Indians it is the practice of the Indian Service to issue to them a certain number of cattle or sheep and the Indians agree to repay the cost of such live stock on specified terms of payment, thereby acquiring individual property for which they are responsible. This plan has been demonstrated to be of real benefit to the Indians and the committee heartily approves of it. But we reduced the appropriation for tribal herds and provided that the sum of money thus saved be devoted to the irrigation of the arid land susceptible of cultivation on Indian reservations so as to encourage an increase in crop production.

It is fortunate indeed that construction work on the various Indian irrigation projects has been so far advanced during the past five or six years. There are now available considerable areas which have been and are being placed under crop to produce the food so badly needed by the people of the world at the present time. The report of the Commissioner of Indian Affairs shows that there are under irrigation this year on the various Indian reservations 256,000 acres of land. There are at least another 100,000 acres under constructed works, which I am assured he is making every effort to have placed in cultivation at once, so that the Indians are contributing an increasing share toward the production of foodstuffs. Irrigation is now coming into its own. Those who doubted the possibility of reclaiming the deserts are now convinced of the great benefits of the wise policy we have advocated. The reports of the Reclamation Service show that in the past year 200,000 new acres of land have been placed under cultivation, and greater crops are being grown on existing farms. The irrigated lands in America are doing their full share toward the production of the foodstuffs necessary to win the war. If we had been planning ahead as to how we might best sustain ourselves, as did the Germans when they plotted this war, we would have done the very things that we have done to promote the irrigation of the arid lands in the Western States.

Mr. NORTON. Will the gentleman yield?

Mr. HAYDEN. Certainly.

Mr. NORTON. The gentleman knows that there are millions of acres of uncultivated good farm land in the country to-day where the raising of crops requires no irrigation. Now, if the Government was going to expend a hundred thousand dollars or a million dollars to encourage agriculture, does the gentleman believe that the expenditure would best be made on land that required irrigation or land that required no irrigation?

Mr. HAYDEN. I am more familiar with the irrigated land than any other kind, and I would unhesitatingly recommend an appropriation for the construction of irrigation projects. I want to make it perfectly clear to the gentleman from North Dakota that as far as I am concerned I have done and shall continue to do everything possible to increase the cultivation of the irrigated as well as the unirrigated land. I think Congress has done exceptionally well in that regard by the passage of the Federal farm-loan act and other like measures, all of which, in my opinion, were wise, just, and proper. I am glad that such laws have been passed, in order that the farmers of the whole country may be benefited thereby.

Mr. NORTON. It occurred to me that the Government should first consider the lands that are likely to give the most production with the least expenditure of money, rather than to go out in some waste part of the country, where the country and the soil have to be civilized, and when that is done the land has to irrigated.

Mr. HAYDEN. Taking the gentleman's own statement, I believe that an expenditure, dollar for dollar, in irrigating the arid lands of the West will bring as great a return as upon any other land in the United States. I state that unqualifiedly. Mr. Chairman, I yield back the balance of my time.

Mr. NORTON. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. TINKHAM].

Mr. TINKHAM. Mr. Chairman, it seems to be my duty to address the House upon my return from war-torn Europe and to submit to it some conclusions and impart information which I hope will be of some value.

I have spent most of the last two months there, and during that time visited the American headquarters and some of the American camps in France. I traveled along the English front from Calais nearly to St. Quentin, and along the French front from St. Quentin to Verdun. I traveled along the Italian front from Venice and the mouth of the Piave to the Asiago plateau. I also visited Paris and Rome. Many of the places to which I went I had visited often before this great war.

My information has been gathered from many sources; from personal observations and from conversations with men of various nationalities in military, naval, diplomatic, political, and other employment.

America wants the truth, and it is vital that America have the truth. The picture of the military situation in Europe as reproduced in America is often not true, particularly in relation to America's military efforts there and the conditions in Germany. The truth in Europe, where America is to play her great and victorious part, is that to-day the central powers have achieved all of their greater military objectives, with the exception of the taking of Paris, the attempt to take Verdun being part of that purpose.

Autocracy in Europe has democracy by the throat and is strangling it. The reasons for the success of autocracy are that autocracy is organized, deals more in deeds than rhetoric, and modern autocracies are masculine and not feminine. Democracy to be successful in this, the greatest struggle in arms of all times, must organize better than autocracy, drop rhetoric for deeds, and become masculine. When America, the greatest and most representative of democracies, does these things democracy will be successful.

I found the French soldiers and people courageous and unwavering in their dauntless loyalty. There is no avoiding the truth, however, that France is war worn and has passed her meridian in man power and effort. She has plenty of food, with the exception of wheat and sugar. She has excellent military and political leadership.

I found England's war efforts splendidly organized and her equipment complete. The English Army is cheerful and confident. Large losses, such as 200,000 men in the last two months, I have heard criticized as unnecessary. The truth, however, is that England is at the height of her power, but it is a height which she can maintain, undoubtedly, for one or more years. Under these circumstances, after three and one-half years of war, it seems impossible for France and England to obtain a military decision, and France and England frankly admit the absolute necessity of a colossal effort on the part of America.

Much evidence shows that although Germany is very short of food she is not starving, and that the food situation in Germany is not as bad in some essential particulars as it was a year ago. There is also much evidence that Germany to-day has a larger number of men under arms than at any other time during the war, although their quality is not as good as formerly. The real social and political conditions in Germany are not much known, but it is not thought that there will be a revolution until after the war.

The results in France of American efforts up to the 1st of December in a strictly military way have been practically negligible. The number of men there is much smaller than the American public believes, and, although food and clothing were good in amount and quality, the lack of general supplies has a most demoralizing effect upon all preparations and efforts. I am not speaking of American artillery, aeroplanes, machine guns, and ammunition, about which the American public now knows, but of all other general supplies so necessary for making war—such supplies as auto trucks, machinery, tools, wood, nails, camp kitchens, and many other absolutely essential things. Neither France nor England have these supplies in sufficient quantities to spare them to America, and unless, with any new troops that are sent across, general supplies accompany them in sufficient amount, their presence in France will be a burden rather than a help. France and England have furnished to Italy men, guns, ammunition, and general supplies, so that a further drain upon them will be a source of much weakness.

I saw some of the finest trees in France being cut for lumber. Modern war can not be carried on without lumber in large amounts, yet there was not sufficient lumber to be used by the French and English troops in France. It is my fixed opinion that the sending of more American troops without adequate general supplies will be a disastrous blunder.

The situation in Italy on the economic side is very perilous. All of the people north of Rome live on wheat and corn meal, and on the 1st of December there was only three months' supplies on hand. Unless America is able to supply wheat and corn meal to Italy in sufficient quantities before it is too late, a revolution such as occurred in Russia will not be unlikely. The Italian soldiers are fighting with great valor and skill, but their

supplies, hospital service, and food are not such as a modern army absolutely requires.

The submarine situation is much more acute than the people are allowed to believe. The total allied and neutral tonnage sunk per month, which is not totaled for publication, exceeds the new tonnage launched, and this has been so for many months and will exceed the new tonnage launched until July 1, even if the plans of the allied and neutral governments are all carried through successfully. The Mediterranean is practically controlled by the submarines, and the number of submarines and their efficiency seem to be increasing, although the American and British efforts against the submarines have been crowned with much success.

It is thought by those best informed on military matters that a supreme commander of all military efforts of the allies should be chosen and given full power and authority. From the North Sea to the Adriatic is one front, and the immense advantages of a central command are incontestable.

The best informed men in France and England believe a decisive military decision can not be reached before 1919 or 1920, when America will be able to contribute her real military strength.

The war for America is a war of transportation, and America should concentrate all possible effort on the manufacture of a huge ocean tonnage to make up for the great destruction of ships which has taken place, and the carrying to and maintaining of American efforts in France. Wheat and corn should be immediately sent to Italy to prevent a revolution; America should contribute a large and splendidly equipped air service, and America should at once send to American bases in France a very much increased amount of general supplies.

The winning of the war rests completely in the hands of America; in her forests, her furnaces, her farms, her men, her energy, and her will. This war, cost what it may, in blood or treasure, strength and sacrifice, must be won for America's honor and America's future. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing an article published in the Boston Transcript.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The article is as follows:

[Reprinted from New York Tribune.]

STARTLING PICTURE OF CONDITIONS AFTER FIVE MONTHS—ILL-SHOD, STILL BORROWING GUNS, FOOD SUPPLIES ONLY DAYS AHEAD, LABOR LACKING, AND MAIN BASE OF SUPPLIES 3,000 MILES AWAY.

[By Casper Whitney.]

I have come back from France so impressed by the gravity of the situation, for us, for our allies, that I do not restrain the patriotic fervor which moves me to plain speaking, in the hope that our people may the more quickly comprehend the conditions on which the timely recommendations of the E. M. House commission are founded and understand the imperative need—

For supporting the President and Congress in the endeavor to eliminate bungling in our war preparations.

For insisting upon the replacement of incompetence and red tape with efficiency and clear vision in the main arteries of our war-making machine.

For trying to realize to the full the depth of their own responsibility for this hour of disquieting revelations.

It is helpful to recall that two years ago Gen. Leonard Wood told a congressional investigating committee quite as frankly as has Col. House of the deficiencies in guns, equipment, and supplies of all kinds—only to fall victim to the politicians, who could not bear the truth, and bring down on his head the wrath of bureau chiefs and the raging criticism of pacifists and pro-Germans.

The people then ignored his ample and repeated warning, his unceasing and urgent advocacy of preparedness. If now the significant and searching House recommendations—implied as well as explicit—shall fall on ears equally deaf; if now the criticism of basic faults of system be viewed merely as "unfriendly," then will America fail in her duty toward her allies and the toll of your sons and brothers and fathers in France, oh, complacent people, will be heavy and distressing.

To take lightly these House recommendations, with all they indicate of past failure, or to judge frank comment as inspired only by "unfriendliness," will be to augur ill for our troops and their chances.

Unless the reorganization now making for the business of war reaches to the very fundamentals, regardless of "age, conditions of mind, or previous servitude" of incumbents and traditions along the way, the price of our experience in France ere the bloody tale compel recognition is destined to be beyond present reckoning.

There is for us now but one consideration, pertinent or tolerable, viz, the care and the effectiveness of our fighting force in France, that we may fulfill our obligations to our allies and to our soldiers.

Half measures will not suffice; the trouble is too deeply seated. Switching incompetents from one office into another will not repair bungling. When the lives of our men and the success of our cause are the issue there can be no doubt of the course we should take.

In such spirit it is that I approach this dutiful, though distasteful piece of writing, trusting its genuineness may lead to an awakened activity of our people, and thus to the efficiency, without which we can not wage the righteous war to a successful conclusion.

THE FACTS OF THE CASE.

It is a jolt to hear American efficiency, as represented by the United States Army supply and transportation service, referred to in France as a "joke," but it is a severer jolt to discover the multiple causes which have given it currency.

For five months, at the date of which I write—December 25—the American troops had been in France, and the showing of its supply and transportation service is as follows:

Five days' advance rations.

Shortage of shirts and ponchos.

No reserves of heavy shoes to replace the lighter ones, which were not adapted to service in France and have not worn well; or of clothing which is not warm enough, and, as to overcoat, ill-suited to trench work.

No rubber boots, and already a few cases of "trench feet," that strangely crippling development of this war, are appearing. Trench feet—and we as yet only playing at war.

No hats. There were really 65.

No woolen socks, except those furnished to the hospitals by the Red Cross.

No machine guns or reserves of rifles.

No artillery save that got from the French and much of the rifle and all of the artillery ammunition drawn from the French and the British.

No labor with which to complete cantonments—French soldier labor having been loaned for those already built—and permanently establish the line of communication between the sea and the American sector.

'Tis not a picture to kindle our pride, but is it not one to lift us out of our complacency, to give us fear for the ineptitude that menaces the health and the military fitness of our soldiers?

THE LUCKY RED CROSS.

And with the Army thus suffering through supply and transportation shortage, I found the warehouses of the Red Cross in France comfortably stocked (although an entire tramload of provisions had just been sent to Italy) with beans, rice, condensed milk, canned beef, and some sugar, for the service of their canteens in the French Army (where they are doing fine and needed work), and motor truckage enough for their requirements. Each buys in the same market; each is 3,000 miles from its base; each dependent on the same trans-Atlantic service. The Government, through its Quartermaster Department, has, of course, advantage in the open market or in the bid for cargo space; but the Red Cross is managed by business men on business principles. That's the answer to the otherwise incomprehensible situation of the Army being without reserves of needed supplies, while the Red Cross had full warehouses, though it is furnishing 25,000 meals a day through its canteens.

Fourth-fifths or, in round numbers, 4,000,000, of the automobiles of the world are in the United States and are made here, the annual output being valued at approximately $1,000,000,000.

The other day a train of 30 motor trucks made a successful run from Detroit to Baltimore—600 miles (a distance considerably more than twice as far as from the sea to American field headquarters in France)—finished on schedule, in evidence of the serviceability of the American-built car.

JOB LOT SECOND-HAND MOTORS.

Three months after the arrival of the first division in France there were substantially no trucks for transport service, or automobiles, except a job lot of second-hand cars, which had been picked up here and there at long prices. Then came a certain number of 1½ ton trucks. These wholly inadequate carriers—of a class long since discarded by all the armies of the world in favor of the more practical and more economical 3 and 5 ton type—are still the main reliance of our Army in France.

Of motor trucks of all kinds the Army had in the first week of last month (December) a carrying capacity of 1,600 tons, whereas its minimum requirement is 5,600 tons—a shortage of 4,000 tons after six months in the Army of the Nation which builds more automobiles than all the rest of the world.

Meanwhile $18,000,000 worth of automobiles have been ordered from Italy.

For this exhibit lack of shipping is made the excuse, yet Government-employed steamers, of 8,000 to 10,000 tons burden, have arrived from America at French ports with half their carrying capacity unfilled, or in some cases occupied by articles not needed at this time, as, for example, hospital beds, of which there are accumulated enough for real war. And all the while the Red Cross has been filling its warehouses from the same source as that of the Army, over the same waterway, in the same bottoms.

RED TAPE, LACK OF METHOD.

If there was any preliminary preparation for the reception of troops during the interval between our declaration of war and their arrival in France, it was negligible. The men were dumped into France, and, to a large extent, upon French hospitality, with no intelligent forethought of the needs in housing, provisioning, transportation, or reserves of supplies which a division or more requires.

When the Rainbow Division arrived "somewhere in France" five months after the First Division the men packed their first supplies into their camp on their backs.

Until the stimulating House recommendations came to bid us hope, we had advanced not a great way in the business of going to war beyond Cuban campaign days, when only a merciful Father held in check the storms that would have driven our supply ships to sea and left the men on shore with not another day's rations.

Then, as now, the causes were the same—red tape, lack of business men and business methods for a business job; the results were the same—all-round inefficiency, delay, confusion, breakdown in the supply service.

Had there been a really strong and determined foe opposing us in Cuba we would have paid heavily, indeed, before we reached Santiago.

The single marked advance in 1917 is in the Red Cross organization, which was almost useless, at least on the front, in 1898, but promises to lead the American expedition of 1917 in forehanded efficiency.

SUPPLIES AHEAD FOR FIVE DAYS ONLY.

Then we gave our volunteers—the Seventy-first New York and Second Massachusetts—black-powder cartridges to reveal their presence to a foe using smokeless cartridges, with a range three times as great; now we give our soldiers no machine guns—the most indispensable weapon of the war.

Then we managed to get one day's supplies ahead; now we have five, and 3,000 miles separating our base and our line.

Then, ammunition first to be needed was loaded into the bottom of the transport cargo while less important articles were placed ready at hand; now, sorely needed wagon bodies arrive in one ship and the wheels three weeks later on another steamer.

Then we left practically all our artillery at Tampa for a campaign in which it would have been a quickly decisive element; now we have none of our own to take.

Then, before San Juan we were short of ammunition, which only a heroic mule pack train managed to bring up in the night to the men who were digging in; now we are relying on France and England to supply our deficiencies.

In 1898 it was individual initiative, spirit, which inspired and enabled the men landed at Daiquiri to find and assemble their outfits from the bewildering confusion of dunnage on the beach, and to scramble forward to the first fight at Las Guasimas—of which the retreating Spanish colonel reported to his commander at Santiago, "They tried to catch us with their hands!"

But 1918 is not 1898, and the Boche is not the Spaniard, and American resourcefulness and initiative and spirit (for rifle marksmanship alone), splendidly abiding as they are, will not secure on the west front the easily won results they attained in Cuba and the Philippines. This is obvious, though apparently hidden from bureau discernment.

SENIORITY FETICH PLUS PREJUDICE.

As in 1898, we have been in the toils of the seniority fetich plus prejudice, and the two most important departments in the Army—Quartermaster and Ordnance—made the dumping ground for inertia, inexperience, and incapacity.

Our success or failure to do our part alongside our allies in the war for human rights, the very lives of our sons and brothers whom we have sent to battle, rest upon the Quartermaster's Department, upon the foresight and energy of its bureau heads, and the swift, unceasing operation of its transportation and supply service. There is no department in any army so important.

The feeding, the transportation, the equipping of a great army is a business job for men of wide vision and large business experience such as no army officer of a nonmilitary nation ever gets or ever could get under normal conditions. With the freedom of the world threatened by a foe who is powerful and ruthless and foul, there is not time "to teach an old dog new tricks." We have the same blundering, the same loss of time and effort as in 1898, but with this great difference, that in 1918 they may cost us opportunity and life. It is, then, but the commonest of common sense that the business end of an army be placed in the hands of business men—as Great Britain finally found it necessary to do—and that the best of the high-grade business brains with which the United States is plentifully supplied—and the choice of which the President may have for the asking—should direct its work. This is a case where reform is needed from the top down rather than from the bottom up, for there is much good, young timber in the Quartermaster's Department drawn from civil business life. The trouble is not in France; it is in America. We have translated the Washington circumlocution office to France; we have made the Quartermaster's department in France, which in subordinate places has some capable, energetic, and youngish men of business experience, an annex to Washington, with its crossroads grocery-store methods and its ancient and honorable personnel.

SHAMELESS STORY OF SUPPLY.

The sorry, shameless story of the machine gun is the story of the supply and transportation service in France to-day.

In August, 1916, Congress appropriated $12,000,000 especially and specifically for the purchase of machine guns, and placed the sum at the disposal of the Ordnance Department. But it was not until our first division was already in France, in June, 1917—10 months later—that the first steps were taken by the Chief of the Ordnance Department, Gen. Crozier—according to his own statement—to get the guns which three years of terrible carnage had demonstrated as being the most useful of all the arms for the soldier in the trench. With the world struggling for freedom through the hellfire of such battles and our entrance imminent, it is an amazing story, paralleled only by that of the months' wrangling in the Shipping Board over the respective merits of wood and iron at the cost of irremediable time, while the world's boats were being sunk daily and the world's food endangered.

We are somewhat in the position as to general officers that England was at her beginning, and we must do—and the House recommendations give encouragement that we shall begin to do—what England did, only we must not wait so long to do it, unless we want to subject our soldiers to a Gallipoli with its heroic, ghastly record, or a Neuvechapelle, where the British lost thousands and the chance for a distinct and much-needed victory.

PUT YOUNG MEN IN COMMAND.

France and England withdraw their officers too old for the new game—which is no criticism of these otherwise excellent men suited for posts where physical fitness and swift executive action are not so essential, if any such posts can be found in these days—and we shall be obliged to do the same if our Army is to have a chance to make good.

At a recent dinner to an American Congressman in a British sector there was not an officer over 45 years of age, and four brigadier generals under 36.

France is no place for officers who are too old to learn or too firmly fixed in their notions to do so. They should be brought home. As Gen. Sibert said in my presence, "It is an entirely new game, and it's up to us to learn it." "And to learn it damn quick!" exclaimed another more outspoken officer in the group. Some older officers scantily conceal disregard, if not contempt, for the opinions and the methods and the language of the French. Surely in the face of the dearly bought and complete experience of our allies the pretensions of comparative military upstarts is indefensible—and absurd.

Officers that have spent 20 to 40 years in a single-track bureau, who have grown old in a small army, with its local and simple antedated service, can not be expected to change suddenly a lifetime's habit and method and expand to the precise and the entirely strange requirements of the new kind of warfare. It is downright unfair to subject them to such a trial, not to say ordeal; to the soldiers dependent upon them it is a hazard they should not be expected to accept.

CUT RED TAPE TO SPARE LIFE.

To learn this war game, exacting and scientific to a degree never dreamed of, demands men young and eager and at the mental and physical top of their capabilities.

"We have had to cut red tape to spare the lives of our poilus," said the war minister of France to me a few days ago. "England has done so, and America will find that she must also." Red tape is the unionism of the Government service; it is standardizing influence "going down," which throttles ability and levels all departmental effort to the lowest instead of the highest standard of efficiency; and for the red tape which stultifies normal intelligence, commend me to the brand which tradition in the army has imposed upon the medical service, where medical reports can reach medical headquarters for action only after making the long, slow passage through the line—that is, from commanding officer of the regiment to commanding officer of the brigade, then to the division, then to headquarters, and thence to medical headquarters. By illustration, I cite one case where it took two and one-half months—not days or weeks, but months—for the report of a medical officer, a colonel and the ranking medical officer in France at the time, to arrive at medical headquarters.

As this urgent report, with its constructive suggestions, dragged its tortuous way toward headquarters the soldiers it concerned were without proper housing and clothing, and a number of suicides from homesickness and depression resulted.

England had the same efficiency-destroying system at the beginning of the war, but soon was forced to change for the good of her men. The Italians in their Labyan campaign suffered under a similar method and promptly saw the wisdom of abolishing it in order to conserve an excellent condition of mind and body in their soldiers. To-day in the British, French, and Italian armies medical reports go through medical officers to medical headquarters, and no line officer can delay or stop them.

We should have profited by their experience, but as in other directions we haven't. Our medical men have all the responsibility and no authority. Shall we wait to cut this strangling bit of red tape until the bodies of our dead mount to scandalous proportions?

TRUTH THAT ACHES.

Secrecy between a people and their government is a mischievous element in national life. Lloyd-George told England in one of his stirring speeches not very long ago that a nation which is not virile enough to hear the truth about itself is not a first-class power.

In America, as in England, the people are entitled to the truth, even though it be ugly and uncomplimentary, even though it fall on devoted theories or heads or prejudices. In America, as in England, we need to look uncolored facts in the face. This is a moment for us to hear such truth. I believe we can bear it, though Germany is banking on our not being big enough and strong enough to tell the truth to ourselves. Germany says we are not a first-rate power; that we are so saturated with greed and materialism that we can not rise to this our great occasion. And none of us can be sure that we shall; none of us can say if, indeed, we have found our national soul, if ours is the national spirit that will pay, and endure and pay again. We have shown our greatness in material things, but material things alone do not measure a nation's greatness—there is the moral fiber without which the measure is but half reckoned. We are on trial before the world.

FRANCE MUST MUNITION US.

Nine months ago we entered the war. To-day we are giving no land aid to our allies in a military sense, while we are drawing on them for our equipment essentials, of which they have no surplus to spare us easily.

Talking with French officers on this subject, I asked if they could spare the guns and ammunition and gasoline they were giving us. They answered: "What will you? You must have them; your Army has none; we must let you have them so long as we possibly can; we do our best; it is reducing our reserves; we have no ample surplus; we hope you will quickly be able to bring your own supplies."

We have made high promises, there has been large talk of our potentialities, but our actual showing thus far is incompetence in the outfitting and purchasing and forwarding departments of our quartermaster; and wrangling, red tape, and disorganization, which are responsible for our present inability to furnish our soldiers with machine guns, rifles, ammunition, ordnance, and suitable clothing.

It is a lamentable breakdown and the cause of much disquiet in France, not only for its disappointment in our widely heralded efficiency, but for the further sacrifices it suggests as likely to cost her.

It is not too much to say that our failure to equal our allies' natural expectations of this great, wealthy, industrial Nation is answerable for the grave situation which makes the coming six months as critical as the first six months of the war.

VISION! VISION!

It isn't merely that there have been blunders; blunders we would and do expect as the inevitable accompaniment of an unmilitary democracy going to war; but it is the absence of an appreciation of the necessities of the hour by the responsible heads of bureaus; the failure to grasp the demands of this kind of a war game; the narrow vision; the strangling red tape; the fact that a condition could exist where such a delay at such a time as in the matter of the machine guns and rifles would be possible.

Thus far we have taken little profit from British and French experience. With ample warning and time for preparation, with unlimited manufacturing facilities, untold wealth and the models and counsel of Great Britain and France to guide us, we should have put our men afield with the very best possible equipment, instead of which we have sent them to trials of body and spirit, of endurance and patient courage such as men never have met before this war—with an equipment in some respects the least practical, the least comfortable and serviceable.

The efficiency and organization upon which we plumed ourselves and for which the world took us at our word have been conspicuously absent so far as the proper equipment and maintenance of our little Army in France is concerned.

We are in danger of receiving a crushing blow to our material and spiritual well-being unless we come promptly out of all dreams of immunity from a victorious Germany, and awake to a realization of what this war means to us, to you and me, to our business and our homes.

MUST WE BE SHAMED?

Germany says we can't.

We have voted great sums for the war and made huge programs, but not yet as a people have we risen above selfish individualistic ambitions for comfort or power or profit. Democracy, narrowly viewed, makes for individualistic development for individualistic rewards. It is for us now in the face of menace and the call of our allies in our ears to show if we can merge the individual into united effort for the State and for the cause on which hangs the fate of the very democracy by which we live and prosper.

We must prove big enough to rise to this need, else we shall be too late next spring in France, and so justify Germany's estimate of us.

Some of us, through the press, are still patting ourselves on the back over what "we have done," but it behooves us to be modest before the great deeds, under greater handicaps than ours, of England and France and Canada and Australia.

We have not organized ourselves as well as France did at her beginning; we have not shown the thorough workmanship of the British. Unprepared England two and one-half months after the declaration of war stopped the Huns at the Yser at great cost, but stopped them and saved Calais and probably the war. Unprepared America nine months after coming in and six months after reaching the front is still considering the problem of supplies and the line of communication.

"Slow" old England has beaten young America in speed, efficiency, organization!

INSIST ON REMEDIES.

That very shrewd student of human nature, M. Clemenceau, said the other day in response to the question whether he considered it wise that people should be taken into the confidence of Government: "I believe self-governing people fight better when they have full knowledge of the actual situation."

The American people, in full knowledge of the portent of this hour, must demand of their Congress and its appointed committees speedy fulfillment of the tasks intrusted to them by the people and their President.

A democratic government goes no faster and no further than the people who constitute the government insist. It is the temper of the civil population that propels or retards a great effort such as we are now called on to make. We get the kind of legislation, the kind of men in office that we want; they reflect accurately either our desires or our indifference—our neglects of citizen duty. If we have no machine guns and not enough rifles, and our troops are illy equipped, it is because the people have failed to demand them of the War Department. If there has been a breakdown in the supply and transportation service, it is because the people have not insisted that this most important department of an army keep pace in method and personnel with the scope of its duties. We have to confess these plain facts.

WHAT YOU MUST DO.

It is up to the people to recognize their failures and make now their demands:

That the seniority which keeps inefficiency in the Army and disloyalty in the Senate be effaced.

That Senators and Representatives abandon politics for patriotism and get behind the President.

That red tape be cut clear of the medical and all departments concerned in the prosecution of this war.

That top-heavy and ineffective committees be abolished or remodeled.

The people are behind their President, whose present attitude reveals an understanding of the character and the size of the task upon us, and whose well-chosen words breathe the spirit of a stalwart patriotism and a grim determination to fight through to a victorious and a just and lasting peace.

We must get on a war basis; we, the people, individually as well as collectively, must strip for war, else we shall fail.

And if we fail, sooner or later Germany will be in our ports.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. McLEMORE].

Mr. McLEMORE. Mr. Chairman, I will devote the time accorded to me in reading a letter from a former Member of this House to a former Member of the United States Senate on the rights of the States and the relation of the States to the Federal Government. Or, if granted unanimous consent, I will merely extend my remarks in the RECORD and return the unexpired portion of my time to the gentleman from Oklahoma [Mr. CARTER], who has granted it. And in order to save the time, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The following is the letter referred to:

DECEMBER 18, 1917.

Hon. R. M. JOHNSTON,
Houston, Tex.

MY DEAR FRIEND: As you keep yourself informed about what has happened, as well as about what is apt to happen in Congress, I do not suppose you were much surprised when you read in the morning papers that on yesterday the House of Representatives by more than the necessary two-thirds vote approved the prohibition amendment to the Federal Constitution, but I am sure that you were very much surprised when you analyzed that vote and found that 141 Democrats had voted for it, while only 64 Democrats had voted against it. What a radical change that exhibits! Twenty years ago a man who favored national prohibition could not have been elected a delegate to a Democratic county convention from any precinct in the United States, and yet an overwhelming majority of the men now elected to Congress as Democrats voted yesterday for that proposition. But astounding as was the vote itself, it was not more astounding than the debate. Those who supported the amendment discussed it as if it merely presented the question of prohibition, and they spoke exactly as they could have properly spoken in the legislature of a State. I can not at this moment recall any discussion in Congress or outside of it which so thoroughly illustrates the strange confusion of political thought in this day, or which so strongly emphasizes the need of a recurrence to our first principles.

When the fathers were organizing this Republic they sought to create a General Government which would be strong enough to serve the purposes for which it was intended, and yet not so strong as to interfere with any proper function of the several States. According to that plan, they conferred on the General Government full power over our foreign relations, a limited power over our interstate relations, and left to each State the exclusive power to regulate its local affairs. There were some who doubted the wisdom of conferring all power with respect to our foreign relations on the General Government; but it was wisely determined that as all of the States would be held responsible for our conduct toward foreign nations, the Government representing all the States should possess the power to control that conduct. A large number doubted the wisdom of conferring upon the General Government any power over interstate relations; but upon consideration they became convinced that if every State was left to decide for itself a question concerning it and another State, each would decide that question according to its own interest or passions, thus inevitably resulting in unfriendly restrictions, if not in open collisions; and to obviate that, a very large majority agreed to the arrangement as it had been proposed. A still larger number, including all of the extreme Federalists, objected to leaving the States with such vast powers, expressing the fear that they would in time impair the efficiency of the General Government; but the convention, by a very decisive majority, overruled their objection, and the Government was established with that distribution of its powers. It had hardly been inaugurated, however, when the advocates of centralization began a systematic effort to reduce, by construction and administration, the powers of the States and to correspondingly enlarge the powers of the United States. That effort was resisted, and out of the conflict of opinion thus precipitated the Democratic Party was born.

If there has been one article of our creed to which we have adhered more steadfastly than to all others since Thomas Jefferson first founded our party, it has been the doctrine of State rights, and if there was ever a time when a strict adherence to that doctrine was more necessary than at all other times, it is now, when the General Government has already encroached upon the States to an extent which must alarm every thoughtful Democrat. With the Federal Department of Justice prosecuting our citizens for conspiracy against the United States, as in the Nueces County case, when there was not the shadow of an excuse for that prosecution; with the Supreme Court of the United States practically nullifying the power of the States to regulate commerce wholly within them, as it did in the Shreveport rate case; with Congress usurping control over children in the States, as it did in the child-labor law; and remembering that these are but examples of the steady, persistent, and numerous encroachments, it would seem that Democratic Congressmen would understand the necessity of opposing the further extension of Federal power.

The men who have been most potential in forcing this amendment through Congress perfectly understand that Federal prohibition is utterly inconsistent with the democratic theory of State rights, and they have boldly repudiated that theory. Ex-Gov. Patterson, who, though a recent convert to prohibition, is now one of its ablest advocates, has given out within the last three days an interview which goes far beyond anything which Alexander Hamilton ever ventured to say in favor of centralizing all power in the General Government. The ex-governor of Tennessee, unlike some of those who follow his lead, does not hesitate to follow his own logic, and this is, in part, what he said:

"While I am a southern man, I am in favor of greater unity in this country—the building up of a Nation with national spirit and policies. I haven't any patience with those persons who are constantly shouting about State rights. If one wants something, he is for State rights; if he doesn't want anything, he is against State rights. What we want is a more united Nation, with State lines eliminated except for a few purposes."

Doubtless some of those who voted for the prohibition amendment will disclaim all sympathy with that utterance of ex-Gov. Patterson, but we must judge them by their acts rather than by their words. What right has any man to claim that he is opposed to "the elimination of State lines," while he is voting directly to eliminate them? Perhaps many of those who voted for that amendment did so against their own convictions, and really believe in the right of every State to control its purely internal affairs; but very few of them will ever have the moral courage to confess the error of that vote and return to their former advocacy of State rights. There is a law of political gravitation just as certainly as there is a law of physical gravitation, and men who once enter upon a given course are driven irresistibly to continue in that course. The vote for that Federal prohibition amendment may have been their first step, but with many of them it will be an irretraceable step toward the "elimination of State lines."

No Democrat can justify himself in voting to transfer any police power of the States to the General Government, and least of all can he justify a transfer of the power to permit or prohibit the sale of liquor, because the exercise of that power by one State can not possibly affect the people of any other State. If Texas chooses to permit the sale of liquors, Kansas has no right to say we shall not do so, because the sale of liquor in Texas can not disturb the peace or injure the health or corrupt the morals of Kansas. Whether or not a State will permit or prohibit the sale of liquor is a question which each State should be left to decide for itself, because the people of each State alone are affected by that decision; and I would no more agree that New York shall have the right to say we must permit the sale of liquor, if we desire to prohibit it, than I would agree for Kansas to say that we shall prohibit the sale of liquor, if we desire to permit it. For more than a century these have been received as axioms of democracy, and why shall we reject them now?

If the evils of the liquor traffic were increasing, I could understand that good men might conclude that the methods by which we have heretofore dealt with it are insufficient and might insist upon new and more drastic methods. But that is not the case. You know, and every other intelligent man in this country knows, that there has never been an hour in the history of this country when the evils of the liquor traffic were less than they are to-day, and we also know that those evils have been constantly diminishing through many years. When I first became a legal voter there was a saloon on almost every good corner of every city, town, and village in this land, and in the very midst of them we reared a race of the bravest men and the purest women which any age or country has yet produced. I do not, of course, mean to say that those saloons stimulated the courage of our men or cultivated the virtue of our women; nor do I doubt that we would have been better off without them. But I do say, in the light of that experience, that it is worse than folly for these extremists to tell us that we should destroy these States in order to destroy the saloons. If it were necessary to do the one in order to do the other, I would still refuse, because to do that would be as foolish as it would be for a farmer to burn his barn in order to drive away the vermin. I know we can live and prosper; that we can extend the influence of religion and multiply the blessings of education; that we can even advance the cause of temperance and improve the public morals in spite of the saloons, because our fathers did all of that and more; but we can not save this Republic if we abandon the principles on which it was founded.

But, happily, we are not compelled to choose between continuing the saloon and destroying the States. For 30 years the people of the various States, without surrendering any power which belongs to them, have been gradually banishing the saloon, until eight-tenths of them have disappeared. Thirty years ago the drink habit was very common among our people, and it was often indulged to an excess by

men who stood high in business, financial, and political life. But this also has changed, and we now rarely see a reputable man, either rich or poor, intoxicated on the public streets. Different men offer different explanations of this remarkable improvement. Some say that it has been wrought out through prohibition laws, State and local, while others say that it is due to the fact that men have come to realize that intemperance is injurious to them physically and financially as well as morally. But whatever may be the correct explanation, the fact itself is undisputed, and it is impossible for me to understand how any Democrat can deem it necessary to abandon a system under which such a result has been achieved and violate one of the very basic principles of our party in order to deal with a diminishing evil.

Besides the conditions to which I have above referred, and which of themselves should be sufficient to satisfy every reasonable man with the progress we have made, and with the system under which we have made it, recent legislation has removed an argument which was formerly employed with no little effect by the advocates of national prohibition. For years those who have been most active in the Federal prohibition movement have insisted that the commerce power of the United States constantly interfered with the police power of the States and rendered State prohibition laws ineffective. In response to that argument, Congress enacted what is known as the Webb-Kenyon law, by which it abdicated whatever power it possessed in that respect in favor of the States. That law was challenged in the courts and its constitutionality has been sustained. Nor is this all. Less than 10 days ago the Supreme Court of the United States delivered an opinion in a case which came to that tribunal from the State of Idaho, by which the power of the State was made still more plenary. Indeed, taking the Webb-Kenyon law itself, the opinion of the court sustaining its constitutionality, and adding to them the decision in the Idaho case, the power of every State in this Union over the manufacture and sale of liquor is as absolute now as human laws can make it. Why, then, do these people insist upon national prohibition? There is but one answer to that question, and that answer is that they intend to suppress, by Federal agency, the manufacture and sale of liquor in States which do not desire the suppression of it. In other words, and in plain words, these men are stripping these States of a vital police power simply because some of the States will not exercise that power as these misguided reformers desire.

If this prohibition amendment becomes a part of the Federal Constitution we might as well abandon all hope of preserving the rights of these States, for it will be followed by others of its kind. Next will come a national woman suffrage amendment, and after that will come an amendment authorizing Congress to establish uniform laws of marriage and divorce. This last amendment is already being urged by many of the same people who have promoted the prohibition and the woman suffrage amendments, and when it is adopted—as it will be in time, if the prohibition and the suffrage amendments are ratified—there will not be a square foot of territory in the United States where it will be unlawful for negroes and white people to intermarry. Then will come a proposal for a constitutional amendment authorizing Congress to regulate the distribution of estates where decedents leave property in several States. These same people are even now asking why property belonging to the same man should descend differently because it happens to be situated in different States, and why a will, valid in the State where the maker resides, should be insufficient to pass the title to real property in another State. Thus year after year the proponents of uniformity will continue their propaganda, until finally what were once sovereign States will be reduced to a condition where they will hardly enjoy the rights of conquered provinces.

Shall we stand idly by and witness, without an effort to prevent it, the utter subversion of this Republic? I sincerely hope not. The duty of the real Democrats of Texas is a plain one and an imperative one. We must organize to defeat the ratification of this amendment by our State, and we must at the same time make a supreme effort to rescue our party from the control of men who either do not understand or else do not cherish its fundamental principles. To some of the Texans who voted for that amendment I am sincerely attached, and I would divide with them my last dollar or my last crust of bread; but I will not give my vote to any man who gives his vote to deprive these States of the right to control their own domestic concerns.

If the Democratic Party is to survive in anything more than in the name, it must be something more than an organized effort to obtain the offices, and it must firmly insist that those who seek its favor shall maintain its principles. Politics must be something more than a matter of mere personal preference or personal prejudice. Good government is too vital to the freedom and happiness of our people to be sacrificed to personal friendships or personal ambitions. I am willing to accord the fullest measure of respect to a good man; but I am only willing to give my vote to a good Democrat; because I believe—and I believe it as devoutly as any Christian believes in his religion—that the destruction of this Government must inevitably follow an abandonment of democratic principles.

Mistakes of policy, the consequences of which we may measure in dollars and cents, may be tolerated; but a sacrifice of the very basic principles of the Republic is in politics what blasphemy of the Holy Ghost is in religion—an unpardonable sin. We can repair mistakes, even though they be grievous ones, if they relate only to property or to property rights; but a mistake which alters the very form and structure of this Government can never be repaired, and it ought not, therefore, to be forgiven.

Surely those of us who believe that the very existence of this Government as it was organized by our patriotic fathers is imperiled will not be less ready for this contest than those who are proposing a dangerous innovation; and I am eager to enlist under the leadership of any man who has the wisdom to expound and the courage to defend the genuine principles of democracy.

Very truly, your friend, J. W. BAILEY.

Mr. NORTON. Mr. Chairman, I yield 20 minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, I have introduced bills to establish a department of munitions and a department of war supplies, with secretaries and subordinates, and defining the province and duty of each of such departments.

I contemplated also introducing a bill to establish a department of war transportation, and should have done so but for the President's action in taking over the railroads and appointing a director. However, I am of the opinion a department of transportation should be established at the earliest practicable moment.

There are at present 10 executive departments of the Government, the Secretaries of which constitute the President's Cabinet. In the order of their creation they are State, Treasury, War, Justice, Post Office, Navy, Interior, Agriculture, Commerce, and Labor.

In 1789 the first Congress under the new Government among its earliest acts created three executive departments. July 27 an act was passed entitled "An act for establishing an executive department to be denominated the department of foreign affairs." It also provided for the appointment of a "secretary for the department of foreign affairs." The act committed to the department charge, under the President, of "correspondence, commissions, or instructions to or with ministers and consuls of the United States, and to negotiate with ministers from foreign States respecting foreign affairs."

By a subsequent act of the same year the name of the department was changed to the Department of State.

Thomas Jefferson was appointed by President Washington, and thus became our first Secretary of State.

In September of the same year an act was passed creating a Department of the Treasury and providing for a Secretary. His duties were, in part, to "digest and prepare plans for the improvement and management of the revenue and for the support of the public credit; to prepare and report estimates of the public revenue and the public expenditures; to superintend the collection of the revenue," and so forth.

The first Secretary was Alexander Hamilton, of New York.

In the same year an act was passed creating the Department of War and providing for a Secretary. To this department was committed charge of "all matters relative to military commissions, of land and naval forces, of ships or warlike stores of the United States." It will be seen that at first this Department had superintendence and control of both the Army and the Navy.

President Washington appointed his personal friend and comrade in arms, Gen. Henry Knox, of Massachusetts, as Secretary.

In the judicial act of September 24, 1789, there was contained a provision for the appointment of a "meet person, learned in the law, to act as Attorney General for the United States, whose duty it shall be to prosecute and conduct all suits in the Supreme Court in which the United States may be concerned and to give his advice and opinion upon questions of law when required by the President or where requested by the heads of any of the departments."

The Attorney General was thus made the legal adviser of the President and the heads of departments. This made him almost necessarily a member of the Cabinet, although he had no legal recognition as such until 1878, when he was made head of the Department of Justice.

Edmund Randolph, of Virginia, was appointed our first Attorney General.

In 1798, on the eve of a probable war with France, an act was passed for the creation of a separate executive department to be known as the Department of the Navy. The imminence of war with France, the necessity for the immediate enlargement and strengthening of the Navy which had almost disappeared, and the fact that in war the Secretary of War would have all that could be expected of one man in the superintendence and control of the Army were sufficient reasons for the creation of the new department.

President Adams appointed Benjamin Stoddert, of Maryland, first Secretary of the Navy.

In 1789 Congress passed an act providing for the temporary establishment of a Post Office, and Washington appointed Samuel Osgood as Postmaster General. The Postmaster General was not recognized as a member of the President's Cabinet until during the administration of Andrew Jackson, and the department as such was not created and its province and duties defined until during Grant's administration.

In 1849 the Department of the Interior was created and a Secretary provided. The necessity for the creation of such a department was early recognized. Gov. Morris proposed a "Department of domestic affairs," Charles Pinckney proposed a "Department of home affairs," and other propositions of similar import were submitted from time to time. Clay and Webster among others urged the necessity of such a department. Under the leadership of Robert J. Walker, Secretary of the Treasury under President Polk, the act creating the department was finally passed.

Thomas Ewing, of Ohio, was our first Secretary of the Interior.

In 1889, a century after the first Cabinet officer was appointed, near the close of Mr. Cleveland's first term, the Department of

Agriculture was created. What amounted in fact to a bureau was established and a Commissioner of Agriculture provided for in 1862. It was not made a real department of the Government and its chief was not made a Secretary and a member of the Cabinet until 1889.

Hon. Norman J. Coleman, of Missouri, was made first Secretary of Agriculture.

In 1903, during President Roosevelt's administration, the Department of Commerce and Labor was created. The Secretary of State, the Secretary of the Interior, and particularly the Secretary of the Treasury were relieved of parts of their burdens by the creation of the new department. To it were also committed many new administrative duties.

Mr. George B. Cortelyou, of New York, was appointed to the new secretaryship.

On the last day of President Taft's administration a bill was passed creating the Department of Labor and separating it from the Department of Commerce and Labor. The purpose of the new department, as stated in the act, is "to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment."

President Wilson appointed as first Secretary of this department Hon. William B. Wilson, who is still serving.

The necessity for a Cabinet has never been better stated than by Washington. In 1789, soon after assuming the Presidency, he wrote:

> The impossibility that one man should be able to perform all the great business of the State I take to have been the reason for instituting the great departments and appointing officers therein to assist the Supreme Magistrate in discharging the duties of his trust.

It is an interesting fact that we had a Cabinet before we had a President. During the Revolutionary period, before the adoption of the Constitution, heads of departments were selected and the administrative functions of the Government carried on without a Chief Executive. To two of these, Robert Morris, "Superintendent of Finance," and John Jay, "Secretary of Foreign Affairs," the country owes a lasting debt of gratitude. It seems now as if it would have been impossible to have gone through that critical period without their transcendent ability and consummate tact, as well as their devoted patriotism.

Under our system of government the Cabinet has a peculiar constitutional status. In terms the Cabinet is not provided for and its duties are not defined. Yet it is recognized as an essential part of our form of government and it has at least constitutional sanction. The Constitution makes reference to the "principal officer in each of the executive departments." Again, referring to the "heads of departments," it is provided that the President may require their opinion "in writing" upon any subject relating to the duties of their respective offices. The Constitution also gives Congress power to vest in the "heads of departments" the power to appoint certain officers of the Government.

These references in the Constitution clearly indicate that a Cabinet was contemplated and considered essential. It would also seem that it was understood that these heads of departments were to be created by Congress from time to time as occasion should justify.

Under the American system members of the Cabinet have two lines of duty—the one prescribed by law, the other dependent entirely upon the President's wishes. As the head of a department, the Cabinet officer has certain prescribed administrative duties which are enumerated in the act of Congress which creates the department. As an adviser of the President, he is required to act only when the President so desires.

We have derived our Cabinet from the English Cabinet, but there are vital differences between the two systems. The English Cabinet assumes and exercises supreme direction of both legislation and administration. As representative of the Crown it exercises supreme executive power, and as representative of Parliament it exercises supreme legislative authority.

This is in violation of the American constitutional principle of the separation of the powers. In the United States the Cabinet is purely executive. It has no legislative function and little legislative influence. In Great Britain members of the Cabinet are legislators and have places on the floor of Parliament. In the United States Cabinet officers have no place on the floor of Congress, and even their presence is resented as an unjustifiable encroachment on the independence of the Legislature.

In Great Britain the Cabinet is responsible alone to Parliament. In the United States the Cabinet is alone responsible to the President. In Great Britain the Cabinet goes out with Parliament. In the United States the Cabinet goes out with the President. In Great Britain the Cabinet proposes and controls legislation. In the United States the Cabinet makes estimates for appropriations and requests for legislation through the President. In Great Britain the Cabinet is the dominant power in the State. In the United States it holds no such place. Practical necessity, however, vests in the heads of department a large measure of authority and responsibility. The President and Cabinet together constitute what is known as "the administration." The President is master and is given credit for the success of the administration or is held responsible for its failure.

The duties of Cabinet officers are thus principally and primarily administrative. They are the heads of the working powers of the Government. To an extent not found in any other country in the world are the functions and duties of Cabinet officers in the United States administrative. There is among members of our Cabinet no joint policy, no collective responsibility. Each Cabinet officer is given by law certain prescribed administrative duties, for the faithful performance of which he is responsible to the President. From time to time as the administrative duties of the Nation increase in variety and volume, whether by reason of natural growth and normal development or by sudden exigency, it is the duty of Congress to enlarge the Cabinet to meet the increased demands.

We have found that the duties of Cabinet officers are principally administrative and that the growth of the Nation and the extension of its governmental activities have in the past called into existence new departments of the Government as they were needed. We come now to consider the question whether conditions now exist which justify or require the creation of one or more additional departments to meet the demands of the present hour. It is my contention that the exigency caused by our participation in the present war demands the addition of one or more executive departments of the Government. The immense increase, the unprecedented nature, and the supreme importance of our war activities necessitate such action in order to secure dispatch and efficiency in the preparation and support of our Army and Navy for active service. Never before in the history of the world have been the requirements of speedy and adequate preparation so imperative upon any nation as are upon the United States at this time. The events of the war have so culminated in a crisis that unless we shall be able to render speedy assistance to our allies, and determinative service in the great struggle which now hangs trembling in the balance, victory will almost certainly go to our enemies. Such a calamity as this would be has never befallen the world in all the ages which have passed. In such appalling disaster would fall not only the entire fabric of our constitutional structure, but also the hope of mankind and the civilization of the world. Such is our responsibility, and such the call that comes to us from our own people and from all the liberty-loving people now engaged in the great death struggle across the seas.

There has been a large increase of activities in all of the departments of the Government occasioned by the war, but the principal increases have been in the Department of War and in the Navy Department.

In the Department of War the Army has already been increased from 9,524 officers on April 1, 1917, to 110,856 on January 1, 1918; and from 202,510 to 1,428,650 enlisted men. It is expected to increase the Army within the year to over 2,000,000 men.

For the fiscal year of 1915 Congress appropriated for the War Department $158,000,000. For the present fiscal year the appropriations are $7,527,338,716. Now, the appropriations are fifty times greater than under normal conditions. The appropriations for the War Department alone are more than seven times the total appropriations for the whole Government before the war.

Before the war the Ordnance Bureau consisted of 97 officers and about 2,000 men. It now consists of 3,004 officers and 26,120 men. It will expend $3,200,000,000 this year. All this immense sum must be expended on specified objects, on great and small contracts with producing and manufacturing concerns, on carrying on Government arsenals, producing arms and ammunition; on the increase of existing plants and the construction of new ones; on tests of guns and ammunition; on the inspection of articles delivered on contract; on the transportation of articles to their destination within this country or across the seas, and the hundreds of other activities that can not even be listed.

The Quartermaster's Bureau on April 1, 1917, had 347 officers. It now has 6,431, and will expend this year $3,018,000,000. Its activities embrace accounting in every branch of the service; determination of standards for food, clothing, and all other supplies; fixing prices and amounts and terms and places of delivery; creating new manufacturing facilities and engaging exist-

ing concerns; making contracts, erecting storage warehouses, arranging for transportation, and numerous other duties. Three hundred mills were employed in making clothing; 19,000,000 blankets, 20,000,000 yards of overcoating, 30,000,000 yards of suiting cloth, 52,000,000 pairs stockings have already been purchased. Over 4,650 contracts and at least partial deliveries have been made.

These statements regarding only two of the bureaus of the War Department give some idea of the tremendous increases made. Other increases might be shown. The Aviation Section has increased from 65 officers and 1,120 men to 3,900 officers and 82,120 men. The appropriations for this year were $744,000,000, or five times the amount appropriated for the whole War Department before the war.

In the Navy Department a like growth and expansion of activities has taken place. In his annual report Paymaster General McGowan says, "When the war of 1917 became imminent the pressure on the supply department at first doubled, then trebled, and in some cases increased many times over. Double shifts, treble shifts, and additional officers and employees—all working overtime—have, however, kept the work up to date." Again he says, "Leave has had to be practically abandoned, while for months the entire force worked overtime every day, to say nothing of the overtime work in addition, by everybody in a position of responsibility. Officers, civilians, and reservists worked with an enthusiasm truly admirable and results most gratifying."

Praise is certainly due many of the officers in the departments, and particularly in the Navy Department, for the extreme and able efforts they have made to meet the emergency. Individual instances of self-sacrificing devotion are many, and in some cases the results accomplished have been remarkable. Still success in meeting the demands of the occasion, particularly in the War Department, has been far from satisfactory.

If I am accorded the opportunity I hope soon to call attention specifically to some of the obstacles that prevent a mere enlargement of the present departments from successfully meeting the emergency. At present I desire only to emphasize, if I may, what I consider the advantage of creating new Cabinet positions to meet the tremendous increase of governmental activities and to show that it is perfectly consistent and expedient that we should do so. It is almost certain that action must speedily be taken to separate the purchasing and purely business activities of the Government from the military departments, and to consolidate such power in the hands of one man, either as the head of a new department, with a place in the Cabinet, or as chief of an independent department. This head or chief must be given power to coordinate and unify the purely business part of the immense undertaking of successfully carrying on this war. It is my belief that this can best be done by creating responsible heads of departments, with recognized authority and powers commensurate with the demands.

Early Great Britain learned the lesson that it was necessary to separate the business administration of carrying on the war from the military and naval departments. Early it saw that the immensity of the undertaking called for the united powers of the nation. Within nine months after the commencement of the war it reorganized its entire cabinet and installed a new coalition cabinet made up of the leading men of all the parties.

It did not ask unquestioning support from the membership of all parties without at the same time according fair recognition of such support. The liberal party, then in power, did not assume that it contained all the wisdom and all the patriotism of the country, and so it gave recognition where recognition was due. In this manner the best service from all the parties was drawn to the support of the Government.

Our Cabinet contains at present but 10 places, the present English Cabinet contains 38. Since the war began several new places have been created. Among these are a minister of munitions, minister of blockade, minister of food control, director general of national service, president of the air ministry, shipping controller, and minister of pensions. It would not appear in view of such action that a proposal to add three to our present Cabinet who should be given such places because of the present extraordinary demands, and who should hold such places only during the present emergency, was a very revolutionary proceeding.

The most important of the new places created in the English Cabinet during the war is the minister of munitions. To fill this place Mr. Lloyd-George, the present prime minister, was taken from the position of chancellor of the exchequer. It was to his splendid ability and indefatigable energy that the wonderful success in organizing the industrial activities of Great Britain for the support of the war was due. It was his marvelous success as minister of munitions that elevated him to his present place as head of the nation and the dominant figure among the nations opposing the Germans.

It may be of interest to set out here the act by which the ministry of munitions was created.

By the act of Parliament, dated June 9, 1915, it is enacted:

1. (1) For the purpose of supplying munitions for the present war, it shall be lawful for His Majesty to appoint a minister of munitions, who shall hold office during His Majesty's pleasure.

(2) The minister of munitions may appoint such secretaries, officers, and servants as the minister may determine.

2. (1) The minister of munitions shall have such administrative powers and duties in relation to the supply of munitions for the present war as may be conferred upon him by His Majesty in council, and His Majesty may also, if he considers it expedient that, in connection with the supply of munitions, any powers or duties of a government department or authority, whether conferred by statute or otherwise, should be transferred to, or exercised or performed concurrently by, the minister of munitions, by order in council make the necessary provision for the purpose, and any order made in pursuance of this section may include any supplemental provisions which appear necessary for the purpose of giving full effect to the order.

BRITISH MINISTRY OF MUNITIONS.

Under the defense-of-the-realm act, the minister of munitions has the power:

(a) To require that there shall be placed at their disposal the whole or any part of the output of any factory or workshop of whatever sort or the plant thereof.

(b) To take possession of and use for the purpose of His Majesty's naval or military service any factory or workshop or any plant thereof.

(c) To require any work in any factory or workshop to be done in accordance with the directions of the Admiralty or army council or the minister of munitions, given with the object of making the factory or workshop, or the plant or labor therein, as useful as possible for the production of war material; and

(d) To regulate or restrict the carrying on of any work in any factory, workshop, or other premises, or the engagement or employment of any workmen or all or any class of workmen therein, or to remove the plant therefrom, with a view to maintaining or increasing the production of munitions in other factories, workshops, or premises, or to regulate and control the supply of metals and materials that may be required for any article for use in war; and

(e) To take possession of any unoccupied premises for the purpose of housing workmen employed in the production, storage, or transport of war material; and regulations under this act may be made accordingly.

It is hereby declared that where the fulfillment by any person of any contract is interfered with by the necessity on the part of himself or any other person of complying with any requirement, regulation, or restriction of the Admiralty or army council or the minister of munitions or the food controller under this act, or any regulations made thereunder, that necessity is a good defense to any action or proceedings taken against that person in respect of the nonfulfillment of the contract so far as it is due to that interference.

In this subsection the expression "war material," includes arms, ammunition, warlike stores and equipment, and everything required for or in connection with the production thereof.

Under the various acts which have been passed the minister of munitions has the power to sign contracts and supervise their execution, to operate mines and industrial plants, to regulate the order in which work shall be done, to establish conditions under which labor shall be employed, to regulate hours and wages, to limit the profits on the operation of certain plants, to fix the price of materials and finished products, to limit the use which may be made of materials, and to take possession of stocks of materials in the country. The decisions of the minister are mandatory, and failure to obey his instructions is punishable by fine and imprisonment.

It is not expected that we should give the proposed secretary of munitions for this country such extensive powers. Some of those given the English minister we have already committed to others. But we should give to such place all the power necessary to secure expedition and efficiency. The occupant of such place should be made the dominant figure under the President in our war preparations.

The supreme direction of the military and naval policy of Great Britain is now placed in the hands of the war cabinet, which took the place of the advisory committee of imperial defense. The new war cabinet consists of five persons, the Prime Minister, Mr. Lloyd-George; the Earl of Curzon; Mr. A. Bonar Law; Lord Milner; and Mr. Arthur Henderson. It is interesting to note that the present war cabinet is composed entirely of civilians, while the old advisory committee of imperial defense included the first lord of the Admiralty, the first sea lord of the Admiralty, the chief of imperial general staff, the director of naval intelligence, and the director of military operations. If reluctance is felt in taking from the military and naval departments of our Government purely civil and business activities and placing them in the hands of civilians and business men, the action of Great Britain in taking all military and naval officers from the entire management of the war may be considered with profit.

The war cabinet of Great Britain is almost continuously in session. Sometimes three sessions daily are held. The Prime Minister is in constant consultation with his associates. A distinguished American having an appointment with him was compelled to wait three hours for the adjournment of a session.

It is needless to say that such energy and devotion to the prosecution of the war are what has placed Great Britain at the head of the defensive forces opposing the German Government.

If it should appear best that we should organize a war cabinet to which should be committed the conduct of the war, it should include the President, who is our prime minister, the Secretary of War, the Secretary of the Navy, the secretary of transportation, the secretary of munitions, and the secretary of war supplies. The secretary of transportation should have charge of all transportation both by land and sea. He should be given supervision and control of all the railroads, inland water transportation, and all ocean commerce. To the secretary of war supply should be given the securement of all food, clothing, and equipment for the soldiers other than munitions, and he should also be given the powers now exercised by the Food and Fuel Administrators. This would bring to us better service in all the war activities, and the correlation of all the industrial and productive powers in carrying on of the war. Still more important and necessary, it would give us plan and purpose, unity of effort, and that energy and vigor which at present seems to be sadly lacking.

The effort that has been made to accomplish these results by the creation of independent commissions, carried on by volunteers who serve without pay and are without responsibility or authority was certain of failure. If the ordinary work of the Government should not be carried on in this way, the work upon the success of which the very existence of the Nation depends should not.

Mr. EMERSON. Will the gentleman yield for a question?

Mr. TOWNER. I yield to the gentleman from Ohio.

Mr. EMERSON. Why can not all of this be accomplished by the President himself? If he wants efficiency in the war, why should not he issue orders?

Mr. TOWNER. The President could create new and independent departments for carrying on the war under the war powers committed to him by Congress. This he has done with the railroads, placing them under the control of a director. But Congress has conferred certain powers upon the War and Navy Departments of which they can not be divested without the further action of Congress. Besides, as I have endeavored to show, it is better and safer to confer such great powers upon an officer the dignity of whose place shall be commensurate with the magnitude of the duties assigned to him and whose authority will be clear and unquestioned. For this reason I think the control of munitions should be given to a secretary of munitions rather than to a director of munitions.

Mr. EMERSON. Now, if the gentleman will pardon me, if we create this secretary of munitions the President will appoint him?

Mr. TOWNER. Certainly.

Mr. EMERSON. And he would be some partisan friend of the President, would he not?

Mr. TOWNER. It would be unfair to assume that such would be done. It would be fair to assume that the President would appoint the best man for the place that could be found, whether he was a partisan friend of the President or not. Only thus can this war be successfully carried on. We must in this great emergency bring to the service of the Nation the greatest talent and the most eminent abilty that can be found regardless of party affiliation. I would be lacking in candor if I should suggest that the President be given authority which I believe he would use for an unpatriotic purpose. [Applause.]

Mr. HAYDEN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. RAINEY].

Mr. RAINEY. Mr. Chairman, the whole country is astounded on account of the order issued this morning, or announced this morning, providing for the closing of certain factories and places of amusement on certain days during the next two or three months of time. I am without information as to the necessity for this order. The country is without information up to the present moment. If the investigation now in progress at the other end of this building discloses the necessity for an order of this kind, it ought to be obeyed absolutely and strictly. If the investigation shows the necessity for this order, then here within the boundaries of continental United States we are fighting the first battle of this war, and it is the duty of every loyal American citizen to adjust himself to the changed conditions in which we find ourselves at the present time. There are 7,000 coal mines in the United States, in which 700,000 men work all day long and all night long bringing to the surface the coal, producing in this great basic industry what we must have in order to continue as a great manufacturing Nation in the world. Enough coal lies under the surface within the coal States of this country to last for four or five hundred years, and perhaps longer than that. Those of us who have been observant as to conditions presented in the last month or so know this; we know that we are producing now more coal than we ever produced before in all our history as a Nation. We know we produced in 1917, 675,000,000 tons of coal in the United States, 25 per cent more than we produced in 1915, 10 per cent more than we produced in 1916. This great industry has rallied, as all industries of this country, to the demand placed upon it by war. Increased price of coal? Why, of course, the price of coal has increased. Coal has increased in price the world over. Five dollars a ton and more than that for coal? Why, in the neutral country of Sweden coal, no better than this, is selling to-day for $90 a ton. Every character of production has increased in cost to the consumer, and notwithstanding the increase in the price of coal to the consumer, we are to-day selling coal far cheaper here in this country than it is sold in any other civilized nation, whether they are engaged in this war or not, the world round. I am not ready to criticize, unless I have abundant information and reason for it, any executive official of this Government. It is my duty, as I conceive it, to remain silent upon this question until the evidence shows the official ought to be criticized, and if he ought to be criticized he ought to be criticized mercilessly and without showing any kind of pity.

The railroads of this country have heretofore responded to the demands made upon them. We entered upon the period of this war with the railroads operating on the same gauge that the first railroad ever constructed in the United States was operated upon. We entered the war with the railroad system unchanged as to its competitive methods since the first years of railroad construction. We found that under this competitive system railroads, trying for freight, railroads carrying freight, were carrying the increased amounts all toward one great port, the port at which they expected the ships to land; and back from the wharves in New York City, back even to the mountains and beyond the mountains, extended the greatest freight congestion that we had ever known in this country.

And this Government rose to the emergency. Under legislation passed by a nonpartisan vote in this House the President took charge of the railroads and appointed to manage them a member of his Cabinet who in great executive positions had demonstrated that he was able to discharge those new and complicated duties. At once the skies began to clear, at once the terminals began to discharge their congested freight, until out of the north there came this storm and this biting cold, unparalleled in the history, almost, of the country, extending this freezing weather over every acre of ground in continental United States. Without a parallel in our history, coming just at a time when empty boats were waiting their freight in the great ocean harbors of this country. The railroads had rallied to the demands upon them; every freight car until this congestion came was doing the work of two; our factories across the land were working in three shifts, night and day; and from a hundred thousand factories, responding to the mobilization demands of this country, lighted windows flashed back a greeting to the midnight express as it speeded across this continent, and all this called for more and always more coal.

There has been no lack of organization. There has been no lack of achievement. The demands upon the railroads and upon all our industries have been greater than ever before in our history as a nation, and the demands will be greater as the months pass. To-day, down here at Norfolk, there are long lines of cars——

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAINEY. May I have five minutes more?

Mr. CARTER of Oklahoma. I yield five minutes more to the gentleman.

Mr. RAINEY. Down here at Norfolk there are scores of cars loaded with coal. Why were they not unloaded? It is apparent to any man who thinks for one moment. They are not unloaded because the rain and the snow have permeated the coal carried in those open cars, and, I am advised, you can not unload them. You can not unload those freight cars to-day with dynamite. What is the situation in this country? Harbors congested? Why, for the first time within the memory of men now living, Chesapeake Bay is frozen up from the mouth to the great harbors reached by the ocean-going craft, and they can not get in and can not get out.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. RAINEY. Yes; I yield.

Mr. CAMPBELL of Kansas. I was just wondering why these cars could not be unloaded. I have noticed in a number of places where they turn steam on the coal in these cars and unload them in an hour.

Mr. RAINEY. I can not yield for a speech.

The harbors are frozen up. Men who have read the papers in the last two or three weeks know that to-day we have great battleships in the port of New York breaking the ice, making it

possible to approach her great system of docks along her magnificent inland harbor. This has brought about this congestion of freight.

Now, if there is a coal shortage it is due to one of two things, namely, either the coal is not being produced or it is congested and does not move along our railroads. To-day the demands of manufacturing industries are greater than they have ever been. Our great cantonments—16 of them—are using enormous amounts of coal. We are using more coal than we ever used before, and this 25 per cent increase in production has not been able to overcome the fact that there is still a shortage in the coal supply of this country.

The way to meet these questions is not to meet them in a spirit of faultfinding. It is not to come here in this House upon insufficient evidence, and knock, and knock, and knock. The knockers are not accomplishing anything in this country in winning this war. It is the millions of men who are doing things; not the insignificant minority who are simply finding fault.

This is a serious proposition, indeed. It requires most careful investigation, and if as a result of the investigation it is found that this order was improperly issued, that it ought not to have been issued, I am willing to join with you gentlemen here or with you gentlemen there in criticism, constructive criticism, that may result in something better from the officials responsible for it. But if it is shown that it is necessary even in part, and I can see how it may be necessary while this zero weather lasts throughout the country, then it ought to be supported, in part, at least, by those gentlemen who now, with insufficient information, are plunging into the thick of this fight. The men who win the battles do not stay in the background and shoot in the back the men who are fighting. It is the men who take their places on the firing line who win battles. We ought all of us, in or outside of this body, to take our position on the firing line, to help, not to retard, and shoot in the direction of the enemy, not to shoot in the direction of the men who are leading us on in this fight we are making here in this country. [Applause.]

Out in Chicago 7,000 men are at work digging out the Chicago Junction railway tracks. Yesterday the great packing houses in Chicago suspended killing operations for want of coal. The great steel mills in the Calumet district are closed. At Gary steel mills and munition plants are closed. There always is a coal shortage at this season. To-day the unprecedented cold and the unprecedented demand contribute to make the situation so bad that even the increased production is evidently not sufficient for the emergency.

This order looks to the humane side of the proposition. It seeks to render possible the warming of the homes of the people of the land—it is introduced to insure the continued operation of our munitions plants and of all factories producing war material. The man who, without information and for a partisan advantage only, attacks it is not rendering the best service to his country.

Mr. NORTON. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Chairman, the country certainly is stunned by this fuel order. It may be, as the gentleman from Illinois [Mr. RAINEY] states, that this order is necessary, but we might as well frankly face the fact that if this order is necessary now it is due to absolute incompetency upon the part of somebody during the past three or four months. [Applause.]

The gentleman from Illinois states that it is our duty to keep silent now. Mr. Chairman, if this order is necessary, we have now upon our soil lost the first battle against Germany. It is the business of every patriotic American citizen to-day to give thought to this question, and if any man can suggest or helpfully criticize it is his duty to do so. And if this order is necessary this House owes it to itself and the country to immediately institute an investigation of this entire situation and let us find out where the blame is in order that it may not recur again in the future.

The gentleman from Illinois [Mr. RAINEY] states that they can not unload the cars of coal. He says the coal is frozen and there is snow upon it. I live away up near the Canadian border, where our normal temperature at this time of the year is around zero very often and we supply the entire Northwest with coal. We never use dynamite in unloading coal when it is 25 degrees below zero. Perhaps it is needed here in Washington. But the gentleman can not make anyone believe that.

Now, what we ought to do—and we ought to do it this afternoon, and without the slightest partisanship on the part of anybody—is this: This question is too big to be considered from the partisan standpoint upon either side. [Applause.] We ought by resolution to ask the President to reconsider the action that has been taken. [Applause.] We ought to ask him to take final action only after being fully advised in the premises. He owes it to the country, if the necessity does exist, to put the country in possession of full information of what the necessity is, and why we have come to this situation.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. In just a moment. Then I will yield. We are entitled to know why it is necessary to shut down every essential industry in this country at this time, for this period of time, as well as nonessential industries. We are entitled to know why this order, if the necessity arises, is not confined to nonessential industries for the present instead of shutting down essential industries for five days. There are some things, some lines of industry, using great quantities of fuel that could be shut down indefinitely. We could shut down every saloon east of the Mississippi River, and I do not think the country would suffer very much. [Applause.] We could shut down the breweries; we could shut down the candy factories; we could shut down factories producing things that are not necessary instead of shutting down those industries without the operation of which we can not hope to win this war.

Oh, Mr. Chairman, if we are going to start in to attempt to win this war by such methods as this, the outlook for the future is discouraging indeed. I hope that gentlemen on that side of the aisle will not assume a position of partisanship—will not assume that it is their duty to defend every department of this administration simply because they are Democrats. It is your duty as well as ours to do everything that we can to bring about a remedy for these conditions, and if there is incompetency anywhere in this administration, both sides of this aisle should stand together and demand that that incompetency should be rooted out.

Now I yield to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Will not the gentleman state before he closes that a resolution to ask a reconsideration of the order was offered recently by the gentleman from Massachusetts [Mr. GILLETT], and that the consideration of that resolution was objected to?

Mr. LENROOT. Yes; and all that that resolution did was to recommend to the President that he reconsider that action and take final action only after being fully advised of its effect. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 10 minutes.

Mr. KELLY of Pennsylvania. Mr. Chairman, I am in hearty accord with the gentleman from Wisconsin [Mr. LENROOT], who has just spoken, as to the imperative necessity of informing the American people of the reasons for the far-reaching, drastic order issued by the Fuel Administrator this morning. It touches deeply the entire realm of industry—manufacturers, wage earners, and the public. It will mean vast hardships to millions of people, and the people have a right to know the reasons for it.

The American people are whole-hearted in their loyalty to the Nation in this time of crisis. They are willing to sacrifice and to pay the full price. But they must not be kept in ignorance. A free people works better and fights better when they know all the facts of the situation. I believe that concealment to-day helps Germany and that full knowledge of the truth will best serve effective prosecution of this war. An informed and aroused public opinion will force governmental efficiency, and for that reason I stand for giving that powerful agency a chance to work. Now is no time for suppression of free speech and free press, rather it is a time for turning on the light as never before so that we may have the healthful, wholesome benefits of clear sunlight.

I was interested, and I am sure every other Member here was interested, in the address delivered a few moments ago by the gentleman from Massachusetts [Mr. TINKHAM]. His account of the battle front in Europe, which he visited personally, is of especial interest. I was struck by his statement that the strength of autocracy lies in its unity and organization and that democracy must organize along the same line or be defeated. I agree with him most heartily that America must be united and organized, but I do not admit and I do not believe he desires that we should have unity and organization after the German pattern in this country.

Never in American history has there been such an imperative need for a unified public mind as at present. Even in time of

peace there is always danger in the tendency toward divided and antagonistic interests among the citizenship, groups forgetting the general welfare in an effort to obtain advantages for themselves. Because the history of democracies of the past show that their downfall came inevitably through the inability of their citizens to remain steadfast to common principles or to cooperate to common ends, many students of history declare that the great modern democracies are still "experiments in government."

But to-day, America, the oldest and the greatest of these modern democracies is engaged in mortal conflict with the mightiest military machine in the world. Conditions which meant dangerous division in time of peace have within them now the elements of absolute destruction. As the failure to answer aright the riddle of the fabled Sphinx meant death, so America must answer this problem of national unity or be destroyed. Unless this Nation can now demonstrate its ability to think and act unitedly and harmoniously and not sectionally and factionally the result will be its doom.

Every resource of America must be mobilized for this stupendous task before us. That means mustering the man power and money power, but it means much more than that. It means mobilizing the mind power, welding the judgment and conscience and will of the American people into a united force. The national mind must be unified, and the common good must be put above all private interest if the Nation is to endure.

Mr. Chairman, that task of unification must be accomplished in liberty. We can not have the nationalism of the "Germany over all" which has welded the German Empire into unity at the expense of freedom.

The German unity, founded in tyranny, is fraudulent and dangerous. In 1861 William I became King of Prussia. The great question was whether he should be Emperor of all the German States. He had declared that he would not accept the title unless all of Germany were united in desiring it. Investigation was made, and it was found that the King did not have a majority in his favor. He sent for Bismarck, whom he had ordered to Russia with the remark that he was putting him "on ice, like champagne" for future use. The King told Bismarck that he was about to abdicate, since he had neither the power of a majority or money.

Bismarck's reply characterized the fundamental theory not only of his own life but of the German Empire from that day to this. He said:

Not by speeches and resolutions of majorities are the mighty problems of the age solved, but by blood and iron.

Then the Iron Chancellor went to work to unify the Empire. It took 10 years of storm and woe to bind those States into the great nation. It took many more years of discontent and discord, heartache, waste, and suffering to bring success to that policy of "blood and iron." But at last it was accomplished, and its fulfillment meant the gravest danger to civilization in all the history of the world. Such a unified mind, trained to rely upon force as the greatest arbiter, and which puts might above right, has meant menace to America and the world and is responsible for all the horrors of this greatest war in history.

No, Mr. Chairman; America must have a united public mind in order to endure, but it must be secured through the free-will action of the people themselves. We must have discipline and we must have cooperation, but both must come from the people and not be forced upon them by any outside power.

Germany deals with every question through a government that works from the top down. America must accomplish her task through a Government that works from the bottom up. German government does not proceed from the people, is not administered by the people, and may be conducted for an end entirely opposed to the welfare of the people. American government is based on the idea that all just government must be of the people, for the people, and by the people. American unity must be that of coordination, not subordination. It must be unity, not of obedience but of agreement, not of followers but of fellows. Our task is to find the method of making every citizen realize his membership in the Nation, to combine unity with liberty.

There is absolutely no way to secure unity with liberty save by bringing people together for common counsel, so that they may understand each other. There can not be health in the human body unless there is close interrelationship of all the cells of the body. Neither can there be health in a nation without coordination and free intercourse and such a contact between all members as will constitute union. If people come together under orderly procedure for the open presentation and full discussion of their problems, the misunderstandings and divisions and hostilities that mar our unity will disappear. Then the knocker will give way to the booster, and there will be swearing by instead of at the United States of America. Then we will take the periods out of that title and make the U. S. stand for US.

But to bring people together there must be a place of meeting. Americans can not meet for common counsel to-day in the newspapers or on the telephone or over the telegraph. The place of meeting must be one where no divisive influences of caste or creed or income or partisanship hold sway. Therefore Americans can not meet in all-inclusive membership in church or club or lodge or party hall.

There is but one American institution that furnishes the necessary place for every community, where all the citizenship may gather for common counsel and to discover and promote the common interest.

It is the American schoolhouse. This institution was given by America to the world. It belongs to no group, but is the possession of all the people, irrespective of creed or income or partisanship. Its maintenance is met by public taxation, and each citizen shares equally with all others in the community of its ownership.

The public-school building is the logical center of the neighborhood, and the neighborhood is the unit of the Nation. It is being used more and more as the polling place of the precinct, where the voters gather to choose their agents in the conduct of government. On June 5 it was naturally chosen as the rallying place to which the young men of the Nation repaired to enroll in the Nation's service.

This next step is equally logical—to make of every schoolhouse in America the head-and-heart quarters of all the people of the community. Ready to our hand, it makes the ideal meeting place where all the citizenship may gather to receive information and discuss and act upon problems of common interest. It means making much more of the schoolhouse than a place of instruction for the children, used only a few hours in the day and a few days in the year. It makes of it a place of construction for the adults, the assembly place where the folks may meet to become acquainted with each other and to unite for the common good.

Mr. GRAY of New Jersey. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I yield to the gentleman.

Mr. GRAY of New Jersey. Just one question. How would the gentleman heat the schoolhouses?

Mr. KELLY of Pennsylvania. Oh, you bring the American people together for full discussion and deliberation and action and I will promise a solution of this coal question. There is no scarcity of coal in this country. It lies in nature's reservoirs in vast quantities, awaiting only intelligent action in production and distribution. I come from a great coal district, and I have had many operators begging me to secure cars for them and they would produce the coal. If the cars were at hand, the miners of western Pennsylvania would in the next three months produce increased supply of coal sufficient to offset the entire saving calculated by this order to-day by the Fuel Administrator. This question will be solved when you turn the mind of America upon it, and I believe the conclusion will be that coal and other natural resources are assets of the Nation, to be produced and distributed, not for private profit, but for the public good.

But, Mr. Chairman, let me return to the subject. The use of the schoolhouses as community assemblies has already been given approval by many of the leading thinkers in this country.

In 1911 President Wilson saw and expressed the readiness of these houses of the people for just this service. Pointing to the common schools that stand in every neighborhood waiting to be used, he said:

They are public buildings. They are conveniently distributed. They belong to the communities. They furnish ideal places in which to assemble and discuss public affairs. They are just what we need. I see in this movement the recovery of the constructive and creative genius of the American people.

Since that time 30 States have taken legislative action to make the schoolhouses available for adult assembly and all the larger services of which this equipment is available. The States are: California, Colorado, Connecticut, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Utah, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin, Hawaii, and the District of Columbia.

Naturally, however, this action by the separate States has no provision for linking up the community assemblies with the National Government, which must be done if we have to secure national unity through them.

I have introduced a measure, H. R. 5073, which will meet this essential need of connecting the American people directly with their own Federal Government. It is as follows:

A bill (H. R. 5073) to establish direct contact between the people and the National Government by the creation of the war-information commission.

Be it enacted, etc., That a commission to be known as the United States War Information Commission, consisting of the Secretary of each executive department of the Government, together with a chairman, to be appointed by the President of the United States and to per-

form such duties and receive such compensation out of the appropriation herein made as may be determined by the President, is hereby created and authorized, under such rules and regulations as the President may establish, to assemble the information which the citizens of the United States should receive concerning the problems, policies, and conduct of the National Government, including the activities of the legislative, executive, and judicial branches of the Government and of the services, bureaus, boards, and commissions of the several executive departments of the United States, and the commissions created by Congress.

SEC. 2. That it shall be the duty of the United States war-information commission to collate, organize, and publish this information in a weekly bulletin and such special communications as events may require.

SEC. 3. That wherever the citizens of any public-school district shall have organized a community association to use the public-school building which their children are accustomed to attend for the purpose of assembling to consult for the common good; for efforts to increase and conserve the food supply; for cooperative endeavor to provide hospital and other supplies for the American Red Cross service; for extending the opportunity for popular subscription to Government loans; for activities intended to enhance the vigor and health of the people by means of physical training and wholesome recreation; or for other purposes designed to support and strengthen the Nation in time of war, and shall have designated the principal of said public school or a person associated with said principal to serve as community secretary, and through the said community secretary shall have made application for the bulletins and communications published by the United States war-information commission, it shall be the duty of said commission to transmit to such community association of citizens the bulletins and communications issued by it.

SEC. 4. That the offices of the United States war-information commission shall be located in conjunction with those of the Bureau of Education; and it shall be the duty of the Commissioner of Education to cooperate with said commission in all ways that will facilitate the carrying out of the purposes of this act.

SEC. 5. That the United States war-information commission is authorized to rent and equip offices in accordance with the foregoing section and to employ or retain and fix the compensation for the services of such assistants as it may deem necessary to carry out the purposes of this act. And in order to defray the expenses made necessary by the provisions of this act, there is hereby authorized to be appropriated such sums as Congress may hereafter determine; and the sum of $100,000 is hereby appropriated, available until expended, to be paid out upon warrants drawn upon the Secretary of the Treasury by the chairman of said commission.

This measure provides for the creation of the war information commission, which shall collect and publish all information as to the activities of the National Government which should be known by the people. It covers the work of the executive, legislative, and judicial departments of the Government, besides the executive departments and all bureaus, boards, commissions, and so forth.

When any community now organized or to be organized, in compliance with the provisions of this bill, requests the bulletins and other communications published by the war information commission it shall be furnished with them.

This plan has two essentials for community organization: First, there must be an all-inclusive membership. This Nation is a collection of individuals and not a collection of groups. When different groups use the school buildings for particular purposes we have a kind of hotel development. What we must have in order to secure real unity is development along the line of a home.

Daniel Webster, in a speech advocating the establishment of public schools in this country, laid down the principle which should guide us in the expanding use of these school buildings. He said:

> There are two principles connected with general public education which should be kept in view, and they are both consistent, elementary, and important. One of these principles is that the schools should be free, and the other is that they should be common. They should be free; that is, without charge. They should be common; that is, they should know nothing of classes in society. They should be open to all. No question should be asked whether he who comes for admission belongs to wealthy or indigent families. Where all are on an equality, without reference to property or birth or any other distinction, they are common schools, and no consideration of wealth should be necessary to entitle to admission.

These are exactly the requirements for the assemblies of the people in their schoolhouses. They must be free and common. No American can be rightfully shut out of his place in the brotherhood. The Declaration gives as inalienable rights those of life, liberty, and the pursuit of happiness. The right to live includes the right to live the life of a man, which can only be fulfilled in cooperation with fellow men. The right to liberty includes the right to have a part in the Nation's work, to promote the common good, and to become the server of all without becoming the slave of any. The happiness which every man has the fundamental right to pursue is human happiness, and that can only be secured through fellowship and neighborliness.

Therefore it is necessary that there shall be an all-inclusive membership, every American having a right to his place in the community assembly which is to deal with the things of the common welfare. Any exclusion must be only the self-exclusion which carries its own punishment with it.

The second requirement for community organization is the selection of the community secretary to act as the responsible servant of the assembly. Just as this Congress could not perform its duties without its clerks, so the assembly of the citizenship will not be able to perform its duties without a responsible public official. The public-school principal, or some one associated with the principal, is the logical person to act in this capacity. Such an official will link up the entire educational system, acting as the instructor of the children and the servant of the adults, who go to school, to each other, in common assembly.

Think of the stupendous possibilities for unifying the public mind involved in the plan of having the people of 400,000 communities gathering in their schoolhouses, making each citizen realize his interest as a member in the greatest enterprise in the world, this America of ours. It would bring the people into day-by-day working relationship not only with each other but with the constructive operations of the Government. There is not a problem connected with this gigantic war in which we are engaged but could be met harmoniously and solved effectively by such citizenship organization.

Mr. Chairman, to my mind there are three essentials in securing that national unity without which America will fail to secure the fruits of victory in this war, regardless of the side acclaimed victor at its end:

First. The people must fully understand and appreciate the reasons for our entrance into this war. It can not be denied that since the formal declaration by Congress the American mind has been accessible to both wholesome and diseased influences. The hesitation and uncertainties are due more or less to our mixed population, and contradictory sentiments were to be expected. Then, with the battle line 3,000 miles from our shores and no possibility of material gains for America in the conflict, it has been difficult for many Americans to realize that the Nation is in fact engaged in a war which will test its resources to the utmost.

Under such conditions it is all important that this state of mind be understood. The attempt to override misgivings and apathy by force and coercion and the prevention of the full expression of honest opinions simply means that America will be defeated and divided, even though Germany be conquered. But if the facts be placed before the people and means of expression afforded to their better impulses, America will secure from this war a new national organization and a more complete national consciousness.

If the people of America gather into the schoolhouse for common counsel and learn the whole truth of our entrance into this war against Prussianism, doubt and division will disappear in the fire of a common enthusiasm. Let them hear President Wilson's unanswerable indictment of the Imperial German Government in his war message to Congress and his later addresses; let them freely discuss the vital issues involved in this world war and the result will be the unity which comes from knowledge and acknowledged responsibility. Our citizens may not all be enthusiasts on behalf of certain of our allies, but they are all proliberty. Once let the war cry "democracy, the hope of humanity, cries for rescue" reach the heart of Americans and, no matter what their native lands may be, they will rally as one man to the sacred cause.

Second. The people must have a clear understanding of the part that is expected of every American in the conduct of the war.

I have received hundreds of letters from citizens of my district asking the one question, "What can I do?" I presume every public official in this land has met that same inquiry many times. Now, no single official, not even the President of the United States, can point out the best path of service for each and every individual. There is something for everyone to do, but the door is effectively closed unless he knows the way. It is of supreme importance that the Government be able to inform the people directly of the needs of the hour and how they may be most effectively met. That direct contact will not only best secure the concrete results desired, but there is no unifying power in the world like that of united efforts on the part of individuals working for the same cause. Give men a place to work in a movement, put responsibility on their shoulders, and you will find them standing together whole-heartedly.

Once more, this can only be done by bringing all the people together in a common meeting place where, with open presentation and full discussion of the facts, each individual may find the answer to his question, "What can I do?"

A multitude of special fields of effort are opened up, and in every one of them success depends upon the civic mobilization of the people in their various communities.

There is the question of Government loans through which the money necessary to carry on the war must be secured from the people. Billboard and other advertising does not and can not

secure the consideration that should be given a solemn call of the Nation for the cooperation of its membership.

Corporation Counsel Syme, of Washington, D. C., has expressed the need forcibly when he stated, during the recent campaign for the liberty loan, that it is essential for speakers who are advocating the purchase of bonds to have the acquaintance and confidence of their hearers if they are to be successful.

What better method to secure such persons than to take them from their own communities, where they are best known, and allow them to address their neighbors in regularly organized assemblies in the schoolhouses? Other immense loans must be floated in the future, and it is the part of wisdom to arrange to have the appeal for financial support made to all the people through all the people and not to groups and by groups.

There is the vital problem of the conservation of foodstuffs. Letters have been sent to the churches asking for cooperation. But the churches do not reach all the people in common assembly; they can not by the very nature of the case. Efforts have been made to secure registration of all the women of the country, but the work has been duplicated and reduplicated, with a tremendous waste of energy.

How simple the task would be if there were a mobilization center in every community, one where all the people rallied to act and speak and serve together. Then the necessity for conservation could be explained and the registration campaign would be carried direct to all the people instead of only a part of the people.

There is the Red Cross service. A Nation-wide campaign has been carried on in support of this worthy cause, and yet the people have not generally been enlisted in it. The appeal has been made to groups of the people by duplicating and sometimes dividing agencies. Many persons have put this form of service above all others and at the expense of all others, and yet the citizenship as a whole has not been reached. The simple reason is that there is no way to reach all the people save through their common assemblies in the community centers, where this admirable cause may be presented and explained and understood by the people.

There are the problems of training-camp activities. At present a commission under the War Department is endeavoring to do the work of providing recreation for recruits in training camps and cantonments. This work, too, is entirely separated from other lines of endeavor and appeals to still other groups. Some of the field workers are said to be employees and agents of the Rockefeller Foundations. It is hardly necessary to say that any obligations owed these youthful defenders are obligations of the Nation and not of any private agency. Nor can there be found a better means for recreation and improving leisure hours than through community centers in the vicinity of these training camps. Here is wholesome environment and all the advantages of home surroundings. The fellowship of folks will banish the loneliness of recruits far from home quicker than anything else.

There is the problem of seeing that our vast immigration population understand the meaning of this war for liberty. This can never be done except by giving these immigrants the sense of belonging to the Nation. Let the foreigner feel that he is a part of the community and has a stake in it and he will help to enrich and broaden the national life instead of being an element of danger. Here is our great opportunity to weave the bonds of fraternity so that they will never be unwoven. Here is our chance to create Americanism among Americans and immigrants alike. With every community organized for service and none excluded from membership, the universality of the English language could be realized, by common action and unity of feeling create a forceful, victorious citizenship.

There is the problem of mobilizing labor in this country. The Department of Labor has declared that this is a most important question. But all plans for the use of private agencies and group efforts must necessarily be inefficient. In no way can this task of informing workers as to the best fields of service be accomplished thoroughly except by linking up the organization of the communities with the Federal Government.

I have mentioned but a few of the great problems which confront us and which can be met only by organization of all the people. Every other phase of this great world conflict in which we are engaged leads us to the same conclusion. If we are to have efficiency and unity in our efforts, there must be established the interrelationship of Americans in direct contact with their own Government.

Besides the two general essentials for centering the public mind upon the work ahead, complete understanding of our reasons for entering this war and definite directions as to the part each citizen may have in it, there is still another essential.

Third. The people must know the plans and purposes and actions of the Government in the conduct of the war itself.

This is not the President's war, nor the war of Congress. It is the people's war or it ought not to be a war at all. To make it the people's war, the people must know the news about the war. Stealth and secrecy at this time, except as to those strictly military facts knowledge of which would aid the enemy, are deadly foes of unity. Suspicion and distrust naturally surround the things which are hidden from public view. Never has the value of the sunlight in public affairs been more aptly stated than by President Wilson. Here is what he says:

> I, for one, have the conviction that government ought to be all outside and no inside. The right methods are those of public discussion, the methods of leadership open and aboveboard, not closeted with "boards or guardians," or anybody else, but brought out under the sky, where honest eyes can look upon them and honest minds judge them. * * * There is not any legitimate privacy about matters of government. Government must, if it is to be pure and correct in its processes, be absolutely public in everything that affects it. I can not imagine a public mind with a conscience having a secret that he would keep from the people about their own affairs. * * * Wherever any public business is transacted, wherever plans affecting the people are laid or enterprise touching the public welfare, comfort, or convenience go forward, wherever political programs are formulated, over that place a voice must speak with the divine prerogative of the people's will the words "Let there be light."

Such must be the attitude of the Government if we are to have a united people in this time of greatest need. Full knowledge of the facts is the very life blood of unity with liberty. Nothing will help to nationalize America so much as the joint interest of 100,000,000 Americans in the conduct of this mighty war task. With the people fully assured that they know the truth, they will be heartened and strengthened both in storm and sunshine. They will meet both good news and bad with the courageous determination to pay the price for the boon of world liberty.

Every transaction of Congress should be within the public view. The CONGRESSIONAL RECORD is presumed to chronicle the actions of this body, through which American public opinion finds its voice. But no man can take the time to read the CONGRESSIONAL RECORD from cover to cover each day and I am frank to say that it would not pay him to do so even if he had the time. Nor can the newspapers give complete reports of all debates, with the roll calls on all measures.

Still, it is possible to summarize the RECORD, avoiding all routine procedure, deadwood of all kinds, and get the gist of all matters and the votes of Representatives of the people on all measures.

These facts, together with accounts of the actions of all other branches of the Government, placed before the community assemblies of America, would furnish each citizen with the knowledge he should possess if he is to intelligently perform his duties as a citizen. The direct messages would come directly from the Government to the people and would be accepted with confidence.

Mr. Chairman, such official and authoritative information would prove an effective antidote for the poisonous rumors that are always spread broadcast under war-time conditions. Cabinet officials have been obliged to issue formal denial of false rumors. Secretary Daniels stated that the stories circulated concerning a great naval disaster have led him to the conclusion that "there is an organized conspiracy on foot to alarm and distress the people of the United States." Secretary Baker has been forced to issue a signed denial of the statement that contractors paid on a cost-plus basis were paying double prices for labor and material in order to increase their own profits. Other officials have been forced to take similar steps to counteract false and baseless statements.

What better method could be devised for meeting and defeating such canards than to have the facts come directly from the Government to the community assemblies? No false stories circulated in print or by word of mouth could stand before an official statement from the Government to the people. Without such connection, however, these rumors and baseless fabrications are sure to have disquieting and divisive influence upon the American people.

It is impossible to even name all the manifold ways in which the linking up of the National Government with the people would unify the public mind. With the people gathered in their community meeting places, organized for deliberate discussion of all problems, the resultant together-acting would assure that unity needed above all other things.

But it can not be done by any private agency. The United States Chamber of Commerce has suggested that it be used as a kind of clearing house of information from Government to

people. In the June issue of the Nation's Business, the official organization of the chamber, is the following statement:

It should be made clear beyond the possibility of misunderstanding what the individual citizen must do in cooperation with the Government. Copies of resolutions setting forth the desirability of such a campaign were mailed on May 24 by the national chamber to all members with the request for an expression of opinion. The flood of replies has been a practically unanimous and whole-hearted approval of the committee's suggestion.

There is a very multitude of such private organizations seeking to do this work. The Patriotic Service League has been organized in New York. The American League for National Unity has been recently organized here in Washington. The National Defense League is in existence in a number of cities. As more of these are organized, the complications and chaotic conditions will increase. However worthy these organizations may be, I submit that they represent and can reach only groups of the people and what we need now is an all-inclusive organization that reaches all the people for all causes and not a part of the people for a part of the war program. There is but one way to accomplish this, and that is through the schoolhouse-center plan of organization, and there should be no delay in getting it in operation.

I have said that this organization of the citizenship in the community will bring unity to America. No one needs to take that statement on faith alone. It is not a theory, but has been demonstrated in actual experience. France has taught us how the schoolhouse can be used by a democracy in making war. We gave France the idea of the public school and she has seen and fulfilled its possibilities better than we have ourselves.

Every week the minister of education sends to every schoolteacher in France the Bulletin Administratif, a summary of the activities of the Government, the progress of the military and naval forces, facts about Government loans, the honor roll of the fighting forces, and anything of national interest. This bulletin is read to all the citizens of each community gathered in the schoolhouses. President Wilson's war message was read in every schoolhouse in France and every man and woman in the Republic heard the reasons for America's entrance into the great war.

There is no attempt to hide facts from the people. If the news be bad, the people know it, and set their jaws in added determination to win. If the news be good, there is quiet rejoicing, but the same firm-lipped determination to press on until the goal set has been attained.

France has the telegraph-flash bulletin and the newspapers as we have. But it is the weekly bulletin, read in the schoolhouses to all the people, that has set the entire nation to thinking together and has welded the entire nation into one mighty force for victory. This is the real unity, not of a mailed fist, crushing people into a shapeless and unprotesting mass of humanity, but the unity of the clasped hand of friendship and fellowship.

Well has Arthur Bullard, in his brilliant little book, Mobilizing America, paid a glowing tribute to this plan of unifying a nation. He says:

Here is a quiet, steady, unobtrusive influence that is vastly significant. When the history of this war is written, the school mistresses of France will deserve great credit. They have done "their bit" by explaining to the people the events of the war, stimulating their patriotism, unifying their thinking, and keeping them from discouragement.

My highest hope for America is that she will show the united front to every foe, the noble unity, that has marked the conduct of France. The very name is a symbol of heroism—France, the gallant, valiant, unconquerable, because of her united purpose and undivided will.

Little wonder is it that when a call was sent out for a fitting poetical expression of American sentiment in this war that the poem adjudged worthiest was entitled the "Road to France." It was written by Daniel M. Henderson, and a few of the lines are as follows:

Thank God our liberating lance
Goes flaming on the way to France.
To France with every race and breed
That hates Oppression's brutal creed.
At last, thank God, at last we see
There is no tribal liberty.
The soul that led our fathers West,
Turns back to free the world's oppress.
See with what hearts we now advance
To France.

Our hearts glow with the thought of being a fellow fighter with this heroic nation of the invincible spirit. Shall we not also attain to her unity of consecration in this war? America may accomplish it just as France has accomplished it—by organizing democracy through the community center, so that the whole people, every man, woman, and child, will come into vital and effective union for the common cause.

But, Mr. Chairman and gentlemen of the House, our task in this momentous era of world history is not only to win the war against the Imperial German Government. We must also make good that victory in the organization of democracy for the sake of America. Pasteur, the great scientist, himself a tanner's son, has given us a splendid definition of democracy.

The true democracy is that which permits each individual to put forth his maximum effort.

In other words, the democracy we seek recognizes the equal worth of every man, his right to an equal voice in government, and to have a fair chance in the race of life. America's greatest test is not the trial by combat with Germany; it is the need to make sure that no internal foes shall destroy government of the people, for the people, and by the people.

Lord Bryce, the famous English statesman and author, makes a pertinent statement in this connection. He says:

The danger of a democracy is that people will lose interest and turn things over to the political boss. When this is done we get the worst form of government possible; that is, we are governed by the worst in the worst possible way.

Now, the political boss is only the agent of special privileged interests that seek to control government for their own selfish ends. We have in this country financial junkers who seek blood profits out of this war, and no plea of patriotism seems to move their stony hearts. They would monopolize food and fuel and steel and munitions, and use the despicable power thus obtained to wrest illegitimate profits from the Nation. These financial pirates form a serious menace to our democracy. They stop at nothing. Their political "bosses" perform the grosser acts of treason, such as manipulation of the ballot and stuffing the ballot box. They corrupt and coerce and bribe; they threaten and promise and cajole; all for the purpose of securing governmental power to satisfy their traitorous lust for gold.

But every success of these evil interests are due to the fact that they are organized. Although those who profit from their black-flag methods constitute but an insignificant minority of the citizenship, they have been bound closely by the "cohesive power of public plunder," and thus are able often to defeat the great mass of the people, helpless because unorganized.

There is a supreme duty resting upon every American citizen who puts patriotism above profits in this time of national stress. It is to fight at the polls every agent of these financial traitors and plunderers. These disloyal profit seekers must be eliminated from government, and it must be done by patriotic Americans. There is only one way to drive these treasonable interests and their agents, the political "bosses," out of the control of government, and that is for the people to take control themselves.

But the people must be organized if they are to control. They must be able to get together to act upon vitally important matters. The lack of interest in political affairs, feared by Lord Bryce, is inevitable unless there can be gatherings of the citizens to discuss them. Mind acts upon mind, and it is only by the interchange of opinions that real interest can be manifested.

We have provided for the meeting and organization of representatives of the people, but have forgotten the people themselves. We have planned to have the agents come together for common counsel and action, but have neglected the coming together of the principals. We have provided buildings for the makers of laws to meet in—the city hall, the statehouse, the National Capitol—but the makers of these lawmakers have been compelled to act in haphazard, disorganized, isolated fashion.

Naturally the ballot and other instruments of democracy can not be used to best advantage without cooperation. An orchestra may have the best instruments obtainable, but unless the members get together for practice and united efforts the combined result of their activities is only horrible discord. It is equally true that the citizenship can not use the instruments of democracy to solve the problems of the common good in America without getting together and practicing democracy.

As Walt Whitman, the old gray poet of democracy, phrased it much better than Lord Bryce, I desire to quote his words:

Of all dangers to a nation, as things exist in our day, there can be no greater one than having certain portions of the people set off from the rest by a line drawn—they not privileged as others, but degraded, humiliated, made of no account—to work in, if we may so term it, and justify God His divine aggregate, the people. This, I say, is what democracy is for, and this is what our America means and is doing. If not, she means nothing more and is doing nothing more than any other land.

The discord in political affairs, the "invisible government," "boss rule," and "machine control" are plague spots on the body politic, due to disunion of the citizenship cells of that body, their sundering into a multitude of conflicting groups, which prevent healthy and wholesome action.

Once the people are organized in their schoolhouses to act as citizens and neighbors, not as partisans and members of a special faction, the last call for grafters and financial highway-

men and political bosses will be sounded and they must go. Then we may have the democracy for which we fight across the seas to-day. It will be a government not of repression and fear and compulsion alone, but of mutual help and cooperation.

The proposal embodied in my measure to bring the people of 400,000 communities into their community centers, the schoolhouses, and to link them up directly with their Government, is the very essence of government by the people, for the people.

It will encourage the formation of deliberate and independent judgment upon the part of the voters, instead of a blind following of disloyal, dissembling, and designing leaders.

It is the sure means of destroying the power of the "boss" and enabling the people to protect themselves against misrule and exploitation.

It will remove the stigma from party machinery because the cogs, wheels, and levels of the mechanism, without which no party can be conducted, will be composed of the people themselves.

It is a guaranty that the public interests will take precedence over private interests, since the great masses of the people have no selfish interests to serve and ask nothing but a square deal and no favors.

I have been speaking of the importance of an organized citizenship from the standpoint of the voters. But let me go further and say that such organization will be a boon to every faithful public official. Too often the official, under present conditions, is either the victim of blind suspicion or blind worship and one honors him as little as the other.

I believe that the public official has a right to demand that if there is a complaint of any kind it should have a definite voice in an assembly where the entire matter can be debated, contradicted, qualified, and reduced to definite feasibility and presented for action. There is all the difference in the world between vague growling and constructive criticism, backed by the community association that has considered the question and gives the facts upon which to base remedial action.

Every newspaper contains letters of protest from those who growl about certain conditions. Very seldom do they give names, dates, or facts upon which anybody anxious to set things right could act. At the same time there may be a law on the statute books for the express purpose of dealing with the abuse complained of, and an official may be ready and willing to act upon it.

The average Member of Congress is anxious to serve his constituents faithfully. He does not want to be above the people but with the people. But often he can not determine the will of his people, since they have no method of conveying to him an authoritative expression of their composite desire. He receives letters and endless resolutions and petitions, but when he comes to analyze them he finds that radically opposing views are about equally balanced in the communications he receives.

There is no way for the formulation and expression of the desire of the people on any question except by an all-inclusive organization. No group or class can assume to speak for all the citizenship. Each looks at the problem from its own angle and with its own particular bias. But when the entire citizenship joins in community consideration of the question, the resultant expression is the popular will, no more and no less.

Such a deliberate decision is not like the form letters and circular petitions which now come to Members of Congress in such numbers, and which are often signed by people who do not stop to read them. In an assembly of the people gathered for serious business and with the common welfare in mind, ideas that are false, statements that are baseless, and plans that are unsound can not stand the test of the scrutiny to which they are subjected. As Carlisle has said:

> The brazier that discovered that brass is green cheese, when he acts upon his discovery finds, singular as it may seem, that brass can not be masticated for dinner and that cheese can not be beaten into fireproof dishes. His discovery, therefore, has no legs to stand on and must be let fall.

A mere notion can always be exploded by the demand for definite details, and such a demand is the first to be made in an assembly of the people deliberately considering the common good.

Then, too, the organization of the citizenship would be a boon to the legislator who to-day feels himself under obligations to secure appropriations from the Public Treasury for his own district.

I have seen in a recent magazine a statement that was said to have been made by a Member of Congress. It was printed as follows:

> The Federal Government is a grab bag, out of which I am expected to grab my share of the loot for my district, and the more I get the better Congressman I am and the surer of being sent back.

Such an attitude on the part of any district in America does not represent even the best interests of the district concerned, to say nothing of the Nation at large. It is bribery of the people with money out of their own pockets and will be so recognized as soon as there is the organization which will bring to the average citizen a realization of his membership in the Nation and his common interest in it.

When the people see that a wasteful public expenditure for a public building or river improvement in their own district must of necessity be balanced by a similar waste of funds in other districts, they will insist that their representatives stand for the whole people in the expenditure of money, not the people of districts or States or sections.

Every sane American believes in appropriations for public buildings and river and harbor improvements, and, of course, that means improvements in certain districts. But one test should be applied to every such improvement: "Does it mean advancement of the general welfare of the Nation?" With that test applied by an intelligent citizenship watching Congress and discussing its activities in their community assemblies, the intolerable situation that compels many Members to vote for projects which are utterly unworthy in order to secure others they believe meritorious will disappear. Then every demand, whether of district or railroad or pensioner, can be freely and openly considered and decided in the common interest. Then a Member of Congress can act upon the merits of every proposal instead of being obliged to "log roll" projects which are expensive to the Commonwealth and injurious to the common good.

Looked at from any angle, the organization of the citizenship of America into community organizations and connected directly with the National Government will mean a mighty stride forward toward democracy.

It means organization of the citizenship of America for ruling the Nation. It trusts the people, the wise and the ignorant, the good and the bad, with the gravest problems that can confront a nation, believing that thereby the citizenship is educated and justice secured.

No one can oppose such a plan except those who do not trust the people and those who fear people's rule. The believer in democracy wants the power placed in the hands of the people, and when he studies the present situation he knows that the power is not there. Who are the people? They are 60,000,000 adults scattered over America, working at their daily tasks, unorganized, inarticulate, each really unknown to his neighbor. Before the people can really rule they must act together, and to act together there must be common counsel in meeting places, where the common interests may be discovered.

To those who do not believe the people are intelligent enough to rule, I would only say that they have no place in a government, founded as ours is on the sovereignty of the people. They are wrong, for no man, though he have the wisdom of a latter-day Solomon, is as wise as all the people. The term "superior class" was coined by those who belong to it. It has always been a menace, a curse to itself and all other classes in society. The "divine right of kings" was based on the theory that one man had a monopoly of wisdom in government. But the shameful records of countless kaisers and czars and emperors have taught the world that wisdom is not the possession solely of the few in authority. In the light of all the history of the past, our task is clearly cut out before us. It is to find the method by which all the intelligence of the community may be brought to bear on the government of the community.

That method is found in bringing all the people together in their own building, to work out in their own way the problems as they appear. Let no one be concerned about regulations of censorship, as to what the people shall do and say in their schoolhouses. As little need to regulate what shall be said by members of the family around their own hearthstones. The self-restraint of Americans, meeting as members of the community home circle for the promotion of the common good, is the only compulsion necessary and the only one that can be rightfully used. The sense of propriety and justice among the people can be trusted above anything else. As Bancroft said:

> The universal conscience is the nearest approach that we have to the voice of God.

To those who fear democracy I would only say: Read the history of the origin of this world war which has set the earth in flames. It was not begun by democracies, but by nations that had repudiated every idea of people's rule. Because the people of Germany and Austria could not control conquest-lustful despots, the entire world groans under this most fearful of all conflicts. Now, the very rulers responsible have brought about

their doom and hang trembling to the thrones they shall certainly lose before the war is over. They brought not only ruin to their peoples but to themselves.

Just so it is with special privileged classes within our own Nation, who tremble lest real democracy should mark their doom. Their own safety depends upon the people being given supreme power in this Nation. If there is continued damming up of the might torrents of the people's will, the flood that is sure as destiny itself will sweep them to destruction.

Mr. Chairman, it is a noteworthy fact that every victory for democracy means betterment for those who mistakenly fought the advance. The British Empire that strove to hold the American colonies in chains would never have built the towering structure of the present had not America taught her that despotism is a foundation perilous and insecure. England is mightier and nobler to-day because the Revolution here proved that self-government is a right of colonies which can not be safely withheld. Canada and Australia are eloquent examples of this fact, for the troops from these colonies have been in the forefront of every battle for the mother country.

The triumph of Lincoln's idea of human freedom freed the Southland just as surely as the black race. There business, society, religion, and politics were poisoned and perverted to maintain the false doctrine that human slavery was right. Always there hung overhead the Damocles sword of a possible slave rebellion. Slaveholders looked into the faces of their chattels and trembled lest in some time of uprising these servile ones might let loose the demons of murder and destruction. America could not be powerful enough to uphold the rights of her bravest and strongest and at the same time scorn the right of the humblest slave on the banks of the Mississippi. The blow that struck the shackles from the slaves of the South freed the white man just as surely and the marvelous development, expressed in the words "The New South" gives eloquent testimony to that fact.

So, too, it will be in the triumph of democracy in America, with full and complete power in the hands of the citizenship, organized and trained in neighborly deliberation and decision.

Let us raise aloft the light of democracy by lighting the lamps of the schoolhouses for the gathering of the people.

What a beacon of liberty that will be. Outlining our land boundaries and watery margins, from the great northern lakes, by Niagara and the St. Lawrence, by the Atlantic beaches, far out to Porto Rico, beyond the Gulf and Carribbean, Uncle Sam's great southern lakes, southward across Panama, up the western coast past the golden shores of California to the Columbia and Puget Sound, along the international boundary eastward again—as the sun goes down and the stars come out over eastern Maine, the lighted windows of schoolhouses twinkle out of the dark; cheery, welcoming lights of schoolhouse community centers.

Westward with the spreading darkness will shine out community-center lights in river valleys of the Penobscot and Kennebec, along the Connecticut, the Hudson, and the Mohawk, by the Delaware and the James, they follow the Santee and the Savannah, and way down on the Suwanee River the inspiring strains of Dixie stir the blood of old folks and young, gathered in neighborly counsel to discuss the problems of America, the great human enterprise of the world.

From where Louisiana spans our mighty spinal river, sparkling points of light from schoolhouse windows trace the course of the Fathers of Waters and all the nation-enmeshing valleys of his 25,000 miles of tributary waterways.

Our harried neighbors south of the Rio Grande hear the friendly voices from lighted doorways, and with the hope of better days send the hail "Amigos" across the northern bank.

There will be lights up Salt River, down by Colorado's canyons, on solitary mesas, and garden spots redeemed from the desert wastes. In farm villages across the prairies, in little mining towns far up the slopes of the Rockies and the Sierra Nevadas, and lonely lumber camps among tall firs and gigantic redwoods in valleys of the Cascades and Coast Range Mountains, look in at the lighted windows and see our folks gathered in their schoolhouses in the splendid, kindly task of making a nation.

There are lights in New York City, metropolis of the world; in Washington, where gather Representatives to speak and act for all the people; in Pittsburgh, with its flaming furnaces that turn night into day; in Chicago, youthful marvel of enterprise and achievement; in San Francisco, that speaks of heroic rising from the ashes of disaster; in all the cities between the kindly lights of community schoolhouses twinkle an invitation which shall break down barriers of loneliness and doubt and distrust and make each and all feel the sense of belonging to America.

There are lights under the Arctic Circle where every native Alaskan school is a community center; and in beautiful Samoa, in Hawaii, little Guam, and the Philippines, there the lights, too, are flashing and the white man's burden grows easier in their radiance.

Where the farthest west becomes the Far East, as the last-lighted window up Lingayen way winks out in "good night" to China, the earliest riser in the United States—maybe a farmer lad in Maine—seems to hear again the words of the President of the United States he heard last night at the schoolhouse community center, feels again the blood tingle at the call to noblest purpose that could come to man or Nation—the challenge of democracy assailed by powerful enemies and needing rescue.

Mr. Chairman, that is a picture of what may be accomplished. It is our part to put reality into the vision, to make the possibility an established fact.

The schoolhouses furnish the way out of the desert of division into the green garden of unity and brotherhood. They stand ready for use as the machinery of nationalization. They are meeting places for the great fraternity of America, whose membership is as wide as the Nation, and requires no qualification except the belief in fellowship and the will to try democracy. Its grip is the handclasp of good will, its motto "Each for all, all for each, and all together for the common cause." Its emblem is the glorious—over-all victorious—banner of the stars which floats over every American schoolhouse as a token of the victory of America over the hates and ignorance and prejudice that divided us, the triumph of that progress which is the onward stride of Almighty God.

The starting point of every good,
Of larger life, is brotherhood;
Its fear-free banners now unfurled
Mean hope of peace to all the world.
If we can meet and join as one
Here from all lands beneath the sun,
Then neighbor nations, too, shall in our time
Forge world-wide union in a bond sublime.

Then in this sacred common place,
Which we have builded that the race
May nobler be in mind and heart,
We join that we may have our part
In neighbor union without bound,
That, spreading all the earth around,
Seeking naught less than mankind's common good,
At last shall make the world one neighborhood.

Mr. NORTON. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Chairman, I happened not to be here until just as the gentleman from Illinois finished his remarks, but inasmuch as he brought up the subject of the fuel order, I think it proper to explain why I introduced the resolution which I did. It was drawn after hasty consultation with some other gentlemen. It was drawn in no bitter or narrow or partisan spirit. I think the reading of the resolution shows that. It certainly is as mild and devoid of criticism as possible, and it was intentionally so. But I thought that it was proper on a matter of this tremendous importance, where I believe every man in this House this morning was shocked to find that the step had been taken—I thought it was proper that this House should respectfully and courteously express its opinion.

I understand some resolution on the subject has been introduced in the Senate by an administration supporter this afternoon, and as nobody else here introduced it I undertook to give this House an opportunity to express itself. I regret that my request for the consideration of the resolution was not granted.

Now, that resolution simply requests that there should be a reconsideration and reflection on this proposition. I believe that is a feeling that nearly every man in this House has. It is the most stupendous act that has been taken during all this administration. It will cost millions of dollars in the loss of wages; it will cost millions of dollars in the loss of production, much of it indispensable and essential articles. It is a great blow and calamity to this country, a double calamity, because the very news of it in Germany will enable them to say, "Our opponent across the water is obliged to shut down their industries." It is as much as a great victory to the Germans, and is likely to cause distrust and panic here.

It is possible, I suppose, that it is indispensable. I do not wish to go into the question of the trouble with our coal supply. I have very decided views on the subject, but I can not express them without doing what I have avoided in the resolution, and what I have avoided on the floor of the House, making a severe criticism upon the administration, and that I do not wish to indulge in, for I genuinely want to support it and hold up its hands in everything for the prosecution of this war. But it

does not seem to me that this step is going to help the war but to endanger it. The trouble with coal, as the gentleman from Pennsylvania [Mr. KELLY] said, is not a shortage of coal, the trouble is with the transportation, and we supposed when the United States assumed all the transportation facilities of the country that it would use its absolute power to remedy these difficulties and transport the coal, but apparently all of the railroad skill and experience of Secretary McAdoo has been wasted and the coal situation has grown steadily worse.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. GARRETT of Tennessee. Did the gentleman before or in the preparation of the resolution consult with any gentleman upon this side of the Chamber?

Mr. GILLETT. No; I did not; and I will tell the gentleman why, as I did the leader of that side. I should have consulted him upon it, but I came back from the funeral of Maj. Gardner just in time to prepare the resolution and catch the Speaker's eye at 3 o'clock. That was the only opportunity I would have to do it before the House adjourned this afternoon.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman object to having the resolution read in his time? It will take but a minute, and quite a number of gentlemen did not hear it.

Mr. GILLETT. No; if I have the time.

Resolved, That the House regrets the summary action of the Fuel Administrator in suddenly closing the industries dependent upon a coal supply and, in view of the disorganization of business certain to follow, and the consequent idleness and distress of labor, urges a reconsideration of the order by the President, and that final action be taken only after being fully advised of its effect.

Now, that was a proper and pertinent question by the gentleman from Tennessee——

Mr. GARRETT of Tennessee. I asked it in view of the statement made by the gentleman in the beginning. It is not a partisan matter.

Mr. GILLETT. I intended it as a nonpartisan matter. As I say, I did not consult with gentlemen on that side of the House, but I should be very glad if it had been introduced by that side of the House, as it was in the Senate.

Mr. RAINEY. If the gentleman will pardon me, I will state that a resolution almost similar in its nature was introduced in the Senate by Senator HITCHCOCK, a Democratic Senator.

Mr. GILLETT. I am very glad of it. I have not seen the resolution that was introduced in the Senate, but I understood it was substantially a resolution for postponement.

Mr. LENROOT. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. LENROOT. Did not the gentleman from Massachusetts, at the first opportunity, consult with Members on the Democratic side of the House?

Mr. GILLETT. I did immediately afterwards, but it was not until after I had attempted to introduce the resolution. I then consulted the leader on that side of the House.

Mr. NORTON. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. MCFADDEN].

Mr. MCFADDEN. Mr. Chairman, it would seem, in view of the discussion that is taking place to-day, not only here but all over the country, and in view of the order that has been issued by the Fuel Administration ordering the closing down of all business enterprises and amusements for a period of days, that if the Kaiser had deliberately planned this coup he could not have done it any better or more effectively to help and aid Germany than Dr. Garfield has done it in issuing this order. I am not going to speak on this subject, but upon one closely allied to it, a subject just as important to the winning of the war as is this coal situation.

Mr. Speaker, the one important business in America to-day is the war. More and more we are beginning to realize the seriousness of the situation. Not since the opening of the Revolutionary War have the people of this country been faced by the necessity of united and instant action as they are faced by it now. The country is back of this war, and we must arise united and wage the war to a successful termination, this war for humanity, or let America, liberty, and justice perish from the earth.

We are mobilizing an Army of 2,000,000 men, this in addition to a Navy comprising a man force of over 300,000 fully equipped, which will be increased to 20,000,000 if necessary. In doing this we have drawn and are drawing the young men from all vocations of life. In order to make up this full quota Congress passed at the suggestion of the administration the selective conscription law. The workings of this law, while in the main successful, have in some instances created hardships and will interfere, I am afraid, somewhat in the production of foodstuffs. I speak particularly of the large percentage of young men taken from the farms or from those pursuits which are engaged in agricultural production, the production of foodstuffs, the importance of which can not be underestimated.

I desire to emphasize the importance of the agricultural industry at this time as one of the strong arms necessary to aid America to win the war, and to repeat what everyone knows, that the battle front is from the farms of the United States to the trenches of Europe, and the line must be kept open and supplied or else we fail.

The American farm is one of the most important elements in this whole line, and it is up to the American farmer to bear the strain of the greatest effort America ever made, and in this connection it is necessary that he be supplied with the instruments necessary to fight his part of this battle.

As I view the situation, there is no need to develop new lands or encourage the transfer of ownership during this time of great stress. If the farmers of this country can get the land now under cultivation properly farmed there will be an abundance of food for everybody. It is not the lack of credit that is taking the men from the farms but the failure of Congress to provide for the dire situation in which we are placed. If Congress does not awaken to this condition that we are under and provide some adequate relief between now and the 1st of March there will be bread lines in every city of the United States next winter and our allies and armies will need food desperately.

This war can be lost in the United States in our mobilizing of this and our industrial situation, and if we are not careful in our planning at this time we may lose the war before we have had a chance to strike a blow at the enemy in Europe with our Army and Navy.

Regarding the selective-conscription law I desire to say that it is a wonderful success, and all credit is due to the men who have had the administration of the law in their hands, and I might say in passing that to my mind—and I believe in saying this I voice the sentiment of the entire Congress and the people generally of the United States—that in his sincere, broad-minded, far-seeing administration of this law Enoch H. Crowder, Provost Marshal General, has proven himself to be one of the biggest men that this crisis has developed. His task has been a big one and tremendously important, and, when you consider the fact that an Army of 2,000,000 men is now almost completely mobilized, and that this has been done within a period of a little over six months, it is a wonderful undertaking and speaks for itself; but the conscription law as affecting the production of foodstuffs is in its administration working a hardship, and the situation, I know, has caused a great deal of anxiety to the Provost Marshal and to the administration and up to this time has not been definitely solved.

What should be done, as I see it, is to provide for a parole of some of the expert farmers already taken into the camps and place them back on the farms, and then keep on conscripting the men and paroling and assigning these men back to the farms from which they were taken, and in that way get a lot of young men who have left the farms and gone into the unnecessary industries back to the farms, where they belong. If Congress leaves these things to be worked out without legislation, I am fearful that the delay may cause much suffering and starvation before the end of another winter. It is true that the cost-plus system adopted by the Government has upset labor and corrupted in a measure our public works, and the only way that I can figure is to get the conscriptive law to tell a lot of these people where to go and what to do or place in the hands of the Secretary of War authority to parole and assign men to the farms.

One thing sure, the farmers of the country are not going to plant on promises during this coming season. They will work early and late themselves, but they will only plant what they can tend and harvest unless the Government gives them the substantial proof of real support which they insist is necessary. Take it in the State of Pennsylvania, that with all the talk about the increase of wheat there is only a 5 per cent increase in acreage, and, with the crop planted at least two weeks late, the normal prospect for next year is for an 80 per cent crop instead of an increase.

In this connection I wish to quote from a letter received by me from the dean of Pennsylvania State College, in which he says:

We are very much interested in the farm-labor problem. The situation is certainly very serious. Much of the wheat in Pennsylvania does not look well because it was sown too late. This, in all probability, will mean a shortage next year. Recently I have heard of potato growers who were unable to harvest their crops, one man having 10 acres not harvested. Farmers need labor with experience, and there are hundreds and thousands of farm-reared boys in the factories of the

State who ought to be working on farms and their places taken in the factories by men who are not now engaged in necessary enterprises above the conscription age.

The price of wheat has been stabilized by price fixing, but the price of bran and middlings that the farmer must buy to feed his live stock is still going higher and higher. There is one thing that so many people fail to realize, and that is that the farmer is one of the most expert workmen in this country, and at this time he is greatly handicapped by the fact that every branch of activity is drawing the farmer boys. The trolley lines give the farmer boys the preference, the banks gladly take them in, the railroads want them, and the factories go after them, and the professions draw, and now the Army and the Navy are finding their best type of men among the farmer boys, and are drawing the lifeblood from the country homes. It presents a serious situation when we expect an increased production of foodstuffs necessary to feed ourselves, our allies, and our Army. The farmers of my State are terribly worried over the situation, and are asking and expecting some relief.

During the past summer the work on our Pennsylvania farms was done under a great handicap because of this labor deficiency. The farmers worked harder and longer hours than they have for years. Skilled labor was never so deficient, so that our bountiful crops were due wholly to the unusual patriotic efforts of our farmers and their families. As I have already stated, the labor shortage was due to a considerable number of our young men enlisting or being drafted for military service, but the main reason for the shortage was the employment in mills, factories, mines, and other large industries which could afford to pay higher wages than the farmer could stand in the production of ordinary farm crops. For example, three sons of a good Pennsylvania farmer to my knowledge left the farm for employment in brickworks where they earn from $6 to $10 a day, and sometimes more.

Again, another boy in the same county who was employed in making bricks earned $196 in two weeks. Coal miners are also able to earn from $5 to $8 or more a day, and this situation has drawn many young men from the farms. This is a hard situation for the farmers. Then, too, the usual amount of fall plowing has not been done in Pennsylvania because of the labor situation and unseasonable weather, and this means that the farmers will be later next spring in getting out their crops. In other words, the accumulative effect of the labor shortage will show more and more if this situation continues.

This whole matter is having a most undesirable psychological effect, and so many cornfields and potato patches and other cultivated areas received very poor attention last year on account of labor shortage that the farmers can not be expected to plant such large areas this year, but if some adequate solution of this supply of labor can be worked out the situation will be radically different. But I want to say to the Members of the House that the farmers are not in the proper frame of mind at this time to be urged into increased production, and this is a most serious phase of the whole problem. The farmers of my State are just as patriotic as any other branch of people and they want to do everything possible to increase production, but you can plainly see and understand that there is absolutely no use of a man putting in more crops than he can care for and harvest. I have conferred with many farmers, as well as extension workers, about this point, so that I feel that this statement of the situation is correct. Taking this all into consideration, it seems to me that the only solution of this problem is to mobilize on our farms the skilled farm labor of the country. This is not a simple proposition and presents many complicated phases, but properly worked out it is, in my judgment, the only solution to the increased food proposition.

It would mean the conscription of labor for farm work, and I believe that our farm boys, even the ones now working in mills and factories at higher wages, would not object to such an arrangement and would patriotically cooperate if such provision were made by the Government. These boys must be made to feel that they are doing the work that Uncle Sam wants them to do, and that their position is an honorable one in the great world struggle, and will be duly recognized by them.

Equally important with the boys who have grown up on the farms, and recognizing that increased food production is equally as important with all other necessary organizations, I believe that I am not prejudiced when I say a word in behalf of the work being done by the extension men, which includes our county agents and extension specialists working through the various State colleges under the Smith-Lever law. These men are especially trained and fitted and are a vital factor in increasing production, and are thus helping to win the war. The farmers of the country are looking up to these men for direction and guidance and have confidence in them and their ability to assist them toward increased production, and look upon them as leaders just as the Army looks up to its officers.

These men are carefully picked for their particular jobs just as the officers of the Army are well trained for the position of leadership which they occupy. Not only have they been well trained, but they are carefully selected, keeping in view qualities of leadership which they possess. To remove these men from their present positions—"and practically all of them are within conscription age"—it seems to me, would be equivalent to removing all the officers from the Army and leaving the Army without anyone to look to for leadership.

These men are patriotic and anxious to serve their country. I am sure that most of them, if not all of them, believe that from the standpoint of service they can do more in their present position than in the Army. These men feel, however, that the farmers and others with whom they are working may not appreciate the fact in a proper way. When a farmer or other people in the county have had their sons drafted into the Army, they may feel that these county agents and extension men should also go, without stopping to realize that their present service is more valuable than Army service to which they would be assigned in the ranks. Again, as these men well know, after this war "is over—and this applies to the farmer boys as well as these extension men"—the men who have stood the brunt in the trenches are quite likely to furnish the leadership of the country, just as was the case following the Civil War. The veterans of the war in a few years from now will turn out to parade, and the farmer boy and these extension men will be asked, Where were you that you are not marching in our ranks? These farmer boys and extension men feel that they are losing something by not going in the Army, although because of the fact they feel a greater service is being rendered they are remaining in their present positions and making what is to them a sacrifice. If I understand it correctly, large numbers of these men drafted into the Army will be trained to do special work with the maintenance of the Army, but not necessarily in the trenches. Is it not a fair proposition that those who occupy vital positions in the feeding of our people—the allies and our Army—should be given military recognition? I believe that proper relief might be afforded through Senate bill 3471, introduced by Senator CHAMBERLAIN on January 15, which bill is as follows:

A bill (S. 3471) to authorize the Secretary of War to grant furloughs without pay and allowances to enlisted men of the Army of the United States.

Be it enacted, etc., That, whenever in the opinion of the Secretary of War the interests of the service or the national security and defense render it necessary or desirable, the Secretary of War be, and he hereby is, authorized to grant furloughs to enlisted men of the Army of the United States with or without pay and allowances, or with partial pay and allowances, and, for such periods as he may designate, to permit said enlisted men to engage in civil occupations and pursuits.

This bill places in the hands of the Secretary of War great latitude and power. I believe if properly administered by him that the necessary relief is afforded in this measure to solve this farm-labor situation and to provide and take care of the question that arises in the minds of the young farmer and these men engaged in this increased agricultural production by placing them in the Army and the granting of furloughs to these enlisted men without pay and permitting them to go back to the farms and their vocations and pursue the occupation of increasing the production of foodstuff and thus avoiding any future criticism after the close of the war as regards the part that these patriotic men have played in winning the war.

In this connection, and in the handling this situation it would seem to me that we should have enlisted the biggest man in the United States that is now available, who should be named as a food-production administrator, one who can and has the ability to work on the imagination of all the people, the consumer as well as the producer, who will devote his entire time to the supreme necessity of increased food production. In this connection, I want to refer to the fact that the Secretary of Labor, with the approval of the President, has just appointed an advisory council on labor, which council will have full power to deal with every phase of the labor problem, including enrollment, distribution, transportation, housing, and the training of workers for the Army, Navy, Shipping Board, and other Government agencies, as well as for private industries engaged on war work. In short, it will have general charge of the mobilization of the industrial army of the country to make it most efficient, and unless the farmers and the farm-labor situation is mobilized in a similar manner and upon a basis where a man who stays on the farm and helps to win the war is placed in the same position as the man who does the organization and other work in the Army and is given the same credit and recognition for faithful service rendered, this situation will drift along and

will continue to embarrass and handicap this country in winning the war. I therefore hope that this Chamberlain bill or some other remedial legislation covering this situation will be enacted immediately by this Congress, as I believe that every arm of the farm-labor force of the United States should be applied at this time, as it will be a determining factor in the winning of this war. [Applause.]

Mr. NORTON. Mr. Chairman, I ask unanimous consent that those gentlemen who have already spoken on the bill have the right to extend and revise their remarks in the RECORD.

The CHAIRMAN. Is there objection?

Mr. CARTER of Oklahoma. Mr. Chairman, can that be done in Committee of the Whole?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I have no objection providing that carries with it the provision that they do not incorporate outside material such as letters and telegrams.

Mr. CARTER of Oklahoma. Mr. Chairman, I repeat my question, can that be done in Committee of the Whole?

The CHAIRMAN. The Chair thinks not.

Mr. NORTON. Mr. Chairman, I withdraw the request.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

Mr. STAFFORD. I make the same condition to that request.

Mr. TOWNER. Mr. Chairman, the only thing I desire to include is the short act of the English Parliament creating the department of munitions that I referred to.

Mr. STAFFORD. That would not be offensive to the sensibilities of anyone.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KELLY of Pennsylvania. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAINEY. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Chairman, I have been somewhat surprised at the gentleman from Wisconsin [Mr. LENROOT] and the gentleman from Missouri [Mr. MEEKER] talking about nonpartisanship and nonpartisan activity in Congress. Why, the gentlemen have seen proper to attack the Fuel Administrator. Here is this great Democratic President, Mr. Wilson, now at the helm of this Government, doing the best thing for this Nation. He went into the Republican Party to find a fuel administrator, and he did not take a Republican from the simple life, but he took one of the royal blood, a son of an ex-President of the United States, yea, the son of the lamented Garfield, and he put him in the Democratic councils as the Fuel Administrator for the honest people of the United States of America. This same Republican held a high position under the distinguished Republican President Mr. Taft when he occupied the White House, and, forsooth, because he received this position through a Democratic President, in this great crisis the Republicans on this floor see proper to take him to task and hamper him with caustic criticism.

Mr. MEEKER. Mr. Chairman, I hope the gentleman will get his history on straight. This gentleman, Dr. Garfield, never held any position under President Taft, and the gentleman ought not to charge Mr. Taft with that.

Mr. QUIN. My information is that the gentleman was Commissioner of Corporations under Mr. Taft.

Mr. MEEKER. Oh, no; that was another Garfield.

Mr. FESS. This is his brother.

Mr. QUIN. His brother? Well, he is still in good Republican society; but that does not even keep the gentlemen on that side from attacking him or from keeping our partisan friends from talking about nonpartisanship while in the very act of caustic partisan criticism.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. QUIN. I have not the time to yield. I want to say further that President Garfield's son, in this critical hour under President Wilson, is endeavoring to relieve one of the greatest and, I might say, the most severe calamities that has arisen in this country in many a year. Gentlemen object to his having power to stop, perhaps, certain corporations who need not run for one day in the week, forsooth, in order that the poor, shivering children of this country might not be without coal. Do you propose to let that class of corporations continue to burn coal seven days in the week while all classes of people in the cities are freezing because they can not get coal at any price? Do you know that right in this city, when the thermometer was 8 degrees below zero, I saw a line down here at the coal yards, a drove of poor people 300 yards long, waiting to get 1 bushel of coal each, for which they paid an enormous price? I stood there, in company with my wife, and waited for four hours endeavoring to buy some coal, and after getting the coal I had to hire an outside truck to haul the coal to my home, where we had not had a lump of coal, except a basketful a day, for five days. Those poor people were suffering, contracting rheumatism and pneumonia, because of the lack of coal to put in their stoves and furnaces to get the necessary heat to keep death from coming to them, and yet you object to the Fuel Administrator of this Republic protecting the people of this country from freezing to death through lack of coal! Is that all? The gentleman went further and attacked the Food Administrator. It seems that the President of the United States can have no man in authority that pleases you. Is it possible that these gentlemen who are at the head of these great positions can make no mistakes? I wondered, when the gentleman was making his long 40-minute speech about the thousands of cars all over this country, what he would do if he were the President of the United States. Why did he not suggest something for Dr. Garfield to do? Why did he not suggest something for Mr. Hoover to do? Why is it that these faultfinders, these people that want the poor people of the United States to freeze to death with the thermometer away below zero, finding fault with Dr. Garfield because he is blazing out a way to supply coal to the homes of all the people, finding fault with Mr. Hoover because he is trying to keep the price of food down, do not offer any remedy?

Why do you not take your faultfinding to Mr. Hoover and to Dr. Garfield and point out a definite way by which they can run this business so that all of the industries of this country could keep running every day, and at the same time every home would have plenty of coal and nobody suffer; but you do not do that; you stand on this floor and talk so that the newspapers of the country can get it and carry your criticisms to the public and sow the seeds of discontent and dissatisfaction. And another thing. The President appointed these two gentlemen, and they are acting under his orders, under the powers Congress vested by law in the President.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. QUIN. These ships must have coal to carry the supplies to the soldiers that you are talking about. Do you not think you had better let the President continue to handle this business? [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. QUIN. I thank you.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 8696, the Indian appropriation bill, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Young, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 6176. An act extending the time for the construction of a bridge across Monongahela River at or near the city of Fairmont, W. Va.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

Mr. NOLAN. Mr. Speaker, reserving the right to object, I have not any desire to be an obstructionist. I did object to this unanimous request this morning in order to call attention to a situation which has arisen here on Calendar Wednesday. If it is allowed to continue, it is going to stop consideration of all bills reported after December 12. I do not want to delay public business, but unless some method is devised to cure that situation I do not think any more unanimous-consent motions regarding legislation ought to be agreed to during this session even covering the Unanimous Consent Calendar. I do not intend to object at this time, but I think it is up to the leaders on both sides of the House to cure that situation. For the present I do not intend to object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Speaker, let me make a statement in regard to the matter about which the gentleman from California [Mr. NOLAN] has made a statement. I think myself that the order ought to be vacated. It was not the intention of the gentleman from Arizona [Mr. HAYDEN], the author of the bill, nor myself in preferring the unanimous-consent request——

Mr. LONDON. Will the gentleman yield?

Mr. KITCHIN. In a moment.

Mr. LONDON. Why should not the gentleman make the request now?

Mr. KITCHIN. I am going to make it when I make the statement—that that bill should take precedence over any bill, but the only request made and intended to be made was to this effect: That that bill should be in order on Calendar Wednesday when the bills then on the calendar should be disposed of. It was the intention only to affect that bill and give that bill a status which the order was intended to give, not that the bill should take precedence over any bill that should be put on the calendar thereafter. That was not the intention of the order, although it might have been worked differently so as to effect the real intention. I now ask unanimous consent that that order be vacated.

Mr. GILLETT. Mr. Speaker, reserving the right to object, I agree with the gentleman from North Carolina that that order ought to be vacated, but I do not think it is fair to the House to do so with such a small gathering as there is to-night, as there may be others who are interested, and I think it is only fair it should be taken up at some time when there is a fuller attendance, and I certainly will not object.

Mr. KITCHIN. Then I will make the request to-morrow.

Mr. HAYDEN. I would like to say to the gentleman from Massachusetts that, as the author of the bill, having the matter in charge, I am convinced that the order ought to be vacated, and I am the only one interested——

Mr. GILLETT. No; the other day the question arose as to whether the gentleman was the only one interested. The whole House is interested.

Mr. NOLAN. May I suggest to the gentleman from North Carolina that when he does make the request he include in that request that the Committee on Labor have a time to consider the bill they were deprived of by the point of order yesterday. I think it is only fair that, inasmuch as this is intended to cure a situation, that the Committee on Labor should be given their day in court, of which they were deprived when the point of order was made yesterday.

Mr. KITCHIN. I will say that there is an element of fairness in that, but I think we had better get through vacating the order first.

Mr. NOLAN. I call attention to this fact, that if you do not do that you do an injustice to a committee that had a bill on the calendar about to be considered, and that probably will not be reached for a long time to come. The Committee of Labor is an important committee of this House which gives consideration to measures which come before it, just as every other committee; and one bill they reported out unanimously the enacting clause was stricken out, and another bill, to which we gave a great deal of attention in the last Congress and some attention to in this, we were deprived of an opportunity to put before this House by the point of order; and I think, in all fairness, that the unanimous-consent agreement ought to have coupled with it an agreement to give the Committee on Labor their day in court.

Mr. STAFFORD. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is——

Mr. KITCHIN. Did we get consent, Mr. Speaker?

The SPEAKER. Is there objection?

Mr. KITCHIN. Mr. Speaker, I withdraw that request now for the present, and I move that the House adjourn.

The SPEAKER. Did the gentleman withdraw his request that the House meet to-morrow at 11 o'clock?

Mr. KITCHIN. That has been put, and the House agreed to that.

Mr. STAFFORD. The gentleman from California [Mr. NOLAN] reserved the right to object to that request.

ADJOURNMENT.

The SPEAKER. It is very easily settled. Is there objection? [After a pause.] The Chair hears none. The gentleman from North Carolina moves that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 47 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Friday, January 18, 1918, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of communication from the United States Fuel Administration submitting a supplemental estimate of appropriation required for the fiscal year 1919 for salaries and expenses, United States Fuel Administration (H. Doc. No. 812); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a proposed paragraph of legislation authorizing and directing the accounting officers of the Treasury to allow and credit the Accounts of Col. (now Brig. Gen.) Jesse McL. Carter the sum of $352.23 (H. Doc. No. 813); to the Committee on Claims and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting schedules and lists of papers, documents, etc., on the files of the Treasury Department which are not needed in the transaction of public business and have no permanent value or historical interest (H. Doc. No. 814); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting certain estimates of appropriations for remodeling, construction work, etc., at the marine hospitals (H. Doc. No. 815); to the Committee on Appropriations and ordered to be printed.

5. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Wilson Kerns, son of Joseph Kerns, deceased, *v.* The United States (H. Doc. No. 816); to the Committee on War Claims and ordered to be printed.

6. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of William Keiser *v.* The United States (H. Doc. No. 817); to the Committee on War Claims and ordered to be printed.

7. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary O. Power, widow of Albert L. Power, deceased, *v.* the United States (H. Doc. No. 818); to the Committee on War Claims and ordered to be printed.

8. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of William A. Power *v.* the United States (H. Doc. No. 819); to the Committee on War Claims and ordered to be printed.

9. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of James H. Corbin *v.* the United States (H. Doc. No. 820); to the Committee on War Claims and ordered to be printed.

10. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Paulina F. Shelt, widow of John Shelt, deceased, *v.* the United States (H. Doc. No. 821); to the Committee on War Claims and ordered to be printed.

11. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary B. Taylor, widow of Isaac Taylor, deceased, *v.* the United States (H. Doc. No. 822); to the Committee on War Claims and ordered to be printed.

12. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Harriet L. Cantleberry, widow of Emanuel B. Cantleberry, deceased, *v.* the United States (H. Doc. No. 823); to the Committee on War Claims and ordered to be printed.

13. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Charles A. Cutler *v.* the United States (H. Doc. No. 824); to the Committee on War Claims and ordered to be printed.

14. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of John T. Donahugh *v.* The United States (H. Doc. No. 825); to the Committee on War Claims and ordered to be printed.

15. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Edgar A. Kimmel and Henry T. Kimmel, sons of George Kimmel, deceased, *v.* The United States (H. Doc. No. 826); to the Committee on War Claims and ordered to be printed.

16. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Urban Hornburger *v.* The United States (H. Doc. No. 827); to the Committee on War Claims and ordered to be printed.

17. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary Blight, daughter of William B. Wright, deceased, *v.* The

United States (H. Doc. No. 828); to the Committee on War Claims and ordered to be printed.

18. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Niantic Bay, Conn., with a view of making it a harbor of refuge (H. Doc. No. 829); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

19. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Thunder Bay River, Mich., with a view to improving the mouth and Thunder Bay River, Mich., with a view of clearing the channel and providing suitable breakwater to protect the same (H. Doc. No. 830); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

20. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Treasury Department for salaries for additional clerks in the office of the Auditor for the Post Office Department, fiscal year 1919 (H. Doc. No. 831); to the Committee on Appropriations and ordered to be printed.

21. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a proposed clause of legislation authorizing and directing the accounting officers of the Treasury to allow certain credits in the account of Sidney E. Smith, disbursing clerk, War Department (H. Doc. No. 832); to the Committee on Claims and ordered to be printed.

22. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Commissioners of the District of Columbia submitting a supplemental estimate of appropriation required by the municipal court of the District of Columbia for the fiscal year 1918 (H. Doc. No. 833); to the Committee on Appropriations and ordered to be printed.

23. A letter from the Secretary of the Treasury, transmitting a revised statement of appropriation for salaries and expenses of the Bureau of War Risk Insurance for the fiscal year 1919 (H. Doc. No. 834); to the Committee on Appropriations and ordered to be printed.

24. A letter from the Secretary of the Treasury, transmitting tentative draft of proposed amendment to the urgent deficiency bill, the unexpended balance of the appropriation, "for miscellaneous repairs to laundry, new roof, etc., damaged by fire, for the fiscal year 1917," made in the deficiency appropriation act approved September 8, 1916, is hereby reappropriated and made available for the fiscal year 1918 (H. Doc. No. 835); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. STEDMAN, from the Committee on Foreign Affairs, to which was referred the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August 16, 1916, and for other purposes, reported the same with amendment, accompanied by a report (No. 243), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MOON, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 8637) to amend the act approved June 25, 1910, establishing postal savings depositories, and acts amendatory thereof, and for other purposes, reported the same with amendment, accompanied by a report (No. 242), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 8594) granting a pension to Cornelius J. Ryan, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HICKS: A bill (H. R. 8820) to amend section 1570 of the Revised Statutes of the United States; to the Committee on Naval Affairs.

By Mr. CARY: A bill (H. R. 8821) to regulate the interstate transportation of immature calves; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8822) to prohibit the slaughter, sale, purchase, shipment, and transportation through interstate commerce of calves and cows under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 8823) to provide for the purchase of a site and the erection of a public building thereon at Miami, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8824) to provide for the purchase of a site and the erection of a public building thereon at Vinita, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8825) to provide for the purchase of a site and the erection of a public building thereon at Bartlesville, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. NEELY: A bill (H. R. 8826) to amend an act entitled "An act to establish in the War Department and in the Navy Department, respectively, a roll, designated as the 'Army and Navy medal of honor roll,' and for other purposes," approved April 27, 1916; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 8827) to provide short-term credit for the farmers of the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. BENJAMIN L. FAIRCHILD: A bill (H. R. 8828) authorizing the acquisition of a site and the erection thereon of a public building at Yonkers, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Kentucky (by request): A bill (H. R. 8829) to amend "An act to vest in the Commissioners of the District of Columbia control of street parking in said District"; to the Committee on the District of Columbia.

By Mr. WALDOW: A bill (H. R. 8830) providing a pension rate of $30 a month for certain soldiers and sailors of the Civil War and the Mexican War, and for other purposes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8831) to pension the survivors of the War with Spain, the Philippine Insurrection, and the China Relief Expedition; to the Committee on Pensions.

By Mr. HOWARD: A bill (H. R. 8832) to authorize certain late physicians and surgeons of the United States Volunteer Army in the War with Spain to practice their respective professions in any Territory, District, dependency, or possession of the United States under the constitutional jurisdiction of Congress upon the presentation and proof of certain facts; to the Committee on Interstate and Foreign Commerce.

By Mr. DENTON: A bill (H. R. 8833) to reimburse persons deprived of employment by reason of the order of the Fuel Administrator closing down establishments for the purpose of conserving the coal supply of the Nation, under certain conditions; to the Committee on Agriculture.

By Mr. CARLIN: A bill (H. R. 8834) authorizing the sale of a tract of land lying below the original high-water line of the Potomac River in what is known as Battery Cove, at Alexandria, Va.; to the Committee on Military Affairs.

By Mr. LINTHICUM: A bill (H. R. 8835) to provide for an examination and survey of the harbor of Baltimore and the entrance channel thereto through the Chesapeake Bay and Patapsco River, with a view to deepening the same to a depth of 40 feet; to the Committee on Rivers and Harbors.

By Mr. BRITTEN: A bill (H. R. 8836) to authorize the Secretary of the Navy to name a first-class torpedo-boat destroyer the "Augustus P. Gardner," and to maintain in the American Navy a destroyer by that name as long as such craft form a part thereof; to the Committee on Naval Affairs.

By Mr. McKENZIE: A bill (H. R. 8837) to amend section 5 of the act to regulate commerce, approved February 4, 1887, as amended August 24, 1912; to the Committee on Interstate and Foreign Commerce.

By Mr. LONERGAN: A bill (H. R. 8838) to amend an act entitled "An act to provide revenue to defray was expenses, and for other purposes," approved October 3, 1917; to the Committee on Ways and Means.

By Mr. MOTT: A bill (H. R. 8839) for the establishment of Oswego, in the State of New York, as a port of entry for immediate transportation without appraisement of dutiable merchandise; to the Committee on Ways and Means.

By Mr. TAYLOR of Colorado: A bill (H. R. 8840) granting cities and incorporated towns coal lands for municipal purposes; to the Committee on the Public Lands.

By Mr. ELLSWORTH: A bill (H. R. 8841) conferring jurisdiction on the Court of Claims to hear, determine, and render final judgment in the matter of claims of the Chippewa Indians and the several bands or tribes thereof in the State of Minne-

sota against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. KELLY of Pennsylvania: Resolution (H. Res. 227) providing for the consideration of H. R. 152; to the Committee on Rules.

By Mr. DUPRÉ: Resolution (H. Res. 228) amending the rules of the House; to the Committee on Rules.

By Mr. CHARLES B. SMITH: Joint resolution (H. J. Res. 215) to prevent the enforcement of the Fuel Administrator's order to close down industries on certain days; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 8842) granting a pension to Silas Clyde Whitcomb; to the Committee on Pensions.

Also, a bill (H. R. 8843) granting a pension to Alonzo J. Mayo; to the Committee on Pensions.

Also, a bill (H. R. 8844) granting a pension to Ella A. Pollard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8845) for the relief of John Harbert; to the Committee on Claims.

By Mr. BRITTEN: A bill (H. R. 8846) for the relief of the heir of Joseph Lawton; to the Committee on Claims.

By Mr. BROWNE: A bill (H. R. 8847) granting a pension to Mary M. Murray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8848) to correct the military record of John P. Chesley; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 8849) granting a pension to Eli A. Trickle; to the Committee on Pensions.

Also, a bill (H. R. 8850) granting an increase of pension to Mary Turner Clements; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8851) granting an increase of pension to James P. Tanner; to the Committee on Invalid Pensions.

By Mr. CLARK of Pennsylvania: A bill (H. R. 8852) granting a pension to Ernest Parker; to the Committee on Pensions.

By Mr. COADY: A bill (H. R. 8853) authorizing and directing the Secretary of the Interior to make, execute, and deliver to the Safe Deposit & Trust Co. of Baltimore, trustee under the will of Florence B. Gelston, deceased, a deed in fee of lot 13, in reservation 11, in the city of Washington, D. C.; to the Committee on the Public Lands.

Also, a bill (H. R. 8854) for the relief of sundry building and loan associations; to the Committee on Claims.

Also, a bill (H. R. 8855) for the relief of sundry building and loan associations; to the Committee on Claims.

Also, a bill (H. R. 8856) for the relief of Mary J. Lacey; to the Committee on Military Affairs.

By Mr. DEWALT: A bill (H. R. 8857) granting a pension to Catherine F. Reinart; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 8858) granting an increase of pension to Mary A. Shaw; to the Committee on Invalid Pensions.

By Mr. ELLSWORTH: A bill (H. R. 8859) for the relief of Ben L. Fairbanks and others; to the Committee on Indian Affairs.

By Mr. FERRIS: A bill (H. R. 8860) granting a pension to Henry H. Lancaster; to the Committee on Pensions.

Also, a bill (H. R. 8861) for the relief of Ivy L. Merrill; to the Committee on Claims.

By Mr. FOSTER: A bill (H. R. 8862) granting an increase of pension to Hamilton Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8863) granting an increase of pension to William C. Tanner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8864) granting a pension to Isabella Shields; to the Committee on Invalid Pensions.

By Mr. GOODALL: A bill (H. R. 8865) to give Charles E. Williams, of Saco, Me., a record which will entitle him to a pension; to the Committee on Naval Affairs.

By Mr. GOODWIN of Arkansas: A bill (H. R. 8866) granting an increase of pension to James E. Merrifield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8867) granting an increase of pension to Jacob W. Burge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8868) granting an increase of pension to John Douglass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8869) granting an increase of pension to Sidney Merifield; to the Committee on Invalid Pensions.

By Mr. GODWIN of North Carolina: A bill (H. R. 8870) granting an increase of pension to Elias Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8871) granting an increase of pension to Stephen Higgins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8872) granting an increase of pension to Jordan C. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8873) granting an increase of pension to James Darrah; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8874) granting an increase of pension to James W. Brumage; to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: A bill (H. R. 8875) granting an increase of pension to Mandell Wells; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 8876) granting a pension to Eliza Hess Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8877) granting a pension to Kathrine Lawrence; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8878) granting a pension to Mary Bursee; to the Committee on Invalid Pensions.

By Mr. HASKELL: A bill (H. R. 8879) granting a pension to John Bleiweiss; to the Committee on Pensions.

By Mr. HICKS: A bill (H. R. 8880) granting a pension to Marietta Z. Simonson; to the Committee on Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 8881) granting a pension to Benjamin F. Fawbush; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8882) granting a pension to William A. Mitchum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8883) granting an increase of pension to Miles Oller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8884) granting an increase of pension to Reuben A. Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8885) granting an increase of pension to William V. Tunstall; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 8886) granting an increase of pension to George Evans, alias George W. Sanderson; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 8887) granting a pension to Eliza H. Cooley; to the Committee on Invalid Pensions.

By Mr. LONERGAN: A bill (H. R. 8888) granting a pension to Fanny Stewart; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 8889) granting a pension to Nellie Hubacher; to the Committee on Pensions.

By Mr. MANSFIELD: A bill (H. R. 8890) granting a pension to George W. Cordray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8891) granting a pension to Crawford Byers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8892) granting an increase of pension to George M. Burns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8893) granting an increase of pension to Michael Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8894) granting an increase of pension to Willis Elben; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 8895) granting a pension to Emma L. Parker; to the Committee on Invalid Pensions.

By Mr. MONDELL: A bill (H. R. 8896) granting an increase of pension to Henry B. Lake; to the Committee on Invalid Pensions.

By Mr. MOTT: A bill (H. R. 8897) granting an increase of pension to Henry H. Moody; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 8898) granting an increase of pension to James A. Mahaffey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8899) granting an increase of pension to John M. Thorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8900) granting an increase of pension to William H. Sipote; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8901) granting an increase of pension to Jonathan Bondy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8902) granting an increase of pension to Owen Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8903) granting an increase of pension to Calvin Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8904) granting a pension to Horace V. Andrews; to the Committee on Pensions.

Also, a bill (H. R. 8905) granting a pension to William Cain; to the Committee on Pensions.

By Mr. OLDFIELD: A bill (H. R. 8906) granting an increase of pension to Tillman Lilly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8907) granting an increase of pension to Martin Quinn; to the Committee on Pensions.

Also, a bill (H. R. 8908) granting a pension to James W. Smith; to the Committee on Pensions.

By Mr. OSBORNE: A bill (H. R. 8909) granting a pension to Mary A. Brannan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8910) granting a pension to Mary E. Sewright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8911) granting a pension to Deborah A. Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8912) granting a pension to Rebecca F. Rush; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8913) granting a pension to Caroline C. Leach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8914) granting an increase of pension to Albert William Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8915) granting an increase of pension to Charles D. Monroe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8916) granting an increase of pension to Abel S. Fennell; to the Committee on Invalid Pensions.

By Mr. PLATT: A bill (H. R. 8917) granting a pension to Kate A. Braley; to the Committee on Invalid Pensions.

By Mr. ROWLAND: A bill (H. R. 8918) for the relief of Leonore M. Sorsby; to the Committee on Foreign Affairs.

By Mr. RUCKER: A bill (H. R. 8919) granting an increase of pension to Levi Miles; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 8920) for the relief of certain employees of the Bureau of Lighthouses; to the Committee on Claims.

By Mr. SNYDER: A bill (H. R. 8921) granting an increase of pension to Thomas E. Hart; to the Committee on Invalid Pensions.

By Mr. SULLIVAN: A bill (H. R. 8922) granting an increase of pension to Oliver Brier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8923) granting an increase of pension to John R. Bungard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8924) granting an increase of pension to Perry Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8925) granting an increase of pension to William H. Snowden; to the Committee on Invalid Pensions.

By Mr. TAGUE: A bill (H. R. 8926) granting a pension to James D. Winslow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8927) granting a pension to Granville Haselton; to the Committee on Pensions.

By Mr. VOIGT: A bill (H. R. 8928) granting a pension to Wilhelmine C. Waterstradt; to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 8929) granting an increase of pension to Charity Ann Smith; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CURRY of California: Petition of the Salmon Packers of Alaska, the Alaska Fisherman's Union, and other affiliated organizations, for the establishment of a Government hospital in the Bristol Bay region of Alaska, in the vicinity of the mouth of the Nushagak River; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the California Cattleman's Association, to conserve cattle suffering through lack of food by throwing open the park lands of the public domain for use as grazing lands; to the Committee on the Public Lands.

By Mr. DALE of New York: Memorial of the National Association of Printing Ink Makers, requesting that sufficient shipping facilities be provided that the ink makers may not have to go out of business, and protesting against official indifference to their requests; to the Committee on Interstate and Foreign Commerce.

Also, petition of Irish Progressive League, favoring full freedom for Ireland; to the Committee on Foreign Affairs.

By Mr. DARROW: Resolution of the Select and Common Councils of Philadelphia, Pa., protesting against the abolition of the pneumatic mail tubes in the city of Philadelphia; to the Committee on the Post Office and Post Roads.

By Mr. FULLER of Illinois: Petition of Tufts College Publishing Association, favoring repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island: Resolution of Rotary Club, of Providence, R. I., favoring passage of the Chamberlain universal military service bill; to the Committee on Military Affairs.

By Mr. OSBORNE: Memorial of the W. S. Rosecrans Post, No. 182, of the Department of California and Nevada, Grand Army of the Republic, urging increase in pensions of veterans of the Civil War; to the Committee on Invalid Pensions.

By Mr. SNYDER: Petition of D. B. Simmons & Co., the D. D. Winston Co., Field & Start, the Williams Co., and E. S. Demsky, all of Utica, N. Y., against forcing the placing of contracts with the American Sugar Refining Co., etc.; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *January 18, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we would be more and more impressed with the tremendous fact that we are the representatives of a Christian civilization. We stand for Thy name founded upon Thy law and our purpose is to execute Thy will. Do Thou look upon us this day and guide us in every thought and purpose and passion of our hearts, that all things may be done to the honor and glory of Thy Name and to the advancement of all the interests of this great Christian Nation. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Journal of yesterday's proceedings was read and approved.

ORDER OF FUEL ADMINISTRATOR.

The VICE PRESIDENT. When the resolution of the Senate of yesterday was presented to the Fuel Administrator of the United States by the Secretary of the Senate at 6.35 o'clock the Fuel Administrator requested the Secretary to notify the Presiding Officer of the Senate and the Presiding Officer to notify the Senate that the order had gone into effect at 5.45 o'clock, before the receipt of the resolution, and that no discourtesy was intended to the Senate by such action.

Mr. HITCHCOCK. Mr. President, I feel privileged to say that while the resolution of the Senate was not formally presented in writing to the Fuel Administrator until 6.30 o'clock, it was telephoned to him as early as 6 o'clock, and that he had every opportunity of knowing even before that time that the Senate was about to pass it.

The VICE PRESIDENT. The Chair desires to have placed in the RECORD a letter from Mr. Garfield touching the coal controversy. The letter will not be read, unless some Senator desires it read, but will go in the RECORD.

Mr. NORRIS. I ask that the letter be read.

The VICE PRESIDENT. The Secretary will read the letter.

The Secretary read as follows:

UNITED STATES FUEL ADMINISTRATION,
Washington, D. C., January 18, 1918.

To the VICE PRESIDENT OF THE UNITED STATES,
United States Senate, Washington, D. C.

DEAR MR. VICE PRESIDENT: Permit me to confirm the message which I sent to you yesterday afternoon by Mr. Baker, the Secretary of the Senate.

It is my earnest desire that the Members of the Senate should know that, as an executive officer of the Government, I would not willingly treat a request of the Senate with other than the greatest respect.

The order suspending the operation of industrial plants in portions of the United States was issued only after deliberate consideration, and will, I firmly believe, aid effectively in providing coal for domestic consumers, for the prompt bunkering of ships carrying necessary war material abroad, and for the relief of the serious congestion at the docks and at many points in the section covered by the order. I still believe it should stand. To delay the application of the order would only add to the congestion. It would be but natural that industry, in the interval, would redouble its efforts to increase supplies on hand.

To permit factories with a coal supply to operate during the period of suspension would allow many producing articles least essential to the war to continue, while some producing articles the most essential would be compelled to shut down. Moreover, continued production by those well supplied with coal would delay, if not defeat, the relief contemplated by the order.

I should add that the resolution was presented to me at 6.35 p. m. yesterday afternoon and that the order was signed at 5.45. With high respect, I remain,

Very truly, yours, H. A. GARFIELD,
United States Fuel Administrator.

NATIONAL PROHIBITION.

The VICE PRESIDENT. The Chair lays before the Senate a certified copy of a joint resolution of the General Assembly of the Commonwealth of Virginia ratifying the proposed amendment to the Constitution of the United States providing for national prohibition, which will be placed on the files of the Senate.

PATRIOTIC CABLEGRAM FROM ST. THOMAS.

The VICE PRESIDENT. The Chair lays before the Senate the following cablegram, which will be read.

The Secretary read as follows:

ST. THOMAS, *January 17, 1918.*

PRESIDENT OF THE SENATE,
Washington:

The executive committee in charge of celebrations commemorating this day on behalf of those accepting citizenship in the United States solemnly pledge their loyalty to the United States, being fully conscious of and duly appreciating the great benefits of American citizenship, and beg to assure the Government of their true and faithful allegiance.

BALDEMAR MILLER, *Chairman.*

VISITORS TO NAVAL ACADEMY.

The VICE PRESIDENT. In accordance with the act of Congress approved August 29, 1916, providing for the appointment of a Board of Visitors at the Naval Academy, which act provided that the presiding officer of the Senate shall appoint four Senators upon the Board of Visitors during the month of January of

each year, the Chair appoints on such Board of Visitors for the year 1918 the Senator from Virginia [Mr. SWANSON], the Senator from Maryland [Mr. SMITH], the Senator from Pennsylvania [Mr. PENROSE], and the Senator from Massachusetts [Mr. LODGE].

PETITIONS AND MEMORIALS.

Mr. LODGE. I present a large number of telegrams, which I ask may be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

BOSTON, MASS, *January 17, 1918.*

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.:

Undersigned committee was appointed at meeting of New England Transportation Conference, which included representatives of Boston Chamber of Commerce, Associated Industries of Massachusetts, New England Shoe & Leather Association, the National Association of Wool Manufacturers, Paper Manufacturers of New England, and Boston Trade Association; Arkwright Club of New England and Paint and Oil Club of New England, and other manufacturers. The conference recognizes serious shortage of fuel but feels that order of National Fuel Administrator will work unnecessarily great harm to labor and industry. All the submarines in the world could not sink in the same length of time the amount of supplies which will be killed by it if literally carried out. Millions of dollars of unnecessary damage will be caused in interference with production and destruction of goods in progress. Same result could better be obtained by stating percentage of fuel each industry must conserve and allowing industry to make that conservation under regulation of New England fuel administrator in such manner as will do least injury to business and keep the greatest number of employees at work. We object to the five-day shut down as a poor way to accomplish object sought, and we especially object to shortness of the notice which does not give industrial plants opportunity to rearrange their schedules. New England has in its fuel administrator a man who has made very careful and continuous study of the necessities of the occasion. We believe that Mr. Storrow should be given great authority and latitude to determine how coal which must be saved in New England shall be saved. Shortage of fuel in New England is largely due to interference with water transportation. Under ordinary conditions 60 per cent of our coal is brought by water. We do not object to United States taking vessels absolutely required for war purposes, but some of the vessels could be spared at least temporarily to relieve the present situation. The more boats that haul coal to New England the more cars and locomotives there will be free to haul coal to other parts of the country and the more war goods New England and the other parts of the country will produce. We, like good soldiers, will obey the order and live up to its spirit until it is either modified or rescinded. We do, however, protest against peremptory form of order and unnecessary hardship which it entails. Thousands of employees will lose an unnecessary amount in wages at a time when they can least afford it. We urge that Federal Fuel Administrator inform New England administrator amount of coal which must be saved in New England, and that it then be left to New England fuel administrator to order that saving in such way as may seem to him wise.

Committee of New England's Transportation Conference—
Frederic C. McDuffie, chairman; William R. Cordingley, Henry I. Harriman, Frederick C. Hood, Louis K. Liggett, Fred B. Rice.

—

BROCKTON, MASS., *January 17, 1918.*

Senator HENRY CABOT LODGE,
Washington, D. C.:

Under the auspices of the Brockton Chamber of Commerce; William L. Gleason, mayor of the city of Brockton; members of the Shoe Manufacturers' Association of Brockton; Brockton Central Labor Union; and Brockton Shoe Council, in representative conference assembled, protest against the closing of the Brockton shoe factories and other industries, (1) because the order does not obtain the end desired in the conservation of coal, for the reason that all factories, whether working or not, are obliged to maintain a temperature sufficient to prevent the chilling and destruction of the materials used in the manufacture of shoes, such as blackings, dressing leather, etc.; (2) because the operation of the majority of all the shoe factories in the Brockton district, comprising Brockton and the surrounding towns, is not by coal direct, but by the medium of the central electric station, which is exempted by the order of the local board; (3) because this order is imperative for the closing of the factories, regardless of the possibility that they could be run by other fuel; (4) because the wage earners of Brockton gladly assumed a certain responsibility to pay for liberty bonds by installments from their weekly wage; the loss of the days' work consequent upon the operation of this order will make it impossible, in many cases, for them to meet their obligations; (5) because, while the ultimate end to be obtained by the order is the protection of health and life, the immediate effect is to bring direct suffering to many of the 14,000 operatives in the factories, who are thus forced to find in their homes the heat which they are accustomed to find in the factory, and by losing the days' work are impoverished to the extent, in many cases, of inability to pay the price for fuel, even if they could obtain it.

Wm. L. Gleason, mayor of Brockton; Preston B. Keith Shoe Co.; Churchill & Ald. N. Ma. Co.; Whitman & Keith; E. E. Taylor Co.; T. D. Barry Co.; Brockton Heel Co.; Sterling Motor Car Co.; Brockton Central Labor Union; Brockton Shoe Council; Brockton Chamber of Commerce, E. C. Jewett, ex-secretary.

—

CLEVELAND, OHIO, *January 17, 1918.*

Hon. HENRY C. LODGE,
Official Building, Washington, D. C.:

As one of your constituents, I respectfully urge you to protest against the policy which has permitted and continued to permit the use of coal for such nonessential purposes as display advertising, manufacture of pianos, talking machines, jewelry, and beer, and for overheating theaters and dance halls and the like, and now forbids its use for five consecutive days immediately, and for one or two days every week for some time to come, for all manufactures, even that of our most essential war needs. Can we not now at least stop entirely all unessential uses of fuel, and, if necessary, limit the amount of heating, even in homes, and require that essential war work be pushed seven days every week?

F. A. EUSTIS.

BOSTON, MASS., *January 17, 1918.*

HENRY CABOT LODGE,
Senate Chamber, Washington, D. C.:

The city of Boston Hotel Association earnestly requests your influence and immediate action to exempt hotels on Garfield order, which unnecessarily curtails our business and practically amounts to persecution.

A. E. HURLBURT, *President.*

—

BOSTON, MASS., *January 17, 1918.*

Senator HENRY CABOT LODGE,
Washington, D. C.:

Absolutely impossible for manufacturing plants to comply with coal order. Plant heated with exhaust steam. Unless heated, entire sprinkler system will freeze. In country town; inadequate fire forces. To obtain exhaust steam, boilers must be run and engines turned over with limited power. In this plant employees subscribed $15,000 in liberty bonds. This impossible of new loan if employees are cut down in working hours. Would suggest each manufacturer required to save definite amount of coal during next three months and given license to operate after satisfaction that saving will be made.

STANDARD WOVEN FABRIC CO.,
STOUGHTON BELL, *President.*

—

LYNN, MASS., *January 17, 1918.*

Hon. HENRY CABOT LODGE,
Washington, D. C.:

The Essex County (Mass.) Associated Boards of Trade protest through you against the Garfield fuel order for our people to put in five days working for the Kaiser. We believe the Fuel Administration has been incompetent and visionless from the very first. Garfield evidently thinks he is granting some college boys a week's vacation. He can have no appreciation of what this latest so-called fuel order really means. This action proves him to be totally unfit to take any part in national affairs at any time. His plain duty from the start was to greatly increase the activities of coal mines and railroads when the weather was good instead of permitting conditions that will decrease the activities of an entire nation.

RALPH H. BAUER,
Chairman Legislative Committee.

—

BOSTON, MASS., *January 17, 1918.*

Hon. HENRY CABOT LODGE,
Washington, D. C.:

With intent of full cooperation with Government and realizing the necessity of Dr. Garfield's drastic closing order, yet we respectfully request that you file protest in our behalf on the suddenness of same and, if possible, have effective date delayed until Monday or Tuesday next to permit preparation to comply with order, to avoid serious loss on the part of our members.

National Building Granite Quarries Association (Inc.); Granite Paving Block Manufacturers' Association of the United States (Inc.); The National Association of the Granite Industries of the United States (Inc.).

—

NEW YORK, *January 17, 1918.*

Hon. HENRY C. LODGE,
Washington, D. C.:

Our mills in your State have substantial Government orders. Garfield's drastic order seriously affects the ability of the company to make deliveries of cloth to the Army. We strenuously oppose the order and appeal to you to remedy this national catastrophe.

WM. M. WOOD,
President American Woolen Co.

—

BOSTON, MASS., *January 18, 1918.*

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.:

Allow me most respectfully to urge you to do everything in your power to get the closing-down order rescinded. Personally it does not affect me as I am practically out of business, but I regard it as one of the most serious and disastrous things that could be done.

H. W. MONTAGUE.

—

BOSTON, MASS., *January 17, 1918.*

Hon. HENRY CABOT LODGE,
Washington, D. C.:

To meet this pressing coal-shortage emergency I would suggest that retail stores, office buildings, and other lines of trade, which come into the Monday-holiday class, be allowed to change from an all-day Monday holiday to a five-hour day Tuesdays and Fridays; opening for business at 10 a. m. and closing at 3 p. m. This procedure would accomplish as much in conservation of coal and give all classes of business coming within this rule an opportunity to transact all necessary public business and would accommodate the needs of many lines, which would be better handled this way than by a full holiday once a week for 10 weeks. The five hours a day of business will heat the buildings sufficiently to protect sprinkler systems and other water pipings. Two days of no heat in severe cold weather would freeze up seriously nineteen out of twenty buildings, causing millions of dollars' worth of loss and inconvenience. These hours would apply equally advantageously to manufacturing and other trades.

P. MAGRANE,
President Magrane-Houston Co.

—

BOSTON, MASS., *January 18, 1918.*

Hon. HENRY CABOT LODGE,
Senate Chamber, Washington, D. C.:

We can not win the war by loafing. We hereby register our protest against the Monday-closing order and request that you use your efforts to have this order rescinded.

H. H. CHANDLER & SON.

—

WORCESTER, MASS., *January 17, 1918.*

HENRY CABOT LODGE,
Washington, D. C.:

We protest against the action of the Fuel Administration in shutting down our industry. This action will cause serious industrial disturbance and untold suffering among our people. We would suggest that a radical curtailment of all other freight and passenger service and devoting entire transportation facilities to movement of coal for the next five days will accomplish much better results.

WORCESTER MANUFACTURING CO.

NEW YORK, *January 17, 1918.*

Hon. HENRY CABOT LODGE,
Senate, Washington, D. C.:
In behalf of the New England mills of Amory Browne & Co., and also in behalf of our two mills in Alabama, I wish to protest against action of Director Garfield owing to losses on material in process. Impossible to follow orders strictly.

WALTER C. BAYLIES.

LOWELL, MASS., *January 17, 1918.*

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.:
Wicked waste to stop portion of mill operated by water. Eighty per cent in poundage of our contracts is for Government. Using water power would not involve use of coal. With mill closed, must use coal to protect sprinklers. With mill running, part of such coal is generally saved, because of heat from machinery being adequate for sprinklers and employees' comfort. Hope administrator will confirm our assumption that we may run by water on Government work, where consumption of coal is not involved.

F. A. FLATHER,
Treasurer Boot Mills.

BOSTON, MASS., *January 17, 1918.*

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.:
New England shoe manufacturers and tanners, while desiring to do their full duty toward the Government as patriotic citizens, are greatly disturbed over the order of the Fuel Administrator in shutting down all manufacturing establishments for the next five days and our association has been all day receiving strong protests against Mr. Garfield's action. This drastic order comes at a most unfortunate time for our shoe industry and we urge you to have the regulations modified in any way possible in the interests of both manufacturers and their employees.

NEW ENGLAND SHOE AND LEATHER ASSOCIATION,
THOMAS F. ANDERSON, *Secretary.*

BOSTON, MASS., *January 17, 1918.*

Hon. H. C. LODGE,
Senate Office Building, Washington, D. C.:
I wish to enter my protest against the closing order of Dr. Garfield. Textile mills are heated by exhaust steam, which is so helped by the friction of machinery running that the saving of coal will be comparatively small when the mills are closed.

C. MINOT WELD.

NEW YORK, *January 17, 1918.*

Senator HENRY CABOT LODGE,
Washington, D. C.:
I protest against fuel-conservation edict as being extremely injurious to all industries.

FRANCIS U. STEARNS,
Treasurer Renfrew Manufacturing Co., Adams, Mass.

WORCESTER, MASS., *January 17, 1918.*

HENRY CABOT LODGE,
Washington, D. C.:
We protest most emphatically against order issued by Fuel Administration, which we consider a serious blunder. We respectfully urge you to do all possible to have reconsidered and revoked this step with its resulting demoralization to industry. We recommend that closer attention be given to movement of coal now sidetracked and that present movement of freight and passenger service be radically curtailed to accomplish this, and that positions of great responsibility should be filled by men of proven business ability.

GRATON & KNIGHT.

SOMERVILLE, MASS., *January 17, 1918.*

Hon. HENRY CABOT LODGE,
Washington, D. C.:
We vigorously protest against ruling closing business places and factories unless absolutely necessary. It will mean utter ruin to many merchants in this section as well as terrible suffering owing to loss of pay among the people. Can not ruling be modified?

TEELE SQUARE BUSINESS MEN.

EASTHAMPTON, MASS., *January 17, 1918.*

Senator HENRY CABOT LODGE,
Washington, D. C.:
Fuel order appearing in newspapers this morning will, to our mind, work unnecessary hardship on labor and will seriously handicap all business connected with the furnishing to the Government of materials urgently needed for the successful prosecution of the war. Industries having fuel in ample supply should not be handicapped in producing materials urgently needed by the Government. The order we think is unnecessarily drastic and will lead to business disaster in many directions and general unrest throughout the industrial centers.

WEST BOYLSTON MANUFACTURING CO.

BOSTON, MASS., *January 17, 1918.*

Hon. H. C. LODGE,
United States Senate, Washington, D. C.:
The immediate adoption of daylight hours for general manufacturing will effect as much saving as shutting down every Monday, and with no consequent embarrassment to labor or manufacturer. What we need is more production. Our own plant is heated by exhaust steam when running, and consequently takes two-thirds as much coal for heating while shut down as is used when running full. Feel present ruling will have far-reaching effect in causing further labor disturbances.

FORBES LITHO. MFG. CO.,
W. S. FORBES, *Treasurer.*

BOSTON, MASS., *January 17, 1918.*

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.:
With intent of full cooperation with Government and realizing the necessity of Dr. Garfield's drastic closing order, yet we respectfully request that you file protest on our behalf on the suddenness of same, and, if possible, have effective date delayed until Monday or Tuesday next to permit preparation to comply with order to avoid serious loss on the part of our members.

NATIONAL BLDG. GRANITE QUARRIES ASSN. (INC.)
GRANITE PAVING BLOCK MFRS. ASSN. OF THE U. S. (INC.).
THE NATIONAL ASSN. OF THE GRANITE
INDUSTRIES OF THE U. S. (INC.).

Mr. LODGE presented resolutions adopted by the Boston & Maine Minority Stockholders' Protective Association, of Massachusetts, favoring the enactment of legislation to safeguard the interests of the security holders of the Boston & Maine and other railroads, which were referred to the Committee on Interstate Commerce.

He also presented telegrams in the nature of petitions from the New England Newspaper Alliance and from the North Adams Transcript, of Massachusetts, praying for the enactment of legislation fixing the price of print paper, which were referred to the Committee on Printing.

He also presented resolutions adopted at the annual meeting of the American Psychological Association, favoring the enactment of legislation for the establishment and maintenance of model demonstration rural schools and for the elimination of adult illiteracy in the United States, which were referred to the Committee on Immigration.

He also presented petitions of sundry citizens of Boston, Mass., praying for the enactment of legislation for the suppression of the liquor traffic among the Indians, which was referred to the Committee on Indian Affairs.

Mr. McKELLAR. I present two telegrams, which I ask may be printed in the RECORD without reading.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CHATTANOOGA, TENN., *January 17, 1918.*

Senator K. D. MCKELLAR,
Washington:
Dr. Garfield's order in connection with fuel situation, in my judgment, will do more harm than good and ought to be immediately suspended.

C. M. PRESTON.

CHATTANOOGA, TENN., *January 17, 1918.*

Senator K. D. MCKELLAR,
Washington, D. C.
Dr. Garfield's fuel order ought to be suspended. Will do much more harm than good.

J. J. LYNCH.
M. M. ALLISON.

Mr. TOWNSEND. I send to the desk telegrams both favorable to and opposed to the order issued by the Fuel Administrator, which I ask may be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

DETROIT, MICH., *January 17, 1918.*

Hon. CHARLES E. TOWNSEND,
United States Senate, Washington, D. C.:
Strong protest against reported order of Fuel Administrator following at length. Please make every effort to secure delay until business interests can be heard from.

DETROIT BOARD OF COMMERCE,
A. A. TEMPLETON, *President.*

LANSING, MICH., *January 18, 1918.*

Senator CHARLES E. TOWNSEND,
Washington, D. C.:
Manufacturers and jobbers voted unanimously to obey the order of Fuel Administrator Garfield relative to closing of factories for five days.

LANSING CHAMBER OF COMMERCE,
CHARLES H. DAVIS.

PONTIAC, MICH., *January 17, 1918.*

Senator CHARLES E. TOWNSEND,
519 Senate Office Building, Washington, D. C.:
Wire immediately at our expense present status of Garfield order regarding five-day closing of manufacturing plants. Also your personal opinion whether order will stand or be rescinded or to what extent modified.

PONTIAC MANUFACTURERS' ASSOCIATION,
Per PAUL A. LEIDY.

ADRIAN, MICH., *January 17, 1918.*

Hon. CHARLES E. TOWNSEND,
Washington, D. C.:
The Patriotic League of Lenawee County, embracing all patriotic activities in the county, most earnestly protests against any congressional action designed to coerce or interfere with executive measures dealing with fuel and transportation. Such measures are absolutely an executive function, and interference from Congress would create a grave political crisis, which we should view with profound apprehension. For Congress to usurp executive powers in war would bring inevitable disaster. We are at the parting of the ways. Our Constitution and system of government are at stake. This community supports the President absolutely in his constitutional power and considers all resistance to Garfield's order as unpatriotic and extremely dangerous, irrespective of the merit or advisability of the order itself.

ROBERT DARNTON, *President,*
W. H. BURNHAM, *Vice President,*
R. C. ROTHFUS, *Secretary,*
Patriotic League of Lenawee County.

MUSKEGON, MICH., *January 17, 1918.*

Hon. CHARLES E. TOWNSEND,
Senate Building, Washington, D. C.:
Published copy of Garfield order allows schools, theaters, saloons, and many nonessentials to run, but prevents our plant, which is operating on war munitions exclusively, from furnishing necessary war materials according to contract schedule. This partial stoppage of work throws men out of employment, which means great suffering among their families, which could be partially relieved by stopping all nonessentials. Schools could make up time later. Something to eat

and wear for men's families and war material for the Government are of more importance at this time than are all the amusement places, clubs, and saloons in the country. If the question of throwing men out of employment is to be considered, the producers should be given preference. We have been aiding some of our 800 employees to get fuel, but can not continue if the Government takes this course. We feel we can count on your aid to have this order changed to insure necessary production.

LINDERMAN STEEL & MACHINERY CO.

DETROIT, MICH., *January 17, 1918.*

Hon. CHARLES E. TOWNSEND,
United States Senate, Washington, D. C.:

Newspaper report of proposed Fuel Administration order to close industries was a distinct shock to Detroit. At a meeting called by the Detroit Board of Commerce, representing the majority of large manufacturers, it was the unanimous opinion that an emphatic protest should be made against the issuance of such an order as is proposed, on the ground that it would be a national calamity and would invite disaster rather than avert it. Approximately $1,000,000 per day will be taken from 225,000 workmen in Detroit. Seventy-five per cent of coal is necessary for heating purposes alone to protect plants even if closed down, and net saving would be very small. The following are concrete examples: Woodworking plants require more coal when idle than when running, because the waste is used for fuel. One printing establishment, illustrative of many others, uses three-quarters of a ton of coal and $4 worth of electricity per day to keep 65 employees at work. The throwing of millions of men on the streets without occupation will present most fertile field for anarchistic and pro-German agitators. Wage earners will not understand why they are thrown out of work and will be disappointed at not receiving the suggested pay, which very few, if any, manufacturers can give. Dissatisfaction will result, followed by objection to continuing the war. The order will do more to bring about a demand for peace without victory than anything which can possibly be done and will bring joy to the Kaiser and his sympathizers here. We are not thinking of Detroit alone, but what we have said applies to all manufacturing sections of the country. We pledge ourselves to do everything possible to conserve coal by eliminating unnecessary lighting and heating in factories, homes, and streets, and solicit definite suggestions from the Fuel Administration toward this end. We protest most vigorously against shutting down the industries in this country, causing a delay in producing, which means a loss of thousands of lives on the firing line.

A. A. TEMPLETON,
President Detroit Board of Commerce.

Mr. GALLINGER. I present a large number of telegrams relative to the order issued by the Fuel Administrator, which I ask to have printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

BOSTON, *January 18, 1918.*

Hon. JACOB H. GALLINGER,
Washington, D. C.:

Proposed shut-down of all New England industries would save but small part of coal used. One large manufacturer informs me that two-thirds usual supply will be needed to prevent freezing pipes and untold damage to factories. Your resolution should prevail.

F. W. ESTABROOK.

AKRON, OHIO, *January 17, 1918.*

Senator GALLINGER,
Washington, D. C.:

International Association of Machinists of Akron, Ohio, membership 1,500, enter emphatic protest against action of Harry A. Garfield in suspending industry and creating hardship upon labor and retarding war production. We resent this unpatriotic move and ask his removal.

R. H. PELKEY, *Secretary.*

BOSTON, *January 17, 1918.*

Hon. JACOB H. GALLINGER,
United States Senate, Washington, D. C.:

With intent of full cooperation with Government and realizing the necessity of Dr. Garfield's drastic closing order, yet we respectfully request that you file protest on our behalf on the suddenness of same, and, if possible, have effective date delayed until Monday or Tuesday next to permit preparation to comply with order to avoid serious loss on the part of our members.

NATIONAL BUILDING GRANITE QUARRIES ASSOCIATION (INC.).
GRANITE PAVING BLOCK MANUFACTURERS' ASSOCIATION OF THE UNITED STATES, (INC.).
THE NATIONAL ASSOCIATION OF THE GRANITE INDUSTRIES OF THE UNITED STATES (INC.).

NEW YORK, *January 17, 1918.*

Hon. JACOB H. GALLINGER,
United States Senate, Washington, D. C.:

This association makes a most emphatic protest against Garfield order closing business. Owing to the criminal neglect of Car Commissioner Judge Lovett and other Washington bureaus to allow necessary raw materials, we have no reserve stock of printing ink in any of our factories. If our plants are arbitrarily closed, it will shut up every newspaper and every other publication and every printer in the Eastern States for weeks. We have begged in vain for relief for an uncalled-for, intolerable, and inexcusable condition. Washington officials have ignored the situation and treated us with discourteous neglect. We must have immediate assurance that our mills can run and that we get raw material, or we will necessarily stop every ounce of ink going into the District of Columbia.

NATIONAL ASSOCIATION OF PRINTING INK MAKERS.

BOSTON, MASS., *January 17, 1918.*

Hon. JACOB H. GALLINGER,
United States Senate, Washington, D. C.:

Undersigned committee was appointed at a meeting of the New England Transportation Conference, which included representatives of Boston Chamber of Commerce, Associated Industries of Massachusetts, New England Shoe and Leather Association, the National Association of Wool Manufacturers, paper manufacturers of New England, Boston Wool Trade Association, Arkwright Club of New England, and Paint and Oil Club of New England, and other manufacturers. The conference recognizes serious shortage of fuel, but feels that order of National Fuel Administrator will work unnecessarily great harm to labor and industry. All the submarines in the world could not sink in the same length of time the amount of supplies which will be killed by it if literally carried out. Millions of dollars of unnecessary damage will be caused in interference with production and destruction of goods in process. Same result could be better obtained by stating percentage of fuel each industry must conserve and allowing industry to make that conservation under regulation of New England fuel administrator in such manner as will do least injury to business and keep the greatest number of employees at work. We object to the five-day shutdown as a poor way to accomplishing object sought, and we especially object to shortness of the notice, which does not give industrial plants opportunity to rearrange their schedules. New England has in its fuel administrator a man who has made very careful and continuous study of the necessities of the occasion. We believe that Mr. Storrow should be given great authority and latitude to determine how coal which must be saved in New England shall be saved. Shortage of fuel in New England is largely due to interference with water transportation. Under ordinary conditions 60 per cent of our coal is brought by water. We do not object to United States taking vessels absolutely required for war purposes, but some of the vessels could be spared, at least temporarily, to relieve the present situation. The more boats that haul coal to New England the more cars and locomotives there will be free to haul coal to other parts of the country and the more war goods New England and the other parts of the country will produce. We, like good soldiers, will obey the order and live up to its spirit until it is either modified or rescinded. We do, however, protest against peremptory form of order and unnecessary hardship which it entails. Thousands of employees will lose an unnecessary amount in wages at a time when they can least afford it. We urge that Federal Fuel Administrator inform New England administrator amount of coal which must be saved in New England, and that it then be left to New England fuel administrator to order that saving in such way as may seem to him wise.

FREDERICK C. MCDUFFIE, *Chairman,*
WILLIAM R. CORDINGLEY,
HENRY I. HARRIMAN,
FREDERIC C. HOOD,
LOUIS K. LIGGETT,
FRED B. RICE.
Committee of New England Transportation Conference.

Mr. GALLINGER. I present petitions of B. E. Shubert, of Greenwich, Conn.; of the New York Board of Trade and Transportation; of E. R. True, of Washington, D. C.; of Col. John P. Irish, of Oakland, Cal.; and of the State commissioner of horticulture of California, praying for the importation of Chinese farmers during the war. The resolution which I introduced some time ago on this subject was referred to the Committee on Agriculture and Forestry, and I move that these petitions be referred to that committee.

The motion was agreed to.

Mr. MCCUMBER presented a petition of sundry citizens of Grand Forks, N. Dak., praying for the enactment of legislation providing for a division of the internal-revenue district of North and South Dakota and for the establishment of an internal-revenue office in North Dakota, which was referred to the Committee on Finance.

Mr. PHELAN presented a memorial of Local Branch No. 15525, Oil and Gas Well Workers' Union, of Coalinga, Cal., remonstrating against the introduction of Chinese labor into the country during the war, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Central Labor Council of Los Angeles, Cal., and a petition of the Federated Trades Council of Sacramento, Cal., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Half-Century Association of America, Los Angeles, Cal., praying for the removal of any discrimination against applicants for civil service who have passed 50 years of age, which was referred to the Committee on Civil Service and Retrenchment.

Mr. FERNALD. I send to the desk telegrams relative to the order issued by the Fuel Administrator, which I ask may be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

BOSTON, MASS., *January 17, 1918.*

Hon. BERT M. FERNALD,
United States Senate, Washington, D. C.:

With intent of full cooperation with Government and realizing the necessity of Dr. Garfield's drastic closing order, yet we respectfully request that you file protest on our behalf on the suddenness of same, and, if possible, have effective date delayed until Monday or Tuesday next to permit preparation to comply with order to avoid serious loss on the part of our members.

NATIONAL BUILDING GRANITE QUARRIES ASSOCIATION (INC.).
GRANITE PAVING BLOCK MANUFACTURERS' ASSOCIATION OF THE UNITED STATES (INC.).
NATIONAL ASSOCIATION OF GRANITE INDUSTRIES OF THE UNITED STATES (INC.).

BOSTON, MASS., *January 17, 1918.*

Hon. BERT M. FERNALD,
United States Senate, Washington, D. C.:

Undersigned committee was appointed at meeting of New England Transportation Conference, which included representatives of Boston Chamber of Commerce, Associated Industries of Massachusetts, New England Shoe & Leather Association, the National Association of Wool

Manufacturers, Paper Manufacturers of New England, and Boston Trade Association, Arkwright Club of New England, and Paint & Oil Club of New England, and other manufacturers. The conference recognizes serious shortage of fuel, but feels that order of National Fuel Administrator will work unnecessarily great harm to labor and industry. All the submarines in the world could not sink in the same length of time the amount of supplies which will be killed by it if literally carried out. Millions of dollars of unnecessary damage will be caused in interference with production and destruction of goods in progress. Same result could better be obtained by stating percentage of fuel each industry must conserve and allowing industry to make that conservation under regulation of New England fuel administrator in such manner as will do least injury to business and keep the greatest number of employees at work. We object to the five-day shutdown as a poor way to accomplishing object sought, and we especially object to shortness of the notice, which does not give industrial plants opportunity to rearrange their schedules. New England has in its fuel administrator a man who has made very careful and continuous study of the necessities of the occasion. We believe that Mr. Storrow should be given great authority and latitude to determine how coal which must be saved in New England shall be saved. Shortage of fuel in New England is largely due to interference with water transportation. Under ordinary conditions 60 per cent of our coal is brought by water. We do not object to United States taking vessels absolutely required for war purposes, but some of the vessels could be spared, at least temporarily, to relieve the present situation. The more boats that haul coal to New England the more cars and locomotives there will be free to haul coal to other parts of the country, and the more war goods New England and the other parts of the country will produce. We, like good soldiers, will obey the order and live up to its spirit until it is either modified or rescinded. We do, however, protest against peremptory form of order and unnecessary hardship which it entails. Thousands of employees will lose an unnecessary amount in wages at a time when they can least afford it. We urge that Federal Fuel Administrator inform New England administrator amount of coal which must be saved in New England and that it then be left to New England fuel administrator to order that saving in such way as may seem to him wise.

FREDERIC C. MCDUFFIE, *Chairman*,
WILLIAM R. CORDINGLEY,
HENRY L. HARRIMAN,
FREDERICK C. HOOD,
LOUIS K. LIGGETT,
FRED B. RICE
Committee of New England Transportation Conference.

Mr. SMITH of Michigan. Mr. President, I thought my colleague [Mr. TOWNSEND] had presented, among others, a telegram in the nature of a memorial to the Senate from Dodge Bros., at Detroit, but he has just advised me that he has not his copy of the telegram with him, and I desire to read this telegram, which deals with the cause of this trouble as well as the effect. It is very brief:

DETROIT, MICH., *January 17, 1918.*

Senator WILLIAM ALDEN SMITH,
Washington, D. C.

Dodge Bros. and 17,000 of their employees most vigorously protest against the action of the administration in ordering suspension of all industries for 14 days. This order will work untold hardship and suffering, as men without money will not only have to do without coal, but will also have to do without food. In our opinion the lack of coal is entirely due to the advice spread broadcast during the early summer by Fuel Administration that later on there would be ample coal delivered at a low Government price, causing practically everyone to delay the purchasing of their coal until fall, with the result that the railroads were asked to deliver in two months coal that ordinarily required seven months to deliver. In our case it also means a delay of 14 days in the delivery of important ordnance material, which no doubt will very much please our enemies, both home and abroad.

DODGE BROS.

If I may, I desire to trespass a moment longer to read a telegram from the Genesee County fuel administrator at Flint, Mich., who says:

FLINT, MICH., *January 19, 1918.*

Hon. WM. ALDEN SMITH,
Grand Rapids, Mich.:

Susquehanna Coal Co., large anthracite shippers, notify Michigan dealers to-day that the Government has prohibited all their anthracite shipments coming into Michigan for 30 days. Fuel administration of Ohio has had shipments of bituminous coal from Ohio to Michigan embargoed since December 24, and Ohio miners advise by long distance that it is still on. It is up to you and other Michigan Representatives to have these conditions modified at once so this whole State may be relieved.

GENESEE COUNTY FUEL ADMINISTRATOR KELLER.

Mr. President, I have just returned after a rather enforced absence of several days. I know how deplorable and pitiable the fuel situation is in Michigan, and I can not resist the temptation to beg of my colleagues that some remedy should be afforded. When hospitals are unable to be kept warm for the purpose of caring for the sick and the dying and cries of distress can be heard everywhere it is a serious situation in a State where the thermometer is below zero. Promises and good intentions have little effect in a situation so critical.

All this chaos and disorder and lack of coordination and lack of practical cohesion are shameful. The Senate and House of Representatives should rise and if necessary clip the wings of this ominous bird; we should stay the hands of those who seek to exercise unconstitutional authority which could not and was never pretended to be given. The whole country is aghast. Our enemies must be jubilant. May I not with the highest respect for the coordinate departments of the Government beg my colleagues that some united action shall be taken to speed relief and stay this blow so serious and so far-reaching now about to fall upon our countrymen? We must be loyal to our Commander in Chief, but this does not mean that we shall be deaf or speechless, heartless or blind. Is there no cure for this inexcusable disorder?

I also have received a telegram from the president of the Board of Commerce of Detroit, which I ask to have printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The telegram is as follows:

DETROIT, MICH., *January 17, 1918.*

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.:

Newspaper report of proposed Fuel Administration order to close industries was a distinct shock to Detroit. At a meeting called by the Detroit Board of Commerce, representing the majority of large manufacturers, it was the unanimous opinion that an emphatic protest should be made against the issuance of such an order as is proposed, on the ground that it would be a national calamity and would invite disaster rather than avert it. Approximately $1,000,000 per day will be taken from 225,000 workmen in Detroit. Seventy-five per cent of coal is necessary for heating purposes alone to protect plants, even if closed down, and net savings would be very small. The following are concrete examples: Woodworking plants require more coal when idle than when running, because the waste is used for fuel. One printing establishment, illustrative of many others, uses three-quarters ton of coal and $4 worth of electricity per day to keep 65 employees at work. The throwing of millions of men on the streets without occupation will present most fertile field for anarchistic and pro-German agitators. Wage earners will not understand why they are thrown out of work and will be disappointed at not receiving the suggested pay which very few, if any, manufacturers can give. Dissatisfaction will result, followed by objection to continuing the war. The order will do more to bring about a demand for peace without victory than anything which can possibly be done and will bring joy to the Kaiser and his sympathizers here. We are not thinking of Detroit alone, but what we have said applies to all manufacturing sections of the country. We pledge ourselves to do everything possible to conserve coal by eliminating unnecessary lighting and heating in factories, homes, and streets, and solicit definite suggestions from the Fuel Administration toward this end. We protest most vigorously against shutting down the industries in this country, causing a delay in producing, which means a loss of thousands of lives on the firing line.

A. A. TEMPLETON,
President Detroit Board of Commerce.

Mr. SMITH of Georgia. Mr. President, I send to the desk six telegrams from as many large manufacturing plants that I have received from Columbus, Ga., one of which I ask to have read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

COLUMBUS, GA., *January 21, 1918.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.:

This cotton mill is operated solely by power derived from water power. Fuel is used only for heating purposes. It is necessary to heat the buildings to keep pipes and fire-sprinkler equipment from freezing, and thereby maintain adequate fire protection. Under normal conditions heat is maintained on Sundays. Heat for this purpose will be sufficient to keep operatives warm. Seven hundred operatives are employed in this plant on daily wages. Such operatives would be caused severe suffering if this plant was closed. Operatives would suffer more from cold if plant was closed than if plant operated. Fuel would not be conserved if plant closed, because operatives would burn far more fuel at home than plant would. This plant has a supply of coal on hand for heating purposes. We urge you to take immediate action to secure modification of Garfield's order to permit us to use our own coal to heat the plant, and thereby conserve fuel, keep our operatives warm, prevent great suffering to hundreds of people, and irreparable damage to persons and property. Plant is also operating largely on Government orders. Prompt action is necessary. This entire community is affected. Advise us as soon as possible. Answer collect.

F. B. GORDON,
President Columbus Manufacturing Co.

Mr. SMITH of Georgia. I shall not ask that the other five telegrams be read. They are practically to the same effect. They vary as to the number of employees. The total number of employees of the six plants is something over 5,000. Each telegram points out that a large portion of the product of the mill from which it comes is being manufactured on Government account, and to a considerable extent will go to camps where soldiers are now stationed, and where other soldiers are to be stationed. They are manufacturing clothing and blankets for our soldiers.

These plants are run by electricity from water power. They consume no coal except for heat.

I also send to the desk a letter which I have received from Mr. Garfield, and ask that it be read.

The Secretary read as follows:

UNITED STATES FUEL ADMINISTRATION,
Washington, D. C., January 18, 1918.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMITH: Answering the inquiry by your secretary, Mr. Johnson, I take pleasure in advising you that in reply to a telegram from the Macon News, relative to our order of January 16, our ruling does not apply to newspapers or industries operated by the use of hydroelectric power.

The Macon News, therefore, if operated entirely by hydroelectric power, is not affected by the order.

Yours, very truly,

H. A. GARFIELD,
United States Fuel Administrator.

Mr. SMITH of Georgia. Mr. President, I wish to say that I hope the suggestion contained in this letter is to be liberally carried out and that there will be no effort by the Fuel Administrator to cause trouble to hydroelectric plants, where there is simply a little coal used in the plants to prevent the freezing of their various instrumentalities, including the men and women who work in them.

Most of those plants have sprinkler systems all over their building that must be kept from freezing by some heat, or else they would be likely to freeze and burst, to their great damage and to the damage of the property.

In this connection I wish also to express the hope that if the Fuel Administrator does not respond to the resolution passed by the Senate he at least will so modify in its operation his order as to save the great and unnecessary loss which it otherwise is likely to cause.

I send to the desk three additional telegrams which I desire to have read.

The VICE PRESIDENT. Is there objection. The Chair hears none, and the Secretary will read.

The Secretary read as follows:

ATLANTA, GA., *January 17, 1918.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.:

Talking to hundreds of your friends to-day, we feel the President's orders on coal are too drastic and uncalled for, and show weakness of the administration as well as of the country. Will work great hardship upon the poor, and we feel will cause the greatest wave of crime that has ever swept over this country. Should either be rescinded or modified.

ERNEST L. RHODES.

—

ATLANTA, GA., *January 17, 1918.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.:

The executive committee of the Atlanta Association of Credit Men, while feeling in complete accord with the purposes of the order regarding the closing of manufacturing and business houses issued by the administration, desire to express the hope that some modification of the order will be made which will bring about the necessary conservation of fuel without working the hardship which will necessarily result from the inflexible enforcement of the present order.

H. D. CARTER, *President.*

—

ATLANTA, GA., *January 17, 1918.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.:

Our mill, Millstead Manufacturing Co., Conyers, Ga., running over 50 per cent on direct Government contract. Please wire me here, expense, earliest practicable moment, latest developments shutting-down order Fuel Administration—whether or not such plants will definitely close down beginning to-morrow.

T. T. CALLAWAY, *Manager.*

Mr. SMITH of Georgia. Mr. President, I desire to say that it was impossible satisfactorily to answer these telegrams last night, because the order of the Fuel Administrator was not published until this morning. I find that the Fuel Administrator was largely influenced to issue the order by the desire to put coal in the vessels which were loaded and lacking coal. I only wish to express the hope that he may still find that by moving the cars out of the terminals between his coal cars and the boats he can have the boats loaded with coal and permit them to sail rather than to stop factories which are 700 miles away from the seaports where the congested terminals interfere with coal delivery.

If he will limit interference with industries to those which affect his ship loading, he can greatly modify his order.

Mr. BECKHAM. I present a telegram from the Board of Trade of Louisville, Ky., which I ask to have read.

There being no objection, the telegram was read, as follows:

LOUISVILLE, KY., *January 18, 1918.*

Hon. J. C. W. BECKHAM,
Washington, D. C.:

The members of the Louisville Board of Trade, at a mass meeting held to-day, adopted a resolution heartily indorsing the purpose of the President and the Federal Fuel Administrator in conserving the coal supply of the country and offer our hearty cooperation to the Fuel Administration in its efforts in this direction.

LOUISVILLE BOARD OF TRADE,
W. S. MORROW, *Secretary.*

Mr. TILLMAN. I have here a telegram in relation to the subject matter the Senator from Georgia [Mr. SMITH] has just spoken upon, which I should like to have read.

There being no objection, the telegram was read, as follows:

UNION, S. C., *January 17, 1918.*

Senator B. R. TILLMAN,
Washington, D. C.:

Have wired Federal Fuel Administration, Washington, as follows:

"Lockhart Mills is operated exclusively by its own water power and is heated by wood cut principally from its own lands and will not use exceeding 2 tons of coal per day. Nearly 600 operatives dependent on mills for daily bread. The amount of coal used would not alone heat mills from freezing. Are we permitted to run or must we close under your order? Wire quickly."

Please, can you help us secure early instructions? Please wire me quickly.

EMSLIE NICHOLSON, *Treasurer.*

Mr. TILLMAN. Mr. President, I have been unable to answer that telegram for the reason that I could not get in touch with Fuel Administrator Garfield this morning. He was in conference with some one and has not been able to answer. I will take the responsibility of wiring the sender of the telegram that the order does not apply to such mills as his, and I hope Mr. Garfield will see that I am not bothered.

Mr. BRANDEGEE. I present, and desire to have inserted in the RECORD without reading, a number of telegrams from important industries in the State of Connecticut protesting against the so-called fuel order.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

STAMFORD, CONN., *January 17, 1918.*

Hon. F. B. BRANDEGEE,
United States Senate, Washington, D. C.:

At a meeting of the Manufacturers' Association of Stamford, Conn., held to-day the following resolution was unanimously adopted:

"*Resolved*, That the members of the Stamford Manufacturers' Association, by unanimous vote, protest most earnestly against the order closing industries from January 18, as published in the press of January 17, issued by the Hon. H. A. Garfield, Fuel Administrator. They consider the proposition as arbitrary, dictatorial, and unconstitutional; and be it further

"*Resolved*, That a copy of this resolution be forwarded by telegraph and mail to the President of the United States, Senators, and Representatives in Congress from Connecticut."

MANUFACTURERS' ASSOCIATION.

—

NORWICH, CONN., *January 17, 1918.*

Senator FRANK B. BRANDEGEE,
Washington, D. C.:

Twenty-five manufacturers, members of the manufacturers' bureau of the Norwich Chamber of Commerce, at a special meeting held to-day, strongly protest against abrupt and indefinite order of National Fuel Administration throwing 9,000 hands out of work.

H. R. BRANCHE, *Secretary.*

—

NEW HAVEN, CONN., *January 18, 1918.*

Hon. FRANK B. BRANDEGEE,
Senate, Washington, D. C.:

We believe automobile industry to be important factor in helping to relieve freight congestion. Closing of our 26 branches prevents them from giving service to hundreds of truck owners whose haulage reduces and prevents freight tie-up.

STERLING TIRE CORPORATION,
New Haven Branch.

—

NEW YORK, N. Y., *January 18, 1918.*

Hon. FRANK B. BRANDEGEE,
Washington, D. C.:

Our mills in your State have substantial Government orders. Garfield's drastic order seriously affects the ability of the company to make deliveries of cloth to the Army. We strenuously oppose the order and appeal to you to remedy this national catastrophe.

WM. M. WOOD,
President American Woolen Co.,
Waldorf Astoria Hotel, New York.

—

MERIDEN, CONN., *January 17, 1918.*

Hon. FRANK B. BRANDEGEE,
United States Senate, Washington, D. C.:

With full realization of the suffering and loss to follow the enforcement of the order to shut down industries, the leaders in manufacturing and commerce assembled in this city strongly protest measures of Fuel Administration which will result in tremendous loss, hardship, and civic danger. Do all possible to rescind or modify.

MERIDEN WAR BUREAU,
H. T. KING (*Mayor*), *Chairman.*

—

GUILFORD, CONN., *January 18, 1918.*

Senator FRANK B. BRANDEGEE,
Washington, D. C.:

We advocate supplanting present Fuel Administrator with an executive and business man of national standing, eliminating present controlling influence of coal operators. Present shut down is logical consequence of series of piddling blunders, and illustrates the incumbency and lack of vision of the present Fuel Administration.

I. S. SPENCER & SONS.

—

NEW BRITAIN, CONN., *January 16, 1918.*

Senator FRANK B. BRANDEGEE,
Washington, D. C.:

We have begun to-day shutting down our plant for lack of coal. We have 2,500 employees working at least 50 per cent on Government work. Will you not work with Fuel Administration and Secretary of War to help Connecticut?

STANLEY WORKS,
GEO. P. HART, *President.*

—

NORWICH, CONN., *January 17, 1918.*

Hon. FRANK B. BRANDEGEE,
United States Senate, Washington, D. C.:

Kindly advise; we are a water-power plant; use coal for heating and insurance requirements only; use same amount of coal, stopped or in operation. Are we compelled to shut down?

FALLS CO.

—

BRIDGEPORT, CONN., *January 17, 1918.*

Senator FRANK B. BRANDEGEE,
Washington, D. C.:

Do you realize consequences of drastic order issued by Fuel Administrator? Was this order issued after consultation and approval of experts competent to realize effect of same? Why not conserve fuel by closing down plants nonessential to the production of material

necessary for the carrying on of the war? Can not conceive of greater encouragement to our enemies and greater discouragement to our allies. In my opinion it is time that Congress assumed the responsibility imposed by the Constitution of the United States.

ANDREW L. RIKER.

—

BRIDGEPORT, CONN., *January 17, 1918.*

Senator F. B. BRANDEGEE,
Washington, D. C.:

It is our desire to cooperate with the Government to the fullest extent in connection with recent order by the Fuel Administration as reported by the newspapers. We employ about 2,000 men and 95 per cent of our production is for War Department. It is our opinion that the Senate and Congress should make it their business to know that the present order is constructive and not destructive. We respectfully request that you, in representing us, take the necessary steps to assure yourself that the present Fuel Administration is acting for the best interests of the American people.

J. T. ROCHE,
Vice President and General Manager Locomobile Co. of America.

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NEW BRITAIN, CONN., *January 17, 1918.*

Hon. FRANK B. BRANDEGEE,
United States Senate, Washington, D. C.:

Aside from loss to operators of $500,000 in wages the carrying out of Garfield's order would seriously jeopardize placing new loan or sale of thrift stamps in this city. Over 7,000 workmen subscribed for liberty bonds, paying in installments; and factory managers have just established sale of thrift stamps. Judgment of manufacturers here is cutting off one week's pay would permanently stop on both loans and thrift stamps, as no one would know what to expect in the future. If order is carried out, will antagonize manufacturers and workmen alike.

A. J. SLOPER.

—

BOSTON, MASS., *January 17, 1918.*

Hon. FRANK B. BRANDEGEE,
United States Senate, Washington, D. C.:

Undersigned committee was appointed at meeting of New England Transportation Conference, which included representatives of Boston Chamber of Commerce; Associated Industries of Massachusetts; New England Shoe & Leather Association; the National Association of Wool Manufacturers; Paper Manufacturers of New England; Boston Wool Trade Association; Arkwright Club, of New England; and Paint and Oil Club of New England, and other manufacturers. The conference recognizes serious shortage of fuel, but feels that order of National Fuel Administrator will work unnecessarily great harm to labor and industry. All the submarines in the world could not sink in the same length of time the amount of supplies which will be killed by it if literally carried out. Millions of dollars of unnecessary damage will be caused in interference with production and destruction of goods in process. Same result could better be obtained by stating percentage of fuel each industry must conserve, and allowing industry to make that conservation under regulation of New England fuel administrator in such manner as will do least injury to business and keep the greatest number of employees at work. We object to the five-day shutdown as a poor way to accomplishing object sought, and we especially object to shortness of the notice, which does not give industrial plants opportunity to rearrange their schedules. New England has in its fuel administrator a man who has made very careful and continuous study of the necessities of the occasion. We believe that Mr. Storrow should be given great authority and latitude to determine how coal which must be saved in New England shall be saved. Shortage of fuel in New England is largely due to interference with water transportation. Under ordinary conditions 60 per cent of our coal is brought by water. We do not object to United States taking vessels absolutely required for war purposes, but some of the vessels could be spared, at least temporarily, to relieve the present situation. The more boats that haul coal to New England the more cars and locomotives there will be free to haul coal to other parts of the country, and the more war goods New England and the other parts of country will produce. We, like good soldiers, will obey the order and live up to its spirit until it is either modified or rescinded. We do, however, protest against peremptory form of order and unnecessary hardship which it entails. Thousands of employees will lose an unnecessary amount in wages at a time when they can least afford it. We urge that Federal Fuel Administrator inform New England administrator amount of coal which must be saved in New England, and that it then be left to New England fuel administrator to order that saving in such way as may seem to him wise.

FREDERICK C. MCDUFFIE, *Chairman,*
WILLIAM R. CORDINGLEY,
HENRY I. HARRIMAN,
FREDERIC C. HOOD,
LOUIS K. LIGGETT,
FRED B. RICE,
Committee of New England Transportation Conference.

Mr. BRANDEGEE subsequently said: I ask the Secretary to read a telegram which I have received from my State.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read the telegram, as follows:

DERBY, CONN., *January 18, 1918.*

Senator FRANK B. BRANDEGEE,
Washington, D. C.:

The Employers Association of the Lower Naugatuck Valley, embracing Ansonia, Seymour, Derby, and Shelton, strongly urges you to have Saturday substituted for Monday on legal holiday to be declared for next 10 weeks. As order now stands our 20,000 employees will suffer immense wage loss they are in no position to meet.

P. L. GERETY, *President.*

Mr. POMERENE. Mr. President, since last night I have received 30 or 40 telegrams from my own State relative to the coal situation. They come from public officials, from leading manufacturers and business men, in whose judgment I have every confidence, and who know something about the coal business. Among these telegrams is one from the Marion Steam Shovel Co., of Marion, Ohio. That company is perhaps the largest steam-shovel manufacturing plant in the world. The telegram is typical of some of the others on the same subject. I ask that it may be read for the information of the Senate.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read the telegram, as follows:

MARION, OHIO, *January 17, 1918.*

Senator ATLEE POMERENE,
Senate Office Building, Washington, D. C.:

If reported fuel administration order becomes effective causing this plant to shut down, we will require within from five to ten tons as much coal per day when shut down as when running, owing to the fact that we use exhaust steam for heating plant when ruining, but when shut down will necessitate using live steam for heating purposes to prevent serious damages by freezing, consequently can only effect saving of fuel as mentioned, but it will mean the throwing out of employment of approximately 1,600 men. Can there be any relief suggested?

MARION STEAM SHOVEL CO.

Mr. POMERENE. Mr. President, many of these large manufacturing plants in Ohio have a sprinkling system for fire protection, and it is necessary to keep up the fires in order to preserve their plants even if they are not in fact operating. I have presented that telegram because it specifically points out the advantage of operation and the fact that if they are not operating they will consume almost as much coal as they do when they are operating.

I have another telegram here from the city of Springfield, Ohio, a manufacturing town, with a population of probably 40,000. It is in the gas belt of Ohio, and about one-half of the manufacturers in Springfield use gas for fuel purposes. Under the order which has been issued by the Fuel Administrator those plants must close down. I can not conceive what advantage to the coal situation could be derived from closing down these plants even for an hour.

On yesterday a representative of one of the largest rubber plants in Ohio was here. That plant employs about 22,000 people and is manufacturing, in part, war supplies, railroad supplies, and other supplies which enter intimately into the industries of the country. The vast majority of the employees of this concern subscribed to liberty bonds; many of them did so at considerable personal sacrifice, and yet they are to be thrown out of employment whether the plant employing them has coal or not. I have yet to hear anybody point out the wisdom of that course.

Mr. President, I am not going to take the time of the Senate to go into this matter. It is the most drastic order, in my judgment, that was ever issued by any department of any government and, in my judgment, with less excuse than any other order that was ever issued. I recognize the fact that we need coal for our Navy, but the Government has the power to commandeer that coal at any time it may wish to do so. I do not know that any coal for Navy purposes is taken from the Ohio mines. If they need coal for the Navy, they certainly should have it, and if they need coal from Ohio they ought to have it, but they do not take it from Ohio.

Mr. SMITH of Michigan. Mr. President, will the Senator permit me to interrupt him?

Mr. POMERENE. I yield.

Mr. SMITH of Michigan. I have seen it stated somewhere, and apparently with authority, that 60 per cent of the fuel used by the Navy was in the form of oil.

Mr. POMERENE. I think the Senator is correct, at least in this, that there is a large amount of oil consumed as Navy fuel. But I am quite sure there is not any one Senator who would want to deprive the Navy of a single bushel of coal at any time. The Navy must first be served, but they have failed to show wherein they are going to better serve the Navy by depriving the manufacturers of Ohio, Illinois, Indiana, and Minnesota of their coal supply. It it can be shown that it is necessary to close down every factory in Ohio in order to get fuel for the Navy, so be it, and everyone will say "amen."

Mr. SMITH of Georgia. Mr. President, will the Senator let me ask him a question?

Mr. POMERENE. I will.

Mr. SMITH of Georgia. Is it not true that the Navy not only has the coal it needs but that naval officials in the city of Boston loaned to the Fuel Administrator a large amount of coal for distribution to private citizens for private consumption?

Mr. POMERENE. Mr. President, I am not advised as to the facts, but I accept them as the Senator states them.

Mr. SMITH of Georgia. Well, I do not personally know that to be the case, but I have been so informed, and I have no doubt——

Mr. POMERENE. I have no doubt about the situation.

Mr. SMITH of Georgia. And I have no doubt that the Senator from Virginia [Mr. SWANSON], who has carefully watched the subject, can give the Senate assurance that the Navy is fully provided with coal at every point.

Mr. POMERENE. Mr. President, let me call attention to another significant situation. On yesterday a very prominent gentleman—I am not at liberty to name him, but he is a gentleman who is known to all the Senators here—told me about his lumber interests. He has perhaps five or six sawmills. The fuel used by those sawmills is the refuse from the logs. Some of that refuse is used for fuel purposes in the electric lighting plants in the neighborhood, and yet, under this wonderfully wise order, these sawmills are to close down on certain days and not be permitted to burn this refuse.

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. POMERENE. I will yield in a moment. Mr. President, I have a telegram here from the Merchants and Manufacturers' Association of Toledo, Ohio, which exemplifies the situation there and speaks of their attitude. I am not going to ask the Senate that it be read, but I ask that it be incorporated in the RECORD without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The telegram referred to is as follows:

TOLEDO, OHIO, *January 17, 1918.*

Hon. ATLEE POMERENE,
Washington, D. C.:

At a meeting of our association to-day the following resolution was adopted:

Resolved, That 90 per cent of the manufacturers of Toledo assembled this morning in convention and agreed to carry out Dr. Garfield's order on fuel conservation to the letter. But while Toledo realizes the necessity of conserving fuel, yet we also realize the importance of wage earners continuing their employment to obtain sufficient money to supply the necessities of life; realizing that a large percentage of the fuel used in the plants at Toledo will be necessarily used to keep the plants heated and their sprinkling and fire-protecting systems going, thereby preventing ruin of the plants, we do earnestly protest against the reported order regarding shutting down of all use of fuel for power, as provided by the order recently promulgated. The manufacturers of Toledo are willing and anxious to cooperate to their fullest extent with the requirements of the Government for those things that are found to be necessary in the present emergency; nevertheless they earnestly insist that they believe the situation will be made worse instead of better by the shutting down of all uses of power, throwing from 50,000 to 60,000 of Toledo employees out of employment and out of receiving their customary wage. The reported suggestion by the newspapers that manufacturers pay employees full wages during the shutdown is a very serious matter, as business conditions and present high labor wages make profits so small that in the ordinary case this would be impossible. Many of the plants of Toledo receive their power from the Toledo railways and light company, and some of them use not to exceed 10 per cent of the fuel used in the plants for power, the balance being necessary to keep up the physical condition of the plant. We believe it is necessary for the wage earners to obtain fuel for their bodies as well as for their houses, and this can not be done unless they are able to get their wages to pay the high prices for food, which are now necessary. We therefore earnestly protest against this wholesale order and urge that a study be made immediately and the order be limited just as far as possible and practical.

MERCHANTS & MANUFACTURERS' ASSOCIATION OF TOLEDO.

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. POMERENE. I yield to the Senator from Mississippi, who was about to ask me a question.

Mr. VARDAMAN. I was about to suggest to the Senator from Ohio that, in justice to Dr. Garfield, it ought to be stated that the coal is not to be used, and he does not propose to use it for the Navy. It is the transports that he is so solicitous about serving and providing with coal. Nothing is said, I think, in his order about furnishing coal to the Navy, but it is needed for the transports that are now lying in port for lack of coal, which are needed to carry freight to our allies.

Mr. POMERENE. The transports are part of the Navy, as I understand.

Mr. VARDAMAN. They are not at all a part of the Navy.

Mr. POMERENE. Oh, well, I understand in regard to that. What is the use of being captious about this thing? When it comes to the matter of the transporting of freight and other supplies, it is for Navy purposes.

Mr. VARDAMAN. The Senator ought to be more careful or discriminating in his use of terms. I repeat, the order has nothing whatever to do with the Navy. I would not be understood as in any way condoning the mistake of the Fuel Administrator. As I have stated before, I think the order issued by the Fuel Administrator was an unfortunate, disastrous blunder, and its foolishness is accentuated by the fact that it was so very unnecessary. The end sought to be attained could have been reached by a different course. I endeavored to impress the Fuel Administrator with that fact, and suggested what I thought the proper way when he was before the subcommittee last evening. But this unfortunate step was determined upon, I presume, and it was taken, regardless of the horrible consequences. I think, however, it is fair to Dr. Garfield to say that the coal to be moved and released under this order is not to be used by the Navy.

Mr. POMERENE. Mr. President, if any correction is necessary, I accept it; I do not want to do anybody any injustice or to exaggerate a single fact; but, nevertheless, the fact remains that not a pound of coal will go to the moving of those transports either from the Ohio, Indiana, or Illinois fields.

Mr. VARDAMAN. That may be true; I do not doubt that at all.

Mr. THOMAS. Mr. President, I shall occupy the floor for only a moment.

I want to say to the Senators present who are protesting against the recent order of the Fuel Administration that I sympathize with them, and to the utmost degree. I think those of us from the Western States can perhaps do so more appreciably than those from the States now affected, because we have had several years' experience with this principle of conservation, and we have become indurated to it. I only hope that the lesson which this order will bring to the minds of the Senate will make them a little more tolerant of us when we here protest against a situation which is analogous to the one which is now under consideration and which has been the prolific source of suppressing the development of the resources of the West, which, if they had been left untrammeled, would have made it unnecessary for this order ever to have been issued.

REPORTS OF COMMITTEES.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (S. 3311) to increase and expedite the supply of munitions of war (Rept. No. 200); and

A bill (S. 3472) to authorize the Secretary of War to provide and issue distinctive buttons or badges to men drafted or volunteering for enlistment in the military forces who are exempted or rejected and to provide a penalty for unlawfully wearing, procuring, or manufacturing the same (Rept. No. 203).

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 3470) to amend section 35 of the Criminal Code of the United States (Rept. No. 201); and

A bill (S. 3526) to amend section 11 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916 (Rept. No. 204).

He also, from the same committee, to which was referred the bill (S. 3471) to authorize the Secretary of War to grant furloughs without pay and allowances to enlisted men of the Army of the United States, reported it with an amendment and submitted a report (No. 202) thereon.

Mr. WILLIAMS, from the Committee on the Library, to which were referred the following joint resolutions, reported them each without amendment and submitted reports thereon:

A joint resolution (S. J. Res. 49) authorized the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States (Rept. No. 205); and

A joint resolution (S. J. Res. 107) authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury (Rept. No. 206).

COAL AND ASPHALT LANDS.

Mr. OWEN. From the Committee on Indians Affairs, I report back favorably with amendments the bill (H. R. 195) providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla., and I submit a report (No. 207) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The first amendment was, on page 2, line 25, after the word "value," to insert "retaining the right to reject any or all bids."

The amendment was agreed to.

The next amendment was, on page 4, line 12, after the word "right," to insert the words "except as herein otherwise provided."

The amendment was agreed to.

The next amendment was, at the end of section 4, page 5, line 2, to insert:

Provided further, That no person or corporation shall be permitted to acquire more than four tracts of 960 acres each, except where such person, firm, or corporation has such tracts under existing valid lease.

The amendment was agreed to.

Mr. BORAH. Mr. President, may I ask from what committee that bill was reported?

Mr. OWEN. From the Committee on Indian Affairs. The bill has passed the House of Representatives, and it was unanimously reported by the Indian Affairs Committee. It has also been favorably reported upon by the Secretary of the Interior and the Commissioner of Indian Affairs.

Mr. BORAH. Would the Senator object to stating, in a word, what the bill purports to do?

Mr. OWEN. Not at all. The bill is simply carrying out the treaty made with the Choctaws and Chickasaws some years ago to dispose of the surplus coal and asphalt lands which the Government has been administering there for them for quite a long period of time. The promise was made in 1902, but the matter has been delayed from time to time and never acted on. The Interior Department desires to have these matters disposed of, so as to wind up the affairs of the Five Tribes.

Mr. SMOOT. Mr. President, I will ask the Senator if the Secretary of the Interior approves of the legislation?

Mr. OWEN. He does. He has made a favorable report on it, which I have incorporated in the report of the committee.

Mr. SMOOT. And the amendments which are offered now are the amendments suggested by the department?

Mr. OWEN. They are amendments that do not interfere at all with the proposed policy of the bill. They are simply verbal changes that were found necessary.

The VICE PRESIDENT. The Secretary will state the next amendment.

The next amendment was, in section 5, page 5, line 10, after the word "reserved," to insert "and existing valid leases thereon."

The amendment was agreed to.

The next amendment was, on page 5, line 16, after the word "Oklahoma," to strike out all of the remainder of section 5, and in lieu thereof to insert "for the grounds of the State penitentiary: *Provided*, That said coal deposit under said land shall not be mined by convict labor for the purpose of sale to any private agencies, individual person, or corporation, or to be sold for private or commercial purposes."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 3564) granting an increase of pension to Philip Bixby; and

A bill (S. 3565) granting an increase of pension to Imogen P. Ingersoll; to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 3566) authorizing the President to appoint Second Lieut. Ansel G. Wineman as a provisional second lieutenant in the Regular Army (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 3567) granting an increase of pension to John McCracken;

A bill (S. 3568) granting an increase of pension to Wilford Herrick (with accompanying papers); and

A bill (S. 3569) granting a pension to Belle H. Purdon; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 3570) granting lands for school purposes in Government town sites on reclamation projects; and

A bill (S. 3571) granting lands for school purposes in lots No. 111 in each of the town sites of Fort Shaw and Simms, Sun River reclamation project, Montana; to the Committee on Public Lands.

By Mr. McNARY:

A bill (S. 3572) authorizing the Coos Bay, Umpqua, and Siuslaw Tribes of Indians in the State of Oregon to submit claims to the Court of Claims; to the Committee on Claims.

By Mr. KENYON:

A bill (S. 3573) granting an increase of pension to George R. Frazier;

A bill (S. 3574) granting an increase of pension to John Brannan (with accompanying papers); and

A bill (S. 3575) granting an increase of pension to William H. Temple (with accompanying papers); to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 3576) to pay a cash reward to civilian employees of the Navy; and

A bill (S. 3577) for the relief of certain pay officers of the United States Navy (with accompanying papers); to the Committee on Naval Affairs.

A bill (S. 3578) for the relief of Susan V. Marsh (with accompanying papers); to the Committee on Claims.

By Mr. SMITH of Maryland:

A bill (S. 3579) for the relief of the Maryland Trust Co., of Baltimore; and

A bill (S. 3580) for the relief of sundry building and loan associations; to the Committee on Claims.

By Mr. NORRIS:

A bill (S. 3581) granting an increase of pension to Henry Newell; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 3582) for the relief of National Guard officers; to the Committee on Military Affairs.

AMENDMENT OF INTERSTATE COMMERCE LAW.

Mr. NELSON. I introduce a bill, and inasmuch as it pertains to the root of the difficulty which we are now discussing, I ask that it be read for the information of the Senate.

The bill (S. 3563) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That the act entitled "An act to regulate commerce," approved February 4, 1887, be, and the same is hereby, amended by adding thereto a new section to be numbered as section —, as follows:

"SECTION —. That within 10 days after the passage and approval of this act it shall be the duty of every person or company responsible for the unloading of any merchandise or commodity of any kind whatsoever, moving and transported by railroad in interstate commerce, to unload the car or cars containing such merchandise or commodity within such time after their arrival at the point of destination as the Interstate Commerce Commission may prescribe, not, however, to exceed in any case the period of seven days, and in case the merchandise or commodity is not unloaded within the period prescribed the railroad carrier may unload such car or cars and charge the expense of the same to the owner or consignee of the merchandise or commodity so unloaded, and the carrier shall have and be entitled to enforce a lien upon the merchandise or commodity so unloaded for the expense of unloading the same."

Mr. NELSON. Mr. President, I ask the indulgence of the Senate to say one or two words in reference to this matter.

The events of the last year disclosed the fact that a large number of the coal cars of the country have been kept and maintained at sidings for an indefinite time instead of being unloaded or sent to their destinations. The mere matter of paying a little demurrage did not expedite the unloading of the cars. The consignees were quite content to pay the demurrage for the sake of keeping the coal on the cars in order to get a higher price.

Great Britain heretofore has had the principle of charging demurrage for failure to unload at the proper time, but the war exigencies in that country have compelled the Board of Trade of England, under the so-called defense act, to adopt regulations similar to and in line with those contained in this bill. I regard it as very important that we should have a law on the subject. The mere payment of demurrage to the extent of one dollar or two or three dollars a car will never expedite the unloading of cars as it ought to be expedited.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Mississippi?

Mr. NELSON. I do.

Mr. WILLIAMS. I should like to ask the Senator from Minnesota if there is any parliamentary reason why he should not ask for the immediate consideration of this bill?

Mr. NELSON. It ought to go to the Committee on Interstate Commerce, and I think the committee ought to report the bill back immediately to the Senate. It may not be in proper form; it may require modification; but I am satisfied that this is one of the most effective and important measures that can be passed. It reaches right at the root of the difficulty—this matter of using the cars of the country for storage purposes and keeping the coal on the sidetracks for an indefinite time.

Mr. WILLIAMS. I do not want to interfere with any course that the Senator has marked out for his bill, but it seems to me that this is so self-evidently a right thing to do that we might do it without referring the bill to any committee at all. Of course the course which the Senator designates is the regular course, and perhaps he has reasons for thinking that he can expedite the legislation by having it take the regular course, but it seems to me that what he proposes does go to the root of the evil. I know that nearly everywhere things are blocked

at the termini by the fact that men do prefer to pay demurrage rather than to unload their freight. We ought to go right to the bull's-eye of this trouble, and we ought to do it in the most direct and in the speediest possible manner.

Mr. NELSON. Mr. President, I have taken the unusual course of having this bill read and making these brief remarks this morning in order to call the attention of the Committee on Interstate Commerce to this important matter. I think this is a matter that should be acted upon immediately. It reaches to the root of one of the great difficulties under which we are suffering with reference to the coal supply, and I trust that the Committee on Interstate Commerce will take immediate action on the subject.

The VICE PRESIDENT. The bill will be referred to the Committee on Interstate Commerce.

WITHDRAWAL OF PAPERS—MARY M. BEEHRLE.

On motion of Mr. CUMMINS, it was

Ordered, That the papers accompanying Senate bill 1193, Sixty-fourth Congress, first session, granting a pension to Mary M. Beehrle, be withdrawn from the files of the Senate, no adverse report having been made thereon.

FUNERAL EXPENSES OF THE LATE SENATOR BRADY.

Mr. BORAH submitted the following resolution (S. Res. 187), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of the Hon. JAMES H. BRADY, late a Senator from the State of Idaho, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

NAVAL OIL SUPPLY.

Mr. SWANSON. Mr. President, several days ago I introduced Senate bill 3521 and made a motion to refer it to the Naval Affairs Committee. It has been discussed here for three days. I suppose the discussion has sufficiently enlightened the Senate. I now ask for a vote on it, and demand the yeas and nays on the reference.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is, Shall the bill be referred to the Committee on Naval Affairs?

Mr. MYERS. Mr. President, I just want to say that if the motion is defeated, as I think it should be, I shall then make a motion to refer the bill to the Senate Committee on Public Lands. That is the only way in which we can get at it. Under the rules of the Senate I am not permitted to offer a substitute motion to refer it to the Senate Committee on Public Lands, or else I would do so. As I said, if the motion is defeated, as I think it ought to be, I shall follow it with a motion to refer the bill to the Committee on Public Lands.

Mr. STERLING. Mr. President, just a word with reference to this motion.

It seems to me that if ever there was a bill before the Senate which should be referred to the Committee on Public Lands rather than the Committee on Naval Affairs it is this bill. If the bill is referred to the Committee on Naval Affairs we will simply ignore all precedent in regard to bills of this kind.

The language of the bill characterizes the bill and shows that it relates to a disposition of the public lands and to large areas of such lands. The first section is to the effect that the absolute title and right of possession to any oil or gas lands within the exterior boundaries of naval petroleum reserve No. 1, and so forth, shall become vested in the United States upon the issuance from time to time by the President of an Executive order or proclamation to that effect; and the bill further provides that the Secretary of the Navy shall have the right to take possession of the lands and all the property on the lands, including property put there by individual owners and claimants, and lease, sell, or operate the same in his discretion directly or by contract, lease, or otherwise.

Mr. President, this bill has no further claim for reference to the Committee on Naval Affairs than a bill disposing of the agricultural lands of the United States or of the forest lands of the United States or of any of the mineral lands of the United States. All, as a matter of course and according to all precedent, have been referred without question to the Committee on Public Lands. Why should this bill, then, be an exception to the rule and be referred to the Committee on Naval Affairs?

It was insisted, I understand, by the Senator from Virginia [Mr. SWANSON]—although I did not hear his remarks—that the Committee on Public Lands is not friendly to the bill, and therefore he desires to have it referred to the Committee on Naval Affairs. That can not be the rule for the reference of bills. I think perhaps it is often a good thing and in the interest of wholesome legislation that the committee to which a bill is referred is not friendly to the bill. That is not to say, however, or to admit for a moment that the Committee on Public Lands will be unfriendly to this bill. The claim that it should be referred to the Naval Affairs Committee is as much as to say, it seems to me, that the Committee on Public Lands is not as sensible of the interests and welfare of the Nation as to the Committee on Naval Affairs. I am satisfied that the Committee on Public Lands will give this bill fair and full consideration, and with the highest regard, too, for the interests of the country.

So, Mr. President, I hope this motion to refer the bill to the Committee on Naval Affairs will not prevail, and that we will follow the precedents established in the past and refer it to the Committee on Public Lands.

Mr. LODGE. Mr. President, nothing could be further from my wishes than to trench upon the prerogatives of any committee. It seems to me the distinction is a very plain one. These lands are all segregated. They are separated from public lands and allotted to the Navy for naval uses. The bill itself on its face provides for their management under such regulations as may be made by the Secretary of the Navy. The Secretary of the Interior is the head of the department which deals with public land. The matter of fuel for the Navy is of the very last importance. As these lands have been set aside for the use of the Navy, it seems to me the Naval Committee ought to deal with them just as it deals with the lands set aside for the purposes of navy yards, marine barracks, training grounds, or any other naval purpose. The purpose of these lands is a naval purpose, and that is the sole reason why the bill is before us. It is the sole reason why this was separated from the general bill which passed the other day. I think that lands which touch so immediately the vital need of the Navy ought to be left under naval control.

I have no further argument to make, because it seems to me very obvious that a matter which is so distinctly naval ought to be left in the charge of that committee.

Mr. SHAFROTH. Mr. President, the statement which the Senator from Massachusetts [Mr. LODGE] has made, it seems to me, is not borne out by the facts. He has said this land has been set aside for the Navy. The best way to determine that is to read the law, and when the law is to the contrary it seems to me that argument fails.

Now, what is the provision of the law under which this proclamation was made? It was in the act of June 25, 1910, and it provides "that the President may, at any time in his discretion, temporarily withdraw from settlement, location, sale," and so forth. Then in section 2 there is a limitation, and that limitation shows clearly that these lands have not been set aside. Here is the language:

> That all lands withdrawn under the provisions of this act shall at all times be open to exploration, discovery, occupation, and purchase under the mining laws of the United States, so far as the same apply to minerals other than coal, oil, gas, and phosphates.

Is that setting aside these lands exclusively for the purpose of the Navy? Can any such construction be made as that? Does not the right to explore those lands for mining purposes, for metalliferous mines, treat these lands as public domain in those respects, and hence confirms in the Committee on Public Lands its jurisdiction over them? It seems to me that that law ought to settle this question, and that the proper reference of the bill is to the Committee on Public Lands, because you are dealing with the title, and you propose to take this public land away from the jurisdiction of the Committee on Public Lands when unquestionably, according to the very authority that you invoke, that committee has the jurisdiction as to these lands and as to everything therein except coal, oil, gas, and phosphates.

Mr. POINDEXTER. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. POINDEXTER. May I ask the Senator from Colorado what is the law that he is reading from?

Mr. SHAFROTH. It is called the Pickett Act, which was approved June 25, 1910, and under this act the proclamation of the President was made setting aside these oil reserves.

Mr. POINDEXTER. If the Senator will permit me, I will show how easy it is for a man to be misled. The fact is that the order of the President setting aside this land was made on the 27th day of September, 1909, nearly a year before that act was passed.

Mr. SHAFROTH. No; not these lands.

Mr. SWANSON. These lands, if the Senator will permit me, were set aside in 1912.

Mr. SHAFROTH. Yes.

Mr. SWANSON. This language was used, "For the exclusive use and benefit of the Navy," and the President was authorized by that act to set them aside.

Mr. SHAFROTH. He had no right to do it, except, perhaps, as to the oils in these lands, and they are mixed up with the mineral lands of all kinds therein. Consequently, you do not get exclusive jurisdiction.

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Virginia?

Mr. SHAFROTH. I yield.

Mr. SWANSON. If the Senator will permit me, the act of 1910 authorized what was done regarding this very reserve. This reserve was set aside in 1912 by Executive order. The land was taken for the exclusive use and benefit of the Navy. That language was used. The word "temporary" was put in so that the President in case he saw proper might want to make it smaller or larger, but that has not been changed to-day. Under that authority this land is for the exclusive use and benefit of the Navy. That is what it says.

Mr. SHAFROTH. Mr. President, it seems to me that the authority which the President has must be relegated to the act itself, and he has not the power to set aside anything except the oil contained therein. Yet this bill provides that the absolute title to all these lands, including everything therein, shall be vested in the Navy.

Mr. President, under those circumstances the idea of taking land that the order does not authorize under the act of Congress, which gave the power to issue an order, and to say that you shall convert a title of the United States of a limited nature into a title of an absolute nature without referring it to the committee that has jurisdiction of all these lands is absurd.

Mr. OWEN. Mr. President, this is a question merely of the jurisdiction of a committee. The Committee on Public Lands has always exercised jurisdiction over the disposition of public lands, whatever the purpose may be to which the land may be assigned, and when it comes to the legislative action of the Senate the jurisdiction dealing with the question of public lands, even if the lands had been set apart for the use of the Navy or for any other purpose, would not be taken from the hands of the Committee on Public Lands. It seems to me to be an indignity to that committee to take it out of their hands.

Mr. SWANSON. Mr. President, in reply to the Senator from Oklahoma, I wish to make this statement. The bill proposes to take lands for naval uses which have already been set aside. The Secretary of the Navy is directed, not the Secretary of the Interior. Who knows how to store oil and conserve oil and confiscate—I mean, condemn—lands for oil? What does this bill do? Here is land that has been set aside for the exclusive use and benefit of the Navy, and the bill provides how the Secretary of the Navy shall use it, how he shall operate it, how he shall store oil.

Mr. MYERS. Will the Senator yield to me?

Mr. SWANSON. Not now. It provides how the Secretary of the Navy shall store oil and what he shall do with it. It does not direct the Secretary of the Interior to do anything.

It has been impossible to get Senators here to understand one thing, and that is the difference between public land and governmental land. I understand public lands are lands which are open to the public for entry under the rules and regulations. Governmental lands are lands that are owned by the Government, some belonging to the Army, some belonging to the Navy, some belonging to the various departments. These lands are as much set aside for the Navy, as the Senator from Massachusetts [Mr. LODGE] well said, as land that has been set aside for training camps.

Now, take another view of it. This land is to be condemned. A large portion of this land is private land—no longer public land, but private land. The bill proposes to take the private land under process of condemnation and that the Navy shall use it. I do not see what the Navy has jurisdiction of if it has not jurisdiction of the way it shall obtain, develop, and use oil.

Mr. President, if I mistake not, the gentlemen interested in this bill had the matter referred to the Naval Committee to determine about this naval reserve, and for two weeks we investigated the proposition, heard the Government and heard the private claimants. I can not see any law anywhere under which lands to which patents have been issued and rights established should go to the Committee on Public Lands to determine whether the Navy wants to use them and condemn them for public purposes or not.

Mr. MYERS. Will the Senator now yield to me?

Mr. SWANSON. I yield to the Senator from Montana.

Mr. MYERS. I congratulate the Senator on disclosing the true intent of the Committee on Naval Affairs when he used the word "confiscate."

Mr. SWANSON. As the Senator alludes to the committee, I had no intention to go into the merits of the bill; but since we must determine the merits of it, I will say that reports have been made from the Committee on Public Lands repeatedly regarding the disposition of these lands that belong to the Government, and they have been such that neither the Attorney General nor the Secretary of the Navy would approve because they thought it was an effort to deprive the Government of the honest right it had in the land for the benefit of private individuals. When this question of the naval reserves came up on the leasing bill the patrons of the bill asked that the naval reserves should be eliminated from the bill, and it was done. I want to say that, so far as the merits of this bill are concerned, there has never been an intention on the part of the Government to deprive an individual of a single right he possesses. An effort has been made here to change the conditions and modify the law in most cases for the benefit of a few rich men and a few rich companies. All we ask is that this land that has been set aside for the Navy shall be held as a naval reserve, and if there is any private claimant to this land, and he can not accept the compromise offered by the Government, let him go into the courts and litigate his claim as to his rights and as to the amount. That is all that this bill provides.

Mr. PHELAN. Mr. President, the Senator from Virginia [Mr. SWANSON] has seen fit to discuss the merits of the proposition under a motion to refer. I do not desire to follow him in that, but I deprecate his last remarks, that those who seek benefits under the legislation proposed are rich men. I submit to the Senate that it is immaterial whether they are rich or poor, if their case is based upon justice and equity. As a matter of fact, the claimants have been impoverished by their confidence in the Government, spending hundreds of thousands of dollars in developing property, because the President, by his order of 1909, withdrew the land from entry and occupation; and on top of that, adding injury to insult, a naval reserve is clapped on. Hence, they have been before the courts for years trying to extricate themselves from these various meshes. The courts have for the greater part sided with their contention, and now it is proposed to pass a new law by which their rights may possibly be recognized under condemnation proceedings and their property taken away and they be compensated.

When this matter came up, as one particularly interested on account of my advocacy of section 16 of the leasing bill, which was afterwards temporarily withdrawn, it appeared to me that it was immaterial whether the men were granted their rights or whether they were compensated for their claims; and I do not know but that the men having claims are quite willing, provided the legislation is speedily enacted, to submit to an arbitration as proposed, or, that failing, to proceedings by condemnation; not, as the Senator inadvertently said, by confiscation.

The Navy has shown much zeal in seeking to acquire these lands, with little consideration for the rights of citizens. There is no man on either committee who I believe would stand in the way for a minute of giving the Navy full use of the oils on these reserves, always contingent upon the fundamental thing that the men who have equitable claims be compensated and that their property be not confiscated.

Now, why should not the bill go to the Committee on Public Lands? It is "public lands." The title is not in the Navy; the title is in the United States, where not privately owned. I think out of 30,000 acres in naval reserve No. 2, in California, the Government has an undisputed title to about 7,000 acres; but what the Navy is seeking is not so much what the Government has but what has been by process of law, under the mining laws—the placer-mining law—acquired by others.

The reason why I contend that the bill should go to the Public Lands Committee is, in the first place, that the lands involved are actually or potentially United States public lands, and it would be contrary to all precedents to refer to any other committee than the Committee on Public Lands. Secondly, the whole matter has been discussed for three years in the Public Lands Committee, and there is no member of the Naval Committee, except two—because they happened to be members also of the Public Lands Committee—who has any familiarity with the subject. It will involve new hearings, meaning indefinite delay. The Public Lands Committee is informed; the Committee on Naval Affairs is not informed. I speak impartially, as a member of both committees.

Now, as to what the Senator from Massachusetts [Mr. LODGE] has said—that this is a naval reserve, and therefore the bill should go to the Committee on Naval Affairs—it is wholly illogical. The Committee on the Library of this body has jurisdiction over public monuments. It is proposed to erect a monument to an admiral in the Navy or some lesser dignitary, and on behalf of the Senate the Library Committee determines—not the Naval Affairs Committee—the merits of the proposal, in the first instance—the artistic value of the monu-

ment—and, second, the propriety of erecting a monument at all. It might with just as much reason be urged that when it is proposed to erect a monument to a man of the Navy, and the proposition is made in the Senate, it should be referred to the Committee on Naval Affairs. I think it is the unbroken precedent that such reference is made to the Library Committee.

At this time it looks to me like it would be a reflection on the Public Lands Committee to make any other reference, because it is a marked departure from precedents.

Mr. GRONNA. Mr. President, I want to ask the Senator who has just taken his seat a question merely for my own information in order to enable me to vote aright. The Senator made the statement that these are still public lands. Of course, if that statement is correct, the lands are still under the jurisdiction of the Interior Department, and I presume that the bill has been referred to the Department of the Interior. Is that true?

Mr. PHELAN. That is true; yes.

Mr. GRONNA. I agree with the Senator, and I am not now going to discuss——

Mr. PHELAN. Excuse me, may I interrupt the Senator?

Mr. GRONNA. Yes.

Mr. PHELAN. What bill does the Senator refer to as having been referred to the Department of the Interior—the leasing bill?

Mr. GRONNA. This very bill which we are now discussing.

Mr. PHELAN. This bill has not been before any committee, and therefore it has not been referred to any department.

Mr. GRONNA. But if it is a fact, Mr. President, that these lands have merely been withdrawn for naval purposes, they are simply in the same class with other lands which have been withdrawn for Indian reserves or for forest reserves; they are still under the jurisdiction of the Department of the Interior.

Mr. PHELAN. That is true.

Mr. GRONNA. As to the provisions of this bill, I may be in accord with the Senator from Virginia [Mr. SWANSON], but I do not think the bill should go to a committee which does not possess jurisdiction of it. I believe that the Public Lands Committee has jurisdiction over this bill. I am not going to discuss the merits of the bill at all. I think when it comes to a vote upon the merits of the bill I shall be inclined to vote with the Senator from Virginia.

Mr. SWANSON. I should like to ask the Senator what jurisdiction the Public Lands Committee has over half of this land to which private patents have already been issued?

Mr. GRONNA. It would not have jurisdiction over private lands except in certain cases. But the Interior Department would have jurisdiction over patented lands in the case of fraud.

Mr. SWANSON. Who has jurisdiction to convey private lands for the use of the Navy?

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Senators must address the Chair to get permission to interrupt a Senator who is speaking.

Mr. GRONNA. I yield to the Senator from Virginia.

Mr. SWANSON. Who has jurisdiction of the condemnation of lands for the use of the Navy?

Mr. GRONNA. I presume the courts would be the only bodies having such jurisdiction.

Mr. SWANSON. I mean what committee has charge of bills which are to be considered for that purpose?

Mr. GRONNA. I am inclined to believe that all lands which have not been ultimately disposed of and patented come under the jurisdiction of the Department of the Interior.

Mr. SWANSON. But over half of this is private land, or about one-half, I do not know the exact amount, for which patents have been issued. This is a private condemnation proceeding to obtain those lands.

Mr. GRONNA. I am not a lawyer, but I should judge that the courts would have jurisdiction of the matter.

Mr. SWANSON. But I am talking of the committee which should have charge of the bill to determine as to the condemnation of private land for naval uses.

Mr. GRONNA. I can only answer the Senator by saying that it is my understanding that part of these lands are still public lands.

Mr. SWANSON. And a part of them is private land, for which patents have been issued. The Senator from North Dakota admits that the Public Lands Committee has no jurisdiction of the matter. The Naval Committee has jurisdiction of all bills to condemn land for naval uses. The only question that comes up is as to that portion of the reserves for which patents have not been issued. What jurisdiction has the Public Lands Committee ever had for land that is private land, and for which patents have been issued? It is proposed to condemn that land for naval purposes.

Mr. GRONNA. Mr. President——

Mr. STERLING. I should like to ask the Senator from Virginia a question.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from South Dakota?

Mr. GRONNA. In a moment. May I answer the question propounded to me, and then I will be glad to yield?

Mr. STERLING. Certainly. In answering the Senator from Virginia the Senator from North Dakota may answer the question I intended to ask.

Mr. GRONNA. As I understand the provisions of the bill, it does not provide for a condemnation at all.

Mr. SWANSON. It does that absolutely; that is just what it does.

Mr. GRONNA. Then, of course, I misunderstand the meaning of the bill.

Mr. SWANSON. I think so.

Mr. PHELAN. Mr. President, I should like to answer the question of the Senator from Virginia.

Mr. GRONNA. I yield first to the Senator from South Dakota.

Mr. STERLING. Mr. President, I should merely like to ask the Senator from Virginia if the fact that some of the lands are patented lands deprives the Public Lands Committee of jurisdiction and confers jurisdiction upon the Naval Committee?

Mr. SWANSON. Yes; because none of the lands are public lands, as none of them are open to public entry.

Mr. STERLING. They have been temporarily withdrawn?

Mr. SWANSON. They have been withdrawn for the exclusive use and benefit of the Navy. I do not know the reason for the effort that is being made, but I have never seen in the Senate an effort to deprive a committee that has jurisdiction of all kinds of matters appertaining to the Navy of the control of an important measure of this kind which has to do with securing oil for the Navy. I do not think that such a measure should be controlled, disposed of, and decided by a committee that has never had anything to do with naval matters.

Mr. PHELAN. Mr. President, in answer to the question of the Senator from Virginia, I should like to state——

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. The Chair is really at a loss to know who is entitled to the floor. The Senator from North Dakota [Mr. GRONNA] had the floor

Mr. GRONNA. I think I still have the floor.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from California?

Mr. GRONNA. If the Senator from South Dakota is through, I will yield to the Senator from California; otherwise I will yield again to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from North Dakota yields to the Senator from South Dakota.

Mr. STERLING. I simply want to make the statement, in connection with a question I asked the Senator from Virginia, that the temporary withdrawal of public lands, whether they are agricultural lands, whether they are forest lands, or whether they are mining lands, does not deprive the Department of the Interior of jurisdiction. Any proposed legislation affecting the sale or disposition of those lands, whatever the character of the lands may be, goes to the Committee on Public Lands. That has been the course always. This bill does affect the title and disposition of the lands, and obviously should be referred to the Committee on Public Lands.

Mr. GRONNA. I now yield to the Senator from California.

The PRESIDING OFFICER. The Senator from North Dakota yields to the Senator from California.

Mr. PHELAN. Mr. President, there are three naval reserves, No. 1 and No. 2 being in California, and No. 3 in Wyoming. In naval reserve No. 2 in California there is some patented land. However, the Government is contesting the patents, and hence it can not be said that so long as there is a contest that those lands are patented lands; they may revert to the United States. In naval reserve No. 1 in California I do not believe there is any patented land, and there is certainly no patented land in naval reserve No. 3 in Wyoming. So when the Senator from Virginia makes the point that because some of these lands are patented lands the Committee on Public Lands would lose jurisdiction he seems to be laboring under a mistaken impression.

Now, in naval reserve No. 2 in California, which is the bone of contention, it has been asked whether the Department of the Interior has jurisdiction. The Navy Department and the Department of Justice have been trying—and that is the history of this case—to take away jurisdiction from the Interior Department because the Commissioner of the General Land Office had passed to patent some of these lands, and violence has been done in this, that under executive pressure, the De-

partment of the Interior has temporarily laid aside its action in order that the courts may determine some of the questions involved; and testimony is now being taken before commissioners of the land office in California. So these lands are still, as they properly should be, under the control of the Department of the Interior, but the two other departments are endeavoring to weaken the jurisdiction of the Secretary of the Interior, who has, under pressure of this kind, yielded; but he still retains jurisdiction. So he is preserving the integrity of his department under the laws of this country, and the Senate should preserve the integrity of its rules.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Colorado?

Mr. GRONNA. Yes.

Mr. THOMAS. I merely wish to state to the Senator from North Dakota that I think the Senator from Virginia is mistaken when he calls this a condemnation bill. It is a bill which proposes in express terms to transfer title from individuals to the Government of the United States, and then provides a fund out of which the owners, if they can agree with the Government, shall receive compensation. If they can not agree, they are relegated to the tender mercies of the courts.

Mr. GRONNA. Mr. President, the Senator from Colorado is quite right in that statement. I have the bill before me, and I find in section 4 the following:

SEC. 4. That the President is hereby authorized, in such manner as he may direct, to agree with any claimant or owner of any property taken under this act upon a division of lands or the proceeds of operation, upon any exchange of lands without the naval petroleum reserves for lands within the reserves.

Now, Mr. President, clearly that is what we call a lieu-land provision that necessarily would come under the jurisdiction of the Department of the Interior in making exchange, and clearly the Committee on Public Lands has jurisdiction, and not the Committee on Naval Affairs.

I am in sympathy with some of the provisions of the bill, but I do not think it is necessary to refer it to any particular committee to get justice in the Senate. I am quite sure that the Committee on Public Lands is just as willing and just as able to act upon this bill as any other committee, and for that reason, Mr. President, I shall have to vote to refer the measure to the Committee on Public Lands.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the Secretary will proceed to call the roll.

The Secretary proceeded to call the roll.

Mr. HARDWICK (when his name was called). I have a general pair with the junior Senator from Kansas [Mr. CURTIS]. In his absence I withhold my vote.

Mr. MYERS (when his name was called). I have a general pair with the Senator from Connecticut [Mr. MCLEAN]. In his absence I transfer that pair to the Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. SAULSBURY (when his name was called). I have a pair with the senior Senator from Rhode Island [Mr. COLT], which I transfer to the junior Senator from New Hampshire [Mr. HOLLIS] and vote "yea."

Mr. OVERMAN (when the name of Mr. SIMMONS was called). My colleague [Mr. SIMMONS] is absent on account of a death in his family.

Mr. SMITH of Maryland (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM], which I transfer to the Senator from Louisiana [Mr. BROUSSARD] and vote "yea."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from New Jersey [Mr. HUGHES] and vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. In his absence I withhold my vote.

Mr. WEEKS (when his name was called). I transfer my pair with the senior Senator from Kentucky [Mr. JAMES] to the junior Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. WILLIAMS (when his name was called). I have a regular pair with the Senator from Pennsylvania [Mr. PENROSE.] Notwithstanding his absence, being informed that if he were present he would vote as I am about to vote, I shall vote. I vote "yea."

The roll call was concluded.

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH]. In view of the announcement which has been made by the Senator from Mississippi [Mr. WILLIAMS] I transfer that pair to the senior Senator from Pennsylvania [Mr. PENROSE] and vote "yea."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I withhold my vote. If permitted to vote, I should vote "nay."

Mr. MYERS. My colleague [Mr. WALSH] is still detained from the Senate by illness. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. This announcement may stand for the day.

Mr. OVERMAN. I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. SHERMAN. I have a pair with the senior Senator from Kansas [Mr. THOMPSON]. I transfer that pair to the Senator from Michigan [Mr. TOWNSEND] and vote "yea."

Mr. GERRY. I desire to announce that the Senator from Kansas [Mr. THOMPSON] is detained on important public business.

Mr. SMOOT. I have been requested to announce the following pairs:

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD];

The Senator from Kansas [Mr. CURTIS] with the Senator from Georgia [Mr. HARDWICK];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN]; and

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK].

The result was announced—yeas 40, nays 15, as follows:

YEAS—40.

Bankhead	Hitchcock	New	Smith, Md.
Beckham	Johnson, S. Dak.	Norris	Smith, Mich.
Brandegee	Kenyon	Overman	Smith, S. C.
Calder	Lewis	Poindexter	Stone
Fletcher	Lodge	Robinson	Swanson
France	McCumber	Saulsbury	Tillman
Frelinghuysen	McKellar	Sheppard	Trammell
Gallinger	McNary	Sherman	Wadsworth
Gerry	Martin	Shields	Weeks
Hale	Nelson	Smith, Ga.	Williams

NAYS—15.

Ashurst	Jones, N. Mex.	Phelan	Sutherland
Borah	Jones, Wash.	Ransdell	Thomas
Gore	King	Smoot	Vardaman
Gronna	Myers	Sterling	

NOT VOTING—38.

Broussard	Harding	La Follette	Smith, Ariz.
Chamberlain	Hardwick	McLean	Thompson
Colt	Hollis	Owen	Townsend
Culberson	Hughes	Page	Underwood
Cummins	James	Penrose	Walsh
Curtis	Johnson, Cal.	Pittman	Warren
Dillingham	Kellogg	Pomerene	Watson
Fall	Kendrick	Reed	Wolcott
Fernald	Kirby	Shafroth	
Goff	Knox	Simmons	

So the bill was referred to the Committee on Naval Affairs.

MEMORIAL TO FRANCIS ASBURY.

Mr. OVERMAN. I have here a joint resolution (S. J. Res. 107) which was reported favorably this morning from the Committee on the Library by the Senator from Mississippi [Mr. WILLIAMS], and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of a joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That the Chief of Engineers, United States Army, be, and he is hereby, authorized and directed to grant permission to the Francis Asbury Memorial Association for the erection on public grounds of the United States in the city of Washington, D. C., other than those of the Capitol, the Library of Congress, and the White House, of a memorial to Francis Asbury, a pioneer itinerant, whose continuous journeyings through our cities, towns, villages, and early settlements, from 1771 to 1816, greatly promoted the interests of patriotism, education, morality, and religion and were a distinct aid to the American Republic: *Provided*, That the site chosen and the design of the memorial shall be approved by the Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of the said memorial.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ARMED FORCES OF THE PHILIPPINES.

Mr. CHAMBERLAIN. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 7697) to authorize the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes.

The PRESIDING OFFICER. The Senator from Oregon asks unanimous consent for the present consideration of a bill. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the militia and other locally created armed forces in the Philippine Islands may be called into the service of the United States, and all members thereof may be drafted into said service and organized in such manner as is or may be provided by law for calling or drafting the National Guard into said service, and shall in all respects while therein be upon the same footing with members of the National Guard so called or drafted: *Provided*, That the pay and allowances of officers and men of the Philippine Militia and other locally created armed forces in the Philippine Islands called into the service of the United States under the provisions of this act when serving in the Philippine Islands shall in no case exceed the pay and allowances for corresponding grades of Philippine Scouts.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MILITARY ZONES AROUND SHIPYARDS.

Mr. FLETCHER. I move that the Senate proceed to the consideration of Senate bill No. 3387, Order of Business 170. There are three bills on the calendar, reported favorably by the Commerce Committee. In view of the general situation, they are regarded as being very important, and I hope the Senate will dispose of them. Order of Business No. 170 is the first one.

The PRESIDING OFFICER. The Senator from Florida moves that the Senate proceed to the consideration of a bill the title of which will be stated by the Secretary.

The SECRETARY. A bill (S. 3387) to authorize and empower the President to create military zones around shipyards where vessels are under construction for the United States.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in line 10, page 2, after the word "requisition," to insert "condemnation," so as to make the bill read:

Be it enacted, etc., That the President of the United States of America, as Commander in Chief of the Army and Navy, be, and he is hereby, authorized and empowered from time to time to create and establish, within defined areas surrounding any shipbuilding plant where vessels are under construction for the United States of America a military or war zone; that such designated area shall be directly under the control of the President, with the right and authority to treat such area as if it were a fort, camp, or other military establishment of the United States of America, and that all laws applicable to forts, camps, or other military establishments shall be applicable to the zone or area so designated; and any person, persons, firm, or corporations who shall violate any such law shall be punishable in the manner therein provided. Should it become necessary or desirable to take over or occupy or use any buildings, land, or other property within such area, the United States may acquire such property or the use thereof by purchase, requisition, condemnation, or otherwise, and shall make just compensation therefor, to be determined by the President; and if the amount thereof so determined by the President is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by the President and shall be entitled to sue the United States of America to recover such further sums as added to 75 per cent will make up such amount as will be just compensation therefor, in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code.

The President may exercise the power and authority hereby vested in him through the several departments of the Government and through such agency or agencies as he shall determine from time to time.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TRANSPORTATION OF SHIPYARD EMPLOYEES.

Mr. FLETCHER. I also ask unanimous consent for the present consideration of the next Order of Business, being Senate bill 3388.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). The Senator from Florida asks unanimous consent for the present consideration of Order of Business 171. Is there objection? The Chair hears none. The Secretary will state the title of the bill.

The SECRETARY. A bill (S. 3388) to amend the emergency shipping fund provisions of the urgent deficiency appropriation act approved June 30, 1917, so as to empower the President and his designated agents to take over certain transportation systems for the transportation of shipyard and plant employees, and for other purposes.

Mr. CALDER. Mr. President, does the consideration of this measure require unanimous consent?

The PRESIDING OFFICER. Unanimous consent has already been given.

Mr. CALDER. I did not hear the Presiding Officer put the question.

The PRESIDING OFFICER. The Chair asked if there was objection, and the Chair said he heard none, and the Secretary then read the title of the bill.

Mr. CALDER. I did not hear the Chair. If I had heard him, I would have objected to its consideration.

The PRESIDING OFFICER. Does the Senator desire to object to the consideration of the bill?

Mr. CALDER. Yes; I desire the bill to go over.

The PRESIDING OFFICER. The Chair will hold, then, that there is objection.

Mr. FLETCHER. Does the Senator imagine that the discussion of the bill would take very much time?

Mr. CALDER. I think it would. I am opposed to the measure.

Mr. FLETCHER. I should like to dispose of the bill. If the objection is sustained, however, I move that the Senate proceed to the consideration of the next bill.

The PRESIDING OFFICER. Objection is made, and the bill goes over.

HOUSING OF SHIPYARD EMPLOYEES.

Mr. FLETCHER. I ask unanimous consent for the present consideration of Senate bill 3389, the next bill on the calendar.

The PRESIDING OFFICER. The Senator from Florida asks unanimous consent for the present consideration of Senate bill 3389, to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes. Is there objection?

Mr. KING. Mr. President, I do not want to object to the request of the Senator from Florida. It does seem to me, though, that this bill is a very important one, and that it ought to receive some attention at the hands of Senators. Of course, those of us who are not upon the committee have not had the advantage of hearing the testimony that may have been given, and can not act as intelligently in respect to this matter as the Members of the Senate who are members of the committee to which I have just referred. If it would not inconvenience the Senator, and if the urgency is not too great, it would suit me very much if the Senator would allow the bill to go over for one day.

Mr. FLETCHER. I will say, Mr. President, that both these bills are regarded as very important by the Commerce Committee and by the Shipping Board and the Emergency Fleet Corporation. With reference to this bill, I submit to the Senator a letter I received just this morning, addressed to me, and reading as follows:

Bill S. 3389, which you so kindly introduced to the Senate is so necessary to the housing operations of the Shipping Board that I know you will pardon my request that you hasten its passage as quickly as possible.

Several conditions have arisen in securing property for housing that will delay matters considerably unless we have the power to take the land at once and arrange for details later. These questions refer not only to price but also to cases where the property is tied up in estates, the controlling party of which may be abroad or can not be found quickly. Your bill will give us the power to take the land and make all adjustments later, and it will be an extremely helpful aid if this bill could be disposed of this week.

I hope you will pardon my constant recurrence to this matter, as I appreciate that you are doing everything possible to aid us in our ship building program.

Very truly, yours, EDWARD N. HURLEY, *Chairman.*

That indicates the importance of the measure, and I should like very much to dispose of it now. The committee thoroughly considered it. There are a few amendments that the committee made to the bill as it was originally introduced. The situation really is a very critical one with reference to housing the employees who are engaged in work upon the various shipbuilding enterprises in certain portions of the country. This bill is to apply only where provision of this kind must be made in order that the work may proceed. There are a few instances of that kind, where, for instance, two or three thousand men could be added to the force to speed up the completion of these ships, if there were places where the employees could live; and the bill is intended to meet situations of that sort.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Illinois?

Mr. FLETCHER. I do.

Mr. LEWIS. Will the Senator from Utah and the Senator from Florida permit me to suggest that the Senator from Florida, if he can do so without burdening himself unnecessarily, simply state what is the purpose of this bill, what particular thing it is to do, so that the Senator from Utah may understand that this is not the bill that I am sure the Senator from Utah is of the opinion that it is, and that it does not contain certain subject matters of which he has been reading? I

should like to have the Senator know that this bill happens not to contain in its provisions the matter which I am sure is the thing in his mind, and in which he is probably interested.

Mr. KING. Mr. President, I do not think I have any misapprehension as to the character of this bill. As I understand it, it is to authorize the expenditure of $50,000,000, or any sum less than that, for the acquisition of land by condemnation proceedings or otherwise upon which to erect houses, and to provide the necessary fixtures for those houses, incident to supplying homes for those who may be engaged in working upon the ships that may be constructed by the Government.

Mr. FLETCHER. I will say to the Senator that the plan contemplates the Government's getting back the entire expenditure. It is not to be paid out never to be reimbursed. The advance will be made in the first instance by the Government, and then the Government will eventually, by an amortization plan, receive back its entire outlay. The purpose of this bill is mainly to give the right of condemnation.

Mr. KING. May I ask the Senator from Florida in which cities or ports it is expected that this amount of money will be utilized?

Mr. FLETCHER. There are three Government plants being established—one at Hog Island, not a great way from Philadelphia; another at Bristol, Pa.; and the other at Newark, N. J. Houses will be needed for the employees in these three plants that are being built and owned by the Government. Then there is also a situation at Newport News, Va., and one in Newark, N. J., where the New York Shipbuilding Co. is concerned.

Mr. NELSON. Mr. President, I want to suggest to the chairman of the committee that another place of this kind where housing accommodations are urgently needed is at Sparrows Point, Md. That is a point that is so far out from the city of Baltimore that it is hard to get men there without furnishing them houses. I want to say, if the Senator will allow me, that the Committee on Commerce were unanimously in favor of this legislation after a full hearing on the subject.

Mr. KING. Mr. President, I shall not object to the present consideration of the bill, but I want to say at the outset that as a general rule I regard with a good deal of apprehension the appropriation of money to be utilized by the Government in acquiring land and building homes. It is a matter of common knowledge that expenditures made by the Government do not bring the results that expenditures made by individuals do. Whatever the Government does it does at a tremendous and staggering price. I have felt that the patriotism of the people wherever these shipyards are to be found, and the business enterprise of the individuals there, would provide ample homes for the workingmen that will be required for the building of the ships.

Of course, as I said a moment ago, I have not the advantage of the information that the Committee on Commerce had, because men have appeared before them who have given the apparent reasons for this legislation; but I do say that it seems to me that there is no necessity for the Government embarking upon this stupendous enterprise. If we appropriate $50,000,000 now, unquestionably there will be a deficiency appropriation, and further appropriations will be required, and we will be embarking upon a wild scheme of house building and home building and land reclamation and land purchase the end of which no man can foresee.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

Mr. FLETCHER. I ask unanimous consent that the formal reading of the bill be dispensed with, and that the bill be read first for action on the committee amendments.

The PRESIDING OFFICER. The Senator from Florida asks unanimous consent that the formal reading of the bill be dispensed with, and that it be read for amendments, the amendments of the committee to be first considered. Is there objection? The Chair hears none, and it is so ordered.

Mr. JONES of Washington. Mr. President, I simply want to say with reference to the suggestion made by the Senator from Utah [Mr. KING] that I sympathize very much with the position he takes. I know that the committee took into account the various matters to which he referred, but the testimony was so strong before the committee showing the imperative need of this legislation and the need of the Government taking action that we felt constrained to lay aside our scruples along the line the Senator from Utah has indicated, feeling that the bill is absolutely necessary to procure the ships necessary to carry on the war.

Mr. KING. Will the Senator yield for a question?

Mr. JONES of Washington. Certainly.

Mr. KING. Does the testimony submitted to the committee indicate the extreme limit that would be required for the purposes indicated in the bill?

Mr. JONES of Washington. That could not be done. The conditions are local in connection with many of the shipbuilding plants throughout the country and the conditions that the committee know to exist at the particular yards referred to by the chairman of the committee could be duplicated. The representatives of the Emergency Fleet Corporation did believe that we could do all that was necessary within the limits that we have proposed in the bill, but of course nobody knows what conditions may develop in different parts of the country. However, the conditions at the yards mentioned by the chairman of the committee and by the Senator from Minnesota imperatively press this legislation upon us now.

Mr. KING. If the Senator will pardon me, I have understood that there was a plan to erect buildings in Seattle and to erect buildings in San Francisco and in Philadelphia, and in some town in Massachusetts where shipyards are found. It seemed to me that if there was any purpose to erect buildings there it must be improper, that the needs of any number of employees who might be brought there for Government purposes would be amply supplied in the towns and cities to which I have just referred.

Mr. JONES of Washington. No plan of that kind has been suggested, but I will say to the Senator that it was brought out that some complaints had been made from Seattle with reference to conditions there. However, those complaints are being very carefully investigated, and unless a situation does develop that makes it imperatively necessary to promote the shipbuilding program that the Government shall take a hand in providing housing facilities, it will not be undertaken either at Seattle or at any other place.

Now, there is this pressing necessity. The pressing necessity does not appear at any of those places now, but it does appear at these other places. It may develop at some of the other places, as the Senator must understand. Take, for instance, Seattle, where the shipbuilding industry is developing possibly more rapidly than at any other single point in the country, and the number of shipbuilding employees has increased from a couple of thousand to over 20,000. With the new ships that are being contemplated and that are being constructed there and the new yards that are being built, it may be necessary to secure, if possible, twenty or thirty thousand more shipbuilding employees. If the housing facilities are not sufficient to provide for the men engaged in the building of those ships without the aid of the Government, according to the testimony before the committee, it will be imperatively necessary that we should provide those facilities.

Mr. FLETCHER. May I make a suggestion to the Senator?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Florida?

Mr. JONES of Washington. Certainly.

Mr. FLETCHER. I suggest to the Senator, in reply to the thought in the mind of the Senator from Utah about local cooperation, and that situation is being taken care of by local interests, it is the purpose of the Emergency Fleet Corporation to have local interests take care of the situation if it is possible to do so. That is a part of the plan. Their resources will be exhausted before the Emergency Fleet Corporation will undertake to have the Government intervene, and if they can not do otherwise, then they will simply get the cooperation of local interests. But I believe the Senator will agree that the Emergency Fleet Corporation will have this entire fund reimbursed to the Government.

Mr. JONES of Washington. They expect eventually to recover it, and the committee does not contemplate that the Emergency Fleet Corporation will put the Government into the housing business anywhere that it is not imperative for it to go; but of course we can not just prescribe the limit; we must leave a discretion.

Mr. VARDAMAN. May I ask the Senator what is the amount carried for this special work? I am a member of the Committee on Commerce, but was not present at the time this bill was considered.

Mr. JONES of Washington. We authorize housing facilities not to exceed $50,000,000.

Mr. VARDAMAN. Where is it to be used?

Mr. JONES of Washington. That is left to the discretion of the Shipping Board or the Emergency Fleet Corporation. Of course, we have to leave it to their discretion, because we do not know all the points where a necessity may arise.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from New York?

Mr. JONES of Washington. I yield the floor.

Mr. WADSWORTH. I was going to ask the chairman in charge of the bill whether the bill would permit the Emergency Fleet Corporation to erect any other buildings than dwelling houses.

Mr. FLETCHER. It authorizes it—

to construct on such land houses and all other necessary or convenient facilities, upon such conditions and at such price as may be determined, and to sell, lease, or exchange such houses, land, and facilities upon such terms and conditions as it may determine.

Mr. WADSWORTH. In the term "facilities," is it the opinion of the Senator that buildings for stores and shops will be included?

Mr. FLETCHER. I think not, but, for instance, there was a suggestion that there were possibly hotels already on the premises, and possibly summer-resort houses in the vicinity, that could be acquired under the bill.

Mr. WADSWORTH. The object of my inquiry is to make sure that the hands of the Emergency Fleet Corporation are not tied in that respect.

Mr. FLETCHER. I think the Senator is right about that, and that they will have a leeway in that regard.

Mr. WADSWORTH. There are several kinds of buildings other than dwelling houses which will, in my judgment, become necessary to be erected, buildings to contain stores and shops or halls for meeting purposes, buildings and facilities to meet all the amenities of life. I am under the impression that this matter of housing will, before this war is many months older, become one of the most important problems confronting the Government, and I want to be absolutely certain that when we approach it we approach it in a broad spirit, so that the Government's hands shall not be tied down to the mere building of dwelling houses.

The experience of England has been that, under their ministry of munitions, whole towns have had to be built, towns containing 20,000 to 30,000 people. It involves a great deal more than the mere building of dwelling houses. It involves the building of many other kinds of buildings in order that the workmen and their families shall lead a contented, comfortable, and happy existence socially. I think we can not direct our view too far in this matter. That is the purpose of my question addressed to the chairman of the committee.

Mr. NELSON rose.

Mr. WADSWORTH. I yield to the Senator from Minnesota.

Mr. NELSON. If the chairman of the committee will permit me, I have not any doubt that all these things can be done under the bill. I think the only limitation is that it can not be used to build shops for the yard proper; that will come under other measures; but everything that pertains to the housing of the working force and to their comfort can be done under the provisions of the bill. I have not any doubt about that. The bill is purposely framed in general terms so that they can lease or acquire by condemnation already existing buildings, remodel them, and put them in shape, and do whatever is necessary to properly house the employees.

Mr. FLETCHER. I think that was the purpose, to supply all the living conditions of a community.

Mr. WADSWORTH. While I am on my feet, I desire to have the attention of the Senate for just a moment on this question in its broad aspect. I am absolutely in favor of what this bill seeks to do, but I call the attention of the Senator from Florida and the Senators here present that once again we are making the error of going at this question piecemeal. This legislation places upon the Emergency Fleet Corporation the building of facilities for the housing of workmen. That is one agency of the Government which is to be clothed with that power. In my humble judgment it will not be the only agency of the Government that will have to have the same power. Before we get through we will have to view this housing problem as it applies to the men and women who work in munition factories. Before we get through I believe we will have to supply housing facilities for a largely increased number of workmen in the neighborhood of the great steel mills engaged in the manufacture of ordnance, cannon, ammunition, rifles, and various kinds of supplies for the Army or the Navy. This bill, of course, applies only to the shipbuilding program.

Mr. HARDING. Will the Senator allow me?

Mr. WADSWORTH. I yield.

Mr. HARDING. I think the Committee on Commerce is impressed with the necessity of which the Senator from New York speaks, but we have felt that this bill would meet the present emergency best because shipping is so vital to all our operations; and, indeed, they already have housing contracts in process of execution.

Mr. WADSWORTH. I am in entire sympathy with the passage of this bill, but I do not want this opportunity to go by without pointing out the essential weakness of our war-making machinery, and this is a perfect example of it; it must be cured sooner or later by the centralizing of these activities under one control as it has been done in England and as it has been done in France. As an example, the Government is about to build an enormous powder manufactory in the State of West Virginia under the auspices, I understand, of the War Department, and another one in the State of Tennessee. They are to be brand-new plants, with a capacity of hundreds of thousands of pounds of powder per day. Without question, the housing problem will have to be met in that connection. Now, are we going to leave that housing problem to the War Department and another housing problem to the Shipbuilding Board?

I call the attention of the Senate to this situation because I believe we have only commenced the solution of this problem, and that sooner or later we must centralize it under one head.

In this connection I want to remind the Senate that to-day the Committee on Military Affairs reported to the Senate a bill creating the office of director of munitions, under whose jurisdiction and control the President may, in his discretion, place all problems of this sort, involving not only the production, procurement, and manufacture of materials used in the war, but also the housing problem, under the language of the bill, and I did not want Senators to let this bill go through without remembering that this does not cure the problem. It is only the first step, and sooner or later we shall have to take away, by direction of the President, the housing problem from the Emergency Fleet Corporation and place it under a central control, because a housing problem in one line of industry is not essentially different from the housing problem in another line of industry.

I want to say further, my support of this bill is conditioned, in a sense, upon the hope that the Senate and the Congress in the very near future will follow the example of Great Britain and France and place these things under a central control. Otherwise we shall continue to have, as we have had in the past, competing agencies of the Government. There are to-day four governmental purchasing bureaus purchasing rubber boots, there are five bureaus of the War Department purchasing trucks, and here we will have, if we do not cure this situation, two or three or four different governmental departments or bureaus engaged at one and the same time in the housing problem.

Mr. JONES of Washington. Mr. President, I agree fully with what the Senator from New York has said. I myself have been looking to the Military Committee, of which he is a member, for a bill providing for organization along the line to which he refers, and I was glad to note the report from that committee to-day of the bill which I trust will do just exactly what is outlined here. But our committee, of course, was faced with this emergency proposition. We are not a military committee, but this seemed to come within our jurisdiction, and we acted as promptly as possible upon the showing made. I should like to see, however, and I think it is necessary, all brought under one head, so that the various activities connected with the war can be directed definitely and clearly.

Mr. WADSWORTH. The Committee on Commerce have done, of course, the very best thing possible, but I did not want this moment to go by without calling attention to it, because our weakness so far in this war is that we have not planned out in advance on a broad scale the effort which America must make. We have scattered our authority and our power to half a dozen governmental agencies, and it is that very failure of ours to concentrate the authority and to plan out things two months, three months, six months in advance that has created the coal situation in the United States to-day.

Mr. THOMAS. Mr. President, in my support of this bill I recognize the justice of the criticisms that have been offered by the Senator from New York [Mr. WADSWORTH]. I wish, however, that the bill went a little further than it does and made provision not only for the housing of the people in the shipyards of the country but some provision whereby people could be protected in the acquirement for consumption of the necessities of life. The housing problem is becoming more and more acute, and so is that of ordinary living. The experience of everybody who is unfortunate enough to live in the District of Columbia now is too constant and acute to require any extended statement to convince him at least of the fact that the war conditions have been taken advantage of by the purveyors to rob not only the residents of the District but everybody who is here either indefinitely or temporarily, and I have no doubt the same conditions apply to other sections of the country, although perhaps not to such an extent. The degree to which rent has risen and to

which the cost of provisions has risen in this District is almost unbelievable. Some of the ships which are being constructed are in yards either within or very close to the boundaries of the District of Columbia. Certainly there the employees are subjected to the same disabilities, the same coercion, and the same oppression which we are all enduring up to this time without much attempt upon the part of the General Legislature to interfere.

I shall in the near future make the effort to secure some legislation by Congress regarding housing and the living conditions in the District of Columbia, with a view, if possible, of imposing some limitation upon the greed, the unscrupulousness, the avarice, and the extortion which seem to be a common practice in this city.

It would seem as though the landlords, the grocers, the merchants generally, with here and there a few honorable exceptions, have entered into a conspiracy to see to it that no man who gets any money from the Treasury of the United States shall cross the Potomac before they can put it in their pockets. People have to come to this city, which is the Capital of the Nation, when the Nation is at war. They have no discretion about it. Certainly in the majority of the instances their interests require their presence in the city, sometimes indefinitely and sometimes for a few days, and they are the common prey of a condition that is disgraceful to the Capital and which should not be tolerated overnight.

I think the sooner this Congress, which has absolute jurisdiction over the District, should recognize that to be one of the emergency conditions requiring legislative consideration the better.

Now, I do not know to what extent it will go. I know one man who was fortunate enough to buy a return ticket when he came here and I think he got out of the city, although whether he had enough left with which to pay for meals en route to his home I have not yet ascertained.

I do not think, Mr. President, we can speak too extremely upon this subject. It is one which would justify, if anything would justify it, a resort to brute force, if there could be no other method of relief from these exactions. I greatly fear it may come to that, Mr. President, if we do not in some way put a check on the conditions which here prevail.

I say this bill is a movement in the right direction. It is both a local and a national problem, and I hope the Committee on Commerce will consider the exigent conditions which may require, and which I think do require, some legislation regarding the cost of the necessities of life to the consumer.

The Food Commission some time ago placed a maximum of prices upon the necessities of life to the producer, and the retailer seems to have taken advantage of it by enhancing his own prices. The consumers up to this time have obtained no benefit whatever from food regulation, yet they have complied and will continue to patriotically comply with every regulation which may be made by the commission.

The general situation is well illustrated by an article in the last Saturday Evening's Post which pictures a landlord and his chef in consultation. The landlord says, "You halve the portions; I will double the price. We must both clamor for another meatless day. We have to do something to win this war." That is the character of patriotism at this juncture in the Nation's affairs which characterizes, I think I may safely say, the majority of retailers of the necessities of life.

The PRESIDING OFFICER. The amendments reported by the Committee on Commerce will be stated.

The amendments were, in section 1, on page 1, line 6, after the word "or," to strike out "otherwise"; in line 7, after the word "acquire," to insert "by condemnation or otherwise"; on page 2, line 4, before the word "such," to strike out "otherwise dispose of" and insert "exchange"; in line 6, after the word "or," to strike out the word "otherwise"; in line 7, before the word "any," to insert "by condemnation or otherwise"; in line 9, after the word "proper," to insert "fixtures and"; in line 10, after the word "or," to strike out "otherwise dispose of" and insert "exchange"; in line 11, after the word "such," to insert "lands"; in the same line, after the word "houses," to strike out "and," and after the word "buildings," in the same line, to insert "fixtures and furnishings," and to strike out lines 13 to 19 in the following words:

(d) To cancel, modify, suspend, or requisition any existing or future contract relating to the purchase, lease, or mortgage of any such land or building. All houses, land, facilities, and furnishings acquired as herein provided shall be leased, sold, or otherwise disposed of only to persons now or hereafter employed in the shipyards constructing ships for the United States.

In line 22, before the word "acquire," to strike out "otherwise"; after the word "acquire," in the same line, to insert "by condemnation or otherwise"; in line 23, after the word "houses," to strike out "or shall cancel, modify, suspend, or requisition any such contract"; on page 3, line 10, after the word "requisitioning," to insert "condemning"; in line 12, after the word "cease," to strike out "six months after" and insert "with"; in line 21, after the word "requisitioning," to insert "condemning"; in line 22, after the word "facilities," to strike out "or" and insert "fixtures and"; and on page 4, line 3, after the word "sum," to strike out the words "and there is hereby appropriated for such purpose $25,000,000," so as to make the section read:

That the United States Shipping Board Emergency Fleet Corporation is hereby authorized and empowered within the limits of the amounts herein authorized.

(a) To purchase, lease, requisition, or acquire by condemnation or otherwise any improved or unimproved land suitable for the construction thereon of houses for the use of employees of shipyards in which there are now being constructed ships for the United States.

(b) To construct on such land houses and all other necessary or convenient facilities, upon such conditions and at such price as may be determined, and to sell, lease, or exchange such houses, land, and facilities upon such terms and conditions as it may determine.

(c) to purchase, lease, requisition, or acquire by condemnation or otherwise any houses or other buildings, together with the land on which the same are erected, and all necessary and proper fixtures and furnishings therefor; to manage, repair, sell, lease, or exchange such lands, houses, buildings, fixtures, and furnishings upon such terms and conditions as it may determine.

Whenever said United States Shipping Board Emergency Fleet Corporation shall purchase, lease, requisition, or acquire by condemnation or otherwise such land or such houses it shall make just compensation therefor, to be determined by it, and if the amount thereof so determined by it is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by it, and shall be entitled to sue the United States to recover such further sum as added to such 75 per cent will make up such amount as will be just compensation therefor in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code.

The power of purchasing, leasing, requisitioning, condemning, or otherwise acquiring such land and houses herein granted shall cease with the termination of the present war with Germany.

The word "person" used herein shall include any person, trustee, firm, or contractor. The word "shipyard" shall include any factory, workshop, warehouse, engine works, buildings used for manufacturing, assembling, construction, or other process in shipyard and dockyards and discharging terminal, and other facilities connected therewith, now or hereafter in connection with shipbuilding.

The cost of purchasing, leasing, requisitioning, condemning, or otherwise acquiring houses, lands, facilities, fixtures, and furnishings shall not exceed the sum of $50,000,000, the expenditure of which is hereby authorized, and in executing the authority granted by this act for such purpose, the said United States Shipping Board Emergency Fleet Corporation shall not expend or obligate the United States to expend more than the said sum.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ORDER OF FUEL ADMINISTRATOR.

Mr. FLETCHER. I move——

Mr. VARDAMAN. Mr. President, will the Senator from Florida yield to me for a moment?

Mr. FLETCHER. I yield.

Mr. VARDAMAN. I have no desire to prolong this session or to indulge in any post-mortem remarks on the Garfield order. I think, however, Dr. Garfield will have some trouble in convincing the American people that his order was wise and conservative. I ask to have read a telegram from the president of a cotton mill at Water Valley, Miss., and I wish to say that the author of that telegram is one of the most sagacious business men and patriotic citizens in the entire country.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

WATER VALLEY, MISS., *January 18, 1918.*

Senator JAMES K. VARDAMAN,
Washington, D. C.:

Urge Garfield to suspend that order until its necessity is established by investigation. Such drastic measures will cause the southern farmers, merchants, and manufacturers to lose millions of dollars and mills' operatives absolutely suffering.

YOCOMA COTTON MILLS,
Per JOHN V. WAGNER,
Secretary and Treasurer.

ADJOURNMENT TO MONDAY.

Mr. FLETCHER. I move that the Senate adjourn until Monday next at 12 o'clock.

The motion was agreed to; and (at 2 o'clock and 33 minutes p. m.) the Senate adjourned until Monday, January 21, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 18, 1918.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, God our Father, source of every blessing, we thank Thee for the gifts Thou has bestowed upon us.

Strengthen our will, quicken our conscience, guide us in the use of our faculties, that we may be worthy recipients and faithful servants to Thee and to our fellow men. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE.

Mr. LONDON rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. LONDON. To make the point of order that there is no quorum present.

The SPEAKER. The gentleman makes the point of order that there is no quorum present. Evidently there is not.

Mr. CARTER of Oklahoma. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Oklahoma moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Flynn	Lesher	Sabath
Bacharach	Focht	Lever	Sanders, N. Y.
Barnhart	Francis	McAndrews	Sanford
Beakes	Fuller, Mass.	McArthur	Saunders, Va.
Bland	Gallivan	McCormick	Schall
Bowers	Gandy	McCulloch	Scott, Pa.
Campbell, Pa.	Garrett, Tex.	McKenzie	Scully
Cannon	Graham, Pa.	McLaughlin, Pa.	Sells
Cantrill	Greene, Vt.	Mann	Shallenberger
Capstick	Gregg	Mason	Sherley
Caraway	Griest	Meeker	Siegel
Carlin	Hamill	Miller, Wash.	Sisson
Carter, Mass.	Hamilton, N. Y.	Mondell	Slemp
Collier	Harrison, Miss.	Morin	Small
Cooper, Ohio	Haskell	Mott	Smith, Charles B.
Copley	Hawley	Mudd	Smith, Thomas F.
Costello	Hayes	Neely	Snell
Cox	Heaton	Nichols, Mich.	Stephens, Nebr.
Curry, Cal.	Heintz	O'Shaunessy	Sterling, Ill.
Dale, Vt.	Helvering	Park	Sullivan
Davidson	Hood	Parker, N. Y.	Swift
Davis	Houston	Phelan	Templeton
Dent	Hull, Iowa	Polk	Vare
Dooling	Humphreys	Porter	Voigt
Doremus	Ireland	Pou	Ward
Doughton	Johnson, S. Dak.	Powers	Webb
Drukker	Jones, Va.	Price	Whaley
Dunn	Kahn	Purnell	Wilson, Ill.
Eagle	Kennedy, R. I.	Ragsdale	Winslow
Evans	Kiess, Pa.	Rayburn	Wise
Fairchild, Geo. W.	Kraus	Reed	Woods, Iowa
Farr	Kreider	Riordan	
Fields	LaGuardia	Russell	

The SPEAKER. On this call 300 Members have answered to their names, a quorum.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House dispense with further proceedings under the call.

The SPEAKER. The gentleman from Oklahoma moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

ORDER OF BUSINESS—THE HAYDEN BILL.

Mr. KITCHIN. Mr. Speaker, yesterday before the House adjourned, I asked unanimous consent to vacate the order with reference to House bill 269, known as the Hayden bill. It was suggested that as a very few Members were then present I would renew the request this morning. So I renew the request.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to vacate an order agreed to December 12, 1917, by which House bill 269 was given precedence over all bills that should be reported after the 12th of December. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object—and I desire to say before I make the request that I intend to object—I would like to have two or three minutes in which to state the reasons on which I propose to object.

The SPEAKER. The gentleman from Texas asks unanimous consent for three minutes. Is there objection?

There was no objection.

Mr. GARNER. Mr. Speaker, I care nothing about the Hayden bill, and I do not make this objection as an opponent of the $3-a-day bill, known as the Nolan bill, although I shall oppose that bill when it comes up for consideration. But the reason why I propose to object to this unanimous consent is that I think this Congress should enact as little legislation as possible except for the conduct of this war. [Applause.] I do not believe that the people of this country are in a frame of mind to enact general legislation other than that absolutely necessary for the successful conduct of the war. This unanimous consent ties up Calendar Wednesday for the balance of this Congress under the ruling of the Speaker. Whatever legislation is necessary to conduct this war can come from the Committee on Rules and can be brought before the House in that way. That is the reason that prompts me in making this objection. So long as this order exists there will be little opportunity to get legislation on Calendar Wednesday, and I anticipate that other days will be used for war legislation and appropriation bills.

Mr. NOLAN. Mr. Speaker, will the gentleman reserve his objection for a moment?

Mr. GARNER. Yes; I reserve the objection, Mr. Speaker.

Mr. NOLAN. Does the gentleman think that all legislation by unanimous consent should be stopped during the session?

Mr. GARNER. Except legislation that is purely local in its nature.

Mr. NOLAN. I just want to say that if we can not get this thing straightened out so that the Committee on Labor can get a day in court there will be no more unanimous-consent motions agreed to during this Congress, either on legislation or anything else.

Mr. GARNER. Realizing the intense interest of the gentleman in this bill, I suggest there is a way in which it can be done, through the Committee on Rules. If I were a member of the Committee on Rules I would give liberal consideration to the request for a rule on this bill. This bill is not fundamentally the reason for my objection to the vacation of this unanimous-consent order that is now on the calendar. This unanimous-consent order virtually ties up Calendar Wednesday during the remainder of this Congress, and that is what I want to do. I want to prevent, namely, general legislation during the balance of this Congress. I object.

The SPEAKER. The gentleman from Texas objects.

Mr. HAYDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAYDEN. I want to find out whether the Chair agrees with the gentleman from Texas [Mr. GARNER] that this special order does tie up Calendar Wednesday so that no business can be done on that day for the remainder of this session? I do not understand that to be a fact. If the Chair will read the order as adopted, it states that—

> On motion of Mr. KITCHIN, by unanimous consent: *Ordered*, That when bills now on the calendar which are in order on Calendar Wednesday shall have been disposed of, the bill H. R. 269 shall be in order on Calendar Wednesday.

My understanding of the order is that the ordinary procedure on Calendar Wednesday would continue as heretofore, and that bills, such as the minimum-wage measure called up last Wednesday by the Committee on Labor, would be in order. The only change is that when all the bills then on the calendar are considered, then, in the due order of events, my bill will be in order.

The SPEAKER. The gentleman answered his own parliamentary inquiry by reading that. It means this, that all of the bills that can be called up on Calendar Wednesday that were put on the calendar before December 12 have to be cleaned up before the Hayden bill comes up. After that is disposed of or waived out of the way then any other bill that could come up on Calendar Wednesday is in order when the committee is called.

Mr. HAYDEN. Then the special order of December 12 does not entirely tie up Calendar Wednesday for the remainder of the session?

The SPEAKER. It ties up Calendar Wednesday until all the bills that can be called up on Calendar Wednesday that were put on the calendar previous to the 12th day of December are cleared away.

Mr. FOSTER. Mr. Speaker, just a moment. May I say that the Committee on Mines and Mining was ready to report a bill on the 7th of January? The question was asked if this bill would come up when our committee was reached, and the statement was made that there was no hurry in reporting the bill for the reason that this order which the Speaker has inter-

preted was in existence, and the committee acted accordingly and consumed only a part of the day on account of that rule.

Mr. MADDEN. Mr. Speaker, a parliamentary inquiry. I should like to ask, for information, how many people were present in the House when the unanimous-consent order just referred to by the gentleman from Arizona was made?

Mr. CAMPBELL of Kansas. A quorum.

The SPEAKER. To whom was that question addressed?

Mr. MADDEN. I was asking the Speaker.

The SPEAKER. Well, the Chair does not know.

Mr. CAMPBELL of Kansas. There was a quorum here.

Mr. STAFFORD. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is that the gentleman from Texas [Mr. GARNER] objects to the request of the gentleman from North Carolina.

INDIAN APPROPRIATIONS.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Indian appropriation bill (H. R. 8696); and, pending that motion, I should like to ask if we can not come to some agreement upon the time for general debate?

Mr. CAMPBELL of Kansas. We have requests for about three hours over here.

Mr. NORTON. Four hours.

Mr. CAMPBELL of Kansas. Nearly four hours.

The SPEAKER. Has the gentleman any suggestion to make?

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent that the general debate on the pending bill close in five and one-half hours.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that general debate close in five and one-half hours.

Mr. GILLETT. Mr. Speaker, does the gentleman mean after five and one-half hours have been consumed in debate, or does he mean five and one-half hours from now? It might make a great difference.

Mr. CARTER of Oklahoma. After five and one-half hours have been consumed in general debate, three hours and a half to be controlled by the gentleman from Kansas [Mr. CAMPBELL] and two hours by myself.

The SPEAKER. The gentleman adds to the request that three and one-half hours be controlled by the gentleman from Kansas [Mr. CAMPBELL] and two hours by himself. Is there objection?

Mr. STAFFORD. Reserving the right to object, may we have an understanding that the bill will not be read to-day, except the first paragraph?

Mr. CARTER of Oklahoma. That was the intention on this side.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The motion of Mr. CARTER of Oklahoma was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8696) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919, with Mr. GARNER in the chair.

Mr. CARTER of Oklahoma. I yield 20 minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Chairman, the pending appropriation bill provides for one of the activities of the Interior Department. I notice that recently the head of the Interior Department issued an order, which he has full power to issue, changing the hours of service in the Department of the Interior in Washington. His order is that instead of going to work at 9 o'clock in the morning and quitting at 4.30 in the afternoon, with one-half hour for lunch, making a seven-hour day, the clerks shall go to work at 8.45 and quit at 4.15, with a half hour for lunch, making a seven-hour day. The reason given for that was that it would be a matter of great convenience to the street car companies in Washington and relieve the congestion upon the street car traffic. That is a very laudable object, and consults the convenience of the clerks as well as of other people in Washington.

Of course it has another effect. By letting the clerks out at 4.15 they have that much longer time, if they choose, to spend on the streets and in the department stores and shops, and to patronize the merchants and industries of Washington. It occurs to the ordinary man who is not interested in the real estate ring or the business interests of Washington, to inquire why the Government clerks in Washington should not work a standard day of eight hours? In my judgment, there is no reason why even in time of peace the men who are being paid out of the Federal taxes for performing the people's work in Washington should not give an honest day's work. [Applause.] But it seems to me it is even more important in time of war, when great sacrifices are required of all of the people of the United States, when great burdens and responsibilities are being laid upon all the people of the United States, that the men who are paid out of the Federal Treasury for performing the work of the people in the Nation's Capital should give an honest standard day's work to the taxpayers. I have always believed that there is such a thing as an honest day's work. I believe that there is just as much an honest day's work as there is an honest dollar or an honest pound. I can not agree with those men who say that a day's work is eight hours or less. I would as soon assume that a dollar was 100 cents or less, or that a pound was 16 ounces or less, how much less depending upon the skill of the man who makes the offer and the helplessness or negligence of the man to whom the offer is made.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. BORLAND. Yes.

Mr. DOWELL. Are not these employees all under the heads of the various departments and subject to the orders of the heads of their departments?

Mr. BORLAND. Yes.

Mr. DOWELL. Then should not the gentleman go to the heads of those departments with this question?

Mr. BORLAND. I am discussing that very point. The Secretary of the Interior could have made his order providing for an eight-hour day. He has that power. But Congress, representing the people, and imposing the burdens of taxation upon the people, also has the power to direct the executive officer. So there is no excuse for Congress in the fact that the heads of departments have the power, which they do not exercise.

Mr. DOWELL. Will the gentleman yield for another question?

Mr. BORLAND. If it is a brief one, yes.

Mr. DOWELL. Is it not the duty of the heads of departments to see that the employees furnish a day's work for the compensation they receive?

Mr. BORLAND. I think so.

Mr. DOWELL. Then is not this a department matter?

Mr. BORLAND. Is the gentleman in favor of an honest day's work of eight hours or not?

Mr. DOWELL. Is not this a matter for the heads of the departments?

Mr. BORLAND. Answer that question. Is the gentleman in favor of giving the taxpayers an honest day's work?

Mr. DOWELL. That is up to the heads of the departments.

Mr. BORLAND. Is the gentleman in favor of it? The gentleman does not want to answer.

Mr. DOWELL. I am always in favor of an honest day's labor, but I think the heads of the departments ought to have charge of the direction of employees. It is up to the heads of the departments, and the gentleman's criticism should go to the heads of the departments if there is any criticism.

Mr. BORLAND. According to the gentleman's argument, we should abrogate all functions of the legislative body. We have the same power to direct them in this matter that we have in any other. This is no time for slackers. You can not win the war with slackers; you can not win the war running this great workshop, the Nation's Capital, upon a short-change basis. The people will not submit to have their great workshop, the Nation's Capital, containing now over 50,000 employees, run upon a short-day basis. They have a right to insist upon an honest day's work from the Nation's servants in the Capital. So far as I am concerned, I am free to admit, and I hope I am almost universally right in saying, that the Government clerks themselves would submit cheerfully to an order for an eight-hour day. Many of them resent being put in the position of slackers. I have had expressions to that effect from scores of them in whom I have confidence.

The real objection does not come from the employees. The real objection has always come from the real-estate ring and business interests in Washington. It is plainly to their interest that there should be a large Government pay roll, with an excessive number of employees, working a short number of hours for a high rate of pay. Their interests are directly opposed to the interests of the taxpayers of the country. They are interested in increasing the cost and the burden to the Government and decreasing efficiency.

What is the result? A short-change day does injure the Nation in two ways. First, it adds to the burdens of the Government, which is wrong. We ought not to allow a single unnecessary stroke on the lacerated back of the American taxpayer.

Second, it decreases the efficiency of the Government in a time when the very life of democracy is at stake.

This is not a time to pander to the slackers of the Nation. [Applause.] Criticisms are springing up with mushroom growth all over the United States against the lack of preparedness, the lack of speed, in the departments at Washington. Where is this lack of speed? Why, in some of the bureaus of the War Department and the Navy Department, and in some in the State Department they are working eight hours a day and longer, but here in the Interior Department, in the safe shelter from war, and in the Department of Commerce, and in the Department of Labor and some other departments in Washington, they are still working on a short-change day. Is that efficiency? They are asking now to bring thousands of new clerks to Washington. They are going into the commercial cities and stripping the business interests of employees, offering high wages, and bringing them here.

They have all the clerks here now that they can use [applause] if they use them on a proper working day. They could transfer men from any department where they are overmanned with clerks and put them in other departments. How do I know? I will tell you. Not long ago a young fellow came into my office. He was a reporter on a Washington newspaper and was drumming up propaganda in favor of high wages. I told him I thought they ought to give an honest day's work first as a preliminary to asking an increase of wages. He said, "Personally, I think so, too. I have not been in Washington long enough to get tarred with the Washington stick. I have got a young friend, 16 years old, working in the Congressional Library for $720 a year, and he holds another job for $1,200 in another department." I was amazed, but I looked up the order and found that that was possible. A man can and does hold two jobs in Washington. Then here comes this blanket proposition to increase the compensation by 30 per cent.

Mr. SLAYDEN. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. SLAYDEN. Does the gentleman happen to know—this is all news to me—whether this young man is working at night in the Congressional Library?

Mr. BORLAND. No; I assume that he puts in the short hours in the Library and works at night in the War Department.

Mr. SLAYDEN. He has to do it one way or the other.

Mr. BORLAND. Yes. One hundred and sixty dollars a month is pretty fair pay for a boy 16 years old, and an increase of 30 per cent would make it $208, which would be pretty fair. I do not think it is warranted.

Mr. NORTON. Will the gentleman yield?

Mr. BORLAND. For a brief question.

Mr. NORTON. Has the gentleman recently visited any department where the clerks are working and has he noticed that a large part of their time is spent in twirling their thumbs and fingers and waiting for something to do?

Mr. BORLAND. I know from the statement of experts on the subject that 60 per cent of the people now employed in Washington, properly arranged, could do more work than the clerks are now doing. I know they are suffering from the worst kind——

Mr. BLANTON. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. BLANTON. The gentleman speaks of an honest day's work being performed by Government employees. I would like to ask the gentleman if he is in favor of an honest day's work being performed by railroad employees?

Mr. BORLAND. I am. No doubt about that. My experience, I may also state, is that the farmers do not confine themselves to eight hours a day.

Mr. LITTLE. Will the gentleman yield?

Mr. BORLAND. For a question.

Mr. LITTLE. Is the gentleman aware of the fact that there are a great many first-class stenographers working for first-class stenographers' wages who are employed to fold papers and do work that could be done by a schoolboy?

Mr. BORLAND. Yes; I came across a case of that kind the other day. I found an expert stenographer brought here from a law office in the West being paid $1,100, and she was sticking cards into an index, which could be done just as well by a $40 a month office boy. I had her transferred. I do not believe in that sort of thing; I do not think we ought to strip the business interests of the country of skilled office employees and bring them down here for any such $40 a month work. If they need $1,100 stenographers they are entitled to have them, but they ought to have people of that kind doing work necessary to be done by an employee worth $1,100 as a stenographer. [Applause.]

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. COX. Does the gentleman know how many additional clerks have been taken on since war was declared?

Mr. BORLAND. My information, roughly, is about 12,000.

Mr. COX. I was under the impression it was about one clerk for every soldier that we had in France. [Laughter.]

Mr. BORLAND. Almost.

Mr. NORTON. That is along the line of Democratic efficiency.

Mr. COX. I do not care what line it is along.

Mr. WALSH. What does the gentleman from Missouri propose to do or to have done to remedy these various discrepancies?

Mr. BORLAND. The proposal of the "gentleman from Missouri" has been before the House once or twice, and I hope to have the cooperation of the gentleman from Massachusetts.

Mr. WALSH. The gentleman has it.

Mr. BORLAND. I propose to have an eight-hour day in all of these departments, and release a number of clerks from the Interior and other departments to be used in speeding up the war preparations. [Applause.]

Mr. WALSH. How would that reduce the number? They would still keep these people there folding papers, and keep them an hour longer.

Mr. BORLAND. I do not believe it could fail to reduce the number unless the gentleman assumes that these clerks would not be employed after they were sent to the War Department. I do not think that would be the case. If it is, Congress would again take a hand.

Mr. WALSH. The gentleman thinks they are all employed?

Mr. BORLAND. I think there is a surplus number of clerks in other departments in Washington, and they could be released by a standard eight-hour day being enforced by Congress. I think these clerks ought to be released and sent to the departments where the war speed-up work is necessary.

Mr. AYRES. Does not the gentleman think there is another duty that we could perform by informing all those who write asking to come here to accept these positions not to come? That is what I am doing.

Mr. BORLAND. That might be looked on as unpatriotic. I think the Government ought to have all of the employees it needs, and I have always voted for them, but I think every man who accepts employment under Uncle Sam and touches a dollar of his money has a sacred duty to perform an honest day's work. [Applause.]

Mr. COX. Mr. Chairman, will the gentleman yield again?

Mr. BORLAND. Yes.

Mr. COX. If I recollect rightly, the other day, in discussing this question, the gentleman said if all of the clerks in the city were required to work a full eight hours a day it would save approximately $7,000,000 a year.

Mr. BORLAND. Yes; assuming that this number of clerks was discharged; but in the present circumstances they will be added, as they would be, to the other departments.

Mr. COX. The gentleman says they have taken on an additional 12,000 since war was declared.

Mr. BORLAND. Yes.

Mr. COX. Has the gentleman made any mathematical calculation with a view of determining whether or not, if all of the clerks were required to actually work eight hours a day, there would have been any necessity for taking on any number of the 12,000 clerks?

Mr. BORLAND. There would still have been a necessity for taking on some additional clerks.

Mr. COX. How many?

Mr. BORLAND. Approximately 4,000 clerks will be released by this change from seven to eight hours a day on the pay roll as it existed before the war. On the present pay roll it might reduce those 12,000 clerks to from 6,000 to 8,000—possibly 5,000 clerks. Mr. Chairman, I ask to have read in my time an editorial from the Boston Herald, which I send to the desk.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

UNCLE SAM SHOULD GET HIS MONEY'S WORTH.

Word comes from Washington that a Congressman named BORLAND, representing the Kansas City district of Missouri, has brought down on his head a storm of condemnation. He has taken the unique position that the Government clerks in the National Capital should work harder for the salaries they now receive before Congress grants further increases. Even in the midst of a world war such an expression of opinion breathes revolution.

Congress has before it and expects to take early action on various bills to grant increases in compensation, ranging from 5 to 30 per cent, to every last person on the Government pay roll, an added expenditure conservatively estimated at $50,000,000 per annum. No one greatly objects to any organized attempt by a group of employees to obtain higher salaries, especially at this time. Mr. McAdoo has it in his power by a stroke of the pen to increase the wages of thousands of railroad men. Organized labor in countless industries attains its end

by first submitting gracefully to the "compromise" increase which a Federal mediator decides upon. No one can blame the Government clerks for seeking their share of the distribution, even though the great majority of the American people, who do not wield the club of organization, but who eventually pay the bills, are forced to fight rising costs of living at the same old wage standard.

The truth is, however, that the clerks in the National Capital are the pampered darlings of Uncle Sam's service. They work but seven hours a day, and the records fail to disclose many cases of exhaustion. Their benevolent employer is liberal with his favors. Each clerk has 30 days vacation in the summer; he is entitled to 30 days sick leave each year; he has half-holidays on Saturdays for six months of the year; he has eight full legal holidays and a half day preceding each of these. Statisticians have computed that including the 52 Sundays a Washington clerk does not have to work on 137 days out of each 365.

No one knows all this better than Mr. BORLAND, of Missouri, who has been in Congress nine years. He believes that body should first increase the working day from seven hours to eight. There are now more than 70,000 civil-service employees in Washington (of course there are tens of thousands of others whose appointments are purely political), and adding one hour to the working day of these would provide the equivalent of 10,000 new clerks and answer the appeal which the Government is making for just that number

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BORLAND. Mr. Chairman, I ask the gentleman from Oklahoma to give me three minutes more.

Mr. CARTER of Oklahoma. All of my time has been asked for, but I yield the gentleman two minutes.

Mr. NORTON. I yield the gentleman three minutes.

Mr. CARTER of Oklahoma. Then I will take mine back. [Laughter.]

Mr. DOWELL. Mr. Chairman, will the gentleman from Missouri yield?

Mr. BORLAND. I regret that I can not yield. I have already yielded once or twice to the gentleman. Mr. Chairman, this war is going to involve great sacrifices that will reach down into every American home. It has already done so. Many men are fighting the advancing cost of living with little chance of bettering their wage scale. Many men have voluntarily come forward; thousands of others have been summoned by the mandate of the Nation to defend the flag. Those men have had to sacrifice their time, their business, their opportunities, their health, their career. Many of those men will come back mangled and maimed, with their earning power reduced, as a part of the sacrifice they have laid upon the country's altar. Thousands of those men will pay the last supreme sacrifice that a man can pay upon the altar of democracy. Thousands of parents throughout the land, like Abraham of old, have laid their sons upon the altar of their country. Yet we are told that we must not disturb the convenience of the clerks and the business men of Washington! Ah, they must be the only people who will be sheltered from all harm and given all of the advantages of this war. Their convenience must be consulted as to when they can go back and forth on the street cars. They must be let out at 4.15 o'clock in the afternoon. This city is crowded with business men who are brought here by these remarkable orders that have had to be made to prepare the Nation for this great struggle across the sea. These business men come down to these departments and attempt to transact business, and if they do not get through by the middle of the afternoon they must go to some crowded back room in a boarding house, for which they are paying a high price, and stay there for two or three days longer in order to consult the lordly convenience of some chief clerk in a department in Washington!

At 4 o'clock in the afternoon the clerk slams his desk shut, and the business public can wait for a solution of the great problems of preparedness. I say to you that we, as representatives of the people outside of Washington, not representatives of this overrepresented District of Columbia, but as representatives of the men upon whom the burden is falling in this war, have the first and primary duty, at least, of seeing that an honest day's work is given for every dollar expended by Uncle Sam. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. SNYDER]. [Applause.]

Mr. SNYDER. Mr. Chairman, I am loath to speak about a matter which will be a seeming criticism of the present administration and those who are advising him, but this drastic and uncalled-for order issued by Mr. Garfield yesterday morning is, in my judgment, the most costly error which could possibly have been made at this time, when everyone in the country has been under the strain and making every sacrifice which they have been called upon to make, cheerfully and freely, in the belief that conditions were satisfactory, and they were ready for further sacrifices, and greater effort is called for from day to day.

This action, taken this morning, which will throw out of employment at least three or four million people in the industries which are estopped, and those which are analogous to them which must shut down on account of this order is much to be regretted. But particularly am I interested in those fifty or sixty thousand employees in my own district in the Mohawk Valley in New York, who find themselves this morning without employment and, notwithstanding Mr. Garfield's ephemeral idea that the manufacturers of the country as a patriotic duty should or would compensate these people during this period of nonemployment, they have no possible chance, in my judgment, to recover this loss. It is idle and foolish and absurd on the part of Mr. Garfield to assume any such proposition as this, for the facts are, Mr. Chairman, not 3 out of 10 manufacturers could pay their employees during this 15 days of idleness without serious financial embarrassment.

Mr. HAMLIN. Will the gentleman yield for a question?

Mr. SNYDER. Yes, sir.

Mr. HAMLIN. Does not the gentleman realize that there are not only a few thousand men who would be inconvenienced by this order on account of the war situation, but there are millions of the best blood of American manhood who have been inconvenienced in their earning power and suffered a great financial loss who are not only required to make that sacrifice one day out of a week for two months but it may be for three or four years yet to come?

Mr. SNYDER. I shall try to cover that a little further in my argument.

Intelligent workmen appreciate and recognize this fact as well as I do. Certainly they do not want to force a condition upon the manufacturers in this country which will not only close them down during the 15-day period covered in this order, but which will eventually put them out of business completely.

As a business man, I believe I understand the situation which prevails this morning throughout the United States, or at least in the manufacturing districts of the country, and having had more than 30 years' experience in connection with labor organizations and labor generally, I believe I understand their feelings this morning with regard to this matter. I want to say right here that it is my judgment that never will the people of the country forget those who have brought this situation upon them. [Applause.]

I have heretofore been proud to stand behind the President in practically every one of his war measures and have been willing to accept his advice, but I must say that never have I encountered a man in whose judgment I have had greater faith than I have in his up to yesterday morning. I can not conceive at this moment how a man who has shown the good judgment that he has on so many important questions could make the fatal error, in my judgment, that he has made in permitting Mr. Garfield to issue this order which will, I believe, bring about utter chaos and want and great suffering in the country.

Mr. ALEXANDER. Will the gentleman yield?

Mr. SNYDER. I will.

Mr. ALEXANDER. Will the gentleman tell us the character of the industries in his district? What do they manufacture?

Mr. SNYDER. They manufacture knit goods that are now being made largely for the Government. They manufacture almost every kind of war material. The Savage Arms Co. are making the Lewis gun; the Remington Arms Co., at Ilion, N. Y.; the Remington Typewriter Co.; and an infinite number of manufacturers which I could go on and enumerate, but those are some of the principal ones. This is the largest center of the knit-goods industry in the whole United States. Every one of those people are out of work this morning.

It may have been necessary—and it probably was necessary—to do something to conserve coal for the suffering people of this country; but, Mr. Chairman, this talk about shutting down manufacturing plants in order to conserve coal for the householders is utter rot. The gentlemen in this House know that there is not 2 per cent of soft coal used in manufacturing plants for the purpose of making steam east of the Mississippi River which is used by the householders; and gentlemen of this House also know that not 2 per cent of the anthracite coal that is mined east of the Mississippi River is used for manufacturing purposes, so that so far as the question of stopping mills that have coal is concerned, it will in no way, from that standpoint, offer relief to domestic users. The only conceivable advantage that might be gained by the domestic user is that by shutting down all businesses in the country, except the railroads, it may be possible to relieve the congestion on the railroads to the extent that hard coal may be brought into the market in such quantities that the domestic users and householders may have adequate relief.

Finally, it is my belief that the whole difficulty under which we are struggling to-day is not a shortage of coal. It does not come from inability to mine coal, but the whole trouble is due

to the fact of the breaking down of the railroad transportation in this country, due to a situation which has been brought in the past six months by differences of opinion between groups of men in the country who believe in Government ownership and groups of men who are opposed to that proposition, and this has led Mr. Garfield, in my judgment, to issue the order to cover up the situation referred to here. In other words, I believe that Mr. Garfield and his force are being made the goats, and by reason of this misunderstanding or disagreement at least thirty-five or forty millions of people in this country are going to be made to suffer, and we are giving our enemies great pleasure by showing them that within the first eight months of the war our transportation facilities have broken down to such an extent that we are unable to carry on our ordinary domestic internal business.

The people of this country, myself included, have been, I think, of the belief that it was right and proper to give the President this drastic power during the period of the war. This order, with its uncalled-for results, is evidence of the error of such action. I do not believe it should be made possible to put more of this sort of legislation in force. I am satisfied that had this matter been brought to the attention of Congress, no such drastic action would have been taken. The protest, which has been general from every part of the country, covering every industry and every walk of life, is to the effect that the action was unnecessary; it was uncalled for, and will bring about great suffering and unnecessary sacrifices on the part of the people.

Mr. FESS. Will the gentleman yield for one question?

Mr. SNYDER. Certainly.

Mr. FESS. I am addressing a business man now. As a business man I would like to have the gentleman's judgment as to the amount of waste of fuel that will be involved in keeping plants in a condition to avoid freezing and for protection against fire. I would like to know the amount of waste that will be involved when we obey this order.

Mr. SNYDER. Well, in answer to that question I will say that in my own plant we use about 12 tons of coal a day to operate our engines, and from that consumption of coal we heat our factories with exhaust steam——

Mr. FESS. That is it.

Mr. SNYDER. The plant being stopped to-day will consume not less than 7 tons of coal to heat the plant with live steam, and it would be to lose in just that amount of coal that could have been used in a production that is badly needed. In other words, I will say that 75 per cent of the coal that is used to-day is lost to the country in productions of value.

Mr. FESS. Without an ounce of product?

Mr. SNYDER. Without an ounce of product to compensate for its loss.

Mr. FESS. I have that information from two factories in my district which use exhaust steam.

Mr. SNYDER. The gentleman is absolutely correct.

Mr. PAIGE. Will the gentleman yield?

Mr. SNYDER. I will.

Mr. PAIGE. Will the gentleman tell me how much conservation of coal will be brought about to close down a mill that runs wholly or in part by water power?

Mr. SNYDER. That is a question that will be impossible for me to answer.

Mr. PAIGE. Will the gentleman state what the saving would be by making mills that burn more coal when they stop than when they are running; that is to say, that burn the by-products, shavings, and so forth, when running, and when stopped have to consume coal. Will the gentleman tell us what the saving is?

Mr. SNYDER. Nobody but with the inefficiency of a college professor will be able to answer that question. [Laughter and applause.]

Mr. MAPES. Will the gentleman yield?

Mr. SNYDER. I will.

Mr. MAPES. The gentleman from Massachusetts has referred to woodworking plants. I saw a telegram yesterday from the superintendent of a woodworking plant in my district, which said that by the use of shavings only one-half a ton of coal a day was consumed to operate, and if the plant shut down, it would take four tons to keep the plant warm enough to keep the sprinkler system from freezing.

Mr. SNYDER. I will answer this question first. It is my judgment that Mr. Garfield knew it would be a great loss to the country when he made this order in the way he did to stop plants such as those to which the gentleman refers, but this whole order is a camouflage of the railroad management, and it is necessary, they believe, to discontinue shipments from every point in the United States during those days in order to clear up the railroad congestion, and that is the principle reason for the order, in my judgment.

Mr. WALSH. I would like to ask the gentleman's opinion as to whether or not this would have a stimulating or depressing effect upon these hundreds of thousands of employees who will be out of work for several days, when the next liberty loan is attempted to be floated and they are besought to purchase those bonds?

Mr. SNYDER. Nothing, in my judgment, could have been done by this administration to put a more deterrent effect upon the sale of liberty bonds or upon the subscriptions to war-relief activities than this particular order that we are discussing here now.

Mr. KNUTSON. Will the gentleman yield?

Mr. SNYDER. My time is pretty near up.

Mr. KNUTSON. The gentleman spoke about this order being used as camouflage to cover up railroad management. Would not "railroad mismanagement" be more correct?

Mr. SNYDER. I accept the correction.

Having criticized the action taken, it seems that I should offer what I believe would have been a solution of the matter. It is my belief that a supreme effort should have been made to operate the railroads of the country and a supreme effort should have been made to speed up the coal production, both of which, in my judgment, would have been successful by the management of these two great essentials, had they been put into the hands of men of known capabilities, who would have surrounded themselves with men capable of bringing about this result [applause], and this would have, in my judgment, made it unnecessary to have brought on the country the present disaster.

Mr. Chairman, I feel constrained to make this statement, and in closing I want to say that I believe every word that I have said, and in the future I shall proceed along the lines suggested here. I am still of the belief that, notwithstanding all the errors that are being made, that wiser councils will prevail and that order will come out of chaos and some one in the country big enough will be found to take hold of these great affairs and lead us to victory. [Applause.]

Mr. Chairman, how much time have I left?

The CHAIRMAN. One minute.

Mr. SNYDER. In the one minute left I want to bring another matter to the attention of the House.

On June 1, 1917, I sent a telegram to our esteemed Democratic leader in which I said:

> A great many notes for the purchase of liberty bonds will have to be given to the banks; many of them will have to be renewed. The banks in this section of the country are offering to loan money at 4 per cent, so that the people may buy these bonds. It seems to me that notes that are given for the purchase of Liberty bonds should be exempt from stamp tax. What do you think about this?

The Democratic leader advised me that he thought that he would take it up in the conference, but nothing came of it. What position do we find ourselves in to-day? The banks in my section of the country, that worked overtime and employed extra help and spent their money in their enthusiasm to distribute their quota of this loan, have taken millions of dollars in loans. In some cases they accepted from their depositors demand notes. They now find themselves in a position every three months of having to put—one bank in particular—$200 worth of 2-cent stamps on the back of a million dollars of notes that go for rediscount. That amount of stamps on a million dollars makes $800 a year, and since the reserve bank has raised the rediscount rate to 4 per cent the banks are not only forced to do all the work for nothing, but they are to pay 2 cents on every hundred dollars' worth of rediscount. And, my friends, I believe that that alone will dampen the ardor of the most enthusiastic Government bond salesman that this country could find in any search it might make. And I desire to ask the Democratic leader if he will not give this matter serious consideration and see if it can not be corrected so that we can have the benefit of the enthusiasm and patriotism of our bankers throughout the country without their actually spending their money and work besides. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Chairman, I wish to call the attention of this House to a few concrete examples of the utter folly of the order issued by the President of the United States and promulgated through his Fuel Administrator, shutting down the industries of this country, and to show that instead of its being a saving of fuel it is resulting in absolute waste. Illustrating this proposition, I desire to read a telegram I received this morning from Finley P. Mount, president of the Advance Rumely Co., the greatest manufacturing establishment in producing farm tractors in the world, in which he says:

> Trust you will use all efforts to procure immediate revocation order issued National Fuel Administrator. Order will result in waste rather than saving of fuel. It requires 50 tons coal to keep our plant at

35 degrees and protect from freezing when weather is 10 above outside. It only requires 5 to 10 more tons per day to operate. If not permitted to operate this 50 tons is absolutely wasted.

There is a concrete example of where, by reason of this order, 50 tons of coal are wasted in this one institution for the purpose of saving 10 tons, a net loss, if you please, of 40 tons without any results so far as the manufacturer is concerned, and not considering the men thrown out of employment.

There is another concrete example to which I wish to call your attention and it is best illustrated by a telegram I received this morning from William J. Whinery, representing one of the greatest manufacturing plants in the Calumet region, where there are more than 50,000 men to-day idle by reason of this order, suffering, if you please, from cold.

Order stopping industries for five days has thrown this entire country into business panic. Factories working on munitions under time limits for deliveries are up in the air as to whether to shut down or not. There is a rumor here that Congress is considering the withdrawal of the order. Please advise immediately.

I had to advise them this morning that the order had not been withdrawn or modified.

And right here I wish to call your attention to this fact, that there are thousands and thousands of laboring men in the Calumet region, about Indiana Harbor, Gary, and Hammond, that have no places in which to live except in the factories where they are working, where they have to sleep in congested apartments by reason of the want of housing facilities, these men depending, if you please, for the warmth of their bodies at this time, when the thermometer is 15 degrees below zero out there, on employment in these factories, and suffering, if you please, by reason of this inconsiderate order.

And what is true in reference to the situation at Gary, Indiana Harbor, and Hammond is likewise true in all the great commercial and manufacturing centers of this country. Instead of saving coal for the purpose of producing warmth to the poor, they are absolutely destroying the opportunity for them to have a place where they can keep their bodies warm throughout the day. And, if you please, it is resulting not only in the waste of the man power of this country, every bit of which should be employed immediately, but it is disorganizing business for the future, as in this great Rumely concern, whose business it is to manufacture these tractors that are now so largely used in the great corn belts and grain belts of this country, and in manufactories of such implements as plows and reapers and mowers, that are made by the great harvester concerns of this country, and that are now needed and being demanded in every section of this country to take care of the grain which has to be harvested, and for which so much encouragement has been offered. Listen to this telegram that I have just received from the Blount Plow Works, of Evansville, Ind.:

To win the war we must have food and cotton and sugar; to have them farmers must have implements. Our trade is in the South. Southern farmers are begging for plows and repairs. We are now over 30 days behind on deliveries. Our plant, equipped with wet sprinkling systems, requires as much coal to shut down as to operate.

So that you see that it ramifies to all extents and to all business employments. I dare say, that if by some magic power the Kaiser could have issued an order by some intrigue closing these factories as quickly as this order has closed them, a mighty pall of disaster would have fallen on this country of ours. But such action of this arch enemy would bring no greater disaster than has befallen our country by reason of the action of the President of the United States; so that I say that it is high time that this body, composed of representatives of the people of the United States, should voice its protest against this order, that can result in no good, and that can only result in indescribable injury. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield three minutes to the gentleman from Nebraska [Mr. REAVIS].

The CHAIRMAN. The gentleman from Nebraska is recognized for three minutes.

Mr. REAVIS. Mr. Chairman, the matter to which I call attention is entirely alien to the bill under consideration, but it is one in which I feel a very deep interest.

Several weeks ago the Surgeon General of the United States, Gen. Gorgas, made a report to the War Department as to the condition of the camps throughout the Nation as well as the condition of the health of the soldiers encamped therein. There were many things in that report that excited a great deal of apprehension throughout the Nation and which caused me personally great concern. I made effort to get this report from the Surgeon General's Office by correspondsence. I understand that a number of other Members of this body made similar efforts, but none was successful. Because of such inability, as I understand, some two weeks ago, on the motion of the gentleman from Ohio [Mr. GARD], this report was by unanimous consent made a House document, with instructions that it should be printed and put at the disposition of the Members. Since that time I have called daily at the document room seeking this document, but always to be denied. Yesterday I was rather nonchalantly informed that sometimes it took months for these reports to get to the document room.

Gentlemen of the committee, the people of this Nation and the Representatives in this House are entitled to all information regarding the condition of these camps. [Applause.] I do not charge that this report has been suppressed, but I do charge that no Member of this body has been able to see it. I regret exceedingly to be put in an attitude of criticism, but there is no question in which the Nation is more vitally interested than it is in the health of the soldiers in these encampments. [Applause.]

So far as I am concerned, I shall never hesitate to criticise existing evils when my criticism might suggest a remedy. [Applause.] I would be unworthy of a place in this body if I should do otherwise. I do not know, beyond newspaper reports, just how serious the condition may be; but if we have boys in the encampments who are being sacrificed, they ought to be sacrificed for the country and not by the country. [Applause.]

I believe that some action should be taken with reference to this report. I believe that some process should issue from this House whereby the Members of the House of Representatives will be permitted to see what the Surgeon General says the condition is, especially as his suggestions are made after a personal inspection of these camps. Up to this time we have not been so permitted. I am frank to say that I am unfamiliar with the proper procedure to get that report into the document room, as the House ordered, but it ought to be put there and it ought to be put there without delay. It will be of no service to the soldiers in the encampments to have a report put there some time next summer which ought to be there now. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Chairman, I understood at the time the report of Gen. Gorgas was made that it was very offensive to the Secretary of War. That may be the explanation of why it has not been published.

I now yield five minutes to the gentleman from New Jersey [Mr. PARKER].

The CHAIRMAN. The gentleman from New Jersey is recognized for five minutes.

Mr. PARKER of New Jersey. Mr. Chairman, work must win this war and nothing else. It is our factories that are carrying on the industries of this country, that are the lifeblood of this country. There have been attempts to destroy them by explosions by our enemies. To stop the operation of our factories by an enemy is murder of the Nation. To stop those factories by the action of a patriot is suicide. [Applause.] It is those factories that must win this war.

They tell us we need coal. We can save coal for those factories by running them, not by stopping them. We can save coal here in this Chamber if we use less heat, and some of us think it is too hot here sometimes. [Laughter.] Our boys in France have no heat. We can save coal if we choose to live as our grandfathers did, with one room warm in the house during the winter. We can save coal if these lights up there in the ceiling and around in the galleries during daylight, which are being paid for, were not burning. We could save coal to an enormous extent if four out of the five electric lights in the streets and in the houses were cut off. We can save coal by temporarily closing places of amusement and by shutting off the lights in the shops and in the advertisements and by stopping the manufacture of unnecessary articles—musical boxes or what not. We want our men and our skilled labor in necessary factories and on railroads to be at work, and when we close or reduce the force in other factories we can use their skilled mechanics on the repair of locomotives and cars. There are skilled mechanics also in our Army, and we could use them.

What has encouraged our allies and disheartened our enemies was the belief that America is able and willing to do everything in solving the world problem. Now our Nation has confessed an impotence that not one of the nations abroad has confessed after three years of bloodshed and privation—not one.

London and Paris are dark at night. I do not ask that we shall be as dark. Saving will do much. In England not a private automobile is running, because they are being used for war purposes. All that is for saving fuel. We must also collect fuel that is tied up in cars in yards. There are coal cars that can not be unloaded and there are 217 ships waiting in the harbor of New York to be loaded. There are a million soldiers who are ready to turn in and load those ships, to clear those yards, and unload those cars. There are delivery wagons for shops that can be commandeered to distribute coal when neces-

sary. America has the energies and abilities. It is direction and encouragement, not stoppage, that she asks. [Applause.] We can clear the roads, we can repair the engines, we can run our factories. If man labor is deficient, we can do as they have done abroad, where I saw shells larger than those on the table in front of us, shells that no one man could lift, being made on lathes and planing machines that were run by women, and where I saw a cordite powder factory with 20,000 employees, and 13,000 of them were women. Women collect the tickets; are conductors on the omnibuses and on the trains. We, as a Nation, are ready if we are only given the opportunity to work. [Applause.]

Mr. CARTER of Oklahoma. I yield one minute to the gentleman from North Carolina [Mr. KITCHIN].

Mr. KITCHIN. Mr. Chairman, I want to say that I was very much impressed with what the gentleman from Nebraska [Mr. REAVIS] said, and I want to add my indorsement to what he said as to the publicity of the Surgeon General's report. [Applause.] I rose specially, however, to state that the document to which he referred went to the document room last night and is now available for distribution. [Applause.] I can not understand why it has been delayed. I want to express the hope that the Printing Office, or whoever caused the delay, will not hereafter cause any such delay. I do not believe there is any document more important to the House, to the soldiers, and to the people of the country than that document, and I believe it ought to be given publicity. As I said, I wish to indorse what the gentleman from Nebraska [Mr. REAVIS] said. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield 20 minutes to the gentleman from Connecticut [Mr. TILSON]. [Applause.]

Mr. CARTER of Oklahoma. I yield to the gentleman from Connecticut a like amount of time.

Mr. TILSON. Mr. Chairman, I have come to the House this morning from a sick bed to which I have been confined for two days, and I may not find myself physically able to consume the time so generously allotted to me by the gentlemen in charge of time on both sides of the Chamber.

In the interest of a more orderly presentation of what I wish to say, and also in the interest of conserving my strength, I ask that I be not interrupted in the first part of my remarks, until I reach the point of describing some of the exhibits that I have brought on the floor.

In my judgment the United States and our allies could whip Germany and her allies in a fair fight with naked fists if the Germans would agree to fight that way and keep to the agreement. Unfortunately there are no present indications of such an agreement being made or kept. Much as we should like to bask in the perennial smile of Billiken, the god of things as they ought to be, we are compelled for the present to face the grim visage of Mars, the god of war.

We can not be too often reminded that we are pitted against the mightiest military machine the world has ever known and in the greatest war of all recorded time. The question that now absorbs the interest of every one of us is, how can we as a Nation most effectively perform our part in the struggle?

If this war has demonstrated one thing more clearly than another, it is that a preponderance of metal wisely used will win it. It is a machine-made war, designed in Germany. It is a war of metals; and the sooner we realize that fact the better. All previous calculations as to the amount of arms and ammunition required went into the discard as obsolete soon after the war began. Even the general staff of Germany very early in the war multiplied by four its most liberal former estimate of necessary matériel. The allies had much less than Germany to begin with, but amounts far beyond all previous calculations had been produced by France and Great Britain before we entered the struggle. True, they had help, important as to certain things, from the private manufacturers of this country.

It is true as it is commonplace that we entered the war in a sad state of unpreparedness. As to who was to blame for that unfortunate condition it would serve no good purpose to discuss in this connection. While I make no claim of unusual prescience, the CONGRESSIONAL RECORD covering seven years of my service here will fairly acquit me of any delinquency in this connection. [Applause.] Others saw the need of preparation as I did and called attention to it more forcefully than I could, and urged that the things lacking should be supplied. It is only fair to say, however, that if it be a distinction, I think it belongs to me of being the first Member of the American Congress and one of the first men in the country to not only call attention to a general lack of military preparedness but to state in what respect we were lacking and what were the essential first steps necessary to a reasonable state of preparedness. [Applause.]

Through a series of remarks running over two years I have striven by speech and ocular demonstration, in season and out of season, to make plain to the membership of this House what those essentials are, and how best to procure them. Many of you will recall my numerous talks on arms, ammunition, and the gauges, dies, jigs, and fixtures necessary to produce them. My colleagues on the Military Affairs Committee long ago dubbed me "JIGS TILSON," but I kept at it, because I knew I was right. [Applause.] Now, everybody agrees that I was right and that if my advice had been followed earlier we should now all feel a little more comfortable as we look across the seas.

We shall not lack for men to win this war. The spirit in which the selective-draft law has been accepted by the young men of the country upon whom it operates has been both comforting and inspiring. We have the men, the very best on earth, and the cream of them are coming to the colors. The life of each one of them is precious beyond all words, so that we who are in a measure responsible must see to it that not one single precious life is sacrificed unnecessarily. You will ask how we can prevent it. One of the first things to be done is to be sure that our soldier boys over there and here are abundantly supplied with munitions of war, especially weapons, including arms, aeroplanes, tanks, and a superabundance of ammunition. All these they must have and as speedily as possible.

What, then, do our forces need to make their efforts most effective? A great number and variety of things and very large quantities of most of them. First, they need guns, then more guns, and then still more guns, many types, lengths, and calibers of guns. A partial recital of the list of them would sound like the outpouring of the rats in Browning's wonderful child story, "The Pied Piper of Hamelin." Big guns, little guns, long guns, short guns, trench guns, mortars, howitzers, slender seventy-fives, fat old Berthas, pistols, and revolvers—enough of both Colts and Smith & Wessons—rifles and bayonets almost without number of both Springfields and Enfields, machine guns, too many to count, Lewis guns, Benet-Merciers, Colts, Vickers, Marlins, Brownings, Chaucats, and Hotchkiss. We must have all these in order to get enough in time.

Our forces must have cartridges and shells, 30-30s by the billion, 1-pounders, 75s, and so on up to the biggest shell made—shrapnel, high explosives, gas shells, shells that explode by time fuses, shells that explode by impact, shells that explode both ways, shells that explode by delayed detonation.

They must have tanks—caterpillar tanks or armored motor cars, as they are called officially. These they must have in the larger and smaller types, enough and well equipped for their deadly work.

They must have aeroplanes enough to put out the eyes of the enemy and drop bombs upon him in his blindness. They need training planes, scouting planes, fighting planes, bombing planes, different types for different purposes, planes that will do the kinds of work now done by such machines as the Nieuport, the S. P. A. D., the Handley-Page, the Caproni, and the swift-flying German albatross. Yes; and go them one better.

They must have mountains of bombs to hurl upon the enemy from the trenches and rain upon him from the skies—large bombs, small bombs, demolition bombs, incendiary bombs, lachrymatory bombs, lethal bombs, bombs to be used against personnel, bombs that destroy by concussion, and bombs that destroy by fragmentation; bombs to be used over land and bombs to be used over water, bombs to be dropped from aeroplanes, bombs to be hurled from guns and mortars, bombs to be fired from the muzzle of the rifle, and bombs to be thrown by hand; rifle grenades, hand grenades, chemical grenades; and the end is not yet.

All these things are necessary and must be provided if we would win the war speedily and without the futile sacrifice of thousands of our brave soldiers. The lack of many or all of these things caused the collapse of Russia, apparently beyond all hope of recovery. Scarcity of them caused the sad disaster in northern Italy. A fair supply of them has held the enemy in northern France and Belgium, and an abundance of them will defeat him. These things will cost money, a lot of it, but not so much as if we attempt to do without them. Best of all, they will win the war. Next best, they will save human life, and "What shall a man give in exchange for his life?" I hope that everybody in this country, from President Wilson down, will speedily come to realize the supreme importance of this matter. [Applause.]

We read and hear much comment concerning a new department of munitions. At the present time the President seems to oppose it. We may have made mistakes heretofore in creating new departments of the Government without sufficient reason. In our present situation, however, I believe we should have a separate department of munitions, whether we call its head a

secretary, a minister, or a director, provided he is subject to the direction of the President without intervening authority. [Applause.] It would emphasize the transcendent importance of this matter just now, and in my judgment would effect a much needed coordination not otherwise possible under present conditions. It would be better to dispense with the valuable services of half the present Cabinet, if that were necessary in order to save the funds to establish such a department.

In a series of three speeches last session I brought before the House a considerable array of arms, ammunition, and other articles used in the present war. In the first, the major part of my remarks were directed to rifles and machine guns. In the second, I went further and introduced the subject of bombs, submitting one or two samples. The third dealt with the use of weapons in and from the air, with special reference to our great aviation program, and incidentally the defense against poisonous gases by the use of gas masks. To-day I wish to go a little further along the same general line, but with special reference to weapons used in, from, and against trenches, now known as trench warfare.

The universal use of trenches in the present war in a way and to a degree never known before is not an invention or a discovery. It is a natural instinct. Self-preservation is the first law of life. The present inglorious trench warfare, the burrowing in the ground of human underground animals, is the logical, natural, inevitable result of that primal law worked out under present-day conditions. A study of the development of the use of earthworks in war is a most interesting one, but time will not permit even a reference to it here. Suffice it to say that in general it coincides quite accurately with the development of firearms and explosives.

While the use of the trench came instinctively, the development of the trench has called for the highest inventive genius of man, striving to make the trench safe for our own troops and unsafe for the enemy. I have brought before you a rough-draft typical section of a trench, very much foreshortened, as you will see from the position of the supporting trench. I have brought it in order that when I present a weapon to be used in it you will understand to what I refer. In general, the front trench is a deep, narrow ditch, in its general direction parallel to the enemy, with traverses at frequent intervals to prevent enfilading. The communicating trench is a zigzag, like forked lightning, running back to the supporting trench. These traverses and zigzags are not fanciful or arbitrary; they are absolutely necessary, and the only things that would serve the purpose. The communicating trenches, having a general direction perpendicular to the front trench, have to zigzag in order to prevent a raking fire from the front, while the first-line trench has to be traversed in order to prevent enfilading by the enemy from a distant point in his line or by troops gaining a foothold in adjoining parts of our own line.

First I will take the rifle. I hold in my hand a modified Enfield rifle built by the Remington Co. and chambered for British ammunition. It looks almost exactly like our United States model of 1917, as you will see as I place beside it one of the very first improved Enfields chambered for our ammunition. It was made by Winchester and sent to me last summer. Except for sniping, the rifle is used within the trench mostly to carry the bayonet and to fire rifle grenades. Let us assume that our troops have gained a foothold at intervals in the front-line trench of the enemy. It then becomes highly important to find out who the neighbors are across the traverse on both sides. This is done by the aid of a periscope. Then begins what they call "mopping up." Two men with rifles stand at the traverse, one behind the other. They stand with bayonets fixed. The two men with bayonets are backed up by two grenadiers, who come along behind them with hand grenades such as these, and hurl them across both the first and second traverses. There are four men behind them with gunny sacks loaded with bombs. At first they had a fancy carrier, like a knapsack, to carry the bombs in, but they found that when a man was killed, as he frequently was, it was difficult to get the carrier off; so they found that the gunny sacks answered the purpose better and were cheaper.

Mr. REED. Will the gentleman give us an idea of the destructive qualities of those bombs?

Mr. TILSON. Perhaps it would be clearer if I took one article at the beginning and went through with that.

Mr. AUSTIN. And please state the size of them as you go along.

Mr. TILSON. The one I hold in my hand is the well-known Mills or English hand grenade. It is the simplest grenade. It is as large as a big California lemon and about the same shape. It was made at first of cast iron, and, I should say, it weighs about 20 ounces loaded ready for firing.

The idea some people have is that men stand in the trench and throw them forward toward the enemy, but that is a misconception and is impracticable. They are not used in that way. They are used lengthwise of the trench, either in "mopping up" or on the defensive against a counterattack coming down the communicating trenches. If you have taken a front trench of the enemy and are "mopping it up," and the enemy is coming down the communicating trenches in a counterattack against you, these grenades are very useful. You do not have to throw them very far. The average length that they are thrown is from 15 to 25 yards.

Mr. RUCKER. What makes them explode?

Mr. TILSON. A time fuse. Here is a safety device. A man gets ready to throw; he takes hold of the safety device, pulls it out, and then he has to hold it, because if he releases it it immediately fires; but he holds it until he is ready to throw it, and then he hurls it. Five seconds from the time it is released it goes off. That is the Mills grenade in its simplest form.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. COOPER of Wisconsin. Is that what the gentleman meant when he used the term "delayed detonation"?

Mr. TILSON. No; the delayed detonator is used in the larger shell, which is made not to fire instantaneously on impact, but after it has penetrated the ground or a building, especially a building. If you drop a large bomb from an aeroplane, you do not want it to explode when it hits the roof, because the explosion would all be above the building. The delayed detonation would permit it to drop down many feet below and get into the middle of the building; or if used against the trench, it permits the shell to penetrate the earth a distance of 8 or 10 feet, so as to cause terrific destruction and a large crater.

Mr. COOPER of Wisconsin. This bomb which the gentleman has just been describing does not explode on impact?

Mr. TILSON. No; it has a time fuse.

Mr. COOPER of Wisconsin. Explodes five seconds afterwards?

Mr. TILSON. Yes. It is a five-second time fuse.

Mr. KEARNS. When one explodes, what is the radius of death?

Mr. TILSON. I have here in my hand fragments gathered up from the explosion of one of our own type of grenades, which I hold in my hand, which is somewhat similar to the Mills grenade, but which our Ordnance Department thinks is an improvement. We call it the defensive hand grenade, Mark I.

It consists of a malleable-iron body, containing the bursting charge and bouchon assembly, comprising the safety pin, safety cover, actuating lever, striker, primer, time fuse, and detonator. The bouchon assembly screws into the body with the detonator extending into the bursting charge.

To operate it, the grenade is grasped firmly with the thumb across the actuating lever and the safety pin removed by a quick pull, allowing the safety cover to fall free. The arm is drawn back in a vertical plane and then brought forward sharply in a straight arm, overhand throw, keeping in the same plane and using the shoulder and body as much as possible in the motion.

As the grenade leaves the hand the thumb naturally engages the actuating lever, releasing the striker, which fires the primer. The time fuse is ignited, and five seconds later the bursting charge is detonated.

The principal safety feature of our grenade, not found in the "Mills" type, is that the "Mills" is completely armed when the safety pin is withdrawn, and the moment the operator's grip is released, whether through design or accident, the striker operates. In bombing, the operator is under fire and in cramped quarters, so that casualties are quite frequent with the Mills type of grenade, due to the operator's fumbling or dropping the grenade through his being hit or interfered with after withdrawing the safety pin. Our actuating lever, which engages the firing point of the striker, will not release the same unless swung to the side. In tests of dropping or throwing our grenade to the ground it has been found that the striker is released less than once in a hundred times.

The British commission, when it came over here, told us of the astonishing number of men who had been killed through accident in that way on Salisbury Plain, where they train their grenadiers. If I told you the number, it would seem incredible. Our design section of trench warfare in the Ordnance Depart-

ment thought it would remedy that and made one a bit different, as I have already described to you.

Malleable iron gives better fragmentation than cast iron, as it is tougher and does not tend to pulverize. A series of tests have shown that whereas cast-iron grenades weighing approximately 1 pound gave an average of 556 fragments when exploded with the standard charge, malleable-iron grenades gave an average of 198 fragments, which proves that the fragments of the malleable-iron grenade were of larger area and would prove more effective. Malleable iron gives better penetration results than cast iron. Having approximately twice the tensile strength, the bursting pressure is greater, imparting to the fragments a higher initial velocity. The fragments being larger, would possess greater kinetic energy, assuming the same initial velocity; the initial velocity being much higher than in the case of cast iron, the penetration qualities are correspondingly higher. A malleable-iron grenade exploded with a standard charge in an oak barrel with heads removed, having three-quarter-inch staves, gave 73 complete piercings and numerous penetrations of various depths in the wood.

I am not able to answer exactly the gentleman from Ohio as to the radius of death, but from the test last referred to the gentleman can see how forceful it is. After all, as I explained a few moments ago, these are used only against men in the trenches. You throw them over the next traverse, or the next but one, to destroy the defender or the attacker, as the case may be, but you do not use them in an attack in the open. If you do, you are as liable to be killed as you are liable to kill the other fellow. They do not use that particular type of bomb in that way, but use it against men in the trenches.

Mr. GOODWIN of Arkansas. What is the death radius, or the radius of destruction, of our largest bombs?

Mr. TILSON. The largest bomb that we use against personnel has a danger circle of half a mile in diameter.

Mr. GOODWIN of Arkansas. How extensively are those being manufactured and used?

Mr. TILSON. They are manufactured in considerable number. I know that many thousands of them are being produced.

Mr. GOODWIN of Arkansas. A radius of half a mile?

Mr. TILSON. Yes; they are dangerous at half a mile, as you and I would think of danger, though perhaps not in a strictly military sense. I do not mean that they would kill everyone in a half-mile circle, for there would not be enough fragments to do that.

Mr. GOODWIN of Arkansas. What is the weight of the largest bomb?

Mr. TILSON. About a hundred pounds is the largest one to be used against personnel, but they run up to 500 pounds in demolition bombs, and worse may follow.

Mr. GOODWIN of Arkansas. Are they now being employed in Europe?

Mr. TILSON. Oh, yes. There is one thing in which we think we have an advantage. In the Barlow bomb we have a bomb that explodes above the surface of the earth, and, as against personnel, that is a great factor.

Mr. GOODWIN of Arkansas. What is the method of conveying those—by aeroplane?

Mr. TILSON. Yes; those bombs are entirely by aeroplanes. I have some here.

Mr. GOODWIN of Arkansas. I wish the gentleman would elaborate upon that, because I think there is a misapprehension in respect to it throughout the country.

Mr. TILSON. Very well. Here are some additional facts in regard to the Barlow bomb that I am willing to give in response to the gentleman's very courteous request.

The Barlow heavy drop bomb is the fragmentation bomb used, and is designed for use against troops in the field or on the march, particularly when in massed formation; against personnel located in camps, cantonments, or rest billets; and, as the bomb will explode above water, against landing parties or small boats.

The efficiency of the bomb is secured by mechanically causing the detonation when the explosive war head is between 4 and 5 feet above the ground, and none of the energy of the detonation is lost by being buried in the earth. The bomb has a diameter of 6 inches and length of 80 inches when in the normal or safe position and a length of approximately 15 feet when extended in firing position. The weight of the bomb is approximately 95 pounds, of which 12 pounds represents the weight of the explosive and 83 pounds the weight of the container. This bomb also embodies a safety feature in that the detonator is carried out of the high explosive charge until the moment of release. The detonation above the ground is obtained by means of an extrusion rod operated by compressed air at the moment of release. At the extreme forward end of the extrusion rod is carried a rifled barrel, loaded with a .30-30 service cartridge, with a firing pin which discharges the cartridge at the instant of contact. The bullet from the cartridge detonates the fulminate of mercury detonator carried in the opposite end of the extrusion rod, which in turn detonates the high explosive carried in the war head. The war head is a hollow steel cup 14¾ inches long, with an outside diameter of 6 inches and walls one-half inch thick, and it is the fragmentation of this shell that gives the bomb its effectiveness.

I have described already the safety device in this small hand grenade, which does not work until after the side motion. I desire to call attention to one other difference between this and the Mills grenade. The Mills grenade originally was made of cast iron, for, as you may know, or may not know, malleable iron is practically an American industry. So England made these grenades of cast iron. If a large force, a heavy detonation, is put into it, it blows the cast iron into powder, so they had to put in a low order of detonation, with a small circle of death as the result. As soon as the Americans took it up they at once used malleable iron. It fragments well, stands the strain, so that you can get a very high order of detonation, and, therefore, we think we have a bomb that is very greatly improved. I am informed that already 30,000,000 of these are under way. Few jigs or dies or gauges are required to make them, because they are of rough manufacture, as you will see, and therefore easily made, and that is the case with a number of these other things. The trench-warfare section of the Ordnance Department has a motto upon which it proceeds—"Anything that is cheap and nasty." The motto is full of meaning: First, it must be nasty; that is, if it does not accomplish the dirty business, if it is not nasty, there is no use fooling with it; if they can not be made reasonably cheap, then we can not make enough of them. So we have been working on this type, and have produced them, I think, for about 10 cents.

Mr. REED. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. REED. Do these corrugations there determine the number and size of the fragments practically absolutely?

Mr. TILSON. No. If you take a piece of chocolate marked with corrugations like that and drop it on the floor it will not break up according to the lines at all. I have often wondered why not, but it does not seem to do so, and it is the same way with these things.

Mr. ROWE. Those are to help the hand in throwing them.

Mr. TILSON. I think it is largely to give a grip to the hand, to give surface friction. The next size grenade that is used is the rifle grenade. This is our service rifle, model 1903, Springfield, so called. You see this muzzle piece here. It is the discharger and is put on to fire the grenade from. This is called the V. B. [Viviénne-Bessiere] rifle grenade, consisting of a malleable-iron body, containing the primer, time fuse, detonator, and bursting charge, and is fired from a discharger affixed to the muzzle of the service rifle.

The "propellant" is the standard service cartridge, the ball of which, passing through a central tube in the grenade body, actuates the striker, functioning in turn the primer and time fuse. The gases following the bullet propel the grenade a maximum distance of 225 to 250 yards. The detonator is fired by the time fuse eight seconds after the grenade leaves the discharger, detonating the bursting charge and shattering the body. A maximum range is secured through an elevation of 45° and shorter ranges by increasing the angle of the elevation. The plunging fire obtained from these elevations has proven very effective.

It can be used from a trench over against the other fellow's trench, if you are that close to it. They are a little more expensive than the others, but they also are made of malleable iron and are reasonably cheap. One of these dischargers is allotted to about 1 soldier in 10, and will last indefinitely. They cost probably about $4.

The next size is the 3-inch Stokes shell, used by the British. They have used a great many of these, and very effectively. At the rear end there is a cartridge like a shotgun shell, which explodes the powder rings which are here on this projection. Powder rings, as needed, according to the distance to be covered, are fired by sparks coming out through these holes after firing the shotgun shell.

The gun in which this is used, known as the Stokes gun, is about as cheap as it is possible to make. It may be likened to a length of sewer pipe with a firing pin at one end and a plate at the back to keep it from ramming into the ground. The way the shells are fired after the gun is set up is just to pick the shell up, drop it in, and, like that old comic song we used to hear, it "walks right in and walks right out again." That is just what happens. As soon as it hits the firing pin at the bottom it is fired, and it comes right out again. It has an effective range of about 1,200 yards and can be fired at the rate of 30 shots per minute.

Mr. PURNELL. Will the gentleman yield?

Mr. TILSON. I will.

Mr. PURNELL. I wish to ask the gentleman a question about the gun of which he was speaking. Is that a permanent attachment, or can it be removed and the gun used without it?

Mr. TILSON. It can be attached to any Springfield rifle. Of course, we had to make two types, one to fit our new model of 1917.

Mr. PURNELL. Is each soldier equipped with that attachment, or just 1 in 10?

Mr. TILSON. About 1 in 10 fires the rifle grenade.

Mr. AUSTIN. What size gun fires the Stokes shell?

Mr. TILSON. Three-inch, but it is a gun only by courtesy. It is not a gun in the same sense that we speak of a real gun.

Mr. ESCH. It is more like a piece of gas pipe.

Mr. TILSON. Yes; or sewer pipe.

Mr. CRISP. Is the propelling force of the Stokes shell in the shell itself?

Mr. TILSON. No; the propelling force is in these powder rings around here. That sends it on its way. It has a fuse that explodes it. The explosive force is inside the shell, and there is a fuse here that fires it when it arrives.

Mr. TAYLOR of Colorado. What is that explosive force?

Mr. TILSON. Well, I do not know that I could tell exactly what they are going to use, T. N. T. perhaps. At any rate, it is a very high explosive they are going to use.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Chairman, did the gentleman from Oklahoma yield 30 minutes?

Mr. CRISP. The gentleman from Oklahoma asked me to represent him, and stated that I could yield Mr. TILSON five minutes additional if he should wish that time.

Mr. CAMPBELL of Kansas. How much time has the gentleman from Connecticut used?

The CHAIRMAN. He has used 40 minutes.

Mr. CAMPBELL of Kansas. Then I yield him—how much more time does the gentleman wish?

Mr. TILSON. I should like to have 15 minutes, if I could get it and if it will not impede the progress of business too much.

The CHAIRMAN. The gentleman from Oklahoma yields 5 minutes and the gentleman from Kansas 10 minutes, so the gentleman is recognized for 15 minutes.

Mr. TILSON. Let me call attention to the fact that, instead of being made out of steel, as the Stokes shell is in England, we are now making them out of malleable iron. You will note also that instead of having them polished from one end to the other, this being the only part that touches the gun, we are going to polish just the ends, the parts that bear, and save a good deal of cost. The rest of it will be rough, just as it is cast. These samples are of malleable iron and I am assured will explode with just as great effect as steel.

I have brought here some demolition bombs made for the purpose of dropping from the sky. The demolition bombs are used against buildings, railways, depots, bridges, and so forth, and depend for the execution of their purpose upon the detonation of the charge of high explosive and not on the fragmentation of the shell.

The shell or container for the high explosive is made of steel of sufficient tensile strength to insure penetration through roofs of buildings or other objects to be destroyed.

The bombs are detonated by the contact of the nose striking the target. They are made with stream lines and with four stabilizers at the rear end, located parallel with the horizontal axis of the bombs at an angle of 90° from each other, to insure a uniform trajectory. The center of gravity is forward of the center to insure striking on the nose.

Two things have been kept in mind in the design of these bombs, namely: That they be as dangerous and as effective as possible against the enemy and to be as safe as possible for loading, handling, and carrying on airplanes. The fulminate detonator is carried in the extreme rear end of the bomb out of the charge of high explosive, and is held in this position by a safety pin until the moment of release from the plane.

These bombs are being manufactured in five sizes, as follows:

	Weight explosive.	Weight container.	Total weight.	Diameter.	Length.
				Inches.	*Inches.*
Mark I	50	42	92	7½	48
Mark II	10	14	24	4⅜	26
Mark III	25	22	47	6½	36
Mark IV	130	100	230	11½	54
Mark V	300	200	500	16½	60

This smallest bomb that I have brought here costs when alive and ready to drop about $25.

Mr. AUSTIN. Out of what material is it made?

Mr. TILSON. Out of steel, in order to get the greatest possible destructive force. The same thing not charged, but weighted for experimentation and for practice on our aeroplanes, costs about $11. We need a great number of them to be used by our aeroplanes for practice. One of our very wide-awake young officers in the design section has devised this affair. I think he must have watched his baby make mud pies and have gotten his inspiration from that. At any rate, he has made of concrete an imitation bomb, the same weight exactly, balanced exactly the same, and which, it is believed, will serve every purpose for practice that one of the $11 bombs will serve. I am told it can be made for 94 cents. The difference in cost will soon run into money. In the end of this concrete affair is placed a cartridge like a shotgun shell, loaded with some smoke-producing substance, so that when it drops it will make as much smoke as possible, so as to appear as much like a real shell exploding as possible. This one [indicating] is also a demolition bomb and might be called a companion piece to the Barlow bomb, which I submitted some time last session, except that this is used for demolition work, while the Barlow bomb is used against personnel.

Just a few words about incendiary bombs, of which I have not a sample here to-day. These bombs are to be used for incendiary purposes against factories, depots, camps, or any places it is desired to destroy by fire, and are made in two types—intensive type and scatter type.

The intensive type, our Mark II, is to be used against buildings or in places where an intense compact flame or fire is to be concentrated at a particular point. The exterior form and construction is similar to that of the Mark I demolition bomb, with a steel nose of sufficient tensile strength to insure penetration through roofs, and so forth, without rupture, and an afterbody composed of one-thirty-second inch thick zinc. It is filled with a solidified oil and with a can of thermit to be used for ignition purposes. The bomb is fired by means of a service cartridge carried in the extreme rear of the bomb, and is discharged by means of a striker which fires the cartridge on contact. The bullet of the cartridge ignites the thermit, which in turn ignites the solidified oil. The zinc shell is consumed and the oil forms an intense field of fire.

The scatter type, Mark I, is to be used against grain fields, camps, or buildings of flimsier construction, where it is desired to have a larger distribution of the incendiary material. The body is similar in construction to the intensive type, except that the afterbody is constructed of one-thirty-second inch sheet steel. The bomb is filled with balls of waste soaked in turpentine, with a charge of black powder carried in the nose, which is exploded in the same manner as the intensive type—that is, a service cartridge carried in the tail, which is exploded on contact. The explosion of the black-powder charge ruptures the afterbody of the bomb and ignites and scatters the incendiary material.

There is one more bomb that I have brought here, known as the 9.45 inch trench mortar shell.

This shell, with its propelling charge, is for use in the 9.45-inch trench mortar and is in every way interchangeable with the French ammunition used in the French 240-millimeter trench mortar. The shell itself is interchangeable with the shell the English use in their 240-millimeter trench mortar.

This shell, empty, weighs approximately 85 pounds. When loaded with high explosive and ready for firing, it weighs approximately 180 pounds.

Our Mark VII fuse, "delay type," is used in connection with this shell. This fuse is interchangeable with the French fuse, used for the same purpose. The interior mechanism, it is believed, however, to be more positive and considerably less expensive.

The 9.45-inch trench mortar has a maximum range of fair accuracy under good conditions up to 2,500 yards, but a slight instability of the base or moderate wind greatly affects its accuracy. For a gun of its size it is remarkably easy to transport and can be easily taken apart and put together. The mortar itself can be transported by hand, by mule back, or by the one-horse carts provided. The wooden platform and other matériel attached to the battery can be handled by motorized vehicle equipment.

It is used against the "pill boxes," those places that it is so absolutely necessary to destroy and yet so very difficult to destroy and which can not be destroyed by any of these lighter shells.

Mr. DENISON. Will the gentleman yield for a question?

Mr. TILSON. Yes, sir.

Mr. DENISON. Has the gentleman ever seen what is called the depth bomb that is used in the destruction of submarines? Can he explain that to the House?

Mr. TILSON. Yes; I saw the drawings of one before it was ever made. I have not seen it, of course, in actual operation; but there is such a bomb made, not to fire when it reaches the water, but to go to any depth for which it is set, and then explode.

Mr. DENISON. It does not explode by contact, but by time?

Mr. TILSON. It explodes by depth; but there is a whirligig in the tail that starts to run when the shell reaches the water. As soon as that device reaches the number of times set it releases a pin that works a firing pin and fires the bomb.

Mr. DENISON. What is it that destroys the submarine if it is not contact? Is it the shock?

Mr. TILSON. The contact would destroy the submarine if it happened to hit it, but the concussion is very great. Water is a good conductor.

Mr. MILLER of Minnesota. Can the gentleman state how much high explosives those depth bombs carry? I think that would be interesting to the gentlemen.

Mr. TILSON. I do not know how high they have carried them. They began at about 250 pounds.

Mr. MILLER of Minnesota. I would say that they run 300.

Mr. TILSON. Yes. I was sure they would go on up.

Mr. MILLER of Minnesota. I was going to add a further word to that which the gentleman has said, on destruction by the depth bomb. I made some particular inquiry of our naval officers, and especially those operating destroyers, when I was in Europe, and from them all I received the information that a depth bomb is set to explode about 80 feet beneath the surface. It takes a point below the submarines—that is, it does not explode until it gets below the submarine. The query at once was, how close to a submarine must the bomb be when it explodes, in order to destroy the submarine? Opinion differs. It is agreed by all that if the explosion occurs within 50 feet of the submarine it will destroy it, and most of them are agreed that if it explodes within 100 feet of the submarine the submarine will be destroyed. The reason they set it to explode beneath the submarine is that the explosion moves along the line of least resistance, which is upward.

Mr. SMITH of Michigan. Will the gentleman from Connecticut yield?

Mr. TILSON. I have but a little time.

Mr. SMITH of Michigan. I saw the diagram on your chart there, and I would like if you could tell how wide and deep the trenches are. Can you tell us a little of the character of the trenches?

Mr. TILSON. I have it outlined, so that the gentleman can see them a little later.

One other matter connected with the subject of munitions which might be called a belated correction of the Secretary of War. It is not intended as a criticism, for it has not been my method to criticize anyone in the course of my work in the field of munitions. I have sought for useful facts, and having found them have tried to give the House and the country the benefit of those facts.

No one realizes more clearly than I do the overwhelming magnitude of the task and the perplexing complexity of the problems devolved upon the Secretary of War. I would be the last one to unjustly attack or criticize him. I have helped to the best of my ability to hold up his hands on every matter for the better conduct of the war, and expect to continue to do so to the end of the chapter.

In the interest of accuracy, however, at a time when accuracy is more important than ever before, because so much more may depend upon it, I wish to call attention to two statements, both made in June, 1917. Under date of June 25, Secretary Baker, complying with a resolution passed by the Senate on June 15, wrote to the President of the Senate as follows:

> The French rifles and machine guns are not and have not been manufactured in this country; hence, through lack of manufacturing facilities, the question of the use of French ammunition for rifles and machine guns could not be considered.

On June 1, more than three weeks earlier, I had stood on the floor of the House and said—

> Since I came to the House this morning a gentleman from my State has put into my hands another rifle, which I hold in my hands. It is the French rifle. * * * It is called the Lebel rifle. This rifle is made in Bridgeport under contract with the French Government. I have been informed that they have about 10,000 now on hand and are prepared to make a great many more.

The two statements are before you. Take your choice. The French rifle made in Bridgeport I again hold in my hands, and here are the cartridges to fit it, made in the same city and exhibited by me to the House last June.

Mr. BORLAND. Mr. Chairman, will the gentleman yield for a question?

Mr. TILSON. I yield to the gentleman.

Mr. BORLAND. My understanding was that the reason for changing the Enfield rifle to make it use Springfield ammunition, and the consequent delay caused by that, was that the ammunition in the Springfield rifle would also fit the machine gun. In other words, they wanted the same cartridge to be used interchangeably by the machine guns and the rifle.

Mr. TILSON. Yes; that is highly important.

Mr. BORLAND. It developed that the machine guns were not so numerous as they might have been, and the demand for rifles is very great. What does the gentleman think of the change in the ammunition for the rifle?

Mr. TILSON. If we had not made the change, we should now have three kinds of ammunition—United States for our Springfields, British for our Enfields, and French for our machine guns. Now we have only two—the United States and the French.

Mr. BORLAND. Could the machine guns that we are making be rechambered or fitted to the ammunition of the Enfield rifle? If we had gone ahead making the Enfield rifle on the original British pattern, could we have adapted our machine guns to that?

Mr. TILSON. The new guns made after that could have been made to fire the British ammunition. In fact, they were making them to fire the British ammunition at that time.

Mr. SNYDER. Mr. Chairman, will the gentleman yield right there?

Mr. TILSON. Yes.

Mr. SNYDER. I want to call the gentleman's attention to the fact that at the time this change was considered the Lewis gun was using the same ammunition that would fit the Lee-Enfield gun.

Mr. TILSON. Yes. The Lewis gun was made to fit that ammunition from the beginning.

Mr. HAMILTON of Michigan. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. HAMILTON of Michigan. What is the name of that gun [indicating]?

Mr. TILSON. That is the Lebel, caliber .315, of the French. It is a very handsome gun. They use these cartridges, a copper bullet. The question is now being raised in this country whether it is not possible to manufacture these bullets out of brass, because we are great experts in manufacturing things out of brass in this country. If they can be used and fired from the machine guns and rifles, we can produce them out of brass in very great quantities. So far the French have chosen to use copper bullets.

Mr. HAMILTON of Michigan. Mr. Chairman, will the gentleman permit one more question?

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield for a question there?

Mr. TILSON. Yes.

Mr. GREEN of Iowa. As I understand it, it was the change in the chambering of the gun that caused the delay in the manufacture of the Enfield, as well as other details?

Mr. TILSON. Some time was required to make the change, although the time was comparatively short. It takes some time to change your dies and gauges. It is always a serious matter and takes time. You can hardly tell the difference from where you sit between these two rifles, but at the same time it is really an important change.

Mr. GREEN of Iowa. The gentleman realizes that there were other changes made besides the changes in the chambering in the new model of the Enfield?

Mr. TILSON. The new model of the Enfield is an entirely different gun from the old Lee-Enfield. I went into that subject fully in one of my speeches here, and showed that the new model of the Enfield is an entirely different gun from the old Lee-Enfield gun; a very different and, in my judgment, a much better gun. [Applause.]

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. CRISP. Mr. Chairman, in behalf of the gentleman from Oklahoma [Mr. CARTER], I yield three minutes to the gentleman from Illinois [Mr. RAINEY].

The CHAIRMAN. The gentleman from Illinois is recognized for three minutes.

Mr. RAINEY. Mr. Chairman, in this brief period of time I want again to call attention to the report of the Surgeon General of the United States as to the sanitary conditions at Army camps and to its history. In reply to the innuendoes of the gentleman from Nebraska [Mr. REAVIS], to the effect that this report was suppressed in some way by the officers of this House or by somebody else, I want to say that this report was printed in the CONGRESSIONAL RECORD by the gentleman from Ohio, Mr. WARREN GARD, on the 7th day of January, the present month. It was

printed by unanimous consent. On the next day, by unanimous consent, at the request of the same gentleman, this report was made a House document. On the 8th day of January, when the CONGRESSIONAL RECORD for January 7 made its appearance, there were available 33,000 copies of this report, of which approximately 50 had been placed to the credit of the gentleman from Nebraska, and I presume used by him in the libraries of his district. I do not know what he did with them. The 33,000 copies of the CONGRESSIONAL RECORD for January 7 were issued on the morning of the 8th day of January, every one of them containing this report, going principally to the libraries of this country where everybody could see it.

Now, so much for that "suppression." On the 8th day of January this report was made a public document at the request of a Democratic Member of this House, and under the rules of this House 1,250 copies only could be printed of this House document, or approximately that number. It was available for printing, then, as a House document on the 9th day of January. No other printing office in the country is so congested at the present time as the Government Printing Office, but if any Member of this House had called up the Public Printer over the telephone and had asked him to make this document special, its printing and the placing of it in the document room could have been expedited. But that could only have affected the insignificant number of 1,250 copies.

As a matter of fact, on yesterday afternoon this document reached the document room of this House, and was available hours before the gentleman made his speech here this morning, 1,250 copies of it reaching the document room in eight days after it was possible for the Public Printer to find out that this order had been made. One Sunday intervened; this left seven working days in which to get out this document. I submit that that is remarkably fast time for any printing office in this country, even if not congested with work, to turn out 1,250 copies.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAINEY. May I have two minutes more, Mr. Chairman?

Mr. CARTER of Oklahoma. My time is completely filled, but I will yield the gentleman two minutes more.

Mr. RAINEY. I want to call attention to the fact that the statement has been made here repeatedly this morning that this fuel order issued by the Fuel Administrator affects plants operated by water power. It does not affect them in the least, and the Fuel Administrator, under the act passed by Congress, has no right to regulate or to suspend plants unless they are operated by coal. The charge has been made here repeatedly on the floor this morning and a manufacturer of prominence, who is a Member of this House, the gentleman from New York [Mr. SNYDER], stated that fuel must be burned in enormous quantities for the purpose of keeping these plants warm, that otherwise they will be injured by the cold. The order provides for that emergency. I have it as it is printed here in the noon papers. The order provides that plants which necessarily must be operated continuously seven days each week to avoid serious injury to the plant itself or its contents may use only such quantity of fuel as is necessary to prevent such injury to the plant or its contents. Now, there can be but one construction placed upon that part of this order. It authorizes factories which heat their plants with waste steam to use enough coal to create enough waste steam to heat those factories. Of course, that means that, to the extent of the fuel actually consumed for the purpose of producing the necessary waste steam to prevent injury to factories, they can run their machinery. Nothing can be any plainer than that.

Mr. SNYDER. Will the gentleman yield?

Mr. RAINEY. I am sorry I can not. These gentlemen, who, upon these important questions, are becoming such magnificent vehicles of misinformation, and who print this stuff in the CONGRESSIONAL RECORD, ought to find out what the facts are. [Applause.]

Mr. CARTER of Oklahoma. I yield 25 minutes to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Chairman, I believe that the people as a rule are loyal and want us to win this war, and yet the question uppermost in the minds of a great many of them is, "Why are we in this war?" I think it is a sufficient answer to say:

First. We are in this war because Germany made it impossible for us to stay out of it.

Second. Because we can not and will not permit any nation to scorn our sovereignty and insult our flag.

Third. Because as the leading democratic nation of the world we are too red blooded to stand idly by and see autocracy murder democracy.

Need I say more to justify our entrance into this war? If there is a human being who invokes the protection of the Stars and Stripes and yet who does not think that we are justified in spending every dollar and spilling every drop of blood, if necessary, in defending the rights of mankind to "Life, liberty, and pursuit of happiness," the highest principle of humanity, let him leave the country and no longer disgrace the Red, White, and Blue. [Applause.]

We have not entered this conflict because we love war more, but because we hate Prussian autocracy worse. Let me give you a sample of it.

The Kaiser, in addressing German recruits at Potsdam, said:

> Only one is master in the Empire, and I am that one; I will tolerate no other.
> I represent monarchy by the grace of God.
> You must all have one will, and that is my will; there is only one law, and that is my law.
> If I order you to shoot down your relatives, brothers—yes, even your parents—you must obey me without murmuring.

In his proclamation of September 13, 1914, the Kaiser declared:

> The spirit of God has descended upon me because I am German Emperor.
> I am the instrument of the Most High. I am His sword, His representative on earth.
> Woe and death to those who oppose my will! Death to the infidel who denies my mission!
> Let all the enemies of the German nation perish! God demands their destruction—God, who by my mouth summons you to carry out His decrees.

Do you want this madman, this blasphemer, to rule the world?

We temporized with Germany until forbearance ceased to be a virtue. Her record became one of broken promises and intolerable wrongs. To have submitted further to her terms, conditions, and conduct would have marked us as a Nation of craven cowards.

We are not in this war for material gain. We want no additional territory. We want to make no subject slaves. We subscribe fully to the sentiment, "Since Christ died to make men holy, we will die to make men free." We want only to crush the arrogant, impudent, and dangerous Prussian autocracy and establish throughout the world the right of mankind to rule themselves. Are not our ideals lofty and our purposes righteous?

What does this war then mean to us? It means that if we will adhere to our lofty purposes, do our part, and "come clean," God will bless our efforts and give us a glorious victory. But first of all we have got to "come clean." I mean by that that all selfishness, such as profiteering, taking advantage of the situation to make money, regardless of the misery and distress that such conduct may bring upon others, must be eliminated. Every one of us must be willing to make the necessary sacrifices. Our soldier boys are willing to make the supreme sacrifice. No man can do more than to lay his life down for another; they are willing to do this if necessary. Now, what are we willing to do? May I not assume that the American people are willing to make any necessary sacrifice to win this war? I am sure that the only thing that most of us need to know is, What is required of us in this great emergency? I regret, however, that there are those—only a few in comparison, I hope—who are mean enough and selfish enough to try to take advantage of the situation and fill their pockets with gold. They have not yet learned the lesson of patriotism without profit. They are nothing less than enemies to their country and deserve the condemnation of every right-thinking, true, loyal citizen, and if that is not sufficient to force them to desist in their nefarious practices, then they should be made to feel the strong arm of the law.

I hope that conditions may not arise whereby our people may not, as in peace times, receive a just compensation for their efforts and energy, yet we must be ready for any sacrifice. Under ordinary conditions everyone is entitled to a just price for whatever he earns or has to sell, but it is nothing less than criminal for a person or a combination of persons to take advantage of the situation and fill their pockets with money stained with the blood of our patriotic American boys. I repeat that if we are to win this war we must all "come clean" and get right down to bedrock and make sacrifices—the rich and the poor alike.

Wars have always been expensive in treasure as well as blood, but the cost of this war is so stupendous that it staggers the imagination. We can speak of its material cost only in terms of billions. Under these conditions, that nation is wisest and strongest that husbands best its resources. This is the first time in the history of our Nation when we have really been put to a test as to our material resources. We have rolled in plenty and never had occasion to think that the time would ever come when we would need to economize. We are there now, and it behooves every one of us to practice the most rigid self-denial.

No one realizes more than I do the stupendous task of transforming our Nation from that of a peace-loving and peace-going Nation to one of war. Everybody understands that this is a feat that can not be performed overnight. When it became necessary for us to undertake this task it did not look possible that it could be done within any reasonable time, but it has only been a few months since war was declared and now, when

we look back on the record of what has been accomplished within so short a period, we are made to marvel at our own progress. With practically no Army when war was declared, we now have more than a million men under arms and in training. These men are being equipped as rapidly as conditions seem to permit. Congress has not withheld the money necessary to care for and equip these splendid, patriotic soldiers, and the executive branches of the Government have proceeded as rapidly to carry out the will of the President and Congress in this regard as circumstances and red tape would permit. Mistakes have been made, you say? Yes; and more will be made. This gigantic task could not be put through by ordinary human beings without some errors creeping in, but as fast as those errors are discovered an attempt will be made and is now being made to correct them. The one thing now most needful is to eliminate all red tape and all petty jealousies. Upon the whole, I think we must admit that considering conditions that the record so far made is one which our people may feel proud. [Applause.]

I confess that there is room for criticism, and proper criticism is valuable, provided, of course, it carries with it some suggestions of improvement in methods employed, but criticism for criticism's sake only is harmful and exceedingly dangerous and may be criminal in that it may have a tendency to delay the ending of this war and therefore mean the sacrificing of additional lives at the front.

I am convinced that the people of this Nation have unbounded confidence in our President and I believe that this confidence is fully justified, yet President Wilson can not win this war unless the people as one man get behind him and subordinate all selfish desire for gain or pleasure and make the winning of this war the one and only object until the glorious victory has been achieved. [Applause.]

I have said that we entered this war with a righteous and pure motive and we must and will prevail, provided we "come clean," but we can not win it if while 10 per cent of our population are fighting in the trenches the other 90 per cent are at home trying, each one, to exploit the other. We can not win this war if we permit those who control the vital necessities of life to put up prices to a point which will bring want, misery, distress, and starvation upon those who are left at home. We may as well face this question like men, and the sooner we do it the better. Let me cite some homely instances. We have recently passed the Christmastide—a time in each year when all the generosity that is in our natures is aroused and when all hearts are most tender, but I am told that right here in the Capitol City of our Nation and in sight of the Federal Food Administration headquarters profiteering has been running riot. For example: Christmas eve night, I am told, the markets and many retail grocery stores at closing time were loaded with dressed turkeys which they would not sell to the people for less than 42 cents per pound and chickens 35 cents per pound, and other things in proportion, evidently preferring to let them rot rather than set the precedent of reducing the price which perhaps and likely was agreed upon in advance by the dealers. Meal, made out of $1.40 corn, I am told, will cost you $2.40 per bushel. There is practically no waste in grinding corn, and everyone knows that it does not cost a dollar to grind a bushel of corn. Who makes this unreasonable profit? Take the item of coal; which is a very vital necessity. I see the almost unbelievable statement in the press that bituminous coal that sells at the mines for about $1.90 a ton costs the consumer here $9 a ton. Who gets that difference of $7 on the ton? Who is responsible for the unreasonable increase of cost to the consumer?

Mr. BLAND. Will the gentleman yield?

Mr. HAMLIN. I will.

Mr. BLAND. Has the gentleman considered the cost of the production of shoes in connection with this investigation?

Mr. HAMLIN. I have not shoes specially.

Mr. BLAND. Will the gentleman permit me to suggest that the average cost of the materials in a pair of shoes does not exceed $2.60, and the labor in the same does not exceed $3 more, and yet shoes are selling for $10, $11, and $12 a pair to-day.

Mr. HAMLIN. I am sure the gentleman is correct, because I know absolutely that the price of a certain shoe with which I am familiar has doubled within the last two years, but I have not investigated the increase in the cost of the material used.

The demoralized condition of the transportation facilities which has heretofore existed may have contributed somewhat to this condition, but I am persuaded that it will not entirely account for the wide margin in the difference between the price to the producer and the price to the consumer. I think that I see evidence of profiteering. I could go on almost ad infinitum, but I think it sufficient to say that other necessities of life have doubled and in some cases trebled and quadrupled; in fact, many of them have reached a prohibitive price.

Mr. SNYDER. Will the gentleman yield again?

Mr. HAMLIN. Yes; for a question.

Mr. SNYDER. A moment ago the gentleman said "the demoralized condition heretofore existing on the railroads." By that does he mean to convey the idea that there is no confusion existing now in railroad management?

Mr. HAMLIN. No; I do not mean to convey that idea, but I do mean to state the fact that under private management the whole transportation system seemed to have broken down, and the Government was forced to take over the railroads of the country in the hope, in which I join, that transportation facilities will be improved, and I am inclined to think they will.

Mr. SNYDER. I quite agree with the gentleman on that.

Mr. BLAND. Will the gentleman yield?

Mr. HAMLIN. I will, for a question.

Mr. BLAND. Last August facts were presented to this House showing that instead of increasing our number of freight cars they were decreasing, and a bill was introduced here for the Government to speed up the building of freight cars in the nine factories that were only running 50 per cent of their time. But instead of doing that, Dr. Garfield regulated the price of coal, decreasing the output and not increasing the number of coal cars. Could there be anything else expected except a coal famine and a coal shortage at this time?

Mr. HAMLIN. I would be glad to discuss the transportation question if I had the time. I have some thoughts on that subject myself, and I think we never have gotten to the bottom of that proposition; but my time will not permit me to discuss it now.

Mr. BLAND. Does the gentleman know of any reason why there should not be men of ability called into the Cabinet of the President, men who are Republicans or of some other politics than Democrats?

Mr. HAMLIN. I think the President's Cabinet is now composed of men of ability. [Applause.] I am also prepared to say to the gentleman that many of the men who are responsible for some of the very things he is now complaining about are Republicans. [Applause.] If I understand it, Dr. Garfield against whom severe criticism has been leveled here to-day, is not a Democrat.

Mr. BLAND. He is a college professor, is he not?

Mr. HAMLIN. I presume he is guilty of being a college professor, but I think that is no crime.

Mr. BLAND. Does the gentleman know of any reason——

The CHAIRMAN. Does the gentleman yield?

Mr. HAMLIN. I yield for one more question.

Mr. BLAND. Does the gentleman know any reason why President Wilson should not call into his Cabinet men of the opposite political faith, as Lincoln did when he called four Democrats into his Cabinet?

Mr. HAMLIN. President Wilson has been able to manage the affairs of this Government in the most magnificent manner, according to the opinion of the late Republican candidate for the Presidency, Mr. Hughes, and in which opinion I heartily coincide, and I do not think he needs any suggestion from me as to the management of his Cabinet affairs. [Applause.] Now, since you have mentioned that, I want to say to the gentleman something more. I have thought until this morning that I saw no evidence of politics entering into the conduct of this war, so far as Congress was concerned. I had thought I had seen no evidence of lack of patriotism on the part of anyone here; but this morning I could not resist the conclusion that politics is being dragged into this discussion.

Mr. BLAND. On which side?

Mr. HAMLIN. On the Republican side, of course. Nobody knows that better than the gentleman; and he must know something else: That whenever this administration or any other administration, for that matter, does anything that will tend to lessen the profits of certain people making money out of this war they begin to howl, and, unfortunately, they find voice on the floor of this House. I was surprised at my friend from New York, Mr. SNYDER, a while ago, virtually pleading guilty for the bankers of his district when he said they had worked loyally, patriotically, and enthusiastically in the sale of liberty bonds in the aid of the prosecution of this war, but when they found out that they would be charged a tax of 2 cents on a hundred dollars on all renewal notes their patriotism vanished like the morning mist before the rising sun.

Mr. SNYDER. Oh, Mr. Chairman, I made no such statement as that.

Mr. HAMLIN. The gentleman did not phrase it in just that language, but that was the tenor and substance of what he said. I am glad that we do not have any 2-cent patriots out in my country.

Now, I shall return to the particular matter that I was discussing.

I grant you there is some excuse for increase in the prices. Inflation of the currency, scarcity of labor, congestion in traffic all contribute to an increase of the price to the ultimate consumer, but the whole level of prices are entirely too high. Just what can be done to lower them is a difficult question to solve, but of this I am sure, that the cost of the necessities of life must be reduced or many people must suffer.

Mr. Chairman, I grant you that the people themselves are not wholly without blame in this connection. The necessity for economizing and practicing the Golden Rule has not yet been sufficiently impressed upon them. I noticed in the papers a few days ago that the merchants of this city gleefully gave out the statement that they had enjoyed the greatest Christmas trade in the history of the city. What occurred here no doubt occurred in all the other cities of the country. That means that millions and millions of dollars were spent within the last few weeks for toys, candies, and things that could well have been left unpurchased, and the money thus foolishly used could have been invested in thrift stamps, war-savings stamps, liberty bonds, Red Cross work, and so forth, all of which would tend to help win this war, the winning of which would be the greatest Christmas present that could be given to mankind.

Mr. Chairman, there is one thing that I do not want to live to see, and that is the shadow of the Kaiser cast athwart our fair land, nor the specter of misery, distress, and want stalking through our beloved country. Yet both of these are possibilities unless each one of us will cast aside all selfishness and dedicate ourselves to the one and only task of winning this war at whatever sacrifice required. In this of course, politics do not enter. Democrats and Republicans work side by side. We are all patriots. Again I say that if we are to win this war we must "come clean." Every mother whose boy has gone to the front is constantly, fervently praying that God will keep him pure and clean and bring him back to her safely, without a blemish upon his character and with the consciousness of duty faithfully performed. Can we as a Nation "come clean" if we permit intoxicating liquors to be "doped" out to these boys? I answer, "No; a thousand times, no!" and I believe that if we attempt to do it that there will be visited upon us, as a Nation, a punishment that will be appalling. In times of war, above all other times, liquor should be eliminated. It not only demoralizes our soldiers but to make the vile stuff robs others of bread.

We read of atrocities committed by our enemies, atrocities that makes the American Indian in his most savage days look like an angel of light in comparison. Whether the picture has been overdrawn, I do not know; I hope that it has; but in any event, I trust that our flag, which not only stands for liberty but for Christianity as well, will not be sullied by our soldiers practicing cruel, inhuman, or barbarous warfare. There is such a thing as war being tempered with mercy. I have an abiding faith that if we as a people will "come clean" and fight the war as a civilized and Christian people, God will give us a speedy and glorious victory. Right must and will prevail.

When Cyrus, King of Persia, was induced to permit a portion of the captive Jews to return to Jerusalem and rebuild the temple which had been destroyed, a decree went forth to those Jews who remained in Babylonia requiring them to contribute of their gold, silver, and goods in aid of those engaged in the rebuilding of the temple.

Our brave boys are going to Europe to build there a temple of liberty and freedom of mankind—dedicated to world democracy. Shall we who remain at home hesitate for a moment to contribute of our gold, silver, and goods in the prosecution of this great and glorious enterprise? [Applause.]

Mr. SNYDER. Mr. Chairman, I yield 20 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, I am greatly surprised if not shocked at the statement of the gentleman from Missouri [Mr. HAMLIN] that politics have crept into the war discussion in this House through the Republican side, and I feel that that statement ought not to go without challenge. Because upon the Republican side it has been observed for a long time that though commissions have been created and new officers authorized to conduct this war, in all of which Republicans have readily joined with Democrats, there have been no appointments from the White House or by departments except from the Democratic Party, and that this war except as it is promoted and being paid for in a by-partisan sense is being conducted in a partisan sense, which is very much to be regretted and of which the country is gradually taking notice.

The distinguished gentleman from Missouri [Mr. HAMLIN] suggests that the Fuel Administrator, who has come into more or less notoriety during the last day or two by reason of his drastic order closing up the industries of the country, is a Republican. The gentleman is mistaken.

Mr. HAMLIN. If the gentleman will yield, I did not say he was a Republican; I said that he was not a Democrat.

Mr. MOORE of Pennsylvania. Yes; the gentleman from Missouri did equivocate in that manner.

Mr. HAMLIN. There was no equivocation about it, it is a fact.

Mr. MOORE of Pennsylvania. The gentleman camouflaged. The Fuel Administrator has been an enthusiastic Wilson Democrat for a long time, and when it was suggested that there should be a Republican House to cooperate with the Democratic administration in the White House Dr. Garfield, over his own signature, denounced that suggestion and came out openly for Mr. Wilson.

I challenge the gentleman from Missouri, or any other gentleman upon the other side, to point to any Republicans that have been appointed by the President of the United States to any of the so-called nonpartisan commissions that have been authorized by Republicans as well as Democrats.

Mr. HAMLIN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. HAMLIN. There are two great positions in my mind—very important at the present time—the Federal Food Administrator and the Federal Fuel Administrator. The gentleman from Pennsylvania will not state to the House that either Mr. Hoover or Dr. Garfield is a Democrat. They may have voted for Mr. Wilson as thousands of other good sensible Republicans did. [Laughter and applause on the Democratic side.]

Mr. MOORE of Pennsylvania. Yes; and they probably did it upon the pretense put forth by the other side and widely advertised and heralded throughout the country that Mr. Wilson would "keep us out of war." [Applause on the Republican side.]

Mr. FESS. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. FESS. In connection with what the gentleman has just stated I want to say that there have been persons appointed that claim to be Republicans. I would like to know whether any Republican has been appointed that was known to have voted against Mr. Wilson.

Mr. MOORE of Pennsylvania. Wherever the appointing power was able to find some one who had a remote connection with the Republican Party and who had left it for some cause or other, possibly to aid in its disruption, he seems to have selected that man to put on these commissions in the name of the Republican Party.

It was and has been a case of camouflage from the beginning to the end. Why, the advice of men like Roosevelt and Taft and Hughes has been disregarded by this administration down to the present time, and yet in the hour of our direst necessity, with these men willing to cooperate and the Republican side of the House voting for money, and with all good patriotic men willing to do their part to aid the administration in furthering the welfare of the country in promoting the war, we have it even from members of the Cabinet that only Democrats are to be appointed.

Mr. FESS. Will the gentleman submit to another interruption?

Mr. MOORE of Pennsylvania. Yes.

Mr. FESS. When the Federal reserve act was before the House we offered an amendment to make it bipartisan or nonpartisan, and the chairman of the committee denounced any suggestion, because, he said, it would suggest that there might be a partisan appointment; and it was defeated, and then the gentleman will remember there was a board made up with every single member of the committee a Democrat. Mr. Jones had been appointed, but was refused confirmation in the Senate by Democrats because of good reasons, and then he came back and was appointed on another commission.

Mr. MOORE of Pennsylvania. Yes; it was said that Mr. Jones had contributed largely to the campaign of the Democratic Party, and after he was rejected for a place on the Federal Reserve Board he did come back and received an appointment on another commission.

Mr. FESS. Yes; that is true.

Mr. MOORE of Pennsylvania. Showing the persistence with which a Democratic administration takes care of its own.

Mr. FESS. The same thing was done with Mr. Rublee, of New Hampshire.

Mr. MOORE of Pennsylvania. Yes. The gentleman has an admirable way of stating facts. To show how disinterested in politics our friends on the other side are and how they resent the notion that a man may be patriotic and still resist the encroachments of the Democratic Party upon an unwilling Nation, I read from an article from the Philadelphia Evening Ledger of yesterday, headed "Congressman Casey made aid of Wilson." That refers to Mr. Wilson, the Secretary of Labor.

The dispatch is from the staff correspondent in the city of Washington, and is dated January 16, 1918. It says:

Former Congressman John J. Casey, of Wilkes-Barre, has been appointed a member of the advisory committee named by Secretary of Labor William B. Wilson. Casey is a personal as well as political friend of the Labor Secretary, and the move is considered significant as part of the campaign of the present national administration to cut into Pennsylvania's Republican delegation in Congress.

Of course, there is no intent in making these appointments to fix up fences for ex-Members who desire to come back. [Laughter.] They spurn the notion that in time of crisis, when the Nation's honor and safety are at stake, they should do anything by way of appointments that would strengthen the hands of the Democrats. Of course. It is stated in the article that Mr. Casey is the personal and "political" friend of Secretary Wilson, and receives this appointment on that account. The article continues:

During his term in the House, Casey was considered a leader of the organized-labor forces—

Democrats must do everything they can now to cement labor to the Democratic Party, and Casey is coming back to do that. Secretary Wilson, of the nonpartisan Department of Labor, would not think of appointing anybody but a good Democrat as his aide.

During his term in the House Casey was considered a leader of the organized labor forces, and was prominent in the fight for passage of the trainmen's eight-hour law at the close of the last Congress.

Oh, the President never camouflaged the railroad men on the eight-hour law, did he? It was Casey at the bat! It is Casey who gets the appointment now under a nonpartisan, patriotic Secretary of Labor, who desires to see the forces of Democracy reenforced and strengthened in this House.

Every effort is being made to strengthen the party ranks in Pennsylvania where there is an opportunity to gain a Congressman. The Luzerne County district is one which may be won by either the Republican or Democratic Parties

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. LANGLEY. The gentleman seems to overlook the fact that the President has appointed a great many Republicans at a dollar a year.

Mr. MOORE of Pennsylvania. Yes; they have been rendering patriotic service at that price, and they will be exempt from the income tax to the extent of the interest on that dollar. But I disdain to discuss politics! [Laughter.] I was provoked into making these few references only because of the high esteem in which I hold my nonpolitical friend from Missouri [Mr. HAMLIN].

What I do desire to speak about, briefly, is the question of transportation. It is heralded on the signs in the street cars and elsewhere, largely through the auspices of Mr. Hoover and the funds we have appropriated, that "food will win the war." Very many individuals have indicated that the particular commodities they manufacture will win the war; others, that munitions will win the war; but my humble judgment is that transportation will win this war, and that efficient transportation only will win this war. We are mighty deficient in transportation. We have the men, we have the money, we have all the resources except efficient and sufficient transportation; and now, when the administration has done what seems to be its best to promote the war, it is brought face to face with the fact long neglected, long ignored, long deliberately set aside, that we have been deficient in transportation.

I am the son of a farmer and was raised in the country and had an opportunity to watch the habits of the squirrel. I have never forgotten that the one peculiar trait of the squirrel is not merely to hunt nuts but to provide against the coming of the winter. Gentlemen who go about the public squares of Washington may observe the squirrel when the summer is on, when the fall has come, when the autumnal leaves are falling, going about his business assiduously, gathering his nuts, his fruit, and other resources and putting them away against the time when the snow comes and bars the entrance to his home. A splendid lesson for the human animal, a splendid lesson for the Nation that ought to be prepared against the storm, whether it be the stress of winter or the stress of war. Now, some of us, like the squirrel, perhaps, have been preaching the doctrine of preparedness not only against adversity in time of peace but the storm of war. We have been urging better transportation facilities for just such an emergency as has arisen.

What does this recent Garfield order mean? If I interpret it correctly, drastic as it is, harsh as it will be upon the industries of the great State that I, in part, represent, difficult as it will be for the laboring man and the plain people to exist under it, it means that because we have not adequately provided transportation facilities by means that were within our power and which we ignored, we are forced to close down our industries until transportation catches up.

Look at this map of the United States—we are now cramming all our country produces—foodstuffs, war materials, coal, and the like into this neck of the woods here at the city of New York until we actually block the way. This is the exit for the goods that you are sending to Europe. You are crowding the rails and using the cars for storage. Here is the exit for the troops whom you have been looking after with such care and earnestness—all of them, men, cars, commodities, munitions, jamming themselves up against this one port of New York. Is it any wonder there is congestion?

You have your great trunk lines of railroads extending across this vast domain of ours; you have them running at full tilt with foodstuffs from the South and from those wonderful, productive areas in the Middle West; you have them coming, one train after the other, supplying the great industrial establishments of the East, but if times are abnormal and you want to get across the ocean to meet the enemy upon the other side you are bound to run up against just such a condition as Mr. Garfield is now trying to meet. You must proceed through the neck of the bottle at the city of New York. Coming down here from the New England States the jam continues; commerce packs in at New York like the ice that comes down from the Great Lakes and gorges Niagara. That is the situation with reference to the transportation of the country at the present time.

I have been arguing for a long while, even as my friend [Mr. TILSON] said he has been arguing for preparedness in the matter of armament, for the preparation of this country for commercial purposes, as well as for war purposes, by adding our waterways and canals to our transportation system. Here are serviceable avenues of approach and communication that have been standing idle at our doors. Like the squirrel, I believe in preparing for the winter. These waterways and canals are workable all summer, but, unfortunately, when the crash comes, when the first real war blow is about to be struck, we find the products of 48 States of the Union unable to use them, packed in one solid mass at the port of New York, waiting for the railroads to unload. Are we shipping war materials from the port of Jacksonville? That might relieve congestion at New York. Are the railroads carrying stuff from the West and South to Jacksonville, so that it may go out across the great sea? Are we sending war materials from Savannah? Savannah has deep water and a good harbor. Are we sending them in ample quantities from Baltimore? Are we sending them to the extent of our capacity from Philadelphia, that great industrial center now so helpful in the war? And are we utilizing our forces to the full at the port of Boston? If our waterways were properly encouraged they might now be serving the country at all these ports.

Why is it that Mr. Garfield, right or wrong, has to issue an order that stagnates the business and industries of the country? To a large degree it is because we have never prepared our transportation facilities by water; because we have permitted to go by the opportunity in the season when the squirrel works to do work for ourselves and store up for the winter. Had we had these waterways opened at the trifling cost that has frequently been referred to here, would we have a coal shortage to-day? Had we taken this antiquated Chesapeake & Ohio Canal, which runs hither to Cumberland, a distance of 187 miles, freed it from some infernal domination that held it in check and wished it ill, and used it in July, in August, in September, in October to bring coal to Washington, and in turn to Norfolk and Baltimore, would we have had a coal shortage here in Washington or in this vicinity?

Mr. McKENZIE. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. McKENZIE. Is it not a fact that the congestion at New York Harbor and the other harbors of the Atlantic seaboard is due to the lack of ocean shipping?

Mr. MOORE of Pennsylvania. No, sir; not altogether. It is due largely to the fact that you can not get your cars up there to be unloaded. Boats are lying idle in the Delaware River at the present time laden with coal. They should be in New England feeding the mills and firing with at least some degree of comfort the homes of the people now in want of coal. Yet the Government has taken away the propelling power. The Government itself has taken away the ocean-going barges capable of towing coal where it is needed. I have evidence here——

Mr. WALSH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. WALSH. Has the gentleman any information as to what is being done with those steam tugboats that were formerly used in towing coal?

Mr. MOORE of Pennsylvania. Lying idle at the Philadelphia Navy Yard, and the barges now lying idle in the ice a little farther up in the river. When I observed them before the ice came, they were ready and waiting to carry it to the people who needed coal.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. I yield the gentleman one minute more in order to enable him to answer this question.

Mr. MOORE of Pennsylvania. Very well.

Mr. CAMPBELL of Kansas. Who is responsible for the tugs lying idle in the Philadelphia Navy Yard?

Mr. MOORE of Pennsylvania. I have stated that the barges were laden with coal in the Delaware River when there was no ice in the river and could have gone to Boston and Providence and returned ten times over with more coal before the ice came.

Mr. CAMPBELL of Kansas. I mean the tugs.

Mr. MOORE of Pennsylvania. The propelling tugs were commandeered by the Government, and they now rest in easy berths at the Philadelphia Navy Yard, unless some change has recently occurred.

Mr. CAMPBELL of Kansas. And they are not being used for any purpose?

Mr. MOORE of Pennsylvania. They may be used for something, but not very much now. The Government, I presume, is holding them in readiness for war purposes. And yet menhaden fishing boats, with ample power to do Government work, were going out to sea, catching and grinding up food fish to obtain oil and profit in it.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent, in order that I may put some material in the RECORD, to extend my remarks.

The CHAIRMAN. The gentleman asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. SWITZER].

Mr. SWITZER. Mr. Chairman, in order to add to the variety of topics discussed under this general debate I shall address a few remarks to the subject of workmen's compensation for the benefit of interstate railway employees. At this time it comes under the head of a war proposition.

Section 9 of the so-called administration railway bill introduced by the chairman of the Interstate and Foreign Commerce Committee in the House on January 4, 1918, proposes to give the President authority to extend the Federal workmen's compensation act of September, 1916, so as to apply to the employees of the railways.

With the objects to be secured by the act I am in full sympathy, but to the methods proposed to accomplish such purposes I am opposed.

On the 21st day of January last in the course of my remarks on the floor of this Chamber I called attention to the dereliction of Congress in its failure to enact a workmen's compensation law which would cover the employees of the interstate carriers of the Nation. I at that time pointed out that in the Sixty-second Congress the Senate by a vote of 60 to 15 passed a bill and the House by a vote of 218 for to 81 against passed an amended workmen's compensation bill affecting the employees I have just referred to. But owing to the threat of a filibuster in the closing hours of that Congress its final passage was effectually blocked.

But the vote upon this bill disclosed an overwhelming sentiment in favor of such legislation. The Democratic national platform of 1912 carried a plank favoring such a law, and the Republican national platform of 1916 declared in favor of "a generous and comprehensive workmen's compensation law within the commerce power of Congress." Yet regardless of the overwhelming sentiment of the Sixty-second Congress and the clear, unequivocal expressions of the national platforms of the two great political parties of the country and the support given to the proposition in the Sixty-second Congress by Mr. H. E. Wills, the legislative agent of the railway brotherhoods, and all the heads of these brotherhoods as well as the head of the American Federation of Labor, Mr. Samuel Gompers, and also their representative who appeared before the commission and the Senate committee, now the Senator from the State of Minnesota, FRANK B. KELLOGG, the proposition has lain dormant practically since the close of the Sixty-second Congress until this hour.

Ex-Senator Sutherland, the chairman of the Taft joint commission which made a full and exhaustive report upon this subject, upon which were based the principles of the bill voted on by the Sixty-second Congress, introduced a similar bill in the Senate of the Sixty-third Congress. This bill was the result of many years of hard work and intelligent attention devoted to the subject by Senator Sutherland and others who had become interested in workmen's compensation legislation. With some few changes and modifications I introduced in the House of Representatives on the first day of this Congress practically the same bill, being House bill No. 46. This bill was referred to the Judiciary Committee of the House, but no action has been taken thereon. I commend its consideration to the members of the Interstate and Foreign Commerce Committee as well as to all the Members of this Congress.

My bill proposes to apply to the interstate railways, requiring them to pay compensation to their injured employees and the widows and dependents of deceased employees meeting death as the result of accident in the course of employment. This bill enacted into law would make the expense due to its administration a part of the operating expense of the railway. Each railway or railway system would be charged with this expense the same as it is charged with the expenditures for the employment of labor and other costs incurred in the operation of the road. The substitution of the principles and administrative features of my bill for section 9 of the administration railway bill would not only provide a fair, uniform compensation for injured employees and the dependents of deceased employees during the continuance of the war, but the law and its benefits could be continued in full force and attached to the railways following the war, should the railways be turned back to the control of private interests, by the adoption of a simple congressional resolution.

While the adoption of a scheme extending the present Federal workmen's compensation law would directly charge the Government with the payment of compensation which would continue as a charge in the nature of pensions against the Government for long years following the war and the release of the railways from Government control, some new method providing compensation would have to be enacted into law at the time of the release of the railways by the Government, provided that railway employees of the future are to be paid such compensation.

The administrative features of my bill would place beyond political control, so far as it is possible to do so by legislation, the administration of the law. It provides for the appointment of adjusters, whose duties are prescribed by law, throughout the various States of the Union by the Federal district judges, subject to the approval of the United States Court of Appeals, and in such numbers as may be required to carry out the beneficent provisions of the act. These adjusters would occupy a position in relation to the law similar to that occupied by the referees under the bankruptcy act. They hold office for a term of four years, but may be removed at any time by the court or by the President, on the recommendation of the Attorney General of the United States, if his services are no longer required in the public interest or for good cause shown. The claimant for compensation is given the right to have his claim reviewed similar to the procedure under the bankruptcy act.

The extension of the provisions of the Federal compensation law would create a vast amount of additional work for the existing Federal Compensation Commission, which now consists of three members, located at the Capital, and necessarily require the appointment by the commission of a large number of adjusters throughout the country to dispose of claims, as more than 100,000 railway employees are annually injured, and as a result of such injuries more than 5,000 annually die.

Regardless of the theory that the commission is of a nonpartisan character, consisting of two Democrats and one Republican and possibly covered under the civil service, still its appointees will be absolutely partisan and come from the ranks of the party represented by the majority of the members composing the commission. Claims of this character arising between private individuals have usually been disposed of by the courts of the land, and I believe that it will be better in the future for the employees of the railways as well as the owners and the interests of the public be better conserved that this method continue.

The Federal compensation act was initiated and designed to affect Federal employees only, where private interests were in no wise concerned. Its proposed extension would affect the relationship between employees and private employers and would be a radical departure from the original theory and the objects to be accomplished by the existing law.

Of the pressing necessity for a workmen's compensation law covering the employees of interstate railways there can be no question. Laws of this character have been enacted by the legislatures of three-fourths of the States of the Union. While the constitutionality of such acts was a mooted question and the bone of great contention at the time of the filing of the report of the Taft Joint Commission, this trouble has been entirely eliminated by recent decisions of the United States Supreme Court upholding the constitutionality of the New York compensation statute in the case of the New York Central Railway against White, the case of Hawkins against Bleakley, under the

Iowa statute, and the compensation law of the State of Washington in the case of Mountain Timber Co. against Washington, decided March 6, 1917. The Supreme Court clearly and unequivocally hold that the legislature of a State, so far as the Federal Constitution is concerned, has full power and authority to substitute a system of compensation for injuries received in private employment or damages by reason of death based upon the sole fact that such injuries or death have occurred in the course of employment, for the common law and statutory methods of redress based upon the fault of the employer.

But the United States Supreme Court hold in the cases of the New York Central Railway Co. against Winfield and the Erie Railway Co. against Winfield, decided May 21, 1917, that State workmen's compensation laws do not apply to interstate railways, for the reason that that field is already covered by the Federal employers' liability act theretofore passed by Congress. The Supreme Court hold that Congress, having legislated under the commerce clause of the Federal Constitution, providing that in cases of injury or death as a result of fault or negligence the fellow-servant rule and the assumption-of-risk rule were no longer available, and having modified the old contributory-negligence defense rule, so far as interstate railways were concerned it had provided a method for obtaining redress by the injured party and that such method was a sole one and absolute in its scope and excluded all other methods of procedure or of obtaining redress based on fault or any other ground that may be hereafter proposed.

In the case of New York Central Ry. Co. v. Winfield, supra (244 Sup. Ct. Rep., 147), the court states:

> It is settled that under the commerce clause of the Constitution Congress may regulate the obligation of common carriers and the rights of their employees arising out of injuries sustained by the latter where both are engaged in interstate commerce; and it is also settled that when Congress acts upon the subject all State laws covering the same field are necessarily superseded by reason of the supremacy of the national authority.

And later on in the opinion the court further states:

> Whether and in what circumstances railroad companies engaging in interstate commerce shall be required to compensate their employees in such commerce for injuries sustained therein are matters in which the Nation as a whole is interested, and there are weighty considerations why the controlling law should be uniform and not change at every State line.

The Supreme Court holds that Congress has full authority under the commerce clause of the Constitution to change or modify existing methods of obtaining redress on the part of employees of interstate carriers where such employees are engaged in interstate commerce, or to substitute for the existing method another method based upon the sole fact that injury has occurred in the course of employment as well as upon the fault of the employer.

The proponent of the so-called administration bill is undoubtedly impressed with the absolute necessity of legislation national in its character providing just and uniform rates of compensation throughout the entire country for the employees of interstate railways. The Supreme Court holds that there should be uniformity in the method of redress, and it is now clear that State workmen's compensation laws can not affect such employees or extend to them the benefits of State provisions. No two of the existing State compensation laws are alike. See page 56 of No. 203, Labor Bulletin.

So that if it is the universal opinion or the judgment of the majority of Congress that compensation should be paid for injury and death resulting in the course of employment by railways, regardless of the question of fault on the employer, and that such a system should supersede the existing method provided by the Federal employers' liability act, there should be no hesitancy in immediate action. State laws of more than three-fourths of the States have substituted the compensation principle for that based on fault and take care of the employees of intrastate railways and employees not engaged in interstate commerce.

Certainly then, if this new and humane principle is to obtain for the benefit of railway employees not engaged in interstate commerce, who will contend that the same broad and humane provision should not be placed in reach of those employees engaged in interstate commerce? This can be obtained by no other way than by an act of Congress. It is up to Congress to either repeal the Federal employers' liability acts and all statutory changes and modifications of the common-law method of obtaining redress for personal injury, and leave the whole field within the domain of the several States, with their varied and conflicting methods, decisions, and results, or by a Federal act substitute a uniform workmen's compensation method for the existing statutory method.

The administration is asking a change. Congress in the past has gone on record as strongly favoring a change of the method of redress on account of injury or death in interstate railway service, and it seems to be the universal judgment among the progressive States of the Union that the old antiquated method should give way to the compensation system. I therefore assume that Congress will at this session enact legislation providing a method of workmen's compensation on account of injury or death for the employees I have referred to.

The existing method for obtaining redress for injury or death on the part of a railway employee engaged in interstate commerce, or his dependents, has proved to be absolutely inadequate. The report of the Taft Joint Commission discloses that not one-half of the 100,000 employees annually injured receive any compensation under the existing method, and that not over 35 per cent of the amount paid out by the railway companies on account of injury or death of their employees ever reaches the pockets of their employees or their dependents. The substitution of the workmen's compensation system would give to all sustaining injuries or loss on account of death certain and fair compensation, unless it is shown that the injury or death was caused by the willful act of the employee or his intoxication.

So likely the only contention that will arise of any importance will be as to the method of administration, and it seems to me that the method of administration to be adopted for meting out compensation to the injured employee should be one that could easily be continued and carried on in the event the railways are released from Government control.

This is a matter of great importance, broad in its scope, and affecting nearly 2,000,000 employees of private employers, whose property under the war clause of the Constitution has been taken over by the President as a war necessity, and we must keep in mind that these railways are the property of private interests and will likely still be managed and operated by the directors, officials, and agents of the existing railway corporations, subject to the general supervision and orders of the Commander in Chief of our armies.

It therefore seems to me that a method of workmen's compensation should be adopted which would apply to the railways, and that could be easily and readily administered under the supervision of the courts of the Nation in times of peace as in time of war. An administrative machinery at all times workable, regardless of the country's condition, and under the jurisdiction and control of those tribunals created and resorted to for obtaining justice by the English-speaking people from time immemorial.

My bill provides for the establishment by law of judicial tribunals easily accessible to employees as well as employers; and in the event of the employee or employer being dissatisfied with the report of the adjuster, he may, on motion in writing, have the same removed from the United States district court to any State court of competent jurisdiction in the county where the cause of action arose or where the employee resides or is doing business at the time of such removal, and providing that if the employer removes said cause such removal shall be to the county where the cause of action arose or where the employee resides.

A right of review is given and a method of transfer of jurisdiction is provided where either party is dissatisfied with the decision of the adjuster, and such right of review and transfer of jurisdiction is to competent and well-tried-out tribunals and not left to the whim and caprice of some Federal compensation board, which could either deny a right of review of the adjuster by it appointed or could constitute itself the sole court of appeal from the adjuster's decision.

The existing Federal workmen's compensation law provides no machinery for the establishment of a judicial tribunal for the review of claims adjudicated by the board and no review of decision or transfer of jurisdiction can be had. Claims are adjudicated similar to the method employed by the Pension Bureau in the disposition of claims for pension. No interest is involved except that of the Government, the employee, and the public, while in the administration and disposition of claims of railway employees, in addition to the interests of the employee, the public and the Government involved, there should be considered the rights of the railway owners.

I will close by again expressing the hope that either my bill may become a law at this session of Congress or that its principles and administrative features may be substituted for section 9 of the administration railway bill, now being considered by the Committee on Interstate and Foreign Commerce. [Applause.]

Mr. CAMPBELL of Kansas. I yield 20 minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER of Minnesota. Mr. Chairman and gentlemen of the House, a few afternoons ago the gentleman from New York [Mr. LONDON] addressed the House on the subject of the Russian attempts at peace, and thought to establish a companionship or relationship between the demands of the present Russian Government and the terms as proposed by the Presi-

dent of the United States in his recent address before Congress. In my judgment, the record as it stands after the conclusion of his remarks requires some further word in order that as a people and as representatives of the people we may see the true facts and face them squarely.

The gentleman from Illinois [Mr. RAINEY], in a very able address at the time, replied to the gentleman from New York, but confined his reply to a discussion of the capacity of socialism to remedy existing evils. I desire to address myself to another phase of the subject, the one which to me is fundamental and the one to which we should direct our thought exclusively.

The great war in which we are engaged can never be fought so as to be won by theoretical considerations. It can only be fought and won by guns and powder and men in the right place at the right time. A brief thought as to the inception of this struggle may be of interest as we view the Russian situation to-day. We know that Austria served an ultimatum upon Serbia, no doubt inspired to do so by the Empire of Germany. Russia promptly mobilized her army to defend and help her sister country, Serbia.

The German Kaiser issued an ultimatum to the Czar of Russia stating that unless Russia demobilized immediately war would follow. The Russian Czar, apparently with a marvelous display of courage and strength, said that he pledged the last soldier and the last kopeck of the Russian Empire to the cause for which the Slavic race had determined to fight. This was high-sounding and splendid. It was the rallying cry for the Slavic peoples of that section of Europe. The great Empire of Russia was coming to the aid of the hard-pressed and about-to-be-destroyed little country of Serbia. The world properly applauded. The Russian Government, as we know, during the early years of the war was under the control of a feeble Czar a part of the time. The rest of the time and between times it was under the control of rogues and traitors within the Russian Empire whose deeds paralyzed the industrial life of Russia; paralyzed the military operations of the country. We are not concerned, however, to-day with those early events. We are concerned with the situation as it exists now and its application to the things that confront the United States.

I heartily indorse the splendid words our President used in his message, wherein he offered hope and some confidence and much sympathy for the Russian people in their present predicament.

It was proper that he should use such language, because he was speaking for the great American people the thing that was within the heart of every American—sympathy and the hope that the Russians would yet be able to do something. But at this moment I speak only for myself; I represent only my own thoughts. Therefore I can tell the naked truth.

One of the things that any Member of this Congress or any person in our Government or those of the allies ought to endeavor to learn the truth about is Russia. I made a special effort to learn all I could while I was in Europe. I had such opportunities of information as came to me and to others situated like me from official sources in France and in England, and the truth was plainly and freely told.

In addition thereto I had the good fortune to spend some days in company with a gentleman who was a member of the Root Commission, but who did not return to this country, staying in Russia seven months. His heart was in sympathy with the Russian people, and had been for many years. For many years he had known Russia and the Russian people intimately. In addition I was able to get the thought of all the correspondents of one of the greatest newspapers in the United States, men whose business it is to learn facts and report them accurately. These correspondents gathered from various parts of Russia and reported to their chief while I was there the exact conditions in various parts of the empire. In addition I had the good fortune to meet a citizen of this country from Ohio, whom I had formerly met in Minnesota, who had spent the last 17 months on business in Russia, traveling throughout that country.

I cite these things so that you may know upon what I base my conclusions. My first conclusion, my friends, is that there is absolutely no hope, none whatever, that Russia will ever again take any part in this great struggle in behalf of the allies. That is the unanimous report of every man who has studied conditions at first hand.

The revolution which occurred nearly a year ago was justified if ever one was, but unfortunately those who came into power were not possessed of that tolerance and self-respect and self-control and knowledge of conditions in the world necessary for them to have to enable them to lead their country aright. Their country has been led all wrong. Its face has been turned from the light and they have journeyed helplessly into utter darkness. It is all wrong now. It stands in a false position before humanity and before history, and there is no hope—none whatever—from the present Government of Russia. Yes; we must say, though the saying is with deep regret, Russia to-day stands a nation that began a struggle, summoned nations to her aid, and in the hour of peril forsakes her allies, abandons her cause, false to every principle honest nations and honest men respect.

Why? In the first place, those in whose hands the Russian Government rests correspond exactly to the Industrial Workers of the World in America. Their principles are the same. While government in its essence is control, to them it is license. They are abandoned to all lusts of the flesh. I. W. W. operations and I. W. W. thoughts are in control. We now look back upon the reign of Kerensky—if I may call it a reign, as he was practically a dictator—as one of ultraconservatism. And yet at the time he was extremely radical. From the time when the people representing the soldiers and the workmen came into control of Russia there has been nothing but chaos, murder, starvation, slaughter, with all the attendant evils that the mind can think of.

In the first place, Russia could not participate in this great war now if she wanted to. Why? The truth is, they have murdered practically all the officers in the Russian Army capable of leading a command to battle. To-day there exists hardly a captain or a colonel or a general, outside of a few that are left, qualified to lead their men to battle. We remember reading with much glow in our hearts that Russia had sent 50,000 men to France about two years ago, there to be trained and put into the firing line on the side of the allies. Did you ever wonder what became of them? I will tell you. They are now near a port in France, the name of which I will forego to mention. They murdered all their officers this last summer, and they are now held practically as prisoners, surrounded by French bayonets. Every element of discipline has disappeared. The units are disorganized. The armies have reverted back to a purposeless, unwieldy mob. The Russian people stand with jaws open and eyes staring, drunk with liberty. Army and Government have betrayed their country, betrayed humanity. Russia is a bear no longer, but a blatant, bleating lamb. And the German wolf is making a feast of the Russian lamb; the Russian people are blind to the necessities of existence. They have stopped the production of crops on their farms, and every report indicates that before another fall comes the gaunt specter of starvation will stalk throughout Russia. Never worry about Germany obtaining much food from Russia. Little is there, none soon will be. They have been living for a time by stealing—plainly stealing. They have confiscated the estates and nearly all the important business enterprises in Russia. At first they began to demand shorter hours and greater wages, and they continued those demands until they positively confiscated and closed up the business enterprises. They have taken the money in the banks, not only the savings but the capital of the country, and are using it, no matter to whom the money belongs. They have actually taken up the paving blocks in the city streets and are burning them for fuel. Soon buildings will be torn down and the looting of stores, long ago begun, will soon become universal. Their transportation facilities have been worn out and wrecked, and Russia remains at this time without facilities for transporting food, even if she wanted to. It would be physically impossible for her to mobilize or transport an army.

There was a time, my friends, when we thought—and we had reason for the thought—that the present Russian Government was but the paid agent of the Kaiser.

It seems that thought was not exactly justified by the facts. It now appears, if we can judge from the tidings as we get them from the newspapers and from vague reports of the peace conference that reach us from time to time, that this attempt to find a peace between Russia and Germany is sincere on the part of the present Russian Government. But that makes no difference. Whether paid by the Kaiser or not, the Russian Government's work to-day is perfectly a betrayal of the allies' cause and pro-German in its effect. And what a spectacle it presents! Here this great nation, the one that started this great war—because it rose to bid defiance to Germany—has turned itself against its friends and allies, against those that have bled and are bleeding for her, abandoning them to misery and woe. Little Roumania, that came to her aid, has been treacherously betrayed twice—first, when the invading German horde came, right after Roumania declared war, and Russia promised but failed to give her support.

Now once more, when she fraternizes with Germany and leaves little Roumania to stand there, isolated but defiant, outraged but true, all but conquered, yet valiant, and there she will stand true to the faith, though she perish from the earth. [Applause.]

I have no sympathy whatever with the present condition in Russia, and we can not expect any help from her. The truth is—a truth France, England, and Italy all know to their bitterness and sorrow—that had Russia remained in the war that war would be over now, with a complete victory for the allies. Had

Russia not betrayed the cause, that cause would have been won ere now. The men that must die from now on, the treasure that must be spent, would have been saved to the world had Russia not betrayed the allied cause.

Mr. FESS. Mr. Chairman, will the gentleman yield to an inquiry?

Mr. MILLER of Minnesota. I will gladly do so.

Mr. FESS. In what proportion does the Bolsheviki movement represent the Russian people?

Mr. MILLER of Minnesota. That is something no one seems able to tell, but relatively a small portion of the people.

Mr. FESS. Are they not surprisingly succeeding in winning the people?

Mr. MILLER of Minnesota. It seems there is no national spirit in Russia. By that I mean there is no public consciousness on any of those subjects; there is no cohesion or unity or concert of action, and a small group is able to sway Russia now and then because nobody else has any proposition to suggest. These conditions will flow into endless revolution, insurrection, and bloodshed, and the eventual break-up of Russia.

Mr. FESS. What is the gentleman's explanation of the possibility of leadership of the type of the two men who are now in the leadership? How can they lead the people?

Mr. MILLER of Minnesota. That is something I would not like to answer. I can only say that the people must be very misguided ever to have permitted them to lead them for a moment. The truth is that Russia is perfectly thoughtless and hopeless. We might just as well face that fact. In France and England they have wiped Russia off from the books, and we might just as well do that in this country. The United States must take her place among the allies and fight the battle that Russia began and then traitorously left unfinished.

Ask Italy, against whom the legions formerly on the Russian front have lately been hurled; ask her, staggering beneath these mighty blows, what she thinks of the great Russian betrayal? The present Russian Government has not been recognized and should not be by any decent people in the world.

Mr. PLATT. Will the gentleman yield for a question?

Mr. MILLER of Minnesota. Yes.

Mr. PLATT. Did not the gentleman exaggerate a little in saying that the Russian soldiers in France had murdered all their officers? I understand there are quite a number of those Russian officers in France who have asked to be taken into our Army.

Mr. MILLER of Minnesota. It is perhaps incorrect to say they have murdered all of them, because all of them were not with the troops; but they murdered the great bulk of them, just as they did in Russia, and just as they did a few weeks ago in the navy in Russia. And it might be appropriate to observe in passing that Russia contains some great military geniuses. I am told by many of the best military critics in Europe that the Grand Duke Nicholas is the greatest military genius this war has produced; but men of the character of the grand duke, or Alexis, or Korneloff, or Brusiloff would not be given one moment's chance to do anything to-day. All of those who had brains, all of those who were capable, have either been murdered or displaced, and there is no possibility of their coming back to the scene of action. They will not be allowed to come back.

Mr. MOORE of Pennsylvania. As to the influence of the Bolsheviki, is it not a fact that there are many religions and very many languages throughout the great area of Russia?

Mr. MILLER of Minnesota. There are dozens of them.

Mr. MOORE of Pennsylvania. Are there not as many as 40 or 50 different languages spoken in Russia?

Mr. MILLER of Minnesota. I suppose so.

Mr. MOORE of Pennsylvania. Would not that account in some degree for the present disorganized sentiment there?

Mr. MILLER of Minnesota. I do not think so. We have fully as many different religions in the United States as they have in Russia, but we have a national coherence, a unity of thought and purpose. We have a national consciousness.

Mr. MOORE of Pennsylvania. Would the gentleman suggest a remedy for the present governmental conditions in Russia?

Mr. MILLER of Minnesota. I think I know the only way that a remedy will come.

Mr. MOORE of Pennsylvania. Would it be a monarchy?

Mr. MILLER of Minnesota. I would not want to say; but I think it will be a dictatorship first and that blood will flow.

Mr. MOORE of Pennsylvania. Can it be a republic?

Mr. MILLER of Minnesota. It can not be a republic unless they change their minds very materially, because they have shown themselves absolutely incapable of self-reliance or self-control. Yet every American would rather see a republic there than anything else; but until they develop some of these essential qualifications of citizenship which are necessary in a republic they can not either establish or maintain a republic. The present Government in Russia is not a republic. It has no semblance of a republic. In my judgment, revolutions will continue in Russia; successive groups of men will control for brief periods; in the end, anarchy. Then the country will break up into many, perhaps a dozen, countries, each with its own kind of government.

Mr. REED. Will the gentleman yield for a question?

Mr. MILLER of Minnesota. Yes.

Mr. REED. What relationship exists now between the Russian Embassy in this country and any Government in Russia, and to what extent are we dealing with it?

Mr. MILLER of Minnesota. I wish I could inform the gentleman from West Virginia, but I can not, because I have tried to find out for myself and could not. I have only a very general idea, which I would prefer not to advance. But conditions in Russia are the acme of chaos. The idea was expressed here the other day that as it took many years for chaos to be turned into order in France, we could not expect Russia to change her clothes overnight. That is all true, but I am thinking about the war. I am not thinking about what Russia will be 10 years from now. I am thinking about what part Russia can or will play in this struggle that is now on hand, and of which we are a part. The plain truth is, just forget Russia. Do not spend another dollar in Russia, do not send another thing to Russia. Wipe her off the books and put our thought and attention on the problem of fighting Germany on the western front.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MILLER of Minnesota. Certainly.

Mr. LONGWORTH. Has the gentleman any information as to what has been done with the money that we have loaned to Russia?

Mr. MILLER of Minnesota. Well, now, I have a suspicion that it never went for any Russian purpose. It very probably did not filter down far through the hands of the gentlemen who received it. I wish I had the information to give. I have a suspicion that the gentleman from Ohio himself knows something about it, and I hope he will enlighten the House some day. I do not know.

Mr. PLATT. As a matter of fact, it was nearly all spent here for materials, rifles, and locomotives to send over there, or perhaps not all sent over there.

Mr. MILLER of Minnesota. That is a better phase of the picture than I had painted for myself. I am afraid some of it got to Russia.

Mr. LENROOT. Is it not true that much of our trouble came from building locomotives for Russia and not building those that we ourselves needed?

Mr. MILLER of Minnesota. The gentleman is absolutely correct. In France for five months they have been begging for 900 locomotives for American transportation, and during that period of time locomotives were being built and sent to Russia, which ought to have been built and sent to France for the Americans; and one of the difficulties in our transportation in France to-day is a lack of rolling stock, chief of which is the lack of locomotives, and within the United States one of our greatest needs, if not the very greatest, is a large number of locomotives for our railroads.

Mr. PLATT. Will the gentleman yield for another question?

Mr. MILLER of Minnesota. Yes.

Mr. PLATT. In Honolulu in the latter part of November—about the 28th or 29th of November—I met a party of 30 American railroad men, all in uniform, sent over by this Government on their way to Vladivostok. That was long after this Bolsheviki crowd came pretty nearly into complete control over there. Whether these American railroad men went on or not I do not know. We evidently have had to stop sending either materials or men.

Mr. MONDELL. Do I understand it to be the gentleman's opinion that in the event of the breaking off of peace negotiations between Germany and Russia, Russia will not be able to put up something of a defense? Is it the gentleman's belief that in that event the Germans will practically overrun Russia?

Mr. MILLER of Minnesota. Germany can mobilize an army and march to Moscow or Petrograd any hour she wants to, and she knows it, and the world knows it. But some advantage will come to the allies if Russia does not make a separate peace. First, 2,000,000 prisoners will not be released. Second, Russian agitators along their front, or uncertain conditions within, would keep on the eastern front a large number of German troops. While Russia can strike no blow for her own freedom, or for the allies, she can so act as to keep German troops along her front, and that would be of great value to the allied cause.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER of Minnesota. I thank the committee for its attention. [Applause.]

Mr. HASTINGS. Mr. Chairman, I yield 12 minutes to the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Chairman, without discussing the items in this bill affecting the Five Civilized Tribes, I wish to make a few general observations on the Indian question. Having lived for a long time in the Indian Territory and enjoyed a large clientele among the Indian citizens, I feel that I know something of the condition of the Indians in my State and the treatment accorded them by the agents of the Indian Bureau. I lived in the Territory at a time when the Indians in the central and southern part of the Territory owned their lands in common and well remember when many full-blood Indians lived in little huts back in the hill country in the timberlands, with only a little "Tom Fuller" patch in cultivation, while the more enterprising members of the tribe were controlling and had under fence hundreds and thousands of acres of the fertile lands and were exceedingly prosperous. Although these full-blood Indians living in the unsettled part of the country were violently opposed to the scheme of the Government to allot their land to them in severalty, and even at this day many of them, known as Snake Indians, have refused to accept their patents or per capita payments or to have anything to do with the Government or its agents, yet their condition has been very much improved, and so much so that many of them are making a success in business ventures. At the time the allotment of lands was made a great many of these Snake Indians refused to come to the land office to make their selection for themselves or their children, and after waiting quite a long time the United States Government proceeded to arbitrarily allot them upon the remaining lands of the tribe. Their allotments were necessarily taken out of the leavings, as it were, and were not as fertile as those who were more thrifty and who selected the better lands. However, good fortune did not abandon these full bloods, because oil was subsequently discovered and in many instances on these unfertile allotments. This resulted in the accumulation of much wealth to the individual full-blood Indians, especially of the Creek and Choctaw Tribes.

The Indian question has been dealt with many times from a sentimental viewpoint, which has proven very detrimental to the welfare of the Indians. The average citizen, far removed from the abode of the Indian, looks upon him from the viewpoint of the storybooks of his childhood, much of which was fiction emanating from the fertile brain of an imaginative author. Thousands of Americans when you speak to them of an Indian tribe at once think of blanketed Indians in moccasins, living in tepees, hunting and fishing for a living. This type of the American Indian has yielded to the influence of civilization.

In the State of Oklahoma, where over 115,000 enrolled members of Indian tribes live, 100,000 of them are members of the Five Civilized Tribes. These Five Civilized Tribes comprise Cherokees, Creeks, Seminoles, Chickasaws, and Choctaws. Some of these tribes have had written constitutions and a code of laws, with three separate departments of government for over 100 years. Prior to the abolition of their tribal government these several tribes conducted their tribal affairs through their executive, legislative, and judicial departments with marked ability. The chief complaint of the Indians of my section of the country is the unnecessary restraint and red-tape methods of the local representatives of the Indian Bureau. There is but one policy to pursue to intelligently and effectively deal with the Indian question as a whole, and that is clearly stated in the report of the Commissioner of Indian Affairs, to wit:

> Each individual must be considered in the light of his own environments and capacity for larger responsibilities and privileges.

These sentiments state the crux of the whole matter, but unfortunately for the Indian and the people who live in the Indian country the subordinate agents and officers have never been able to grasp this great principle that has been expressed by the present Indian Commissioner.

On the 17th of April, 1917, the present Commissioner of Indian Affairs issued his declaration of policy in the administration of Indian Affairs and published the same throughout the country, which declaration is as follows:

DECLARATION OF POLICY IN THE ADMINISTRATION OF INDIAN AFFAIRS.

During the past four years the efforts of the administration of Indian affairs have been largely concentrated on the following fundamental activities: The betterment of health conditions of Indians, the suppression of the liquor traffic among them, the improvement of their industrial conditions, the further development of vocational training in their schools, and the protection of the Indians' property. Rapid progress has been made along all these lines, and the work thus reorganized and revitalized will go on with increased energy. With these activities and accomplishments well under way, we are now ready to take the next step in our administrative program.

The time has come for discontinuing guardianship of all competent Indians and giving even closer attention to the incompetent that they may more speedily achieve competency.

Broadly speaking, a policy of greater liberalism will henceforth prevail in Indian administration to the end that every Indian, as soon as he has been determined to be as competent to transact his own business as the average white man, shall be given full control of his property and have all his lands and moneys turned over to him, after which he will no longer be a ward of the Government.

Pursuant to this policy, the following rules shall be observed:

1. Patents in fee: To all able-bodied adult Indians of less than one-half Indian blood there will be given, as far as may be under the law, full and complete control of all their property. Patents in fee shall be issued to all adult Indians of one-half or more Indian blood who may, after careful investigation, be found competent, provided that where deemed advisable patents in fee shall be withheld for not to exceed 40 acres as a home.

Indian students, when they are 21 years of age or over, who complete the full course of instruction in the Government schools, receive diplomas, and have demonstrated competency, will be so declared.

2. Sale of lands.—A liberal ruling will be adopted in the matter of passing upon applications for the sale of inherited Indian lands where the applicants retain other lands and the proceeds are to be used to improve the homesteads or for other equally good purpose. A more liberal ruling than has hitherto prevailed will hereafter be followed with regard to the applications of noncompetent Indians for the sale of their lands where they are old and feeble and need the proceeds for their support.

3. Certificates of competency.—The rules which are made to apply in the granting of patents in fee and the sale of lands will be made equally applicable in the matter of issuing certificates of competency.

4. Individual Indian moneys.—Indians will be given unrestricted control of all their individual Indian moneys upon issuance of patents in fee or certificates of competency. Strict limitations will not be placed upon the use of funds of the old, the indigent, and the invalid.

5. Pro rata shares—Trust funds.—As speedily as possible, their pro rata shares in tribal trust or other funds shall be paid to all Indians who have been declared competent, unless the legal status of such funds prevents. Where practicable the pro rata shares of incompetent Indians will be withdrawn from the Treasury and placed in banks to their individual credit.

6. Elimination of ineligible pupils from the Government Indian schools.—In many of our boarding schools Indian children are being educated at Government expense whose parents are amply able to pay for their education and have public-school facilities at or near their homes. Such children shall not hereafter be enrolled in Government Indian schools supported by gratuity appropriations, except on payment of actual per capita cost and transportation.

These rules are hereby made effective, and all Indian Bureau administrative officers at Washington and in the field will be governed accordingly.

There is a new and far-reaching declaration of policy. It means the dawn of a new era in Indian administration. It means that the competent Indian will no longer be treated as half ward and half citizen. It means reduced appropriations by the Government and more self-respect and independence for the Indian. It means the ultimate absorption of the Indian race into the body politic of the Nation; it means, in short, the beginning of the end of the Indian problem.

In carrying out this policy I cherish the hope that all real friends of the Indian race will lend their aid and hearty cooperation.

CATO SELLS, *Commissioner.*

Approved:

FRANKLIN K. LANE, *Secretary.*

This declaration of the policy of the Government met a hearty response from the Indians and their white neighbors throughout the Five Civilized Tribes, but unfortunately the spirit of that declaration and policy has never permeated the brain of the local Indian agents in the Five Civilized Tribes. There is more red tape and more restriction upon the action and freedom of the members of the Five Civilized Tribes to-day than ever in the history of these nations.

As to the conditions in other parts of the country, the gentleman from Kansas [Mr. CAMPBELL] recently in a very forcible and truthful manner called the attention of the House to some of the red-tape methods in vogue in the Bureau of Indian Affairs.

Misrepresentations as to the ability of Indians to attend to their own affairs have been made by some to impress the necessity of their being retained on the pay roll of the United States Government. Any man who will go and talk with the members of the Five Civilized Tribes and secure a free expression from them, will find a universal complaint against the methods pursued in handling their individual funds. Every citizen, Indian and white alike, in the Five Civilized Tribes felt that the bureau at Washington was sincere in the declaration of April 17, 1917, of a liberal policy, and they still have faith in it, but are unable to understand why the Commissioner of Indian Affairs and the bureau at Washington will permit subordinates, agents, and officers to thwart and suppress this policy advocated and set out by the commissioner. Congress has appropriated per capita payments to the members of the Seminole, Choctaw, and Chickasaw Tribes, containing a provision permitting the Secretary of the Interior to supervise the payment of these funds to the restricted Indians. This is a wise provision, and if administered with the spirit and in conformity with the policy enunciated there would be no complaint, but, as one of the full-blood Indians of the Seminole Tribe said:

> It is harder to get the money from the Indian agent after Congress appropriates it than to get Congress to make the appropriation.

Under the appropriation act approved May 18, 1916, $300 per capita payment was granted to the Seminole Indians, effective July 1, 1916. I have a case of one Indian in mind, a Seminole, with a fair education, who is a better penman than myself, who

made application for his $300 and signed the receipt for same on the 26th day of September, 1916, and on the 20th day of December, 1917, 15 months later, he managed to receive his $300 with $9.46 interest.

In the meantime Congress passed a bill appropriating a per capita payment of $200 to the Seminoles on March 2, 1917, but on account of a construction of the act by the Treasury Department only $33 per capita was available. This one instance discloses the unnecessary delay in the hands of the subordinate agents of the bureau.

In May, 1917, my attention was called to a case of a Choctaw Indian for whom $300 was appropriated in the same act of Congress, effective July 1, 1916, who suffered a loss by fire of 10,000 rails around his farm. He tried to get his per capita payment to buy wire with which to rebuild his fence, and he was informed that his money was loaned to a bank at 3 per cent interest and could not be paid. Similar complaints from members of the Choctaw Tribe, who had not been paid their pro rata payment, or any part thereof, and the condition of the Indians was forcibly set out by Dr. G. W. Hawkins, a very prominent and reliable member of the Choctaw Tribe, from whose letter I quote as follows:

If the Government is not going to pay the Indians, then make some ruling whereby the Indians can get something to eat and a few clothes every month. It is a shame for a person to be cold and hungry and have money and can not get it with which to buy something to eat and a few clothes.

I called the department's attention to this condition, and an investigation was ordered in reference to these particular cases. But there are many of these cases where the delay in payment has been unreasonable and unjustified. The red tape used is ridiculous to the average business man. As an example, the full-blood Indian will be notified to meet the agent at the county site on a given date and receive his per capita payment. He will proceed to the county site on the day mentioned, paying railroad fare and hotel bills, and every man who is familiar with the characteristics of the full-blood Indian knows that when he starts on a trip to receive money he takes with him his wife, children, and even the dogs. When he arrives at the Indian agent's office he is presented with a receipt, which he signs, for a small portion of his per capita payment and is informed that it will be necessary for him to return the next week, as this voucher must go to the office at Muskogee before the check can be returned. The result is that he will make three or four such trips to finally receive a payment of $25, which is entirely insufficient to pay the cost and expenses that he has incurred during the time he was waiting to get his payment.

Some of the Indians with several thousands of dollars of individual funds have suffered great hardship at the hands of these agents. I have in mind an old Indian sixty-odd years old, who has in the Treasury of the United States approximately $84,000. He is afflicted with kidney trouble and is absolutely unable to get the department to buy him a home in which to live, and is furnished a home for himself and family, for which the department allows the munificent sum of $15 per month rent, all because he is not willing to live in the county that the department clerks want him to live, and in order to force him to live where they wish to they refuse to pay him sufficient money to own a home. They seek to justify their action on the ground that there is some conflict in guardianship cases pending, and they are willing to sit by while probably rival banks are fighting over the guardianship of his money and permit him to pass out of this world in poverty while owning a substantial fortune.

Another Indian that I know of has over $200,000 in the Treasury of the United States derived from royalties of the oil taken from his allotment, with $50,000 invested in liberty bonds, and with as much as $100,000 of his money at one time in banks without interest, and yet not permitted to enjoy the interest on his money, but must be satisfied to mainain himself and family of several members on the sum of $300 per month.

Mr. PLATT. Will the gentleman yield?

Mr. McKEOWN. I will.

Mr. PLATT. In case Indians bought liberty bonds, can the commissioner prevent them from collecting the coupons?

Mr. McKEOWN. Yes.

Mr. PLATT. That is very surprising.

Mr. McKEOWN. I am not complaining at the policy of the Commissioner of Indian Affairs or of the bureau at Washington, because I believe they are sincere in the declaration of their policy announced on the 17th day of April, 1917; but I am complaining of the action of the subordinate officers in the bureau in the Five Civilized Tribes in their failure to carry out the policy announced from Washington.

I wish to commend the policy of the department as set out in rule 1, which is as follows:

1. Patents in fee: To all able-bodied adult Indians of less than one-half Indian blood there will be given, as far as may be under the law, full and complete control of all their property. Patents in fee shall be issued to all adult Indians of one-half or more Indian blood who may, after careful investigation, be found competent: *Provided*, That where deemed advisable patents in fee shall be withheld for not to exceed 40 acres as a home.

In this connection I wish to say that no better opportunity is offered the Bureau of Indian Affairs than at the present time to put that rule into force in the Five Civilized Tribes. In the Chickasaw and Choctaw Nations each man, woman, and child whose name was on the approved roll receive an allotment of an average of 320 acres, the Creeks 160 acres, the Seminoles 80 acres. It is not an infrequent occurrence in the Choctaw and Chickasaw country that one family will own an aggregate of 2,500 acres of the average land of that country, much of which is very fertile and productive. The lands in the hands of the members of these tribes are not taxable under the decision of the Supreme Court of the United States, although the same may be alienable. The holding of these large tracts of land, which is far in excess of the amount of land that can be cultivated by the Indian citizen, has created a very bad situation in Oklahoma. The larger portion of lands must of necessity be cultivated by tenants, and the tenant system is detrimental to the welfare of the landlord as well as the tenant. This system retards the growth and development of the country and works a great hardship and burden upon those who bear the burdens of government. The short term of tenancy creates unstable communities, and the housing conditions become fearful. This condition should be remedied by the Indian Bureau, permitting the adult Indians to select not to exceed 80 acres for a home and to sell the remaining portion of the allotment to the farmers who are ever anxious to secure homes, with a provision that no deed shall be approved to any one purchaser to exceed 160 acres of tillable land or 640 acres of grazing land. The money derived from the sale of the lands in excess of the amount selected as a homestead would be sufficient to erect permanent and valuable improvements upon the homestead and to equip it so that the Indian will be able to live decently and produce and make his own way in the world. I am a firm believer in legislation that looks to the protection of the incompetent members of the Indian tribes in their property and rights to property, but I also believe in a liberal policy, dealing with each individual Indian according to his intelligence and ability irrespective of his quantum of blood. This is a propitious time to put in effect the liberal policy of the department in reference to developing the Indian country, and if I can be of any assistance in correcting erroneous methods and bring about a sane and sensible administration of Indian affairs in the Five Civilized Nations I shall feel repaid for the many days spent in studying this problem. If the Government shall permit the ambitious tenant farmers of the Nation to become home owners and to develop the country side by side with his Indian neighbor, then I have no fear of the future welfare of the Indian of these tribes. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CRISP having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 195. An act providing for the sale of the coal and asphalt in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma.

The message also announced that the Senate had passed without amendment the bill (H. R. 7697) to authorize the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes.

INDIAN APPROPRIATION BILL.

The committee resumed its session.

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Chairman, I would not occupy any time of the House in discussing this bill were it not for the fact that I have been deluged with telegrams concerning the order promulgated this morning by the Fuel Director concerning the production of coal and the shutting down of the factories. The district that I represent has coal mines, glass factories, and iron mills of that character, and they are prohibited from using fuel for five days from this date, the factories shall continue closed, and the men employed must remain idle.

Under clause "a," section 3, of this unprecedented order, which has produced such a calamity among the people of Pennsylvania and elsewhere, it is provided that "plants which necessarily must be continuously operated seven days each week to avoid serious injury to the plant itself, or its contents, may use only such quantity of fuel as is necessary to prevent such injury to the plant or its contents."

I was quite amazed a few minutes ago to hear the gentleman from Illinois [Mr. RAINEY] state on the floor of this House that he contended that those who said that this order closed down the factories were talking without knowing what they were talking about. I was puzzled to understand the meaning of that statement. I do not divulge any secret on the floor when I say that I visited the Fuel Administrator's office this morning and asked whether it meant that the factories should be closed. I was told that the purpose of that section and of the order was that every factory should stop for five days; that they should be patriotic and stand still, in order that the transportation of the country might catch up and relieve the ships in the harbor of New York waiting for coal. Therefore I am confronted with telegrams which I have received informing me that the great glass works in my district are to be closed. They do not use coal, but natural gas, and they must stop work, and this product, while it can be kept in a molten condition in the great tanks in which it is melted, will be utterly destroyed, because it can only be renewed by placing raw material in one end of the tank and withdrawing the finished product out at the other end, and when this process can not be continued the glass will be ruined and useless.

I was told that one of the great factories in my district own their own coal, which they haul in their own wagons to their furnaces, must stop also, although they use no part of the transportation of and do not depend upon any public utility.

Mr. REED. Will the gentleman yield for a question?

Mr. ROBBINS. Yes.

Mr. REED. I have in my district industries which have used the "squirrel wisdom" referred to by my colleague from Pennsylvania, Mr. MOORE, and bought several acres of coal land. They have no facility for shipping it, and it is used exclusively to run these plants, which are located near the mine opening. There are others having their own gas wells for manufacturing purposes only. Do I understand that these factories having their own fuel supply already provided are to be closed down?

Mr. ROBBINS. Those factories must stop. That is the interpretation placed upon it by one who stands high in the fuel administration, the highest we can get to see when we call, because nobody can see the administrator—he is always in conference or out when a Congressman calls.

More than that, one of the largest factories in western Pennsylvania, engaged in making munitions and Government supplies for the Navy, owns its own coal fields and transports the coal over the Monongahela River in its own boats, and yet under this unjust and oppressive order it must stop.

There is one thing about this order that the Fuel Administrator has never thought of, and that is that when he stops the factories from operating he ought to have a magic power to stop the appetites of these workmen whose wages he cuts off. All over the country thousands of men are working with these high prices confronting them. Day after day they earn the money to purchase the bread and clothing for their family. If they are to stop for five successive days without earning a cent, who is to feed their wives and children and clothe them? I notice some patriotic allusions made to the proposition that the employers ought to pay them, although they are not working. Why, Mr. Chairman, in the face of the great war taxes assessed on these manufacturers and on the employers of labor, it is impossible to ask them to do that thing. If I had time I would like to go over the coal situation briefly. [Applause.]

In June a conference was called of all the coal men of the United States here in Washington. It was presided over by the Secretary of the Interior, Mr. Lane. It was then agreed that $3 a ton would be a fair price to be fixed for bituminous coal. The coal men went home, believing that to be true, and started their mines and made every effort and in good faith endeavored to produce all the coal possible. If this program had been followed there would be no shortage of coal now.

A few days later it was reported in the public press that the Secretary of War and the Secretary of the Navy repudiated this price, said it was too high, and refused to pay it for the Government coal, and on the 23d of August the Fuel Administrator promulgated a price of $2 a ton. The immediate effect of this was to stop a large number of coal mines in my district. In western Pennsylvania 61 found it impossible to produce coal and closed. Practically all the wagon mines in the country were compelled to stop shipments because bituminous coal could not be mined and transported to the railroad by wagons or trucks and pay the high cost of labor and materials prevailing in the mining regions at $2 per ton.

Moreover, in the thin-vein coal seams, where mining conditions were difficult and cost of production higher than in the thick vein, there was a great decrease in production under this drastic order fixing the price at $2 to the consumer f. o. b. mines. It became very apparent that the production of coal was dropping off and that great scarcity of coal would confront the country this winter.

I addressed the House on this subject September 28, and said, among other things, this:

> If that policy ($2 coal) is pursued and relief is not given to the bituminous coal interests of western Pennsylvania, there will be this winter a stringency in coal that will be felt not only among the domestic consumers but among the mills and large furnaces as well.

Some time in October an increase of 45 cents per ton was made, with 75 cents for hauling charges, but this was insufficient to stimulate production; and yet, in the face of repeated protests, that price still stands.

All through November and December another policy was inaugurated which bore heavily on this coal situation. A system of preferential orders was inaugurated, whereby the Fuel Administration in Washington and the various fuel administrators throughout the country were given the right to order coal shipped to others than the regular consumer or the consignees of the coal producers. In many instances this caused cross-hauls, tying up of transportation, and caused endless delays. Seven different agencies in Washington alone were issuing these preferential orders. As if this was not enough, during November a certain week was set aside when all the coal was shipped to the Great Lakes, and thousands of cars were tied up at Lake ports without boats to transport it. Then another period was set aside for transporting coal to New England, and there were thousands of cars diverted into that trade, congesting the terminal points in the East, with a lack of water transportation to take the coal from the docks. This so demoralized the railroads that on the 28th of December the President took over the railroads and appointed the Secretary of the Treasury Director General. But apparently matters have grown considerably worse, and now we have this unannounced and drastic order suspending all shipments from all manufactories east of the Mississippi River over the railroads. This situation is certainly deplorable. It points, without a doubt, to the inefficiency of the management of the transportation system of the country.

The working people of this country have shown their patriotism beyond all precedent. During the recess I made many speeches in western Pennsylvania, and at all of them were crowds of all classes of people, and the working people invariably contributed to the Red Cross, Young Men's Christian Association, liberty bonds, and are now purchasing thrift stamps to the full extent of their ability. This order proposes to suspend their income entirely for 15 days, but it has not suspended their living expenses. They must eat and live during this time without any income. As I stated above, the employers can not afford to pay wages with no production, because they have contributed largely to these war activities, and most of these people do piecework. Some of the coal companies in my district have contributed as much as $25,000 to the war funds, and all of them have contributed out of their personal accounts large sums of money for war purposes. Hence they are all in the same position, employer and employee alike. The income of both the employer and employee is affected and is by this arbitrary, drastic, and far-reaching order cut off. It is impossible to estimate the wages that will be lost. It will certainly amount to over $100,000,000. And it is impossible to estimate the amount of the loss of the manufacturers. They must keep their factories warm, which requires a large amount of fuel, and this is lost, because its energy could largely be used in operating the works instead of merely heating the plants.

If Dr. Garfield, the Fuel Administrator, has made this sweeping order, stilling the wheels of industry, and has in some instances stopped the coal mines from operating—because I have a telegram to-day from a coal operator to the effect that the railroad company refuses to move any coal cars during this suspension—then this is a transportation problem and not a manufacturing difficulty. I also have word that factories operated by coal, hauled in their own wagons or transported in their own boats, or whose fuel is natural gas or water, have also been compelled to shut down. This indicates the very unfair character of this order. Its true purpose is, therefore, not to save fuel, but it is to relieve railroad transportation. Hence the Fuel Administrator should not have come to the rescue of the Railroad Director and thereby cause this widespread dissatisfaction and distress. The thousands of workingmen throughout the country will not be appeased by the simple statement that it is necessary in order to coal ships in New York Harbor. If the Director of the Railroads had operated them properly since the 28th of December, when they were taken over, there would not have been this coal shortage at New York. There are thousands of cars of coal on the sidetracks of the railroads that could have been moved to and used by the ships that now require fuel.

It is a poor answer to say that the men in the trenches need commodities that these ships must transport. The men in the trenches may need that, they also need, as the testimony before the Senate committee showed, the clothing, tents, munitions, and supplies that our working people here would so gladly make for them in these 15 days of enforced idleness, and our working people need the bread and clothing and necessaries of life that they could have earned in these 15 days, which they must now do without, because of the hardship and deprivation forced upon them by this order which has taken away their wages.

Mr. Chairman, it is the fashion on the floor of this House that when anyone rises to criticize the faults of anyone connected with this administration, they are charged with being unpatriotic and partisan. I believe that fair criticism of the inefficient officials of this administration, or any of its improper activities, is one of the best ways to call attention of the President and of the country to such faults, troubles, and incompetency as has developed since the war began in the management of the same.

I have since the meeting of Congress, last April, stood manfully up for the President and the administration and am doing so to-day. I have supported every measure thought necessary by the administration or put forward by it for the purpose of winning this war and to sustain and support our gallant soldiers in the training camps and in the trenches, and I shall continue to do so during the war; but I must not be unmindful of the people at home, who in this extraordinarily cold and severe winter will be deprived of the necessaries of life by this unusual, hasty, and arbitrary order of the Fuel Administrator, cutting off their wages for 15 days, which I believe to be unjust and unreasonable.

Let us hope that this discussion in Congress will call the attention of the President and the Fuel Administrator to its disastrous effect on our people and our industries, and that they will quickly revoke it. This course alone will save our workmen and their families from great suffering and distress and continue the flow of guns, munitions, and clothing which our brave and patriotic soldiers so greatly need in order to win this war.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CARTER of Oklahoma. Mr. Chairman, the fuel situation, which is, I presume, about the same in every other large city in the country as in Washington, has brought about the issuance of the recent order suspending certain industries for a limited time. I do not believe those Members of Congress who have inveighed so viciously against this order have come in close enough contact with the real fuel situation in this city to actually realize and understand the necessity for this order. I have had a little personal experience with the coal situation which now confronts this city. I have not been fortunate enough in these times of a perilous fuel situation to live in either a hotel or an apartment house, but rent a little house out in the northwest section, which imposes upon my family and myself the necessity of supplying our own fuel. There has been scarcely a day for the last month that the bottom of my coal bin was not visible to the naked eye. For three days, when the thermometer registered way down below the freezing point, there was not one lump of furnace coal in my residence. We managed to keep ourselves from intense suffering by having a wood fire in one room in the house and bringing the entire family into that room. One afternoon the bottom of the wood bin became visible, and it seemed that the Carter family was due to go to bed and get up without any kind of fuel. This was a comforting situation, with the thermometer hovering around zero, and was only averted by borrowing a few buckets of soft coal from a neighbor. That is but a personal selfish aspect of the situation, which can be averted by moving my family back to Oklahoma, the State of coal, wood, gas, and oil.

There is, however, another more serious situation. My attempts to secure coal for my household made necessary various and sundry trips to the offices of coal dealers, Fuel Administration, and other sources of coal supply. During the most intense cold I witnessed long lines of people standing before these places begging to hand over their money for delivery of a few bushels of coal to keep their families from sickness and freezing. But, in the words of a famous evangelist, there was "nothing doing." Some of them were well to do and some of them poor.

The better half of my family responded to the call of the Washington Post for the delivery of fuel to poor families in this city. Later on she was engaged in Red Cross work, which consumed one day of her time each week in delivery of provisions, fuel, and other supplies to poor people of this city. The harrowing tales she brought to me of the suffering she witnessed with her own eyes from lack of fuel is something I believe would cause some of these gentlemen to stop and consider a moment before giving vent to such bitter denunciations as I have heard upon the floor of this House the past two days.

I heard of a family with a little girl confined to her bed lying at death's very door with no sign of fuel to heat the room and keep the pangs of cold from chilling her body through. Then of a lady taking care of her old invalid mother with no coal, no wood, in fact, no fuel of any kind to warm the premises. Both these poor families had a little money left from their weekly earnings with which to purchase fuel if it could be had at any price, and both were finally furnished some, but not until after some considerable suffering had been experienced. These are just a few examples of many instances.

Now, just a word as to the cause of this situation. It has been stated from that side of the House that these causes run all the way from having Democrats in office to absolute and puerile incompetency. In my opinion, the cause is due more to lack of transportation than to lack of fuel. Lack of transportation, in a large measure, may be charged up to the account of dearth of labor. It is an incontestable fact that no such demand for labor has ever existed in the past as at the present day. Gentlemen must remember that our country is in the throes of war, making excessive demands on our man power. More than 1,000,000 units, the flower of America's productive capacity, have been called to the colors. Furthermore, I think every fair-minded man will admit that the present generation has never witnessed such a wave of cold weather as has visited the eastern section of our country this year. The railroads were taken over by the Federal Government on December 28, and I am advised that shortly after that there was considerable improvement in the fuel situation throughout the country, but the recent cold wave has been so severe, so unprecedented that it has frozen up the water around the docks so that boats could not get up to unload coal. It has frozen coal in the cars so it could not be unloaded without great difficulty. Why, the recent cold wave has been so severe that I understand it has frozen Chesapeake Bay solidly all the way down to Norfolk, Va., something which Virginia people tell us has not occurred before during the lifetime of their oldest inhabitant. Tugboats and other instrumentalities of the Navy have been used to break up the ice, and in one case a battleship was commandeered for ice-breaking service, resulting in releasing 15 ships in one day. These conditions were not brought about by any party, and I know my good friend from Kansas, who I see is on his feet, will not make that claim.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman from Oklahoma be good enough to explain just how closing down the manufacturing establishments of this section of the country will relieve the situation to which he refers?

Mr. CARTER of Oklahoma. They will not consume coal during this heatless period, and the coal can be used for other purposes. That seems to be as plain as can be.

Mr. CAMPBELL of Kansas. But it has been stated here this morning that they must use the coal and are permitted to use 75 per cent of the coal they ordinarily use in order to keep their properties from being destroyed altogether.

Mr. CARTER of Oklahoma. I know nothing of such statement or its authenticity; but, granting its truth, what has that to do with an office building?

Mr. CAMPBELL of Kansas. Nothing.

Mr. CARTER of Oklahoma. Is that true of a theater?

Mr. CAMPBELL of Kansas. It is true of a factory.

Mr. CARTER of Oklahoma. Is it true of a dry-goods store?

Mr. PLATT. It is true of an office building that you have to keep steam in the radiators.

Mr. CARTER of Oklahoma. Oh, my friend shows that he has no experience with this fuel situation or cold weather. Many families in this city have had to drain their radiators half a dozen times in the last three weeks.

Mr. WALSH. Is the gentleman aware of the fact that the Fuel Administrator yesterday stated before a committee of another jurisdiction that it was not his intention to commandeer the coal in these factories or other places, but it was to remain there and be used when they were permitted to reopen. How is that going to relieve the shortage, if the coal in these factories is not going to be taken and distributed?

Mr. CARTER of Oklahoma. I do not know that the Fuel Administrator said any such thing. The gentleman may be correct, and I do not dispute it; but even so, that does not apply to hundreds of other industries where the coal will not be used.

Mr. CAMPBELL of Kansas. Why did not the Fuel Administrator close the theaters and saloons and office buildings and let run the factories that are manufacturing war materials?

Mr. CARTER of Oklahoma. The order does exempt factories necessary to war purposes.

Mr. CAMPBELL of Kansas. Oh, no.

Mr. PLATT. Why do we not begin near home and have a few less lights burning in this Capitol, in the corridors, and elsewhere where they are not needed?

Mr. CARTER of Oklahoma. I would be very glad to support a resolution of that kind, if the gentleman will show his good faith by introducing and pushing it.

Mr. LENROOT. How could the gentleman have it considered?

Mr. BRITTEN. We were informed in the Committee on Naval Affairs this morning that to-day 770 factories manufacturing munitions or ordnance for the Navy alone are closed because of this fuel order.

Mr. CARTER of Oklahoma. Mr. Chairman, a man can get almost any kind of statement he wants before a committee of Congress, from skinning an elephant on down to dehorning a coyote.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. ROBBINS. I have two telegrams, one from the Latrobe Steel Co. and one from the Electric Iron Co., of Latrobe, both engaged in manufacturing munitions, protesting that they are shut down by virtue of this order.

Mr. CARTER of Oklahoma. If the gentleman will take that up with the proper authorities he can get that situation relieved, if it ought to be. Mr. Chairman, since I have been in Congress for 10 years I have made but one partisan speech, and I admit that I have sometimes felt a little ashamed of some of my asseverations at that time. But I have heard some pretty strong partisan remarks in the last few days from gentlemen whom I thought might have been engaged in a little better business at this critical time.

Mr. CAMPBELL of Kansas. Mr. Chairman——

Mr. CARTER of Oklahoma. I did not refer to the gentleman from Kansas. We all know he is never partisan.

Mr. CAMPBELL of Kansas. I am well aware of that, but I wanted to ask the gentleman another question before he leaves the main question.

Mr. CARTER of Oklahoma. Yes, sir.

Mr. CAMPBELL of Kansas. Why was it necessary to close down the factories that are running by water power?

Mr. CARTER of Oklahoma. I do not know that will be done.

Mr. CAMPBELL of Kansas. But the order——

Mr. CARTER of Oklahoma. The order may have included them, but the order is for an entirely different proposition and I have no doubt that the matter will be adjusted before the factories close—now, one minute.

Mr. CAMPBELL of Kansas. The gentleman from Oklahoma gave a pathetic picture of conditions that exist with respect to the use of fuel in families as a reason for this astounding order.

Mr. CARTER of Oklahoma. I did not understand the gentleman.

Mr. CAMPBELL of Kansas. I said the gentleman from Oklahoma gave a pathetic picture of the pitiful conditions that exist in families for the want of fuel as the reason for the astounding order that was issued by the Fuel Administrator or by the President through the Fuel Administrator.

Mr. CARTER of Oklahoma. Well——

Mr. CAMPBELL of Kansas. Now, why should the factories that are run by water power be included within that order?

Mr. CARTER of Oklahoma. I have answered as best I could, telling the gentleman his remedy.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. CARTER of Oklahoma. Just let me get through with one at a time. The gentleman calls this an astounding order. Does it astound gentlemen on the other side of the House because somebody has the courage to come out on behalf of the poor people of this country who are suffering from the pangs of cold and hunger? [Applause.] I do not doubt it astounded some, but I never thought it would astound my good friend from Kansas.

Mr. LENROOT. Will the gentleman yield?

Mr. CARTER of Oklahoma. I will.

Mr. LENROOT. The New York World, the organ and mouthpiece of this administration, called it that yesterday in headlines across the front page.

Mr. CARTER of Oklahoma. Mr. Chairman, I am not so close to the administration as my good friend from Wisconsin as to speak with authority and say that this or that organ is the mouthpiece of the administration.

Mr. LENROOT. Well, it is a Democratic paper.

Mr. CARTER of Oklahoma. Oh, the gentleman now modifies his statement. I do know this, that a newspaper is no exception to the rule of humanity. It can "holler" just as loud as any dog in the bunch when it gets hit by a stick or a stone thrown into the flock.

Mr. LONGWORTH. Is the gentleman close enough to the administration to reveal to us whether this order for a workless day came from the Fuel Administrator himself or from some other source?

Mr. CARTER of Oklahoma. Mr. Chairman, if the gentleman must know the brutal fact, I have never gotten close enough to this administration since it has been in power to even get a janitor appointed, but I do not take that for an excuse to embarrass my country at this critical time.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. CARTER of Oklahoma. I yield to the gentleman.

Mr. MOORE of Pennsylvania. Is it not a fact that the whole purpose of this order is to stop production?

Mr. CARTER of Oklahoma. Does the gentleman think that that order was issued for the sole and only purpose of stopping production?

Mr. MOORE of Pennsylvania. I do; and I will tell the gentleman why.

Mr. CARTER of Oklahoma. The gentleman does not think, then, that it was issued for the purpose of caring for the people who are suffering for coal and food in cities?

Mr. MOORE of Pennsylvania. I will tell the gentleman why. My belief is this order was issued for the purpose of stopping production in industrial establishments for a period of five days in order not to clog the railroads with any newly manufactured articles.

Mr. CARTER of Oklahoma. That was merely incidental to the main purpose.

Mr. MOORE of Pennsylvania. They did not want the mills to run in any kind of production, whether it resulted from water power or power generated by coal; all is to be stopped.

Mr. CARTER of Oklahoma. I thought the gentleman wanted to ask me a question. I did not yield for him to make a speech.

Mr. MOORE of Pennsylvania. I thought the gentleman wanted to answer the question. I say the proposition means to stop production in industry for five days, that the railroads may catch up with the business by taking no more new business.

Mr. CARTER of Oklahoma. Yes; and in order that coal may be conserved.

Mr. MOORE of Pennsylvania. That there shall be no business for five days.

Mr. WALSH. Will the gentleman yield for a question?

Mr. CARTER of Oklahoma. I would like to use a little of my own time, if possible to do so.

The CHAIRMAN. The gentleman declines to yield.

Mr. CARTER of Oklahoma. I will yield to the gentleman in a few moments. Now, Mr. Chairman, some of our friends on that side of the aisle have railed considerably at the present administration for not turning these matters over to Republicans. It has even been stated that no Republican had anything whatever to do with the matter. Now, let us see about that. As a matter of fact, no President in the past can present a record of nonpartisanship in making appointments equal to that of the present occupant of the White House. Why, the very man who issued this order—Dr. Garfield—is himself the son of a former Republican President of the United States.

Mr. LONGWORTH. Mr. Chairman, as a Representative from the State of Ohio, I can assure the gentleman that Dr. Garfield strenuously supported President Wilson.

Mr. CARTER of Oklahoma. I understand just as many other good Republicans; but always previous to that he voted the Republican ticket.

Mr. LONGWORTH. Not since Mr. Wilson was a candidate.

Mr. CARTER of Oklahoma. Now, let me ask the gentleman from Ohio [Mr. LONGWORTH], since he seems to be well informed as to who are Democrats, about several other gentlemen. When these railroads were taken over it was necessary to take over a general manager of each railroad and place him in the Government service, and they are the gentlemen who are running the railroads at this time.

Mr. LONGWORTH. For a dollar a year.

Mr. CARTER of Oklahoma. Perhaps the gentleman knows something of Mr. A. H. Smith, manager of the New York Central. Will any Member on that side arise and dispute that he is a Republican? That is one of the most important roads in the section of the country affected by this order and I understand one of the most congested.

Then I ask my friend from Ohio about Mr. Daniel Willard, the manager of the Baltimore & Ohio. I understand him to be a Republican, and was just so advised.

Mr. LONGWORTH. An ardent supporter of President Wilson.

Mr. CARTER of Oklahoma. Nevertheless a Republican. Then there is Mr. Samuel Rea, of the Pennsylvania.

Mr. MOORE of Pennsylvania. An excellent Democrat, I will say to the gentleman.

Mr. CARTER of Oklahoma. Oh, the gentleman from Pennsylvania is mistaken.

Mr. MOORE of Pennsylvania No; I observed his utterances.

Mr. CARTER of Oklahoma. I have just been advised by a gentleman who knows Mr. Rea quite well that he is a Republican.

Mr. MOORE of Pennsylvania. I hope the gentleman will stand corrected, because Mr. Rea supported Mr. Wilson in the campaign. He may regret it now. [Laughter.]

Mr. CARTER of Oklahoma. Mr. Chairman, I am advised that Mr. Samuel Rea is a Republican, and that he did not support Mr. Wilson. I do not know from what source the gentleman gets all his information.

Mr. LONGWORTH. I will ask the gentleman if he knows the politics of Gen. Leonard Wood?

Mr. CARTER of Oklahoma. I never heard of an Army officer having any politics.

Then, there is Mr. Ashton, of the Chicago & North Western, a stanch Republican. Possibly somebody can tell me about him. Nobody seems to respond, so I suppose he is one of the few Republicans who did not support Mr. Wilson.

Mr. MOORE of Pennsylvania. He must be a Democrat. We have not heard from him.

Mr. CARTER of Oklahoma. Yes; and there are some Republicans whose fame does not extend very far beyond the doors of this Chamber.

Then, there is Mr. Markham, the general manager of the Illinois Central.

Mr. MASON. I think he is a neutral. [Laughter.]

Mr. CARTER of Oklahoma. Yes; he is a Republican who supported Mr. Hughes in the last campaign.

Now, Mr. Chairman, if we on this side wanted to reply in kind to the real mean, partisan statements that have emanated from that side of the Chamber, we might be vindictive enough to assert that all these Republican managers of these great railroads are not themselves giving the loyal support to this administration that they should, because they want to discredit it as a Democratic administration. But I do not believe that, and I do not propose to say it.

I do believe, however, Mr. Chairman, that the President of the United States, in approving this order, has done a real courageous thing. I want to congratulate my friends across the aisle for having up to this time given loyal support to this administration during this critical period; but while their support has been appreciated I think it will be admitted by all that the President himself has done very few things on which a Member of Congress or any other person could afford to raise an issue or difference. Therefore, my friends across the aisle have been goping about in the dark, as it were, for an issue, and now they think they have found it. This new order may be unpopular in sections where the fuel situation is not acute. I suspect that it will be more or less unpopular in my own State, for we have few large cities there and abundant coal deposits; but however that may be, whatever else may be said of the President, not one of us who knows anything about him will ever undertake to say he is not possessed of remarkable political acumen. I know my friends over there will agree that he would never issue an important order like this without taking public opinion into consideration. This being true, we can not assume that the President permitted this order to be issued without first placing in the balance the weight of public opinion. If he did this and he issued an order which he believed to be unpopular, then he subordinated politics for that which he knew to be just and right, and in this perilous crisis, with the life of the Nation in the balance, instead of this captious carping and fault-finding we should raise our voices in praise of the man who has the courage to do right in the face of adverse public sentiment and who never falters in his efforts in behalf of his suffering countrymen. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, sundry messages, in writing, from the President, by Mr. Sharkey, one of his secretaries, were received.

INDIAN APPROPRIATION BILL.

The committee resumed its session.

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield five minutes to the gentleman from New Hampshire [Mr. BURROUGHS].

Mr. BURROUGHS. Mr. Chairman, on Thursday morning, January 17, 1918, the newspapers published to the country the startling information that, beginning on the following day, all industries east of the Mississippi River, including those also in Minnesota and Louisiana, were to suspend operation for a period of 5 days and 1 day a week thereafter for 10 weeks. This announcement was the first notice which either Congress or the people had that such a drastic step was even contemplated. This action on the part of the Fuel Administrator was so radical and sweeping in its character that Members of the Congress at each end of this Capitol were stunned by the news at its first reading. They could not believe that such unbusinesslike action could possibly be taken, and many said that if any such order had been made it would be revoked by the President before night. But when it was found that this order had already received the approbation of the President, that he had in fact taken a stand in favor of stopping all the industries east of the Mississippi River for two weeks, thereby bringing inevitable distress upon millions of men and women employed in those establishments, vigorous and earnest protest was made in both branches of Congress.

Senator GALLINGER, of New Hampshire, presented a resolution in that body calling for delay until the matter could be investigated, and Senator HITCHCOCK, of Nebraska, secured action in the Senate at an early hour of the day upon a resolution which had been introduced by him, and which requested postponement of action upon this order for five days. Later in the day, after a most spirited debate, in which the action of the Fuel Administrator was most severely criticized by many Senators, the Hitchcock resolution received the approval of the Senate by a vote of 50 to 19.

In this body, in which I have the honor to be a Member, the feeling was intense that a great national injury to business, industry, and the working people of this country had been made by the present Fuel Administration in shutting down for 14 days a large per cent of its vast industries. The gentleman from Massachusetts [Mr. GILLETT] presented a resolution to the House, which voiced my views and which read as follows:

Resolved, That the House regrets the summary action of the Fuel Administrator in suddenly closing the industries dependent upon a coal supply, and in view of the disorganization of business certain to follow and the consequent idleness and distress of labor, urges a reconsideration of the order by the President, and that final action be taken only after being fully advised of its effect.

Unanimous consent was asked for the immediate consideration of this resolution, and after a short debate the gentleman from Indiana [Mr. Cox], a Democrat, getting recognition from the Speaker, said:

Mr. Speaker, I am not going to let this resolution go through by unanimous consent, either now or when the committee arises.

Mr. GILLETT said:

The gentleman even will not let it be considered?

Mr. Cox. No; not by unanimous consent.

I have a personal interest in opposing this unfortunate act of the Fuel Administrator. In the great manufacturing city in which I reside—Manchester, N. H.—there are 30,000 working people who have been put out of employment in cotton and boot and shoe industries, and thousands of them have been working on Government orders. The tremendously high cost of living makes this two weeks of unnecessary shut-down a great burden on these people, many of whom will suffer hardships thrust upon them by this act, and will have to make great sacrifices to make ends meet. I have much apprehension for their welfare, for their comfort, for their sustenance, and for the tremendous shrinkage in the manufacture in many necessaries so greatly needed in the trenches and cantonments by our soldier boys. With plenty of coal, our great Amoskeag Manufacturing Co., which makes 300 miles of cloth each day and employs 18,000 people, is now, I suppose, idle for five days, and the loss involved in the big wage it pays, amounting to about $50,000 daily, and 4,000 miles of cloth that would have been produced, much of it being khaki for the Army, will be a tremendous calamity both to the labor which would have been employed and to the Nation, which to-day so greatly needs its products.

Now, Mr. Chairman, I believe it is my duty as a Member of this House to support the Government in this great crisis. I believe the cause for which we fight is a just cause, and our aims are as unselfish and noble as any that ever enlisted the thought and energy of man. I know that our enemy is strong and resourceful and desperate. The plans and purposes that for 50 years he has been cunningly formulating he will not easily relinquish. The pursuit of a victory that he thought well within his grasp he will not willingly surrender. I know that in order to beat down in defeat this powerful antagonist we must fight, and continue to fight, with all our forces and all our resources of men, money, and material. I know that we who remain at home must be willing to give up many of the

comforts and conveniences of life. We must be willing and glad to sacrifice more and more in order that liberty—the liberty that Washington fought to establish, the liberty that Lincoln died to save—may not perish from the earth.

And, Mr. Chairman, I know, too, that the people of this country are indeed willing and glad to sacrifice in this great cause. They are doing it now; they expect to do it in even greater measure in the days to come. They are sending their boys—the pride of their hearts—into the cold, the mud, and the water of the trenches, there to live or to die, as God shall will, with little but the rats to keep them company. They are giving of their substance to Red Cross funds and liberty loans and making no complaint. They are giving their time, their energy, their money, and their brains without recompense, promise, or hope of reward, in order to bring some sort of order out of the confusion and chaos that fell upon the departments of this Government when a war for which we were utterly unprepared, but which for more than two years had been steadily and surely approaching—as certain, as inevitable as a decree of fate—broke suddenly upon us. All this and more that passes the power of man to tell, the people of this country, all classes of them—rich and poor, the employer of labor and the man who works with his hands for his daily bread—are doing, and expect to do, willingly, gladly, joyfully, in order that a glorious victory may at length be ours.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. I yield to the gentleman three minutes more.

Mr. ROMJUE. Will the gentleman yield?

Mr. BURROUGHS. I will yield at the end, but not now.

God pity the man in position of authority and trust who under such circumstances by any act or omission to act makes any heavier than necessary this burden of toil and sacrifice that the people of America have so willingly assumed. To-day thousands and hundreds of thousands of men and women throughout the whole territory east of the Mississippi River are unable to go to their daily work because of this order of the Fuel Administrator. And this condition is to continue for the next five days, and thereafter one day a week for 10 weeks. It means the loss of more than $200,000,000 in wages to those who in these days of high prices can least afford to bear it. It means the curtailment by $1,350,000,000 in value of material vitally necessary to the Government within the next two weeks. It means a substantial slowing down in our war preparations at a time when the whole world is calling upon us to put on full speed.

Why is it done? We are not told why it is done, except in the most indefinite and general language. Mr. Chairman, I submit the American people are entitled to know the facts upon which such action was thought to be necessary. I go further. I say that our people were entitled to know these facts before the action was taken. They were entitled to reasonable notice of the proposed action by the Fuel Administrator, together with a very definite statement of his reasons for taking it. They got neither the one nor the other. The order came with all the suddenness and force of a thunderbolt. It is a stunning and staggering blow to the great industrial interests and the army of industrial workers of America. Upon any facts thus far disclosed it is, in my judgment, an even greater blow to the whole war program of the Government.

Mr. Chairman, the managers of the great industries of my district, as well as the great body of the people of my district, are enthusiastically patriotic in their support of the Government in the prosecution of this war. All they ask is to be shown that sacrifice is necessary, and it will be made ungrudgingly and without complaint. But they are tired and sick of seeing the great business in which we are now engaged bungled and thrown into confusion by well-meaning men who know nothing about what they are trying to do. [Applause.]

As the Representative on this floor of a great industrial district, in which one-eightieth in value of all the manufactured product of this country is produced, I enter my protest here and now against this arbitrary and, so far as yet appears, futile and therefore unnecessary action. [Applause.] The order should be revoked by the President without further delay.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Will the gentleman from Oklahoma use some of his time?

Mr. CARTER of Oklahoma. There will be possibly only one more speech on this side, and maybe not that.

Mr. CAMPBELL of Kansas. Then I yield five minutes to the gentleman from Massachusetts [Mr. GREENE].

Mr. GREENE of Massachusetts. Mr. Chairman, I do not propose to make a political speech, but I have a telegram which speaks for itself, and which, I think, will be plain enough for everybody to understand. It says:

BOSTON, MASS., *January 17, 1918.*

Hon. WILLIAM S. GREENE,
House of Representatives, Washington, D. C.:

Undersigned committee was appointed at meeting of New England Transportation Conference, which included representatives of Boston Chamber of Commerce, Associated Industries of Massachusetts, New England Shoe & Leather Association, the National Association of Wool Manufacturers, Paper Manufacturers of New England and Boston Trade Association, Arkwright Club of New England, and Paint and Oil Club of New England, and other manufacturers. The conference recognizes serious shortage of fuel, but feels that order of National Fuel Administrator will work unnecessarily great harm to labor and industry. All the submarines in the world could not sink in the same length of time the amount of supplies which will be killed by it. If literally carried out, millions of dollars of unnecessary damage will be caused in interference with production and destruction of goods in process. Same result could better be obtained by stating percentage of fuel each industry must conserve and allowing that industry to make that conservation under regulation of New England fuel administrator in such manner as will do least injury to business and keep the greatest number of employees at work. We object to the five-day shutdown as a poor way to accomplish the object sought, and we especially object to shortness of the notice, which does not give industrial plants opportunity to rearrange their schedules. New England has in its fuel administrator a man who has made very careful and continuous study of the necessities of the occasion. We believe that Mr. James J. Storrow, of Boston, should be given great authority and latitude to determine how coal which must be saved in New England shall be saved.

Shortage of fuel in New England is largely due to intereference with water transportation. Under ordinary conditions 60 per cent of our coal is brought by water. We do not object to United States taking vessels absolutely required for war purposes, but some of the vessels could be spared, at least temporarily, to relieve the present situation. The more boats that haul coal to New England, the more cars and locomotives there will be free to haul coal to other parts of the country, and the more war goods New England and the other parts of the country will produce. We, like good soldiers, will obey the order and live up to its spirit until it is either modified or rescinded. We do, however, protest against the peremptory form of order and unnecessary hardship which it entails. Thousands of employees will lose an unnecessary amount in wages at a time when they can least afford it. We urge that the Federal Fuel Administrator inform the New England Administrator the amount of coal which must be saved in New England, and that it then be left to the New England Fuel Administrator to order that saving in such way as may seem to him wise.

(Signed) FREDERIC C. MCDUFFIE, *Chairman*,
WILLIAM R. CORDINGLEY,
HENRY I. HARRIMAN,
FREDERICK C. HOOD,
LOUIS K. LIGGETT,
FRED B. RICE,
Committee on New England Transportation Conference.

Now, I live in Fall River, Mass., the largest cotton manufacturing city in the United States, where there are 114 cotton mills. We have about 50,000 employees in the various industries in my city. The district which I have the honor to represent has been short of coal for a long time, although I began early last year and tried to force the sending of coal to New England by water, not encumbering the railroads, but by having the coal transported by water. The transportation facilities were abundant until the Government took possession of them and transferred the steam tugs and barges away. We had ample opportunity to get the coal.

I made a statement in the Boston statehouse in December last when the governor called the New England business men and congressional representatives together, to the effect that if the Government would take its hands off and let the business men of New England take care of themselves, they could furnish all the coal that would be necessary to keep the industrial plants running and the vast number of men and women could enjoy the benefit of permanent employment and war contracts could be completed. But we have been stopped from time to time by reason of the failure under Government regulations and the confusion arising from the inefficiency and lack of business training of those who issued drastic orders. [Applause.] While many of these men had training and experience in many lines of procedure, it was and is plainly apparent that they were not experts in the production of coal and in many respects were unfamiliar with the efficient methods of those who had spent most of their lives in the transportation of coal by water and rail. I do not like to appear critical. But this fuel proposition is a very serious one.

In addition to the city where I reside, the cities of Taunton and Attleboro and the towns of North Attleboro, Mansfield, and Norton are hives of industry, employing a vast number of people. Some of these should have been supplied by railroads, as all are located on railroads. But the needs of Boston and vicinity and the great clamor which this large center raised drew from these smaller communities the fuel for manufacturing and domestic uses which they should have received.

In Fall River, Mass., are 114 cotton mills, using 425,000 bales of cotton, producing 1,095,000,000 yards of cloth annually, having 126,000 horsepower, and using more than 360,000 tons of coal per annum. Add to these 40 other manufacturing establishments of various kinds and then taking into account the

other manufacturing cities and towns in the district who, while they suffer a shortage of fuel and have silently submitted to their misfortunes, feel keenly their unfortunate situation.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield three minutes to the gentleman from Missouri [Mr. ROMJUE].

The CHAIRMAN. The gentleman from Missouri is recognized for three minutes.

Mr. ROMJUE. Mr. Chairman and gentlemen of the committee, it would seem to be popular with the eastern press and some of the Members of this House to criticize the order which has been made by the Fuel Administrator. At this time, when the United States of America is engaged in the greatest war that the world has ever seen, we can not afford to be popular unless we are also right.

As I said, we are engaged in the greatest war that the world has ever seen. Now, so far as I am concerned, I am not in possession of sufficient facts to say whether this order is a righteous and just one or not, and I am quite sure that the membership of this House have had their minds so attracted to so many important questions recently that you perhaps—and I say this with all due respect to you—are not thoroughly in possession of all the facts that are necessary to determine at this time the wisdom of or the unnecessary promulgation of the order.

Now, suppose that the American Army upon the European battle field need a conservation of this coal. What will you gentlemen say if the boys who are doing the fighting for our country need the conservation of this fuel for the purpose of getting supplies to them? What will you say, if that is the fact, in regard to whether or not we could afford to suspend some of the business operations of this country for even a few days?

Why, this is not the first time in the history of our Government when a few days' suspension of business has taken place. In the year 1912 you will recall that many business industries of our country were at a standstill for a time, and some time ago in the last session, when our Government was drafting the boys in this country, you did not hear anything like the protests, in fact, there was not one-half the protest, when you were taking the young men from the homes, and sometimes young men who were really needed in the factory, in the mines, and on the farms, that this order has occasioned.

Mr. QUIN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Mississippi?

Mr. ROMJUE. Yes.

Mr. QUIN. Is it not a fact that these very fellows who are now growling about it wanted to grab the young fellows in the draft, and now they are not willing to allow their business to be closed for a few days in order to get the fuel to those boys? [Applause.]

Mr. ROMJUE. The gentleman is right. After we had conscripted the Army of this country to do the fighting for us, then came the question of raising the revenue to carry on this war. Telegrams poured into Congress from some of these same business concerns asking that they not be taxed so much as it would, so they claimed, injure their business. Now, I hold that the capital and business of the country is and should be marshaled by the President of the United States and wielded as a means of successfully carrying on the war, just as he leads the man power of our Nation in the war.

As I have said before, I am not sure that this order is necessary. But I do say this: That if it has been promulgated and set in motion at the direction of President Wilson, then I say I do not believe he has authorized it without first satisfying himself as to its expediency and necessity.

I regret to hear some Members of this House try to inject politics into this war, and to such let me utter this warning: This is not a time to play politics or even to think of them, and the people of this country are only interested in seeing this war brought to a successful and speedy conclusion, and in that hope and desire they are right; and they are willing, as a rule, to make the necessary sacrifice, and no exception to that rule must be made in favor of a few because perchance it may work a temporary hardship on some particular business. Dollars and business in this war must not be given a higher value than the lives of our men. This order may be necessary and it may not be; I do not undertake to say, because all the facts are not before this body, but they are within the knowledge of the President and his administrative officer.

Some will have us believe that the manufacture of munitions and arms necessary for our soldiers are to be stopped by this order. I am quite sure this will not be done to any appreciable extent, if at all.

One thing we do know, and that is that we need more coal just now to run the ships and transports to carry food and ammunition to our boys in France. And to me it seems more important that our men in France get the munitions and fuel and food and clothing than that some man's business here at home be permitted to run every day. If the man at home or the man who carries the flag of our country in the battles abroad, one or the other, must be discommoded, I stand ready to and do favor giving the loyal support to the soldier. Some Members have with great zeal said that if any business is stopped, some one, for the few days, will be idle. That may be true. This, to my mind, is a veiled insult to the laborer of our country. The workingman in the mine, in the factory, in the shop, and on the farm in my district has been as patriotic and has done his duty in this war as fully as any other citizen anywhere, and he will continue to do it, and he has given evidence thereof which needs no comment.

And if President Wilson decides or determines that the necessities and best interest of our soldiers in foreign fields require the suspension of some business interests in this country in order that these men who are fighting for our country shall have a better supply of food, fuel, and clothing, you will find the average laboring man, whether he be on the farm, in the factory, in the shops, or in the mines, will be able and willing to make the necessary sacrifices to win this war. It is a very difficult matter for some people to yet realize that we are in a war, and the business man, who has preached loyalty and sacrifice up to the present time, may now well be reminded, if he belongs to that class, if he is kicking or knocking on the President as to whether it is necessary for him to make sacrifice in a business way, he should be willing and ready to do it without a murmur.

I predict that the order may, as conditions change, necessarily require some modification and eventually abandonment; but I believe the President has seen further into the present situation than those who have seen fit to criticize him on the floor of this House. Again let me admonish you that the business interests of the country must be willing to meet sacrifices on their part just the same as the man in the humble walks of life, just the same as the man upon the farm and in other ordinary work, and let me remind those of you who are planning and working overtime to get ready for a political campaign and try thereby to embarrass the administration that the people of this country have no time nor desire to think of or discuss politics, for this is a time of all times when there should be but one standard in this country, and that is to be a true and loyal American, working with a zeal to keep a united and harmonious people bent solely to bringing the war to a successful and speedy conclusion.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. ROMJUE. I ask permission, Mr. Chairman, to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HAMLIN. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Missouri [Mr. HAMLIN] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GREENE of Massachusetts. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Massachusetts makes the same request. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. STERLING].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes.

Mr. STERLING of Pennsylvania. Mr. Chairman and gentlemen of the House, I am prompted to say a word on this resolution because of a thought advanced by the gentleman from Pennsylvania [Mr. MOORE].

He stated that possibly the Fuel Administrator had in mind, when the recent order closing industry was made, the fact that the railroads would then not be required to carry or transport finished products and materials from the establishments of industry throughout the country but could be utilized transporting other essential commodities. If that be true, then let the railroads of the country proceed to the movement of that great commodity, coal, so much demanded and needed by the people of this Nation for domestic use, by the industries of the country in the preparation for war, and in fact by our allied nations of the world.

There has been marked criticism of the coal producer throughout certain sections of the country, and that criticism is wholly unjustified. I represent a district in southwestern Pennsylvania, a portion of the great bituminous coal region of that section of the Nation. You may know how I feel now and how

I have felt for some time when the people of the city of Washington, and people throughout great sections of our country, were sorely in need of coal for domestic and manufacturing purposes, and yet in southwestern Pennsylvania and the congested railroad district of Pittsburgh there are 18,000 to 20,000 cars of coal and coke on the sidings of the railroads and have been there for some time unable to be moved, because of lack of railroad power and equipment, to different parts of the country where business distress and human suffering could be relieved.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. STERLING of Pennsylvania. I doubt if this condition may be directly charged to the Fuel Administrator.

Mr. MONDELL. Will the gentleman yield?

Mr. STERLING of Pennsylvania. I yield to the gentleman from Wyoming.

Mr. MONDELL. The trouble, then, is not the shortage of fuel, as I understand. Why, then, the order suspending the use of fuel, if there is some in the country? Why is the order not issued to move it?

Mr. STERLING of Pennsylvania. I am not fully advised as to the necessity that prompted the recent order on the part of the Fuel Administrator, and, fully realizing that it will work great hardship, I am not at this time prepared to defend its wisdom. In reply to that part of the gentleman's question as to why an order is not made to move the coal, I will say that it seems impossible to do so with the railroad power and equipment of the country taxed as never before by the tremendous business undertaking of the country.

The railroads of the country four years ago began an unusual, and I believe uncalled for, retrenchment in business affairs, curtailed and neglected power and equipment, and some very well-informed people say for political purpose against the party in power, and not only failed in this purpose but were caught wholly unprepared to meet the business conditions as they have arisen since that period of unnecessary retrenchment.

There has been much talk of politics this afternoon in connection with the affairs of our Government, and unfortunate at this time. I care not about the politics of any man at the head of any of the newly created commissions to deal with the war situation. He is here in Washington and not close to the people. If there is to be a game of political intrigue, the men down in the districts appointed by the heads of departments could better play it.

I submit to the gentlemen from western Pennsylvania on the other side of the House that there was appointed only two weeks ago, under this very department, a committee of five prominent coal and coke men of western Pennsylvania to stimulate and increase the production of coal and coke in that section of the State—three Republicans and two Democrats. And I say to you that they are all fair, honest, competent men, trying to do their duty to their country, trying to produce and supply coal to the people and industries of the Nation without thought of politics. [Applause.] I am not here, my friends, from a normally Democratic district of western Pennsylvania. I have been honored with the compliment of representing a district that disagrees in politics with the party to which I belong. [Applause.] But my best endeavor shall be to represent that district and all of its people. [Applause.]

It has been urged by some people, as noted in some papers, that the coal mines of the country should be taken over because the coal operators and coal and coke workers are not producing for the people and the country at this time.

Unjust assumption, without foundation of fact. Let me say to you and to the people of this Nation I know the coal operators and workers of the bituminous regions and of the country are a patriotic people.

They are ready—yes, willing—to work 16 hours per day, if necessary, to produce coal, if the railroad facilities are provided to transport the coal where needed. Many of the coal workers and coke drawers of many counties of southwestern Pennsylvania have been idle from two to three days per week for the past two months because of the railroad cars. The coke yards stocked with coke and no time to be gained at tipple mines without cars.

Mr. MEEKER. Will the gentleman yield?

Mr. STERLING of Pennsylvania. From the district I represent the sons of coal operators, coal miners, and coke drawers—yes, miners themselves—are in the cantonments of this country. Also many of our boys are in Europe doing faithful service for our cause.

Our people know that coal and coke are necessary not only to relieve the suffering and want of the people but essential also for the successful operation of the mills and industrial establishments engaged in the manufacture of war munitions and equipment to support our men in arms.

Mr. MEEKER. Mr. Chairman, will the gentleman yield?

Mr. STERLING of Pennsylvania. I will yield to the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MEEKER. Will the gentleman from Kansas yield half a minute? I just want to ask one question.

Mr. CAMPBELL of Kansas. I yield a minute.

Mr. MEEKER. Is it not a fact that the present Fuel Administrator told the people of this country last summer not to buy coal then, that they would get it for less money?

Mr. STERLING of Pennsylvania. I do not know what he told some of the people.

Mr. MEEKER. You do know that?

Mr. STERLING of Pennsylvania. How would I know that if he did not tell me?

Mr. KNUTSON. It was published in the papers.

Mr. STERLING of Pennsylvania. You may depend upon this, however, that the people of the bituminous district will back up their sons, the young manhood of the country, with coal and coke. Give our people the railroad facilities, the coal and coke will then come. [Applause.]

Mr. CAMPBELL of Kansas. I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, if any evidence were needed to prove that what the country is suffering from is not a shortage of fuel supply and fuel-producing capacity in the country, but a breakdown of transportation, with the railroads absolutely under Federal control, the evidence was given us by the well-informed gentleman from Pennsylvania [Mr. ROBBINS] who has just spoken. [Applause.] And yet in this condition of affairs, with the man power and the machinery power of the greatest coal-producing nation on the face of God's earth, greater than it ever was before in all its history, with capacity at the mines to produce all the coal that could possibly be consumed, with men anxious to load it, operators anxious to provide it, the Fuel Administration is closing down and paralyzing the industries of the country under the pretense that our coal supply is short and that we can not supply our industries with fuel.

To my mind the most regrettable thing about this order is the aid and comfort it will give to the enemy across the sea; for if a condition existed here which warranted the issuance of such an order, that condition would be extremely gratifying to the Kaiser and all his cohorts. In my humble opinion the issuance of this order will give more comfort to the public enemy than would a great victory on the battle lines of western France.

Mr. KNUTSON. Will the gentleman yield right there?

Mr. MONDELL. In just a moment. I wonder if our friend Mr. Garfield—Dr. Garfield—is in some way being used as the goat, as the field of camouflage, in order to obscure and take from the minds and thought of the people the failures and faults of others? What is the trouble? The difficulty is in transportation and in transportation alone. The sidetracks of the Nation are filled with strings of cars of undelivered coal. A speeding up, a rearrangement of our transportation system so as to send those cars to their destination, compel their unloading, return them to the mines where the miners are waiting idle, anxious to reload them, would keep the industries of the country going and accelerate rather than check their development and progress. I know gentlemen on the other side will say we should not criticize because of loss to industries; we should, like good patriots, grin and bear it—and I think we should if that was all there was to it, if it were necessary. No constituent of mine is affected by this order. No one has appealed to me with regard to it, and therefore I think I am in a position to regard it solely from the standpoint of a citizen anxious to have the essential industries of the country operating helpfully in time of war and stress. The difficulty is that in a condition which is clearly and and confessedly unfortunate and regrettable in many respects, an order has been issued that under no possible circumstances or conditions can cure the situation and that will bring tremendous loss to industries and injury and suffering to millions of people through loss of employment. War industries are to be halted and disarranged, and the whole country paralyzed by the throwing of a monkey wrench into the machinery of the Nation because there is somewhere a valve out of order or a joint that needs a little lubrication. [Applause.]

Mr. HAMLIN. Will the gentleman yield?

Mr. MONDELL. I yield to the gentleman.

Mr. HAMLIN. I think the gentleman is largely right in his conclusion as to the real trouble—the question of transportation. But will he not be fair enough to admit that these railroads have for years been controlled and operated by business men undoubtedly as good as there are in the country? And if they have fallen down——

Mr. MONDELL. That is entirely beside the question.

Mr. HAMLIN. No; it is not beside the question.

Mr. MONDELL. Mr. Chairman, I decline to yield.

The CHAIRMAN. The gentleman declines to yield further.

Mr. HAMLIN. The gentleman yielded for a question, and I have not completed my question.

Mr. MONDELL. Let the gentleman complete his question and not make a speech.

Mr. HAMLIN. Then ought the Government, which has had control of these railroads only about two weeks, to be criticized for not undoing the very things that the best business men of the country could not prevent from happening after years of experience? [Applause.]

Mr. MONDELL. The order in question is not an order issued by the railway control.

Mr. HAMLIN. No; but the gentleman said that was the trouble.

Mr. MONDELL. It is not an order which on its face is intended to relieve the railway situation. The order is issued on the pretense and excuse that we need to save fuel, and under that pretense and excuse the industries of the country, including those working on war material, are being unnecessarily and mercilessly sacrificed, to the infinite loss and harm and suffering of all the people who are now employed in those industries. We on this side were glad to give to the administration every power, even to the utmost, believed to be necessary to win this war. We have withheld criticism of many things that we felt might properly be criticized. I shall continue that attitude so far as I can properly do so. I am disinclined to charge the President with any responsibility for this most extraordinary order. I can not believe that the President, a man of good judgment as he has so often proven himself to be, could have had the time and the opportunity to have carefully studied or considered the order which was approved by his subordinate. But we would be derelict to our duty as American citizens if we sat idly in our seats while orders so utterly without defense, of such doubtful legality, orders so absolutely revolutionary, harmful, and without promise of beneficial results, were launched upon the country.

It is our duty to protest against reckless, foolish, and harmful orders of governmental administrative bureaus just as much as it is our duty to furnish the power necessary to do things in a proper and in a sensible way. [Applause.] I imagine there are few sane and sensible men in the country uninfluenced by political motives that can find it in their hearts to justify this extraordinary order.

There are innumerable ways, patent to any man of ordinary sense and judgment, whereby the present condition of railway congestion could have been remedied. There could have been a shutdown of entirely unnecessary industries instead of shutting down industries preparing the very powder and shot necessary to protect the honor of the Nation on the other side of the sea. There are innumerable ways in which relief could have been secured; there could have been a temporary checking of fuel consumption in unnecessary industries; a closing of institutions which the people could, for the time being, just as well do without. Drastic action could have been taken to speed up freight movements. But instead of that comes this drastic, far-reaching order closing down even industries run by water power, industries that mine their own coal on their own ground and never send it a mile over a railway line, in liscriminate paralyzing of the industries of the Nation, including those on which we depend to win the war, because some hair-brained administrator long on power and short on wisdom deems it proper to do so. [Applause.]

Mr. CARTER of Oklahoma. Mr. Chairman, I yield half a minute to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Chairman, I ask unanimous consent to insert in the RECORD a few telegrams that I have received from leading manufacturers and citizens of Cleveland, Ohio.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing certain telegrams. Is there objection?

Mr. WALSH. I do not think the RECORD should be cumbered up in that way, but if the gentleman asks for time to read them himself I will not object.

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield to the gentleman from Ohio four minutes.

Mr. GORDON. Mr. Chairman, I ask that the Clerk read these telegrams in my time.

A MEMBER. Read them yourself.

Mr. GORDON. I rather the Clerk would read them, as my throat is sore.

The Clerk read as follows:

CLEVELAND, OHIO, *January 17, 1918.*

Hon. WILLIAM GORDON,
Washington, D. C.:

Proposed order of Fuel Administrator as reported in newspapers, if put into effect, would cause us tremendous loss in loss of production and disorganization of our working forces. From what we hear from our men this would cause great dissatisfaction among workingmen, making them susceptible to outside influence and making it very difficult to meet payments on present liberty bonds, and almost impossible to sell them future issues. The successful proceeding of war depends upon industries and their workmen, and they must not be crippled and disorganized.

WHITE MOTOR CO.,
WALTER C. WHITE.

CLEVELAND, OHIO, *January 17, 1918.*

Hon. WILLIAM GORDON,
House of Representatives, Washington, D. C.:

We protest Dr. Garfield's fuel order as unnecessary and inviting more serious trouble.

GREAT WESTERN OIL CO.

CLEVELAND, OHIO, *January 17, 1918.*

Hon. Congressman GORDON,
House of Representatives, Washington, D. C.:

A most depressing influence on the morale of the worker is the Fuel Administrator's action in ordering a shutdown of industrial activities for a period of five days. Only hurts the workingmen who are now, in most instances, only living from hand to mouth. Such an order should be rescinded at once by the Government.

W. J. MCSORLEY,
President Lathers' International Union.

CLEVELAND, OHIO, *January 17, 1918.*

Congressman WILLIAM GORDON,
Washington, D. C.:

Dr. Garfield's fuel order an outrage. Endeavor to have stopped.

THE WINDAU TOOL CO.

Mr. GORDON. Mr. Chairman, I yield back the balance of my time.

Mr. CAMPBELL of Kansas. I can readily understand, Mr. Chairman, by the reading of the telegrams, why the reading of them by the gentleman from Ohio would have been difficult for his sore throat. [Laughter.] I now yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman, this drastic order involves a useless waste which must be avoided at a time when the supply of coal is one of the chief objects of the order. All buildings are permitted to use enough coal to prevent destruction of plant by freezing. It is apparent to every man who has had any experience with heating that after the heat is brought to a specific temperature it requires very little additional to run the factory. If that additional fuel is not used, all that is used, from 60 to 25 per cent, will be a total loss, since it is necessary consumption, but just below that required to keep the industry going. In certain cases when the heat is produced by the use of exhaust steam, many of which are found in my own section of the country, the waste is positively indefensible and at this time totally inexcusable. In certain establishments, where shavings from the running of the industry is used, it is a saving to run the industry rather than to shut it down. No man accustomed to this problem would overlook the loss by allowing an establishment to close down. Like the stopping and starting of a heavy train when once it is in motion, it requires much less energy to continue than when it stops and starts.

The great loss to the laboring man at a time when he is least prepared to suffer it is a most serious item. It will not compare either with justice, common sense, or patriotism to say that the employer will or must pay these wages during the idle days as a patriotic duty. Neither confiscation nor governmental bankruptcy is compatible with our conception of duty. While the order attempts to use all industries alike and therefore orders all to close, these who have a supply of coal as well as those who have not, including water-power industries, and, on a parity of reasoning, those operated by gas and electricity. This feature can not be justified, since, if the public weal is the basis of this order, the lessening of the production at such a time when all the world is mobilized for that purpose will defeat our very ambitions to win the war at the least sacrifice. Production may have run beyond transportation, but the remedy is not to reduce production but to speed up transportation. The most pertinent facts brought out by the Senate investigations refer to production as well as distribution. The most startling statement of Dr. Garfield yet made is the decision to stop much-needed production in order that transportation can catch up.

Mr. Chairman, there are certain facts which I think no one can dispute. I want to enumerate two or three of them and then allow the membership of the House to draw conclusions. The first thing I think everybody will admit is that there is a lack of facilities in utilizing the resources of the country we now possess that goes directly to administration. We have the richest coal fields in the world and consequently the greatest supply. We have the greatest ability in business organization in the world. Our industrial capacity has been admitted in every country of the earth with which we have dealings. We have the highest type of labor and the best organization of labor of any country in the world—a fact not only admitted here, but known everywhere, as indicated by the hordes of European emigrants. I think everybody will admit that we have the greatest railway facilities of any country. With all of these

things present, which I think all will admit, justifies our expectation of successful administration if proper authority is given. There is a suffering to come out of this unexpected order to take effect to-day that ought to have strong grounds of justification or else it ought to be bitterly condemned. We have these facilities. It is pertinent to ask what we now lack.

The reason given by the Fuel Administrator for this drastic order, and it is given in plain words, is that New York is so congested that the ships are at the wharves loaded and ready to sail with no coal to put in the bunkers.

Now, the membership of this House must recognize at once that if that statement is true there is but one explanation, and that is a lack of comprehension in the usage of our facilities for which the country will hold this Government responsible. [Applause.] The fault is not want of facilities, but lack of direction of them.

Clogging at the terminals ought to be avoided and would be avoided if there was business skill directing it. Empty bunkers and dead ships are not the result of want of coal but proper direction to see that priority shipments under Government direction will prevent the very situation complained of. The heart of this situation is administrative inefficiency. Empty cars standing on the side tracks throughout this Nation can be seen by anybody that travels on the railroad. Only yesterday I received a letter commenting on this condition of the tracks clogged with cars, both empty and loaded. The writer stated that forty-two 50-ton cars were standing on the side tracks in his little town, which, by the way, is about 35 miles from Columbus, and they had been there for two weeks. This train of empties can be seen in hundreds of places throughout the country. Why does that occur except that there is inefficiency in the management of the railway facilities that now are under the Government management? This same writer said there were five cars loaded with sugar and one with molasses standing on these tracks at the very moment the people could not procure any sugar. This is error in management.

I hold, and I think nobody can doubt it, that if the railway men whose knowledge of transportation comes from a lifetime of training in the world's best school, that of actual experience under great responsibility, could have been free of the incubus, free of the inhibitive legislation of the past quarter of a century, so that they could have used their facilities without limitation to secure the maximum transportation at the minimum loss of energy, this collapse of the roads would not have occurred; but it now has occurred under Government direction. It will serve no man or responsible party to attempt to lay this breakdown entirely upon the weather. Wise direction would have avoided being caught by such congestion. To avoid it was the purpose of our voting control.

I say to the membership of this House that the explanation of Dr. Garfield, estimable and able as he is, does not and can not but increase public condemnation. The country will see written over it in every paragraph, in large letters, the one single word, "Inefficiency." It is a striking example of incompetency to use the facilities as well as ability we have, and I say that it has gone far enough to demonstrate our duty to overlook nothing and to demand the fullest realization of our ability, even if it means to rid the Government of our friends it should be done in the interest of efficiency. This Congress has withheld no power from the Executive to proceed effectively. We must now demand that such palpable and intolerable blunders must be avoided else our country's future is not reassuring. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. GARLAND].

Mr. GARLAND. Mr. Chairman, an order has gone out from the Fuel Administrator appointed by the President of the United States to stop from employment for 14 days the working people of this country. It is because of them that I desire to raise my voice, and especially those whom I know can not be helped by this stoppage in western Pennsylvania, or anywhere at which may be iron and steel rolling mills and furnaces.

Every furnace that is used in the making of iron and steel in this country has to be kept up to a certain heat all the time. If not, it has to be brought up to that heat, which means using more coal than it otherwise would to keep it at the heat where it is in working condition. A furnace working iron and steel must be kept to 3,000 degrees Fahrenheit. If it falls below that it requires an immense amount of coal to bring it back to that heat. That is the reason these furnaces are worked continuously. There can not be any saving there under an order of this kind. Around Pittsburgh there is a daily pay roll of nearly $2,000,000 and at least $1,000,000 of that will be stopped for the space of 14 days—$14,000,000 in that time coming of the wages of the men who have to meet these high prices for living, who have to meet these enormous conditions of rent and generally adverse conditions presented upon all sides, and at the same time they are expected to buy war-savings stamps and liberty bonds and do everything they can to help the war, and they have been doing that. But, Mr. Chairman, I want to say this now—this is but simply a repetition of what always occurs every time the Democratic Party gets into power, somehow or some way.

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield four minutes to the gentleman from Pennsylvania [Mr. CLARK].

Mr. CLARK of Pennsylvania. Mr. Chairman and members of this committee, when I came into this House a few moments ago I did not expect to say anything, but I live in a city that has a greater number of diversified industries, barring two other cities, than any other city in the United States. The order closing 326 factories and numerous other places of business in that city is too serious to pass by unnoticed by me.

I live in a city where there has just been completed a contract by the American Brake Shoe Co. for the construction of $800,000 worth of homes to house munition workers; in a city where a contract has been let to a company for $63,000,000 for the erection of buildings and the making of cannon for the United States Government. That company has, in addition thereto, paid over $400,000 for land, and the purpose is to expend one and a half million dollars in the construction of homes for housing workmen. Even if these two munition plants come within some exemption clause, where is the material for the building of these homes to come from?

There are many other plants in my home city engaged in Government work, and these companies have been continuously urged to finish their contract.

I heard of the order with amazement, and I have received telegrams of protest concerning this order that has been issued by the Fuel Administrator.

I think the loss of wages alone for workingmen, who have all they can do to support their families, will not encourage them next February to buy liberty bonds, which the Government is going to ask them to do. I know of no greater tax that can be placed upon these workingmen than the loss of their wages. You may talk about conscription of wealth, but you have conscripted the flour barrel when you make these men idle. They will not have the means with which to show their patriotic ardor in the purchase of these liberty bonds. In my opinion the fault is largely due to the lack of proper administration of the railroads. I talked with a gentleman the other day, and he told me his brother had recently visited the State of Kentucky and saw 1,200 carloads of coal on the switches in that State that had been there for some time, and another gentleman from the same State told me that in his little city there had been 600 carloads of coal remaining there for days. I know that on the shores of Lake Erie there were for 30 or 40 days many carloads of coal standing there that could not be shipped. I know that this congestion of freight in the Pennsylvania terminals in New Jersey opposite New York is not a new matter. It has been in existence for months, and there has been a lack of proper appreciation of what should come first. Munitions and guns and other war material have been concentrated there, but there has been a failure in not putting coal behind them to get them across. The order should be at least modified or there will follow confusion and industrial paralysis. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. ROSE].

Mr. ROSE. Mr. Chairman, I have the honor to represent a district in which one of the largest industrial plants of the United States is located. The order of Fuel Administrator Garfield, as originally given out, will work a serious hardship to the people of the valley of the Conemaugh. It comes with peculiar and significant force at this time, for the reason that the Midvale Steel Co. is largely engaged in the making of munitions, has a great force of men in its employ, and to deprive them of the means of a livelihood for a period of 14 days——

Mr. MADDEN. Fifteen days.

Mr. ROSE. Well, one of them is about gone—will result in serious loss, and might bring some of our people to suffering and want. I have been much disturbed about the order in question, as it comes to us without warning of any kind, is not understood, and its effects are likely to be very far-reaching. Our people have shown their patriotism, our working people especially. They have met their quota with money and men, and it can not be said that they have been lacking in patriotism. Under the terms of the order of the Fuel Administrator, the Midvale Steel Co. will not be permitted to make use of the coal which it mines, the gas which it manufactures, and hence there will be a serious waste which should be avoided. I thoroughly agree with what the gentleman from Pennsylvania [Mr. GARLAND] has to say about furnaces and other appliances in and about the manufacture of steel, and his suggestions are

well worth consideration. There may be good reasons for the issuance of the drastic order, but I very much regret that the appeal made to the Fuel Administrator did not result in having the same withheld until the people of the country could have been made acquainted with the facts, and if it were shown to be a necessity there is no doubt in my mind but that our people would have responded to the call with the same sort of support as has been given the administration in every effort made to win the present war. I sincerely hope that the order may be revoked or be modified in such manner as will bring about the least suffering upon the part of the workingman.

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, I have been too angry for the last few days to attempt to talk or listen. This House showed on last Wednesday when it refused to consider the bill dealing with unemployment insurance its utter incompetency to deal with this problem. Ignorance and darkness were equally distributed between the two sides. There were just as many reactionaries, standpatters, and unthinking men on the Republican side as on the Democratic side, so honors are even between both of you. When I talked to you about the necessity of now studying unemployment insurance I was met with the argument that we were at war, and therefore we could not get the proper information. Now, the information came to you; now, you have it. The order is here, an order which will deprive millions of men of employment for 15 days, millions of them with nothing to spare, who can not be called upon to make such a sacrifice, millions of them who can hardly stand the high cost of living. When I urged upon you the resolution providing for the study of the problem of unemployment many of you did not dare vote for it because it had been introduced by a Socialist. Forty-seven treacherous Democrats, too cowardly to vote for a Socialist measure when it had a chance to pass, who voted for it last year, refused to vote for it this year [applause on the Republican side], the most contemptible political performance that any party could be guilty of. [Applause on the Republican side.] I mean in the last Congress, when this thing came up. I just studied those 47 names, and I will memorize those names, and I will remember them. [Laughter.] I feel like throwing up my job in Congress and going to the districts of those 47 men and showing them up. Well—— [Cries of "Give it to them!"]

Well, we will some day give it to both of you, gentlemen. I will not be alone all the time.

A MEMBER. Give it to them first.

Now, let me come to the point——

Mr. FORDNEY. Is there a point?

Mr. LONDON. There is a point, although I can imagine what the gentleman as a protectionist will say, "Give us a protective tariff, for that will help us right now." Now, your remedy you learned 120 years ago, and you have not learned anything since. [Laughter on the Democratic side.] But you say you talk about Lincoln. The trouble is that Lincoln is dead and a lot of small politicians are alive. That is the trouble. [Laughter.] That applies with equal force to Democrats who glory in Jefferson. There is no doubt about the greatness of Jefferson. He would have been ready to have recognized the present needs of society, and which will not be recognized by you. If they were living at this hour, they would have taken up the social problem. They would have grasped its meaning for the world. You, you are incapable and incompetent of dealing with this problem. It will take bigger men than you are to tackle it.

Mr. KNUTSON. Will the gentleman yield?

Mr. LONDON. One moment, please. Let me come to the practical suggestion. It is for the Socialist to bring forth a practical suggestion.

Mr. TREADWAY. Sure.

Mr. LONDON. Millions of men will lose 15 days of wages each——

Mr. KNUTSON. One hundred and five million days.

Mr. LONDON. It involves great loss. A study or investigation is not sufficient now. We must do something now, that all the sacrifices of this war should not be thrust upon the shoulders of those who are least capable of bearing the burden, and I ask that an appropriation of $100,000,000 be made, to be given to the Secretary of Labor, who should be directed and authorized to relieve unemployment, to relieve distress which will inevitably be caused by this order.

I do not care to criticize this order.

Mr. MEEKER. Will the gentleman yield for a question?

Mr. LONDON. I have not the time.

Mr. MEEKER. I just wanted to know if it would not save time and money to remove the administrator?

Mr. LONDON. The trouble with you is you would remove the administrator and would not remove yourself. [Laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. Give me just five minutes more.

Mr. CAMPBELL of Kansas. I yield one minute to the gentleman.

Mr. LONDON. I just wanted to round out my argument.

I have drafted a resolution, which I will introduce, asking for an appropriation to the Department of Labor, with instructions to the Secretary of Labor to take up a study of this emergency and to relieve the distress which will be caused by this order, or which has already been caused by it. This is the only thing that my mind could reach at the present moment. Of course, I can not claim it is the result of any profound thought, but it is an immediate step to meet the emergency. I suggest that this Congress vote the appropriation. [Applause.]

I submit a draft of the resolution which I expect to introduce to-morrow:

Joint resolution authorizing the appropriation of $100,000,000 to relieve distress among wageworkers.

Whereas the order to suspend the operation of factories for 14 days will cause unemployment and distress among the wageworkers and their families: Therefore be it

Resolved, etc., That the Secretary of Labor be, and he hereby is, authorized and directed to immediately adopt suitable measures to relieve such distress; and be it further

Resolved, That the sum of $100,000,000 is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, to enable the Secretary of Labor to carry out the purposes above stated.

Mr. CAMPBELL of Kansas. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Chairman, it probably is fitting that the sole representative of his party on the floor—the gentleman from New York [Mr. LONDON]—after sulking in his tent for two or three days, should have an opportunity to run amuck amongst us and voice his rage against majority rule. The gentleman is interested in a measure which bears his indorsement and his name, providing for an investigation of social insurance and unemployment, and calling for a large appropriation and the appointment of a commission, and which he has not yet said would do one single thing to help win this war. And yet the representative of his party here, who voted against the declaration of war, who has voted against many, if not all, the appropriations to properly conduct that war, who has voted against the bond issues to provide the money for meeting the expenses of conducting that war, comes before this House at this time, and because the measure carries his name would have the Congress pause in its deliberations on war measures and other important appropriation bills and give consideration to a measure that has nothing to do with furthering our interests or with promoting the success of our arms, but will add many thousands of dollars to the vast sums which the people are obliged to raise in this grave period of our history. He is unwilling to wait until we have concluded the greater task and to defer his desire for a solution of this program and of this problem and smother his wish to achieve personal glory, but prefers to put forward a personal measure in the hope of realizing, in the midst of this war, some of the dreams which he dreams and some of the schemes which he schemes [laughter], and because a majority voted not to do it he scolds and rages. He is anxious to substitute that sort of legislation for legislation that more properly should be engaging our attention in the face of a decided majority against considering the matter on a roll call.

I sympathize somewhat with the gentleman in his desire to terminate the careers of some of the majority party on that side of the Chamber, but I doubt if it will be necessary for the Socialist Member of this House to go into Democratic districts and campaign against any of the traitorous 47, as he terms them, in order that Republicans may replace them in the next Congress. But I say to the gentleman that I believe it is time that he awoke to the situation, and that he should cease by his example here in the House to lend encouragement to those who may be half-hearted in their loyalty to our flag, and that he should decide to henceforth stand by and support his Government and my Government and lend his voice and vote in support of the Commander in Chief of our Army and Navy in conducting this war and make due announcement to that effect. This would be more worthy of the gentleman than gnashing his teeth or venting his rage because a majority of the House fails to agree with him. He might soothe his wounded feelings with the thought that peace will come some day and find solace in the reflection that he, or possibly some of his colleagues, or mayhap some who sympathize with his views or who even may be adherents of his political party, may be willing to then undertake this task of investigating social conditions and unemployment in this country, and that it will not then be too late for him to crown himself the champion of the downtrodden or to achieve the glory which

he now seeks, which glory he apparently believes is above the glory and the destiny of his country. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Kansas [Mr. CAMPBELL] has consumed all his time.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask that the bill be read for amendment.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and in full compensation for all offices and salaries which are provided for herein for the service of the fiscal year ending June 30, 1919, namely:

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 8696) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919, and had come to no resolution thereon.

AGRICULTURE IN PORTO RICO.

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Insular Affairs and, excluding the accompanying documents, ordered to be printed:

To the Senate and House of Representatives:

Section 39 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," contains the following provision:

That the Governor of Porto Rico shall cause to have made and submitted to Congress at the session beginning the first Monday in December, 1917, a report of all the real estate used for the purposes of agriculture and held, either directly or indirectly, by corporations, partnerships, or individuals in holdings in excess of 500 acres.

In accordance with this provision, there is submitted herewith a report prepared under the direction of the Governor of Porto Rico.

As will be noted, this report covers all real estate used for the purposes of agriculture and held, either directly or indirectly, by corporations, partnerships, or individuals in holdings in excess of 500 acres.

Very respectfully,

WOODROW WILSON.

THE WHITE HOUSE, *18 January, 1918.*

REPORT OF FUEL ADMINISTRATOR FOR 1917.

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Agriculture and ordered to be printed:

To the Senate and House of Representatives:

In compliance with the provisions of section 21 of the act of August 10, 1917, entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," I transmit herewith the annual report of the Fuel Administrator for the year 1917.

WOODROW WILSON.

THE WHITE HOUSE, *18 January, 1918.*

REPORT OF FOOD ADMINISTRATOR FOR 1917.

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Agriculture and ordered to be printed:

To the Senate and House of Representatives:

In compliance with the provisions of section 21 of the act of August 10, 1917, entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," I transmit the report of the United States Food Administration for the year 1917.

WOODROW WILSON.

THE WHITE HOUSE, *18 January, 1918.*

TRADING WITH THE ENEMY.

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Senate and House of Representatives:

In compliance with the provisions of section 6 of the act of October 6, 1917, entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," I transmit the report of the Alien Property Custodian of all proceedings had under said act during the year 1917 on the part of the Alien Property Custodian.

WOODROW WILSON.

THE WHITE HOUSE, *18 January, 1918.*

SESSION LAWS OF ALASKA FOR 1917.

The SPEAKER also laid before the House the following message from the President of the United States, which was read and referred to the Committee on Territories and, excluding the accompanying documents, ordered to be printed:

To the Senate and House of Representatives:

In compliance with the provisions of section 20 of the act of August 24, 1912, entitled "An act to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes," I transmit herewith the Session Laws of Alaska for 1917, containing the acts, resolutions, and memorials passed at the third regular session of the Territorial Legislature of the Territory of Alaska, which convened at Juneau, the capital, on the 5th day of March, 1917, and adjourned the 3d day of May, 1917.

WOODROW WILSON.

THE WHITE HOUSE, *18 January, 1918.*

COAL AND ASPHALT DEPOSITS, CHOCTAW AND CHICKASAW NATIONS.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask that there be laid before the House the bill (H. R. 195) providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, with Senate amendments.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (H. R. 195) providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. CARTER of Oklahoma. Mr. Speaker, I would like very much to have those amendments concurred in this evening, but several Members insist that the matter should go over until the morning as unfinished business.

The SPEAKER. Very well.

"GARABED."

Mr. CHARLES B. SMITH. Mr. Speaker, I ask that House joint resolution 174 be placed before the House, with the Senate amendments.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Joint resolution (H. J. Res. 174) for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. CHARLES B. SMITH. Mr. Speaker, I ask unanimous consent that the House disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from New York asks unanimous consent that the House disagree to the Senate amendments and ask for a conference. Is there objection?

There was no objection, and the Speaker announced as the conferees on the part of the House Mr. CHARLES B. SMITH, Mr. CROSSER, and Mr. NOLAN.

UNANIMOUS-CONSENT DAY.

Mr. KITCHIN. Mr. Speaker, it is evident to me, after talking over the matter with members of the Committee on Indian Affairs, that it will be impossible to dispose of that bill (H. R. 8696) to-morrow. It will take at least to-morrow and Monday. Monday being unanimous-consent day. I ask unanimous consent that the business in order on next Monday be dispensed with and that the consideration of the Indian appropriation bill be in order on that day.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the business in order next Monday be dispensed with and that the consideration of the Indian appropriation bill be continued then. Is there objection?

Mr. FESS. Reserving the right to object, does that dispense entirely with suspension motions on Monday?

Mr. KITCHIN. For that day, yes; but they would be in order on the next suspension day.

The SPEAKER. It undoubtedly would, unless we get through with the Indian bill at some time during the day.

Mr. FESS. Suppose we get through with the Indian bill before the end of the day?

Mr. KITCHIN. Then they would be in order.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO PRINT.

Mr. CARTER of Oklahoma. I ask unanimous consent that all Members who have spoken in general debate may have the right to extend their remarks in the RECORD for five days.

The SPEAKER. The gentleman from Oklahoma asks that all Members who have spoken on the Indian appropriation bill be permitted to extend their remarks within five days. Is there objection?

Mr. WALSH. Reserving the right to object, has the gentleman any objection to incorporating as a part of his request that this shall not include telegrams, letters, and documents?

Mr. CARTER of Oklahoma. I agree to that.

The SPEAKER. Adding to his request that it shall not include telegrams, letters, editorials, written communications, and so forth. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, do I understand that the extended remarks are to be confined to the bill?

Mr. CARTER of Oklahoma. No.

The SPEAKER. Is there objection?

There was no objection.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 7697. An act to authorize the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes.

ADJOURNMENT.

Mr. KITCHIN. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p. m.) the House adjourned until to-morrow, Saturday, January 19, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting report of inspection of the National Home for Disabled Volunteer Soldiers, its records, disbursements, management, and condition during the year 1917 (H. Doc. No. 836), was taken from the Speaker's table, referred to the Committee on Military Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 7223) to increase the limit of cost for the purchase of a site and the erection thereon of a public building at Moultrie, in the State of Georgia, reported the same without amendment, accompanied by a report (No. 244), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FOSTER, from the Committee on Mines and Mining, to which was referred the bill (H. R. 7235) to provide for the uniform selection and purchase of fuel to be used in the United States, reported the same with amendment, accompanied by a report (No. 246), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GODWIN of North Carolina, from the Committee on Reform in the Civil Service, to which was referred the joint resolution (S. J. Res. 117) amending the act of July 2, 1909, governing the holding of civil-service examinations, reported the same with amendment, accompanied by a report (No. 245), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. KAHN, from the Committee on Military Affairs, to which was referred the bill (S. 979) for the promotion and retirement of Col. David L. Brainard, Quartermaster Corps, United States Army, reported the same without amendment, accompanied by a report (No. 247), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7097) granting a pension to George Archambault; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8242) granting an increase of pension to Andrea Coda; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8688) granting a pension to Anna M. Bremigam; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CARY: A bill (H. R. 8930) to prevent the sale or transportation in interstate or foreign commerce of articles of food held in cold storage for more than the time herein specified and for regulating traffic therein, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8931) regulating the compensation of stationary firemen employed in Federal Government buildings in the United States; to the Committee on Expenditures on Public Buildings.

By Mr. FRENCH: A bill (H. R. 8932) to make appropriation for survey and work on the Salmon River in Idaho; to the Committee on Rivers and Harbors.

By Mr. PRATT: A bill (H. R. 8933) to amend an act to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Washington: A bill (H. R. 8934) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912; to the Committee on Invalid Pensions.

By Mr. GLASS: A bill (H. R. 8935) to amend section 5219 of the Revised Statutes; to the Committee on Banking and Currency.

By Mr. POU: A bill (H. R. 8936) requiring the Government to furnish uniforms to officers of the Army, and for other purposes; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 8937) to amend sections 10 and 37 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. SHERLEY: A bill (H. R. 8938) to equip the United States Penitentiary, Atlanta, Ga., for the manufacture of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes; to the Committee on the Judiciary.

By Mr. WARD: A bill (H. R. 8939) authorizing the construction of post-office building at Catskill, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. MONDELL: Resolution (H. Res. 229) recommending rescinding or repeal of the order of the Fuel Administrator in regard to closing industries; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8940) granting an increase of pension to James H. Baker; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 8941) granting an increase of pension to Frank W. Tuttle; to the Committee on Pensions.

By Mr. BURROUGHS: A bill (H. R. 8942) granting an increase of pension to George W. Weeks; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 8943) granting a pension to George A. Springet; to the Committee on Invalid Pensions.

By Mr. CARAWAY: A bill (H. R. 8944) granting an increase of pension to Jacob McKnight; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 8945) granting a pension to William Thompson; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 8946) granting a pension to Moses E. McClintock; to the Committee on Pensions.

By Mr. FARR: A bill (H. R. 8947) granting a pension to Mary D. Holgate; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 8948) granting a pension to Frank Mitchell; to the Committee on Pensions.

By Mr. FOSS: A bill (H. R. 8949) granting a pension to Lena Derl; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 8950) granting an increase of pension to Arthur R. Pratt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8951) granting a pension to Henry R. Riner; to the Committee on Invalid Pensions.

By Mr. KELLY of Pennsylvania: A bill (H. R. 8952) granting a pension to James Manning; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 8953) granting a pension to Myrtie I. Arnold; to the Committee on Invalid Pensions.

By Mr. MEEKER: A bill (H. R. 8954) granting a pension to Annie F. Winkler; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 8955) granting an increase of pension to Philip Kissel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8956) granting an increase of pension to Olive J. Boylan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8957) granting a pension to Mamie K. Miller; to the Committee on Pensions.

By Mr. MORGAN: A bill (H. R. 8958) granting an increase of pension to Ephraim J. Stroud; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 8959) granting an increase of pension to Janet K. Glennon; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 8960) for the relief of George T. Hamilton; to the Committee on Claims.

By Mr. PRATT: A bill (H. R. 8961) granting an increase of pension to Edward B. Lanning; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8962) granting a pension to Ella Drake; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 8963) granting a pension to Carl C. Dunham; to the Committee on Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 8964) granting a pension to Elizabeth Tillman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8965) granting a pension to Mary Sorter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8966) granting a pension to Harriett A. Boles; to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 8967) granting an increase of pension to Mary E. Borsekoeske; to the Committe on Pensions.

By Mr. SNOOK: A bill (H. R. 8968) granting an increase of pension to Abraham D. Stauffer; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 8969) for the relief of Catherine Grace; to the Committee on Claims.

By Mr. STRONG: A bill (H. R. 8970) granting an increase of pension to George Adams; to the Committee on Invalid Pensions.

By Mr. TAGUE: A bill (H. R. 8971) granting a pension to John J. Coughlin; to the Committee on Pensions.

By Mr. TALBOTT: A bill (H. R. 8972) granting a pension to Charles B. McConn; to the Committee on Invalid Pensions.

By Mr. TEMPLETON: A bill (H. R. 8973) granting a pension to Van Buren B. Howard; to the Committee on Pensions.

By Mr. VENABLE: A bill (H. R. 8974) granting an increase of pension to Edward M. Riley; to the Committee on Pensions.

By Mr. WHITE of Ohio: A bill (H. R. 8975) granting an increase of pension to William F. Slack; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8976) granting a pension to Margaret Dunbar; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 8977) to correct the military record of Jesse L. Meeks; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Resolution of the Bronx Board of Trade, urging the passage of Senator CALDER's bill to equalize the postage within Greater New York; to the Committee on the Post Office and Post Roads.

Also, petition of C. H. Ebbets, asking a favorable vote on Senator CALDER's daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of W. J. Gladish, sr., of Chattanooga, Tenn., asking appropriation for the manufacture of flying torpedoes; to the Committee on Military Affairs.

Also, petition of the Crockery Board of Trade of New York, against repeal of increase of second-class mailing rates; to the Committee on Ways and Means.

By Mr. DALE of Vermont: Petition of E. Moore and other citizens of Ludlow, Vt., favoring the passage of the so-called alien-slackers' bill; to the Committee on Military Affairs.

By Mr. ESCH: Papers in support of House bill 8797, granting a pension to Hans Fulson; to the Committee on Pensions.

Also, papers in support of House bill 8795, granting an increase of pension to James H. Handy; to the Committee on Invalid Pensions.

Also, papers in support of House bill 8796, granting an increase of pension to Amos C. Carter; to the Committee on Invalid Pensions.

By Mr. FOSS: Petition of the Board of Commissioners of Cook County, Ill., favoring increase in pay of letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. HILLIARD: Memorial of the Estes Park Business Men's Association, urging the creation of a game preserve near the Rocky Mountain National Park; to the Committee on the Public Lands.

By Mr. HUTCHINSON: Resolution adopted by the Board of Commissioners of Jersey City, N. J., favoring legislation providing for increasing salaries of all civilian employees of the United States and the District of Columbia; to the Committee on Appropriations.

By Mr. KENNEDY of Rhode Island: Protest of New England Transportation Conference, against order of the Fuel Administrator closing factories; to the Committee on Agriculture.

Also, resolution of Pawtucket (R. I.) Chamber of Commerce, protesting against order of the Fuel Administrator in closing factories; to the Committee on Agriculture.

By Mr. O'SHAUNESSY: Memorial of the New England Transportation Conference, representing Boston Chamber of Commerce, Associated Industries of Massachusetts, New England Shoe-Leather Association, the National Association of Wool Manufacturers, Paper Manufacturers of New England, Boston Wool-Trade Association, Arkwright Club of New England, Paint and Oil Club of New England, and other manufacturers, protesting against Fuel Administrator Garfield's peremptory order in shutting down industrial plants, and asking that the New England fuel administrator be instructed what percentage of fuel New England should save, and allowing him to select the means to effect this saving; to the Committee on Agriculture.

Also, a memorial of the Pawtucket Board of Trade, protesting against the fuel order; to the Committee on Agriculture.

Also, a telegram from the Bourne & Rubber Co., of Providence, R. I., protesting against the order of the coal director; to the Committee on Agriculture.

Also, a telegram from C. B. Rockwell, jr., objecting to Mr. Garfield or any other coal man as fuel administrator, and suggesting the appointment of a manufacturer or railroad man; to the Committee on Agriculture.

By Mr. PRATT: Memorial of reformatory officials of Elmira, N. Y., favoring S. 3063, to save the naval brig *Niagara*; to the Committee on Naval Affairs.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 19, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, we bless Thee for the Sabbath day, with its quietude and rest, its religious reflections and spiritual uplift, which holds us close to Thee and enlarges our spiritual vision; for the everyday business activities of life, which bring us in contact with our fellow men, and test the nobility of our souls.

Grant, O most merciful Father, that we may love mercy, do justly, and walk humbly with Thee this day and all the days of our life, in the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

INCOME TAX PRIMER (H. DOC. NO. 841).

Mr. GARNER. Mr. Speaker, I ask unanimous consent that 38,900 copies of a document prepared by the Treasury Depart-

ment, in connection with the clerk of the Ways and Means Committee, be printed as a public document. It is a kind of primer in reference to the income and excess-profits tax. It will come within the $500 provision, and will give each Member 90 copies. I ask that they be distributed through the folding room.

The SPEAKER. The gentleman from Texas asks unanimous consent to print as a House document 38,900 copies of a document explaining the income and excess-profits tax, prepared by the Ways and Means Committee, and that it be distributed through the folding room. Is there objection?

Mr. ROBBINS. Reserving the right to object, what does it explain?

Mr. GARNER. It is in the form of questions and answers that are likely to be asked by people throughout the United States who will have to render a report of their incomes.

Mr. DOWELL. Reserving the right to object, how many does the gentleman wish printed?

Mr. GARNER. Under this arrangement it must be done by the House order, and it will give about 90 copies to each Member of the House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

THE RED CROSS.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of Red Cross activities.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD upon the subject of Red Cross activities. Is there objection?

Mr. WALSH. Reserving the right to object, are these the gentleman's own remarks?

Mr. HICKS. The most of them, but I want to include some reports.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8696) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919.

Mr. LONDON. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point that no quorum is present, and evidently there is not.

Mr. CARTER of Oklahoma. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Oklahoma moves a call of the House.

A call of the House was ordered. The Doorkeeper was directed to lock the doors and the Sergeant at Arms to bring in absentees.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Drukker	Kless, Pa.	Saunders, Va.
Anthony	Eagle	Kreider	Scott, Pa.
Aswell	Edmonds	LaGuardia	Scully
Bacharach	Esch	Lenroot	Sells
Barkley	Estopinal	Lever	Sherley
Beakes	Evans	Linthicum	Siegel
Beshlin	Fairchild, G. W.	Lufkin	Sims
Booher	Fairfield	Lundeen	Small
Britten	Farr	Lunn	Smith, Mich.
Brodbeck	Ferris	McCormick	Smith, T. F.
Browning	Flynn	McFadden	Snell
Candler, Miss.	Francis	McLaughlin, Pa.	Snook
Cannon	Fuller, Mass.	Maher	Stephens, Nebr.
Capstick	Godwin, N. C.	Mann	Stevenson
Carew	Goodall	Miller, Wash.	Stiness
Chandler, N. Y.	Graham, Pa.	Montague	Sullivan
Church	Gray, N. J.	Morin	Summers
Clark, Fla.	Greene, Vt.	Neely	Swift
Collier	Griest	Nelson	Tague
Copley	Hamill	Nichols, Mich.	Talbott
Costello	Hamilton, N. Y.	O'Shaunessy	Templeton
Currie, Mich.	Haskell	Parker, N. J.	Vare
Curry, Cal.	Hawley	Parker, N. Y.	Ward
Dale, Vt.	Heintz	Price	Webb
Darrow	Holland	Ragsdale	Wheeler
Davidson	Hood	Ramsey	Williams
Decker	Igoe	Reavis	Wilson, La.
Dempsey	Johnson, S. Dak.	Riordan	Winslow
Dewalt	Jones, Va.	Rowe	Woodyard
Dooling	Kahn	Rowland	
Doremus	Kennedy, R. I.	Sanders, La.	

The SPEAKER. On this vote 305 Members have answered to their names, a quorum.

Mr. CARTER of Oklahoma. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. HOWARD rose.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. HOWARD. To submit a request for unanimous consent. I ask unanimous consent to address the House for not to exceed five minutes for the purpose of reading a telegram and putting it into the RECORD and submitting some observations upon it.

The SPEAKER. The gentleman from Georgia asks unanimous consent to address the House for not to exceed five minutes. Is there objection?

Mr. CAMPBELL of Kansas. Reserving the right to object, Mr. Speaker, on what subject does the gentleman desire to address the House?

Mr. HOWARD. On this fuel situation, which is very critical in my section of the country.

Mr. CAMPBELL of Kansas. Mr. Speaker, I sympathize with the gentleman from Georgia, and I would like to be able to grant his request, but I fear that if the gentleman from Georgia is given permission many others will ask for the same privilege. We have already had two days devoted to discussion of this matter. There is a demand over here for more time——

Mr. HOWARD. Mr. Speaker, I will say to the gentleman that there were so many gentlemen who found they were literally ruined and who were anxious to speak about it that, in deference to them, I allowed them to prove to the world that they were ruined, and I want now to submit a few observations on a telegram which I think the gentleman will be very glad to have go into the RECORD.

Mr. CAMPBELL of Kansas. I am very sure that I would, but——

The SPEAKER. Is there objection?

Mr. CAMPBELL of Kansas. If there are no other requests, I have no objection.

Mr. GREEN of Iowa. Mr. Speaker, I would like the opportunity of addressing the House for five minutes, if the gentleman from Georgia is granted that privilege.

The SPEAKER. Is there objection?

Mr. CAMPBELL of Kansas. I have no objection.

Mr. MOORES of Indiana. Mr. Speaker, I object to going into a further discussion of this matter.

The SPEAKER. The gentleman from Indiana objects. The question is on the motion of the gentleman from Oklahoma that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8696) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919.

The Clerk reported the bill by title.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SURVEYING AND ALLOTTING INDIAN RESERVATIONS (REIMBURSABLE).

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the act of February 8, 1887 (24 Stat. L., 388), entitled "An act to provide for the allotment of lands in severalty to Indians," and under any other act or acts providing for the survey or allotment of Indian lands, $100,000, to be repaid proportionally out of any Indian moneys held in trust or otherwise by the United States and available by law for such reimbursable purposes and to remain available until expended: *Provided*, That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severalty on the public domain to any Indian, whether of the Navajo or other tribes, within the State of New Mexico and the State of Arizona, who was not residing upon the public domain prior to June 30, 1914.

Mr. GREEN of Iowa. Mr. Chairman, I move to amend by striking out the paragraph.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. GREEN of Iowa moves to strike out the paragraph beginning on line 1, page 2, and ending with line 19.

Mr. GREEN of Iowa. Mr. Chairman, the discussion of this paragraph or even of this bill itself at this time is like fiddling when Rome is burning. The item contained in this paragraph may have been ordinarily of some importance, but compared with what is occurring now and which ought to engage the attention of the House at this time, it is puerile and trifling in the extreme. We are undertaking to appropriate $100,000 for some survey or other, which a few Members of the House know something about, when there are millions of men being thrown out of employment and when thousands are actually suffering

for the want of the wages which they ought to receive at this time, all by reason of an order which is arbitrary in the extreme and wholly unnecessary——

Mr. HOWARD. Mr. Chairman, I make the point of order that the gentleman from Iowa is not addressing himself to his amendment. I desire to say, Mr. Chairman, if the Chair will permit me, in making this point of order, that these gentlemen might as well understand now that they will have to confine themselves to a discussion of their amendments all during this day upon this Indian appropriation bill.

The CHAIRMAN. The gentleman from Georgia makes the point of order that the gentleman from Iowa is not discussing his amendment. The Chair suggests to the gentleman from Iowa that he proceed in order.

Mr. HOWARD. Mr. Chairman, the gentleman from Iowa was not referring to this paragraph, but was talking about the order of the Fuel Administrator——

The CHAIRMAN. The attention of the Chair was diverted for a moment, and he did not exactly hear the gentleman from Iowa. The gentleman will proceed in order.

Mr. HOWARD. Mr. Chairman, I hope the Chair will pay strict attention to him, because I am going to interpose another point of order in a moment.

Mr. GREEN of Iowa. Mr. Chairman, when the gentlemen who are so apprehensive and fearful that this subject may be further discussed interrupted me I was endeavoring to state how extremely unimportant this item of $100,000 for the survey and allotment of Indian lands is at a time like this. It ought not to be taking our time when the whole country is suffering under the blight of an order made by the Fuel Administrator——

Mr. HOWARD. Mr. Chairman, I make the point of order that the gentleman is not in order.

The CHAIRMAN. The point of order is overruled. The gentleman from Iowa is making an argument against this appropriation, if the Chair understands him, on the ground that this money should be used for some other purpose. It occurs to the Chair that the gentleman has a right under the rules governing the committee and the House to argue why any appropriation should not be made. The point of order is overruled.

Mr. GREEN of Iowa. Mr. Chairman, this money ought to be used for the relief of those who are suffering by reason of the order which inflicts greater calamities than all the great fires of the last half century combined. I have examined the reasons which have recently been given by the Fuel Administrator for the issuance of this order.

I find that instead of being reasons why it should be made they are reasons which show why it ought not to be made under the circumstances. They demonstrate beyond question that the order is entirely unnecessary, and that instead of saving coal it will cause it to be wasted.

Mr. LANGLEY. Will the gentleman yield for a question?

Mr. GREEN of Iowa. I can not now. I fear the gentlemen on the other side will not give me additional time. [Laughter.]

Mr. HOWARD. I will give the gentleman time.

Mr. GREEN of Iowa. Mr. Chairman, the reasons given by the Controller of Fuel for the issuance of this order are that the terminals are clogged with cars; that fuel is needed to supply ships and for the people. Is there anyone who expects that fuel will be taken out of the bins of the factories and put in the bunkers of the ships or hauled to houses? Will anyone say that, in order to keep factory goods off the railway tracks, that it is necessary to close the factories? There are thousands upon thousands of loaded cars of coal now on the tracks because stopped by Government priority orders.

Mr. GLASS. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GLASS. That the gentleman is not discussing the appropriation of this $100,000, but he is discussing the wisdom or the unwisdom of an order issued by the Fuel Administrator, and it is a subterfuge to discuss that sort of thing.

The CHAIRMAN. The Chair thinks the gentleman from Iowa, up to the point where the gentleman from Georgia made the point of order, was discussing the advisability of making this appropriation. Since that time he has been discussing the wisdom of issuing the order. The gentleman——

Mr. GREEN of Iowa. If the Chair will pardon me, I was comparing the reasons that might be given for the consideration of this particular paragraph with the reasons given for the issuance of the fuel order as showing that one was as futile as the other.

The CHAIRMAN. Fortunately at this instant, the time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. I withdraw the motion.

The CHAIRMAN. The gentleman withdraws his motion.

The Clerk read as follows:

IRRIGATION ON INDIAN RESERVATIONS (REIMBURSABLE).

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto, when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below:

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. The gentleman from Georgia and others need not be alarmed that I will transgress the rules in trying to discuss other matters than that relating to the paragraph under consideration. There has been considerable change of phraseology in the item under consideration from that which has been carried in prior bills. I have not been able to determine whether it is of any substantial import or whether it is just merely of a minor character.

Mr. CARTER of Oklahoma. The difference between this paragraph and the general irrigation paragraph usually carried in the Indian appropriation bill is that the paragraph carried in the past was a lump-sum allowance and this makes a specific appropriation for each irrigation district and project. This we thought a very good thing to do and which gives Members of Congress more information upon which they can legislate intelligently.

Mr. STAFFORD. Has not the phraseology of the authorization been changed in some particulars? Not only do you segregate the amounts that may be utilized for respective projects, but you have changed the phraseology in the authorization clause. I rise to inquire whether that broadens the authority in the bill heretofore existing or whether it limits it?

Mr. HAYDEN. I will say to the gentleman there is no material change in the phraseology and this item does not broaden the authority heretofore granted. But if the gentleman will look carefully at the entire matter, beginning with line 22, page 2, and extending to line 16, page 5, he will find that everything which was contained in the former authorization is properly cared for. The sole purpose of this change was to make specific appropriation for various Indian irrigation projects as estimated for by the Indian Bureau rather than to make a lump-sum appropriation to be expended anywhere, for which no report need be made to Congress.

Mr. STAFFORD. For instance, I find in last year's act the language was, "For lands necessary for canals, pipe lines, and reservoirs." I do not find that language in the new paragraph. The language now is rather broadened, "lands necessary for irrigation purposes."

Mr. HAYDEN. That change was made at the request of the Indian Service and was thought advisable, because there is no use itemizing the various things to be done on an Indian irrigation system.

Mr. STAFFORD. May I ask whether this phraseology is as recommended by the Indian Service?

Mr. HAYDEN. Specifically recommended by them.

Mr. STAFFORD. I would like to ask the chairman of the committee the general question, in view of the fact he has not explained the bill and it might save us some time in considering other portions of the bill, whether there have been any items included in this bill for appropriations greater or appropriations not recommended by the department?

Mr. CARTER of Oklahoma. Any appropriation?

Mr. STAFFORD. Whether there are any items——

Mr. CARTER of Oklahoma. There are——

Mr. STAFFORD. The report of the gentleman on this bill does not indicate what those items are.

Mr. CARTER of Oklahoma. I had thought that one of the Wyoming projects had not been recommended, but I find from the hearings it was.

Mr. STAFFORD. I am not asking now as to the irrigation projects, but whether throughout the bill there is anything included that was not recommended by the department?

Mr. CARTER of Oklahoma. There might have been some small item, like a bridge, included which was not in the estimate, but there is nothing in the bill that was not recommended either in the estimates or thereafter.

Mr. STAFFORD. As to the amount of the appropriations, are there any instances where the appropriation carried in the bill exceeds the recommendation of the department?

Mr. CARTER of Oklahoma. The bill is cut by something over $1,000,000, as stated in the report.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CARTER of Oklahoma. As the reports indicate, I am pretty sure the committee did not exceed the department's estimates in any item.

Mr. SINNOTT. Will the gentleman yield for one question?

Mr. STAFFORD. I yield to the gentleman from Oregon to ask the gentleman a question.

Mr. SINNOTT. I would like to ask from which fund these moneys are spent. Are any of them spent from the reclamation fund?

Mr. HAYDEN. There is no expenditure in the bill from the reclamation fund.

Mr. CARTER of Oklahoma. No. There is no expenditure in the bill from the reclamation fund. And in every case, I will say to the gentleman from Wisconsin, where a change from the estimate was made, there was a reduction.

Mr. STAFFORD. Most of these appropriations that have been segregated here, I assume, will be paid out of the trust funds of the Indians?

Mr. CARTER of Oklahoma. To what does the gentleman refer—the irrigation item?

Mr. STAFFORD. Yes.

Mr. CARTER of Oklahoma. Yes; they are reimbursed out of the trust funds of the Indians. And I understand that in a very few cases the money is refunded by the Indian himself by production from his allotment.

Mr. MILLER of Minnesota. Will the gentleman permit an inquiry?

Mr. STAFFORD. I will be glad to yield to the gentleman from Minnesota.

Mr. MILLER of Minnesota. In looking over these items as arranged in the bill—and I wish to congratulate the gentleman and his committee for having adopted this method of enumeration—I find that most of the amounts designated are very small. Is it the purpose of the committee to have the maintenance of these many projects worked on?

Mr. CARTER of Oklahoma. Most of them are for maintenance.

Mr. MILLER of Minnesota. To keep them in order and to keep them going? It is not intended that there will be a large period of construction?

Mr. CARTER of Oklahoma. As the gentleman from Minnesota knows, most of the irrigation projects, the construction of them, is provided for separately in different items of the bill.

Mr. LONGWORTH. Mr. Chairman, I desire to oppose the pro forma amendment.

Mr. Chairman, yesterday afternoon the distinguished chairman of the Committee on Indian Affairs undertook to make a good-natured, but it seemed to me a rather half-hearted, defense of this recent coal order, incidentally praising the nonpartisan attitude of the administration. I did not at that time have an opportunity——

Mr. CARTER of Oklahoma. Mr. Chairman, I make the point that the gentleman is not discussing the amendment.

Mr. LONGWORTH. I would like to be heard on the point of order.

The CHAIRMAN. The motion is to strike out the last word.

Mr. LONGWORTH. I maintain, Mr. Chairman, that in the discussion of Indian questions partisanship may well be considered. This bill relates to Indians, and it is a well-known fact that Indian chiefs are intensely partisan, always surrounding themselves with members of their own party, and that they never appoint to office others than those who have supported them for the office of chief. [Laughter.] Furthermore it is conceded that in war time Indian chiefs crown themselves with feathers, and it is competent, I submit, to show that some of those surrounding the present chief are as light as feathers.

Mr. CARTER of Oklahoma. I make the point of order, Mr. Chairman, the gentleman is discussing neither the amendment nor the point of order.

The CHAIRMAN. The Chair submits to the gentleman from Ohio in good faith that he is not discussing the amendment before the House to strike out the last word.

Mr. LONGWORTH. Does the Chair sustain the point of order?

The CHAIRMAN. The Chair must do so. The gentleman must admit that he is not discussing the amendment before the House to strike out the last word.

Mr. LONGWORTH. Mr. Chairman, I still think, with great respect to the Chair, that I am in order in discussing a bill dealing with Indian affairs; but I submit, of course, to the ruling of the Chair, he being one of our most expert parliamentarians.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Irrigation district 5: Southern Ute, Pine River project, $9,000; San Juan Reservation, $22,000; New Mexico Pueblos, $12,000; Zuni Reservation, $5,000; Navajo, miscellaneous projects, including Tes-nos-pos, Moencopi Wash, Capt. Tom Wash, and Red Lake, $20,000; total, $68,000.

Mr. HAYDEN. Mr. Chairman, I move to amend the paragraph, on line 19, by inserting the word "Reservation" after the words "Southern Ute."

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HAYDEN: Page 3, line 19, after the word "Ute" insert the word "Reservation."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

One assistant chief irrigation engineer, $2,500.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment just read.

The CHAIRMAN. Does the gentleman from Wisconsin reserve the point of order or make the point of order?

Mr. STAFFORD. I reserve the point of order on the item just read. I wish to inquire of the committee what, in fact, has been done as to the salaries of these officials that are now described under new terms, and whether there has been any increase in salaries or whether there is going to be any increase of officials. I notice in the reading of last year's act we did provide for "one assistant inspector of irrigation who shall be a skilled irrigation engineer, $2,500." And in addition thereto the following:

For traveling and incidental expenses of two inspectors of irrigation, including sleeping car fare and a per diem of $3 in lieu of subsistence when actually employed on duty in the field and away from designated headquarters, $3,200.

This item here of $2,500, I assume, refers to the official who was carried in last year's bill under a different designation?

Mr. HAYDEN. We changed the designation at the request of the Indian Service.

Mr. STAFFORD. While I am on the floor I would like to have an explanation of the creation, if they are new places, of the two officials provided in the next two items, namely:

One supervising engineer competent to pass upon water rights, $2,500; One field cost accountant, $2,250.

Mr. HAYDEN. Those positions were provided for at the same salaries in last year's bill.

Mr. STAFFORD. Where were they provided for in the last year's bill? I do not find them anywhere in last year's bill.

Mr. HAYDEN. In the last proviso of the section, which reads:

That not to exceed seven superintendents of irrigation, six of whom shall be skilled irrigation engineers and competent to pass upon water rights, and one field-cost accountant, may be employed.

Mr. STAFFORD. Where is that which the gentleman has just read?

Mr. HAYDEN. That is at the end of this same section in last year's bill. The last proviso in the section.

Mr. STAFFORD. There is no limitation as to the salary to be paid them.

Mr. HAYDEN. As a matter of fact, we ascertained that one supervising engineer was paid $2,500, and the field-cost accountant $2,250, and we allowed them the same salary that they were heretofore receiving. Instead of providing at this place in the bill for six superintendents of irrigation, you will notice that on page 3, lines 25, 26, and 27, we have included the salaries of the five supervising engineers of the five irrigation districts in the amounts appropriated for irrigation districts Nos. 1, 2, 3, 4, and 5, at the top of page 4.

Mr. STAFFORD. Does that contemplate the employment of an unlimited number of supervising engineers?

Mr. HAYDEN. No, sir. As a matter of fact, we have made a reduction of one engineer heretofore authorized. We learned that he had not been employed, and so the committee authorized but five supervising engineers, one in each of the districts.

Mr. STAFFORD. There is no such limitation in the bill as to the number. Under this phraseology the department could authorize the employment of as many as it saw fit, to the extent of the appropriation, whereas in last year's bill there was a distinct limitation on the number, but not on the salary.

Mr. HAYDEN. We made no limitation upon the salaries, because we appropriated such small amounts in each one of the irrigation districts that we knew they could not increase the salaries.

Mr. STAFFORD. You have not made any limitation on the salaries; neither have you made any limitation on the number.

Does not the gentleman believe that there should be some limitation on the number?

Mr. HAYDEN. If the gentleman has an amendment to that effect, I would favor its adoption.

Mr. CAMPBELL of Kansas. I notice that, on page 4, beginning on line 18, there is a provision for pay of one chief irrigation engineer at $4,000, and one assistant chief irrigation engineer at $2,500, and one supervising engineer competent to pass upon water rights at $2,500, and one field-cost accountant at $2,250.

Mr. STAFFORD. I am now directing the attention of the gentleman to the general language as found in the last paragraph on page 3, which provides for the skilled irrigation engineers which were provided for in last year's bill.

Mr. HAYDEN. I think we can cure that by moving to insert the word "five," after the word "of," in line 27, page 3.

Mr. STAFFORD. It should be "not to exceed five."

Mr. HAYDEN. Insert the words "not to exceed five."

The CHAIRMAN. Does the gentleman from Arizona ask unanimous consent to return to page 3 for the purpose of offering an amendment?

Mr. HAYDEN. I do.

The CHAIRMAN. The gentleman from Arizona asks unanimous consent to return to page 3 for the purpose of offering an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

Mr. HAYDEN. I move to amend, in line 27, page 3, after the word "of," by inserting the words "not to exceed five."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, line 27, page 3, after the word "of," by inserting the words "not to exceed five."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman from Wisconsin withdraws the reservation of the point of order. The Clerk will read.

The Clerk read as follows:

And for traveling and incidental expenses of officials and employees of the Indian irrigation service, including sleeping-car fare, and a per diem not exceeding $3.50 in lieu of subsistence when actually employed in the field and away from designated headquarters, $6,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. I notice throughout the bill that the committee has recommended an increase of the per diem from $3 to $3.50.

Mr. HAYDEN. We have done that in certain cases; but in one case, where Indian Office inspectors are now allowed a per diem allowance of $4 a day, we have reduced it to $3.50, so as to make the amounts uniform throughout the bill.

Mr. STAFFORD. I presume it is to be the policy, if this is allowed to go through, that this amount will be insisted upon in case it should be raised by another body?

Mr. HAYDEN. There should be at least an increase of 50 cents a day.

Mr. STAFFORD. This is the first instance, according to my recollection, of a change in the per diem allowance. Has an allowance of $4 been made to inspectors in the Post Office Service who have been receiving $3?

Mr. CARTER of Oklahoma. I can give you no precise information on that, but I think they get only $3.

Mr. STAFFORD. I know they have carried that amount in prior bills. I ask the gentleman or any member of the Committee on the Post Office and Post Roads who is present whether that amount was changed in the Post Office bill that recently passed the House?

Mr. CARTER of Oklahoma. I can not give the gentleman that information.

Mr. RANDALL. Mr. Chairman, if the gentleman will permit, I will say the amount was not changed. The allowance is still $3 a day.

Mr. HAYDEN. We found that in the Department of Justice $4 was allowed and in all the branches of the Interior Department, except the Indian Office, inspectors were allowed a per diem of $4, and that six Indian inspectors were allowed $4. In considering the estimates throughout the bill where $3 was formerly fixed we have allowed $3.50, an increase of 50 cents where the per diem has been $3, and we reduced the six inspectors from $4 to $3.50.

Mr. STAFFORD. Is it to be the policy of the committee that that shall be the amount when this bill goes into conference?

Mr. CARTER of Oklahoma. The committee tried to fix this amount so that it would be equitable and uniform, and the committee has committed itself in favor of $3.50. As has been stated by the gentleman from Arizona [Mr. HAYDEN], in some of the departments inspectors drew $3 and in some $4, and in this very bureau some drew $3 and some $4, so that we thought we had hit upon a happy compromise when we made it $3.50. Speaking for one member of the committee, if I should be on the conference I would say that I would be quite obstinate against changing that amount.

Mr. STAFFORD. May I inquire, in that particular, whether these employees and officials receive a per diem allowance for every day of the year or every workday or only when they are in the field performing service?

Mr. CARTER of Oklahoma. They receive it when they are in the field performing service.

Mr. STAFFORD. Attention was called to the fact some years ago that the Post Office Department granted that allowance for virtually every workday of the year; and as it was then considered, before living expenses mounted so high, as a real increase of compensation, the committee reduced the allowance from $4 a day to $3 a day.

I am making this inquiry at some length also because the Subcommittee on Appropriations, in framing the legislative, executive, and judicial appropriation bill, has this very question before it for determination. For instance, pension agents in the field examining claims arising from pensions, with salaries averaging from $1,200 to $1,400, receive under the appropriation bill an allowance of but $3 a day. We have before us a recommendation of the Commissioner of Pensions to increase that to $4. I wanted to ascertain before it was too late just what was the policy of the Committee on Indian Affairs and what it was going to be if this amount of $3.50 was agreed upon?

Mr. CARTER of Oklahoma. Mr. Chairman, I have already stated what my position would be, and I think that is the position of the committee. I call the attention of the gentleman to the fact that, so far as this particular item is concerned, the language of it specifies a per diem not exceeding $3.50 in lieu of subsistence when actually employed in the field and away from designated headquarters.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that the time be extended two minutes. Is there objection?

There was no objection.

Mr. STAFFORD. That same objection presented itself in connection with the Postal Service. We found that inspectors would have designated headquarters, and that they would find it to their financial advantage to take a little side trip every day of an hour or two, or maybe a little bit more, in order to be away from their designated headquarters, so as to get their per diem allowance, and then return to their office to perform office work. It was an abuse, and, of course, in some instances you could not criticize them, but in many instances the practice was censurable.

Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman from Wisconsin withdraws the point of order. The Clerk will read.

The Clerk read as follows:

In all, for irrigation on Indian reservations, $250,750, reimbursable as provided in the act of August 1, 1914, and to remain available until expended: *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which public funds are or may be otherwise available under any other act of Congress: *Provided further*, That the foregoing amounts appropriated for such purposes shall be available interchangeably in the discretion of the Secretary of the Interior for the necessary expenditures for damage by floods and other unforeseen exigencies: *Provided, however*, That the amounts so interchanged shall not exceed in the aggregate 10 per cent of all the amounts so appropriated.

Mr. BORLAND. Mr. Chairman, I desire to offer an amendment.

Mr. STAFFORD. I reserve a point of order.

Mr. HAYDEN. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin reserves a point or order.

Mr. STAFFORD. Mr. Chairman, I believe this is new language that has not heretofore been carried in the Indian appropriation act, as to the interchangeability of these amounts for flood purposes and the like. Under the old phraseology the full amount that was appropriated was utilizable for flood purposes?

Mr. HAYDEN. Anywhere, at any time.

Mr. STAFFORD. Now, as I understand it, you seek to allow any of these items to be used interchangeably in the discretion of the Secretary of the Interior for expenditures occasioned by damage by flood or other unforeseen exigencies, but that can not exceed 10 per cent of the amount so appropriated?

Mr. HAYDEN. That language is copied directly from the Agricultural appropriation bill with respect to the appropriations for the national forests, where emergency expenditures may be necessary because of forest fires.

Mr. STAFFORD. Will the gentleman, who is very well acquainted with the expenditures under these various irrigation projects, give us the benefit of his knowledge as to how much money is expended on the average for flood purposes or other exigent emergencies?

Mr. HAYDEN. To tell the gentleman the truth, heretofore we have been making this lump-sum appropriation, which was used on the various irrigation projects as the Indian Bureau saw fit, without making any report to Congress. In past years there was no way of telling how much was expended for flood protection or for any other purpose. The object in making these itemized appropriations in this bill was to compel the Indian Bureau to report to Congress just how much was spent on each project and the amount used interchangeably in case of damage by flood or otherwise. Of course it is utterly impossible to foresee what the damage to Indian irrigation projects throughout the United States by floods will be, because floods occur when they occur. That can not be foretold. It would be impossible to give the gentleman that information.

Mr. STAFFORD. I wish to compliment the committee on their action in segregating these various amounts. Some committees have been rather averse to taking away from the department the control of lump-sum appropriations; but the gentleman from Arizona cites how impossible it is for any appropriating committee to follow the expenditures unless the items are segregated, as the committee has done in this instance. It should be done more generally by other appropriating committees if the Congress is going to keep control of the appropriations, as is its province.

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. STAFFORD. I withdraw the point of order.

The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] and the gentleman from Arizona [Mr. HAYDEN] have both indicated their desire to offer amendments. Of course it is the custom to recognize a member of the committee first to offer amendments to perfect the text. The gentleman from Arizona [Mr. HAYDEN] did not happen to be on his feet and the gentleman from Missouri [Mr. BORLAND] was on his feet. If the gentleman from Missouri will permit, the Chair will first recognize the gentleman from Arizona.

Mr. BORLAND. Certainly.

Mr. HAYDEN. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HAYDEN: Page 5, lines 8 and 9, after the word "available," strike out the words "under any other act of Congress."

Mr. HAYDEN. We considered those words to be mere surplusage, because if any part of this appropriation can be expended on any irrigation system or reclamation project for which public funds are or may be otherwise available it is unnecessary to say "under any other act of Congress."

The amendment was agreed to.

Mr. BORLAND. I offer an amendment to follow line 15.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BORLAND: After line 15, on page 5, insert: "No part of any amount herein appropriated shall be used to pay salaries or for personal services in any department, bureau, or office in the District of Columbia which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act, approved March 15, 1898, require eight hours of labor each day."

Mr. HAYDEN. I reserve a point of order on that amendment.

Mr. CARTER of Oklahoma. I reserve a point of order.

Mr. BORLAND. We might as well dispose of the point of order, if the gentleman will make it. The amendment is not subject to a point of order.

Mr. CARTER of Oklahoma. It is evidently an attempt to change the present law with reference to the hours of employees.

The CHAIRMAN. This is a limitation on the appropriation.

Mr. CARTER of Oklahoma. The Chair has a right to rule that way, of course.

The CHAIRMAN. The Chair is perfectly willing to hear the gentleman from Oklahoma.

Mr. MONDELL. Mr. Chairman, no amendment can be offered, even in the form of a limitation, which changes existing law.

The CHAIRMAN. The gentleman from Oklahoma has not pointed out where it changes existing law, but if it does change existing law the Chair will hear him. It occurs to the Chair—and the parliamentary clerk so advises me—that this precise question has been ruled upon several times and held that it comes within the Holman rule, that it is retrenchment of expenditures. Therefore, the Chair overrules the point of order.

Mr. BORLAND. Mr. Chairman, this bill is not intended to carry any employees in the executive offices in the District of Columbia, but it seems by accident that it does carry a few, and I think one exception is the Irrigation Service. But this principle of requiring the departments to conduct their business upon an honest eight-hour day basis must, of course, be appended to each one of these appropriation bills, and therefore, although it may affect this bill to a limited extent, it is proper to offer it here.

Gentlemen of the House are familiar with the fact that in the Department of the Interior a seven-hour day prevails. It has prevailed for some time. It is an old abuse. It is one of those old abuses which seems impossible to eradicate in this District. It prevails in the Department of the Interior very generally. At this particular time the business men, taxpayers, farmers, and producers of the country are asking themselves the question, What is being done with all the money that is being raised from the people by taxation? Are we really getting efficient results out of it? That is the one paramount thought in the minds of the people to-day. Are we really pushing this war; are we really speeding up the preparations for the defense of democracy? If we are not, we are subject to great censure. We have agents out all over the country attempting to find clerical employees for the departments in Washington. In their efforts to find clerical employees by the thousands they have gone into the great commercial centers of the country and offered inducements to skilled employees now engaged in the work of the country who are rendering very essential, valuable, and important service in producing the wealth of the country that must pay taxes to support the Government.

I have no objection to taking away a certain number of these men for the service of the Government in Washington any more than I have to the taking away of a certain number for the service in the Army or in the field; if the Government needs the service, that claim is paramount. But I have serious objections to taking a large number out of the productive life of the Nation and bringing them to Washington to work a short seven-hour day. That kind of a day does not prevail in the commercial and industrial life of the Nation. There is an honest standard day of eight hours that organized labor and all other right-thinking people have agreed upon, except in exceptional cases, and that eight-hour day ought to prevail, and does prevail, in most of the Government activities outside of the city of Washington.

Now, here is a department still running but seven hours a day. It is manifest that under the circumstances that department is underworked and overmanned. By the very showing that it makes itself it is underworked and overmanned. If it can do the work in seven hours in 237 working days out of 365, it is manifest that it is not working at its full capacity.

Mr. JUUL. Will the gentleman yield?

Mr. BORLAND. For a question.

Mr. JUUL. Does the Indian Department work its employees only seven hours in field work?

Mr. BORLAND. No; I think the Indian Department in its field work does not confine itself to seven hours, but I am not advised about that. I know that in the Postal Department they work eight hours and sometimes longer, and so in most of the great departments outside of the District of Columbia they work on an eight-hour basis. I know that the mechanics at the navy yard work eight hours, and I think pretty nearly all the mechanic employees under the Government work eight hours and are willing to do so.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. CAMPBELL of Kansas. Could not the gentleman from Missouri accomplish his purpose by directing his thrusts at the Cabinet officers under whose direction these employees work seven hours instead of eight?

Mr. BORLAND. The gentleman is wrong in two points. "The gentleman from Missouri" is not directing any thrust.

Mr. CAMPBELL of Kansas. It seems to me the matter could be accomplished by reaching the men under whose supervision these employees work.

Mr. BORLAND. Let me ask the gentleman who is suggesting a method to sidestep this proposition, is he in favor of the

taxpayers getting eight hours a day from Government employees?

Mr. CAMPBELL of Kansas. Will the gentleman answer my question?

Mr. BORLAND. The gentleman from Kansas can answer or refuse to answer.

Mr. CAMPBELL of Kansas. I am not demagoging on any question on this floor.

Mr. BORLAND. No; but the gentleman is demagoging if he fails to answer the question whether he is on the side of the taxpayer or the special interests of Washington.

Mr. CAMPBELL of Kansas. I am not willing to waste the time of the taxpayers on the floor of this House.

Mr. BORLAND. I never have heard the gentleman waste any time on the taxpayers' side in any proposition, but I have seen him waste time on the side of the business interests of Washington. This is a matter between the business interests of Washington and the taxpayers of the Nation. The gentleman could line up on one side or the other of that proposition. The clerks, many of them, would be glad, of course, for a short day. That is human nature. But the clerks are honest and self-respecting enough to obey the law if Congress makes it. If Congress says that eight hours is a fair day, the clerks will obey the law. Who is making the trouble? It is the merchants and landlords of Washington. They are the ones who want an excessive number of employees, and they want them to be paid high wages for short-time work.

That is what this propaganda is backed by. I now send to the Clerk's desk to have read in my time an editorial from the Kansas City Star, which shows where the gentleman from Kansas [Mr. CAMPBELL] and others stand on this subject.

The CHAIRMAN. Without objection the Clerk will read.

The Clerk read as follows:

WASHINGTON'S STRANGLE HOLD.

With becoming diffidence may it be suggested from the safe distance of Kansas City that it is hardly becoming in war time for the Government to permit its clerks to work only seven hours a day with a 30-day vacation?

This mild protest is put forth with diffidence because the Star recalls the tremendous wrath which Representative BORLAND called down on his head last year when he proposed in Congress that the clerks might work eight hours a day. To an outsider it would seem a mere commonsense proposal and not one to get excited about. But Washington could not have been more stirred if the cruel Mr. BORLAND had proposed to deprive it of life, liberty, and the pursuit of happiness.

His mail was flooded with indignant letters. The local newspapers denounced him. Ministers preached sermons against him and his monstrous proposals. At receptions Washington women would reproach him for trying to ruin the city.

The clerks were not the chief source of the agitation. They would have changed to the eight-hour day with some grumbling, but still without violence. The real trouble arose from the real estate men, merchants, and bankers. For it is self-evident that the shorter time the clerks work the more clerks there must be to do the work, and the more clerks the more families to house, the more grocery bills to be paid, and the better business for banks.

Washington business men did not propose to permit the Nation to save money through efficiency when they had a financial interest in waste. They were able to control Congress and Mr. BORLAND'S hated scheme for economy was at once sat on.

It is with due respect for the power of the Washington merchants over this Government that the Star modestly ventures to ask whether they won't release their strangle hold on Uncle Sam in war time and permit the Nation to work its employees in Washington as many hours as they work in Kansas City.

Mr. BORLAND. Mr. Chairman, we are trying to get Government clerks to carry on the business of this Nation. They are said to be necessary in all of these departments. Here is the Interior Department, the Department of Commerce, and the Department of Labor, all of them working seven hours a day. Those clerks working in those departments have not been asked to make any sacrifice for the Nation at war. Every other man in the land has been asked to make a sacrifice, even up to his own life or the life of his son. Those men have not been asked to sacrifice a single hour of extra work that we may win this war for democracy. If we need more employees to speed up preparation for war, let Congress have the courage to say that the Department of the Interior shall be put upon an honest eight-hour basis, and the surplus clerks now there be used for the purpose of speeding up preparation for the war.

Mr. CAMPBELL of Kansas. Mr. Chairman, the law now provides for an eight-hour day for Government employees. If that law is not enforced, the blame rests with the Executive. Congress is not the Executive. The law that already has been enacted should be enforced. It is up to the Secretary of the Interior to enforce the law against the employees who work seven hours a day instead of eight, upon whose service this amendment is hung by the gentleman from Missouri [Mr. BORLAND]. The gentleman from Missouri could get his campaign stuff as well circulated throughout the United States by attacks on the administration as he does by making cheap speeches on the floor of the House, and the work here would progress more rapidly, and we would get eight hours a day out of employees under existing law. If the gentleman from Missouri is interested in having the employees work eight hours a day, he will attack the Secretary of State, the Secretary of the Treasury, the Secretary of the Interior, the Postmaster General, and all of the other executive heads of departments. They are the men under whom these employees render their services, and if these employees work less than eight hours a day, the blame lies with the heads of departments and not with the Congress, and it is a waste of treasure and of the time of this Congress to stand here and talk about repeating a law in every appropriation bill that already exists upon the statute books. Let the Kansas City Star and all of the other papers attack the President for keeping Members in his Cabinet who retain men and women who work less than seven hours a day, when the law requires that they shall work eight hours a day. There is also the remedy of the gentleman from Missouri [Mr. BORLAND]. If he had the courage to attack the administration or the Cabinet retained by the President, he would reach the matter that he has so long sought to impress upon the country. His devotion to the taxpayers reaches only far enough to make a few harmless speeches on the floor of the House of Representatives, but when it comes to the courage of attacking where attack will bring results, he is as silent as the tomb.

Mr. AUSTIN. Mr. Chairman, I am a partisan Republican, and it distresses me as a representative of my party to see the able and distinguished Member from Missouri [Mr. BORLAND], in season and out of season, taking a position upon these appropriation bills which, to say the least, is a reflection upon the national administration, which was elected upon a platform pledged to economy.

Mr. BORLAND. Will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. BORLAND. Does not the gentleman know that these abuses existed for 16 years under Republican administration?

Mr. AUSTIN. Therefore the gentleman from Missouri, being a member of a great national party committed to a reform of all of the so-called abuses under Republican administrations, is not excusable, and neither is his party or the administration he supports, when they fail to carry out those pledges and promises upon which they obtained the reins of government.

Mr. BORLAND. Mr. Chairman, I take it the gentleman is really in favor of an eight-hour day?

Mr. AUSTIN. The gentleman's speeches are cumulative evidence of the fact that his party has been derelict in carrying out in good faith its pledges to the American people made upon the election of President Wilson five years ago. Mr. Chairman, I can not join the gentleman from Missouri in his repeated attempts to discredit the work or the record of the splendid efficiency of the Government clerks in Washington City. My humble beginning in the Government service was 40 years ago in the Post Office Department in this city, and in the nine years I have served in this House I have never failed to be interested in legislation which affected their interests. Mr. Chairman, in all fairness, the American Congress is not fair with the District of Columbia. We ought to give the people of the District a Representative in this House. We have given the Philippine Islands two Representatives, Porto Rico a Representative, and many of the American States, with a population less than that of the District of Columbia, have two Senators and a Member of this House. The Capital City ought to be treated fairly and justly, especially so when we keep its inhabitants disfranchised. They have no representative to appear before the respective committees of this House or upon the floor to plead their cause, to urge needed legislation which would promote and advance the interest of the District of Columbia, in which the whole country is interested.

I know many clerks personally. I think they are doing their share in promoting the interests of the Government during this war. Thousands are working night and day. They are making sacrifices of health, comfort, and pleasure to do their full share in aiding a weak and vacillating administration in running the Government. I hope the gentleman from Missouri will observe his loyalty to Woodrow Wilson and the party to which he owes allegiance by ceasing in this public manner in throwing discredit upon our Government and the Democratic national administration by calling indirectly attention to their lack of good faith in redeeming their pledges in reference to economy and the abolishment of useless offices, and so forth. [Applause.]

Mr. CARTER of Oklahoma. Mr. Chairman, I do not know just how many times the gentleman from Missouri [Mr. BORLAND] has presented this amendment. I have been somewhat in sympathy with his effort to get eight hours o. work each day out of every employee of the Government, especially during this crisis. I am also in sympathy with the adjustment of salaries

of Government employees that will make them conform to the wages that other people draw doing work of a similar character and amount. I am willing to go into both of those matters at the proper time. The difficulty with my friend from Missouri is that he does not seem to know when he is licked. I do not know just how many times, I repeat, this amendment has been turned down by the House. I do not know how many times I have voted with him to sustain it in its proper place, but this is not the proper place in this bill because there are no employees in the Indian Service who do not work eight hours a day now in the District of Columbia. Now, this bill carries an appropriation for three inspectors who work a part of the time in the District of Columbia, and for about 10 or 12 clerks who work in determining the heirship of the papers after they come to the city of Washington. About 10 or 25 men, perhaps, are employed under this bill in the District of Columbia, and these are the only persons to whom the amendment of my friend of Missouri could, by any possible application of the law, reach; so that I object to bringing it in this bill, asking us to bury it down here in a bill where the public would never look for it, camouflage the amendment when it is put in a bill, fix it so that a lawyer or anyone else hunting it up would have to look every place under the sun to find it. There is a place where the gentleman can present it, but it is not in this bill. I hope the membership of the House will not decide with him to include the amendment in this bill.

Mr. BORLAND. Will the gentleman yield?

Mr. CARTER of Oklahoma. I will.

Mr. BORLAND. The gentleman will recognize that this amendment was offered as a limitation to the appropriations made in this bill?

Mr. CARTER of Oklahoma. I so understand.

Mr. BORLAND. And, therefore, in that form it must be offered as a limitation to each bill carrying an appropriation for any employees in the District of Columbia, no matter how many or how few?

Mr. CARTER of Oklahoma. The gentleman from Missouri is a member of the Committee on Appropriations of this House. Let the gentleman bring in from his own committee an item providing for this matter and then it can be considered in an orderly way, the way in which we ought to consider a matter before putting it into the law.

Mr. SISSON. Mr. Chairman, I had not intended to make any statement at this time in reference to this eight-hour proposition during the war, nor am I impressed with the idea that it is of such enormous importance upon this particular bill, but at this particular time we ought to stop and give some little consideration to the conditions that confront us. Now, we have had before the Committee on Appropriations many chiefs of bureaus and scarcely with an exception—there are one or two exceptions—the clerks are working seven hours. Now, I want to submit, especially while the war is going on, about this proposition——

Mr. CAMPBELL of Kansas. May I ask why the department heads do not require them to work eight hours instead of seven, under the law as it exists?

Mr. SISSON. In the first place, the gentleman ought to ask why for 16 years the bureau chiefs, when his party controlled the Government, did not require eight hours and not now criticize us because some of us try to correct the evil we inherited from you.

Mr. CAMPBELL of Kansas. Oh!

Mr. SISSON. I decline to be drawn now into a partisan discussion. The gentleman tries to play politics. Not one of us who want to serve patriotically even refer to politics in this discussion.

Mr. CAMPBELL of Kansas. This is not a partisan discussion at all.

Mr. SISSON. Well, do not make it one, then. I decline to yield further. I am not going to be drawn into any partisan discussion, because I am going to presume that this is no time in which to play politics. This is a time when every American in this House worthy of the name should be willing to do that which is necessary to present as united a front as possible and make every patriotic effort to win this war. [Applause.] When a man plays petty, peanut politics on an occasion of this kind it is evident he has little regard for the outcome of the war. I do not care what district he represents or what position he holds in the Government. But here is a proposition that ought to appeal to every man. We are calling upon the people throughout the country to make sacrifices. In every neighborhood we are asking people to buy liberty bonds; we are asking people to make sacrifices and economize and buy thrift stamps. Now, of all the people in the United States the Government clerks ought to be patriotic, and if they are not patriotic they ought to be gotten out of their places and good patriotic men put in their places. Now, they are working only seven hours. They are asking in every bureau great increases in the number of clerks—three or four times as many clerks in many departments, and in some departments many more times than that, than they have in peace times. Now one-seventh of a working day added will be 14 per cent, and if we get eight hours of patriotic service out of these patriotic clerks during the war and have them do that which they ought to do, then, indeed, gentlemen, if every man were working up to the full standard of efficiency you could save 14 per cent in the items of appropriation, and you could save thousands of clerks for other work in civil life and millions of dollars.

Now, these clerks ought to be willing to work eight hours. It is going to depend largely upon the mental attitude of every clerk as to whether or not he will do eight hours of good service. If his mental attitude is such that he is willing that the Government shall require of him through the war eight hours, he will work eight hours and give good work. Here in the seat of government, under the very noses of Cabinet officers, under the very nose of the President, under the very nose of Congress, we allow clerks to do no more than in peace times and at the same time we are going out over the country and asking and demanding that all the people make sacrifices; buy liberty bonds and thrift stamps, use less food and less coal, and deny themselves many things, even necessaries of life. Why, then, could not the Government begin here at home and make these people show some patriotic sacrifice and demonstrate to the country that there is some real patriotism here in the Government? We are piling taxation upon every form of industry. We are asking the great business men to make great sacrifices. We are asking the poor people throughout the country even to take the little thrift stamps. We are asking them to economize in every form. Do we mean it? Are we in earnest? And are we honest with ourselves? Your vote on this amendment will determine. If we are, as Members of Congress we can not shift the responsibility and say it is due to the executive department or bureau chiefs. We make the law for Government clerks and vote money to pay them, and it is our duty as honest legislators to see to it that they do work or get no money. We hold the purse strings in our hands.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SISSON. Gentlemen endeavor to evade their responsibility. You have the purse strings in your hands. You have the right under the rules of this House to put limitations on these bills and say the money shall not be expended, especially during these war times, until in each department the clerks are required to work eight hours; and I sincerely trust that the Members will lay aside for the time being any feeling they may have for individual clerks and deal with the clerks as they do in private business concerns. How many of them will put patriotic buttons not only on their coats but some patriotic buttons on their hearts and have some respect for the Treasury, because the greatest amount of money that is spent now is spent for personal services in order to conduct this Government during the war? Let us, if we can do so, get the 14 per cent additional service out of the clerks during the war.

It is the time to test the patriotism of every clerk. It is time to call upon them to volunteer and for them to say, "I will do that extra hour of work and help save the Government and the taxpayers of this country, whose servant I am."

Many Members of Congress work 10, or 12, or 15 hours a day. You take the Appropriations Committee, and they begin in the morning at 10 o'clock, running until 6, and then the Members have to look after their correspondence in the morning, have to look after their department work at the odd times they can get. Many Members of Congress, all in fact who is performing his duty here, is doing infinitely more than eight hours of service. While the war is on I do not believe in Congress being longer controlled by the contention of merchants and citizens of the District of Columbia, who want the hours such that the clerks can trade at the stores, as was demanded when this matter was up before. The local papers drove Congress before into voting against requiring the clerks from working eight hours. Will not Congress now, under present conditions for the time being, stand up against this influence and get eight hours service from every clerk? You will, unless you are afraid to do right.

Mr. CAMPBELL of Kansas. Mr. Chairman, the gentleman from Mississippi [Mr. SISSON] has intimated that somebody is talking politics.

Mr. SISSON. I did not intimate it; I stated it.

Mr. CAMPBELL of Kansas. I do not know to whom he refers.

Mr. SISSON. The gentleman ought to be able to recognize his own photograph.

Mr. CAMPBELL of Kansas. That is what I wanted the gentleman to say.

Mr. SISSON. That is all. I have said it now.

Mr. CAMPBELL of Kansas. If the gentleman refers to what I said I repeat, that the duty of enforcing the law is not upon the House of Representatives. The duty of enforcing the law is upon the Executive. We have passed an eight-hour law. It is not the duty of Congress to see that that law is enforced. It is the duty of the Executive. Why, I can not say anything that would be so cruel to this administration as the gentleman from Mississippi has said or that the gentleman from Missouri has said. They both say that we have the purse strings; that we should say to this administration, "You can not use a dollar of the amount of money that we appropriate here if you do not observe the law." I have not said anything so cruel as that, and I shall not. I go upon the assumption that if the attention of the administration is called to the fact that the law now requires an eight-hour day from these clerks, those under whose direction the clerks perform their service will see that they give eight hours instead of seven. We will then get our 14 per cent additional time of service. We ought to have eight hours a day instead of seven. The gentleman from Missouri [Mr. BORLAND] is not the only man in this House, nor is the gentleman from Mississippi [Mr. SISSON], who believes that the department clerks should work 8 hours a day or 10 hours a day during this time in order to perform the duties this public service now requires.

Mr. STEVENSON. Will the gentleman yield?

Mr. CAMPBELL of Kansas. For a question.

Mr. STEVENSON. Is it not the law that they shall not work over eight hours? The law does not say that they shall work eight hours a day, does it?

Mr. CAMPBELL of Kansas. That is a quibble.

Mr. STEVENSON. One moment, please——

Mr. CAMPBELL of Kansas. Oh, no; that is a merely a quibble.

Mr. STEVENSON. Is it not a limitation, not a provision requiring it?

Mr. CAMPBELL of Kansas. No; that is merely a quibble.

Mr. STEVENSON. Let the gentleman state the law as it is.

Mr. CAMPBELL of Kansas. The fact is that the heads of the departments do not get to their offices until half-past 9 to 10 o'clock. They take two hours for lunch. If you are fortunate, you can get an appointment between 2 and 4 o'clock with the head of a department or with a bureau chief. Why does not this patriot from Missouri and his copatriot from Mississippi attack the Secretaries for not working eight hours a day instead of six or less?

Mr. SISSON. The gentleman from Kansas is doing that?

Mr. CAMPBELL of Kansas. Why attack these clerks, who are working under the direction of the bureau chiefs or the Secretaries of the departments in which they are employed? The gentleman from Mississippi and the gentleman from Missouri are making attacks upon the administration. I am not. I say that the work of the Government ought now to be done by a less number of employees than we have to-day.

You go through the halls in the War Department and you will find they are cluttered up with employees, many of them doing nothing. I have gone through there and found four or five clerks visiting, hovering over the same typewriter's desk. You will find in every hall in the War Department clerks so thick that they are in each other's way, reading newspapers, gossiping, manicuring their nails, wasting their time even during the seven hours. Whose fault is it—that of the clerks? No. The fault is that of those under whose direction they are employed.

In the first place, one-fourth of them could better be employed in their homes than here. The other three-fourths could perform the public service if they were required to do so, if every one of them was required to work not only eight hours a day but to work while they are on the job.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. BORLAND].

Mr. RUCKER. Mr. Chairman——

Mr. CARTER of Oklahoma. Mr. Chairman, if the gentleman from Missouri will withhold a moment, I want to present a unanimous-consent request.

Mr. RUCKER. Very well.

Mr. CARTER of Oklahoma. I ask unanimous consent that all debate be closed on this amendment in five minutes.

Mr. MONDELL. Will the gentleman make that seven minutes.

Mr. CARTER of Oklahoma. Yes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that all debate on this amendment be closed in seven minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Missouri [Mr. RUCKER] is now recognized.

Mr. RUCKER. Mr. Chairman, I am not specially commissioned to defend my colleague from Missouri [Mr. BORLAND] from the attacks made upon him here by gentlemen because he offers this amendment many times to many bills. It occurs to me, however, that in offering it he is representing about 100,000,000 of taxpayers in the United States. Gentlemen who oppose it may be representing those who are the beneficiaries of the taxes paid by the people. They gratuitously, no doubt, offer their services.

I am not prepared to believe that the great army of clerks in the various departments in Washington are so unpatriotic as to appeal to any gentleman on the floor of this House to sustain them in the abominable practice, the unpatriotic practice, of performing only seven hours' service a day. If the wages paid are not sufficient, they ought to be paid higher wages, but every clerk ought to be required to perform a reasonable day's work, and eight hours a day is reasonable. If any clerk does not want to perform such service, there ought to be some way to kick that clerk out of the service entirely, and I would not be nice or tender in the method of getting rid of him or her.

The gentleman from Kansas [Mr. CAMPBELL] speaks knowingly, because he speaks from personal observation, of conditions in the War Department, and he tells us that he frequently goes there and finds five or six clerks hovering over the desk of a stenographer or a typewriter—presumably a typewriter of the female persuasion [laughter]—and the gentleman from Kansas, it seems, places himself around that same typewriter when he goes to the department. [Laughter.]

If the gentleman is appealing in behalf of that typewriter, who perhaps puts in several hours of the time daily in entertaining Members of the House, then, so far as that one whose time and patience is so severely taxed is concerned, I would ask for an amendment to the amendment excluding that one. [Laughter.]

Mr. CAMPBELL of Kansas. It is not one, but the desks clutter the hallways of the entire department.

Mr. RUCKER. Well, the gentleman ought to confine himself to one—if she is good-looking, at least. [Laughter.]

Mr. CAMPBELL of Kansas. Oh, I have long since ceased to be interested in any typewriter, be she blond or brunette. [Laughter.]

Mr. RUCKER. Mr. Chairman, I can not submit to these impertinent and irrelevant remarks. But if the gentleman is interested in a number of the occupants of these typewriter desks that he visits and will indicate the number I will try to have them all excepted from the operation of this amendment. [Laughter.]

Then the amendment ought to be adopted. It is at least in bad taste—if gentlemen will pardon me—for any Member of this House or of this committee, when people are being burdened to death with taxation, to stand here and insist that those who perform service in a steam-heated room in winter and in an ice-cooled room in summer shall work only 7 hours a day when men who work in the frigid blasts of winter and the torrid heat of summer are required to work 10 or 12 hours a day to pay the taxes we impose upon them.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield for a question?

Mr. RUCKER. I will if the gentleman desires to ask about anything except the typewriter desk. [Laughter.]

Mr. CAMPBELL of Kansas. Yes. The gentleman has passed the typewriter's desk.

Mr. RUCKER. Oh, no; I could not get to it. [Laughter.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CAMPBELL of Kansas. Mr. Chairman, I ask that the gentleman be allowed two minutes more. I want to ask him a question.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the gentleman from Missouri may proceed for two minutes more. Is there objection?

There was no objection.

Mr. RUCKER. I will try to answer the gentleman.

Mr. CAMPBELL of Kansas. Does the gentleman from Missouri have any good reason to believe that the Secretary of the Interior—and this bill is under his department—would observe a limitation upon the appropriation made in this bill any more than he would observe the eight-hour law now on the statute? Why is it necessary to accumulate law on this subject?

Mr. RUCKER. Mr. Chairman, in answer to the gentleman I want to say that if I am correctly informed, he is misinformed as to the law. The law with reference to clerkships in Washington, as I understand, provides that the clerks shall perform

not less than seven hours' work per day, and that law is evidently construed by the departments as fixing seven hours as a day's work. This amendment proposes to fix it definitely at eight hours a day, and it ought to have the vote of every gentleman here.

The CHAIRMAN. The question is on the amendment of the gentleman from Missouri [Mr. BORLAND].

The question was taken; and on a division (demanded by Mr. CARTER of Oklahoma) there were—ayes 20, noes 26.

Accordingly the amendment was rejected.

The Clerk read as follows:

For the suppression of the traffic in intoxicating liquors among Indians, $150,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. This morning I happened to run across an account of the work during the past year of the agent of the Indian Rights Association, as applied directly to the suppression of the liquor traffic. I am interested in this question because the account to which I refer deals with the remnant of a tribe who have gone to Wisconsin from my native town of Stockbridge, in Massachusetts. Stockbridge was originally an Indian settlement, and the first white people went there as missionaries to the Indians. To-day we revere their memory and are interested in the welfare of their descendants. There are 560 of these men and women in a town called Red Springs, in Wisconsin, and the account of this agent of the Indian Rights Association is that these Indians there are very fast becoming depraved through the use of intoxicating liquors, which they are able to obtain because they also have secured citizenship. Nevertheless they are a tribal community and on a tribal basis, and receive certain annuities from the Government. They should therefore receive the protection of the Government under this appropriation for the suppression of the liquor traffic.

Mr. GALLAGHER. Will the gentleman yield?

Mr. TREADWAY. Certainly.

Mr. GALLAGHER. Are not these Indian reservations all in prohibition territory?

Mr. TREADWAY. Mr. Chairman, I am not informed whether Red Springs, Wis., is in prohibition territory or not, but the item under discussion is one for the suppression of the liquor traffic among Indians, and I am interested to know whether any effort is being made in this direction. Nothing on this subject appears in the very brief report of the committee, and I am interested to know what care is being taken of these descendants of the Stockbridge Indians. This report concludes by saying—

One feels that the good old Massachusetts town's name in Wisconsin ought to be cleaned up in some way if possible, at least prevented from becoming a synonym for down-and-out drunkards and nuisances.

Mr. JUUL. I would like to ask the gentleman if he knows how this $150,000 is to be expended?

Mr. TREADWAY. I looked in the brief committee report for some reference as to how it was expended, but could find no reference to it, and that is one reason for my making these remarks; to see if any information can be secured on this very point that the gentleman from Illinois [Mr. JUUL] asks about.

Mr. CARTER of Oklahoma. I could not hear the question of the gentleman from Illinois [Mr. JUUL]. His back was turned to me.

Mr. JUUL. I should like to ask how this $150,000 for the suppression of the traffic in intoxicating liquors among Indians is to be expended. Are we to have no itemized statement of the expenditure?

Mr. CARTER of Oklahoma. That is to be expended for deputies for the prosecution of whisky cases and for the seizure of liquor, and in any way necessary for the prevention of the liquor traffic in Indian countries.

Mr. JUUL. Will the gentleman yield for a further question?

Mr. CARTER of Oklahoma. The gentleman from Massachusetts has the time.

Mr. TREADWAY. I will ask an extension of my time.

Mr. JUUL. Does not the gentleman think we should be advised in some way as to where this money is going?

Mr. CARTER of Oklahoma. If the gentleman will look on page 21 of the hearings, he will find there just as full an explanation as can be had. We could not put all these matters into our report, because that would make such a voluminous document that nobody in the House would read it to find out what he wanted to know. There is full information on page 21 of the hearings.

Mr. TREADWAY. May I ask the chairman of the committee whether there is any information as to whether liquor is allowed among Indians maintaining their tribal relations who have also become citizens?

Mr. CARTER of Oklahoma. A great amount of money is spent for the prevention of the liquor traffic in Oklahoma. Every Indian in the State of Oklahoma is a citizen and has the full rights of citizens and can vote just as any other man under our constitution. Yet the larger part of this money is spent in the State of Oklahoma for the suppression of the liquor traffic among Indians who are citizens of the United States.

Mr. TREADWAY. I should like to read a few sentences from the newspaper extract which I have.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER of Oklahoma. I ask that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the time of the gentleman from Massachusetts be extended five minutes. Is there objection?

There was no objection.

Mr. TREADWAY. This clipping says:

The Stockbridge Indians, whose existence has been recalled to us only now and then by dry, small mentions of them in legislative proceedings or items in the State's blue book, turn up in piteous and pathetic guise in the report lately published of the year's work of the Indian Rights Association, the society maintained principally through the indefatigable and broadly varigated altruism of Mr. Herbert Welsh, of Philadelphia. It appears from the narrative of the western rounds of his traveling agent, Mr. Matthew Sniffen, that what are left of the Indian folk long lingering among us at Stockbridge, in this State, are now in Wisconsin and are technically known as "the Wisconsin Stockbridges." There are 560 of them, all now potentially landowners, citizens, and taxpayers. Six years ago, in order that they might secure more of the benefit of the local taxes they paid in roadmaking and town improvements, schools, etc., their half of the township where they are was incorporated as Red Springs. Some of the Indians were elected county officers, but most of the positions were filled by whites who had bought their lots from the Indians. Soon thereafter Red Springs granted liquor licenses, and there are now two saloons (formerly three), both of which are kept by Stockbridges. Because the Stockbridges are citizens they can buy liquor without question at these saloons. But as the Stockbridges are still on a tribal basis and receive certain annuities from the Government, it is the hope of Mr. Sniffen that he can save the small group that has not succumbed to the liquor habit and kindred vices through the operation of the Federal statutes if the State authorities will back up his action.

And then follows the sentence which I read before:

One feels that the good old Massachusetts town's name in Wisconsin ought to be cleaned up in some way if possible, at least prevented from becoming a synonym for down-and-out drunkards and nuisances.

I share that feeling as a native of the town from which this tribe took its name, afterwards going to Wisconsin. The old Housatonic and Stockbridge Indians were first sent to western New York, and as shown by this account are now located in the town of Red Springs, Wis. Taking pride in the name they bear, which is the name of the town from which their ancestors come, of which town I am also a native-born citizen, I do hope that something can be done in connection with the appropriation for the suppression of the liquor traffic among the Indians, the item now before us for consideration, to protect these descendants of that tribe. We all know the difficulty with the Indian with respect to liquor. The Indian blood is perhaps susceptible to the influence of fire water; but I shall be glad, indeed, if this newspaper clipping which I have read to the committee can receive the attention of the department. As a result I hope some special effort will be made for the protection of these few Indians who have gone from Massachusetts to Wisconsin.

Mr. CARTER of Oklahoma. The department has the right under this item to render them such protection in accordance with the decisions of the court.

Mr. GALLAGHER. Mr. Chairman, this must certainly be interesting to our prohibition friends. Here is an item of $150,000 to be appropriated for the suppression of the sale of liquor among the Indian tribes. The chairman of the committee informs us that the greater part of it is to be expended in Oklahoma.

Mr. CARTER of Oklahoma. No; not the greater part, but a large part.

Mr. GALLAGHER. Well, in Oklahoma and other territory. Oklahoma, we are informed, is a bone-dry State. It seems strange and peculiar that we are called upon to expend $150,000 for the suppression of the sale of liquor in a bone-dry State.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. GALLAGHER. Yes.

Mr. CARTER of Oklahoma. If the State of Illinois and other States would adopt a prohibition amendment, this whisky could not be sent into Oklahoma from Chicago and other parts of the country, and therefore I hope that we may have national prohibition adopted.

Mr. GALLAGHER. That is not the point at all. The question is this: Congress passed a law to prohibit the transportation of liquor into bone-dry territory. Illinois does not cut any figure in this argument. The fact is that we are now called upon to expend an additional $150,000 to protect the Indians in their reservations from the sale of liquor in bone-dry prohibition territory. Does prohibition prohibit?

Mr. FRENCH. Mr. Chairman, I want to offer a word, in view of the statement of the gentleman from Illinois [Mr.

GALLAGHER]. It was discussed very fully a month ago, when the prohibition amendment was pending here, that if the States that are wet around States that are dry could be made dry, the question of enforcing the prohibition laws in dry States in large measure would be solved.

But, upon the suggestion that has been made, I want to point out a concrete case. Idaho became dry by statute a little over two years ago. During the first year Idaho was dry the Coeur d'Alene Indian Tribe increased in population, and its birth rate exceeded its death rate for the first time in many years. As was said to me by one of the most responsible Indians in the tribe and later confirmed by the Indian agent, the immediate cause for the increase in population—for the death rate falling below the birth rate—was because of the suppression of the liquor traffic in Idaho and the wiping out of drunkenness among the Coeur d'Alene Indians. [Applause.] This case stands forth as a concrete one. Undoubtedly the law is violated in different places, and so are other laws. But we must look to general results, and the appropriation of $150,000 for the purpose of enforcing the law among Indians will go far toward bringing about better conditions in States that are dry, and especially in States not under the prohibition system.

Mr. Chairman, I regret the time limit compels me to ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. STAFFORD. Reserving the right to object, on what subject?

Mr. FRENCH. On this subject of prohibition.

Mr. STAFFORD. I object.

Mr. FRENCH. I might have supposed that the gentleman from Wisconsin would object.

Mr. STAFFORD. We have adopted a policy not to allow Members to extend remarks in the RECORD on prohibition.

Mr. FOCHT. Who adopted such a policy?

Mr. CARTER of Oklahoma. Mr. Chairman, I call for the regular order.

The CHAIRMAN. The gentleman from Oklahoma demands the regular order.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

Mr. CARTER of Oklahoma. If the gentleman will pardon me for a moment, I ask, Mr. Chairman, that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that all debate on the amendment and paragraph close in five minutes. Is there objection?

Mr. FOCHT. Reserving the right to object, I would like to have five minutes on this subject of prohibition.

Mr. CARTER of Oklahoma. Mr. Chairman, I will make it 10 minutes.

Mr. JUUL. Mr. Chairman, I hope the gentleman from Wisconsin will not insist on his objection and deprive the gentleman from Idaho of the right to extend his remarks. The gentleman from Wisconsin has had the floor for eighty or ninety times during the last four or five days while the gentleman from Idaho for the first time, as I remember, has asked for a few minutes time.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that all debate on this paragraph and amendments thereto be closed in 10 minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I do not wish to interpose any objection to the request of the gentleman from Idaho to extend his remarks. He had his time on the prohibition amendment. I waived my time so that the gentleman from California could read a letter that was written by Mr. Gompers. I wish to withdraw my objection, although he had an opportunity then to express himself on that occasion and I did not.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I hope that the gentleman from Idaho, who is a student of sociology, or any other rabid prohibitionist, whether he comes from Maine or Georgia or any other State where prohibition has been enforced for many years—I will except Maine, because the distinguished gentleman from that State admitted that notwithstanding prohibition had been on the statute books for years it was absolutely impossible to enforce it—can show that in their States the birth rate had so peculiarly and in such a short time found expression in birth development as was instanced by that student of birth control, the gentleman from Idaho. [Laughter.]

Mr. RANDALL. Mr. Chairman, I make the point of order that the gentleman from Wisconsin is not discussing the question. The question of prohibition was settled by this Congress the other day by a two-thirds majority.

Mr. STAFFORD. Of course I should expect the gentleman from California would rise to interpose some objection, even when we are attempting in a serious way to control the liquor traffic among the Indians, which everybody admits is a necessity.

This appropriation was increased some years ago, and it had my strong support. Every person who believes in a liberal policy, so far as the drink question is concerned, recognizes the necessity of keeping liquor away from the Indians. We all know that it is their destruction and their downfall. I am too far separated from the Indian reservations of Wisconsin to give to the gentleman from Massachusetts any information whatsoever as to the conditions prevailing among the Stockbridge Indians, but, Mr. Chairman, I rose primarily, because I am such a firm believer in keeping liquor away from the Indians, to ask why the committee struck out from the bill the provision carried in the act of last year that sought, in a drastic manner, to keep the liquor away from the Indians? I direct the attention of the committee to that provision carried in last year's bill immediately following this appropriation which provided that automobiles or any other vehicles used in introducing or attempting to introduce intoxicants into the Indian country, or where the introduction is prohibited by treaty or Federal statute, whether used by the owner thereof or other persons, shall be subject to seizure or liable to forfeiture, and so forth. Was that regarded as permanent law and is that the reason it is left out of this bill?

Mr. HAYDEN. That is undoubtedly permanent law and it is not necessary to reenact it from year to year.

Mr. STAFFORD. It seems to me it may be questioned whether it is permanent law.

Mr. HAYDEN. The Indian Bureau so regards it.

Mr. STAFFORD. If the Interior Department has given that construction to it, it is sufficient for my purpose.

Mr. FOCHT. Mr. Chairman, I rose a few moments ago to protest against the objection raised by the gentleman from Wisconsin [Mr. STAFFORD] to the gentleman from Idaho [Mr. FRENCH] extending his remarks in the RECORD. Are not some gentlemen carrying too far this matter of objecting to Members of the House incorporating certain letters and documents in connection with their speeches in the RECORD? Several days ago my good and benevolent friend, Judge KINKAID, of Nebraska, offered a letter as part of his remarks, and to my surprise I heard an objection raised. Later on our distinguished friend from New York, Mr. HICKS, or a gentleman for him, asked that he be permitted to publish in the CONGRESSIONAL RECORD a speech which he delivered upon observations he made while on the battle line in Europe. Here was a patriotic and esteemed Member of this House, who went so far as to travel up and down the front line of trenches, thus coldly snubbed. Think how valuable his impartial and dispassionate observations might be to the country, yet objection was raised. Then, within a few seconds, another gentleman rose and asked that there might be incorporated in the RECORD the speech of Lloyd-George, of England. Thus, while denying the right of an American citizen and a Member of this House to have published in the RECORD a speech upon his observations in Europe, there was permitted the incorporation of a speech by Lloyd-George. Of course, one has a right to object, but I am afraid that it is going too far when gentlemen exercise the right of objection every time a Member of this House rises to obtain permission to extend his remarks in the RECORD. While personally I have not been refused any permission, in common justice to other Members I am constrained to protest against this chronic and indiscriminate refusal, which, to say the least, is not in good taste and accomplishes nothing.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RELIEVING DISTRESS, ETC.

For the relief and care of destitute Indians not otherwise provided for, and for the prevention and treatment of tuberculosis, trachoma, smallpox, and other contagious and infectious diseases, including transportation of patients to and from hospitals and sanatoria, $350,000; *Provided*, That not to exceed $90,000 of said amount may be expended in the construction and equipment of new hospitals at a unit cost of not exceeding $15,000: *Provided further*, That this appropriation may be used also for general medical and surgical treatment of Indians, including the maintenance and operation of general hospitals, where no other funds are applicable or available for that purpose: *And provided further*, That out of the appropriation herein authorized there shall be available for the maintenance of the sanatoria and hospitals hereinafter named, and for incidental and all other expenses for their proper conduct and management, including pay of employees, repairs, equipment, and improvements, not to exceed the following amounts: Blackfeet hospital, Montana, $10,000; Carson hospital, Nevada, $10,000; Cheyenne and Arapahoe hospital, Oklahoma, $10,000; Choctaw and Chickasaw hospital, Oklahoma, $25,000; Fort Lapwai sanatorium, Idaho, $40,000; Laguna sanatorium, New Mexico, $17,000; Mescalero hospital, New

Mexico, $10,000; Navajo sanatorium, New Mexico, $10,000; Pima hospital, Arizona, $10,000; Phoenix sanatorium, Arizona, $40,000; Spokane hospital, Washington, $10,000; Sac and Fox sanatorium, Iowa, $25,000; Turtle Mountain hospital, North Dakota, $10,000; Winnebago hospital, Nebraska, $15,000; Crow Creek hospital, South Dakota, $8,000; Hoopa Valley hospital, California, $8,000; Jicarilla hospital, New Mexico, $8,000; Truxton Canyon camp hospital, Arizona, $8,000; Indian Oasis hospital, Arizona, $8,000.

Mr. JUUL. Mr. Chairman, I move to amend by striking out the language, beginning on line 21, page 5, "and for the prevention and treatment of tuberculosis, trachoma, smallpox, and other contagious and infectious diseases."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, amend by striking out, in lines 21, 22, and 23, the language "and for the prevention and treatment of tuberculosis, trachoma, smallpox, and other contagious and infectious diseases."

Mr. JUUL. Mr. Chairman, if the language be left in the bill as it is now, you would not be able to expend a dollar for a broken leg or for the treatment of any disease other than those enumerated. A broken leg would not be a contagious or infectious disease. I hope the gentleman having the bill in charge will accept the amendment and strike out that language.

I think the gentleman can well afford to accept the amendment; it will make a better bill out of it.

Mr. CARTER of Oklahoma. Mr. Chairman, I will say for the gentleman's benefit that it is not the intention of this item at all to take care of broken legs or anything else, except what is set forth in the item. It has never been carried in the item in the past, and the Indian Bureau has never suggested that it should be done. The purpose of this item is just as stated in the item itself, for the care of destitute Indians and for the prevention and treatment of tuberculosis, trachoma, smallpox, and other contagious and infectious diseases. Now, that was established for that purpose and nothing else. There are cases in which broken legs of Indians are taken care of—in some instances out of tribal funds and in some instances out of the individual funds of the members of a tribe. Now, if the gentleman's amendment is adopted, it is a revolutionary amendment; the Department of the Interior will probably rule, as the inclination usually has been in the past, to take the fund from the Treasury rather than from the tribal fund, and therefore place an additional tax upon the Federal Treasury that should not be placed there. This has already been authorized with the consent of the Indians and all others concerned.

Mr. JUUL. If the gentleman will permit me a moment, I think if the gentleman will read the bill carefully again he will see that he enumerates certain diseases—tuberculosis, trachoma, smallpox—and then you put in the words "and other contagious and infectious diseases."

Mr. CARTER of Oklahoma. Does the gentleman want to ask a question?

Mr. JUUL. Just a moment and I will ask the question. Now, I want to ask if it is not a fact that every time you expend a dollar outside of the diseases named that somebody will have to pass upon whether the disease for which you expend that dollar is an infectious or contagious disease?

Mr. CARTER of Oklahoma. Well, that is the intent of the item.

Mr. JUUL. Who is to pass upon that?

Mr. CARTER of Oklahoma. The men at the different agencies pass on it. There is a doctor at every reservation. The purpose of this—now, if the gentleman will let me use a little of my own time—is to prevent the spread of contagious diseases not only among the Indians but among the white people, and to care for destitute Indians.

Mr. JUUL. I understand.

Mr. CARTER of Oklahoma. This appropriation does not contemplate taking care of every Indian that is found with a sore finger or something else of that kind, or even if he is injured seriously. That is taken care of in other ways, and is not contemplated by this item in the bill.

Mr. NORTON. Mr. Chairman——

The CHAIRMAN. The gentleman from Illinois has the floor, but his time has expired.

Mr. NORTON. Mr. Chairman, I desire to speak in opposition to the amendment.

Mr. CARTER of Oklahoma. Mr. Chairman, I understood the gentleman had stopped talking, and I had begun to speak——

The CHAIRMAN. The Chair has never recognized anybody but the gentleman from Illinois, who offered an amendment.

Mr. CARTER of Oklahoma. The Chair knows more about it than I do, but I ask for recognition now.

The CHAIRMAN. The colloquy between the chairman of the committee and the gentleman who offered the amendment was very enlightening and the gentleman——

Mr. JUUL. I would like to know how the chairman of the committee obtained the floor.

Mr. CARTER of Oklahoma. Regular order, Mr. Chairman.

The CHAIRMAN. The regular order is the gentleman from North Dakota [Mr. NORTON].

Mr. FOSTER. Mr. Chairman, I ask that my colleague have five minutes, as his time was all taken up.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that his colleague may proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. JUUL. Mr. Chairman, I was trying to make the chairman of the committee understand that somewhere, somehow, you would have to have men appointed at all these Indian reservations to pass on the diseases, as I take it for granted the Indian agents are not competent to do so.

Mr. CARTER of Oklahoma. They have a doctor on every reservation, I will say to the gentleman.

Mr. JUUL. That is good. Now, you enumerate four or five diseases, and I maintain if you are to expend the money rigidly for certain diseases and not for certain other diseases you ought to be made to enumerate the diseases for which you want to expend the money.

Mr. CARTER of Oklahoma. Any contagious disease.

Mr. JUUL. I maintain the classification of contagious and infectious is so you could not pass on it nor can the average man on the average Indian reservation, and if a man is entitled to relief from this $450,000 expenditure he would be entitled to that relief long before somebody could examine him and pass on whether his disease is contagious or infectious, and I hope you gentlemen——

Mr. NORTON. Will the gentleman yield?

Mr. JUUL. I yield to the gentleman for a question.

Mr. NORTON. Has not the gentleman illustrated the fact that a little knowledge is sometimes a very dangerous thing? May I inquire, has the gentleman read the entire provision for this appropriation?

Mr. JUUL. I just listened to it read and I hold the bill in my hand——

Mr. NORTON. If so, I call the attention of the gentleman to this part of the paragraph:

Provided, That this appropriation may be used also for general medical and physical treatment of Indians——

Mr. JUUL. Is that the question?

Mr. NORTON. That is the question.

Mr. JUUL. All right.

Mr. NORTON. "Including the maintenance and operation of general hospitals."

Mr. JUUL. The gentleman is using up my time. Now, I want to say to the gentleman that if Members on this floor were permitted occasionally by certain gentlemen to participate in the debates you would have good, trained debaters, but as long as there are two or three men here who are going to consume all the time, jumping up every minute and saying to the Chairman, "Mr. Chairman, reserving the right to object" [laughter], it is very disheartening and discouraging to men who would like to come from the Office Building over here and help to transact the business of the country.

When you can find in two or three days the names of certain gentlemen, fifty or sixty or seventy times in the RECORD, and then see these same gentlemen get up and object when another gentlemen for the first time in a week or 10 days asks for leave to print a few pages you have my answer to the wherefore and why some of the people on this floor are not as bright as you are.

Mr. NORTON. I do not believe——

Mr. JUUL. And I yield the balance of my time, Mr. Chairman.

Mr. NORTON. Mr. Chairman, I do not think the gentleman in his statement could have had any reference to me. I have had no objection to granting time to the gentleman to speak or to any other gentleman of the House. Personally, I should be delighted to see the gentleman attend the sessions every moment of the time.

Mr. JUUL. I will say to the gentleman that there is mighty little encouragement for anyone to do it.

Mr. NORTON. I am sure that since I have been a Member of the House my efforts have been to encourage Members to attend the sessions of the House and of the Committee of the Whole. I have thought the gentleman in this case had not read the whole paragraph, because there is a provision in the paragraph which carries out the very idea that the gentleman seems to desire to have carried out. On page 6, beginning in line 3, the paragraph provides—

That this appropriation may be used——

Mr. JUUL. What is the line?

Mr. NORTON. Beginning on line 3, page 6:

Provided further, That this appropriation may be used also for general medical and surgical treatment of Indians, including the maintenance and operation of general hospitals, where no other funds are applicable or available for that purpose.

Mr. JUUL. Now, will the gentleman yield?

Mr. NORTON. So under this provision an Indian with a broken leg or other injury, unless there was some other provision made for his care, could be cared for. Further in the same paragraph it provides that part of this appropriation shall be used for the maintenance or operation of a number of hospitals, which are specifically named in the paragraph. Now, I thought perhaps the gentleman had not read all of the paragraph.

Mr. JUUL. Will the gentleman yield?

Mr. NORTON. I will be delighted to yield to the gentleman from Illinois.

Mr. JUUL. Now, then, if the statement you have made is correct, and I have not the slightest doubt——

Mr. NORTON. The gentleman will know it is correct if he will read the paragraph.

Mr. JUUL. Just a moment. Then, if that is correct, why enumerate any of the diseases, when, on page 6, as you say, the bill reads:

Provided further, That this appropriation may be used also for general medical and surgical treatment of Indians.

Mr. NORTON. I will tell the gentleman why. It is simply because the main purpose of this appropriation of $350,000 is for the treatment of tuberculosis, trachoma, smallpox, and other contagious diseases. That is why.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. JUUL].

Mr. CRAMTON. Mr. Chairman, I move to strike out the last half of the amendment.

The CHAIRMAN. Has the gentleman from Oklahoma [Mr. CARTER] any request to make?

Mr. CARTER of Oklahoma. Does the gentleman from Michigan want to discuss this item?

Mr. CRAMTON. For a minute, unless there is a sudden emergency here and you want to adjourn.

Mr. CARTER of Oklahoma. How much time does the gentleman want?

Mr. CRAMTON. One minute or two minutes.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Chairman, I think there is some force in the remarks of the gentleman from Illinois [Mr. JUUL]. This is the first time that I have tried to say a word in three days on this bill. I think it is time, while, perhaps, I am not the best one to do it, for some one to call attention to the language in the bill. The first few words, so far as authority goes, are sufficient to enable to be done under this appropriation just the thing the chairman of the committee has told us it was not intended should be done. That is to say, the language is:

For the relief and care of destitute Indians not otherwise provided for.

Now, anything "for the relief or care of destitute Indians not otherwise provided for" can be done under this section, provided the committee has appropriated enough money. But in that connection the gentleman from North Dakota [Mr. NORTON] has just said that the main purpose of this section was to relieve from smallpox and tuberculosis and other diseases mentioned. If he will read on down through the section, he will find $282,000 is expressly appropriated for existing hospitals and a limit of $90,000 provided for new hospitals, so that if they use that $90,000 and the $282,000 we have a total of $372,000 for hospitals alone out of an appropriation of $350,000. That deficit of $22,000, I suppose, may be devoted to the prevention of tuberculosis or smallpox.

Mr. NORTON. Will the gentleman yield?

Mr. CRAMTON. All of the three minutes I have remaining.

Mr. NORTON. I will ask the gentleman whether he would expect these diseases to be treated in a hospital or blacksmith's shop?

Mr. CRAMTON. I will answer the gentleman by saying that a great deal of the most important work for the prevention of the spread of tuberculosis is done entirely outside of any hospital whatever.

The CHAIRMAN. All time has expired.

Mr. FRENCH. Mr. Chairman, let me ask unanimous consent for about two minutes, that I may speak right on this amendment.

Mr. FOSTER. Mr. Chairman, I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. JUUL].

The amendment was rejected.

Mr. FRENCH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. All debate on this paragraph and all amendments thereto is closed by unanimous consent. The Clerk will read.

The Clerk read as follows:

SUPPORT OF INDIAN SCHOOLS.

For the support of Indian day and industrial schools not otherwise provided for, for other educational and industrial purposes in connection therewith, $1,600,000: *Provided*, That not to exceed $40,000 of this amount may be used for the support and education of deaf and dumb or blind Indian children: *Provided further*, That not more than $200,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in the public schools: *Provided further*, That hereafter no appropriation, except appropriations made pursuant to treaties, shall be used to educate children of less than one-fourth Indian blood whose parents are citizens of the United States and of the State wherein they live and where there are adequate free school facilities provided: *And provided further*, That no part of this appropriation shall be used for the support of Indian day and industrial schools where specific appropriation is made.

Mr. FRENCH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Idaho moves to strike out the last word.

Mr. FRENCH. Mr. Chairman, I do not care to proceed unless I can speak just a moment on what we have passed, and that must, of course, be by unanimous consent.

I think there is some misapprehension as to the moneys used for the care of the health of the Indians. The gentleman from Michigan [Mr. CRAMTON] referred to the moneys appropriated here as though this included everything appropriated for health purposes. Going through the bill you will find that doctors are provided for. Their compensation is provided for in the separate items. There are other separate items providing for the purchase of medical supplies.

The hospitals provided for in the last paragraph are maintained for the special purpose of caring for Indians gathered in from the different reservations afflicted with one of the dread diseases. Indian communities as well as white communities are interested in maintaining health conditions among the Indians, and here are diseases that can be handled best by large agencies. Now, a great many of the Indians are capable of employing their own doctors. They have their own private incomes, and they spend their money, as do white people, for the health of their families.

Again, there are Indians who are not permitted to handle their own money altogether, but yet in case of sickness their money is expended for them. There is provision also in the paragraph we have just approved for taking care of Indians who may be unable in any way to receive care other than as provided in the paragraph. But, as has been stated by the gentleman from North Dakota [Mr. NORTON], the item in question is to provide for definite sanitariums throughout the country for the care of Indians in whose care and in whose health whole communities of Indians, as well as whites, are vitally interested.

Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

INDIAN SCHOOL AND AGENCY BUILDINGS.

For construction, lease, purchase, repair, and improvement of school and agency buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $406,000: *Provided*, That this appropriation shall be available for the payment of salaries and expenses of persons employed in the supervision of construction work on school and agency buildings in the Indian Service: *Provided further*, That the Secretary of the Interior is authorized to allow employees in the Indian Service who are furnished quarters necessary heat and light for such quarters without charge, such heat and light to be paid for out of the fund chargeable with the cost of heating and lighting other buildings at the same place: *And provided further*, That the amount so expended for agency purposes shall not be included in the maximum amounts for compensation of employees prescribed by section 1, act of August 24, 1912.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. Mr. Chairman, I notice that the first proviso is new language.

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. Has this appropriation heretofore been available for the payment of the salaries of the supervisory force engaged on construction work?

Mr. CARTER of Oklahoma. My recollection is that the assistant commissioner told us that it was, and that he wanted this proviso put in the bill simply to avoid any difficulty with the comptroller in case there should be any probability of his making a different ruling. This is new language and subject to a point of order.

Mr. STAFFORD. This appropriation of $400,000 is the same as that in last year's bill?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. Is it virtually a permanent appropriation, or is there any policy on the part of the bureau whereby they have called the attention of the committee to the need of new buildings? I have noticed that the appropriations in many items are virtually the same as in prior years.

Mr. CARTER of Oklahoma. They are.

Mr. STAFFORD. It occurs to me that some of the activities would be less. There would not be need of the same amount of appropriation. Here is a considerable amount, $400,000. The gentleman from Idaho has given an instance of the very extensive and rapid increase in the birth rate in one Indian reservation. Of course, it is generally known that for nearly a quarter of a century or half a century past the death rate among the Indians has been far in excess of the birth rate. What is the need of having new buildings provided for these Indians? I assume that there has been adequate provision in the past, so far as schoolhouse accommodations are concerned. Will the gentleman indicate what the policy is of providing $400,000 here for new buildings and the repair of existing buildings?

Mr. CARTER of Oklahoma. A large part of this appropriation of course is used for repairs. The gentleman knows that whenever a new school is established for Indian pupils it is necessary to have school buildings at some place. We have instances where schools which Indian children have been able to attend have been moved, as in the case of mission schools, for instance. It is necessary to inaugurate a school if no public school or other institution is available for the education of the children there. Then, the natural decay of the buildings sometimes necessitates the construction of new buildings. A great many of these buildings are frame, and quite a few of them are small day-school buildings out on the reservations, and they go to wrack very fast.

The assumption that our Indian population has been rapidly on the decline is more or less fallacious. I doubt if there were ever as many Indians in this country as was at one time supposed. The census of 1910 I understand to have shown an increase over 1900, and I am sure the next census will show a very material increase over 1910. Now, as reservations have been opened up; as Indian children are persuaded to attend schools, just in that proportion must educational facilities, including buildings, be provided. That accounts for the expenditures necessary for new buildings.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

Mr. STAFFORD. Can the gentleman give the committee the amount last year and preceding years that has been used for new construction work and the amount expended in repairs?

Mr. CARTER of Oklahoma. I do not think a statement as to that has been given by the Commissioner of Indian Affairs.

Mr. STAFFORD. Can the gentleman give us an idea of how much of this $400,000, on the average, has been used for new construction and how much for repairs?

Mr. HAYDEN. I will say to the gentleman that it was developed at the hearings before our committee that a little over $134,000 had been expended last year for the construction of buildings, and for repairs and rent $128,000. The hearings go on to show further that the present value of the buildings in the Indian Service constructed out of this item is $7,500,000, and that this appropriation of $400,000 is about 5½ per cent of that amount, which is a reasonable amount to carry on that work with buildings of that character.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

INDIAN SCHOOL TRANSPORTATION.

For collection and transportation of pupils to and from Indian and public schools, and for placing school pupils, with the consent of their parents, under the care and control of white families qualified to give them moral, industrial, and educational training, $72,000: *Provided*, That not exceeding $5,000 of this sum may be used for obtaining remunerative employment for Indian youths and, when necessary, for payment of transportation and other expenses to their places of employment: *Provided further*, That where practicable the transportation and expenses so paid shall be refunded and provisions of this section shall also apply to native Indian pupils of school age under 21 years of age brought from Alaska.

Mr. FESS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. FESS. An incident came to my notice some weeks ago indicating that there must be some misunderstanding somewhere in the matter of letting contracts for teachers in the Indian schools. I refer to the case of a lady who went from Ohio upon invitation, to take a position as teacher in what was called a boarding school, and when she reached the place the conditions were entirely different from the description sent to her. The salary was the same, but when she reached the school she found there was no provision whatever for lodging there, and she was compelled to take lodging a mile and a half away from the school, and there was no facility for transportation from where she lived to the school where she taught. She spoke to the superintendent, and he said that there was no authority given to him to provide for her transportation, although he realized that it was a great hardship. She wrote to me about it, I presume because she is from my section of the State, and she knows that I am interested in school matters. I wrote her and expressed the fear that she had not fully acquainted herself with conditions there before she went, and had gone West blindly. She writes me a second letter and says that she did make inquiry. She says—

> I never questioned the school, because I know quite a little about the Indian boarding schools. My superintendent has written to Washington, telling them that the school is a mile and a half away, and that he can not furnish transportation. Yet the school authorities wrote me, "Would you accept a position at Round Valley boarding school?"

Now, this lady is a splendid college woman, whom I happen to know, and she is really suffering under I would not say a misrepresentation, for I think that language is too strong, but she suffers from a lack of information, and I think there ought to be some relief somewhere.

Mr. NORTON. Where is this school located?

Mr. FESS. At Cobelo, Cal.

Mr. NORTON. I am not personally acquainted with that school. There may be some one on the committee who is acquainted with it. At the boarding schools, as a rule, places are provided for the housing of the teachers.

Mr. FESS. So she understood.

Mr. NORTON. If boarding and sleeping quarters are not provided at this school, and if it is held out as a boarding school, it is an unusual condition.

Mr. FESS. I would state that that is precisely the situation. She went there thinking that it was a boarding school. It is named as a boarding school.

Mr. NORTON. If there are no dormitories, and if there is no provision for the housing of the pupils and teachers, it properly should be called a day school. Is the gentleman from California [Mr. LEA of California] acquainted with that school?

Mr. LEA of California. I am not acquainted with the details of the school. In fact, I have never been at the school building, and have not been in that valley for several years.

Mr. FESS. Acting upon the suggestion of the chairman of the committee, I have referred the matter to the Commissioner of Indian Affairs, hoping that a correction of the conditions may be made.

The Clerk read as follows:

PER CAPITA COST.

That hereafter, except for pay of superintendents and for transportation of goods and supplies and transportation of pupils, not more than $200 shall be expended from appropriations made in this act, or any other act, for the annual support and education of any one pupil in any Indian school, unless the attendance in any school shall be less than 100 pupils, in which case the Secretary of the Interior may authorize a per capita expenditure of not to exceed $225: *Provided*, That the total amount appropriated for the support of such school shall not be exceeded: *Provided further*, That the number of pupils in any school entitled to the per capita allowance hereby provided for shall be determined by taking the average attendance for the entire fiscal year and not any fractional part thereof: *Provided further*, That the foregoing shall also apply to expenditures for the fiscal year ending June 30, 1918.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on this paragraph. There has been quite a radical departure in the policy of the committee as to the amount to be allowed to these various Indian schools for the per capita cost of each pupil attending a school. I believe heretofore the rate has been $165 per annum.

Mr. CARTER of Oklahoma. Heretofore there has been no limitation, in fact.

Mr. STAFFORD. While there may not have been any statutory rate, there has been a rate agreed upon by the committee, which has been the basis of the computations for the various appropriations for the support of these schools.

Mr. CARTER of Oklahoma. Heretofore there has been a law which restricted expenditures at each school to $167 per capita, but each year since I have been in Congress every Indian appropriation bill passed by this House has carried an exemption of that provision until last session.

Mr. STAFFORD. Will the gentleman inform the committee what the average amount has been in the past year or two that could be utilized for the education of pupils at these Indian schools?

Mr. CARTER of Oklahoma. That could be utilized for the last year?

Mr. STAFFORD. The last several years.

Mr. CARTER of Oklahoma. Prior to the last year there was an exemption from the act restricting expenditures to $167. Last year we made no exemption, so that it was necessary, before the session closed, to bring in a joint resolution permitting expenditures for the current fiscal year of not to exceed $200 per capita. Since that resolution has been passed a great many of the Indian schools have had to close, or are about to close, because the per capita of $200 was not sufficient. This condition applies mostly to the small schools, where the attendance is 100 or less.

Mr. STAFFORD. Then in this suggested law you ask $225 as the maximum in these small schools?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. But in the larger schools, where the attendance is over 100, you make the limit $200?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. Can the gentleman give any information to the committee as to what has been the average rate of expenditure in the past year, for instance, at those schools where the attendance is over 100?

Mr. CARTER of Oklahoma. It has been from about $148, as I recall, up to as high as the limit would permit. In some instances they tell us that the schools will have to stop, and the Appropriation Committee has now before it a deficiency request of $250,000 for the continuation of these schools.

Mr. STAFFORD. Who has determined in former years what amount should be allowed for the per capita cost, aside from the maximum amount of the appropriation?

Mr. CARTER of Oklahoma. The office of the Secretary of the Interior.

Mr. STAFFORD. So all that is being attempted here is to place a limitation on his authority?

Mr. CARTER of Oklahoma. All that is being attempted here is to place an actual limitation on his authority, rather than the theoretical one that we have had in the past.

Mr. STAFFORD. Does the gentleman think these amounts are liberal enough, in view of the present high costs, to keep the schools running?

Mr. CARTER of Oklahoma. I will say to the gentleman that I am sure these amounts are not excessive.

Mr. STAFFORD. I suppose that there are instances where the amount could be less, provided the numbers were greater.

Mr. CARTER of Oklahoma. In the school at Chilocco, Okla., the expenditure rarely exceeds $167 per capita, but that is a very large school, with a good superintendent, and has several acres of land which are used to assist in its support.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent for three minutes.

The CHAIRMAN. The gentleman from Wisconsin asks that his time be extended three minutes. Is there objection?

There was no objection.

Mr. STAFFORD. The limit of appropriation will not necessarily increase the allowance to these schools where the expenditures have been less?

Mr. CARTER of Oklahoma. I do not think so. Of course when you put on a limitation as to the amount that can be used in the Government service there is a tendency to reach that amount.

Mr. STAFFORD. I recognize that.

Mr. CARTER of Oklahoma. Without some kind of a limitation they might exceed these expenditures; some schools have been reaching almost $300 per capita, and in one instance over that.

Mr. STAFFORD. Where are those schools located?

Mr. CARTER of Oklahoma. Two small schools in California.

Mr. STAFFORD. What will be the result of the limitation on those two schools?

Mr. CARTER of Oklahoma. When the facts about these two schools came before the committee, the Indian Committee got the Commissioner of Indian Affairs before them and they insisted very strongly that these two schools must be brought within a reasonable amount or the Indian Committee would expect to take radical action with reference to them. The result was that these two schools have been brought down until they come within the limit of $225.

Mr. BRUMBAUGH. Mr. Chairman, I want to ask the gentleman a question. Do these provisions in regard to the per capita expenditure apply only to indigent children?

Mr. CARTER of Oklahoma. They apply to all.

Mr. BRUMBAUGH. I understand that some of these Indians are wealthy and would be abundantly able to educate their children the same as any other person in the United States. These provisions apply to the children of Indians that own oil lands worth hundreds of thousands of dollars and who are being paid thousands of dollars monthly in royalties for oil. It applies to them the same as to indigent children.

Mr. CARTER of Oklahoma. Mr. Chairman, the only Indians that I know of which have a large interest in oil lands are in Oklahoma. This bill provides under the Oklahoma section for the use of $40,000 for the education of the Osage Indians. As I understand, not one dollar of any of this money appropriated in the general amount is used on the Osage Reservation. Then, there is authorized to be used from the tribal funds of the Five Civilized Tribes $450,000 for the support of their schools. Last year something less than $300,000 was used. That is the tribe contribution to the school fund from which they are educated. Moreover, every one of these children, or many of them, and their parents have taxable property in the State of Oklahoma. They are taxed for the support of State schools, and all of them are permitted free entry into any State, county, or district school in the State of Oklahoma.

Mr. NORTON. Mr. Chairman, I move to strike out the last word. Mr. Chairman, this provision purposes to limit the amount to be expended in any school for supplies and transportation of pupils to $200 per capita where the schools have an attendance or an enrollment of more than 100 pupils, and to $225 per capita where the schools have an enrollment of less than 100.

In my experience on the Indian appropriation bill during the past six years I have found it very difficult to tell just what money was being expended by the Government in any one place for the support and civilization of the Indians. I have found it apparently to be a long-standing practice of the Indian Bureau, intentionally or otherwise, to cover up in a multiplicity of separate reports the total amount of money that is expended at the different Indian schools and at the different Indian agencies.

About four years ago I called for a statement from the Indian Bureau giving the total amount in detail that was expended at each of the Indian agencies and Indian schools of the country including the amount regularly appropriated for the agency or school in the Indian appropriation bill. I found a tremendous difference in the actual amounts expended and the amount appropriated each year in this bill. I found cases where in this bill $5,000 was appropriated for an agency, and there was expended by the Indian Bureau as much as $60,000 or $80,000 out of trust and other funds for the same agency. Of where this additional money comes from that is expended by the Indian Bureau the ordinary Member of Congress is not advised. In 1916 a law was passed requiring that all appropriations used for the support and civilization of Indians be made in the Indian appropriation bill. You will find in section 25 of this bill that $2,500,000 is to be expended for the care, education, and civilization of the Indians. That $2,500,000 comes out of the interest and trust fund held by the United States for the use and benefit of the Indians. You could only know how that vast sum was to be expended by the bureau by referring to House Document 499 of this session. I expressed the opinion in the committee, and still believe, that it would be much better for the interest of good administration if the items of the expenditure of this $2,500,000 were incorporated in the bill so that every Member of Congress would be able to see and pass on them.

In the paragraph before this there is one of those items that have been so common in the administration of Indian affairs. It appears on page 7, beginning at line 25:

Provided, That this appropriation shall be available for the payment of salaries and expenses of persons employed in the supervision of construction work on school and agency buildings in the Indian Service.

That provision in there is for the purpose of paying a number of men who are for the most part of the time in the Indian Bureau here in Washington, when it is supposed and generally understood that the appropriation for the maintenance of the Indian Bureau is carried in the sundry civil bill.

I want to say further that the conduct of Indian affairs in this country right now is no credit to any good administration of Government.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. NORTON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NORTON. Mr. Chairman, the reason why there is not a better and more efficient conduct of Indian affairs in the country is because the Indian Department is honeycombed with a large number of men and women who are in that frame of mind where they believe that a position in the Indian Service provides for them a quiet, easy place, a permanent home where nothing much need be done, a place where they can rest and have easy days and enjoyment for the remainder of their lives. I have visited different Indian agencies, and, for the most part,

I have found men in charge who have nothing in mind toward doing anything for the Indians, who render little service to the Indians or to the Government other than to draw the salaries paid to them. These salaries, it is true, are not very large, but they are too large for many of those who are now receiving them.

I believe the salaries paid in the administration of Indian affairs should be increased so that they will attract better service than is now being given the Government. In my own State, in Oklahoma, in Florida, in Montana, in every State that I have visited, I have found in charge of Indian agencies, in charge of Indian schools men and women who are most incompetent and inefficient to perform the work that should be done by them. These men and women would not be kept for any length of time in any up-to-date educational system. The Indian Bureau has, during the past three or four years, been very active in advertising what it has done. It has been active and spent much valuable time in advertising in the press of the country its claims of accomplishment. I think it has done some good things and made some progress, but its claim of accomplishment would come with more good grace if the bureau would place in the Indian Service more competent men and women who will do some actual, earnest, intelligent work to help and assist the Indians under their care. It is depressing, it is discouraging, to anyone who has at heart the real interest of the Indians, who has at heart the success of Government supervision of the Indians to see the way much of the $11,000,000 we appropriate here is worse than wasted in its expenditure. I trust, if this per capita cost is allowed, that the men and women in the Indian Service will, during the next year at least, cultivate a different frame of mind from what they have shown in the past toward rendering any real, genuine, helpful service to the Indians, and that they will bear in mind that they are in the Government employ to do something for the Indians and not simply to serve themselves by drawing salaries from the Government.

The CHAIRMAN. The time of the gentleman from North Dakota has again expired.

The Clerk read as follows:

INDUSTRIAL WORK AND CARE OF TIMBER.

For the purposes of preserving living and growing timber on Indian reservations and allotments, and to educate Indians in the proper care of forests; for the employment of suitable persons as matrons to teach Indian women and girls housekeeping and other household duties, for necessary traveling expenses of such matrons, and for furnishing necessary equipments and supplies and renting quarters for them where necessary; for the conducting of experiments on Indian school or agency farms designed to test the possibilities of soil and climate in the cultivation of trees, grains, vegetables, cotton, and fruits, and for the employment of practical farmers and stockmen, in addition to the agency and school farmers now employed; for necessary traveling expenses of such farmers and stockmen and for furnishing necessary equipment and supplies for them; and for superintending and directing farming and stock raising among Indians, $475,000, of which sum not less than $75,000 shall be used for the employment of field matrons: *Provided*, That the foregoing shall not, as to timber, apply to the Menominee Indian Reservation in Wisconsin: *Provided further*, That hereafter no money shall be expended for the employment of any farmer or expert farmer at a salary of or in excess of $50 per month, unless he shall first have procured and filed with the Commissioner of Indian Affairs a certificate of competency showing that he is a farmer of actual experience and qualified to instruct others in the art of practical agriculture, such certificate to be certified and issued to him by the president or dean of the State agricultural college of the State in which his services are to be rendered, or by the president or dean of the State agricultural college of an adjoining State: *Provided*, That this provision shall not apply to persons employed in the Indian Service as farmer or expert farmer prior to January 1, 1917: *And provided further*, That this shall not apply to Indians employed or to be employed as assistant farmer: *And provided further*, That not to exceed $25,000 of the amount herein appropriated shall be used to conduct experiments on Indian school or agency farms to test the possibilities of soil and climate in the cultivation of trees, cotton, grain, vegetables, and fruits: *Provided, also*, That the amounts paid to matrons, foresters, farmers, physicians, and stockmen herein provided for shall not be included within the limitation on salaries and compensation of employees contained in the act of August 24, 1912.

Mr. FERRIS. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry of the committee. I desire to know if they have done anything about raising the salaries of the Indian farmers? The information that I have is that the Indian farmers are resigning everywhere, and they can not keep them going at all. Of course, there has always been some doubt as to how much good these Indian farmers actually accomplish, but they are paid only from $720 to $900 a year.

Mr. HAYDEN. The committee has not increased this appropiation in any particular; it carries the same amount and for the same purpose as last year.

Mr. FERRIS. The amount ought to be increased and the standard of service ought to be raised. I have not given it much attention, but I rose to direct the attention of the committee to the fact that to try and hire a man who knows enough about agriculture to teach Indians agriculture and propose to pay him $720 a year for doing it in these times is absolutely a joke. I do not know that the committee has had time to go into it, or that this is the proper way to do that, but I do know that there are three or four vacancies in the Indian farmer office down in my own State and district, and they can not get anyone to take the place; the salary is so small that you can not get anyone to work for it. Either the commissioner or the Secretary ought to appreciate the movement to get a class of men who would know enough to teach the Indians farming. You can not get a man to stand in front of a building to open the door for $60 a month now, and those Indian farmers have a good deal to do other than to teach agriculture. They really have to do with the approval of leases, they have to do with the distribution of the Indian money, and have to do with the approval of the contracts, and the salary is so inadequate for that particular branch of the service that they can not retain anybody in the service who is worth anything.

Mr. ROBBINS. Mr. Chairman, on page 10, lines 12, 13, and 14, there is the provision—

And for superintending and directing farming and stock raising among Indians, $475,000.

I want to ask the gentleman in charge of the bill, and also the gentleman from North Dakota [Mr. NORTON], who is on the Indian Affairs Committee, why it is necessary to have a separate corps of instructors for the Indians? Why do they not apply for these expert farmers and expert stockmen to instruct the Indians to the Department of Agriculture? We have a large corps of instructors and specialists in the Department of Agriculture, who are traveling all over the country and who are doubtless going into the same districts where these Indian agents go, who are paid large sums of money. Why do you not allow all of this to go to the Department of Agriculture, instead of building up in the Indian Service a corps of alleged experts, whom the gentleman from Oklahoma [Mr. FERRIS] says are not paid sufficiently to produce efficiency? Why is it not economy in a business point of view to use the department devoted to agriculture exclusively for the benefit of the Indians as well as for the benefit of the white farmer?

Mr. HAYDEN. The gentleman will understand that the area of Indian reservations in the United States is enormous. In my own State there are 23,000,000 acres of Indian lands. In the various counties of Arizona we have agricultural agents, half of whose salary is paid by the Federal Government, and they are always busy giving instruction to white farmers. They have neither the time nor the opportunity to go on the Indian reservations to undertake such additional work. Out of the $475,000 provided for in this item $240,000 has been allotted to this work, and the hearings show that 247 men have been employed as expert farmers to instruct the Indians in agriculture. It is not practical to take the county agents away from their work of instructing the white farmers when they are so few in number and have them do this Indian work also.

Mr. ROBBINS. In addition to the inquiry, which the gentleman has clearly and fully answered, it struck me that to increase the number of exports in the Agricultural Department would be a better plan, and abolish altogether these specialists, and that would procure for the Indians better results.

Mr. HAYDEN. It would be very difficult from an administrative point of view to have a man from the Department of Agriculture working under the superintendent on an Indian reservation. There ought to be one centralized authority directing work which is to be done on each reservation. It seems to me that better work will be done in instructing the Indians in farming by relying on the Indian Service than to depend upon the Department of Agriculture here in Washington, two or three thousand miles away from the reservations.

Mr. NORTON. Mr. Chairman, I move to strike out the last word. I will say that I thoroughly agree with the gentleman from Oklahoma [Mr. FERRIS] that these expert farmers, whom by this appropriation it is intended to have employed for the benefit of the Indians, should receive a fair salary. This provision as it stands will permit the Commissioner of Indian Affairs to give that to those worthy of it. This paragraph does not permit the payment of more than $50 a month to any farmer or expert farmer unless he shall have first procured and filed with the Commissioner of Indian Affairs a certificate of competency, showing that he is a farmer of actual experience and qualified to instruct others in the art of practical agriculture; then he may be paid more. I will say to the gentleman from Oklahoma that I believe real expert farmers should be paid more. They should be paid $100, $125, or even $150 a month. The trouble I find on Indian reservations is this, that these so-called expert farmers, as the gentleman from Pennsylvania [Mr. ROBBINS] designated them, are men usually who have made a complete failure of farming. They are a run-down-at-the-heel sort of a class of farmers, who for one reason or another have been taken on by the Indian Bureau to instruct the Indians in the best methods of farming. Time and again as I have visited Indian reservations I have had successful Indian farmers, Indian farmers who have made a real success of farming, com-

plain of these expert farmers, saying that they absolutely knew nothing about good farming and, further, they did nothing toward helping the Indians increase production on the reservations.

Mr. FERRIS. Does not the gentleman agree with me it is almost absolutely impossible to get men for $60 a month and take this responsibility which they have to take? The gentleman knows they have to approve leases, they have to distribute money, they have to approve sales and purchases of horses and harness and construction of houses, and it seems to me in these sort of times, when the purchasing power of a dollar is almost nil, that you can not get these men for this price.

Mr. NORTON. I quite agree with the gentleman. My complaint is this, that the Indian Bureau seems to lack energy, seems to lack common business sense in not itself strenuously protesting against conditions that exist on the Indian reservations of the country. It lacks initiative to go ahead and put into effect a policy that will do away with the incompetents that we now have in the administration of Indian affairs. There would be infinitely more progress made if we had one good, competent man in the place of ten incompetents that we now have in the service. Much of this money is being paid out for these so-called expert farmers, where no benefit at all is being received by the Indians.

Mr. CARTER of Oklahoma. Does not the gentleman think that the manner in which we employ these experts has something to do with it, to wit, the civil service?

Mr. NORTON. Yes; I think the manner and I think the whole administration of Indian affairs has something to do with it—has all to do with it.

Mr. ROBBINS. Does not the gentleman think that the criticism is leveled and ought to be leveled at the head of the department, the responsible authority, the Secretary of the Interior?

Mr. NORTON. I want to level it at the Secretary of the Interior, to be specific, and at the Commissioner of Indian Affairs, who ought to see that a different policy is pursued. I do not want to camouflage my criticism at all. [Applause.]

Mr. ROBBINS. That is where it ought to be, too.

The CHAIRMAN. The pro forma amendment is withdrawn.

The Clerk read as follows:

For witness fees and other legal expenses incurred in suits instituted in behalf of or against Indians involving the question of title to lands allotted to them, or the right of possession of personal property held by them, and in hearings set by the United States local land officers to determine the rights of Indians to public lands, $1,000: *Provided*, That no part of this appropriation shall be used in the payment of attorneys' fees.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word in order to put a question to the gentleman in charge of this bill. What does the committee mean, page 12, line 9, where it says:

For witness fees and other legal expenses in behalf of or against Indians involving the question of title to lands allotted to them—

And so forth.

What expenses were to be paid out for suits either in behalf or against Indians? Are not the Indians the wards of the Government?

Mr. CARTER of Oklahoma. I presume this is in case where a suit is brought to quiet title on behalf of an Indian, or where a suit is sometimes necessary to be brought by one Indian against another. Sometimes there are friendly suits brought and I presume these are friendly suits.

Mr. ROBBINS. The item is not large; I do not wish to raise any further question, but it rather puzzled me——

Mr. CARTER of Oklahoma. I admit the language might be a little confusing.

Mr. ROBBINS. Why we should pay costs of that kind.

Mr. GALLAGHER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

GENERAL EXPENSES OF INDIAN SERVICE.

For pay of special agents, at $2,000 per annum; for traveling and incidental expenses of such special agents, including sleeping-car fare, and a per diem of not to exceed $3.50 in lieu of subsistence, in the discretion of the Secretary of the Interior, when actually employed on duty in the field or ordered to the seat of government; for transportation and incidental expenses of officers and clerks of the Office of Indian Affairs when traveling on official duty; for pay of employees not otherwise provided for; and for other necessary expenses of the Indian Service for which no other appropriation is available, $135,000: *Provided*, That not to exceed $15,000 of this amount shall be used for continuing the work of the Competency Commission to the Five Civilized Tribes in Oklahoma.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I rise for the purpose of obtaining some information as to what is the progress of the work of this competency commission, for which the appropriation is increased threefold over that carried in last year's bill. Last year the appropriation was $5,000 for the work of this competency commission among the Five Civilized Tribes and the bill carries a threefold larger appropriation of $15,000.

Mr. CARTER of Oklahoma. Well, this appropriation simply provides that not to exceed $15,000 of this amount shall be used for the competency commission in Oklahoma. There was no limitation on the amount that could be used for that commission in any State last year.

Mr. HASTINGS. Five thousand dollars was made immediately available.

Mr. CARTER of Oklahoma. Last year $5,000 was made immediately available.

But this proviso here limits the amount that can be used in this State. I will say to the gentleman that one thing that brought this amendment about, as the gentleman from Oklahoma [Mr. HASTINGS] has informed me, was that he found two competency commissions in his home town at one time. The two had met there by accident or in some way. Now, we are very anxious to have a competency commission in Oklahoma that will look to the relieving of the Indian of restrictions on his land when he is competent, and relieving the Government from further supervision of it; but we would not like to have two in the same town, and we thought this might direct the attention of the administrative officers to it, so that we would have one perhaps all the time, and only one, in the State. One is I think amply sufficient for the State of Oklahoma.

Mr. STAFFORD. Can the gentleman inform the committee how many commissions have been appointed by the Bureau of Indian Affairs under this former authorization?

Mr. CARTER of Oklahoma. There are three.

Mr. STAFFORD. What work are they doing?

Mr. CARTER of Oklahoma. They go around to the different Indian communities, and in some instances visit the Indian homes to find out the living conditions in order to get at the Indian's real competency to transact his own business. This is done for the purpose of removing the restrictions and putting competent Indians on their own responsibility as soon as they are capable.

Mr. STAFFORD. What has been the expenditure out of this item in the years past for this work?

Mr. CARTER of Oklahoma. I can not give the gentleman that information. This is a step at getting it. Next year I want to bring before the House an itemized statement of money that has been spent for competency commissions.

Mr. STAFFORD. Undoubtedly there was more than $5,000, as provided last year, without any limitation.

Mr. CARTER of Oklahoma. There were three working all the time, at about $2,000 to the man, and three men to the commission. And that outside of their traveling expenses when they were away from home.

Mr. STAFFORD. And that would amount to more than $18,000 just for salaries.

Mr. CARTER of Oklahoma. Surely. There is more than that being spent now.

Mr. STAFFORD. What was the per diem? Three dollars a day?

Mr. CARTER of Oklahoma. Three dollars a day.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the time be extended five minutes.

Mr. JUUL. I object.

The CHAIRMAN. The Clerk will read.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin [Mr. STAFFORD] may proceed for five minutes. He is pursuing a very interesting and valuable investigation.

Mr. JUUL. I object.

The CHAIRMAN. The gentleman from Illinois [Mr. JUUL] objects, and the question is not debatable.

The Clerk will read.

Mr. CAMPBELL of Kansas. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Kansas rise?

Mr. CAMPBELL of Kansas. I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas may oppose the motion, but the gentleman from Wisconsin [Mr. STAFFORD] made the motion to strike out the last word. However, that motion has just been made, and if he desires to oppose it, the Chair will recognize him for that purpose.

Mr. CAMPBELL of Kansas. Then I oppose the motion.

Mr. JUUL. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. JUUL. A point of order.

The CHAIRMAN. The gentleman will state it.

Mr. JUUL. I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] There are 41 Members present; not a quorum; and the Clerk will call the roll.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Mr. CARTER of Oklahoma. Mr. Chairman, I call for tellers. I have the right to do so.

The CHAIRMAN. The gentleman's motion was carried.

Mr. JUUL. Mr. Chairman, I ask unanimous consent to withdraw my point.

The CHAIRMAN. It is too late.

Mr. CARTER of Oklahoma. The gentleman can do it by unanimous consent.

The CHAIRMAN. You can not do anything without a quorum.

Mr. CARTER of Oklahoma. Mr. Chairman, I was on my feet and asked for tellers.

The CHAIRMAN. Well, but the gentleman's motion was carried and the Chair announced the result of it.

Mr. CARTER of Oklahoma. Let me make a parliamentary inquiry. When is the time that a man can call for tellers?

The CHAIRMAN. But the Chair had already announced the result of the vote and had instructed the Clerk to begin to call the roll. Then the gentleman asked for tellers. The Chair will give the gentleman the benefit of the doubt and give him tellers.

The gentleman from Kansas [Mr. CAMPBELL] and the gentleman from Oklahoma [Mr. CARTER] will take their places as tellers. Those who desire to object will first pass through the tellers.

Mr. WALSH. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. WALSH. I rise to make a parliamentary inquiry. I desire to ask if the Chair has ascertained whether tellers have been ordered or not?

The CHAIRMAN. The Chair has not. The question is on taking this vote by tellers.

Tellers were ordered, and the gentleman from Oklahoma [Mr. CARTER] and the gentleman from Kansas [Mr. CAMPBELL] took their places as tellers.

The committee divided; and the tellers reported—ayes 6, noes 46.

The CHAIRMAN. The committee refuses to rise, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Francis	LaGuardia	Rucker
Bacharach	Frear	Langley	Sabath
Barnhart	Fuller, Mass.	Lehlbach	Sanders, La.
Bell	Gallivan	Lesher	Sanford
Bowers	Gard	Linthicum	Saunders, Va.
Britten	Garland	Lundeen	Scott, Pa.
Brodbeck	Godwin, N. C.	Lunn	Scully
Browning	Gould	McFadden	Sells
Burnett	Graham, Pa.	McKinley	Sherley
Candler, Miss.	Gray, Ala.	McLaughlin, Pa.	Siegel
Cannon	Gray, N. J.	Madden	Sims
Capstick	Greene, Mass.	Magee	Sisson
Carew	Greene, Vt.	Maher	Small
Chandler, N. Y.	Gregg	Mann	Smith, Mich.
Church	Griest	Mason	Smith, T. F.
Clark, Fla.	Hamill	Miller, Wash.	Snell
Copley	Hamilton, N. Y.	Montague	Snyder
Costello	Hardy	Morin	Steagall
Crago	Harrison, Va.	Neely	Stephens, Nebr.
Crisp	Haskell	Nichols, Mich.	Stiness
Currie, Mich.	Haugen	Oliver, Ala.	Sullivan
Curry, Cal.	Hawley	Olney	Summers
Dale, Vt.	Hayes	O'Shaunessy	Swift
Darrow	Heintz	Paige	Tague
Davidson	Holland	Parker, N. J.	Talbott
Decker	Hood	Parker, N. Y.	Taylor, Colo.
Dewalt	Hull, Iowa	Phelan	Templeton
Dooling	Husted	Polk	Vare
Doremus	Hutchinson	Porter	Vestal
Doughton	Igoe	Pou	Ward
Drukker	Johnson, Wash.	Price	Watson, Va.
Dunn	Jones, Va.	Ragsdale	Webb
Edmonds	Kahn	Rainey	Whaley
Esch	Kelley, Mich.	Ramsey	Williams
Estopinal	Kennedy, Iowa	Rayburn	Winslow
Evans	Kennedy, R. I.	Reavis	Wise
Fairchild, B. L.	Key, Ohio	Riordan	Young, Tex.
Fairchild, G. W.	Kiess, Pa.	Rodenberg	
Farr	Kitchin	Rowe	
Flynn	Kreider	Rowland	

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having found itself without a quorum, he had directed the roll to be called, whereupon 271 Members, a quorum, answered to their names, and he directed that their names be entered on the Journal.

The SPEAKER. The committee will resume its sitting.

The committee resumed its sitting.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INDIAN SERVICE INSPECTORS.

For pay of six Indian Service inspectors, exclusive of one chief inspector, at salaries not to exceed $2,500 per annum and actual traveling and incidental expenses, and not to exceed $3.50 per diem in lieu of subsistence when actually employed on duty in the field, $30,000.

Mr. NORTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from North Dakota moves to strike out the last word.

Mr. NORTON. Mr. Chairman, if one were trying to discover where the most valuable man employed as a special agent or as an inspector in the Indian Service receives his compensation, he would naturally expect that it was either out of the appropriation for the general expenses of the Indian Service, in the paragraph preceding this one, or from the item of $30,000 under this paragraph; but such is not the case. The most valuable man in the Indian Service in inspection work to-day is, in my judgment, unquestionably Maj. James McLaughlin, a man who has been in the Indian Service for nearly 40 years; a man who has made more treaties for the Government with Indians than any other living man; a man who has done more for the Indians of the United States and who is better acquainted with Indian affairs than any other man living in this country to-day.

Maj. McLaughlin receives at this time the modest salary of $2,500 a year, but it is not, I say, as might reasonably be expected, paid out of the appropriation provided for in this paragraph or out of the appropriation provided for in the preceding paragraph.

I like to commend good service in the Government much better than I like to criticize and condemn poor service. It pleases me greatly to recall the efficient and faithful services Maj. McLaughlin has rendered to the administration of Indian affairs during his long period of service with the Government. A man like Maj. McLaughlin, a man who has rendered the real valuable service to the Interior Department that he has rendered for the last 40 years, should justly receive much better compensation than he is now receiving. If we had paid, out of the funds provided for in this and the preceding paragraph, to a few more men of his faithfulness, character, standing, and ability, of his real heart interest in Indians and in Indian affairs, we would have much better service given to the Indians in the different States. We would then have more real development among the Indians, more real improvement in their education and civilization, more real stable and lasting improvement in their ability toward self-support.

Maj. McLaughlin has been employed by the Government in dealing with Indians in almost every State in the Union for the last 40 years. His home and the homes of his children for many years has been on the Standing Rock Indian Reservation, in the section of the country near where I live. For many years he was the Indian agent on that reservation. To-day he is the most beloved and the most respected man among the Indians in North and South Dakota. His record in the service of the Government is one of which any man could feel justly proud. It is one the emulation of which by others in the Indian Service will bring about much-needed improvement in the administration of Indian affairs. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. CARTER of Oklahoma. Mr. Chairman, I rise to oppose the amendment.

I heartily concur in every word that has been said by the gentleman from North Dakota [Mr. NORTON].

A Member just asked me how long Maj. McLaughlin had been on the pay roll. He was on the pay roll perhaps before some Members here now were born, and during all the time I doubt not he was drawing less salary than he might have been able to draw had he been employed in a different capacity. He is one of the men in the Government service with a capacity of from $6,000 to $10,000 a year who has continued working, year after year, for $2,500, and prior to a few years ago for even less than that. There has never been a man in the Indian Service, so far as I am advised, who has rendered more beneficial service, both for the Federal Government and for the Indians, than has Maj. McLaughlin.

Many years ago, when the last Sioux uprising took place, it was Maj. McLaughlin who took charge of that situation with a firm hand and settled the matter and perhaps relieved the Government from having to kill a great number of Indians. It was

necessary to kill Sitting Bull, but if the recommendations of Maj. McLaughlin had been acted upon promptly when the ghost dances first started the life of Sitting Bull might have been saved to a ripe old age, for Maj. McLaughlin notified the Government at the very beginning of the uprising, at the very beginning of the dances, of the dangers to which they might lead. But this Government did not at first take serious enough account of Maj. McLaughlin's report. The result was the death of Sitting Bull, and also the death of one of the brightest, most intelligent, and loyal of our young Indians—loyal to this Government under adverse circumstances. In attempting to arrest Sitting Bull he was also killed.

Maj. McLaughlin has ever been the friend of the Indians, he has ever had the confidence of the Indians. It is worth while for any Member of this House to spend a few evenings reading that very valuable book written by Maj. McLaughlin entitled, "My Friend the Indian."

All praise to Maj. McLaughlin, all honor to this noble, courageous, intelligent, diligent Government inspector, against whose long and valuable public service the tongue of slander has never wagged and who never faltered in the performance of a duty. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Chairman, I count among my best friends in the public service Maj. McLaughlin, the friend of the Indian. [Applause.] I got my liking for the Indian and my interest in his behalf through association with Maj. McLaughlin. I have read his book, "My Friend the Indian." It is one of the most illuminating works upon the American Indian that has ever been published. It was written by a man who loves the Indians, who has lived with them, and who has worked with and for them. For more than 40 years Maj. McLaughlin's life has been interlocked with the life of the American Indian. Years ago, when uprisings were imminent in any Indian tribe, Maj. McLaughlin, with that courage that his name would indicate, would go to the tribe, would sit with them in their councils, talk with them in their own language, and he has secured many treaties from unfriendly Indians who were about to go upon the warpath which have resulted in the maintenance of peace. He has rendered great service to the Indian and to the United States in the years of his connection with the Indians and with the Interior Department. Maj. McLaughlin is about 76 years young. I do not know where he is now. Perhaps he is out in the Dakotas or in Wyoming. He is somewhere rendering service to the United States and to the Indians. He works like a steam engine. I have known few men who have his capacity for work. At his age he seems never to tire, and he has the faculty of going right to the gist of a question. A few years ago, when a most intricate and important matter was under consideration, Maj. McLaughlin was selected by the Secretary of the Interior and commissioned especially to make an investigation of the entire subject, and the report made by him in that matter is the last word upon the subject. He has always rendered that kind of service to the Government and to the Indians, and I would like to join with my colleagues on both sides of this Chamber in doing something besides merely giving him words of praise. I do not know how he lives on $2,500 a year.

Mr. ROBBINS. Where does he live?

Mr. CAMPBELL of Kansas. He lives in North Dakota. He knows the Indian, knows his language. This House can well afford to spend a few moments in giving recognition to the splendid services that Maj. McLaughlin has rendered. [Applause.]

The Clerk read as follows:

VEHICLES FOR INDIAN SERVICE.

That not to exceed $200,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation and other employees in the Indian field service: *Provided*, That not to exceed $15,000 may be used in the purchase of horse-drawn passenger-carrying vehicles, and not to exceed $30,000 for the purchase of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. For several years we have been carrying this appropriation and authorization of $30,000, made available for the purchase of motor-propelled passenger-carrying vehicles. I do not recall how many years that amount has been carried, but I do remember that it has been carried for a number of years. The Indian Service in the field must have at their disposal a number of motor-propelled passenger-carrying vehicles. When this authorization was placed in the bill some years back it was expected that in a short time the amount would be reduced. I wish to inquire of the chairman of the committee whether he can furnish any information as to the number of automobiles that have been purchased out of this item in years past, and what is the average number purchased, and the price of the automobiles.

Mr. CARTER of Oklahoma. I can not give the gentleman the information for any year except the last fiscal year. For the last fiscal year the only information I can give him is that $40,381.98 is the total from all funds for motor-propelled vehicles.

Mr. STAFFORD. Here is a limitation of $30,000 for that purpose.

Mr. CARTER of Oklahoma. I get that information from the hearings on page 96. It is there stated that the total for motor-propelled vehicles, 1917, all funds, was $40,381.98. Paid from tribal and other funds not covered by 1917 act, $22,324.55. Paid from funds and appropriations named in 1917 act, $18,057.43.

Mr. JUUL. Will the gentleman yield?

Mr. STAFFORD. I always yield to my colleague from Illinois when he asks a question or takes the floor.

Mr. JUUL. On what page of the hearings is that information found?

Mr. CARTER of Oklahoma. On page 96.

Mr. STAFFORD. Can the gentleman inform the committee what is the average price of these automobiles that have been purchased, whether they are the ordinary inexpensive machine, or whether there are instances where some of the higher-priced machines have been purchased?

Mr. FRENCH. Is the gentleman trying to advertise the Ford?

Mr. STAFFORD. It is not necessary to advertise the Ford. Mr. Ford himself attends to that.

Mr. CARTER of Oklahoma. The Commissioner of Indian Affairs said to us in the hearings a year ago that they always purchased the cheapest durable machine, and purchased no high-priced machines at all. Upon being pressed about it, he said he did not want to advertise any certain line of automobiles, but that the automobiles that were purchased were so well advertised as not to need advertisement, either from the administrative or congressional branch of the Government.

Mr. STAFFORD. Can the gentleman give the number of automobiles that are in use as compared with the number of horse-drawn vehicles? Of course, everyone realizes that the automobile is a time saver and a money saver, that it makes the time of these Indian agents treble in value what it would be without the use of automobiles. Can the gentleman inform us whether all the branches of the service have been equipped with automobiles, or whether this $30,000 is necessary to extend the automobile service still further?

Mr. CARTER of Oklahoma. It is needed, as stated in the hearings, for an extension of the service to some places where the automobile is not now used. The Assistant Commissioner of Indian Affairs made this statement:

It is now really an economy for the Government to buy a cheap automobile in price rather than to purchase a team, because the machine can be maintained as cheaply as a team, in view of the high cost of feed, and the automobile will not cost any more than a good team.

Mr. STAFFORD. I have obtained as much information as I could from the hearings. I wish I could obtain information as to just how many are in use in the service.

Mr. CARTER of Oklahoma. I will be very glad to have that included in the hearings next time. I am sorry it was not included this year.

Mr. STAFFORD. I withdraw the pro forma amendment.

The Clerk read as follows:

ISSUING PATENTS IN CERTAIN CASES.

That the Secretary of the Interior is authorized and directed to issue a patent in fee simple to the duly authorized missionary board or other proper authority of any religious organization engaged in mission or school work on any Indian reservation for such lands thereon as have been heretofore or may hereafter be set apart to and are being used and occupied by such organization for mission or school purposes.

Mr. STAFFORD. I reserve the point of order on the paragraph. I will ask the chairman of the committee what has been the policy of the committee in the past in the matter of granting patents to sectarian or religious organizations for the land on which they have erected schools or other buildings?

Mr. HAYDEN. I can state to the gentleman that twice before Congress has passed legislation similar to this, saying that where the school grounds were theretofore occupied and used for that purpose patents might be issued. This legislation simply brings it down to date.

Mr. STAFFORD. Does the gentleman think it is a good policy to pursue, as far as the Indians are concerned? Here are religious organizations doing a highly commendable and humanitarian work erecting schools on Government land. A time may come when these schools will no longer be needed, when the land of the Indians will be sold, and yet the Government might, under this authorization, have given title to some portions of the land on which schools are constructed that would interfere with the sale of these lands.

Mr. HAYDEN. On the other hand, missionary societies object to spending money in the construction of buildings unless they have title to the ground, and I think properly so. It is the usual custom to make some reservation in the patent to the effect that if the land is not used for school purposes it reverts to the Indians.

Mr. STAFFORD. Heretofore the Government in its policy has always retained absolute control over the reservation. Here some religious society wishes to establish a school or other educational building on the premises, and the time may come when it might be the wish of the department to exclude those persons from the utilization of this building. It might be that some of the teachers had become obnoxious in their work, and yet under this authorization they would have no right to exclude them from the reservation. I question whether the Government should grant title to land to a religious organization under these conditions, when it might become the means of preventing the department from exercising a free hand late on.

Mr. HAYDEN. I will say to the gentleman that I have never heard of any such difficulty having occurred. We encourage missionary organizations to erect schools on the reservations because of the good they are doing. It is not as though a man were engaged in a gainful occupation, like conducting a store for profit, where his presence might become undesirable.

Mr. STAFFORD. Has the gentleman any data as to the number of instances where we have granted title to lands under special acts, or the number of instances where schools have been erected on reservations without title?

Mr. HAYDEN. If the gentleman will look through the statute books he will find numerous instances where legislation has been passed granting title to lands for this purpose. In 1916, and I believe once before, general legislation of this kind was passed providing that where schools had been theretofore established it was within the discretion of the Secretary of the Interior to grant title to the land. It all lies within the discretion of the Secretary of the Interior.

Mr. JUUL. Will the gentleman yield?

Mr. STAFFORD. Yes; I am always disposed to yield any time at my disposal to the gentleman from Illinois.

Mr. JUUL. Is it not a fact that the lands granted to missions and schools to be used for school purposes when not so used revert to the United States?

Mr. HAYDEN. That is the usual reservation in the patent.

Mr. JUUL. Then the country would be perfectly safe in this case.

Mr. HAYDEN. I think so.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STAFFORD. The gentleman from Arizona stated, in reply to a query, that there is discretion lodged in the Secretary of the Interior. This provision reads:

That the Secretary of the Interior is authorized and directed to issue a patent in fee simple to the duly authorized missionary board or other proper authority of any religious organization engaged in mission or school work on any Indian reservation for such lands thereon as have been heretofore or may hereafter be set apart to and are being used and occupied by such organization for mission or school purposes.

Mr. HAYDEN. Would it satisfy the gentleman if we struck out the words "and directed" and inserted "in his discretion"?

Mr. STAFFORD. I would not favor allowing this provision to be passed, which would be mandatory. I think there should be some discretion lodged in the Secretary of the Interior.

Mr. HAYDEN. I think the gentleman's criticism is proper, and he is at liberty to offer such an amendment.

Mr. STAFFORD. I will retain the reservation of the point of order and yield to the gentleman form Minnesota.

Mr. MILLER of Minnesota. Mr. Chairman, I wish to call the attention of the gentleman from Wisconsin and the gentleman from Arizona to the fact that not only is this mandatory but if enacted into law the title is conveyed without another act being performed by anybody. It has been held by the court that when Congress uses such language as this, in this paragraph, the title is actually vested by the legislation in the person or institution to whom or to which the land is to be conveyed. Consequently, if this should be passed, whether the Secretary of the Interior did or did not issue a patent, the actual title to the land would immediately be vested in the institution. I think the point is very well taken.

Now, I would like to ask something further. It has been the policy of the committee in cases like this to specify the reservation, the quality of the land, and the institution to receive it. It may be that in years past there have been instances other than that, but I am not familiar with it. This is blanket legislation. It covers cases not only now existing but in the future. This will remain as a law, and hereafter it will be wholly unnecessary for any religious organization to come to Congress and ask that title be granted to it for the establishment of a church or school. All it will need to do will be to go directly to the Secretary of the Interior, and he is authorized to set aside a quantity of land and issue a patent.

Mr. HAYDEN. In 1916 just such a blanket act was passed, except it provided where the lands had theretofore been occupied for this purpose, and it did not continue hereafter. We thought we might as well make it permanent law at that time. We can do as we did then, take care of the cases intervening in the last two years, by passing this kind of an act.

Mr. MILLER of Minnesota. It is unquestioned that wonderful good has been done by these religious organizations, but there are many instances where, unfortunately, there has been some conflict.

For instance, take a spot having 500 Indians and no more, where there may be a Roman Catholic Church established, and which may have been doing splendid work for 30 or 40 or even 50 years. A Protestant Church concludes that it ought to have a mission there, and then they come and get a piece of land, and the result is that the two of them fight for the 500 Indians. That is not right. The Indian is bewildered, and he does not know which church to go to, and the result is that he does not go to either. I know of an instance that occurred recently where there were not more than 250 Indians, where one institution was being conducted with great success. Another one came in, and the result is that neither is now a success. I think some limitation ought to be placed on this. In the case such as I have described, where there is one good church—I do not care what it is, if it is doing good work among a small band of Indians—I never in the world would vote to give the land to another church just because that other church wanted to get in there and proselyte. You can not safely leave that to the Secretary, because the Indian Office did exactly what I complain of. For instance, an agent goes to one of these places and he happens to be a member of a certain church, for illustration, we will say the Baptist Church. He finds there a Methodist mission. He says that the Indians there will go to hell sure if they do not have a Baptist Church and full immersion when baptized. So he goes to work to get a Baptist mission there, with the consequence that both are poorly paid and neither is doing good work. I think this ought to be left as it has been heretofore, and when the committee, knowing the facts, comes to the conclusion that it is a good place to give a deed to a church or a school, let Congress do it.

Mr. STAFFORD. Mr. Chairman, in view of the statement made by the gentleman from Minnesota [Mr. MILLER], who has had considerable personal acquaintance with conditions on Indian reservations, and because of the fact that the committee also acknowledges that the language ought to be changed, I shall make the point of order that it is new legislation on an appropriation bill.

Mr. HAYDEN. Mr. Chairman, the committee will not resist the point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

ISSUING PATENTS IN CERTAIN CASES.

That the Secretary of the Interior is authorized and directed to issue a patent in fee simple to the duly authorized missionary board or other proper authority of any religious organization engaged in mission or school work on any Indian reservation for such lands thereon as have been heretofore or may hereafter be set apart to and are being used and occupied by such organization for mission or school purposes.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. I desire to call the attention of the committee to a situation which I think will perhaps be a means of clearing up a point of interest to a good many Members. I have in my hand a letter from a soldier at Camp Green, who has been in the service for four months, who has not secured as yet one cent of pay, and part of his pay has been assigned to his mother.

Mr. CARTER of Oklahoma. Mr. Chairman, I make the point of order that the gentleman is not discussing the amendment. I dislike very much to object to my good friend discussing the matter he has in mind, and I suggest that he discuss it in the House in a few moments after the committee rises.

Mr. TREADWAY. I did not know what the plan of the committee was, but it strikes me that this is such an important matter that the Indian Committee should not object to having attention called to it. I gladly comply with the gentleman's suggestion and will bring the matter up after the committee rises.

Mr. CARTER of Oklahoma. We expect to rise just as soon as we finish Arizona and New Mexico.

Mr. STAFFORD. Oh, that will require our sitting possibly until 6 o'clock. This is Saturday afternoon.

Mr. CARTER of Oklahoma. I think we shall quit at 5 o'clock, no matter where we are; but I thought, perhaps, we might finish with Arizona and New Mexico.

The Clerk read as follows:

For support and education of 700 Indian pupils at the Indian school at Phoenix, Ariz., and for pay of superintendent, $132,000; for general repairs and improvements, $12,500; in all, $144,500.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish some information from the committee. What is the reason for all these appropriations for the support of schools being increased over those of prior years? The gentleman stated, in response to a question I addressed to him about the per capita cost being increased to $200 and $225, respectively, that in most instances, if not in all, the per capita cost had been increased and that it was not the primary intention to increase the allowance for per capita cost of these respective institutions, but I find running through the bill that the total appropriations for these different schools have been considerably increased over those of last year. Are those appropriations caused by increased attendance, or is it due entirely to the increase allowed per capita?

Mr. CARTER of Oklahoma. Oh, Mr. Chairman, the gentleman thoroughly misunderstands me. The query the gentleman propounded to me was this. Had we in any case increased the amount in this bill over the estimates of the department?

Mr. STAFFORD. The gentleman misunderstood my query. I am asking now the question, and my query is——

Mr. CARTER of Oklahoma. I think I understood the gentleman's question. But earlier in the day the gentleman says I made the statement in answer to him that there had been no increase in the per capita cost. On the contrary, the per capita cost was provided to be not exceeding $200 and $225, and in each school as we went along we found it necessary to increase also the per capita allowance, based upon the attendance there last year; not only the number of pupils appropriated for in the former bill, nor upon the number estimated for by the department, but based upon the actual attendance, the enrollment, and upon the capacity of the school.

Mr. STAFFORD. And at what rate per capita?

Mr. CARTER of Oklahoma. For all schools under 400, $200, and for all schools 400 and over, $185.

Mr. STAFFORD. So the gentleman did raise the allowance of those schools above that they were receiving before?

Mr. CARTER of Oklahoma. We raised the allowance, that is true; that is to say, we raised the amount allowed at a great many schools. We did that in order that the school might be conducted to meet the requirements of the high cost of living. There is no increase in attendance, but practically all increases in school-support appropriations are increases in per capita cost.

Mr. STAFFORD. Were those increases recommended by the department?

Mr. CARTER of Oklahoma. Oh, the department recommended a great deal more than we allowed. In each instance we cut down the department's estimate.

Mr. STAFFORD. Even as to the total amount allowed for the schools?

Mr. CARTER of Oklahoma. Yes; even as to the total amount allowed.

Mr. FRENCH. Is it not true that the department had to ask for a deficiency appropriation to take care of the schools last year?

Mr. CARTER of Oklahoma. I explained that to the gentleman from Wisconsin—over $250,000.

Mr. STAFFORD. So the committee has proceeded in the amounts of these respective items to allow them a certain amount, as stated, based upon the attendance they estimated in these various schools?

Mr. CARTER of Oklahoma. We did this: Where we found their capacity was less than the amount the department asked for in some instances we cut to the capacity of the school. If we found the actual attendance was less, we cut to what was almost the actual attendance last year, providing the capacity would warrant it.

Mr. STAFFORD. In the administration of these various appropriations has the department always utilized the full amount in every case, or are there some instances where money has been turned back in the trust funds or the Treasury?

Mr. CARTER of Oklahoma. In most of the cases the allowance has been utilized fully. As the gentleman knows, when the department estimates are made, they are as of date of December 1, but are really made some time before that. Then when the commissioner or bureau chief comes before an appropriating committee, he comes with his justification for each item in the estimate, and in presenting that justification he usually has a balance unexpended in nearly every item. But his statement with reference to a great many of those balances is that they have been contracted for but have not yet been expended.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

For the construction of necessary channels and laterals for the utilization of water in connection with the pumping plant for irrigation purposes and for the installation of additional pumping machinery on the Colorado River Indian Reservation, Ariz., as provided in the act of April 4, 1910 (36 Stat. L., p. 273), for the purpose of securing an appropriation of water for the irrigation of approximately 150,000 acres of land, and for the conduct of surveys, preparation of plans and estimates for a complete irrigation system to supply the aforesaid area, which plans and estimates shall be embodied in a report with recommendations as to the most feasible and desirable irrigation system, and submitted to Congress prior to December 1, 1918, $80,000, to be immediately available, and for maintaining and operating the pumping plant, canals, and structures, $20,000; in all, $100,000, reimbursable as provided in said act, and to remain available until expended.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read.

I notice there is an authorization here for survey, preparation of plans, and estimates for a complete irrigation system to supply this entire area. A preliminary appropriation of $80,000 is provided for that purpose. I think some explanation should be given as to the total amount that may be required if this is authorized and what is the need for such an authorization at the present time.

Mr. HAYDEN. I can state to the gentleman the facts of the case. There are on the Colorado River Indian Reservation about 150,000 acres of irrigable land. It is the most fertile land on this continent. It will grow enormous crops because of the long growing season. The climate is very similar to that at Yuma in Arizona and the Imperial Valley in California. These lands were withdrawn nearly 50 years ago to form a reservation for the Indians. Unless some effort is made by the Government to divert water from the Colorado River to irrigate the reservation, the total flow of that stream will soon be appropriated at other places, and these Indian lands can not be reclaimed because there will not be enough water in the Colorado River to irrigate all the land that lies along the banks of that stream.

Mr. STAFFORD. Will the gentleman yield right there?

Mr. HAYDEN. Yes.

Mr. STAFFORD. How many acres on this reservation are now irrigated and have been utilized by the Indians?

Mr. HAYDEN. The hearings show that at the present time there are actually irrigated 2,432 acres. There is a pumping plant near Parker at present which has a capacity to supply water to about 3,500 acres. That plant has been in operation for sometime, but the Indians themselves took but slight interest in cultivating their lands until of late, when the war prices for cotton and other products induced an increase in the area of the land cultivated by the Indians and the lessees on the reservation.

Mr. STAFFORD. How much of these 2,432 acres are being used by the Indians themselves?

Mr. HAYDEN. Fourteen hundred and twenty-seven acres by the Indians and 1,005 acres are cultivated by lessees.

Mr. STAFFORD. Have the greater portion of the Indians allotments of this irrigated land?

Mr. HAYDEN. There have been allotted to the Indians on the Colorado River Reservation 10 acres to each man, woman, and child.

Mr. STAFFORD. Is this new project for the purpose of irrigating additional land, not for the benefit of the Indians primarily, but for the benefit of that part of the public that may go on there and locate?

Mr. HAYDEN. If the entire project is completed a part of it will be reserved for the Indians and the remainder of the land sold to white people to pay the cost of constructing the irrigation works. In other words, the Indians have a very valuable resource which can be utilized provided only that they can connect the water with their land. As matters stand now the land is valueless. If the development of this project is carried out it will make these Indians among the richest in the United States.

Mr. STAFFORD. Will the gentleman advise the committee what the total cost will amount to in case we launch upon this enlarged project?

Mr. HAYDEN. I can not give the gentleman any accurate information in that regard, because I do not know. I have endeavored during the last four or five years to induce the Indian Office to submit some preliminary estimates, but the commissioner said he desired to look at the reservation himself before doing that. He went out there last summer and came

back very enthusiastic, with the result that he has asked for this appropriation. The estimate submitted was for $100,000 for this purpose, but the committee reduced the amount to $80,000, which I think will be sufficient.

Mr. STAFFORD. Of course this is merely preliminary, involving only the appropriation for surveys and preparation of plan?

Mr. HAYDEN. Yes, sir.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Will the cost of this project run into millions of dollars?

Mr. HAYDEN. I imagine that the total cost will not be less than three or four million dollars.

Mr. STAFFORD. Out of whose funds will that appropriation be paid?

Mr. HAYDEN. The only feasible way to pay for the project is to charge the construction cost to the lands that are to be irrigated. Because the highest prices are paid for farm products, now is the time to carry out this work. Whether the money should be advanced from the Treasury or whether an irrigation district should be organized and the funds obtained by a bond issue is a matter for consideration when the department submits its report.

Mr. STAFFORD. Mr. Chairman, I question seriously whether this is the time, considering the condition of the Public Treasury, to launch into Indian irrigation projects for the development of arid lands, no matter where located, and particularly if those funds are to be paid out of the Treasury of the United States during the present war. Accordingly, Mr. Chairman, I make a point of order on the paragraph.

Mr. HAYDEN. By doing that the gentleman from Wisconsin will prevent the operation of the existing pumping plant.

Mr. STAFFORD. I have no objection, if it is agreeable to the committee, and no other amendment is offered to use as a handle this authorization for extensive new work, to have the language that has heretofore been incorporated in the bill down to line 17 retained.

Mr. HAYDEN. I would like to ask the gentleman that if there were funds belonging to these Indians in the Treasury—and there happen to be such funds to the extent of about $55,000—would the gentleman object to the appropriation of these Indian funds for the purpose of carrying on such an investigation as is contemplated?

Mr. STAFFORD. Well, that proposal may permit of the utilization of a mere bagatelle, $55,000, for survey purposes, but the ultimate cost, perhaps amounting to millions of dollars, will fall upon the National Treasury. This is no time for the launching of projects of that kind.

Mr. HAYDEN. Above all others, now is the time when a worthy project of this kind should be launched.

Mr. STAFFORD. Well, Mr. Chairman, I will suggest to the committee, as 5 o'clock is approaching, to have the committee rise. I do not want to do anybody any injustice. I have not examined the hearings on this proposal, and I want between now and Monday to look over the hearings and see whether I would be doing a rash act or not by insisting on the point of order.

Mr. CARTER of Oklahoma. I have no objection to moving that the committee rise now. Would the gentleman reserve his point of order until Monday?

Mr. STAFFORD. Yes.

Mr. CARTER of Oklahoma. That will be satisfactory.

Mr. STAFFORD. I reserve the point of order instead of making it.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 8696) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919, had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. HILLIARD, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Martin O. Larsen, H. R. 15333, Sixty-fourth Congress, no adverse report having been made thereon.

BOARD OF VISITORS, NAVAL ACADEMY.

The SPEAKER. By the act of August 29, 1916, the Speaker is required in the month of January to appoint a visiting committee to the Naval Academy at Annapolis, and it is further provided that in addition to the five Members, the chairman of the Committee on Naval Affairs shall be an ex officio member. Consequently the Chair announces the following as members of the committee: Mr. PADGETT (ex officio chairman), Mr. TALBOTT, Mr. ESTOPINAL, Mr. RIORDAN, Mr. BUTLER, and Mr. BROWNING.

HOUR OF MEETING ON MONDAY.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock on Monday morning.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock on Monday morning. Is there objection?

Mr. GILLETT. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Oklahoma the reason for that request?

Mr. CARTER of Oklahoma. If we meet at 11 o'clock, I think we can finish this bill by Monday night, and the Agricultural bill will be ready to take up on Tuesday at noon.

Mr. GILLETT. We are very busy, most of us, in the mornings, and I think I shall have to object.

The SPEAKER. The gentleman from Massachusetts objects.

CONSERVATION OF FUEL.

Mr. STEDMAN. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. STEDMAN. Mr. Speaker, my object is to read a telegram from a gentleman at Durham, N. C., who was a Confederate soldier, who is one of the great men of our State and a model citizen of our Republic. I do not read the telegram for any political purpose whatever, but to commend the spirit manifested by it to the entire American people. The telegram is as follows:

DURHAM, N. C., *January 19, 1918.*

Hon. C. M. STEDMAN,
Washington, D. C.:

The Durham Hosiery Mills, a corporation constituting a chain of 10 mills, 3 operated by steam and 7 by hydroelectric power, employing 3,500 hands, have shut down all of our plants, paying our employees in full while the mills are standing, patriotically complying with the request of the Fuel Administrator.

JULIAN S. CARR.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

PAY OF SOLDIERS.

Mr. TREADWAY. Mr. Speaker, I hold in my hand a letter from a soldier who entered the service just four months ago to-morrow. In that length of time he has been unable to receive one cent of pay, and the assignment that he made to his mother has not been paid to her. It seems that such a condition as this is deserving of the attention of the department. I took the matter up with the War Department last Monday, but as yet have received no reply to my communication.

The circumstances are these: The young man entered the service by joining a company in my section. He was transferred to another camp. Later the company which he first joined was sent overseas, and the records of his enlistment are with that company. It seems to me strange that in some way duplicates of such important papers as those should not have been left with the department here. I have a letter from the young man this morning saying that the roll has been signed for another month's pay, and that his name is not on that roll. Consequently, it will be at least five months before he receives any pay or before his mother receives the benefit of the assignment which he has made to her. I wish to call this matter to public attention to see if some action can not be secured looking to prompter pay of our men in the service. There are laws regulating time of payment of private corporations, but the Government itself can tie up a soldier's pay for at least four months, and, as this circumstance proves, it will be at least another month before he can get any pay, unless something can be done to cut this red tape. If these records are across the ocean, they ought to have been returned before this. Wherever they are, the men in the service ought not to be held up four months or their families be allowed to suffer because of some kind of department red tape.

Mr. GORDON. Will the gentleman yield for a question?

Mr. TREADWAY. Yes.

Mr. GORDON. Do you know whether this soldier was transferred at his own request?

Mr. TREADWAY. I have no information about that, and I do not think it makes a particle of difference. He is a full-fledged member of a military organization in the service of the Government and entitled to receive his pay monthly.

Mr. GORDON. Was he in a National Guard company or was he drafted?

Mr. TREADWAY. He says:

I have not been paid for about four months. I was with the One hundred and fourth Regiment, which is now overseas, but was transferred into Company H, Sixth Massachusetts Infantry, which company I am now in.

How he got there I do not know, and it does not make any difference.

Mr. GILLETT. That was a National Guard regiment.

Mr. TREADWAY. It was a National Guard regiment.

Mr. GORDON. Maybe he refused to volunteer and was transferred.

Mr. TREADWAY. Oh, not at all. He is in the service and is entitled to full credit for it as well as prompt pay.

Mr. GORDON. What reason was given for his transfer?

Mr. TREADWAY. I have no particulars as to that. He is a soldier in the service of the United States to-day.

Mr. LONGWORTH. If he was in the National Guard, he must have volunteered.

Mr. TREADWAY. Certainly; and it does not make any difference anyway.

Mr. GORDON. Not a bit. He is entitled to his pay, of course; but the gentleman has presented this at the wrong place. He ought to have presented it at the War Department.

Mr. TREADWAY. I did present it at the War Department and have received no satisfaction.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 6176. An act extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va.

ADJOURNMENT.

Mr. CARTER of Oklahoma. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House adjourned until Monday, January 21, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the Quartermaster Corps for "Army quarters, storehouses, etc., Canal Zone, Panama Canal," for the fiscal year 1919 (H. Doc. No. 842), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. RANDALL, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 7230) to amend the postal laws, reported the same with amendment, accompanied by a report (No. 248), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 3522) for the relief of the estate of Loyeau Berhel, deceased; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 8652) for the relief of John P. Chesley; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 3940) granting an increase of pension to Charles W. Bryant; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7524) granting a pension to Robert Dinsmore; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 8978) forbidding judges to charge juries with regard to matters of fact, but requiring judges to declare the law, and in jury trials to reduce their charge or instructions to writing on the request of either party; to the Committee on the Judiciary.

By Mr. CARY: A bill (H. R. 8979) to increase the pensions of the blind who served in the War with Mexico, the Civil War, and the War with Spain; to the Committee on Invalid Pensions.

By Mr. McLEMORE: A bill (H. R. 8980) to provide temporary promotion for retired officers performing active duty during the period of the present war; to the Committee on Naval Affairs.

By Mr. SULZER: A bill (H. R. 8981) to provide the full territorial form of government for Alaska; to the Committee on the Territories.

Also, a bill (H. R. 8982) to authorize the leasing of public lands in Alaska for grazing purposes; to the Committee on the Public Lands.

By Mr. PADGETT: A bill (H. R. 8983) to amend an act approved May 27, 1908 (35 Stats., pp. 417–418), and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 8984) for the relief of certain ex-paymasters' clerks; to the Committee on Naval Affairs.

Also, a bill (H. R. 8985) to authorize the payment of gun pointers and gun captains while temporarily absent from their regular stations, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 8986) to pay a cash reward to civilian employees of the United States Navy; to the Committee on Naval Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 8987) to preserve the purity of our flag; to the Committee on the Judiciary.

By Mr. LOBECK: A bill (H. R. 8988) creating a bureau of farm colonization to make a national survey of all public lands suitable for farming, to develop, establish, and maintain in a practical manner rural colonies and farm homes for qualified families; to the Committee on Agriculture.

By Mr. GARRETT of Texas: A bill (H. R. 8989) providing for the survey of Turtle Bayou, in the State of Texas; to the Committee on Rivers and Harbors.

By Mr. FESS: Concurrent resolution (H. Con. Res. 33) authorizing the printing of 500,000 extra copies of the income-tax primer; to the Committee on Printing.

By Mr. CARY: Joint resolution (H. J. Res. 216) to direct and empower the Commissioners of the District of Columbia to revoke licenses under certain conditions; to the Committee on the District of Columbia.

By Mr. LONDON: Joint resolution (H. J. Res. 217) authorizing the appropriation of $100,000,000 to relieve distress among wageworkers; to the Committee on Labor.

By Mr. SLEMP: Joint resolution (H. J. Res. 218) relating to the publishing of presidential utterances; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 219) relating to the admittance of newspapers as second-class mail matter containing certain statements; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 8990) granting an increase of pension to William Johnson; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 8991) granting a pension to Benjamin F. Todd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8992) granting an increase of pension to Charles Fish; to the Committee on Pensions.

By Mr. BORLAND: A bill (H. R. 8993) granting an increase of pension to Anson Church Harding; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 8994) granting an increase of pension to Cornelius J. Leport; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL: A bill (H. R. 8995) granting a pension to George W. Dille; to the Committee on Invalid Pensions.

By Mr. DALE of Vermont: A bill (H. R. 8996) granting a pension to Ellen E. Williams; to the Committee on Invalid Pensions.

By Mr. DENTON: A bill (H. R. 8997) granting an increase of pension to Thomas R. Turnham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8998) granting an increase of pension to John J. Criswell; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 8999) granting an increase of pension to Mary Woodson; to the Committee on Invalid Pensions.

Also; a bill (H. R. 9000) granting an increase of pension to Richard C. Newsom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9001) granting an increase of pension to Mathew Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9002) granting an increase of pension to August H. Knippenberg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9003) granting a pension to Evaline Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9004) granting a pension to Marintha Hartwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9005) granting a pension to Sarah Agnes Griffith; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 9006) granting an increase of pension to Jerome B. Summers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9007) granting an increase of pension to Samuel T. Dowdle; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 9008) granting an increase of pension to William Condo; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 9009) granting a pension to Ella Thatcher; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 9010) granting an increase of pension to Elijah W. Morgan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9011) granting an increase of pension to John Gillon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9012) granting an increase of pension to William R. Murphy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9013) granting an increase of pension to Hostin Litteral; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9014) granting an increase of pension to James E. Fields; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9015) granting an increase of pension to James H. Reeder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9016) granting an increase of pension to John Whitington; to the Committee on Pensions.

Also, a bill (H. R. 9017) granting a pension to Claud L. Salmons; to the Committee on Pensions.

By Mr. GARD: A bill (H. R. 9018) for the relief of Ynchausti & Co.; to the Committee on Claims.

By Mr. GLYNN: A bill (H. R. 9019) granting a pension to Charles L. Hewitt; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 9020) granting an increase of pension to Ambrose J. Knapp; to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 9021) granting an increase of pension to John Dewire; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 9022) granting an increase of pension to John W. Hamon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9023) granting an increase of pension to Washington Blankenship; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9024) granting a pension to Rebecca Hoskins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9025) granting a pension to John F. Hazelrigg; to the Committee on Pensions.

Also, a bill (H. R. 9026) granting an increase of pension to J. R. Evans; to the Committee on Pensions.

Also, a bill (H. R. 9027) for the relief of E. W. Lemaster; to the Committee on Claims.

Also, a bill (H. R. 9028) for the allowance of certain claims for difference in pay growing out of service in the Navy, as reported by the Court of Claims; to the Committee on Claims.

By Mr. MOORES of Indiana: A bill (H. R. 9029) granting a pension to Annie L. Marksbury; to the Committee on Invalid Pensions.

By Mr. PAIGE: A bill (H. R. 9030) granting a pension to Martin Salmon; to the Committee on Pensions.

By Mr. POWERS: A bill (H. R. 9031) granting a pension to Adam Wooten; to the Committee on Invalid Pensions.

By Mr. ROGERS: A bill (H. R. 9032) granting a pension to William Purcell; to the Committee on Pensions.

Also, a bill (H. R. 9033) granting a pension to William E. Galvin; to the Committee on Pensions.

Also, a bill (H. R. 9034) granting a pension to Julia O'Leary; to the Committee on Pensions.

Also, a bill (H. R. 9035) granting a pension to Thomas F. Dolan; to the Committee on Pensions.

By Mr. ROWLAND: A bill (H. R. 9036) for the relief of John R. Campbell; to the Committee on Claims.

By Mr. RUBEY: A bill (H. R. 9037) granting a pension to William S. Beachum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9038) granting a pension to Rosalie Noel; to the Committee on Invalid Pensions.

Also, a bill (H. R 9039) granting a pension to George W. Burk; to the Committee on Invalid Pensions.

By Mr. SEARS: A bill (H. R. 9040) granting a pension to Andrew J. Briggs; to the Committee on Pensions.

By Mr. SHALLENBERGER: A bill (H. R. 9041) granting a pension to Erastus A. Buck; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 9042) granting an increase of pension to Christopher Scheets; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Mississippi: A bill (H. R. 9043) for the relief of Sydney E. Smith; to the Committee on Claims.

Also, a bill (H. R. 9044) for the relief of Brig. Gen. (formerly Col.) Jesse McI. Carter, National Army; to the Committee on Claims.

Also, a bill (H. R. 9045) for the relief of certain pay officers of the United States Navy; to the Committee on Claims.

By Mr. VAN DYKE: A bill (H. R. 9046) granting a pension to Albert Burger (incompetent); to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CLARK of Pennsylvania: Petition of Jean A. Hard, Charlotte E. Evans, Mabel R. Hudson, Anna C. Gregory, Eleanor M. O'Connor, Eva M. Chapin, Josephine Douglass, Mary B. Harper, and Pauline R. Thomas, praying for the passage of H. R. 7995, for the care and maintenance and preservation of the historical naval brig, Commodore Hazard Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. CRAGO: Petition of the Brotherhood of American Yeomen of Erie, Pa., asking passage of H. R. 7995, a bill for the repair, etc., of the *Niagara*, flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. DIXON: Petition of Gordon Farmer, Grand Army of the Republic, of Brownstown, Ind., in favor of passage of House bill 6973; to the Committee on Invalid Pensions.

By Mr. FOSS: Petition of Paul Megelin and 25 others, of Chicago, Ill., urging the reorganization of the Ordnance and Quartermaster Departments so as to get the best officers possible and to eliminate red tape; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Memorial of the National Council, Sons and Daughter of Liberty, for the Burnett bill (H. R. 4892); to the Committee on Immigration and Naturalization.

By Mr. HILLIARD: Petition of Lorena Geer, Mary E. Todd, Mary Anderson, Sunset H. Schoepflin, Gussie Oak, John Oak, Emmett E. Gotchey, Katie Brown, May B. Kruse, M. D., Mary Montgomery, Mary E. Dougherty, V. C. Shields, Sadie L. Flint, Bessie Henderson Tewksbury, Ann Ferris, Charlotte A. Harris, Josephine Kimball, Elizabeth Williams, Helen Schoepflin, Mary A. Schoepflin, Kansas Goodenaugh, Nora H. Cummings, Robert S. Brown, H. Schoepflin, and W. R. Abbott, all of Denver, Colo., urging the adoption of the national suffrage amendment; to the Committee on Woman Suffrage.

By Mr. LEA of California: Memorial of Halleck Post, No. 19, Grand Army of the Republic, of Chico, Cal., and Corinth Post, No. 80, Grand Army of the Republic, of Marysville, Cal., urging increased pensions for soldiers and sailors of the Civil War; to the Committee on Invalid Pensions.

By Mr. PAIGE: Evidence in support of bill granting pension to Martin Salmon; to the Committee on Pensions.

By Mr. RANDALL: Memorial of Long Beach Chamber of Commerce, Long Beach, Cal., urging extreme punishment of crimes by enemies of Government who attempt to destroy property and in many instances cause loss of life; to the Committee on the Judiciary.

Also, memorial of Half Century Association of America, Los Angeles, Cal., favoring the creation of a Federal interest commission, whose duty it shall be to ascertain what are just rates of interest; to the Committee on Banking and Currency.

By Mr. REED: Evidence to support House bill 4637, granting an increase of pension to William B. B. Knight; to the Committee on Invalid Pensions.